



MEMORANDUM

MEETING TYPE: Board of County Commissioners
MEETING DATE: 2/14/2023
ITEM NAME: 22-54 Plat Amendment and Vacation – Cuchara Mountain Park
SUBMITTED BY: Sky Tallman

SUMMARY:

Following a Joint Public Hearing on January 31, The Huerfano County Planning Commission, at their meeting on February 9, 2023, made the following recommendations based upon the 8-parcel plat amendment proposal:

1. Motion to consider the 8-parcel layout a plat amendment.
(Motion by White, Seconded by Falk, unanimous - passed)
2. Motion to recommend approval of the Plat amendment as proposed.
(Motion by White, second by Brown, unanimous; motion passed)

Note: The Planning Commission did not have a legal opinion from our Attorney regarding whether the deed restrictions on L2 and L3 had been properly removed or were made moot by the dissolution of the Cuchara Mountain Park Master Homeowner Association and therefore relied on the opinion provided by the Applicant's legal counsel.

See legal questions section above as to whether court or further BOCC action is needed to remove deed restrictions.

Vacation of Right of Way

3. Motion to recommend approval of the request to vacate a portion of Teton Ridge Dr. and Yosemite Ln.

(Motion by White, second by Falk; unanimous – Motion passed)

Note: This includes a reconfiguration of the platting of Teton Ridge Dr as a private, gated road and the termination of Yosemite Ln just past the property line.

Tax Exemption for Lots E, G and H

- 4. Motion to recommend approval of Applicant’s request for property tax exemption on Parcels E, G and H, so long as they remain undeveloped and in exchange for the proposed 50’ perpetual easement on the east side of Parcel E and G and the 20’ public access easement on the west side of Parcel H as well as on the southern portions of Parcels E and G containing ski runs. Public access would be granted to the entirety of these parcels as long as they remain undeveloped.

(Motion by White, seconded by Edmundson. White, Edmundson, Brown in favor; Falk and Lyons opposed; motion passed.)

Note: Tax exempt status is granted by the State Property Tax Administrator. If the property were to be deed restricted as open space and development disallowed, the County would use a different formula to assess the property value than is used for vacant land.

County Contribution to Surveying Costs

- 5. Motion to recommend approval of Applicant’s request for the County to pay 25% of the total survey cost (\$6,000 – 12,000) in exchange for dedication of 50’ public access easement and use of lots E and G and H as public open space.

(Motion by White, second by Brown; White, Brown, and Falk in favor; Lyons, Edmundson opposed – motion passed)

Note: Requests for County contributions to survey costs are not typically part of plat amendment applications.

- 6. Motion to recommend approval of amended densities on each lot.

(Motion by White, second by Brown; unanimous – motion passed)

Note: Amended proposed densities between 9.3 and 9.5 units/acre are lower (a combined total of 260 units were originally allowed on Tracts B-1, B-2 and B-3 in the 1997 Master Plan; the new proposed total is 240).

Lot	Acearage	
A	1.69	16
B	2	19
C	2.75	26
D	2.23	21
E	2.35	22
F	8.61	81
G	3.72	35
H	2.25	21
TOTAL	25.6	240