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## March 9, 2021 Board of County Commissioners Work Session Report and Activity Update

### I. Building Inspection:

#### A. Permit Activity

- **Permits** issued in February 2021: 325 (BMEP only)  
2020: 280 (BMEP only)
  - \* BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in February 2021: \$120,04.62 (all divisions)  
2020: \$133,369.65 (all divisions)
- **Total Revenue** collected year-to-date 2021: \$354,180.75 (all div.s)  
2020: \$226,457.84 (all div.s)  
% of Total budgeted revenue collected year to date: 29.51% (\$1.2 M)
- **SFDs** issued in February 2021: 26  
2020: 26  
Salida: 0 BV: 12 Poncha: 6 County: 8
- **2021 year-to-date permit totals:**

Salida:	171	14 SFDs
Buena Vista:	74	15 SFDs
Poncha Springs:	120	24 SFDs
Unincorporated County:	<u>195</u>	<u>16 SFDs</u>
Total Number of Permits Issued:	560	*69 SFDs
- **2020 year-to-date permit totals:**

Salida:	102	3 SFDs
Buena Vista:	59	6 SFDs
Poncha Springs:	61	13 SFDs
Unincorporated County:	<u>235</u>	<u>15 SFDs</u>
	457	*37 SFDs

\*SFDs include only new detached single-family dwellings and do not include duplexes, ADUs, townhouses, apartment units etc.

#### B. New Commercial Projects

##### Salida:

- **1000 Rush Drive:** A permit was issued for negative pressure rooms at the hospital for treatment of Covid patients.
- **241 W. 2<sup>nd</sup> Street:** A permit was issued for electric vehicle charging stations at the Safeway parking lot.

- **228 F Street:** Plans were reviewed, approved, and a permit was issued for a tenant finish of existing space for a pizza restaurant on the third floor of the Manhattan Hotel.

**Buena Vista:**

- **215 N. Hwy 24:** A permit was issued for a structural repair of Ponchos Restaurant.

**Chaffee County:**

- **15870 CR 162:** A hotel building was approved and a permit was issued on the Mount Princeton property.

**Inspection Totals**

- We performed 874 field inspections in the month of February.
- We issued 31 certificates of occupancy in February.

**II. Planning & Zoning**

**A. Land Use Code:**

- The amendment to Article 7.7.2, the Airport Overlay District was heard at the September 29, 2020 regular meeting and was recommended for approval. The amendment was heard by the BoCC on October 13, 2020 and approved. The Resolution was to be heard by the BoCC on November 4, 2020 when staff noted an error in the densities shown in Table 7.7.2 necessitating re-review by the Planning Commission. This was to be heard by the PC on January 5, 2021 but was continued to January 26, 2021 and then to February 23, 2021 and then **March 02, 2021** to allow review by the Airport Advisory Board.
- Changes to the Marijuana Optional Premises Cultivation setbacks in Article 7.8.22 have been requested by the owner of a facility. This was discussed by PC & BoCC in a joint work session on February 25, 2020 with consensus for a change and never scheduled for public hearing. The amendment was to be heard by the PC in work session on January 5, 2021 but was continued to January 26, 2021 and February 23, 2021 and **March 2, 2021**. The PC voted to recommend approval of the proposed LUC text amendment to the BoCC which will be heard by the BoCC on March 9, 2021.
- An amendment to LUC Article 4.2.6, Special Events Permits has been proposed by a member of the general public. This amendment proposes that permits be required for all special events that involve amplification, admission or a commercial use. This application was heard by the Planning Commission in a joint work session on February 23, 2021. The application will be heard by the PC on **March 30, 2021** and BoCC on **April 13, 2021**.

**B. Land Use Current / Pending / in progress:**

**Applications Scheduled for Public hearing:**

- The Cooper Property Minor Subdivision Final Plat at 9325 CR 160 and 9693 CR 163 proposes to divide 16.73 acres into 3 – 2 acres lots and a 10.73 acre lot. The sketch plan was approved for agency review by the Planning Commission on September 29, 2020. The applicant appealed elements of the approval and this was heard by the BoCC on December 8, 2020 and approved in part. The application was sent for agency review. The Final Plat application was before the Planning Commission on February 23, 2021 and

continued to a date uncertain to allow the applicant to prepare a drainage report and engineering plans for the roadway. This application will be before the BoCC on **March 9, 2021** with a request to continue to a date uncertain.

- The Ogden Major Subdivision sketch plan at 12806 CR 190E proposes the division of the 20.14 acre Lot 2 of the Ogden Heritage Water Subdivision Exemption into 5 lots of 2.03 acres each. This application was before the Planning Commission on February 23, 2021 and recommended for approval. The application will be before the BoCC on **March 9, 2021**.
- The Schalit and Forrester Boundary Line Adjustment at 7857 and 7893 CR 150 (Schalit and Forrester respectively) seeks to eliminate the encroachment of a stable onto the Forrester property with no change in the acreages (to 0.00 acres) and with the stable to clear the property line by 3', which setback complies with the Commercial zone. This application will be before the BoCC on **March 2, 2021**.
- Public Service Company of Colorado (dba XCEL Energy) has applied for a height variance to facilitate re-construction of the 6905 transmission line which runs (in Chaffee County) from near the top of Poncha Pass to the Xcel substation west of Poncha Springs. The line is noted as over 100 years old, with the last re-construction in 1945. This line is considered existing critical local infrastructure and is not subject to the requirements of LUC Table 2.2. The existing poles range from 30-55 feet. The height variance request is for 40 to 115 feet ( a 5-90 foot variance) with the most common height to be 75 feet (a 40 foot variance). This Application will be before the BOARD OF ADJUSTMENT on **March 10, 2021**.
- The Joplin Properties, LLC application to vacate roadways adjacent to Block 16 in Nathrop will be before the BoCC on **March 16, 2021**.
- The Peak View Major Subdivision Sketch Plan at 11415 CR 190 W is being done in conjunction with the Sunnyside CR 190, LLC Heritage Water Subdivision Exemption to create a total of 8 lots. This application will before the Planning Commission on **March 30, 2021** and before the BoCC on **April 13, 2021**.
- The Sunnyside CR 190, LLC Heritage Water Subdivision Exemption at 11415 CR 190 W is being done in conjunction with the Peak View Major Subdivision. This application will create 2 lots. The application will be before the BoCC on **April 6, 2021**.
- The Meadows Farm on Crossman Ave., west of Buena Vista, has made application for an outdoor theater which is a Major Impact Review in the Residential Zone. This application will be before the the Planning Commission on **April 6, 2021** and before the BoCC on **April 20, 2021**.

#### **Recently Approved, Denied or Withdrawn Applications:**

- Scenic Acres Minor Subdivision sketch plan at 12764 W Highway 50 proposes to divide 5.73 acres into 2 lots of 2.44 and 3.27 acres. This application was before the Planning Commission on February 2, 2021 and was approved.
- The Reynolds Property Plat Amendment of Lot 1 Pinon Ridge East Subdivision proposes the relocation of the originally platted building

envelope. This application was before the BoCC on February 2, 2021 and was approved.

#### Applications Requiring Applicant Action:

- The Shaw Ranch Major Subdivision Sketch Plan at 7380 CR 221, east of Maysville, proposes 8 Lots on 74.4 acres. Lots will range from 2.4 to 34.7 acres. This application was to be heard by the Planning Commission on January 5, 2021 and by the BoCC on January 19, 2021. The application was continued by the Planning Commission to January 26, 2021 to allow review of the late submittal of a large document containing technical information by the applicant. At the January 26 meeting the Sketch Plan was recommended for approval by the Planning Commission. The application was heard by the BoCC on February 9 2021 and approved.
- The Aspire Tours application for Limited Impact Review at 11302 CR 190W proposes an Outfitting Facility, a Commercial Campground and a Seasonal Employee Campground on a 44-acre parcel. This application was to be heard by the Planning Commission on February 25, 2020 but was continued to March 31, 2020 at the applicant's request. The application was before the Planning Commission on July 7, 2020 and further **continued to a date uncertain** to allow the applicant to provide a water supply study and traffic study of the property.
- The Morrison Heritage Water Subdivision Exemption at 15974 CR 306 proposes the creation of one lot and one outlot in conjunction with a Minor Subdivision. The HWSE was heard by the BoCC on November 19, 2019 and approved. The Minor Subdivision was heard by the PC on November 19, 2019 and was recommended for approval.
- Ruby Mountain Minor Subdivision sketch plan, located east of the Arkansas River adjacent to the Ruby Mountain campground, proposes to divide a 19.7-acre parcel into two lots. This application was before the PC on January 29, 2019 and recommended for approval. The application will be sent for agency review upon receipt of the final submittal.
- El Rancho Vaquero Minor Subdivision north of the Buena Vista rodeo grounds proposes to divide the outlot created by the Heritage Water Subdivision into 3 lots of 9.6 to 9.8 acres. The Minor Subdivision was before the Planning Commission on February 26, 2019 and recommended for agency review. Road dedication issues are trying to be resolved with BV.

#### Out of Compliance Applications:

- Estates at Mt. Princeton Phase II & III (OLD) are required to be completed by 06/08/2015 (sketch plans for multiple filing subdivisions are valid for a maximum of 5 years under the old regulations). The PUD development agreement also refers to a five-year term, requiring that all phases have final approval within 5 years. Staff had a pre-application meeting with the applicant on 6/4/15. This subdivision is out of compliance. Staff met with representatives of Mt. Princeton Holdings and Phelps Engineering on September 30, 2019 and it was agreed that Phases II & III will need to be considered as a new application. A replat of lots in Phase I was also discussed. No application has been submitted to date.

- Whispering Pinons Acres Major Subdivision Sketch Plan at 11341 CR 206, west of the Poncha Springs Cemetery, proposing 12 lots on 40 acres was heard and approved by the BoCC on March 13, 2018. Staff granted a 6-month extension to submit the preliminary plat through September 13, 2019. We have not heard from the applicant. This application is out of compliance. A letter was sent to the applicant on February 22, 2021 by planning Staff notifying the applicant that three years had passed and the application was considered withdrawn.

**C. Nestle Waters:** On September 3, 2019 Nestle submitted an application for extension of their 1041 permit without amendment. The BoCC considered a continuance of this hearing on April 7, 2020, and eventually, hearing dates of October 20, and 22, 2020 were set for the Fairgrounds. At the meetings staff reports, expert testimony, opposition presentation, public comment and applicant rebuttal took approximately 13 hours after which, the public comment portion of the application was closed. Deliberation by the BoCC occurred on November 5, 10, and 17, 2020 at which time the BoCC determined a need for an economic impact study. The contract for the study was considered at the December 8, 2020 meeting and approved for signature at the December 15 meeting. The hearing was continued to January 19, 2021 for Nestle to respond regarding biodegradable bottles and the permit was extended to August 4, 2021 to allow for submittal, review and comment on the economic impact study.

**D. Subdivisions subject to SIA with Lot Sales Restrictions:**

1. Estates at Mt. Princeton: LSR on Phase 1, Lots 10 and 16-27; was extended through June 27, 2019. Staff met with the applicant on September 30, 2019, see out of compliance applications.
2. River Meadow Estates Addition, Fil. 1-4; LSR was extended through October 20 2029
3. Shikoba Acres Fil. 2: LSR was extended through July 6, 2023.
4. Bos Minor Subdivision: LSR on all 4 lots through November 11, 2019. This will require extension.
5. Chipeta Meadows Minor Subdivision: LSR on Lot 1 through July 13, 2019. This requires extension
6. Longhorn Ranch: Chaffee County holds an escrow account of \$10,000 for completion of improvements.
7. Oak Leaf Solar Farm: Improvements and Maintenance Agreement through July 27, 2019. The applicant has submitted the funds required by the Improvements Agreement and has submitted an application for the building permit. Construction is complete. The landscaping of the property has been completed and staff inspected the improvements on July, 16 2020 at which time it was noted that the irrigation system was not functional and that some of the plantings did not look healthy or were dying. The release of funds was before the BoCC on July 21 and this item was continued to August 11, 2020 and then September 8, 2020 to allow the applicant to repair the irrigation system, attend to the plantings and allow staff to do another site visit. Staff visited the site again on September 4, 2020 and found the plantings to be taking hold and the irrigation system to be functional. At the September 8 hearing the BoCC



approved release of one-half of the escrow funds and set another review of the landscaping at the first meeting in May of 2021.

8. Rafter's Roost: Improvements and Maintenance Agreement through October 31, 2021 for Phase I and through October 31, 2024 for Phase II.
9. Strother Minor Subdivision: LSR through July 7, 2023.

#### **E. Violation Investigations**

1. Staff is looking into a possible violation of camping on private land regulations for a property in Trout Creek Meadows.

### **III. Engineering**

#### **A. Road and Bridge**

1. Granite Bridge: See section E. Engineering projects.

#### **B. Plan Review**

1. Staff reviewed the following plans and performed the following inspection:
  - a. Cooper Minor Subdivision,
  - b. Staff performed the Rio Frio rough subdivision road inspection.
  - c. Staff reviewed the civil and structural drawing for the Mt. Princeton Creek-side condos.

#### **C. OWTS Program**

1. In February staff reviewed 7 OWTS designs. Issued 7 OWTS permits and 3 are on hold.
2. Forest Creek Cabins on CR 330 in Buena Vista: Staff met with SGM engineering and performed a site-visit to discuss the owners wishes to have the septic system transferred from the state to the county. Staff informed SGM that the systems will need to be investigated for quality and size. The cabins will need to be inspected to confirm number of bedrooms. Staff commented that the systems will probably need to be upgraded to meet the requirements of the 2017 Regulation 43 and Chaffee County amendments.
3. Staff met with the BV public works director to discuss the transfer of responsibilities in the evaluation of all septic systems within the BV water protection district. Staff will approve the septic systems and confirm the treatment level meets the requirements of Buena Vista. The fees that were paid to Buena Vista will now be paid to the Development Department. We will send a letter to Buena Vista with the final approval.

#### **D. Regional engineering plan review and inspection**

1. Staff received a request from PZ to investigate an irrigation ditch bridge on North Forty Rd., in Nathrop. There was an incident at the above location where Chaffee County fire was responding, and Chaffee County Fire would not cross the bridge due to their opinion that the bridge was unsafe. Staff performed a visual inspection of the bridge on 2/17/2021. The super structure appears to be in good working order but the trackway may need to be repaired and or replaced. A more in-depth investigation is needed to confirm this assumption. Staff recommended that calculations be performed to determine the carrying capacity of the bridge.



## E. Engineering Projects

1. Army Corp Of Engineers, "Waters of the USA", violations:
  - d. 30450 CR 371; Staff received information from the owners that a survey has been completed and they have contacted an engineer to calculate the BFE (base flood elevation). The engineering firm can't perform the work until fall 2021.
2. Salida Airport Beacon Tower:
  - a. Xcel set the electric meter on 2/25, and on the same day EasTex Tower moved the airport beacon from the old location to the new tower. On 2/26 the tower will be completed and fully operational.
  - b. To Do:
    - i. Old wood tower needs to be dismantled,
    - ii. The existing users will need to be removed from the old tower and if they choose, moved to the new tower.
    - iii. The existing users will need to sign a lease agreement and will have to pay to have their systems removed and moved to the new tower.



Dishes and antennas that will need to be removed

3. Fair grounds:
  - a. North building:
    - i. Heating/cooling have not been finalized,
    - ii. Weather stripping around garage door has been installed,

- iii. Staff is researching the costs to remodel the North Building and add bathrooms. Staff presented this information to the commissioners. Staff then researched adding showers to the bathroom
  - b. Camper dump: the camper dump concrete pan was poured and the camper dump is operational.
  - c. Master plan update: no new news to report
  - d. Through Homeland Security there is money available for back-up generators. Staff attended a meeting initiated by the Emergency Manager to discuss the installation of a backup generator at the fairgrounds. Staff put the Emergency Manager in contact with an electrical engineer to write the specifications for the generator and prepare the information for HLS.
4. Chaffee County Administration Building:
- a. The definite design has resumed.
5. Public safety Building BV:
- a. Round 2 and 3 of architect interviews were performed. The interviewers were, County Financial director, County Administrator, County EMS manager, and staff. The winning Architect has been chosen and this was presented to the commissioners on March 2 for their final approval.
6. Assessors remodel: staff will be the county representative for the Assessors remodeling.
- a. On 2/25 a meeting with potential contractors was held and the area was toured by the contractors.
7. Granite Bridge rehabilitation:
- a. Staff received approval from CCI to extend the current the grant to the end of 2023, Staff has informed CDOT and Otak that the engineering may resume.
8. Chaffee County EMS/911 communication tower fencing:
- a. No new news to report.
9. Short term rentals (STR):
- a. Currently there are 45 STR on hold and 10 in the queue.