



Community Planning & Permitting

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**BOULDER COUNTY
PLANNING COMMISSION
PUBLIC HEARING**

July 19, 2023 at 1:30 p.m.

**Boulder County Courthouse, 3rd Floor,
1325 Pearl Street, Boulder
Virtual and in-person**

STAFF RECOMMENDATION

STAFF PLANNER: Jonathan Tardif

Docket SU-23-0004 / SPR-23-0034: Travis Vacation Rental and Residence

Proposal: Special Review request for a Vacation Rental of 150 nights for up to 6 guests with a minimum stay of 3 nights and Site Plan Review to construct a 2,432-square-foot residence, 120-square-foot residential shed, and a 672-square-foot forestry barn resulting in 2,552 square feet of residential floor area on a 2.3 acre parcel where the presumptive size maximum is 2,500 square feet.

Location: 246 Tahosa South Road, located approximately 0.30 miles east of the intersection of Tahosa South Road and State Highway 7 in Section 13, Township 3N, Range 73.

Zoning: Forestry (F) Zoning District

Owners/Applicants: Steven Travis

Agent: Michael Daley

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SUMMARY

The applicants request Special Review approval for a Vacation Rental for more than 60 nights per year for up to six (6) guests with a minimum 3-night rental period and Site Plan Review to construct a 2,432-square-foot residence, 120-square-foot residential shed, and a 672-square-foot forestry barn resulting in 2,552 square feet of residential floor area on a 2.3 acre parcel within the Forestry (F) Zoning District. With the recommended conditions, staff finds the request can meet the Special Review Criteria in Article 4-601 and the Site Plan Review Criteria in Article 4-806 of the Boulder County Land Use Code (the Code) and recommends the Planning Commission recommend conditional approval to the Board of County Commissioners.

DISCUSSION

On December 3, 2020, the Board of County Commissioners conditionally approved docket DC-19-0005 Short-Term Dwelling Rental and Bed and Breakfast Update, which removed the previous Lodging Use of Short-Term Dwelling Rental and replaced it with three short-term rental categories, including Vacation Rental. In addition, the Board approved Ordinance No. 2020-01 (the “Licensing Ordinance”), to license Short-Term and Vacation Rentals within the unincorporated county. Under the newly adopted Code provisions, Special Review approval is required to establish a Vacation Rental on unsubdivided property within the Forestry Zoning District that is less than five acres in size. Site Plan Review is required for any development requiring a building permit on vacant parcels in unincorporated Boulder County.

The applicants are requesting a Vacation Rental offering transient lodging accommodations to one booking party of up to six (6) guests at a time for approximately 150 nights per year and Site Plan Review to construct a 2,432-square-foot residence, 120-square-foot residential shed, and a 672-square-foot forestry barn at 246 Tahosa South Road. As the subject property is not the Primary Residence of the applicant (also the property owner) and the applicant expects to rent the property in excess of 60 days per year, the property cannot qualify as a Primary or Secondary Dwelling Short-Term Rental. Instead, per Article 4-507.E.2.a of the Code, Special Review is required for this request as the subject property is located within the Forestry (F) Zoning District and is less than five acres.

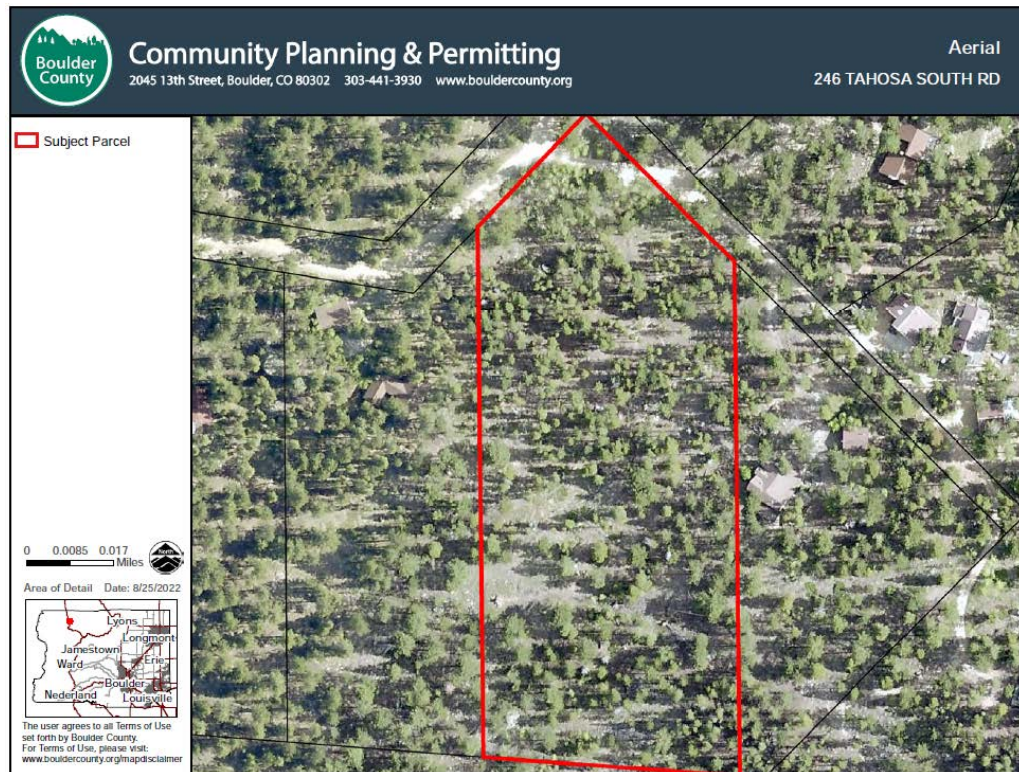


Figure 1: Aerial photograph, with the subject property indicated in red.

The subject property is approximately 2.3-acres and is currently vacant. The subject property has legal access to State Highway 7 (SH7), also known as the Peak-to-Peak Highway, a Colorado Department of Transportation (CDOT) owned and maintained right-of-way (ROW), via Tahosa South Road, a private gravel road. Legal access has been demonstrated by a quit claim deed recorded 1/18/2012 with Reception No. 03196644.

The Boulder County Comprehensive Plan identifies two (2) important resources on- or near the

subject property, including area of Very High Biodiversity Significance and the Peak to Peak Scenic Corridor. A Comprehensive Plan map showing these identified resources is shown in Figure 2, below.

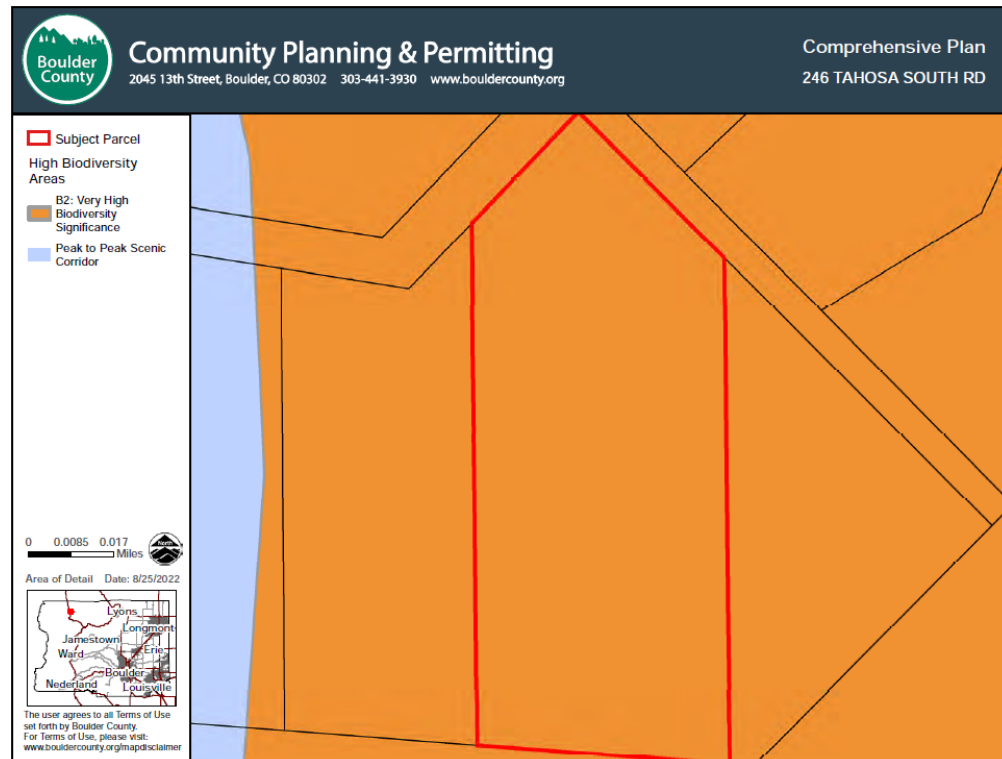


Figure 2: Comprehensive Plan map

As detailed in the criteria review below, staff recommends conditional approval of the proposal because, with the recommended conditions of approval, staff finds the proposed Vacation Rental use can meet the Special Review Criteria and the construction of the residence and forestry barn can meet the Site Plan Review Standards in the Code.

REFERRALS

This application was referred to the typical agencies, departments, and adjacent property owners. All responses received are attached and summarized below.

Boulder County Development Review Team – Access & Engineering: This team reviewed the request and responded that legal access is demonstrated, noted that off-site improvements are required to Tahosa South Road and all access improvements must meet Multimodal Transportation Standards (MMTS), requested a grading plan to be submitted with the documents supplied for permitting, and noted the required relocation of the emergency vehicle turnaround.

Boulder County Building Safety & Inspection Services Team: This team reviewed the proposal and stated there are building permits and plan review required for the construction of the new residence. Additionally, the residence must comply with the following requirements: Automatic Fire Sprinkler System, BuildSmart, Electric Vehicle Charging Outlets, Design Wind and Snow Loads, and Ignition-Resistant Construction and Defensible Space. Life-safety requirements of the Licensing Ordinance must be met, including passing an inspection prior to issuance of a Vacation Rental License.

Boulder County Parks & Open Space – Natural Resource Planner: The Natural Resource Planner reviewed the proposal and had no concerns with the residence and Vacation Rental. Additionally noted was the requirement for a Revegetation Plan to be submitted that includes native grass species

to be used, an explanation of how topsoils will be stockpiled and reused, mapped delineation of all disturbance areas (this includes construction staging areas, driveway, utility lines, and septic system), and locations of silt fence or erosion control logs down slope of all disturbed areas.

Boulder County Public Health: Public Health reviewed the proposal and responded that an onsite wastewater treatment system (OWTS) permit has not been issued. The owner or their agent (e.g., contractor) must apply for a Commercial OWTS permit. The OWTS permit must be issued prior to installation and before a building permit can be obtained. The OWTS components must be installed, inspected and approved before a Certificate of Occupancy or Final Building Inspection approval will be issued by Community Planning and Permitting (CP&P). Additionally, While the property is used as a vacation rental it will have a commercial OWTS permit. In the future, when the owners move into the property as a primary residence, they can apply for an OWTS Use permit to change the use to residential.

Boulder County Wildfire Team – Wildfire Mitigation Specialist: The Wildfire Mitigation Specialist reviewed the proposal and responded that the property owners are required to obtain a Wildfire Partners certificate, per the terms of Section 5.A.3.b of Boulder County Licensing Ordinance No. 2020-01 adopted on 02/08/2021. The Wildfire Mitigation Specialist also noted that mitigation is required in relation to the proposed new residence and its associated carport, specifically the following items (detailed further in the referral response included in Attachment B, pages B8-B11): Site Location, Ignition-Resistant Materials and Construction, Defensible Space, Emergency Water Supply, and Emergency Vehicle Access.

Allenspark Fire Protection District: This agency reviewed the application materials and did not have any conflict. They provided information for the applicants regarding rental properties in their district.

Adjacent Property Owners: Notices were sent to 52 adjacent property owners; one comment has been received to date, citing concerns about emergency access and the compatibility of a Vacation Rental use in the neighborhood.

Agencies that responded with no conflict: Estes Park Power & Light

Agencies that did not respond: Boulder County Long Range, Boulder County Short-Term Rental Licensing, Allenspark Area Landowners, Allenspark Concerned Citizens, Boulder County Mountain Cabin Alliance, Greater Allenspark Community Alliance, St. Vrain & Left Hand Water Conservancy District, Boulder Valley & Longmont Conservation Districts, and U.S. Forest Service – Boulder Ranger District.

SPECIAL REVIEW CRITERIA

The Community Planning & Permitting staff has reviewed the standards for approval of a Special Review for a Vacation Rental on less than five acres in the Forestry Zoning District, per Article 4-601 of the Code, and finds the following:

- (1) ***Complies with the minimum zoning requirements of the zoning district in which the use is to be established, and will also comply with all other applicable requirements,***

The subject property is less than five acres and located on unsubdivided land in the Forestry Zoning District. Vacation Rentals are permitted under these circumstances in the Forestry district if approved through the Special Review process, per Article 4-507.E of the Code. In accordance with the additional provisions for a Vacation Rental, the applicants must maintain a valid Boulder County Vacation Rental License and meet all applicable requirements under the Licensing Ordinance. These requirements include Wildfire Partners Certification, meeting Building Code safety requirements (e.g., fire extinguishers), proof of adequate insurance,

having a local manager who is able to be responsive to issues within one hour in person, and remittance of all applicable taxes. In addition, Vacation Rental guests are not permitted to have outdoor fires, except for gas grills or fire tables, and the applicants must provide a range of information to guests regarding wildfire risk, wildlife safety, and on-site wastewater treatment system usage among others.

Staff recommends a condition of approval requiring the applicants to maintain a valid Vacation Rental License while the subject property is used as short-term lodging. Vacation Rentals are also not allowed to be marketed or used for weddings, receptions, or other similar private or public events and staff recommends a condition of approval to that effect. With the recommended conditions of approval, staff finds the proposal meets the minimum zoning requirements of the Forestry Zoning District.

Therefore, as conditioned, staff finds this criterion can be met.

- (2) ***Will be compatible with the surrounding area. In determining compatibility, the Board should consider the location of structures and other improvements on the site; the size, height and massing of the structures; the number and arrangement of structures; the design of structures and other site features; the proposed removal or addition of vegetation; the extent of site disturbance, including, but not limited to, any grading and changes to natural topography; and the nature and intensity of the activities that will take place on the site. In determining the surrounding area, the Board should consider the unique location and environment of the proposed use; assess the relevant area that the use is expected to impact; and take note of important features in the area including, but not limited to, scenic vistas, historic townsites and rural communities, mountainous terrain, agricultural lands and activities, sensitive environmental areas, and the characteristics of nearby development and neighborhoods;***

The subject property is a legal building lot. Existing uses in the surrounding area primarily consist of year-round and seasonal residences, and the Allenspark area has historically provided vacation rentals for those looking to stay near popular hiking and camping areas. Staff find that the proposed Vacation Rental use is similar to the existing residential uses permitted by right on the subject property, and that the Vacation Rental use is compatible with the surrounding area. The applicants propose a Vacation Rental with three total sleeping rooms for a maximum of six guests at a time for approximately 150 nights per year. Staff recommend conditions of approval that the three sleeping rooms are approved as proposed, the Vacation Rental use is limited to a maximum occupancy of six (6) individuals, including children, and the Vacation Rental use is limited to a maximum of 150 nights per year.

Therefore, as conditioned, staff finds this criterion is met.

- (3) ***Will be in accordance with the Boulder County Comprehensive Plan;***

The Comprehensive Plan indicates that the property is located within areas of Very High Biodiversity Significance and is in close proximity to the Peak-to-Peak Scenic Corridor. The section of State Highway 7 (also known as Peak-to-Peak Highway) has a view protection score of 5, the highest score possible.

The proposed residence is located well back from the highway and is not within the Peak-to-Peak Scenic Corridor. Further discussion of visual impacts related to the development of the residence and forestry barn is in SPR criteria 10, below. Staff does not anticipate any impacts to either the areas of Very High Biodiversity Significance or the Peak-to-Peak Scenic Corridor. No agencies have responded with concerns related to either of these designations.

Therefore, staff finds this criterion is met.

- (4) ***Will not result in an over-intensive use of land or excessive depletion of natural resources. In evaluating the intensity of the use, the Board should consider the extent of the proposed development in relation to parcel size and the natural landscape/topography; the area of impermeable surface; the amount of blasting, grading or other alteration of the natural topography; the elimination or disruption of agricultural lands; the effect on significant natural areas and environmental resources; the disturbance of plant and animal habitat, and wildlife migration corridors; the relationship of the proposed development to natural hazards; and available mitigation measures such as the preservation of open lands, the addition or restoration of natural features and screening, the reduction or arrangement of structures and land disturbance, and the use of sustainable construction techniques, resource use, and transportation management.***

With the condition of approval requiring that the applicants maintain a Vacation Rental License with all its associated requirements, staff finds the proposed use of the property as a Vacation Rental will not result in an over-intensive use of land or an excessive depletion of natural resources.

Therefore, as conditioned, staff finds this criterion can be met.

- (5) ***Will not have a material adverse effect on community capital improvement programs;***

There is no indication the proposed Vacation Rental use will have an adverse effect on community capital improvement programs, and no referral agency has responded with such a concern.

Therefore, staff finds this criterion is met.

- (6) ***Will not require a level of community facilities and services greater than that which is available;***

Staff does not anticipate the proposal will have an adverse effect on community facilities and services, and the Allenspark Fire Protection District did not submit a response voicing any concerns about the request. In addition, an on-site wastewater treatment system (OWTS) is required to be installed subject to review and approval by Boulder County Public Health. Further discussion of OWTS requirements is in SPR criteria 3, below.

Therefore, staff finds this criterion can be met.

- (7) ***Will support a multimodal transportation system and not result in significant negative impacts to the transportation system or traffic hazards;***

The subject property has demonstrated legal access from State Highway 7 via Tahosa South Road. As discussed in SPR criteria 3, below, the proposed accessway to the subject property and the proposed residence must be constructed to meet MMTS requirements.

Per Article 4-507.E.3 of the Code, Vacation rentals are required to provide “*One space per Sleeping Room in addition to one space for the local manager. All parking must be on-site.*” By this standard, four (4) on-site parking spaces are required for the proposal; one space for each of the three sleeping rooms within the residence, and a fourth space for the local manager. Per the requirements of Article 4-507.E3 of the Code, staff recommend as a

condition of approval that the applicants require all guests/visitors to park on the subject property.

Based on the proposed site plan (reviewed further through the SPR criteria, below), the property is able to provide the required four (4) parking spaces. Additionally, staff recommend that as a condition of approval, the applicant mark OWTS component locations to prevent damage from vehicles.

With the recommended conditions, staff finds the proposal does not conflict with a multimodal transportation system and staff does not anticipate that the request will have a negative impact on the transportation system.

Therefore, as conditioned, staff finds this criterion can be met.

(8) *Will not cause significant air, odor, water, or noise pollution;*

As required under the Licensing Ordinance, the applicants must provide information to guests regarding trash, recycling, on-site wastewater treatment system usage, and noise. In addition, all persons must abide by the Boulder County Noise Ordinance (No. 92-28) at all times. With the recommended conditions of approval, staff does not anticipate that the proposal will cause significant air, odor, water, or noise pollution, and no referral agency has responded with such a concern.

Therefore, as conditioned, staff finds this criterion can be met.

(9) *Will be adequately buffered or screened to mitigate any undue visual impacts of the use;*

The proposed Vacation Rental will utilize the proposed residence. Visual impacts related to development of the residence are discussed in SPR criteria 10, below. Furthermore, staff do not anticipate that the proposed Vacation Rental use will result in negative visual impacts related to the defined neighborhood and adjacent properties, or to the View Protection Corridor along State Highway 7, as discussed in criterion 3 above.

Therefore, staff finds this criterion is met.

(10) *Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Boulder County;*

With the requirement to maintain a valid Boulder County Vacation Rental License and meet all the associated requirements related to health, safety, and welfare of the occupants and surrounding uses, staff does not anticipate that the proposed Vacation Rental will be detrimental to present or future inhabitants.

Therefore, as conditioned, staff finds this criterion can be met.

(11) *Will establish an appropriate balance between current and future economic, environmental, and societal needs by minimizing the consumption and inefficient use of energy, materials, minerals, water, land, and other finite resources;*

With the recommended conditions of approval, allowing the applicants to rent the proposed residence as a Vacation Rental, while it is otherwise vacant, would provide additional income for the applicants without significantly impacting the surrounding uses.

Therefore, as conditioned, staff finds this criterion can be met.

- (12) ***Will not result in unreasonable risk of harm to people or property – both onsite and in the surrounding area – from natural hazards. Development or activity associated with the use must avoid natural hazards, including those on the subject property and those originating off-site with a reasonable likelihood of affecting the subject property. Natural hazards include, without limitation, expansive soils or claystone, subsiding soils, soil creep areas, or questionable soils where the safe-sustaining power of the soils is in doubt; landslides, mudslides, mudfalls, debris fans, unstable slopes, and rockfalls; flash flooding corridors, alluvial fans, floodways, floodplains, and flood-prone areas; and avalanche corridors; all as identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through the Special Review or Limited Impact Special Review process using the best available information. Best available information includes, without limitation, updated topographic or geologic data, Colorado Geologic Survey landslide or earth/debris flow data, interim floodplain mapping data, and creek planning studies.***

Portions of the subject property contain areas identified as having landslide susceptibility; however, no referral agency has responded with any concerns regarding natural hazards related to the proposed Vacation Rental use. Review of the proposed new development is further described in SPR criteria 4, below.

Therefore, staff finds this criterion is met.

- (13) ***The proposed use shall not alter historic drainage patterns and/or flow rates unless the associated development includes acceptable mitigation measures to compensate for anticipated drainage impacts. The best available information should be used to evaluate these impacts, including without limitation the Boulder County Storm Drainage Criteria Manual, hydrologic evaluations to determine peak flows, floodplain mapping studies, updated topographic data, Colorado Geologic Survey landslide, earth/debris flow data, and creek planning studies, all as applicable given the context of the subject property and the application.***

Staff finds the proposed Vacation Rental use will not alter historic drainage patterns or flow rates and referral agency has responded with such concerns. Review of the proposed new development is further described in SPR criteria 6, below.

Therefore, staff finds this criterion is met.

SITE PLAN REVIEW SUMMARY:

Article 4-806 of the Code states that no Site Plan Review can be approved without compliance with the following standards. All site plan review applications shall be reviewed in accordance with the following standards which the Director has determined to be applicable based on the nature and extent of the proposed development. Only those standards applicable to this project are included in this list. Staff has reviewed these standards as they apply to the proposed residence and finds the following:

- (1) ***To provide a greater measure of certainty as to the applicable neighborhood relevant for comparison, the following definition of neighborhood shall be used to review proposed Site Plan Review applications:***
- c. For applications outside of platted subdivisions with seven or more developed lots or the townsites of Allenspark, Eldora, Eldorado Springs, Raymond and Riverside, the defined neighborhood is the area within 1,500 feet from the applicable parcel. The***

neighborhood shall not include any parcels inside municipal boundaries, platted subdivisions with seven or more developed lots or the townsites of Allenspark, Eldora, Eldorado Springs, Raymond and Riverside.

The applicable neighborhood for the subject property is the area within 1,500 feet from the subject property, excluding parcels inside municipal boundaries, platted subdivisions with seven or more developed lots, and any mapped townsites.

- (2) *The size of the resulting development (residential or nonresidential) must be compatible with the general character of the defined neighborhood.*
 - a. *In determining size compatibility of residential structures within the defined neighborhood, it is presumed that structures of a size within the larger of a total residential floor area of either (1) 125% of the median residential floor area for that defined neighborhood or (2) of a total residential floor area of 1,500 square feet in the mapped townsites of Allenspark, Eldora, Eldorado Springs, Raymond, and Riverside, or 2,500 square feet for all other areas of the County, are compatible with that neighborhood, subject also to a determination that the resulting size complies with the other Site Plan Review standards in this section 4-806.A.*

A. SIZE PRESUMPTION

The presumed compatible size of residential structures within the defined neighborhood (see Standard 1 above for the applicable neighborhood) is 2,500 square feet, which is greater than 125% of the median residential floor area for the defined neighborhood.

Median (total residential floor area) in the defined neighborhood*	1,911 square feet
125% of the median residential floor area in the defined neighborhood	2,389 square feet
Total existing residential floor area on the subject property*	None
Total proposed new residential floor area on the subject property	2,552 square feet (2,432-square-foot residence and 120-square-foot residential shed)
Total proposed residential floor area	2,552 square feet

**Source: Boulder County Assessor's records, as verified by CPP staff for the subject property.*

b. Either the applicant or the Director may demonstrate that this presumption does not adequately address the size compatibility of the proposed development with the defined neighborhood.

i. Factors to be considered when determining the adequacy of this presumption and whether it can be overcome include:

- B. The distribution of residential floor area within the defined neighborhood, taking into consideration the sizes (a minimum of two) adjacent to the subject property.**
 - 1. If the proposed development is able to overcome the size presumption due to the adjacent sizes, the size of the resulting development may not exceed the median residential floor area of those adjacent to the subject property that are over the size presumption.**

B. ABILITY TO OVERCOME THE SIZE PRESUMPTION

The applicants propose to construct a new residence with a 492-square-foot first floor (which includes living space and carport space), a 1,200-square-foot second floor, and 740 square feet of attached garages. Additionally, a total of 576 square feet of carport space is proposed. Article 18-189D of the Code identifies that gazebos, carports, solar parking canopies, detached greenhouses, renewable energy storage facilities, and hoop houses are exempt from the calculation of residential floor area, up to a total combined size of 400 square feet. The remaining 176 square feet of carport space are included in the calculation of the first-floor area. The total proposed residential floor area is 2,552 square feet, which is over the presumed compatible size for residential structures in the defined neighborhood.

Under Article 4-806.A.2.b.(i) of the Code, the applicant or Director may demonstrate that the presumed compatible size does not adequately address the size compatibility of the proposed development with the defined neighborhood. Article 4-806.A.2.b.(i)(B) states that one factor that can be considered in determining whether the size presumption may be overcome is the distribution of residential floor area within the defined neighborhood, taking into consideration the sizes adjacent to the subject property. There are three adjacent properties with residential floor area above the presumed size maximum (2,715 square feet, 3,479 square feet, and 4,146 square feet). If the proposed development is able to overcome the size presumption due to the adjacent sizes, the size of the resulting development may not exceed the median residential floor area of those adjacent to the subject property that are over the size presumption. In this case, the adjusted presumed size maximum for the subject parcel is 3,479 square feet.

Staff also analyzed the above-grade residential floor area for other properties within the defined neighborhood to further evaluate the proposal’s compatibility with the general character of the defined neighborhood. The distribution of the median range of above-grade residential floor area within the defined neighborhood is a broad distribution between 664 square feet and 6,676 square feet. The subject proposal will result in a total above-grade residential floor area of 2,552 square feet. Additionally, staff considered the neighborhood context of surrounding parcels and found three adjacent properties with above-grade floor areas that are above the median range. The applicants proposed above-grade floor area is consistent with the median of these adjacent parcels (2,983 square feet), and staff finds that the proposed total residential floor area is compatible with the general character of the defined neighborhood and the subject proposal may overcome the presumptive size maximum of 2,500 square feet.

Staff recommends a condition of approval that the approved size of the proposed new residential floor area is a maximum of 2,552 square feet.

C. APPROVED SIZE

RESIDENTIAL FLOOR AREA*	
Approved NEW residential floor area	Maximum 2,552 square feet (2,432-square-foot residence and 120-square-foot residential shed)
TOTAL approved resulting residential floor area	Maximum 2,552 square feet

**Residential Floor Area includes all attached and detached floor area on a parcel including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices, and workshops, excluding covered deck. Floor area does not include the area of any covered porch. Gazebos, carports, detached greenhouses and hoop houses up to a total combined size of 400 square feet are also exempt.*

The applicant is proposing to construct a 2,552 square feet residence. For the reasons stated above, staff recommends approval of the proposed residence because it is compatible with the development in the defined neighborhood.

NON-RESIDENTIAL FLOOR AREA	
Total existing non-residential floor area on the subject property to remain	None
<i>Approved NEW non-residential floor area to be constructed on the subject property</i>	672 square feet (forestry barn)
<i>TOTAL resulting non-residential floor area on the subject property</i>	Approximately 672 square feet

The applicant is proposing to construct a 672-square-foot forestry barn on the subject property. Application materials indicate the forestry barn will be used to house forestry-related equipment including, but not limited to a trailer, 4-wheeler, wood splitter, tool storage, and workbench. Staff finds that the subject property is well vegetated, and the use of a forestry shed for property maintenance is consistent with the Forestry zoning district. Consequently, the forestry shed does not constitute residential floor area. Staff recommends a condition of approval that prior to the issuance of any building permits, the applicant must sign and submit to CPP staff a zoning affidavit stating that the forestry barn must not be used for a residential use.

(3) *The location of existing or proposed buildings, structures, equipment, grading, or uses shall not impose an undue burden on public services and infrastructure.*

The subject property has demonstrated legal access from State Highway 7 via Tahosa South Road. Application materials proposed the construction of a driveway on the subject property along with the required emergency turnaround.

The Development Review – Access & Engineering team noted that the proposed driveway and emergency vehicle turnaround must be constructed to meet MMTS requirements and recommended the emergency turnaround point is relocated to an area between the entrance of the subject property and prior to the first structure on-site. Staff finds that the relocation of the emergency vehicle turnaround can be achieved and recommends conditions of approval that the turnaround point is relocated to an area between the entrance of the subject property and prior to the first structure on-site and a that all access improvements be constructed to meet MMTS requirements.

Additionally, application materials indicate that off-site improvements will be made to widen Tahosa South Road, a private gravel road. The Boulder County MMTS Table 5.5.1 requires an 18-foot road where there are more than 5 dwelling units accessing the road, therefore staff supports the improvements to Tahosa South Road in the locations specified. However, the applicants must demonstrate support of the improvements by the owners of the property in which the easement is located, and either complete the improvements within the existing easement or obtain additional easements from the owners of the properties affected by the access location. Staff recommend a condition of approval that prior to building permit, the applicant must demonstrate support of the improvements by the owners of the property in which the easement is located, and (if necessary) submit additional easements for access from the owners of the properties affected by the access location.

Boulder County Public Health noted that an OWTS permit will be required for the construction of the proposed 3-bedroom residence, and that while the property is used as a vacation rental it will need a commercial OWTS permit. In the future, if the owners move into the property as a primary residence, they can apply for an OWTS Use permit to change the use to residential. Staff recommend a condition of approval that the applicant must obtain an OWTS permit for the construction of the new residence and if the use on site transfers to residential use, the property owner must apply for a OWTS Use permit.

Therefore, as conditioned, staff find no conflicts with this standard.

- (4) ***The proposed development shall avoid natural hazards, including those on the subject property and those originating off-site with a reasonable likelihood of affecting the subject property. Natural hazards include, without limitation, expansive soils or claystone, subsiding soils, soil creep areas, or questionable soils where the safe-sustaining power of the soils is in doubt; landslides, mudslides, mudfalls, debris fans, unstable slopes, and rockfalls; flash flooding corridors, alluvial fans, floodways, floodplains, and flood-prone areas; and avalanche corridors. Natural hazards may be identified in the Comprehensive Plan Geologic Hazard and Constraint Areas Map or through the Site Plan Review process using the best available information. Best available information includes, without limitation, updated topographic or geologic data, Colorado Geologic Survey landslide or earth/debris flow data, interim floodplain mapping data, and creek planning studies. Development within or affecting such natural hazards may be approved, subject to acceptable measures that will satisfactorily mitigate all significant hazard risk posed by the proposed development to the subject property and surrounding area, only if there is no way to avoid one or more hazards, no other sites on the subject property can be reasonably developed, or if reasonably necessary to avoid significant adverse impacts based upon other applicable Site Plan Review criteria.***

As discussed under LU review criterion 12 above, the subject property is identified as being within an area of landslide susceptibility. However, the Boulder County Building Safety and Inspection Services Team referral response did not find conflict with the proposal. Staff finds that unreasonable risk of harm to people or property from natural hazards is not present for the proposed area of disturbance and staff has no conflict with the proposed earthwork.

Therefore, staff find no conflicts with this standard.

- (5) ***The site plan shall satisfactorily mitigate the risk of wildfire both to the subject property and those posed to neighboring properties in the surrounding area by the proposed development. In assessing the applicable wildfire risk and appropriate mitigation measures, the Director shall consider the referral comments of the County Wildfire Mitigation Coordinator and the applicable fire district, and may also consult accepted national standards as amended, such as the Urban-Wildland Interface Code; National Fire Protection Association (NFPA); International Fire Code; and the International Building Code.***

The proposed project is in Wildfire Zone 1 (the foothills or mountains—approximately west of highways 7, 36, or 93) of the unincorporated portion of Boulder County. The Boulder County Wildfire Mitigation Team reviewed the proposal and noted that wildfire mitigation will be required, including, ignition-resistant materials and defensible space, emergency water supply, and emergency vehicle access & clearance.

Staff recommend a condition of approval that the applicant must obtain the Wildfire Partners Certification and shall comply with wildfire mitigation requirements identified in the referral response dated June 28, 2023.

Therefore, as conditioned, staff find no conflicts with this standard.

- (6) ***The proposed development shall not alter historic drainage patterns and/or flow rates or shall include acceptable mitigation measures to compensate for anticipated drainage impacts. The best available information should be used to evaluate these impacts, including without limitation the Boulder County Storm Drainage Criteria Manual, hydrologic evaluations to determine peak flows, floodplain mapping studies, updated topographic data, Colorado Geologic Survey landslide, earth/debris flow data, and creek planning studies, all as applicable given the context of the subject property and the application.***

The subject parcel is characterized as a generally flat site and the proposed development does not significantly alter the natural topography of the site. Staff does not find any concern or conflict with the proposal and impacts on historic drainage patterns and/or flow rates, nor has any referral agency responded with concerns; however, it appears that the proposal will exceed one acre in site disturbance, thereby requiring a stormwater quality permit. Staff recommend a condition of approval that prior to building permit, the applicant must submit area of disturbance calculations and apply for a stormwater quality permit.

Therefore, as conditioned, staff find no conflicts with this standard.

- (7) ***The development shall avoid significant natural ecosystems or environmental features, including but not necessarily limited to riparian corridors and wetland areas, plant communities, and wildlife habitat and migration corridors, as identified in the Comprehensive Plan or through the Site Plan Review process. Development within or affecting such areas may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable Site Plan Review criteria.***

According to the Comprehensive Plan, there are areas of Very High Biodiversity Significance present throughout the subject property. Referral responses did not identify any concern to the areas identified, nor has staff review identified any concerns with the proposed new development.

Therefore, staff find no conflicts with this standard.

- (8) ***The development shall avoid agricultural lands of local, state or national significance as identified in the Comprehensive Plan or through the site plan review process. Development within or affecting such lands may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.***

There are not any agricultural lands of local, state, or national significance identified on the subject property. Therefore, this criterion is not applicable.

- (9) ***The development shall avoid significant historic or archaeological resources as identified in the Comprehensive Plan or the Historic Sites Survey of Boulder County, or through the site plan review process. Development within or affecting such resources may be approved,***

subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.

There are not any significant historic or archaeological resources identified on the subject property. Therefore, this criterion is not applicable.

- (10) *The development shall not have a significant negative visual impact on the natural features or neighborhood character of surrounding area. Development shall avoid prominent, steeply sloped, or visually exposed portions of the property. Particular consideration shall be given to protecting views from public lands and rights-of-way, although impacts on views of or from private properties shall also be considered. Development within or affecting features or areas of visual significance may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.***

b. For development anywhere in the unincorporated areas of the county, mitigation of visual impact may include changing structure location, reducing or relocating windows and glazing to minimize visibility, reducing structure height, changing structure orientation, requiring exterior color and materials that blend into the natural environment, and/or lighting requirements to reduce visibility at night.

Location	As shown on the submitted site plan dated 4/6/2023
Elevations	As shown on the elevations submitted for review on 4/11/2023
Height	29' 10" from existing grade (residence) 27' from existing grade (forestry barn) 12' from existing grade (residential shed)

The application materials indicate that cement board siding and metal roofs will be used for both the residence and the forestry barn, and both structures will have grey colored siding and charcoal-colored roofs. Further discussion of exterior colors and materials is in SPR criteria 10. B, below.

Staff recommend that the elevations and height for the residence is approved as proposed in the elevations submitted for review on April 11, 2023. Staff has confirmed with the applicant that the forestry barn is proposed at 27 feet from existing grade and the residential shed is proposed at 12 feet from existing grade; however, this is not informed on the submitted application materials. Staff recommend a condition of approval that prior to the issuance of building permits, the applicant must submit updated elevations for the forestry barn and residential shed displaying the proposed height of the structures for review and approval by CPP staff.

A. HEIGHT VERIFICATION

Because the proposed height of the residence is within two feet of the maximum allowed 30 feet above existing grade for residential structures, a licensed Surveyor must complete a Height Survey Verification Form. Staff recommend a condition of approval requiring the applicant to complete the height verification process.

Please note that the height verification is a two-part process that requires a licensed Surveyor to establish existing grade (the grade before any site work) prior to construction, in addition

to a follow-up survey once all roof framing is in place. The two-part form must sufficiently establish existing grade in accordance with standard surveying practice.

B. EXTERIOR COLORS AND MATERIALS

The application materials indicate that cement board siding and metal roofs will be used for both the residence and the forestry barn and do not specify the materials used for the residential shed. As required by the Boulder County Building Safety & Inspection Services Team and the Boulder County Wildfire Team, ignition-resistant construction is required for structures located in Wildfire Zone 1 (detailed in SPR criteria 5, above). Staff recommends a condition of approval that prior to the issuance of building permits, the applicant must submit material samples for all new structures (new residence and accessory agricultural structures) to CPP staff for review and approval.

The application materials indicate that grey colored siding and a charcoal-colored roof will be used for both the residence and the forestry barn and do not specify colors to be used for the residential shed. Staff recommends that the exterior colors proposed for the residence and forestry barn are approved, as well as a condition of approval that prior to the issuance of building permits, the applicant must submit exterior color samples for all new structures (residence, forestry barn, and residential shed) to CPP staff for review and approval. The colors should be carefully selected to ensure that they are compatible with the policies and goals established by the Comprehensive Plan and provisions of the Land Use Code and will not result in an adverse impact on surrounding properties.

C. EXTERIOR LIGHTING

The locations and types of exterior lighting fixtures were not provided in the application. Given the visible position in the landscape and the rural character of the area, lighting has the potential to cause negative visual impacts. In order to minimize adverse visual impacts, lighting on site should be limited to one (1) fixture for each exterior entrance and the use of landscape or driveway lighting is discouraged. Staff recommends a condition of approval that prior to the issuance of building permits, an exterior lighting plan and detail sheet informing all exterior light fixtures be submitted for review and approval by CPP staff.

NOTE: Down Lighting is required, meaning that all bulbs must be fully shielded to prevent light emissions above a horizontal plane drawn from the bottom of the fixture. All exterior light fixtures must be in conformance with Article 7-1600 and Article 18-162A of the Boulder County Land Use Code.

- (11) *The location of the development shall be compatible with the natural topography and existing vegetation and the development shall not cause unnecessary or excessive site disturbance. Such disturbance may include but is not limited to long driveways, over-sized parking areas, or severe alteration of a site's topography. Driveways or grading shall have a demonstrated associated principal use.*

A. LOCATION

Staff finds no conflict with the proposed locations of the new residence and accessory structures as identified on the site plan dated April 6, 2023, nor has any referral agency responded with such concerns. The subject property is a generally flat property for a mountainous site and the proposed locations of structures, as displayed in Figure 3 below, are compatible with the natural topography.

A. REVEGETATION REQUIREMENT

A Revegetation Plan was not submitted with the application materials. Staff recommends conditions of approval requiring a Revegetation and Erosion Control Plan that includes grass species to be used, an explanation of how topsoils will be stockpiled and reused, mapped delineation of all disturbance areas (this includes construction staging areas, driveway, utility lines, and septic system), and locations of silt fence or erosion control logs down slope of disturbed areas. New horticultural plantings should emphasize xeriscaping principles (Art. 7-200.B.8).

B. SILT FENCE

In order to limit the potential for runoff, erosion, or sedimentation to cause adverse impacts to the surrounding area and the two ditches present on the subject property, staff recommends a condition of approval that a silt barrier must be installed surrounding all disturbed areas prior to construction and maintained throughout the construction process until revegetation has been established. Silt barrier construction must be in accordance with the Colorado Storm Water regulations (see our [silt barrier](#) handout). If any surface water is channeled around or through the disturbed areas, anchored straw bale barriers must also be installed to filter and slow channeled flow.

As conditioned, staff find no conflicts with this standard.

- (13) *The development shall avoid Natural Landmarks and Natural Areas as designated in the Goals, Policies & Maps Element of the Comprehensive Plan and shown on the Zoning District Maps of Boulder County. The protection of Natural Landmarks and Natural Areas shall also be extended to their associated buffer zones. Development within or affecting such Landmarks or Areas may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.*

There are not any Natural Landmarks, Natural Areas, and associated buffer zones identified on the subject property. Therefore, this criterion is not applicable.

- (14) *Where an existing principal structure is proposed to be replaced by a new principal structure, construction or subsequent enlargement of the new structure shall not cause significantly greater impact (with regard to the standards set forth in this Section 4-806) than the original structure.*

There is no existing development on the subject property. Therefore, this criterion is not applicable.

- (15) *The proposal shall be consistent with the Comprehensive Plan, any applicable intergovernmental agreement affecting land use or development, and this Code.*

As conditioned, staff find no conflicts with this standard.

RECOMMENDATION

Staff has determined that the proposal can meet all the applicable criteria of the Boulder County Land Use Code for Special Review and Site Plan Review. Therefore, staff recommend that the Planning Commission recommends *conditionally approving docket SU-23-0004 / SPR-23-0034 Travis Vacation Rental and Residence* with the following conditions:

1. The applicants shall provide a Development Agreement, for review and approval by County staff, prior to the issuance of a license or permits by the Boulder County Community Planning & Permitting Department and prior to the recordation of said agreement within one year of approval.
2. The applicants must maintain a valid Boulder County Vacation Rental License while the short-term rental is in operation.
3. The subject property may not be marketed or used for weddings, receptions, or similar private or public events.
4. Per the requirements of Article 4-507.E3 of the Code, the applicants shall require all guests/visitors to park on the subject property.
5. All OWTS components must be clearly marked to prevent damage from vehicles.
6. The Vacation Rental is limited to a maximum occupancy of six (6) individuals, including children.
7. The approved number of sleeping rooms is three (3).
8. The Vacation Rental use is limited to a maximum of 150 nights per year
9. Wildfire prevention and evacuation information must be displayed for guests.
10. All outdoor fires are prohibited.
11. The applicants must maintain a valid Wildfire Partners Certificate.
12. The approved size of the proposed new residence is a maximum of 2,552 square feet of residential floor area.
13. ***Prior to the issuance of any building permits***, the applicant must sign and submit to CPP staff a zoning affidavit stating that the forestry barn must not be used for a residential use.
14. ***Prior to the issuance of any building permits***, the applicant must submit an updated site plan displaying that the turnaround point is relocated to an area between the entrance of the subject property and prior to the first structure on-site.
15. ***Prior to building permit***, demonstrate support of the improvements by the Wagener Deer Ridge Timber & Tahosa South Road Owners Association LLC, owners of the property on which the easement is located.

Prior to building permit, submit additional easements for access at 74 and 204 Tahosa South Road should the road improvements occur in the current location.
16. ***Prior to issuance of a Certificate of Occupancy***, the Community Planning & Permitting Department must verify that the access point and driveway for the new residence and accessory agricultural structures have been constructed to comply with the approved plans as well as the Multimodal Transportation Standards for residential development in the plains, including without limitation:
 - a. Table 5.5.1 – Parcel Access Design Standards (1-Lane Mountains Access)
 - b. Standard Drawings 11-13 – Private Access

- c. Standard Drawing 15 – Access Profiles Detail
 - d. Standard Drawing 16 – Access & Grade Clearance
 - e. Standard Drawing 18 – Access Turnaround
 - f. Standard Drawing 19 – Typical Turnaround & Pullout Locations
17. ***At building permit***, the applicant must submit a site plan detailing access and other site improvements that comply with the Multimodal Transportation Standards.
 18. The applicant must obtain an OWTS permit for the construction of the new residence and once the use on site transfers to residential use, the property owner must apply for a OWTS Use permit.
 19. The applicant must obtain the Wildfire Partners Certification and shall comply with wildfire mitigation requirements identified in the referral response dated June 28, 2023.
 20. ***Prior to building permit***, the applicant must submit area of disturbance calculations and apply for a stormwater quality permit.
 21. The elevations and height for the residence is approved as proposed in the elevations submitted for review on 4/11/2023.
 22. ***Prior to the issuance of building permits***, the applicant must submit updated elevations for the forestry barn and residential shed displaying the proposed height of the structures for review and approval by CPP staff.
 23. ***Prior to issuance of building or grading permits***, the [first part of the Height Survey Verification form](#) (included as an attachment to this letter) must be completed and submitted to the Community Planning & Permitting Department for review and approval.

Prior to rough frame inspection, the [second part of the form](#) (provided upon building permit application) must be submitted to the Community Planning & Permitting Department for review and approval.
 24. ***Prior to the issuance of building permits***, the applicant must submit material samples for all new structures (residence, forestry barn, and residential shed) to CPP staff for review and approval.
 25. ***Prior to issuance of building permits***, submit to the Community Planning & Permitting Department for review and approval, one set of exterior color samples (color chips, brochure, or catalog page) and material samples to be used including roof, siding and trim for all new structures (residence, forestry barn, and residential shed). Samples should be included as part of the building plan set required at the time of permit application. Samples of the exterior colors and metallic materials must be provided to ensure visual impacts of the development are minimized and that the development blends in with the natural environment and neighborhood character of the surrounding area. Colors should have a matte finish.

Prior to issuance of a Certificate of Occupancy/At the final inspection, the Community Planning & Permitting Department must inspect and verify that the approved color samples are used on the new structure.
 26. ***Prior to issuance of building permits***, one copy of a proposed lighting plan must be submitted to the Community Planning & Permitting Department for review and approval. The

lighting plan must be included as part of the building plan set required at the time of permit application.

Prior to issuance of a Certificate of Occupancy/At the final inspection, the full installation of the approved lighting plan must be inspected and approved by the Community Planning & Permitting Department.

27. The locations of the residence and accessory structures are approved as proposed on the site plan dated 4/6/2023.
28. ***Prior to building permit***, submit a grading plan, signed and stamped by a Professional Engineer registered in the State of Colorado, that either shows the road improvements within the existing easement or in the current location. Revised grading calculations must also be submitted for review and approval by CPP staff at permitting.
29. ***Prior to issuance of building and grading permits***, submit to the Community Planning and Permitting Department for review and approval a plan depicting the routing of all utility services. The utility routing plan must be included as part of the building plan set required at the time of permit application. To minimize disturbances to the site, all utility service lines must be routed underground (see Article 7-1200 of the Boulder County Land Use Code) and should be located in areas already disturbed or proposed to be disturbed (e.g., along driveway).
 - a. ***At the time of building inspections***, full installation of the utilities per the approved plan must be inspected and confirmed by the Community Planning and Permitting Department.
30. ***Prior to issuance of a Certificate of Occupancy /At the time of final inspection***, all areas of exposed soil must be revegetated. If weather is not conducive to seeding or if adequate revegetation efforts have not occurred and vegetation is not adequately established at the time of final inspection request, an irrevocable letter of credit or monies deposited into a County Treasurer account must be provided to assure completion of revegetation. What is considered “adequate revegetation” is influenced by the amount of site disturbance, potential for significant erosion (steep slopes), and visibility. In all cases some level of germination and growth is required. Note that areas of disturbance not included on the revegetation plan are still subject to reseeding and matting. Please note that no species on List A, B or C in the county's [Noxious Weed Management Plan](#) may be used to meet Revegetation requirements.

Site disturbance must be minimized, and final grading and seeding must be conducted prior to the issuance of a Certificate of Occupancy. Incomplete revegetation is the leading cause for delays in obtaining Occupancy.

31. ***Prior to issuance of building or grading permits***, details regarding the placement and construction of the silt fence must be submitted to and approved by the Community Planning & Permitting Department. The placement and profile of the silt fence may be shown on the Revegetation Plan. The silt fence must be installed before construction commences and remain in place until vegetation is sufficiently established on the disturbed soil.

Prior to any grading or site disturbance, the silt barrier location and materials must be installed as required per the approved plans.

At the time of the footing foundation inspection and all subsequent inspections, the Community Planning & Permitting Department must confirm the silt barrier location and

materials have been installed as required per the approved plans. Any other areas on site are subject to installation of silt fences, if needed.

32. The applicants shall be subject to the terms, conditions, and commitments of record and in the file for docket **SU-23-0004 / SPR-23-0034 Travis Vacation Rental and Residence.**



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
 303-441-3930 • www.BoulderCounty.gov

MEMO TO: Referral Agencies
 FROM: Jonathan Tardif, Planner II
 DATE: May 24, 2023
 RE: Docket SU-23-0004/SPR-23-0034

Docket SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence

Request: Special Review request for a Vacation Rental of 150 nights for up to 4 guests with a minimum stay of 3 nights and Site Plan Review to construct a 2,432-square-foot residence and a 672-square-foot forestry barn resulting in 2,432 square feet of residential floor area on a 2.3 acre parcel where the presumptive size maximum is 2,500 square feet.

Location: 246 Tahosa South Road, located approximately 0.30 miles east of the intersection of Tahosa South Road and State Highway 7 on Section 13, Township 3N, Range 73W.

Zoning: Forestry (F) Zoning District

Applicant/Owner: Steven E Travis

Agent: Michael Daley

Special Use Review / Site Specific Development Plan is required of uses which may have greater impacts on services, neighborhoods, or environment than those allowed with only Building Permit Review. This process will review compatibility, services, environmental impacts, and proposed site plan.

This process includes public hearings before the Boulder County Planning Commission and the Board of County Commissioners. Adjacent property owners and holders of liens, mortgages, easements or other rights in the subject property are notified of these hearings.

Site Plan Review by the Boulder County Community Planning & Permitting Department Director is required for new building/grading/access or floodplain development permits in the plain and mountainous areas of unincorporated Boulder County. The Review considers potential significant impact to the ecosystem, surrounding land uses and infrastructure, and safety concerns due to natural hazards.

The Community Planning & Permitting staff, Planning Commission, and County Commissioners value comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.org. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.org to request more information. If you have any questions regarding this application, please contact me at 303-441-1352 or jtardif@bouldercounty.org.

Please return responses by **June 28, 2023**.

_____ We have reviewed the proposal and have no conflicts.

_____ Letter is enclosed.

Claire Levy County Commissioner **Marta Loachamin** County Commissioner **Ashley Stolzmann** County Commissioner

Signed _____ PRINTED

Name _____

Agency or Address _____

Date _____

Please note that all Community Planning & Permitting Department property owner's mailing lists and parcel maps are generated from records maintained by the County Assessor and Treasurer Office. We are required to use this list to send notices to the "property owner" of land in Boulder County. If you feel you should not be considered a "property owner," or if the mailing address is incorrect, please contact the County Assessor's Office at (303) 441-3530.



Boulder County Land Use Department

Courthouse Annex Building
2045 13th Street • PO Box 471 • Boulder, Colorado 80302
Phone: 303-441-3930
Email: planner@bouldercounty.org
Web: www.bouldercounty.org/lu
Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only

Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name	
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent	<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning	<input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input checked="" type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input checked="" type="checkbox"/> Special Use/SSDP	<input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:
Location(s)/Street Address(es) 246 Tahosa South Rd			
ALLENSPARK, CO 80510			
Subdivision Name _____			
Lot(s) _____	Block(s) _____	Section(s) 13	Township(s) 3N
Area In Acres 3.69	Existing Zoning F	Existing Use of Property RESIDENCE	Number of Proposed Lots 1
Proposed Water Supply EXIST. WELL		Proposed Sewage Disposal Method EXIST. SEPTIC	

Applicants:

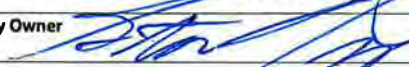
Applicant/Property Owner Steven E Travis		Email run800run@yahoo.com	
Mailing Address N15W29972 Brookstone Circle			
City Pewaukee	State WI	Zip Code 53072	Phone
Applicant/Property Owner/Agent/Consultant		Email	
Mailing Address			
City	State	Zip Code	Phone
Agent/Consultant MICHAEL DALEY, ARCHITECT		Email mikedaley34251@outlook.com	
Mailing Address BOX 308			
City ALLENSPARK	State CO	Zip Code 80510	Phone 303-710-1874

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner 	Printed Name Steve Travis	Date 3/26/23
Signature of Property Owner	Printed Name	Date

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



Community Planning & Permitting

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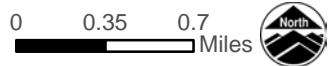
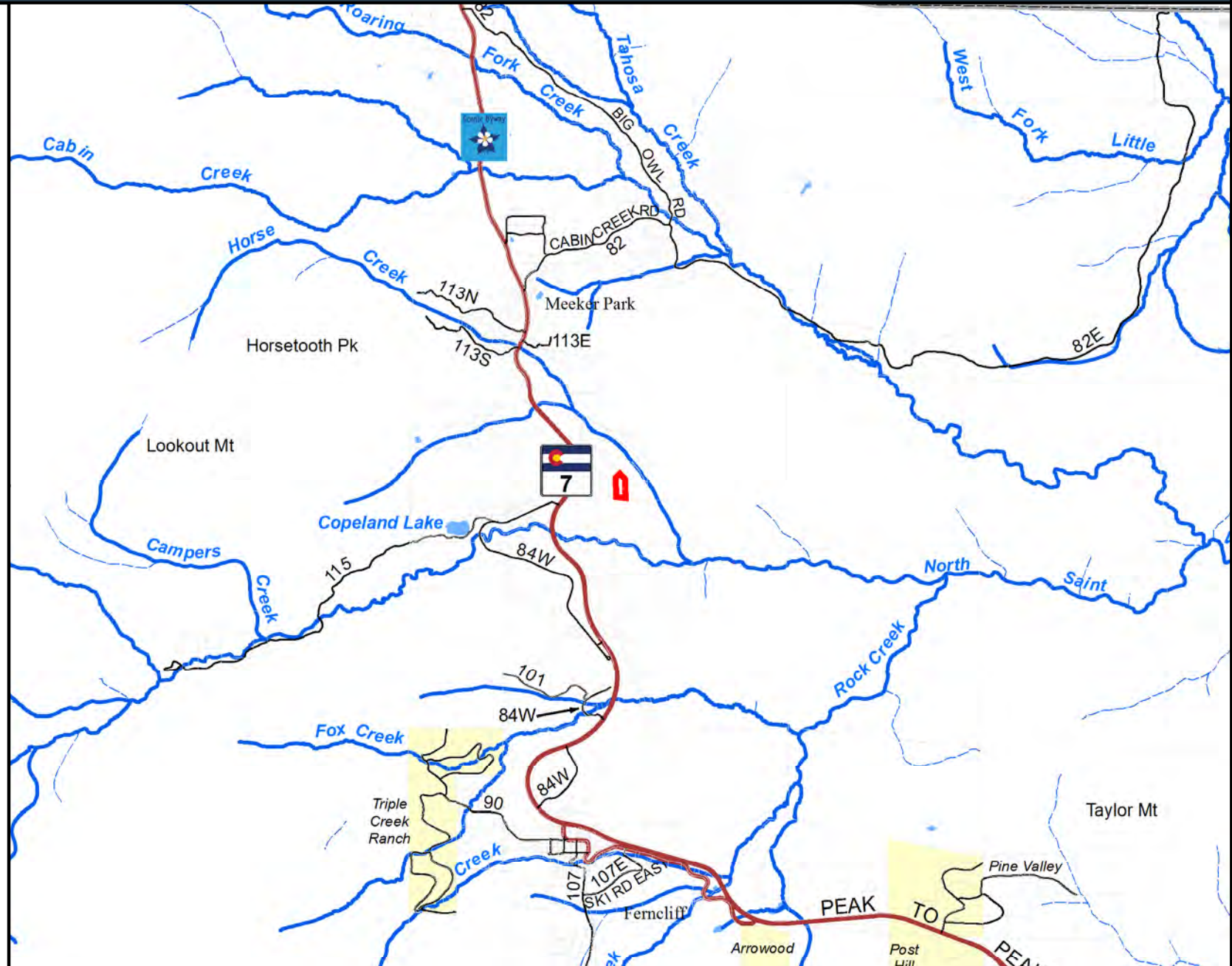
Vicinity

246 TAHOSA SOUTH RD

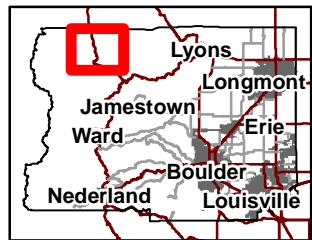
Subject Parcel

Subdivisions

Subdivisions



Area of Detail Date: 8/25/2022



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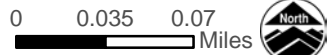
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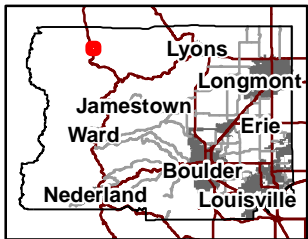
Location

246 TAHOSA SOUTH RD

 Subject Parcel



Area of Detail Date: 8/25/2022



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Aerial

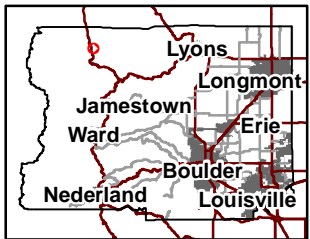
246 TAHOSA SOUTH RD

 Subject Parcel



0 0.0085 0.017 Miles 

Area of Detail Date: 8/25/2022



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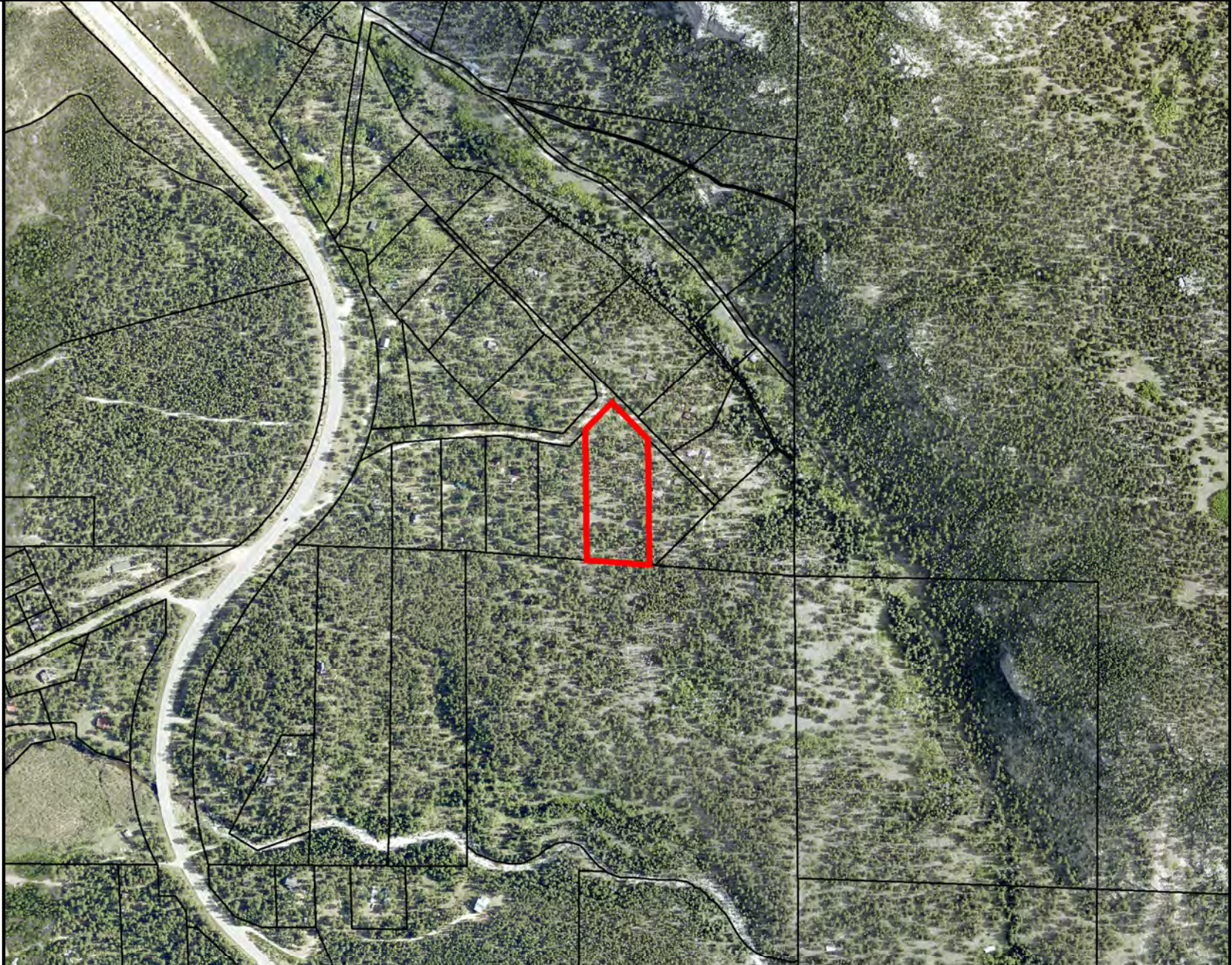
Community Planning & Permitting

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Aerial

246 TAHOSA SOUTH RD

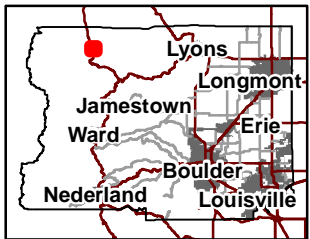
 Subject Parcel



0 0.05 0.1 Miles



Area of Detail Date: 8/25/2022



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Community Planning & Permitting

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Comprehensive Plan

246 TAHOSA SOUTH RD

Subject Parcel

High Biodiversity Areas

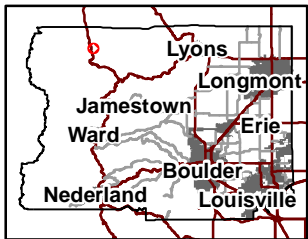
B2: Very High Biodiversity Significance

Peak to Peak Scenic Corridor

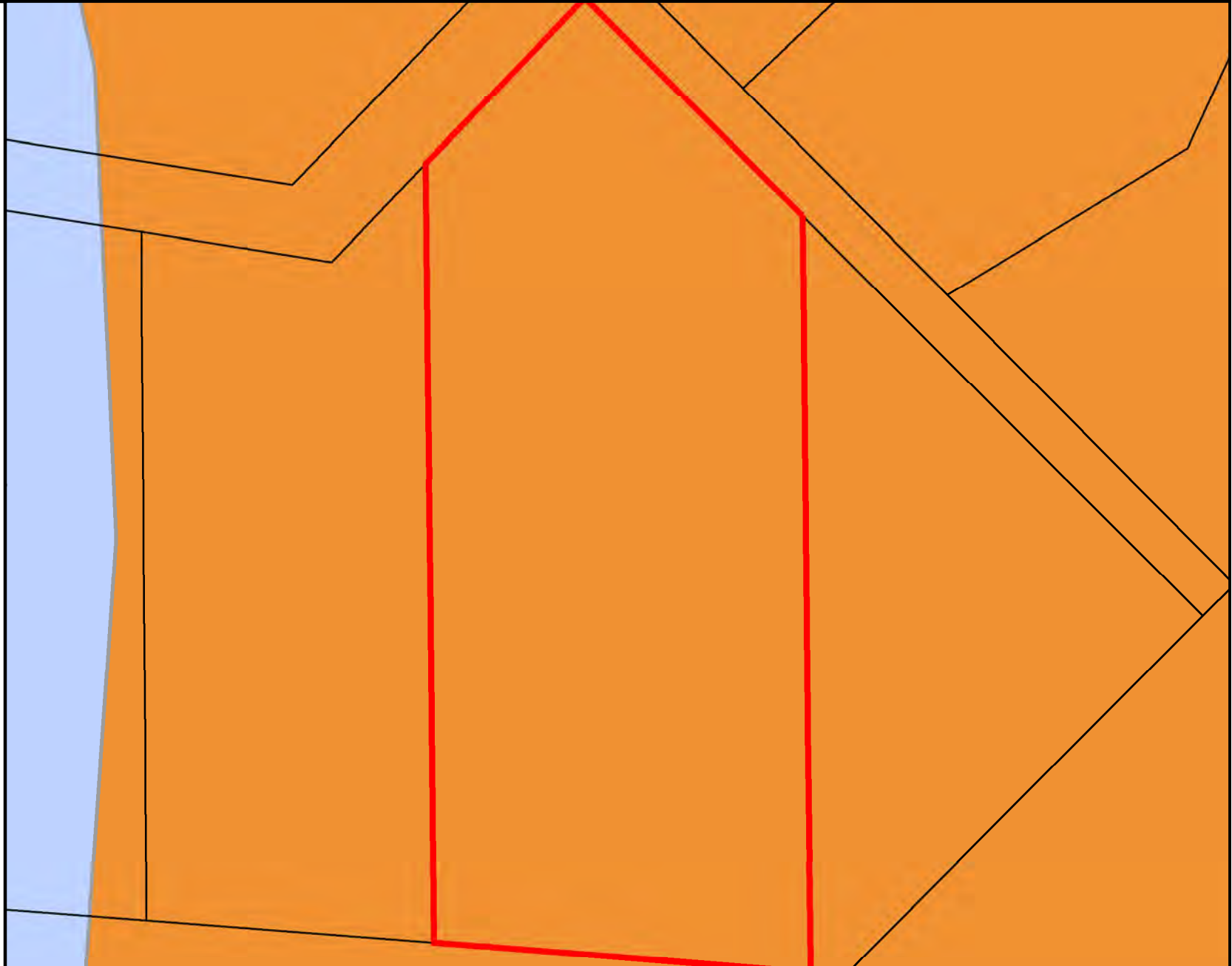
0 0.0085 0.017 Miles



Area of Detail Date: 8/25/2022



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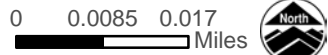
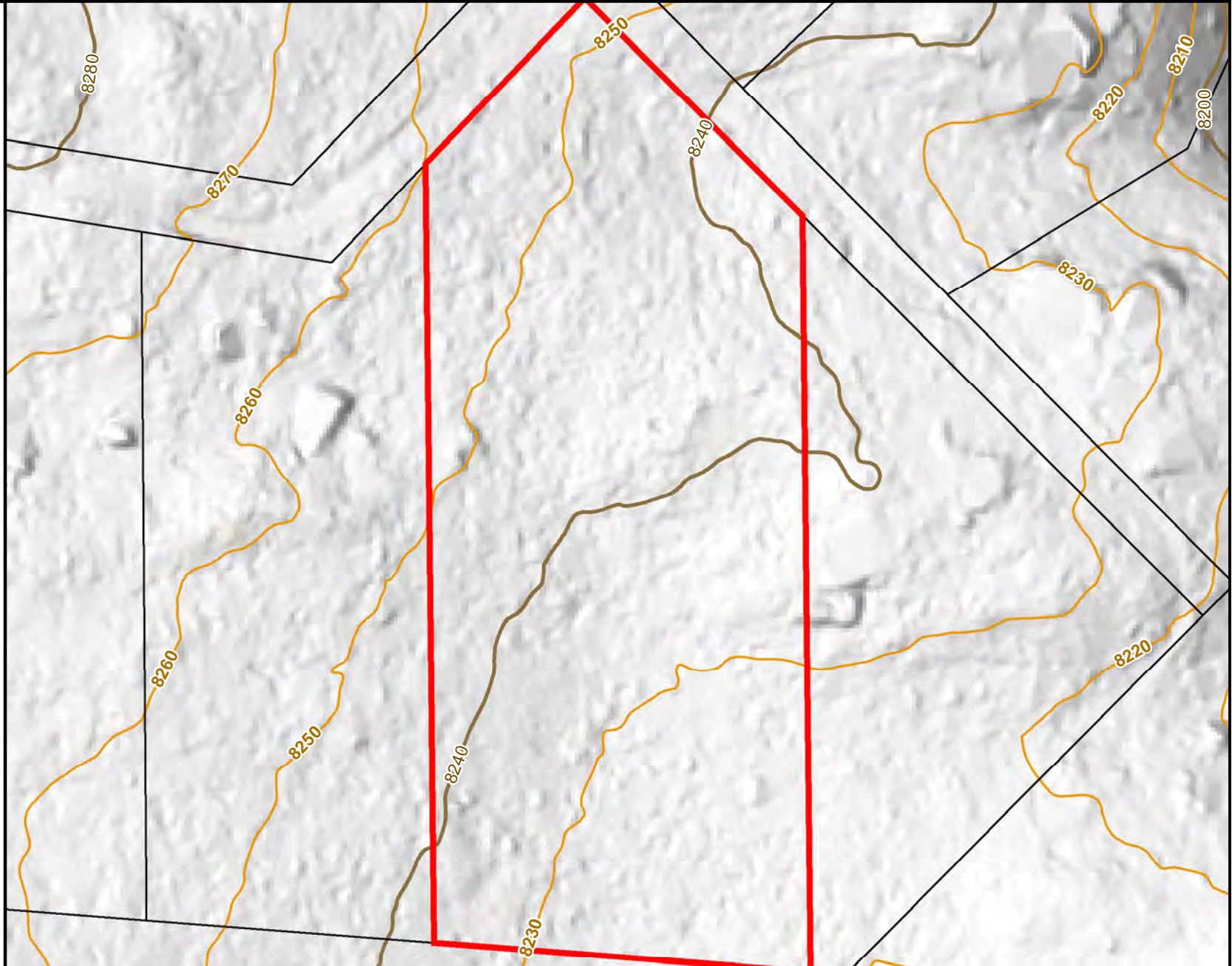


Community Planning & Permitting

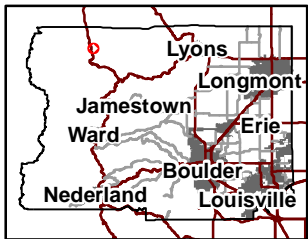
2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

Elevation Contours 246 TAHOSA SOUTH RD

-  Subject Parcel
-  Contours 40'
-  Contours 10'



Area of Detail Date: 8/25/2022



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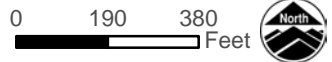
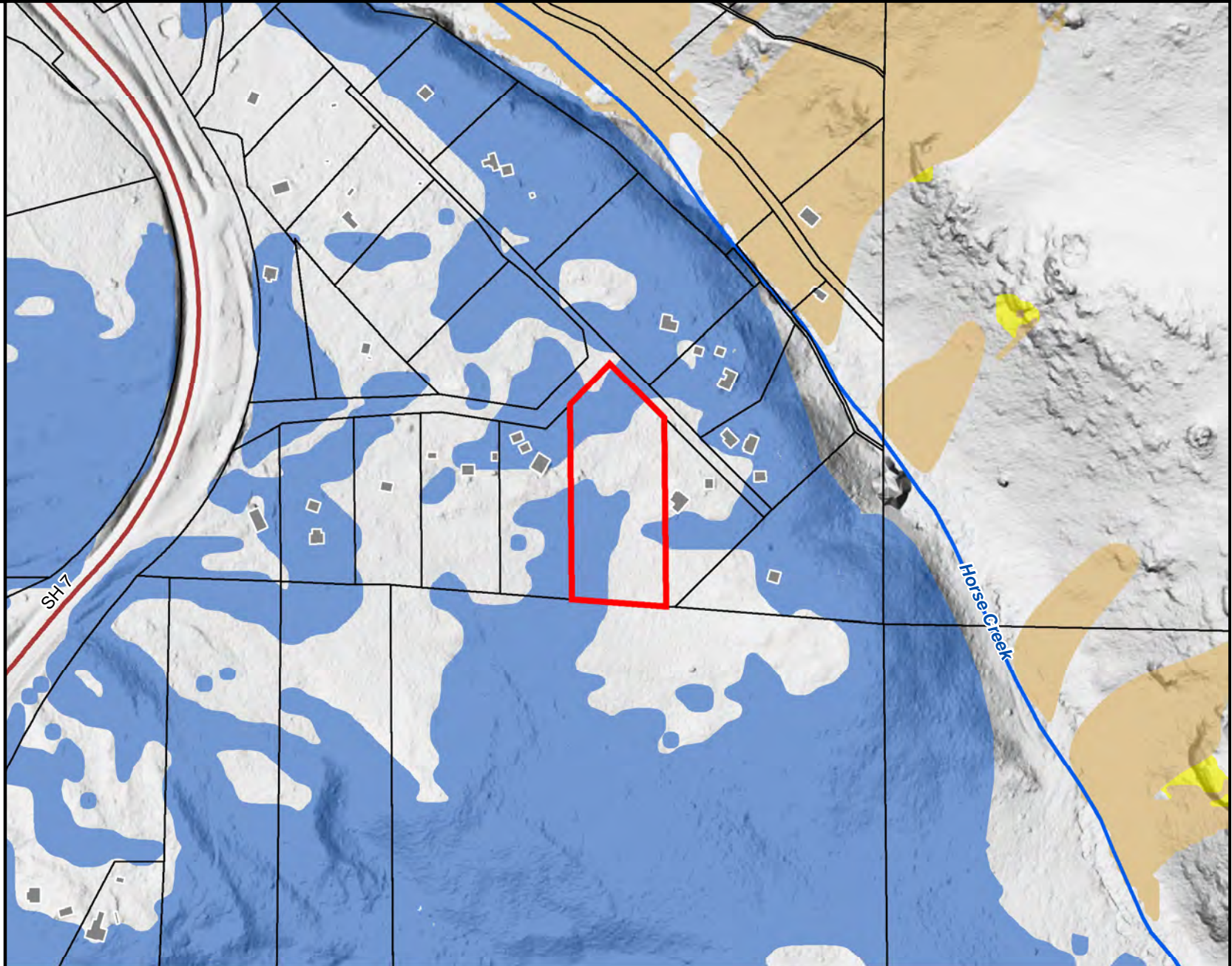
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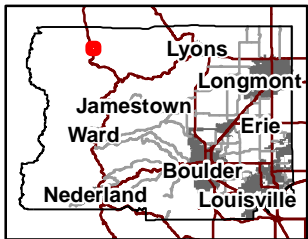
Geologic Hazards

246 TAHOSA SOUTH RD

 Subject Parcel



Area of Detail Date: 8/25/2022



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Public Lands & CEs
246 TAHOSA SOUTH RD

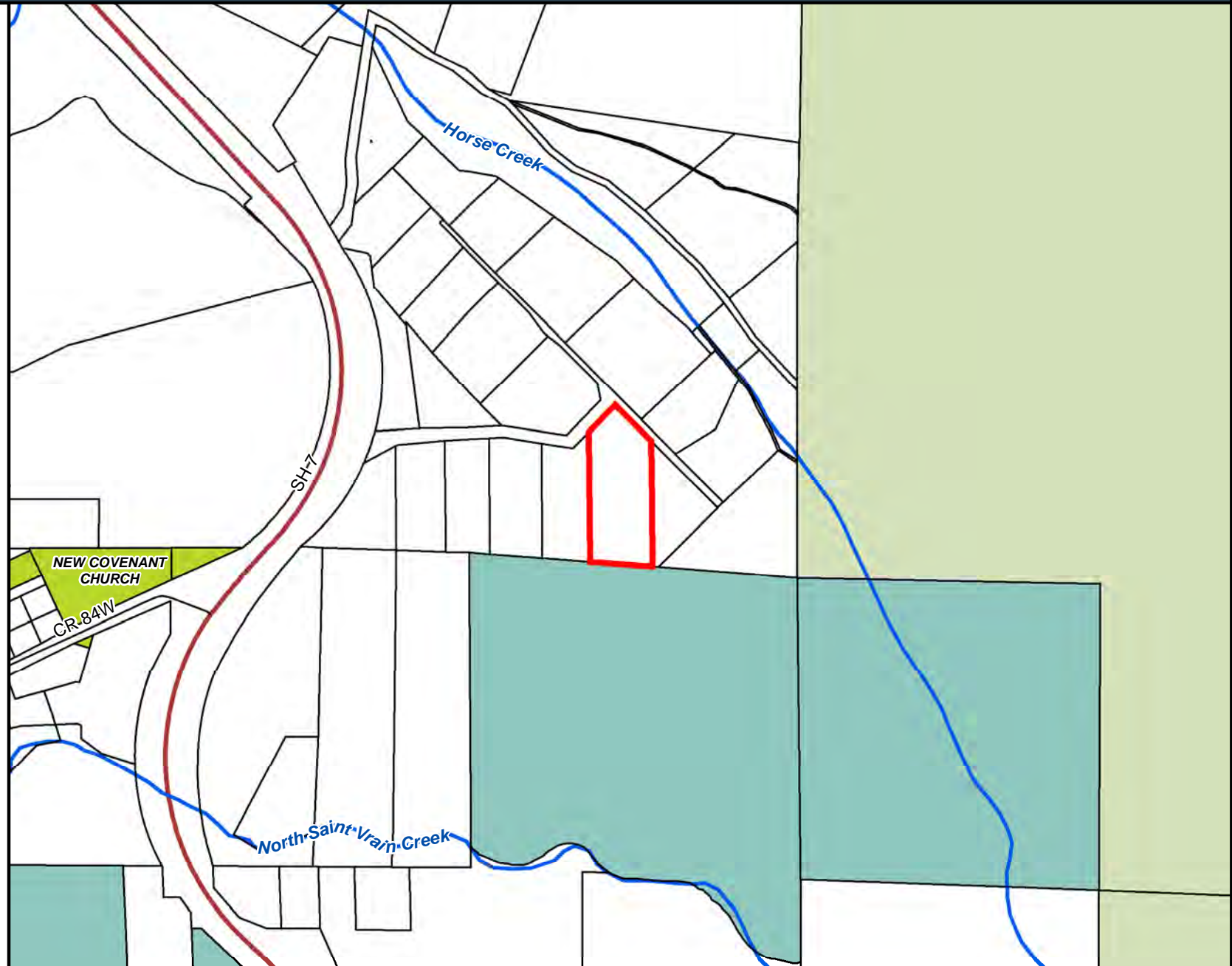
Subject Parcel

Boulder County Open Space

County Conservation Easement

Federal Lands

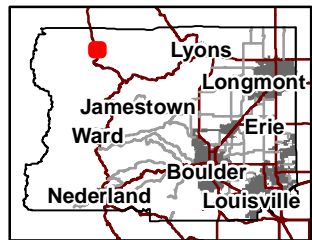
USFS Land
Private
Conservation Easements



0 0.05 0.1 Miles



Area of Detail Date: 8/25/2022



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Zoning

246 TAHOSA SOUTH RD

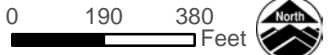
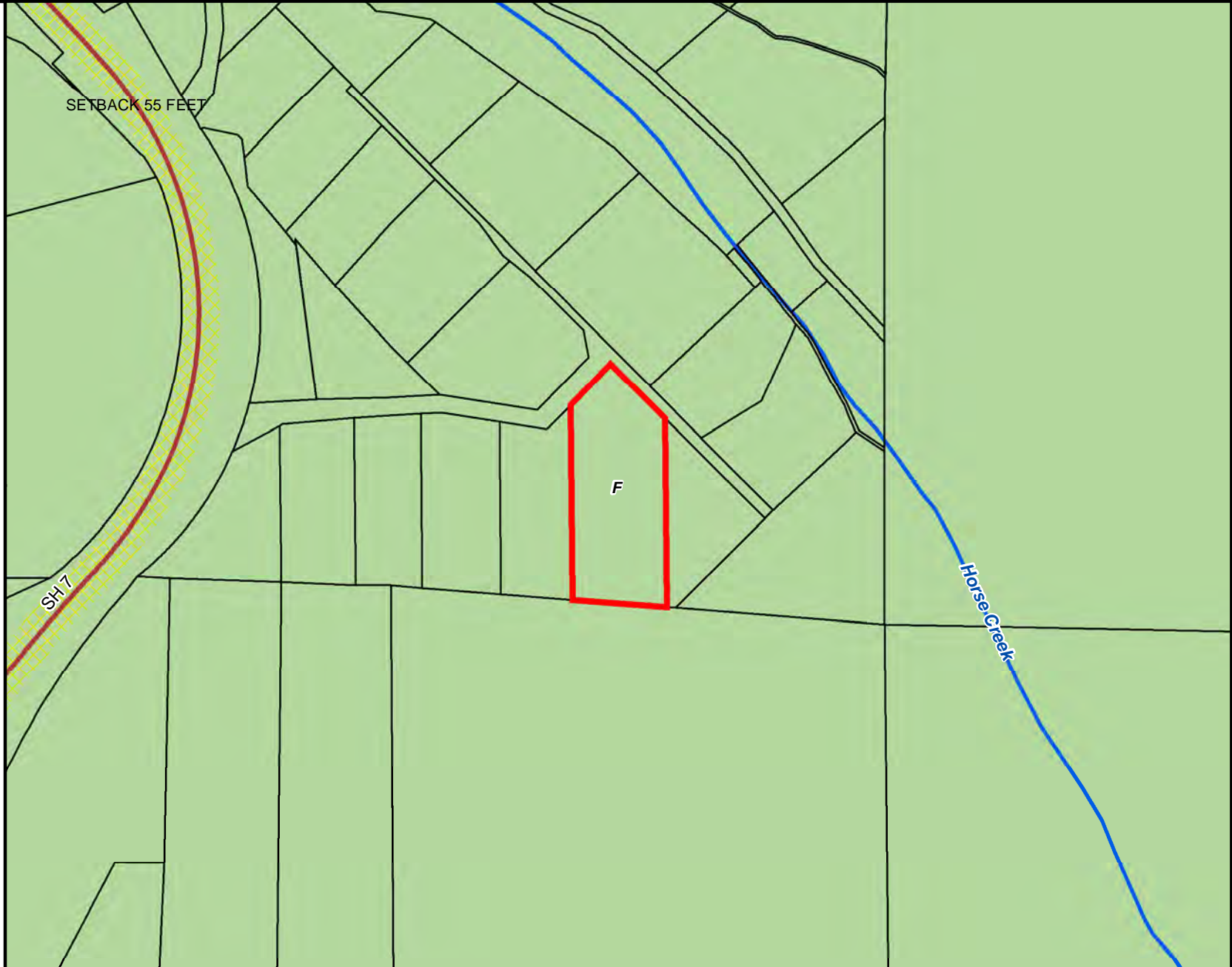
Subject Parcel

Zoning Districts

Forestry

Major Road Setbacks

55 feet



Area of Detail Date: 8/25/2022



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Site Plan Review Fact Sheet

The applicant(s) is/are required to complete each section of this Site Plan Review (SPR) Fact Sheet even if the information is duplicated elsewhere in the SPR application. Completed Fact Sheets reduce the application review time which helps expedite the Director's Determination. Please make duplicates of this SPR Fact Sheet if the project involves more than two structures.

Structure #1 Information

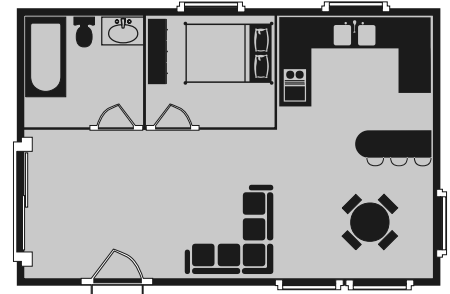
Type of Structure: (e.g. residence, studio, barn, etc.)				residence	
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)				0	Deconstruction: 0
				sq. ft.	sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	
Basement:	0	0	0		
	sq. ft.	sq. ft.	sq. ft.		
First Floor:	492	0	492	Exterior Wall Material	cement board
	sq. ft.	sq. ft.	sq. ft.		
Second Floor:	1200	0	1200	Exterior Wall Color	gray
	sq. ft.	sq. ft.	sq. ft.		
Garage: <input type="checkbox"/> Detached <input checked="" type="checkbox"/> Attached	740	0	740	Roofing Material	metal
	sq. ft.	sq. ft.	sq. ft.		
*Covered Porch:	0	0	0	Roofing Color	charcoal
	sq. ft.	sq. ft.	sq. ft.		
Total:	2432	0	2432	Total Bedrooms	3
	sq. ft.	sq. ft.	sq. ft.		

Project Identification:

Project Name: travis spr/su
Property Address/Location: 246 Tahosa South
Current Owner: Steven Travis
Size of Property in Acres: 3.69

Determining Floor Area

Floor Area is measured in terms of square feet. The total square footage is as everything within the exterior face of the exterior walls including garages and basements. **Covered porch area that is attached to the principal structure is not included (see Article 18-131A).** The shaded area on the diagram indicates the area counted as square feet.



Structure #2 Information

Type of Structure: (e.g. residence, studio, barn, etc.)				forestry barn	
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)				0	Deconstruction: 0
				sq. ft.	sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input type="checkbox"/> Residential <input checked="" type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	
Basement:	—	—	—		
	sq. ft.	sq. ft.	sq. ft.		
First Floor:	672	—	672	Exterior Wall Material	cement board
	sq. ft.	sq. ft.	sq. ft.		
Second Floor:	—	—	—	Exterior Wall Color	grey
	sq. ft.	sq. ft.	sq. ft.		
Garage: <input type="checkbox"/> Detached <input type="checkbox"/> Attached	—	—	—	Roofing Material	metal
	sq. ft.	sq. ft.	sq. ft.		
*Covered Porch:	—	—	—	Roofing Color	charcoal
	sq. ft.	sq. ft.	sq. ft.		
Total:	672	—	672	Total Bedrooms	0
	sq. ft.	sq. ft.	sq. ft.		

Residential vs. Non-Residential Floor Area

Residential Floor Area includes all attached and detached floor area (as defined in Article 18-162) on a parcel, including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices and workshops. Gazebos and carports up to a total combined size of 400 square feet are exempt. Barns used for agricultural purposes are not considered residential floor area.

Note: If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Site Plan Review and shown on this Fact Sheet.

If a Limited Impact Special Review is required, then call 303-441-3930 and ask for a new Pre-Application conference for the Limited Impact Special Review.

*See Article 18-131A for definition of covered porch.

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Review is required. Limited Impact Special Review is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

	Cut	Fill	Subtotal
Driveway and Parking Areas	42	25	67
Berm(s)	—	—	—
Other Grading	—	—	—
Subtotal	42	25	67

Box 1

* If the total in Box 1 is greater than 500 cubic yards, then a Limited Impact Special Review is required.

	Cut	Fill	Total
Foundation	85	479	564
Material cut from foundation excavation to be removed from the property			0

Excess Material will be Transported to the Following Location:

Excess Materials Transport Location:	NA, importing fill

Narrative

Use this space to describe any special circumstances that you feel the Land Use Office should be aware of when reviewing your application, including discussion regarding any factors (listed in Article 4-806.2.b.i) used to demonstrate that the presumptive size limitation does not adequately address the size compatibility of the proposed development with the defined neighborhood. If more room is needed, feel free to attach a separate sheet.

see attached

Is Your Property Gated and Locked?

Note: If county personnel cannot access the property, then it could cause delays in reviewing your application.

Certification

I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

Signature 	Print Name Mike Daley	Date 4/6/23
-----------------------------------------------------------------------------------------------	------------------------------	--------------------

Travis Narrative for Short-Term Rental via the Special Use (SU) process.

246 Tahosa South Rd., Allenspark, CO 80510

Owner – Steven Travis

This property is 3.69 acres. We are concurrently going through the Site Plan Review (SPR) with this SU for the short-term rental (STR) approval. See the narrative for the SPR as well for detailed square footage information. The owners have camped on the property and come to know the neighbors and love this area. They bought this property to retire here in 10-15 years and be full time residents from that time forward. Their plan is to use it in our time off and rent it as a STR in the vacant times to help cover the cost of this major investment until we retire here. We will hire a local (within an hour of the property) property manager for the vacation rental.

The following is the information regarding my request for approval for this STR, where I would rent the entire house to one party:

1. I am asking for approval for a total of up to 150 nights per year.
2. I intent to make it available over the entire calendar year, up to these 150 nights per year.
3. I will limit the number of guests to a total of four (4) per night in the first phase of the house and six (6) total once the second phase of the house is completed.
4. I will require a minimum of three (3) night stay.
5. Phase one of the house would be a one bedroom with a fold out couch/murphy bed in the living area with 2 full baths. Phase two of the house would be an addition of two bedrooms and a bath, discontinuing the use of the fold out couch/murphy bed.
6. The submitted SPR site plan shows the parking for 3 cars in Phase 1 and the emergency vehicle turnaround, 5 cars and the emergency vehicle turnaround with Phase two completion. Note there is one parking space by the forestry barn.
7. Water is to be provided by the onsite well.
8. The septic is to be installed initially for the 3 bedrooms.
9. See the attached traffic report for the anticipated trips per day, this was also submitted on March 24 per staff directions directly to Transportation Development.
10. We plan to go thru Wildfire Partners program for fire mitigation measures.
11. I will post emergency egress route alternatives for the renters in case of pre-evacuation or evacuation orders in the area or for the property specifically. I will install a land line and answering machine in the house so the occupants can be notified by reverse 911 calling in case of an emergency. As well this, it will give them access to local emergency services via this phone if they so need, as there is no cell coverage in this area.
12. I will prepare a complete information package for my renters of my rules, the rules of the county, and the emergency evacuation protocols. I will email them with this information upon their request for booking so they know them in advance of their booking and arrival.
13. I have read the licensing requirements for a vacation rental and intend to meet them fully.

In summary, I intend to be a model landlord for my vacation renters and the County, and I intend to hold my renters to be model renters for the Allenspark area and my neighbors and to protect our investment

in our future home. I greatly appreciate your consideration of this most important approval to me and am available at any time to answer your questions or clarify and information provided, with Mike Daley's, our architect's help.

Review Criteria Notes

1. Meets minimum zoning criteria.
2. Compatible with the surrounding area as a single family home that is also a STR up to 150 nights/year. It is located away from adjacent neighbors' homes. Minimal grading is proposed.
3. Consistent with the Comprehensive Plan
4. Will not result in over intense use since it is a single-family home that is also a STR up to 150 nights/year.
5. NA
6. NA
7. The private road _ Tahosa South – will be widened to the third driveway at 204 Tahosa South, to 18' in width and after that have pullouts at a maximum of 400' o.c. this will be submitted at the time of the first permit for this property.
8. No
9. By retention of tress on the property
10. No
11. Yes
12. No
13. No

Travis SPR narrative – 246 Tahosa South Rd.

The property is currently 3.69 acres of vacant land. This SPR is being done to gain approval for a new house built in two phases, a forestry barn, and a shed. The first phase is a one-bedroom 1056 sf house with a 276 s.f. garage and 288 s.f. carport. In this approval we would have a second phase addition of two-bedrooms (3 total) 636 s.f. addition, with a 288 s.f. garage and 288 s.f. carport. The total house s.f. with the garages is 2552 s.f. (this also includes the carport area the 400 s.f. not counted or an additional 176 s.f. of carport – total carport area is 576 s.f.), it also includes 120 s.f. shed. This overall also proposal includes a 120 s.f. shed and a 676 s.f. forestry barn. The client intends to self-perform their own mitigation of the whole property and maintain it going forward and the equipment shown on the forestry barn plan is need to protect this mitigation equipment investment and from the weather and vermin damage.

If approved, the total sf of the property would be 2552 s.f. The first phase is 1332 s.f., as the carport s.f. is not counted as it is under the 400 s.f. area not counted for carports. In the second phase the addition to the house is 1100 s.f. (counting the 176 s.f. the two carports exceed the 400 s.f. of carport not counted toward the total s.f.). The third phase is the forestry barn of 672 s.f.

The residence is under the 3479 s.f. maximum residential s.f. for this property, which is located outside the boundaries of the Allenspark Townsite, see bolded section below. Based on 234 Tahosa south at 2715 s.f., 272 Tahosa South at 3479 s.f. (median) and 270 Tahosa South at 4146 s.f.

Boulder County Site Plan Review Standards – Article 4-806 2.a notes that “In determining size compatibility of residential structures with the defined neighborhood, it is presumed that structures of a size with the larger of a total residential floor area of either.

(1) 125% of the median residential floor area for that defined neighborhood or

(2) of a total residential floor area of 1,500 square feet in the mapped town sites of Allenspark, Eldora, Eldorado Springs, Raymond and Riverside, or 2,500 square feet for all other areas of the County, are compatible with that neighborhood,

(B) The distribution of residential floor area within the defined neighborhood, taking into consideration the sizes (a minimum of two) adjacent to the property.

(1).....the size of the resulting development may not exceed the median residential floor area of these adjacent to the subject property that are over the size presumption.

subject also to a determination that the resulting size complies with the other Site Plan Review standards in this section 4-806.A.

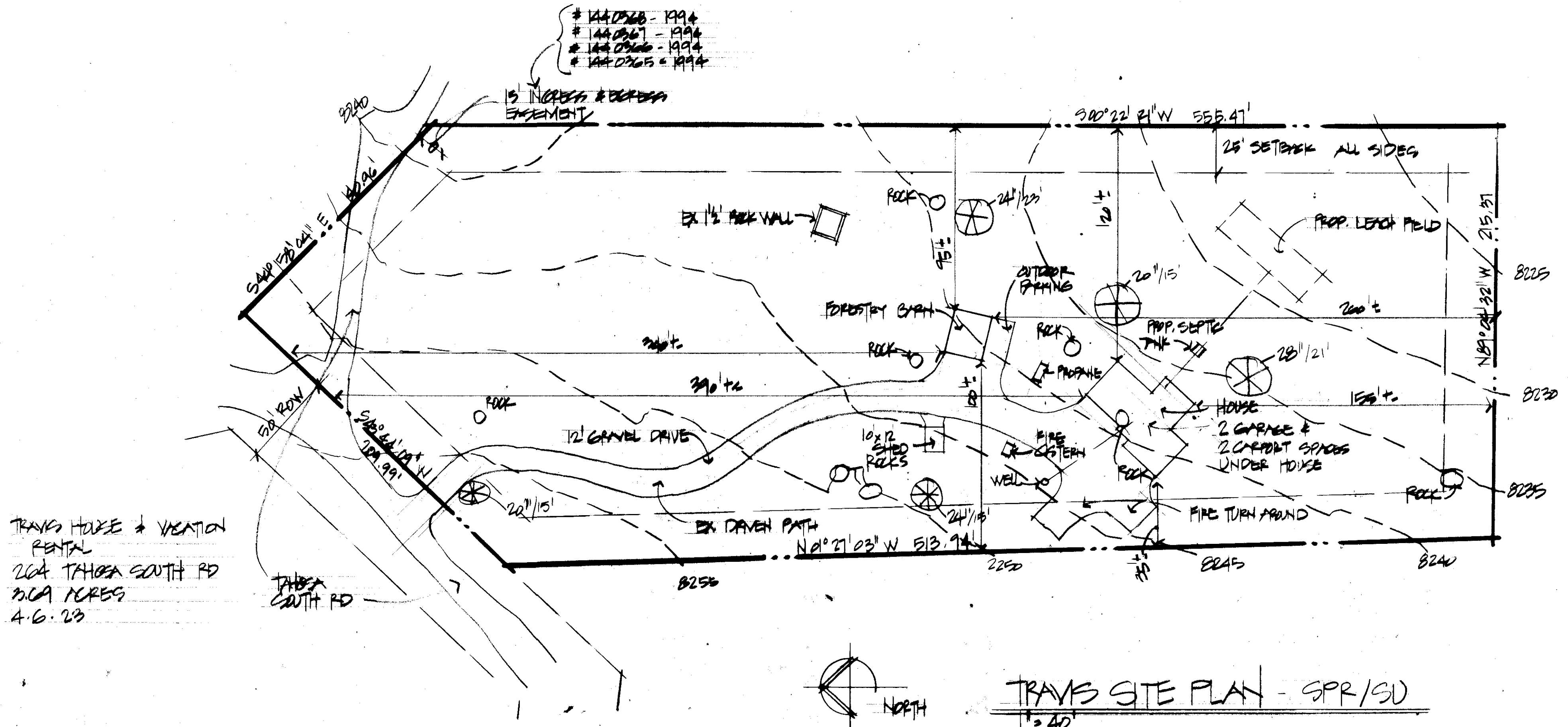
Based on this information 3479 sf is the maximum residential sf.

The site layout meets the current setback requirements, is minimally visible to existing neighbors and is located such that it is not visible from the Highway 7.

The addition height maximum of 29.75' above existing grade is below the county 30' maximum height allowed.

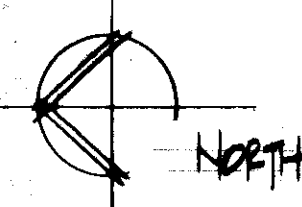
Water is provided to be by a new well. Sewer is to be by a county approved system for three 3 bedrooms. Exterior materials will meet the fire-resistive standards of the county.

- # 1440566 - 1994
- # 1440567 - 1994
- # 1440568 - 1994
- # 1440565 - 1994

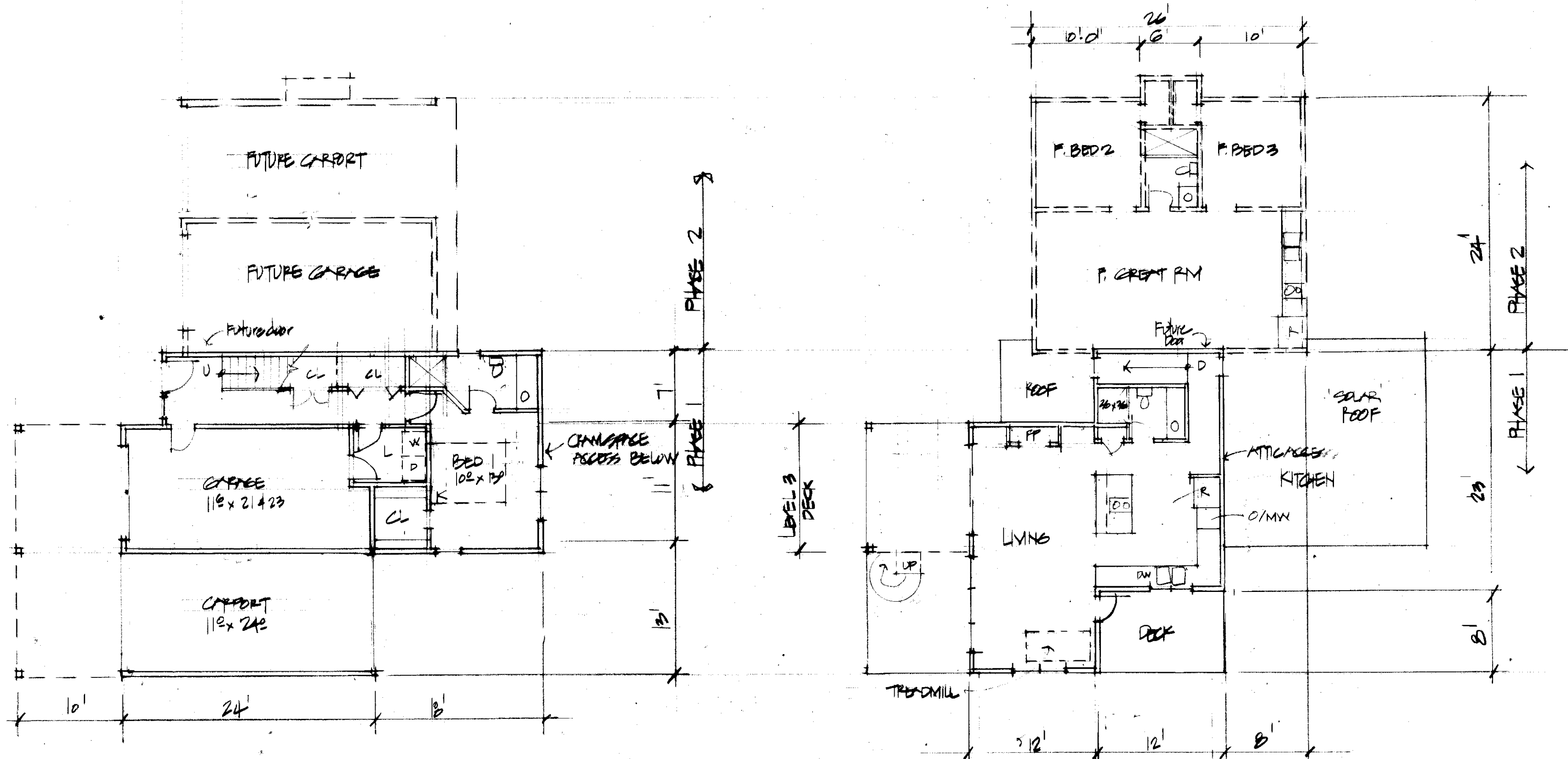


TRAVIS HOUSE & VACATION RENTAL
 204 TAHOE SOUTH RD
 2.09 ACRES
 4.6.23

TAHOE SOUTH RD



TRAVIS SITE PLAN - SPR/SU
 1" = 40'



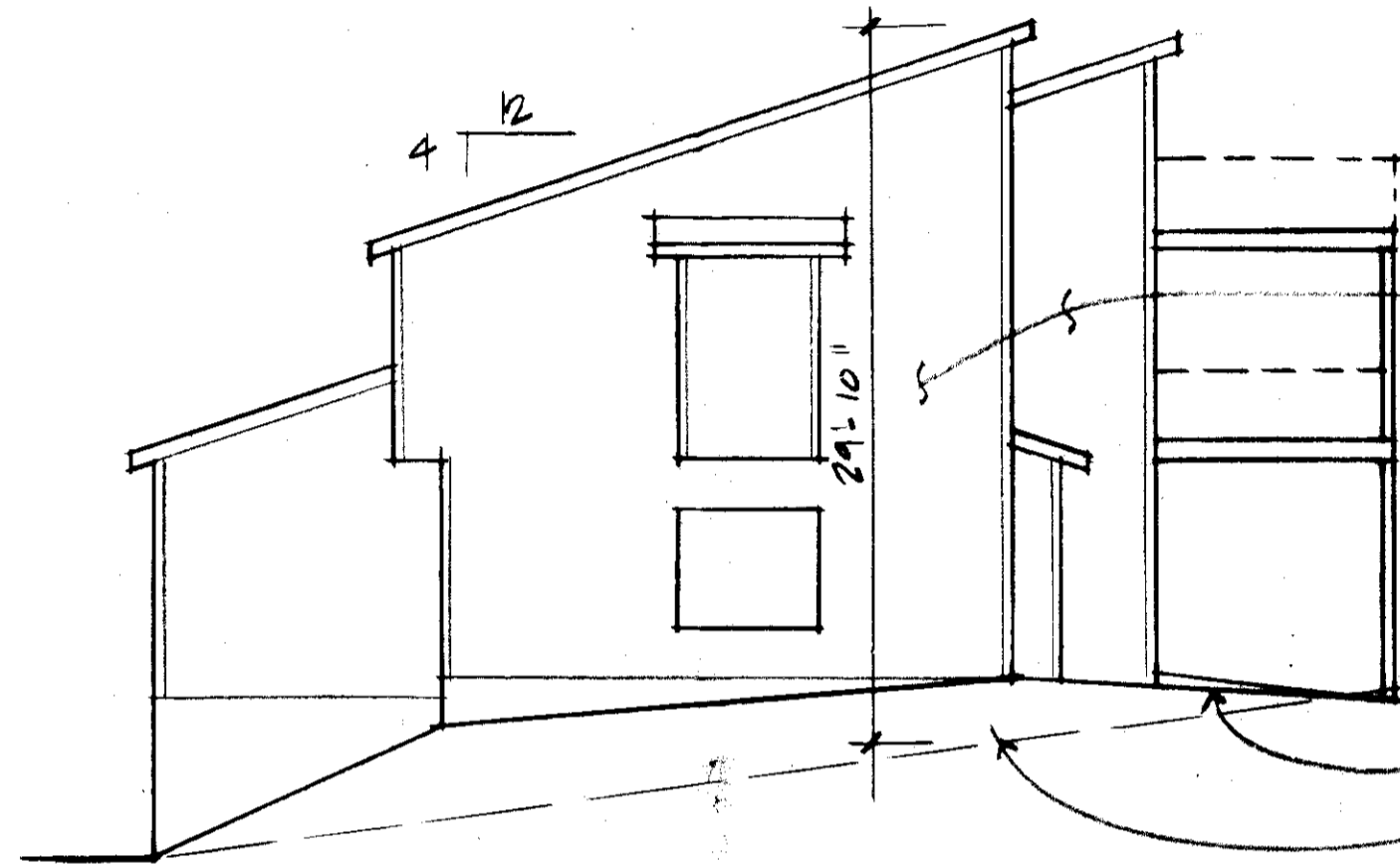
FIRST FLOOR
1/8" = 1'-0"

492 SF + 276 SF GARAGE
FUTURE + 276 SF

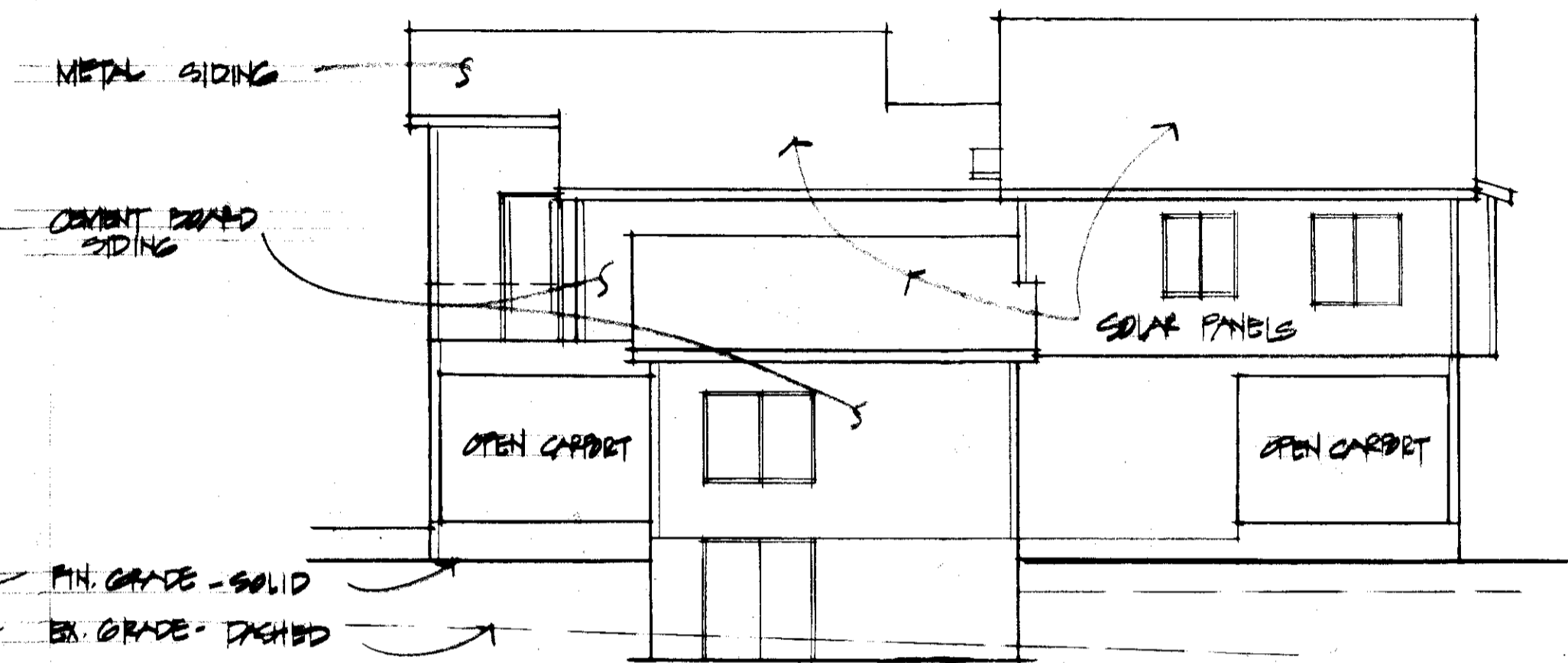
SECOND FLOOR
1/8" = 1'-0"

NOW 564 SF. = 1026 SF LIVING + 276 GARAGE
FUTURE 656 SF = 1692 SF. W/ GARAGE/CARPORTS

TRAVIS
3/24/23



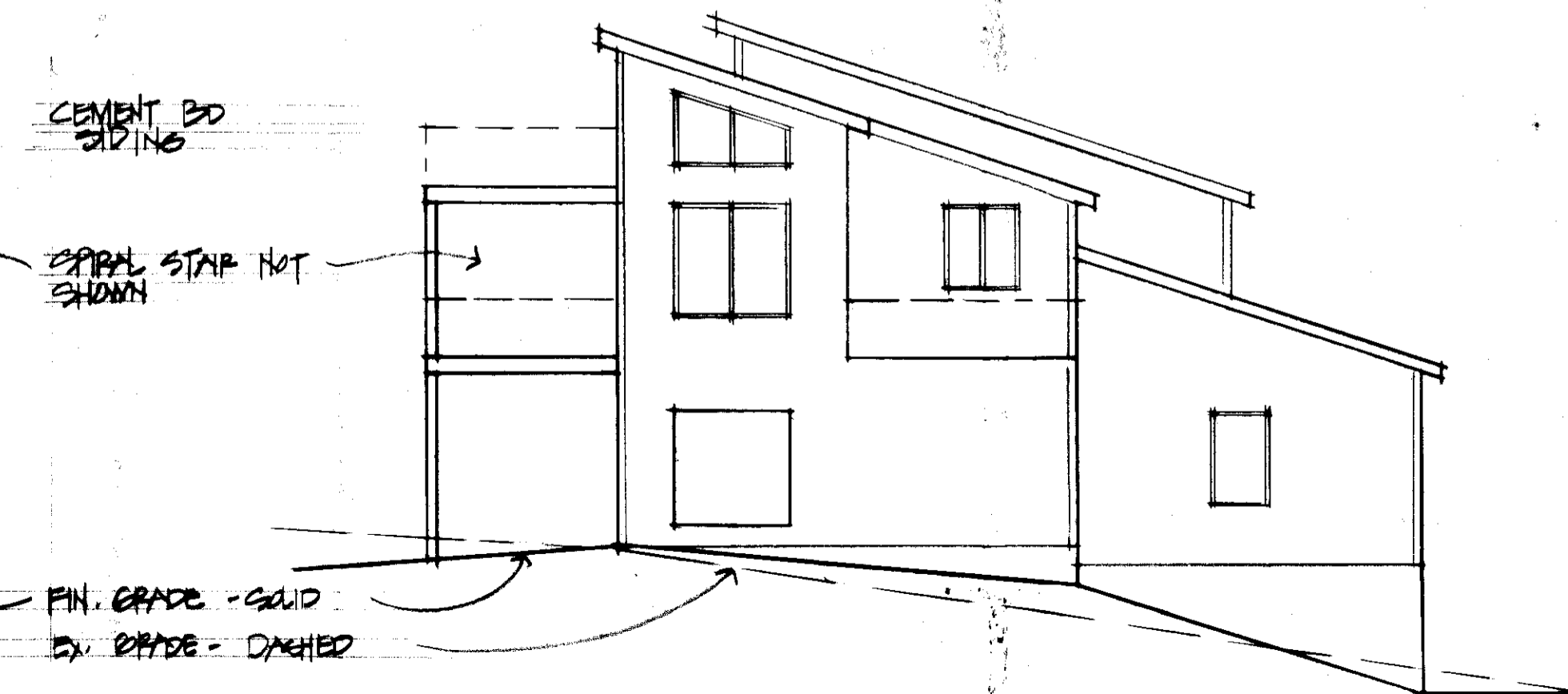
EAST ELEVATION
1/8" = 1'-0"



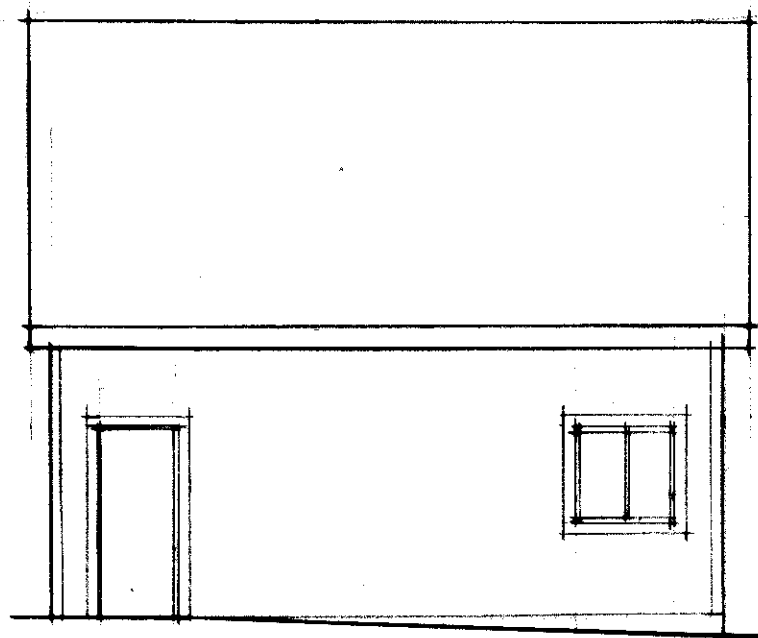
SOUTH ELEVATION
1/8" = 1'-0"



NORTH ELEVATION
1/8" = 1'-0"

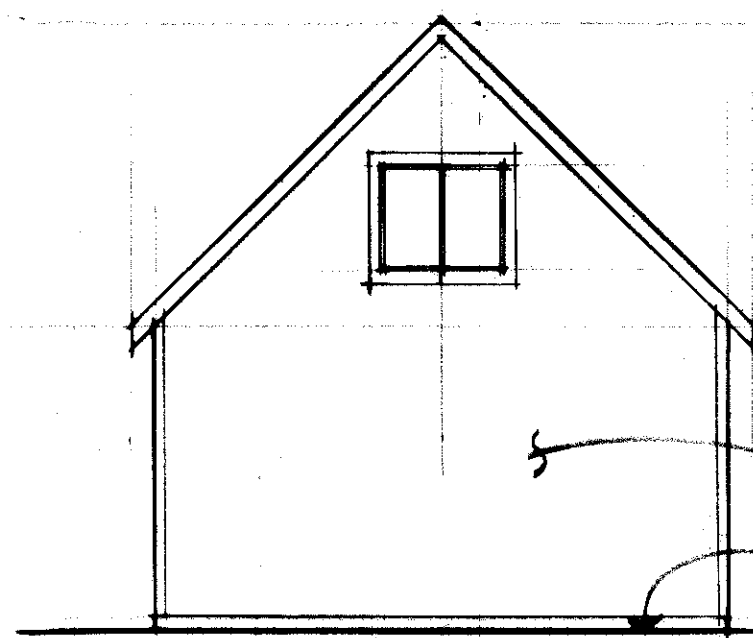


WEST ELEVATION
1/8" = 1'-0"



SOUTH ELEVATION

1/8" = 1'-0"



EAST ELEVATION

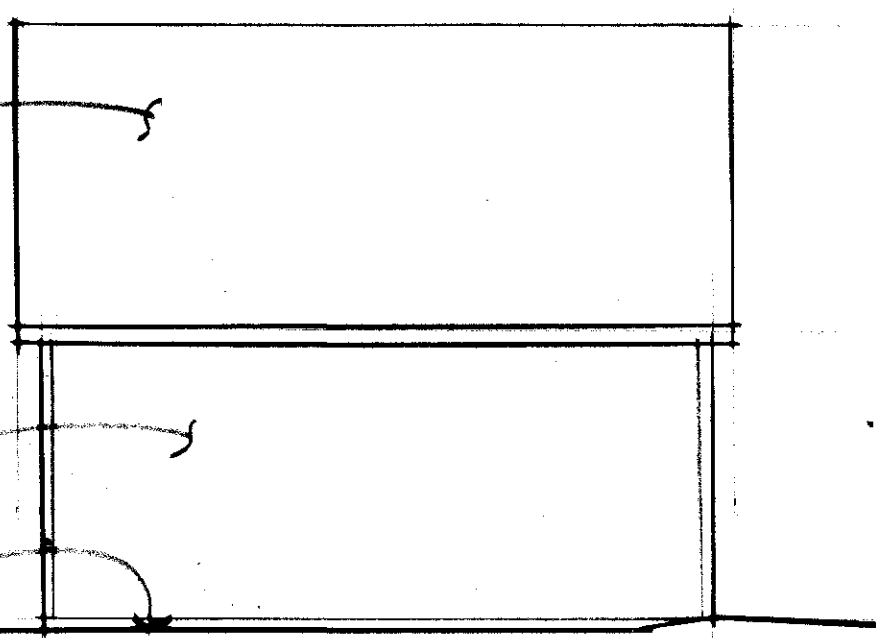
1/8" = 1'-0"

METAL ROOF

CEMENT BD. SIDING

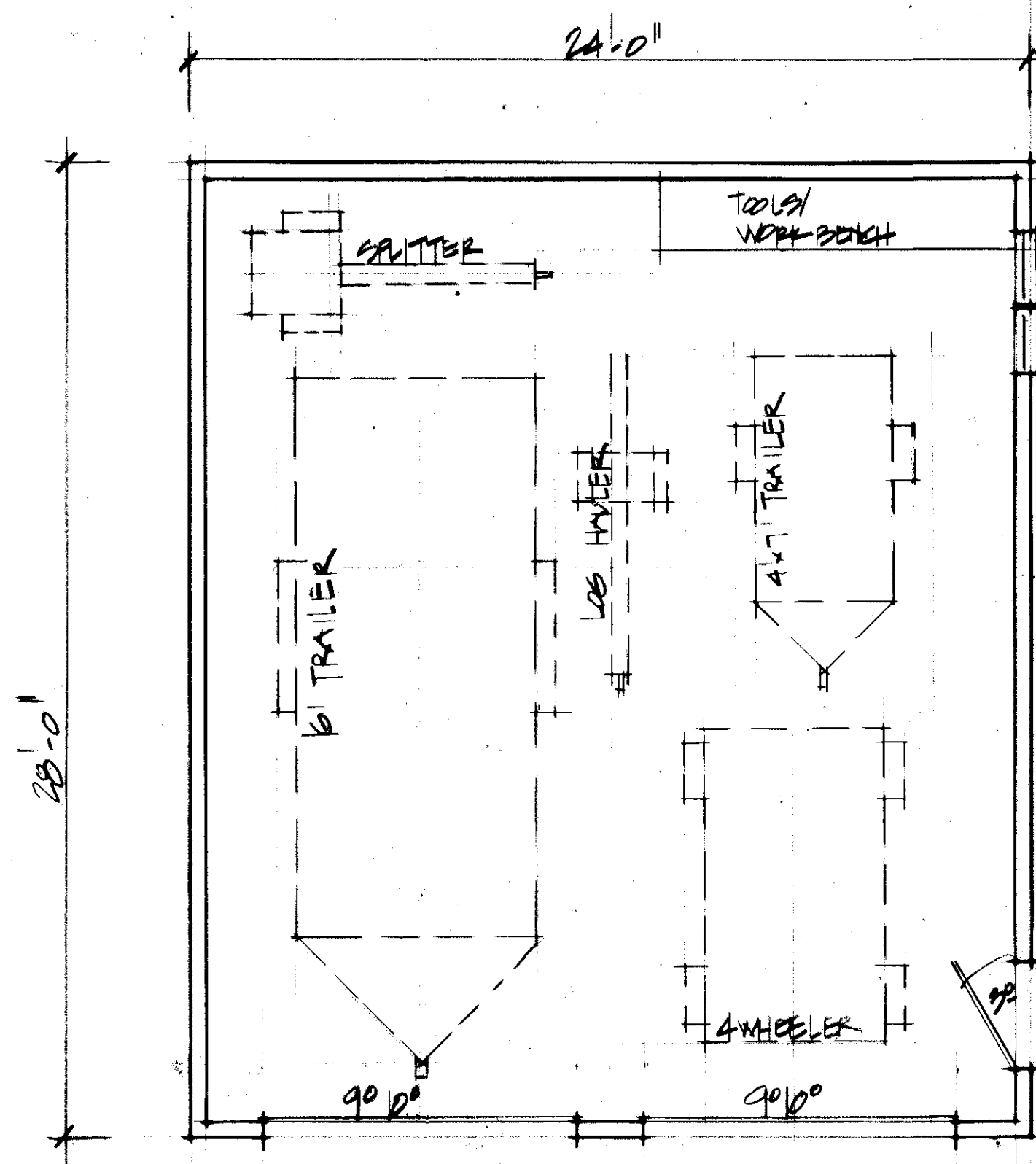
PROPOSED GRADE - SOLID

EX. GRADE - DASHED



NORTH ELEVATION

1/8" = 1'-0"



FORESTRY BARN PLAN

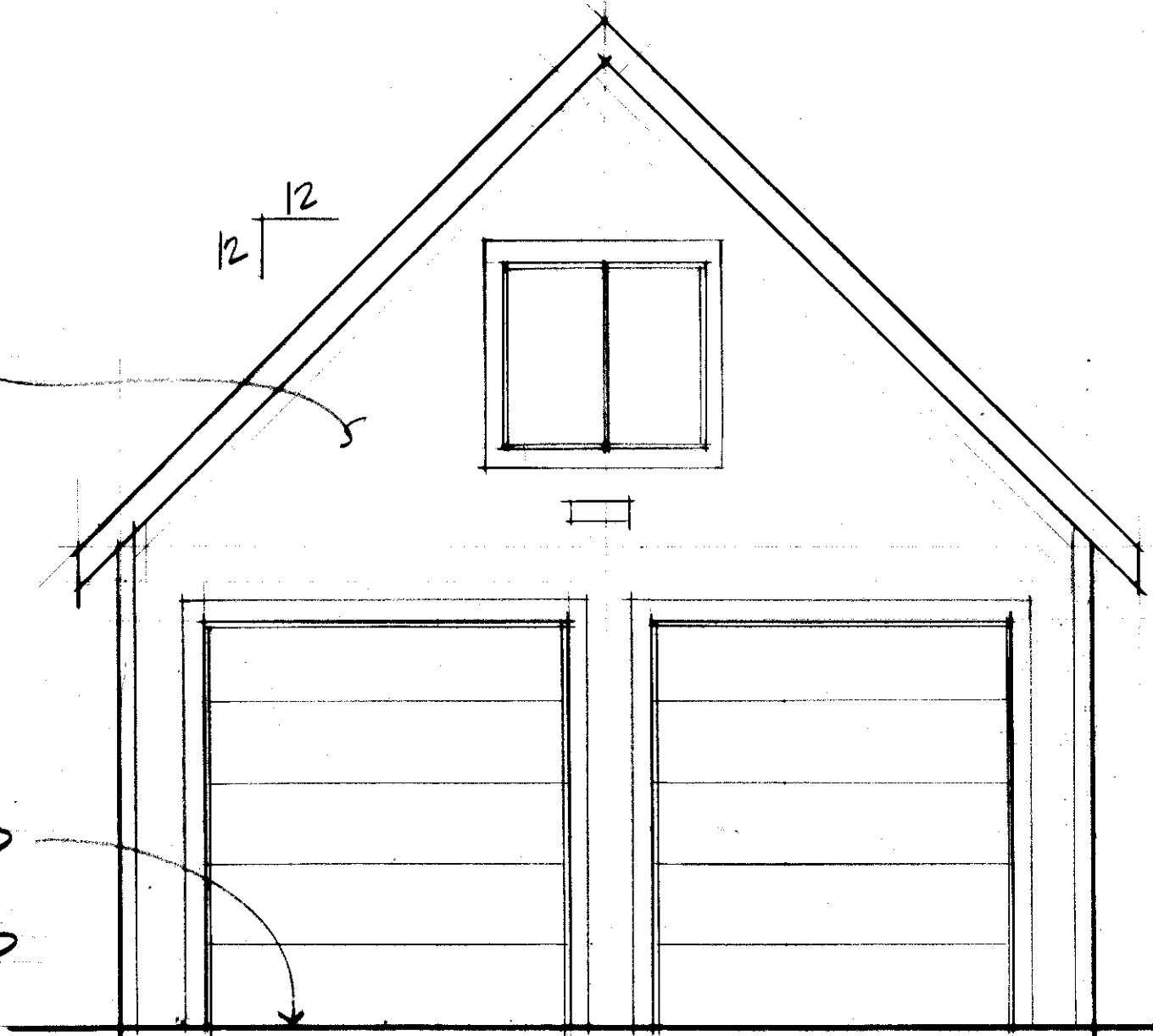
1/4" = 1'-0"

672 S.F.

CEMENT BOARD SIDING

PROP. GRADE - SOLID

EX. GRADE - DASHED



WEST ELEVATION

1/4" = 1'-0"

CHS 8' x 8' 1/2"



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302

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Tel: 303-441-3930 • www.BoulderCounty.gov

June 29, 2023

TO: Jonathon Tardiff, Planner I; Community Planning & Permitting, Development Review Team - Zoning

FROM: Anita Riley, Principal Planner; Community Planning & Permitting, Development Review Team – Access & Engineering

SUBJECT: Docket # SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence - 246 Tahosa South Road

The Development Review Team – Access & Engineering staff has reviewed the above referenced docket and has the following comments:

1. The subject property has legal access to State Highway 7 (SH 7), a Colorado Department of Transportation (CDOT) owned and maintained right-of-way (ROW), via Tahosa South Road, a private gravel road within an easement of varying width. Legal access has been demonstrated by a quit claim deed recorded 1/18/2012 with Reception #03196644.
2. Portions of the physical access lie outside of the easement, however, the road has existed and been in use since at least 1988, as determined by aerial imagery
3. The proposal notes that Tahosa South Road will be widened to 18 feet between SH 7 and 204 Tahosa South Road. The current width of the road varies from 10 to 17 feet from SH 7 and the subject property. The Boulder County Multimodal Transportation Standards (Standards) Table 5.5.1 requires an 18-foot road where there are more than 5 dwelling units accessing the road, therefore staff supports the improvements to Tahosa South Road in the locations specified. However, the applicants must:
 - a. Demonstrate support of the improvements by the Wagener Deer Ridge Timber & Tahosa South Road Owners Association LLC, owners of the property on which the easement is located; and
 - b. Either complete improvements within the existing easement or obtain additional easements from the owners of the properties affected by the physical access location.

Prior to building permit, demonstrate support of the improvements by the Wagener Deer Ridge Timber & Tahosa South Road Owners Association LLC, owners of the property on which the easement is located.

Prior to building permit, submit additional easements for access at 74 and 204 Tahosa South Road should the road improvements occur in the current location.

4. The site plan does not show proposed grading for either the improvements on the subject property or to Tahosa South Road.

Prior to building permit, submit a grading plan, signed and stamped by a Professional Engineer registered in the State of Colorado, that either shows the road improvements within the existing easement or in the current location. Revised grading calculations must also be submitted.

5. The improvements to Tahosa South Road must comply with Standard Drawing 11 of the Standards for Two Lane Private Access.

6. The driveway on the subject property must comply with the Standards, including without limitation:
 - a. Table 5.5.1 – Parcel Access Design Standard
 - b. Standard Drawing 11 – Private Access
 - c. Standard Drawing 14 – Access with Roadside Ditch
 - d. Standard Drawing 15 – Access Profiles Detail
 - e. Standard Drawing 16 – Access & Grade Clearance
 - f. Standard Drawing 17 – Access Pullouts
 - g. Standard Drawing 18 – Access Turnaround
 - h. Standard Drawing 19 – Typical Turnaround & Pullout Locations

At building permit, the applicant must submit a site plan detailing access and other site improvements that comply with the Standards.

4. The emergency vehicle turnaround is located both too close to and in front of the residential structure. The turnaround must be placed 50 feet from the structure and should be located in such a manner that emergency vehicles will not be potentially trapped by a burning structure. Additionally, parking will likely occur in the turnaround due to the proximity to the residential structure. Note that the location of the forestry barn and additional parking is currently proposed in a location that would work well for the turnaround.

At building permit, submit a revised site plan that shows an appropriate location and distance of the emergency vehicle turnaround in relation to the residential structure.

5. The emergency vehicle turnaround is located close to the property line. Be aware that all grading must be located at least two feet from the property line.
6. It appears that the proposal will exceed one acre in site disturbance, thereby requiring a stormwater quality permit.

Prior to building permit, submit area of disturbance calculations and apply for a stormwater quality permit.

This concludes our comments at this time.



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

Building Safety & Inspection Services Team

MEMO

TO: Jonathan Tardif, Planner II
 FROM: Michelle Huebner, Plans Examiner Supervisor
 DATE: June 20, 2023

RE: Referral Response, Docket SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence. Special Review request for a Vacation Rental of 150 nights for up to 4 guests with a minimum stay of 3 nights and Site Plan Review to construct a 2,432-square-foot residence and a 672-square-foot forestry barn resulting in 2,432 square feet of residential floor area on a 2.3 acre parcel where the presumptive size maximum is 2,500 square feet.

Location: 246 Tahosa South Road

Thank you for the referral. We have the following comments for the applicants:

1. **Building Permit.** A building permit, plan review, inspection approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed residence. Separate building permits are required for the forestry barn and shed.

Carports are measured to the drip line of the roof above when the structure is supported with columns only. If the carport has a wall the structure is measured to the outside of the walls for that side only.

Please refer to the county’s [adopted 2015 editions of the International Codes and code amendments](#), which can be found via the internet under the link:

2015 Building Code Adoption & Amendments, at the following URL:
[Amendments to Boulder County Building Code effective June 6, 2022](#)

2. **Automatic Fire Sprinkler System.** Under the 2015 International Residential Code (“IRC”) as adopted by Boulder County, all new one- and two-family dwellings and townhouses are required to be equipped with an automatic fire sprinkler system that is designed and installed in accordance with NFPA 13D or IRC Section P2904.
3. **BuildSmart.** Please refer to the county’s adoption and amendments to Chapter 11 of the IRC, the county’s “BuildSmart” program, for the applicable requirements for energy conservation and sustainability for residential additions and new residential buildings. Please be aware that there are energy related requirements of this code

that may require the use of renewable energy systems (such as rooftop solar systems) that will also need to be approved by your electric utility provider. In some cases, there may be limitations on the size of on-site systems allowed by your utility provider that could constrain the project design. We strongly encourage discussions between the design team and the utility company as early in the process as possible in order to identify these constraints.

4. **Electric vehicle charging outlet.** Boulder County Building Code requires:
 - a. R329.1 Electric vehicle charging pre-wire option. In addition to the one 125-volt receptacle outlet required for each car space by NEC Section 210.52(G)(1.), every new garage or carport that is accessory to a one- or two-family dwelling or townhouse shall include at least one of the following, installed in accordance with the requirements of Article 625 of the Electrical Code:
 - i. A Level 2 (240-volt) electric vehicle charging receptacle outlet, or
 - ii. Upgraded wiring to accommodate the future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet, or
 - iii. Electrical conduit to allow ease of future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet.
5. **Design Wind and Snow Loads.** The design wind and ground snow loads for the property are 175 mph (Vult) and 55 psf, respectively.
6. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.
7. **Plan Review.** The items listed above are a general summary of some of the county's building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our [Residential Plan Check List](#) and other Building Safety publications can be found at: [Building Publications, Applications and Forms - Boulder County](#)
8. The applicant has indicated that they will be renting the proposed single-family home for short term stays, and that they will not be in the home during the time that the guests are in the home.

Since the Licensing Ordinance No.2020-01 will be requiring Smoke Detectors, Carbon Monoxide Detectors, and Fire Extinguishers we have no objections to the proposal.

Basic Safety Items. The inspection process will be used to assure that all currently required safety features, such as smoke detectors, carbon monoxide ("CO") detectors, Fire Extinguishers, stairs, stair handrails, guardrails, egress windows or doors, door hardware

and locks as well as safe electrical, mechanical and plumbing installations; etc., are in place and code-conforming.

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.org



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.org
www.BoulderCountyOpenSpace.org

TO: Jonathan Tardif, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: July 6, 2023
SUBJECT: Docket SU-23-0004/SPR-23-0034, Travis, 246 Tahosa South Road

Staff has reviewed the submitted materials, and has no natural resource concerns with the proposal. The High Biodiversity Area should not be significantly impacted, and the Peak to Peak Scenic Corridor would not be impacted.

A Revegetation Plan is required that includes native grass species to be used, an explanation of how topsoils will be stockpiled and reused, mapped delineation of all disturbance areas (this includes construction staging areas, driveway, utility lines, and septic system), and locations of silt fence or erosion control logs down slope of all disturbed areas.



Public Health

Environmental Health Division

June 3, 2023

TO: Staff Planner, Land Use Department

FROM: Jessica Epstein, Environmental Health Specialist

SUBJECT: SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence project

OWNER: Travis

PROPERTY ADDRESS: 246 Tahosa South Road

SEC-TOWN-RANGE: 13 -3N -73

The Boulder County Public Health – Environmental Health division has reviewed the submittals for the above referenced docket and has the following comments.

Commercial OWTS Application Needed:

1. An onsite wastewater treatment system (OWTS) permit has not been issued by Boulder County Public Health for this property. The owner or their agent (e.g., contractor) must apply for a Commercial OWTS permit. The OWTS permit must be issued prior to installation and before a building permit can be obtained. The OWTS components must be installed, inspected and approved before a Certificate of Occupancy or Final Building Inspection approval will be issued by Community Planning and Permitting (CP&P).
2. Boulder County Public Health must conduct an onsite investigation and review percolation rates, soil conditions and any design plans and specifications prior to OWTS permit issuance. The OWTS absorption field must be located a minimum distance of 100' from all wells, 25' from waterlines, 50' from waterways and 10' from property lines.
3. While the property is used as a vacation rental it will have a commercial OWTS permit. In the future, when the owners move into the property as a primary residence, they can apply for an OWTS Use permit to change the use to residential.

This concludes comments from the Public Health - Environmental Health division at this time. For additional information on the OWTS application process and regulations, refer to the following website: www.SepticSmart.org. If you have additional questions about OWTS, please do not hesitate to contact HealthOWS@bouldercounty.org at (303) 441-1138.

Cc: OWTS file, owner, Community Planning and Permitting



Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302
 Mailing Address: P.O. Box 471 • Boulder, Colorado 80306
 303-441-3930 • www.BoulderCounty.gov

Wildfire Mitigation Team

MEMO

TO: Jonathan Tardif, Planner II
FROM: Kyle McCatty, Wildfire Mitigation Specialist
DATE: June 28, 2023
RE: Referral Packet for SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence project at 246 Tahosa South Road

Thank you for the referral. We have the following comments for the applicants:

Decades of catastrophic wildfires, research, and case studies have shown that extreme wildfires are inevitable in the forests of Boulder County and across the Western US. Still, the loss of life and homes does not have to be inevitable. The conditions that principally determine if a house ignites occur within 100 feet of the house, including the house itself. That is why Boulder County has such strong wildfire mitigation requirements in our Land Use and Building Code. Boulder County encourages all homeowners to voluntarily take responsibility to mitigate their own home's risk of igniting in a wildfire through Wildfire Partners.

Vacation Rental

For all Vacation Rentals, it is required that the property owner obtain a Wildfire Partners certificate to mitigate the property against wildfire, per the terms of Section 5.A.3.b of Boulder County Licensing Ordinance No. 2020-01 adopted on 02/08/2021. More information about Wildfire Partners can be found at www.wildfirepartners.org

Additionally, since renters will most likely be unfamiliar with the risks associated with wildfire and local evacuation processes, it is required in Section 6.2.iii-iv, for the owner to display wildfire prevention and evacuation information within the rental property. Outdoor fires are also prohibited per Section 6.3.

Site Plan Review

Wildfire Mitigation is required; the proposed project is in [Wildfire Zone 1](#) (the foothills or mountains—approximately west of highways 7, 36, or 93) of the unincorporated portion of Boulder County. The Boulder County Wildfire Mitigation requirements are composed of site location, ignition-resistant materials and construction, defensible space, emergency water supply, and emergency vehicle access.

Site Location

A Boulder County Wildfire Mitigation Specialist has reviewed the site location as part of the Site Plan Review process. Ideally, all structures should be located as far from property lines as possible to maximize full defensible space—at least 100 feet, especially areas with large openings, overhangs, or cantilevers.

The Wildfire Mitigation Team **strongly recommends** requiring the carport to be removed, risks of ignition mitigated, moved 50+ feet from all structures, or converted into a garage. Carports have an inherent vulnerability to igniting in a wildfire because of their open nature, re-entrant (interior) corner, and covering, creating a situation where lots of embers can quickly accumulate in a wildfire. The Ignition Resistant Materials section discusses **requirements** if the carport is to remain within 50 feet of the residence.

Ignition-Resistant Materials and Construction

Since the proposed development is located within a potentially hazardous area, all exterior building materials (including any proposed decking) must be ignition-resistant construction or better. Because of the wildfire mitigation risks associated with the site location, the following more restrictive increased ignition-resistant exterior materials are required:

- Double pane tempered glass is required within at least 50 feet of property lines.
- Wood and fire-retardant-treated wood are not allowed.
- Heavy timber (IBC Section 602.4) and log wall construction (see definition in R327) are allowed.
- Deck surface must be an ASTM E84 (UL 723) flame-spread index no greater than 75.

The carport **must be** mitigated if it remains within 50 feet of any structure; there are two options:

Option 1: The carport must have no walls, only one wall, or two parallel walls.

Option 2: All adjacent exterior materials and wall and roof/ceiling assemblies **on and within 25 feet of the carport** must be either entirely noncombustible or constructed of a 1-hour fire-rated (on the carport side) noncombustible assembly. Specifically, this requires:

- Exterior materials adjacent to the carport must be noncombustible as defined in R327 of the Boulder County Building Code Amendments.
- Wall and roof/ceiling assemblies adjacent to the carport require:
 - Metal framing
 - Type X drywall (facing the carport)
- Double pane tempered glass is required

- If insulation is needed in this area, it must be rock wool or some other noncombustible insulation.

For additional ignition-resistant construction information, please contact the Building Safety & Inspection Services Team at 303-441-3926. Refer to the Boulder County publication: [Building with Ignition Resistant Materials](#) for specific requirements. All exterior materials must be clearly noted on the building plans and must be reviewed and approved as “ignition resistant” by the Building Safety & Inspection Services Team.

Defensible Space

Adequate defensible space is required to prevent the spread of fire to and from the structure. This requires limbing and/or removal of trees and shrubs to provide necessary vertical and horizontal fuel separation within a minimum of 100 ft. from the home and within 30 ft. along both sides of a driveway. Where the property boundary limits Zone 2 (at least 100 feet from structures), Zone 1 (a buffer of at least 30 feet free of conifer trees and other highly combustible vegetation immediately surrounding the home, including all attachments and accessory structures within 30 feet) may need to begin at the home’s dripline. More information can be found by referring to the Colorado State Forest Service publication [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#).

Follow the Colorado State University [FireWise Plant Materials – 6.305](#), [Fire-Resistant Landscaping – 6.303](#), and Colorado State Forest Service [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#) publications when choosing plants and designing revegetation and landscaping.

Emergency Water Supply

To aid in the defense of the structures from a wildfire and to assist in firefighting efforts, an emergency water supply is required. Unless the Allenspark Fire Protection District approves an alternative emergency water supply, an individual cistern is required. Follow the Boulder County publication [Emergency Water Supply for Firefighting](#) when installing the individual cistern. Contact the Allenspark Fire Protection District at 303-747-2586 and info@allensparkfire.com for certification of access, location and compatibility of connections once the cistern is installed.

Emergency Vehicle Clearance

Emergency vehicle clearance is required to allow for safe ingress and egress of emergency vehicles. Emergency personnel try their best to respond to calls in a timely manner, often while negotiating difficult terrain. Planning for access by emergency vehicles improves safety for homeowners and their families by providing for a more efficient response by firefighters and other emergency personnel arriving on the scene. This is especially important in rural and mountainous areas where response times may be considerably longer than in cities, where emergency services are closer by. Refer to

the Boulder County publication: [Driveway Access for Emergency Vehicles](#) for specific clearance-related requirements.

Timeline

After applying for, but prior to issuance of any permits, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners or Regulatory Wildfire Mitigation assessment and defensible space marking. Based upon the compliance path selected, either a Wildfire Partners Assessment report or a Wildfire Mitigation Plan will be created to describe the wildfire mitigation requirements.

Before scheduling rough framing inspections, the plan's defensible space and water supply portion must be implemented and inspected by the Community Planning & Permitting Department. All trees marked for removal must be cut, and all slash, cuttings, and debris must be removed and/or properly disposed of. The [Fire Sprinkler or Fire Cistern Approval Form](#) must be submitted to the Boulder County Building Safety & Inspection Services at ezbp@bouldercounty.org (or P.O. Box 471, Boulder, Colorado, 80306) after the fire protection district completes the applicable portion of the form. If an individual cistern was required, it must be located on-site in an appropriate location (subject to approval by the fire protection district), fitted with an appropriate dry hydrant connection, and be filled, and tested by the local fire protection district.

At the time of final inspection, all remaining required items in the Wildfire Partners Assessment report or the Wildfire Mitigation Plan are to be fully implemented and inspected. Ground surfaces within three feet of both existing and new structures, and at least 2 feet beyond the driplines of decks, bay windows, and other eaves and overhangs, must be covered with an allowable non-combustible ground cover over a weed barrier material. The driveway vertical and horizontal vegetation clearance must be in place and conform to the Parcel Access Design Standards in the [Boulder County Multimodal Transportation Standards](#).

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum land use and building code requirements. I can be reached at 720-564-2625 or via e-mail at kmccatty@bouldercounty.org.



AFPD Buzz – December 2019

EMERGENCY INFORMATION FOR RENTERS

Many homes in our area are rented for a few nights or a few weeks at a time. For the people visiting our area, it is important to make sure they have information regarding emergencies. It is also wise to provide visitors with detailed, written documentation that they can refer to in an emergency.

Here are some of the most critical emergency topics for renters:

- **Telephones**
- **Water**
- **Wildlife**
- **Outdoor Activities**
- **Local Facilities**
- **Fires**
- **Emergencies**

📞 **Telephones**

Renters may be surprised to learn that we do not have cell service in Allenspark. People coming from a city may never have encountered this before. Many rely on their mobile phones for directions and may not be able to even find the rental property without service. If there is some cell service available nearby, let them know where that might be. However, keep in mind that some emergencies, like a flood or wildfire will quickly bring down cell service.

Having a landline at the rental property could be critical for many emergency situations. With a landline, renters can call 911 or a hospital. In addition, if there is an evacuation notice or other emergency information via the Boulder County or Larimer County Everbridge system, that will typically come via a landline.

Visitors to our area should also know where the emergency phones are located:

- Station One – 14861 Highway 7
- Station Five – 32 Bunce School Road
- Intersection of Highway 7 and 72
- Mile 50 on Highway 72 (Near Peaceful Valley Campground)

💧 **Water**

Renters should be reminded to drink plenty of water.

Visitors to our area may not be aware of the danger of altitude sickness, especially if they are not a resident of Colorado or if they have not been to our altitude before. The elderly and people with health issues are at a higher risk for altitude sickness.

All rental properties should have an emergency supply of water for renters.

In addition, rivers present a danger to children and pets. The water is extremely cold all year long and fast-moving in the spring.

Wildlife

The wild animals in Allenspark make our area a special place. However, they also present some possible dangers.

A car collision with deer, elk or moose can be life threatening and cause major damage to a vehicle. Renters should be warned of this potential, especially at night.

Visitors with pets should be extra cautious as bobcats, elk, moose and mountain lions can pose a threat to cats and dogs of any size.

Bears love food that is easy to obtain such as garbage, bird feeders, greasy grills or other food left outside or in a vehicle. Everyone should take extra steps to avoid tempting a bear.



Outdoor Activities

For anyone planning a walk, hike, or 4-wheel drive off the beaten path, some basic precautionary information could help avoid a lot of trouble.

- Bring the ten essentials.
- Wear appropriate clothing and bring extra layers.
- Bad weather can move in quickly and hikers should be off any high peaks by noon.



Local Facilities

Help your renters by having a list of important locations such as:

- Fire Station
- Hospital
- Pharmacy
- Grocery
- Gas Station

A local map is very important for renters. If renters need to evacuate in an emergency, they will need to know how to exit the area and may not be able to leave the same way they arrived in Allenspark. In addition, a large metal, reflective number sign on the house and at any confusing intersection to the house is helpful to the renters and also to any emergency responders trying to find that home.



Fire Information

Renters should be informed about any fire bans and should also know where to find out what the fire ban means for them and their activities. For example; smoking, charcoal grills and outdoor torches are not allowed during fire bans.

Boulder County information can be found at <https://www.bouldercounty.org/safety/fire/fire-restrictions/>.

Larimer County Information can be found at <https://www.larimer.org/emergency/fires>.

One fire extinguisher should be in the kitchen and on every level, at a minimum. Renters should also have access to information on where to find extinguishers and how to use them. Smoke detectors should be located on walls near bedrooms and be accessible so that renters can replace batteries if necessary. If a house is heated with a fireplace or propane, a carbon monoxide detector should be present.



Emergency Information

For all emergencies (medical, fire, flood, hazardous materials, etc), renters should call 911.

The Allenspark Fire Protection District is a volunteer fire department which means that the station is not manned. Volunteers respond from their homes or outside or at any place they may be in our district. Renters may not have experience with a volunteer fire department and may not understand the difference between career and volunteer departments.

All rental properties should have a basic first aid kit and renters should know where to find it.

An emergency kit should also be available with water, food, flashlights, batteries, blankets, an emergency radio, a multi-tool, maps of the area, a whistle and any other items that you would like to add.

The Allenspark Fire Protection District strongly recommends that all rental property owners create a binder of information for renters. We hope this article will give you a good starting point.

Tardif, Jonathan

From: Milner, Anna
Sent: Wednesday, May 24, 2023 2:05 PM
To: Tardif, Jonathan
Subject: FW: [EXTERNAL] Re: Referral Packet for SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence project at 246 Tahosa South Road

From: Steven Rusch <srusch@estes.org>
Sent: Wednesday, May 24, 2023 1:41 PM
To: Milner, Anna <amilner@bouldercounty.org>
Subject: [EXTERNAL] Re: Referral Packet for SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence project at 246 Tahosa South Road

Hi, The Town of Estes Park Utilities Department has no objections to this project.
Best,

Steve Rusch

Utilities Coordinator. Town of Estes Park
170 MacGregor Ave. PO Box 1200. Estes Park, CO 80517
Direct: 970.577.3625
Mobile: 970.481.8417

On Wed, May 24, 2023 at 1:03 PM Milner, Anna <amilner@bouldercounty.org> wrote:

Please find attached the referral packet for ***SU-23-0004/SPR-23-0034: Travis Vacation Rental and Residence*** project at ***246 Tahosa South Road***.

Please return responses and direct any questions to [Jonathan Tardif](mailto:Jonathan.Tardif@bouldercounty.org) by **June 28, 2023**. (Boulder County internal departments and agencies: Please attach the referral comments in Accela.)

Best Regards,

Anna

Anna Milner | Admin. Lead Tech.

Boulder County Community Planning & Permitting

Pronouns: she/her/hers

Physical address: 2045 13th St., Boulder CO 80302

Mailing address: PO Box 471, Boulder, CO 80306

(720) 564-2638 (Direct)

amilner@bouldercounty.org

Service hours are 8 a.m.-4:30 p.m. Monday, Wednesday, Thursday, Friday, and 10 a.m.-4:30 p.m. Tuesday

*My core working hours are 7am-5:30pm Tues - Fri

New: Boulder County has a new website: BoulderCounty.gov! Bookmark it today. Email addresses will transition at a later date.

www.bouldercounty.gov



06/26/2023

Received a phone call from a neighboring property owner located at 232 Tahosa South Road. The property owner expressed disagreement with the proposal, citing concerns about emergency access and neighborhood compatibility for residential uses.