



Date: April 8, 2025

Honorable Mayor and Council Members:

Author and title: Becky Bucar, Assistant Public Works Director

Title: Coldstream Phase 3 Temporary Trail and Temporary Snow Storage Easement Abandonments

Jen Callaway, Town Manager

Recommended Action: Adopt Resolution No. 2025-22 approving the abandonment of the temporary trail easement and temporary snow storage easements that were created in the Coldstream – Phase 3 Final Map No. 2024-00000111/FM, as outlined in this staff report.

Discussion:

The Coldstream Specific Plan is a phased development, as shown in the attached phasing diagram (***Attachment 1***) (note that the phasing plan has been revised slightly since the Specific Plan adoption and creation of this figure).

The Phase 3 Final Map (Final Map No. 2019-00000111) was recorded in 2024. The infrastructure for Phase 3 (which contains the affordable housing, single-family attached residential units, and commercial parcels), is complete, and the units are being built out. As a part of the Phase 3 Final Map, a temporary trail easement and three temporary snow storage easements were recorded as shown in Exhibit 1 of the attached resolution (***Attachment 2***).

A Final Map for Phase 2 (Final Map No. 2024-00000150) was recorded on March 31, 2025. With the completion of the Phase 3 infrastructure and the recordation of the Phase 2 Final Map, these easements are no longer required, as described below.

Temporary Snow Storage Easements – Three temporary snow storage easements (S.S.E.s) were recorded as a part of the Phase 3 Final Map/Final Map No. 2019-00000111 adjacent to Phase 3 roadways where they were easily accessible from the Phase 3 roads. However, these easements now encumber the Phase 2 roadways and because the Phase 2 Final Map has created new snow storage easement areas, the three temporary snow storage easements shown on ***Attachment 2*** (Exhibit 1) are no longer necessary.

Temporary Trail Easement – A temporary trail easement was also recorded as a part of the Phase 3 Final Map/Final Map No. 2019-00000111. The purpose of the temporary trail easement was to retain an easement across the Coldstream Development in the case that the developer never extended the Legacy Trail through the site. The temporary trail easement was recorded along a dirt road/path that could be paved by the Town in the future if necessary. However, now that the Legacy Trail has been completed through the site, the majority of the trail easement is no longer necessary. The other portion of the temporary trail easement has been replaced by a permanent trail easement on the Phase 2 Final Map.

Staff is proposing to abandon the easements shown in ***Attachment 2*** (Exhibit 1).

Pursuant to Development Code Section 18.88.030.B (Minor Public Service Easement Vacation), a request for the vacation of a public service easement may be approved, with or without conditions by the Town Council, by resolution without public hearing or noticing if one of the following findings can be made:

1. The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the requested vacation, and the easement is not necessary for present or prospective public use.
2. The date of dedication or acquisition of the easement is less than five years, and more than one year, immediately preceding the requested vacation, the easement was not used continuously since that date, and the easement is not necessary for present or prospective public use; or
3. The easement has been superseded by relocation, there are no other public facilities located with the easement, and the easement is not necessary for present or prospective public use.

As both the temporary trail easement and temporary snow storage easements have been replaced with trail easements and snow storage easements elsewhere on the site, staff recommends the Council approve the easement abandonments based on Finding No. 3 by adopting the attached Resolution 2025-22 (**Attachment 2**).

Priority:

<input type="checkbox"/> Enhanced Communication	<input type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/> Core Service

Fiscal Impact:

There are no fiscal impacts to the Town associated with the approval of the abandonment of the SSE.

Public Communication:

Notice of this abandonment has been provided as part of the posting of the public notice for the April 8, 2025 Council meeting agenda.

Attachments:

Attachment 1 – Coldstream Specific Plan Phasing Plan

Attachment 2 – Resolution 2025-22 Approving Minor Public Service Easement Vacations within the Coldstream Phase 3 Final Map