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May 10, 2021 Board of County Commissioners Work Session Report and Activity Update

I. Building Inspection:

A. Permit Activity

- **Permits** issued in April 2021: 460 (BMEP only)
2020: 399 (BMEP only)
 - * BMEP = Building, Mechanical, Electrical, & Plumbing permits
- **Total Revenue** collected in April 2021: \$197,617.65 (all divisions)
2020: \$104,186.06 (all divisions)
- **Total Revenue** collected year-to-date 2021: \$817,851.53 (all div.s)
2020: \$455,561.43 (all div.s)
% of Total budgeted revenue collected year to date: 68.36% (\$1.2 M)
- **SFDs** issued in April 2021: 31
2020: 13
Salida: 10 BV: 3 Poncha: 3 County: 15
- **2021 year-to-date permit totals:**

Salida:	389	28 SFDs
Buena Vista:	165	20 SFDs
Poncha Springs:	210	30 SFDs
Unincorporated County:	<u>548</u>	<u>49 SFDs</u>
Total Number of Permits Issued:	1,312	*127 SFDs
- **2020 year-to-date permit totals:**

Salida:	231	7 SFDs
Buena Vista:	183	13 SFDs
Poncha Springs:	112	14 SFDs
Unincorporated County:	<u>530</u>	<u>34 SFDs</u>
	1,056	*68 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:

- **28374 CR 317:** 3 plan changes were approved for the HRRMC medical clinic.

Chaffee County:

- **31700 Hwy 24:** Permits were issued for an addition to the Jumping Good Goat Dairy retail building.

- **27700 CR 303:** Permits were issued for an alteration at the KOA campground.

Poncha Springs

- **1010 Tailwinds:** 8 plan changes were approved to modify the floor plans of 8 apartment buildings.

Salida

- **785 E. Hwy 50:** Permits were issued to replace water heater vents and structural modification to the foundation at the Salida Hotel.
- **7595 W. Hwy 50:** Permits were issued for a remodel of this building which will house the Pure Greens retail center.

C. Inspection Totals

- We performed 1,174 field inspections in the month of April.
- We issued 39 certificates of occupancy in April.

D. Personnel Updates

- Gary Barnthouse passed the ICC Residential Building Inspector certification exam in April.
- Gary Greiner took the PE exam in April. He will not know if he passed for a couple of months.
- I graduated from the NACo/Professional Development Academy 12-week High Performance Leadership program in April. This was a very worthwhile course which I plan to send some of my staff through.

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 was scheduled to be heard by the BoCC on April 13, 2021 but the application was continued until May 4 to add the FAA comments. The application was continued at staff request on May 4. The application is currently scheduled to be heard by the Planning Commission on **May 25, 2021** and the BoCC on **June 15, 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. CWCB/FEMA activity in Chaffee County

- On April 22, 2021 Chaffee Planning and OEM Managers attended a Base Level Engineering Review and Phase 2 Risk Map kickoff meeting with CWCB, FEMA, Wood Engineering and area floodplain managers. The purpose of the meeting was to discuss availability of the new 2D Base Engineering, progress of the CWCB Hazard Mitigation Plan, kickoff of the FEMA Risk Map Study and scope of eventual FEMA FIRM Map update. The study will provide Base Flood Elevations along some portions of the Arkansas River and review data utilized along Cottonwood Creek for the December, 2017 FIRM update. Staff will provide the presentations and scope data as they become available from CWCB.

C. 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 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. The additional materials were received and the application was scheduled before the Planning Commission on April 27, 2021 at which date the applicant requested continuation to prepare additional materials. The application is currently scheduled before the Planning Commission on **June 1, 2021** and the BoCC on **June 15, 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 with an additional request to continue until **May 10, 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 was before the the Planning Commission on April 6, 2021 and after presentation of the staff report and the applicant's presentation the applicant requested continuance to **July 27, 2021**. This tentatively will have the application before the BoCC on **August 10, 2021**.

- The Sage Heights Major Subdivision Sketch Plan 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 was before the Planning Commission on April 27, 2021 and recommended for approval. The application will be before the BoCC on **May 11, 2021**.
- The Cogswell and Craft Enterprises Boundary Line Adjustment at 15099 CR 350 proposes the dissolution of Lot 3 of Harvard Lakeside Acres and the division of the parcel designated as Recreation Lake for non-residential purposes. This application will be before the BoCC on **May 18, 2021**.
- The Longmire Plat Amendment of Lot 2-OS of Broadview ROSI proposes the use of a portion of this open space for a septic system soil treatment area. This application will be before the BoCC on **May 18, 2021**.
- A new sketch plan of Larks Perch Major Subdivision at 9479 Hutchinson Lane proposes to divide 36.9 acres into 7 lots of 2.1 to 19.4 acres. This application will be before the Planning Commission on **May 25, 2021** and the Board of Commissioners on **June 15, 2021**.
- The McFarland Heritage Water Subdivision Exemption at 22865 Maud Land proposes the division of 41.2 acres into two lots of 36.2 and 5.0 acres. This application will be before the BoCC on **June 1, 2021**.
- The Farney Heritage Water Subdivision Exemption at 8309 and 8509 CR 250 proposes the division of 73.6 acres into two lots of 10.3 and 63.2 acres. This application will be before the BoCC on **June 1, 2021**.
- The Martellaro-Veltri Minor Subdivision Sketch Plan proposes the division of 16.9 acres into 4 lots of 3.6 to 5.5 acres. This application will be before the Planning Commission on **June 1, 2021**.
- The Nighthawk Heritage Water Subdivision Exemption at 9395 CR 160 proposes the division of 7.58 acres into 2 lots of 4.04 and 3.54 acres. This application will be before the BoCC on **June 15, 2021**.
- The Lofgren Heritage Water Subdivision Exemption at 9245 CR 156 proposes the division of 9.41 acres into 2 lots of 4.42 and 4.99 acres. This application will be before the BoCC on **June 15, 2021**.
- The Ortiz application to vacate certain roads and alleys in the Townsite of Nathrop at 11225 CR 198 was received prior to the BoCC moratorium on April 6, 2021. The application will be heard by the BoCC on **June 22, 2021**.
- The Williams-O'Hare Heritage Water Subdivision Exemption at 12770 CR 190E proposes to divide 35.04 acres into 2 lots of 6.89 and 27.14 acres. This application will be heard by the BoCC on **June 22, 2021**.
- The Ludwig heritage Water Subdivision Exemption at 504 S. Pleasant Ave proposes the division of 4.51 acres into 2 lots of 2.03 and 2.48 acres. This application will be before the BoCC on **June 22, 2021**.

Recently Approved, Denied or Withdrawn Applications:

- 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 20, 2021 at which the amendment was approved.

- The Broadview ROSI plat amendment proposes changes to notes regarding uses in and adjacent to the building envelopes in the building lots. This application was before the BoCC on April, 13, 2021 and approved.
- 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 was before the Planning Commission on April 27, 2021 and approved.
- 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 4, 2021 and approved.

Applications Requiring Applicant Action:

- 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 was before the BoCC on April 13, 2021 and approved.
- 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 and the applicant spoke in public comment. The BoCC agreed that the applicant can submit materials for a HWSE to be considered for a variance.
- 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.

D. 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.

E. 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.

F. 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,

C. OWTS Program

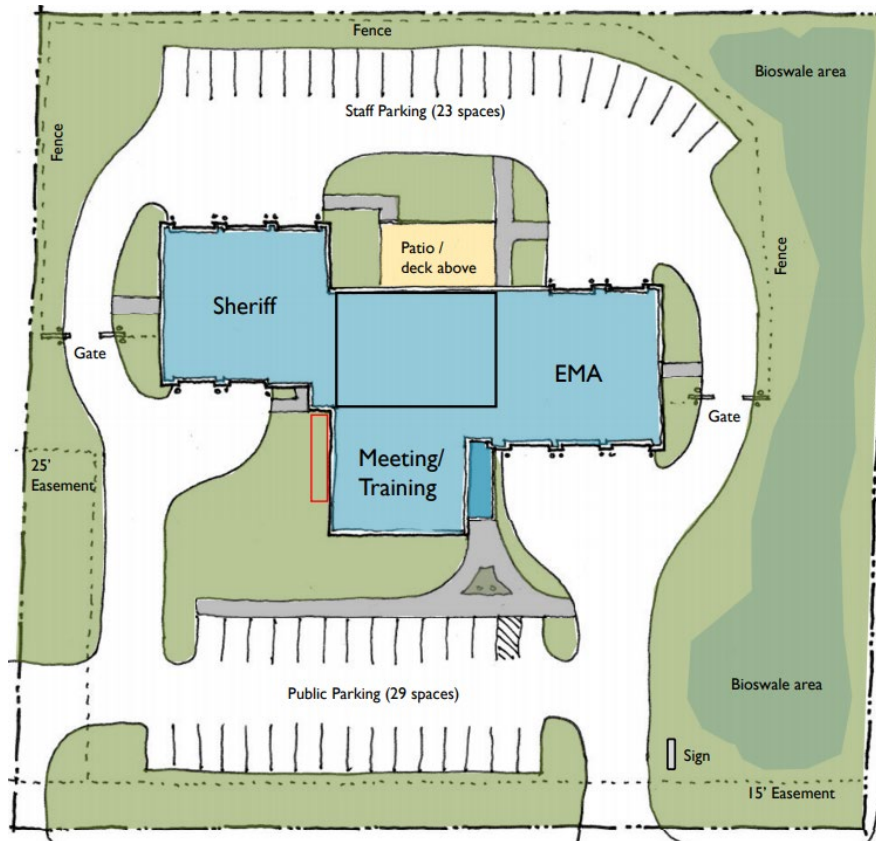
1. In April, staff reviewed 23 OWTS designs. Issued 23 OWTS permits and 1 are on hold. Total permits issued in 2021: 66, 37 more than in 2020,
2. Forest Creek Cabins on CR 330 in Buena Vista: staff met with CDPHE and the owner to discuss derating the septic system to local jurisdiction. Staff is confident that the system can get derated below 2000 gallons. If derating is approved by CDPHE and the engineering shows that the waste water flows are below 2000 gallons and the system has been updated to meet the 2017 reg 43. Staff will accept the septic system into the county's jurisdiction.
3. Staff received a complaint that the "cabins" on cr 306 were pumping sewage from their septic tank in to Cottonwood Creek. After speaking to the owner, and the septic pumper no violation appears to have occurred. Staff has setup a meeting to witness the pumping the next time it is pumped. The complaint came from a tent that is being evicted from the property.

D. Regional engineering plan review and inspection

1. Staff reviewed the Moon stream RV park sewer and water distribution design,
2. Midland Subdivision Road final inspection,
3. The county received a complaint of illegal camping and staff performed site visits at 3 location regarding illegal camping and only one location actually had a camper. The county Attorney will send a letter of violation to the land owner.
4. Staff received complaints from residents cr 302 regarding illegal construction on another property on cr 302. Staff investigated and concluded that there was no illegal construction going on.

E. Engineering Projects

1. Army Corp Of Engineers, "Waters of the USA", violations:
 - b. 30450 CR 371; Staff contacted the owners and the analysis of the base flood elevation will be started by the owners.
 - c. CR 221 (Shaw's): Staff received a complaint that the river at this location has been crossed by heavy equipment. Staff has not confirmed the validity of the complaint.
 - d. Staff investigate a complaint regarding dirt being dumped in the floodplain on Buck Run. There was dirt appeared to be years old and was on the property side of the complaint. No further action was taken.
2. Salida Airport Beacon Tower:
 - a. The county has been contacted by local providers to place antennas on the tower. County attorney is aware and is working with staff and the provider.
3. Fair grounds:
 - a. North building:
 - i. Heating/cooling units: no new news to report.
 - ii. Remodel the North Building: no new news to report.
 - b. Master plan update: Staff received a revised quote and staff will discuss with the scope with the fairgrounds event manager, County Administrator, and the County Finance Director.
 - c. Generator: The generator has been ordered. Staff will prepare an RFP for the installation in the following months.
 - d. The ditch owners of the Northerly ditch complained that a fence was constructed over their ditch without permission. To resolve the situation a permit has been submitted to the ditch owners by the fairground manager. This should be sufficient to resolve the situation.
4. Chaffee County Administration Building:
 - a. The new driveway project has been restarted and the contractor has been informed. The project is projected to be completed by September 2021
5. Public safety Building BV:
 - a. The survey has been completed,
 - b. Profile holes have been dug and the Geotech report has begun.
 - c. The project preliminary design is at 80%.
 - d. User meetings with EMS and Sheriff staff have taken place.



6. Assessor's remodel: The project has been awarded to Kersting LLC and construction has been moved to the fall of 2021.
7. Granite Bridge rehabilitation: A project restart meeting with CDOT, and OTAK took place. Issues that are currently being discussed are as follows:
 - a. Union Pacific Railroad ROW,
 - b. Historical / Cultural review,
8. Chaffee County EMS/911 communication tower fencing:
 - a. Staff met with CCT to discuss this incident and discussed how to continue going further.
9. Short term rentals (STR):
 - a. No new news to report.