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## April 12, 2021 Board of County Commissioners Work Session Report and Activity Update

### I. Building Inspection:

#### **A. Permit Activity**

- **Permits** issued in March 2021: 364 (BMEP only)  
2020: 372 (BMEP only)
  - \* BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in March      2021: \$235,679.44 (all divisions)  
2020: \$106,720.63 (all divisions)
- **Total Revenue** collected year-to-date      2021: \$606,394.41 (all div.s)  
2020: \$347,075.76 (all div.s)  
% of Total budgeted revenue collected year to date: 50.53% (\$1.2 M)
- **SFDs** issued in March      2021: 28  
2020: 18  
Salida: 4    BV: 2    Poncha: 3    County: 19
- **2021 year-to-date permit totals:**

Salida:	276	18 SFDs
Buena Vista:	117	17 SFDs
Poncha Springs:	164	27 SFDs
Unincorporated County:	<u>357</u>	<u>35 SFDs</u>
Total Number of Permits Issued:	914	*97 SFDs
- **2020 year-to-date permit totals:**

Salida:	170	4 SFDs
Buena Vista:	144	13 SFDs
Poncha Springs:	88	14 SFDs
Unincorporated County:	<u>375</u>	<u>24 SFDs</u>
	777	*55 SFDs

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

#### **B. New Commercial Projects**

##### **Buena Vista:**

- **105 S. Court Street:** Permits were issued for a new multi-use building with commercial space on the main floor and residential units on the second and third floors.

**Chaffee County:**

- **10955 CR 128:** Permits were issued for a renovation of a barn for the installation of a bathroom and tack room.

**Poncha Springs**

- **50 La Plata Street:** Permits for an addition to the CFPD Fire Station were issued.
- **10057 Hwy 50:** Conditional approval was given for a change of use at this address. A coffee shop is planned for this property.

**Inspection Totals**

- We performed 1,039 field inspections in the month of March.
- We issued 34 certificates of occupancy in March.

**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, February 23, 2021, March 02, 2021 and March 30, 2021. At the March 30 meeting the amendment was approved. Staff is sending the amendment to the FAA and adjoining property owners for comment. The application is currently scheduled to be heard by the BoCC on April 13, 2021 but the application may need to be continued to allow for the FAA comment.
- 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 was heard by the BoCC on March 9, 2021 and continued to April 16, 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 was heard by the PC on March 30, 2021 and determined that the change would have no net effect. The applicant will send staff new proposed language.

**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 was before the BoCC on March 9, 2021 with a request to continue to a date uncertain. The additional materials have been received and the application is currently scheduled before the Planning Commission on **April 27, 2021** and the BoCC on **May 11, 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 was to be before the BOARD OF ADJUSTMENT on March 10, 2021 but was continued to March 31, 2021 due to a potential conflict with one of the Board member. At the March 31, 2021, the applicant requested a continuance and was re-scheduled to **April 13, 2021**.
- The Joplin Properties, LLC application to vacate roadways adjacent to Block 16 in Nathrop was before the BoCC on March 16, 2021 at which a modified vacation was approved.
- 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 was before the Planning Commission on March 30, 2021 and recommended for approval. This application will be before the BoCC on **April 13, 2021**.
- The Sunnyside CR 190, LLC Heritage Water Subdivision Exemption at 11415 CR 190 W was to be done in conjunction with the Peak View Major Subdivision until staff determined that the HWSE would be in conflict with Article 5.2.3.K of the LUC. The application was to 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**.
- The Broadview ROSI plat amendment proposes changes to notes regarding uses in and adjacent to the building envelopes in the building lots. This application will be before the BoCC on April, 13, 2021.

- The Held Brothers Minor Subdivision on CR 240 north of Maysville proposes the division of 29.4 acres into 3 lots and an outlot. This application will be before the Planning Commission on **April 27, 2021**.
- The Sage Heights Major Subdivision at 12500 CR 190 E proposes to divide the 32.9 acre remainder parcel of the Bainbridge HWSE into 15 lots of 2.0-2.2 acres. This application will be before the Planning Commission on **April 27, 2021** and the BoCC on **May 11, 2021**.
- The Dvorak HWSE at 17921 Hwy 285 proposes the division of 6.9 acres into 2 lots of 2.8 and 4.1 acres. This application will be before the BoCC on **May 5, 2021**.

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

- 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 was before the BoCC on March 9, 2021 and approved.
- 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 was before the BoCC on March 2, 2021 and 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, 2021 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. Although staff has been in contact with Phelps Engineering, no application has been submitted to date.

**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 continues to research numerous possible violations of ADU short term rental regulations.

### **III. Engineering**

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

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

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

1. Staff reviewed the following plans:
  - a. Staff reviewed the Meadows Major impact review,
  - b. Staff reviewed the Moonstream RV park access permit and internal RV road and drainage,
  - c. Staff performed the Rio Frio final subdivision road inspection.

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

1. In March staff reviewed 22 OWTS designs. Issued 20 OWTS permits and 2 are on hold. Total permits issued in 2021: 42, 21 more than in 2020,
2. Forest Creek Cabins on CR 330 in Buena Vista: Staff met with the property manager and performed a walk-through of all the residents on the property. The goal is to confirm the number of bedrooms per dwelling. The owner and CDPHE would like to have this system derated to the local jurisdiction. Staff can confirm there are a total of 15 bedrooms which equals a daily waste water flow of 2225 gallon/day. Since there are currently 2 systems on the property one for 450 gallons and the other for 1800 gallons of waste water flow, these systems do fall below the threshold of 2000 gallons and would not qualify to be derated. The owner will have to prove that the current system or a new system meets all of the 2017 reg 43 requirements.

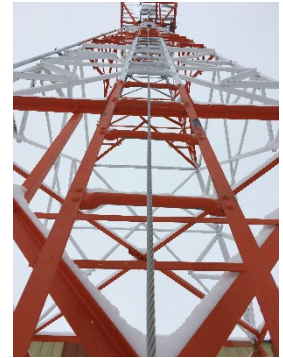
#### **D. Regional engineering plan review and inspection**



1. Since taking over the evaluations of septic systems within the BVWSPA we have identified inconsistencies with BV's regulations which we are working through.

#### **E. Engineering Projects**

1. Army Corp Of Engineers, "Waters of the USA", violations:
  - a. 30450 CR 371; No new news to report.
  - b. Staff investigated a complaint that the river bank on cr 163 was being destroyed. Staff investigated and concluded that the river bank was undisturbed.
2. Salida Airport Beacon Tower:
  - a. The tower and beacon are fully operational, the airport manager has received complaints about the beacon light, and staff is researching possible solutions to mitigate the complaints,
  - b. EastTex Tower installed a safety line on the ladder and donated a harness so airport staff can traverse the tower safely.



3. Fair grounds:
  - a. North building:
    - i. Heating/cooling units have not been finalized, there is a continued discussion regarding design changes to the diffuser.
    - ii. Staff is researching the costs to remodel the North Building, adding bathrooms and showers. Staff visited the BV high school gym with the fairgrounds event manager to gain inspiration for future furring out of the North building.
  - b. Master plan update: Staff received a quote to revise the current master plan. The quote was higher than staff had expected. This led staff to discuss the scope with the fairgrounds event manager, County Administrator, and the County Financial Director, which lead to a smaller scope. Staff is awaiting the new quote.
  - c. Staff has coordinated to have the entire fairgrounds property surveyed.
  - d. Generator: The Emergency Manager has acquired a quote for the new generator. The project is now awaiting approval.
4. Chaffee County Administration Building:
  - a. No new news to report.
5. Public safety Building BV:
  - a. The design process has begun with participation of the Sheriff and the director of EMS.
  - b. Staff has coordinated to have the property surveyed and to have a geotechnical study performed.
  - c. Staff, the county Administrator, WOLD (architect), met with the local DOLA grant representative to discuss this year's DOLA grant cycle for this project.
6. Assessor's remodel: No new news to report
7. Granite Bridge rehabilitation: No new news to report
8. Chaffee County EMS/911 communication tower fencing:
  - a. No new news to report.
9. Short term rentals (STR):
  - a. No new news to report.