AGENDA

November 14, 2017

BOARD OF COMMISSIONERS
104 CRESTONE AVE.

COMMISSIONER’S MEETING ROOM
SALIDA, COLORADO

PLEASE NOTE: The Agenda times are approximate; items may be discussed before or after the times listed below.

9:00 a.m. Regular meeting of the Board of Commissioners

Pledge of Allegiance

- Review public meeting list

- Public Comment

A. Consider a New License Application from Berlin International for PG Grow II, LLC (Planning Manager Roorda)

B. 9:15 a.m. - Public Hearings and consideration of recommendations from the October 31, 2017 Planning Commission Meeting (see attached) with regard to the following matters:
   a. Pintane Minor Subdivision Applicant: Terence & Laura Pintane Location: 4880 County Road 108 Salida Zone: Recreational Request: To divide 37.79 acres into 4 lots with the minimum lot size being 7.08 acres. Water by wells, wastewater treatment by on-site wastewater systems. (Planner Barton)

   b. Amendments to: Article 2.6.4.D; Designation of Boundaries of Floodplain Overlay District, Article 7.7.F.1; Floodplain Overlay District, Specific Standards, Residential Construction Article 15.2; Definitions, for the purpose of adopting the new FEMA Flood Insurance Study and Flood Insurance Rate Maps. (Planning Manager Roorda)

C. Consider a request from Las Colinas Homeowners Association for a Plat Amendment. Property is located at 11513 & 11525 Hills Court, (Lots 3 & 7), Salida. (Planner Barton)

D. Consider a request to release The Willows Subdivision, Filing I Lot Sales Restriction for Lots 1, 2, and 3. (Planning Manager Roorda)
E. Consider a request for an extension to a Subdivision Improvements Agreement Addendum for Lakeside Estates Preserve Subdivision. (Planning Manager Roorda)

F. Consider a request from Salida Mountain Trails for $12,000.00 cash match from the Conservation Trust Fund for trail construction. (Mike Smith, SMT Board Member)

G. Contract/Grant Consideration:
   - 3 year renewal agreement for Marketing Director services for Chaffee County Visitor’s Bureau (Director of Administration Christiansen)

H. Envision Chaffee County Update and County-wide survey results. (Cindy Williams, Central Colorado Conservancy Board President)

I. Executive session pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice regarding a personnel matter.

J. Executive session pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice concerning a Land Use Code enforcement matter.

Consent Agenda:
   - Report from the County Public Trustee for the Third Quarter, 2017
   - Report from the County Treasurer for the month of October, 2017
   - Pay Bills

Old Business:
   - County Project Status Report

Potential Road Trip

****The official posting site for the Chaffee County Board of Commissioners meeting agenda’s is at the County Court House.

It is the policy of Chaffee County that all County sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA, please call the County’s ADA Coordinator at 719-539-3463 or e-mail hwenes@chaffecounty.org at least three (3) business days prior to the scheduled meeting or event to request an accommodation.
PLANNING COMMISSION RECOMMENDATION

Date: October 31, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: Pintane Minor Subdivision

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of October 31, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Dan McCabe moved to adopt the changes set forth herein. Doug Welch seconded and motion carried with Mike Allen, Tracy Vandaveer, Karin Adams, Dan McCabe, Bruce Cogan, Rob Treat, Scott Breunich and Doug Welch in favor and Marjo Curgus opposed.

Tracy Vandaveer was recused from the hearing.

Findings:
1. The application meets the requirements of the Land Use Code for a Minor Subdivision Final Plat.
2. The dedication of 0.35 acres of right of way for County Road 108 does meet the open space dedication requirement as it provides access to public lands.

Conditions:
1. Water augmentation certificates must be purchased for Lots 2, 3 & 4 before the plat is recorded.
2. A Maintenance Agreement or homeowners association will be required to be created to address maintenance of the Low Volume Road and for County Road 108 to the point of County maintenance.
3. An easement for the minimum 6,000-gallon fire cistern shall be added to the plat, and costs for installation shall be added to the SIA, unless other written agreements are made with the Fire District.
4. Required Notes on Final Plat:
   a. At time of building construction, Lots 2, 3 & 4 shall be required to incorporate 1,500 cubic foot of stormwater storage, located to capture runoff from impermeable surfaces, into the site design.
   b. A geotechnical investigation is required on each lot to characterize subsurface conditions such as depth to groundwater and bedrock, and soil properties such as density, strength, and swell-consolidation potential for use in design of foundations, floor slabs, and pavements.
   c. Property owners are encouraged to refer to ‘Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones’ available from the Colorado State Forest Service, and to schedule a site visit to discuss wildfire mitigation.
d. The area is in a winter concentration area for deer and elk: recommendation that no fencing along property boundaries be constructed, bear-proof trash containers are used or trash kept in garage until morning of pick-up, and no bird feeders or roaming pets. Homeowners should be proactive in minimizing conflicts with bears.

Dan McCabe moved to recommend to the Board of Commissioners approval of the Pintane Minor Subdivision based on the above findings and conditions. Rob Treat seconded and motion carried unanimously.
PLANNING COMMISSION RECOMMENDATION

Date: October 31, 2017
To: Chaffee County Board of County Commissioners
From: Chaffee County Planning Commission
Subject: amendments to: Article 2.6.4.D; Designation of Boundaries of Floodplain Overlay District, Article 7.7.F.1; Floodplain Overlay District, Specific Standards, Residential Construction, Article 15.2; Definitions, for the purpose of adopting the new FEMA Flood Insurance Study and Flood Insurance Rate Maps.

Note: The following recommendation is an excerpt of the draft Planning Commission meeting minutes of October 31, 2017 and should be considered as a draft summary of their recommendation until the minutes are approved at their next regular meeting.

Planning Commission members present were: amendments to: Article 2.6.4.D; Designation of Boundaries of Floodplain Overlay District, Article 7.7.F.1; Floodplain Overlay District, Specific Standards, Residential Construction, Article 15.2; Definitions, for the purpose of adopting the new FEMA Flood Insurance Study and Flood Insurance Rate Maps.

Dan McCabe moved to adopt the changes set forth herein. Doug Welch seconded and motion carried with Mike Allen, Tracy Vandaveer, Karin Adams, Dan McCabe, Bruce Cogan, Rob Treat, Scott Breunich and Doug Welch in favor and Marjo Curgus opposed.
BOARD OF COUNTY COMMISSIONERS PUBLIC MEETINGS

THIS NOTICE IS POSTED PURSUANT TO C.R.S. 24-604 02 (IV)(c)(4)(b).

THERE WILL BE NO DECISIONS OR FORMAL ACTIONS MADE BY THE COMMISSIONERS AT THESE MEETINGS EXCEPT FOR THE REGULAR OR SPECIAL MEETINGS OF THE BOARD OF COMMISSIONERS

Address for meeting places: Commissioners Meeting Room 104 Crestone Ave., Salida, Buena Vista School District Offices, 113 N. Court, Buena Vista Annex, 112 Linderman Ave., Fairgrounds, 10165 County Road 120, Poncha Springs, Harriet Alexander Field, County Road 140, Salida. Meeting places are subject to change and will be posted.

DATE: November 11, 2017
TIME: 8:30 a.m. – 12:30 p.m.
SUBJECT: Envision Chaffee County Team Meeting (open to the public)
LOCATION: Buena Vista Community Center

DATE: November 13, 2017
TIME: 9:00 a.m.
SUBJECT: Regular meetings of Landfill Committee, Board of Health & Board of Human Services followed by Work Session
LOCATION: Commissioners Meeting Room

DATE: November 14, 2017
TIME: 9:00 a.m.
SUBJECT: Board of Commissioners Regular Meeting
LOCATION: Commissioners Meeting Room

DATE: November 14, 2017
TIME: 3:00 p.m.
SUBJECT: Visitors Bureau
LOCATION: Commissioners Meeting Room

DATE: November 14, 2017
TIME: 6:00 p.m. – 8:00 p.m.
SUBJECT: Envision Chaffee County Team Meeting (open to the public)
LOCATION: Poncha Springs Town Hall

DATE: November 17, 2017
TIME: 2:00 p.m.
SUBJECT: 2017 Chaffee County Habitat for Humanity Dedication Ceremony
LOCATION: 11301 CR 198, Nathrop

DATE: November 21, 2017
TIME: 9:00 a.m.
SUBJECT: Board of Commissioners Regular Meeting
LOCATION: Buena Vista School District Offices

DATE: November 22, 2017
TIME: 9:00 a.m.
SUBJECT: Airport Advisory Board Meeting
LOCATION: Harriet Alexander Field

DATE: November 24 & 25, 2017
CLOSED FOR THE THANKSGIVING HOLIDAY

11/8/17
This list may be updated daily. Posted in posting area outside of Commissioners Office
DATE: November 27, 28 and 29, 2017
TIME: All Day
SUBJECT: CCI Winter Conference
LOCATION: Hotel Elegante, Colorado Springs

DATE: November 28, 2017
TIME: 6:00 p.m.
SUBJECT: Planning Commission
LOCATION: Commissioners Meeting Room, 104 Crestone Ave., Salida

11/8/17
This list may be updated daily. Posted in posting area outside of Commissioners Office
CHAFFEE COUNTY
PLANNING & ZONING DEPARTMENT
P.O. BOX 699
SALIDA, CO 81201
PHONE (719) 530-5565
FAX (719) 530-9208
WEBSITE www.chaffecounty.org

APPLICATION FOR
MINOR SUBDIVISION
OR
RURAL OPEN SPACE INCENTIVE (ROSI) SUBDIVISION

- Sketch Plan Fee - $625.00
- Final Plat Fee $850.00

Application Filing Deadline is the Last Monday of each Month

<table>
<thead>
<tr>
<th>REQUESTED USE</th>
<th>Minor Subdivision</th>
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<tbody>
<tr>
<td>NAME OF SUBDIVISION</td>
<td>Pintane Subdivision</td>
</tr>
<tr>
<td>PROPERTY ADDRESS OR GENERAL LOCATION</td>
<td>4880 CO Rd 108, Salida, CO 81201</td>
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<tr>
<td>NAME OF APPLICANT</td>
<td>Terence &amp; Laura Pintane</td>
</tr>
<tr>
<td>MAILING ADDRESS</td>
<td>4880 CO Rd 108, Salida, CO 81201</td>
</tr>
<tr>
<td>TELEPHONE</td>
<td>719-221-4177</td>
</tr>
<tr>
<td>FAX</td>
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</tr>
<tr>
<td>E-MAIL</td>
<td><a href="mailto:tpintane@gmail.com">tpintane@gmail.com</a></td>
</tr>
<tr>
<td>TOTAL ACREAGE TO BE SUBDIVIDED</td>
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<tr>
<td># OF PROPOSED LOTS</td>
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<td>MINIMUM LOT SIZE</td>
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<td>PROPOSED WATER SUPPLY</td>
<td>Well-1 Existing</td>
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<td>PROPOSED SEWAGE SYSTEM</td>
<td>Proposed Sewage System</td>
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<td>PARCEL #</td>
<td>3907202-00-037</td>
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<td>PT NW1/4 NW1/4 Sec. 20, T49N, R9E</td>
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OWNERSHIP INFORMATION

Please list the names of all persons and companies who hold an interest in the described property (land owner, lessee, etc.) Application will not be accepted without the required signatures or a letter of authorization from each. Attach additional sheets as necessary.

<table>
<thead>
<tr>
<th>NAME</th>
<th>Terence Pintane</th>
<th>Laura Pintane</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTEREST IN PROPERTY</td>
<td>owners</td>
<td></td>
</tr>
<tr>
<td>ADDRESS</td>
<td>4880 CO Rd 108, Salida, CO 81201</td>
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</tr>
<tr>
<td>TELEPHONE</td>
<td>539-2503</td>
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<td>FAX</td>
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<tr>
<td>E-MAIL</td>
<td><a href="mailto:tpintane@gmail.com">tpintane@gmail.com</a></td>
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</tbody>
</table>

STAFF USE ONLY

Application received by __________________________ Date __________________________
Fee $ __________________________ Check # __________________________ Completeness Date __________________________
Certified Mailing Labels __________________________

Updated June 2015
Date: October 17, 2017
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Pintane Minor Subdivision Final Plat
PC: 10/31/2017 BOCC 11/14/2017

Applicant: Terence & Laura Pintane, represented by Mike Henderson

Public Hearing Notice Information: The Public Hearing was advertised in the Mountain Mail and the Chaffee County Times on October 5, 2017. Public Hearing notices were sent by certified mail to adjoining property owners on October 13, 2017. The Public Hearing Notice sign was observed by Staff on October 16, 2017.

Summary of Application: This application proposes subdivision of a 37.79 acre parcel into four lots, with the minimum sized lot to be 7.08 acres. The existing house, driveway, well and septic system will be located on Lot 1, which will be 13.17 acres in size. Access will be on a new Low Volume Road on a 40' wide dedicated right of way where the existing driveway is located. Right of way for County Road 108 will also be dedicated in the northeast corner of the property. The road past this property is minimally maintained by the US Forest Service.

Location and Zoning Map:
Zoning & Density: This property is in the Residential zoning district. This zoning district allows a density of 1 unit per two acres when served by individual wells and On-site Wastewater Treatment Systems (OWTS).

Pintane Minor Subdivision Final Plat:

Article 7.1 Basic Standards for all Land Use Change Permits

7.1.1 Intent: This section is for applicants to demonstrate that facilities and services are available, that environmental and topographic constraints are considered and that design of the subdivision can mitigate impacts to unique natural features.

7.1.2 Compliance with Zone District: This application complies with the density and dimensional standards of the Residential zoning district.

7.1.3 Site Infrastructure Requirements: This property has an existing house, well and On-site Wastewater Treatment System (OWTS). A Low Volume Road in a 40-foot dedicated right of way is proposed to serve the new lots. Additionally, the owners are dedicating a small portion of right of way for County Road 108 where it crosses the property at the northeast corner. The
road is minimally maintained by the US Forest Service past the Pintane property. Review agencies comments are summarized in this report.

7.1.4 Site Drainage: Loggie Gulch crosses the property, and existing drainage patterns need to be maintained. The existing driveway crosses Loggie Gulch. A Drainage Report has been submitted with this application, showing culvert sizes and has a requirement for on-site retention basins to mitigate stormwater flows. A note concerning the addition of stormwater retention basins at time of construction is a condition of approval.

7.1.5 Protection of Wetlands and Riparian Areas: Loggie Gulch does not appear to have wetlands or riparian areas associated with it, but building envelopes have been added to the Final Plat.

7.1.6 Wildlife Habitat: The property is in an area rated high for Significant Wildlife Habitat. This application was sent to Colorado Parks & Wildlife (CPW) for review and comments concerning fencing, trash containers, birdfeeders and roaming pets were received. A Statement of No Impact will be issued in compliance with the 1041 regulations for the project.

7.1.7 Erosion and Sedimentation: The Drainage Report requires the contractor to comply with the State Stormwater regulations.

7.1.8 Dark Sky Standards: New construction will be required to comply with downcast and shielded lighting.

7.1.9 Areas of Archeological, Paleontological or Historic Importance: The Heritage Area Advisory Board has no issues with this application.

Article 7.2 Site Planning and Development Standards

7.2.1 Other Adopted Plans: The Chaffee County Comprehensive Plan recommends: Guiding Objective 5 from Chapter 4, Land Use & Development Patterns: maintain the existing stock of private land in the County and encourage continuation of agricultural activities. This proposal maintains and expands the stock of private land for residential use.
Guiding Objective 3 from Chapter 5, Community Character: Provide access to public lands and river/stream corridors. This application dedicates right of way for access to Forest Service Road 108, maintaining access to public lands.

7.2.2 Infrastructure Requirements: The property has an existing domestic well on the property which will need to be re-permitted since it will no longer serve a single house on a parcel greater than 35 acres in size. The applicant proposes to purchase augmentation certificates for the new lots. A Low Volume Road within a 40' wide right of way is proposed to be constructed for access to the lots. This right of way is shown as being dedicated on the Final Plat, along with a 60' wide right of way for County Road 108. Fire Protection is addressed in Section 7.3.4. The size and topography of the lots will allow for the required two parking spaces per residential lot.

7.2.3 Site Planning and Design: This proposal meets the required minimum 2.0 acres per lot. The subdivision is designed to avoid excessive site disturbance since it uses the existing driveway for the new Low Volume Road. Existing vegetation will buffer residential uses from County Road 108. The Colorado State Forest Service sent comments concerning fire mitigation practices for wildfire hazards. This will be a note on the plat. The Colorado Geological Survey sent comments concerning rockfall areas, setbacks, and soils, which will also be a note on the plat.

7.2.4 View Protection Guidelines: The subdivision is screened by existing vegetation and topography. This subdivision design meets the intent of this section of the regulations.

7.2.5 Weed Control: N/A (applies to construction with cuts or fills greater than 8 feet).

7.2.6 Stormwater run-off: Limited changes are anticipated with the change from an existing driveway to a Low Volume Road. The Drainage Report requires the contractor constructing the road to comply with State stormwater regulations.

7.2.7 Protection of water quality: N/A (applies to non-residential land use changes).

Article 7.3 Subdivision Design Specifications:

7.3.1 Basic Subdivision Standards: This application creates a Low Volume Road, and a Maintenance Agreement or homeowners association will be required to be created to address maintenance. The Pintanes currently maintain County Road 108 from their property to the Boot Hill Subdivision, at which point the road becomes County maintained.

7.3.2 Subdivision Lots: This application creates conforming lots with adequate building sites that avoid flood, geologic or natural hazard areas. Loggie Gulch is not a mapped 100-year FEMA Floodplain, however, setbacks from Loggie Gulch are added to the plat to avoid buildings being located in hazardous areas. Lot 4 contains a steep outcrop in excess of 30% grade that is designated as a no-build area. All lots will have access to a Low Volume Road on dedicated right of way that will connect to County Road 108, which is privately maintained in this location. Lots are not divided by any roads, municipal or tax district boundaries.

7.3.3 Subdivision Roads: A new Low Volume Road off County Road 108 will be built where the existing driveway is located to serve the lots. The road will be built within right of way dedicated with the plat.

7.3.4 Subdivision Fire Protection: This development is within the Chaffee County Fire Protection District. The Colorado State Forest Service recommends property owners read ‘Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones’ available from the Colorado State Forest Service. CSFS staff are available for site visits to discuss wildfire mitigation. Comments were not received from Chaffee County Fire Protection District by the due date of September 12, 2017 as Brian Welch was fighting fires at the time the review packets were sent. He did send comments on September 28, 2017 when he was back in the office. Section 4.1.3.D.1 states: ‘Responses not received in a timely manner may not be
included in the processing of the application. A lack of timely response shall be interpreted as
no comment.' While the fire department comments are not timely, they reference Section 7.3.4
of the Land Use Code for the requirement for fire cisterns.
7.3.5 Utility Easement Requirements: Easements meeting the requirements of the Land Use
Code are shown on the final plat.
7.3.6 Survey Monuments: Monuments are indicated on the plat.
7.3.7 Standards for Public Sites and Open Space: Three additional residential lots are created
by this plat, and the applicant is dedicating right of way for access for County Road 108 as
access to public lands. This 0.35 acres area can meet the requirement for open space
dedication. A School Fee-in-Lieu note will be required to be added to the plat.

AGENCY REVIEWS:
Comments have been received from the following agencies:
Colorado Parks and Wildlife – the area is in a winter concentration range for deer and elk.
Recommendation for no fencing at property boundaries but can be installed within building
envelopes; bear-proof trash containers be used or trash be kept in garage until morning of
pick-up; and no bird feeders or roaming pets. Homeowners should be proactive in minimizing
conflicts with bears.
Colorado Geological Survey – this property is designated as a rockfall hazard area, but if the
no-build designation on Lot 4 is followed, CGS has no objection to the subdivision as
proposed. CGS recommends a larger setback from Loggie Gulch, determined by site-specific
analysis of topography and soil erosion properties. The mapped soils are Verdos alluvium and
Dry Union Formation, which may consolidate under loading and wetting, and low density, low
strength may be present at or near foundation bearing depths. A site-specific soils
investigation for each lot is needed to characterize subsurface conditions.
Colorado Division of Water Resources – Well Permit No.119172-A will need to be re-permitted
as a non-exempt well operating pursuant to a plan for augmentation. Lots 2, 3 & 4 will be
eligible for non-exempt wells with augmentation.
Colorado State Forest Service – The area is heavily forested. CSFS encourages the
homeowners to follow the attached recommendations ('Protecting Your Home from Wildfire:
Creating Wildfire-Defensible Zones' brochure). Homeowners can also contact the CSFS office
for a site visit to discuss wildfire mitigation.
Chaffee County Fire Protection District - Comments were received September 28, 2017 and
require installation of a 6,000 gallon fire suppression water supply. The fire apparatus access
is adequate.
Chaffee County Environmental Health – All OWTS submittals must comply with all Chaffee
County adopted regulations, to include design, permitting, installation and inspection.
Heritage Area Advisory Board – We find no issues pertaining to Chaffee County heritage.
City of Salida - No comments have been received.
Chaffee County Road & Bridge Department - No comments have been received.
Salida School District - No comments have been received.
United States Forest Service - No comments have been received.
Upper Arkansas Water Conservation District - No comments have been received.
Potential Findings of Fact:
1. The application meets the requirements of the Land Use Code for a Minor Subdivision Final Plat.
2. The dedication of 0.35 acres of right of way for County Road 108 can meet the open space dedication requirement as it provides access to public lands.

Potential Conditions:
1. The existing well on the property (Well Permit No. 119172-A) will be re-permitted as a non-exempt well operating pursuant to a plan for augmentation before the plat is recorded.
2. Water augmentation certificates must be purchased for Lots 2, 3 & 4 before the plat is recorded.
3. A Maintenance Agreement or homeowners association will be required to be created to address maintenance of the Low Volume Road and for County Road 108 to the Boot Hill Subdivision (at which point the road becomes County maintained).
4. An easement for the minimum 6,000-gallon fire cistern shall be added to the plat, and costs for installation shall be added to the Subdivision Improvements Agreement (SIA).
5. Required Notes on Final Plat:
   a. At time of building construction, each lot shall be required to incorporate 1,500 cubic foot of stormwater storage, located to capture runoff from impermeable surfaces, into the site design.
   b. A geotechnical investigation is required on each lot to characterize subsurface conditions such as topography and soil erosion properties for a determination of the setback from Loggie Gulch; and soil properties such as consolidation under loading and wetting, and low density and low strength soils for design of foundations and .
   c. Property owners are encouraged to refer to ‘Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones’ available from the Colorado State Forest Service, and to schedule a site visit to discuss wildfire mitigation.
   d. The area is in a winter concentration area for deer and elk. Recommendation for no fencing at property boundaries but can be installed within building envelopes; bear-proof trash containers be used or trash be kept in garage until morning of pick-up; and no bird feeders or roaming pets. Homeowners should be proactive in minimizing conflicts with bears.

Potential Action:
Commissioner __________ moved and Commissioner __________ seconded to recommend to the Board of County Commissioners to APPROVE APPROVE WITH CONDITIONS/DENY the application for the Pintane Minor Subdivision Final Plat submitted by Terence and Laura Pintane based on the following findings of fact and conditions:

Findings of Fact:
1.
2.

Conditions:
1.
2.
The Floodplain Overlay District (FPO) is established in Article 1.10.10, it is defined in Article 2.6.4, additional standards are established in Article 7.7.1 and numerous definitions relating to the FPO are contained in Article 15.

These regulations have been reviewed by the Colorado Water Conservation Board (CWCB) and Chaffee County is in substantial compliance with the necessary standards with exception of adopting the new FIS and FIRM's and the addition of several definitions.

Staff is further recommending the increase of the Freeboard requirement from 1 foot, as mandated by FEMA to 1.5 feet, as recommended by CWCB. This change has the potential to result in lower flood insurance premiums for new homes, provide an additional margin of safety in the case of a storm event and provide points toward the Community Rating System which has the potential to lower flood insurance rates throughout the County. The Planning Commission has been provided with a Loss Avoidance Study prepared by FEMA Region VIII entitled "The Water Didn't Stop" and pertinent portions of the FEMA Final Report "Reducing Losses through Higher Regulatory Standards" dated March 30, 2015.

Changes to be considered are:

1. Amend Article 2.6.4.D., Designation of Boundaries of the Floodplain Overlay District; Strike March 4, 1987 and replace with December 7, 2017

**D. Designation of Boundaries of Floodplain Overlay District.** The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Chaffee County," dated March 4, 1987 December 7, 2017 with accompanying Flood Insurance Rate Maps and/or Flood Boundary- Floodway Maps (FIRM and/or FBFM) and any revisions thereto are hereby adopted by reference. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of this ordinance and may be supplemented by studies designated and approved by Chaffee County. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

2. Amend Article 7.7.1.F.1., Floodplain Overlay District, Specific Standards, Residential Construction; Strike one foot and replace with 1.5 feet.

   **1. Residential Construction.** New construction and Substantial Improvement of any residential structure shall have the lowest floor (including basement), elevated to **one foot 1.5 feet** above the base flood elevation. Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered Colorado Professional Engineer, architect, or land surveyor, and be submitted to the Floodplain Administrator.
3. Amend Article 15.2, Definitions;

Add; **Grade, Lowest Adjacent.** The lowest elevation of the ground surface next to the walls of a structure.

Add; **Start of Construction.** The date the building permit was issued, including substantial improvements, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Amend (as shown in red); **Structure.** A walled and roofed building, including a gas or liquid storage tank, which is principally above ground, as well as a manufactured home. The term "structure" includes: buildings, decks, solid fences, retaining walls, signs, towers, antennas, smokestacks, and overhead transmission lines.

1. **Permanent structure.** A permanent structure is constructed in a manner which would be expected to have a lengthy useful life, for a purpose expected to be long-term in duration.

2. **Temporary structure.** A temporary structure is constructed in a manner which would be expected to have a relatively short useful life, for a purpose expected to be short-term in duration.

Add; **Violation (Floodplain Overlay District).** The failure of a structure or other development, approved prior to December 7, 2017, to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the NFIP regulations (44 CFR 59, etc.) is presumed to be in violation until such time as that documentation is provided.

Criteria for changes to the text of the Land Use Code are contained in Article 4.4.2. Since the change does not add a use to the zone district regulations, the review criteria in 4.4.2.A.3 does not apply. This change is expected to provide for the health, safety and welfare of the public by keeping Chaffee County enrolled in the National Flood Insurance Program and introducing a higher regulatory standard for freeboard.
STAFF REPORT

Date: November 7, 2017
To: Chaffee County Board of County Commissioners
From: Planning Staff, Jon Roorda & Christie Barton
Subject: Las Colinas HOA Plat Amendment

BOCC: 11/14/17

Applicant: Las Colinas Homeowners Association (HOA)
Public Notice: Per Section 5.2.3.1, no public notice is required for a Plat Amendment.

Summary of Application: This request is to amend the Las Colinas Subdivision plat to remove the access easements located on Lots 3 and 7 and remove the well easement located on Lot 3. The well was originally permitted and installed to water livestock (Permit #162758, 1994). The well transferred to the developer (2001) and then transferred to the Las Colinas Property Owners Association (POA) in 2002. The Las Colinas Subdivision plat was recorded August 14, 2002 at Reception #328108. In 2017, the HOA voted to divest ownership of the well and easements. The file includes documentation of the HOA vote, the Quit Claim Deed transferring ownership of the well to Lot 3 and easements to Lots 3 and 7, and Release of Liability Agreement. Lot 3 has been issued a new well permit (# 81122-F) on July 19, 2017. The owners are currently building a house on the lot.

Location and Zoning Map:
Zoning and density: The property is zoned Residential, and this application does not impact the density of the site. Lot 7 has an existing house and Lot 3 has a house under construction. Documentation for the new ownership of the well and the HOA recorded documents was submitted as part of the building permit application. This Plat Amendment is to remove the restriction for the POA ownership of the well and for removal of the well easement.

Lots 3 & 7, Las Colinas Plat Amendment:

Well and Easement Lot 3

Well Access Easement Lots 3 & 7

All required materials were submitted. The plat is suitable for filing with minor revisions.
## PLAT AMENDMENT or CORRECTION PLAT

### Application Fee $100.00

<table>
<thead>
<tr>
<th>GENERAL INFORMATION – TRACT 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>NAME OF APPLICANT / OWNER</td>
</tr>
<tr>
<td>SIGNATURE</td>
</tr>
<tr>
<td>MAILING ADDRESS</td>
</tr>
<tr>
<td>TELEPHONE</td>
</tr>
<tr>
<td>GENERAL LOCATION OF PARCEL</td>
</tr>
<tr>
<td>PROPERTY ADDRESS</td>
</tr>
<tr>
<td>ACREAGE BEFORE ADJUSTMENT</td>
</tr>
<tr>
<td>WATER SUPPLY</td>
</tr>
<tr>
<td>EXISTING USE OF PROPERTY</td>
</tr>
<tr>
<td>EXISTING ZONING</td>
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<tr>
<td>LEGAL DESCRIPTION</td>
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</table>

### GENERAL INFORMATION – TRACT 2

| NAME OF APPLICANT / OWNER | N/A |
| SIGNATURE | |
| MAILING ADDRESS | |
| TELEPHONE | |
| GENERAL LOCATION OF PARCEL | |
| PROPERTY ADDRESS | |
| ACREAGE BEFORE ADJUSTMENT | |
| WATER SUPPLY | |
| EXISTING USE OF PROPERTY | |
| EXISTING ZONING | |
| LEGAL DESCRIPTION | |

### STAFF USE ONLY

| Application received by | Date |
| Fee $ | Check # | Electronic Copy | Cert. Mail Labels | Completeness Date: |

Effective February 15, 2014
PUBLIC TRUSTEE FEES FOR THE
THIRD QUARTER OF 2017

July - 2017

97  --  Release Deed of Trust  $1,455.00
     --  P.T. Sale Fee  0.00
     --  Withdrawal Fee  0.00
2  --  P.T. Deed  60.00
    Miscellaneous  0.00
             1,515.00

August - 2017

138  --  Release Deed of Trust  2,070.00
     --  P.T. Sale Fee  0.00
     0  --  PT Deed Fee  0.00
     --  Withdrawal Fee  0.00
    Miscellaneous  0.00
             2,070.00

September - 2017

98  --  Release Deed of Trust  1,470.00
    0  --  P.T. Sale Fee  0.00
    0  --  Withdrawal Fee  0.00
    --  PT Deed Fee  0.00
    Miscellaneous  0.00
             1,470.00

TOTAL FEES FOR THIRD QUARTER 2017  $ 5,055.00
To: Board of County Commissioners  
               Chaffee County, Colorado  
From: Public Trustee  
               Chaffee County, Colorado

The undersigned hereby certifies the total fees received by the Public Trustee for the Third Quarter of 2017 amounted to the following:

<table>
<thead>
<tr>
<th>Description</th>
<th>3RD Quarter</th>
<th>Year to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gross fees received (see attached)</td>
<td>$ 5,055.00</td>
<td>$ 20,247.75</td>
</tr>
<tr>
<td>Less: Salary for Quarter</td>
<td>3,125.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3,125.00</td>
<td>$ 9,375.00</td>
</tr>
</tbody>
</table>

Due Public Trustee Reserve Account $ 1,930.00 $ 10,872.75

Signed

Dee Dee Copper  
Chaffee County Public Trustee
## CHAFFEE COUNTY COLORADO

### Balance Sheet, all funds, Month Ending Oct 31, 2017

| Account                                      | General  | Pueblo Bank & Trust | COLOTRUST | Nestle Cost Reimb Fund | Road & Bridge Reserve | C-SAFE | Chesee Co. Fire Prot | CSIP | Chaffee Co. Lodging | Commercial Banks | Facilities Corporation Fund | Nestle Cost Reimb Fund | Waste Closure Reserve | Pueblo Bank and Trust | Secure Schools Title III | Animal Shelter | Redevelopment Ledger | Colorado East | Range Improvement | General | Sheriff Reimb Cash Costs | Jail Detention Booking Fund | Public Trust Advisors | Fee Fund | TOTAL: | TOTAL: |
|----------------------------------------------|----------|---------------------|-----------|------------------------|-----------------------|--------|---------------------|------|---------------------|----------------------|------------------------|-----------------------|---------------------|---------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| General                                      | 4,660,925.18 | 1,095,736.98        | 568,914.99 | 5,696.60               | 2,102.21              | 763.12 | 1,307.24            | 113,024.30 | 2,380.85             | 237,987.64           | 89,922.43              | 3,781.25              | 64,543.70           | 44,798.22           | 676.66              | 81,287.40           | 144,706.60 | 651.72              | 113,450.83 | 8,991.05              | 291,968.75           | 205,006.00           | 9,839.28 | 5,560.18 | 5,560.18 | 5,560.18 |
Nov 7, 2017

To: Chaffee County Board of County Commissioners

From: Chaffee County Treasurer

The total amount of interest received in Sept. 2017 was $11,344.48.

The total amount of interest received year to date is $96,278.50.

Dee Dee Copper
Chaffee County Treasurer