



Archuleta County Development Services Department  
**ARCHULETA COUNTY PLANNING COMMISSION AGENDA**  
County Commissioners Meeting Room, 398 Lewis Street  
Public is welcome and encouraged to attend.

**REGULAR PLANNING COMMISSION MEETING FOR AUGUST 10, 2016, 6:00 PM**

**ROLL CALL**

**CONSENT:**

**Approval Of Minutes**

Regular Meeting June 22, 2016

Documents:

[MINUTES 062216 DRAFT.PDF](#)

**OLD BUSINESS:**

**Discussion Regarding Table 5: Animal Regulations**

Staff will present information in response to property owner request to consider allowing domestic fowl (i.e. backyard chickens, excluding roosters) in the Residential (R) zone.

Documents:

[ZONING\\_MAP-R.PDF](#)

[COJEFFERSON-BACKYARD\\_CHICKENS\\_HANDOUT.PDF](#)

**Continuation Of Public Hearing On Proposed Amendments To The Archuleta County Land Use Regulations**

Continuation of Public Hearing from regular meeting on July 27, 2016, for consideration of proposed text amendments and recommendation to Board of County Commissioners. Staff revisions & information in response to comments attached for discussion.

Documents:

[ACCESSORY USE AMENDMENTS - REVISED 20160801.PDF](#)

[DEA-RESIDENTIAL\\_MARIJUANA\\_GROWS\\_062216.PDF](#)

**NEW BUSINESS:**

**Humane Society CUP Amendment, In Section 9, T35N R2W NMPM, At 465 Cloman Blvd**

Humane Society of Pagosa Springs, represented by Steve Schwartz, Spectrum Construction; has applied for a Minor Amendment to their Conditional Use Permit (CUP), approved in 2007, to add an accessory structure (PLN16-073). Applicant's property is described as the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,

N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , all in S9, T35N R2W NMPM, located at 465 Cloman Blvd.

Documents:

16-073\_HUMANE\_SOCIETY-CUP\_AMEND\_PC-  
20160810\_STAFFREPORT.PDF  
A1-PLN16-073\_074\_AREAMAPS.PDF  
A2-PLN16-073\_074\_REVIEWS.PDF  
A3-PLN16-073\_074\_HUMANE\_SOCIETY-NARRATIVE.PDF  
A4-PLN16-073\_HUMANE\_SOCIETY-BLDG\_ELEVATION\_SKETCH.PDF  
A5-PLN16-073\_074\_HUMANE\_SOCIETY-PILC\_SCAN\_NOTATION.PDF

**REPORTS, ANNOUNCEMENTS:**

**NEXT MEETING: August 24, 2016**

Consider changing scheduled meetings:

- Add Policy Meeting on 9/14/16
- Remove Policy Meeting on 10/12/16

**ADJOURN**

**Work Session On Community Plan (As Time Allows)**

Please Note: Agenda items may change order during the meeting; it is strongly recommended to attend the meeting at the start time indicated.



## Archuleta County Development Services Department ARCHULETA COUNTY PLANNING COMMISSION MINUTES

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### **Archuleta County Planning Commission Minutes, Regular Meeting June 22, 2016**

The Archuleta County Planning Commission held a meeting on Wednesday, June 22, 2016, at 6:00 PM at the Archuleta County Commissioners Meeting Room, 398 Lewis Street, Pagosa Springs, Colorado. Vice Chair Anita Hooton called the meeting to order at 6:00 PM.

#### **Commissioners in attendance:**

Anita Hooton, David Parker, Betty Shahan, and Peter Adams. Commissioner Frederick had announced at the last meeting he would not be in attendance.

#### **Staff in Attendance:**

John Shepard, AICP, Planning Manager; and Sherrie Vick Planning Tech

#### **Public in Attendance:**

Kenneth & Cynthia Smith, Applicant; Duke Eggleston, Attorney, representative for Mr. Smith,

#### **Consent:**

None

#### **Old Business:**

None

#### **New Business:**

##### **Smith Rezoning Agricultural/Ranching (AR) to Commercial (C), in SW ¼ Section 8, T35N, R1W NMPM, at 2025/2083 E US HWY 160 (PLN16-040).**

Kenneth D. Smith, represented by Duke Eggleston, Eggleston Kosnik LLC, applied to rezone a 5.17 acre tract of land at 2025/2083 E US HWY 160, Pagosa Springs, from Agricultural/Ranching (AR) to Commercial (C). The parcel of land located in the SW ¼ Section 8, T35N, R1W, NMPM, is more particularly described by metes and bounds.

The *Archuleta County Land Use Regulations* (Section 3.1.7) provide for rezoning initiated by a property owner or the Board of County Commissioners. The Planning Commission shall review and make recommendation on a proposed zone map amendment based in general upon the provisions of the Regulations and specific criteria. Public notice was scheduled to be published in the Pagosa Springs Sun, was posted on site, and mailed to adjacent property owners as required.

Kenneth D. Smith owns 5.17 acres on US Highway 160 east of Pagosa Spring, which is used by Smithco Enterprises, LLC, as a contractor's yard. There is also a vacant office/retail structure on the site. The *Archuleta County Community Plan* of 2001 Future Land Use Map considers this area as Tier 2 meeting some but not all criteria for future development. In Chapter 5, Land Use and Growth Management, Policy 8 states "Locate new commercial development in designated areas to minimize commercial strip development". The Joint Town County Planning Commission Zoning Discussion 2010 map designates the area as a Mixed-Use Corridor, suitable for changes to zoning, in the Joint Influence Area.

This area was zoned Agricultural/Ranching (AR) when countywide zoning was adopted in 2006. The AR Zoning District is intended to be generally consistent with the Very Low Density Residential Future Land Use designation. The Commercial (C) Zoning District is intended to be generally consistent with the Commercial land use district in the Community Plan, and provide for all types of commercial activities. Building Contractors and Equipment is a Conditional use in the AR and the C zoning districts. While a few Commercial uses are permitted in the AR zone, in general most Retail and Office uses are only permitted in Commercial or Industrial zones. Staff is concerned with outdoor lighting and screening outdoor storage, which can be corrected fairly easily.

No public comments have been received. The application was referred to local utilities and regulatory agencies for review, as provided in Section 2.2.5. Comments were received from County Engineering, Pagosa Fire Protection District, CDOT Access Manager and Town of Pagosa Springs Planning Director. The Town Planning Director was concerned this might be considered spot zoning.

Based on evidence provided, staff recommended the Planning Commission find that:

- a. The application meets the review criteria for rezoning in Section 3.1.7.3 of the *Archuleta County Land Use Regulations*, and

And that the Planning Commission recommend approval of the Smith Rezoning from Agricultural/Ranching (AR) to Commercial (C), in SW ¼ Section 8, T35N, R1W NMPM, at 2025/2083 E US HWY 160., with the following conditions:

1. This approval shall be contingent on bringing the site into compliance with the Site Development Standards in Sec. 5.4.2.6 (Outdoor Storage) and 5.4.4 (Outdoor Lighting) in the *Archuleta County Land Use Regulations*.
2. The Official Zoning Map shall be amended and filed with the County Clerk and Recorder.

At 6:18, Mr. Eggleston, representative for Mr. Smith, began his narrative on the project. The commercial use currently on the property is a retail sales building which is vacant, and Mr. Smith's construction business. Applicant believes this request is to correct a zoning error from 2006. Mr. Smith is taxed commercial and had he realized the zoning was different he would have corrected this long ago. Addressing the Town comments, spot zoning is incorrect because the Vet clinic next door was zoned Commercial and the parcel is categorized in the Town/County zoning map as mixed use which includes commercial. In addition, Mr. Smith accepts the two conditions in the staff report.

Commissioner Adams asked a question around the screening. Mr. Shepard pointed out that he had met on site with Mr. Smith and there is only one area which is not well-screened and he agreed to continue the fence screening in that area. Also, at a change of use the site plan would be reviewed for compliance to other sections of the code depending on that particular use. Vice-Chair Hooton asked if there were any other questions. Hearing none she opened the floor for discussion between the commissioners. Vice-Chair Hooton stressed that this is a rezoning application only and we should consider it on those merits only.

Commissioner Parker then moved to recommend approval to the Board of County Commissioners, of the request to rezone to Commercial zoning, with Finding A and Conditions 1-2 of the staff report. Commissioner Adams seconded. The vote was 4-0 to approve.

Mr. Shepard reported it will go be for the Board of County Commissioners July 5, 2016.

**Reports and Announcements:**

Mr. Shepard informed the Commission that the Two Rivers Grave Pit would be heard by the BOCC on June 28, 2016, at 1:30PM at the Fairgrounds Extension building.

**Next Meeting:**

Regular Meeting July 27, 2016, Commissioner Adams announced that he would not be in attendance. Mr. Shepard stated that it would be a full agenda.

Policy Meeting August 10, 2016, at 6PM

**Adjourn:** Commissioner Shahan moved to adjourn the meeting, Commissioner Parker seconded. Meeting adjourned at 6:45PM.

Approved this        day of        , 2016

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Sherrie Vick  
Planning Technician

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Anita Hooton  
Vice Chair

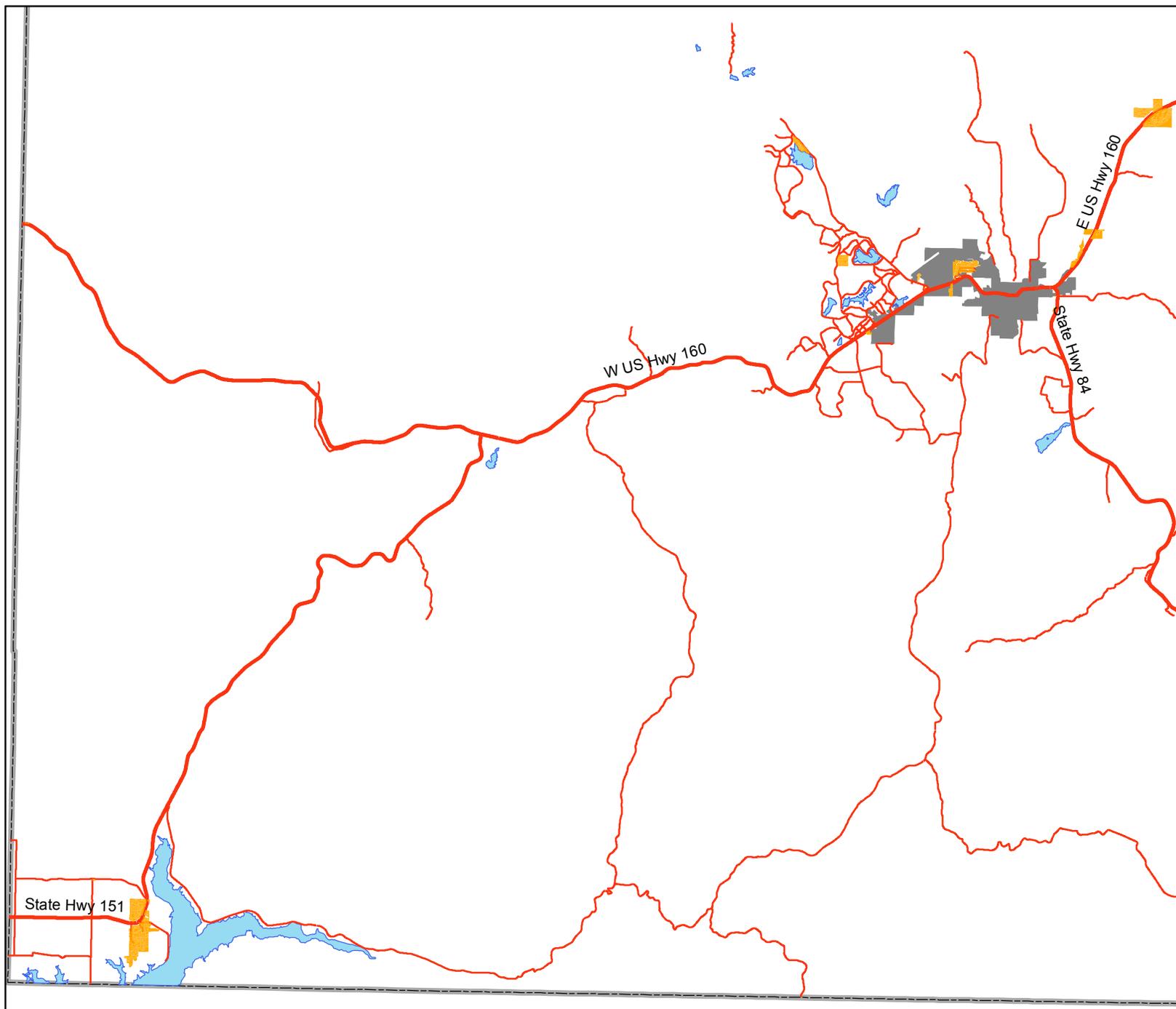


# Zoning Map

Detail Residential (R)  
Approx 870 parcels

## Legend

-  Residential (R) Parcels
-  Highway
-  Primary Road
-  Lakes
-  Pagosa Springs
-  Archuleta County



1.5 0.75 0 1.5 Miles



# Backyard Chickens

Jefferson County allows the keeping of chickens in most single family detached and duplex zone districts under certain conditions. A miscellaneous permit needs to be obtained from the County's Planning and Zoning division prior to keeping any chickens on the property. This guide discusses additional items that should be considered when deciding to keep chickens.

## **Benefits**

There are many benefits to raising backyard chickens. Chickens not only provide fresh, organic eggs everyday but also rich manure for gardening, hours of entertainment, and education for children on how to properly care for animals and where their food comes from.



## **Considerations**

### *Noise*

Hens are generally quiet but may make a lot of noise after they have laid an egg. Their "egg song" will typically last only a few minutes but can be quite disturbing. Hens always lay during the daylight and not at night while most people are sleeping, but this is something to consider.

### *Initial set-up*

The initial setup of the coop and run can be costly but is also takes a lot of time and planning. Before buying the chickens and construction materials make sure to plan for the costs of all the materials required and the

amount of time it takes to build a secure coop and raise the chickens.

### *Long term plan*

Chickens lay the most eggs the first two years of their lives. Consider what to do with the birds after they are less productive, especially since slaughtering is not allowed on-site by County regulations.

### *Neighbors*

Neighbors may not be as enthusiastic about chickens as the person raising them. Consider the impact the hens will have on surrounding neighbors during the initial planning process. Talking to neighbors about the desire to have hens is always advised. Additionally, check with the area Homeowners' Association for any restrictive covenants that may prevent keeping chickens on private property.

Be a positive example of backyard chicken keeping and mitigate any negative impact the hens may have on neighbors.

## **Constructing your coop and run**

Protect the hens from the elements, predators, injury, and theft through a safe and secure coop.

### *Coop Placement*

Coops should be draft-free with windows/doors that can be opened to allow for ventilation. Coops should be placed on a high, well drained area to prevent prolonged dampness. The front of the coop should also be southern facing to allow for maximum sun exposure. It is highly recommended that shade be provided in the summer; chickens are very sensitive to hot temperatures. Also consider providing heat in the winter.

# Backyard Chickens

## *Predator Resistant*

Coops should be surrounded by an enclosed run. It is recommended that the mesh wiring be no less than 1 by 2 inch. To prevent digging predators the wire mesh should be buried 2 foot deep with a 2 foot apron surrounding it. To prevent flying predators the run should include an overhead enclosure as well. The hens should be locked in their coop every evening and be let out into the run every morning. Keeping the coop clean will also eliminate odors that draw predators.

## **Sanitation**

### *Manure Management*

The coop and run should be cleaned once a week to prevent odors. Any feed the birds scatter around the coop and run should be cleaned daily to prevent vermin. If the feeder is hung from the ceiling at the birds shoulder height it will be almost impossible for them to scratch and scatter food.

### *Food Storage*

Food should be stored in a secure container off of the floor to prevent vermin from being attracted to the coop and taking up residence. Metal containers tend to sweat, promoting the growth of mildew. A plastic container is advised.

### *Salmonella*

It is common for chickens to carry Salmonella. Salmonella is a type of germ that naturally lives in the intestines of poultry. To prevent a Salmonella infection hands should always be washed with soap and water immediately after touching live poultry or anything in the area where they live and roam. Any eggs laid by the hens should also be washed thoroughly before eating. Adults should supervise young children

when handling or touching the hens. Do not eat or drink in the area where the hens live or roam.

## **Chickens as your neighbor**

When hearing a neighbor is going to keep chickens, there may be some anxiousness felt about whether there will be an increase in odors, noise, predators, and pests. Chickens are birds of prey so they are naturally very quiet birds. During the night the flock should be silent. If a coop is properly maintained there should not be any additional odors or increase in pests. A clean and secure coop will also help to ward off predators.

If odors or pests are noticed, consider talking to the neighbor keeping the chickens. Most likely they would like to see everyone enjoy their chickens just as much as they do. It may be surprising at how eager they are to resolve any issues that come up. If issues persist, contact Jefferson County Planning & Zoning at 303-271-8700 to register a complaint.

## **Definitions**

Chicken: a domestic fowl, *Gallus domesticus*, descended from various jungle fowl of southeastern Asia and developed in a number of breeds for its flesh, eggs, and feathers

## **Resources**

Classes through Denver Urban Homesteading  
[www.denverurbanhomesteading.com](http://www.denverurbanhomesteading.com)  
CSU Extension Sustainable Small Acreage News  
[www.ext.colostate.edu/sam](http://www.ext.colostate.edu/sam)  
Center for Disease Control  
[www.cdc.gov/Features/SalmonellaPoultry/](http://www.cdc.gov/Features/SalmonellaPoultry/)  
Colorado Poultry Association  
[www.freeweb.com/coloradopoultryassociation](http://www.freeweb.com/coloradopoultryassociation)  
National Poultry Improvement Plan (NFIP)  
[www.aphis.usda.gov/animal\\_health/animal\\_dis\\_spec/poultry/](http://www.aphis.usda.gov/animal_health/animal_dis_spec/poultry/)

## Proposed Amendments to the Archuleta County Land Use Regulations

Rev. 8/01/16 Additions in RED UNDERLINE, deletions in ~~strikeout~~; commentary in italics

*Classifying non-commercial marijuana cultivation as an Accessory Use, and adopting limits and definitions.*

**11.2.1 Definitions.** The following specific words and terms are defined as follows:

**Agricultural Uses:** Those farm or ranch uses which primarily involve raising, harvesting, producing or keeping plants or animals, including agricultural structures which house farm or ranch implements, hay, grain, poultry, livestock or other horticultural products. An agricultural structure shall not be a place of human habitation. Agricultural uses exclude any business whose primary function is to provide on-site services or retail sales of non-agricultural products.

Agricultural Uses also excludes any use governed by either the Colorado Medical Marijuana Program (CRS §25-1.5-106 et seq), Colorado Medical Marijuana Code (CRS §12-43.3-101 et seq) or ~~the~~ Colorado Retail Marijuana Code (CRS §12-43.4-101 et seq).

**Farm use:** The use of land for the purpose of obtaining a profit from the production and sale of agricultural products, animals or animal products, including accessory uses.

**Industrial Hemp:** As defined by the Colorado Constitution, the plant of the genus cannabis and any part of such plant, with a delta-9 tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis.

**Marijuana:** As defined by the Colorado Constitution, all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marihuana concentrate; does not include Industrial Hemp.

**Marijuana Caregiver:** A person, other than a medical patient or the patient's physician, who is 18 years of age or older and has significant responsibility for managing the well-being of a patient who has a debilitating medical condition, as defined by CRS §25-1.5-106(2)(d.5).

**2.1.2 Exemptions from Land Use Permit Requirement:**

The following uses and activities are exempt from the requirement to obtain a Land Use Permit if the use or activity is proposed for areas of the County that are zoned Agricultural/Forestry or Agricultural Ranching:

**2.1.2.1** Agricultural Uses operations proposed for areas of the County that are zoned Agricultural/Forestry (AF) or Agricultural/Ranching (AR) that do not require a Land Use Permit include:

- (1) Production, cultivation, growing, and harvesting of crops and plants, excluding marijuana for commercial use. ~~Provided, however, marijuana operation and activities of all types, including but not limited to cultivation, growing or harvesting, shall require a Land Use Permit.~~
- (4) Harvesting, storage, grading, packaging, ~~processing~~, distribution, and sale of agricultural commodities occurring at the point of production.

**2.1.2.2** ~~One (1) single family dwelling unit associated with an agricultural operation that is established in compliance with these Regulations.~~ Uses associated with Conservation Easements.

**2.1.2.3** Accessory uses and structures and one additional dwelling ~~allowed by these Regulations that are associated with the exempt agricultural and residential uses and activities herein~~ do not require a Land Use Permit.

- (1) Multiple dwelling units in conjunction with an active agricultural operation require an agricultural ~~Use By Right~~ Land Use Permit.
- (2) Approval of a Land Use Permit shall be required prior to commencing a Marijuana Caregiver use.

**2.1.2.4** In any district where permitted (~~AR-Agricultural Rural/Ranching - AR, AE-Agricultural Estate - AE, RR-Rural Residential RR-Rural, and R-Residential -R, and PUD~~) one (1) single family detached dwelling is exempt from a land use permit.

**2.1.2.5** In any district where permitted (~~AR-Agricultural Rural/Ranching - AR, AE-Agricultural Estate - AE, RR-Rural Residential RR-Rural~~) a second single family detached dwelling is exempt from a land use permit as long as the lot is three (3) acres or more.

~~**2.1.2.6** Uses associated with Conservation Easements~~

**3.2.5 Accessory Uses:**

Accessory uses shall comply with all requirements for the principal use, including obtaining a building permit, except where specifically modified by this Section, and shall also comply with the following limitations:

**3.2.5.1 Gardening and raising animals for personal use, within the requirements of Sec. 5.5.2, shall be considered a customary Accessory Use with no sales from the premises.**

- (1) A greenhouse or hothouse may be maintained accessory to a ~~dwelling only if there are no sales from the premises~~ principal structure.

**5.5.2 Animals and Gardening as Accessory Uses**

**5.5.2.1 Cultivation of marijuana may be conducted as an accessory use on any legal parcel.**

- (1) No more than six (6) marijuana plants may be cultivated for personal use by a Colorado resident, 21 years of age or older, as provided in Sec. 14(4) and Sec 16(3) of Article XVIII of the Colorado Constitution, with no more than 12 marijuana plants on a single parcel.
- (2) No more than 36 marijuana plants may be cultivated by a Medical Marijuana Caregiver, registered with the State licensing authority, with a Land Use Permit.
  - a. Cultivation must be conducted in an enclosed, locked building, with plants screened from public view.
  - b. Caregiver cultivation facilities shall follow all health and safety requirements of Archuleta County marijuana licensing ordinances.
  - c. Caregiver operations shall comply with the Industrial Performance standards in Sec. 5.4.2, including sound, vibration, emissions, outdoor storage and water pollution. Any extraction must follow requirements of Colorado statutes.
- (3) Marijuana operations and activities are expressly prohibited as a Home Occupation.

**5.5.2.2** The following chart identifies limitations on the number and type of animals permitted in each zoning district.

**TABLE 5: ANIMAL REGULATIONS**

Clarify provisions for Accessory Uses and Structures.

**3.1.1 Zoning District Uses:**

**TABLE 3: USES BY ZONING DISTRICT**

USE	AF	AR	AE	RR	R	MH	C	I
<b>AGRICULTURAL</b>								
<u>Greenhouse or Plant Nursery and Greenhouse</u>		R	C				<b>C</b>	<b>R</b>

**11.2 WORDS AND TERMS**

**11.2.1 definitions**

**Plant Nursery and Greenhouse:** Any land or structure used primarily to raise trees, shrubs, flowers or other plants for sale or for transplanting.

**Outdoor Storage:** The keeping, in an unroofed area, of any equipment, goods, material, merchandise or vehicles in the same place for more than twenty-four (24) hours. ~~Containers and semi-trailers may not be used for residential or storage uses except on construction sites.~~

**3.2.6 Accessory Structures:**

**3.2.6.2** No part of any accessory structure shall be located closer than ten (10) feet to any principal structures unless it is attached to, or forms a part of the principal structure.

**3.2.6.3** ~~No part of any An accessory structure shall be located closer than twenty five (25) feet to any adjacent property line or shall meet recorded deed restrictions, property development by laws or~~ meet the same required setback distances for as a principal structure or as provided in recorded subdivision covenants, whichever is less.

(1) A fence over 8' in height must meet all required setbacks.

(2) A fence over 6' in height or a security fence as defined in Sec. 11.2.1 must meet the minimum front or corner setback, unless located in Commercial (C) or Industrial (I) zoning districts.

(3) Fences must maintain the required Vision Clearance Area in Sec. 5.4.7.

**3.2.6.5 Portable Accessory Structures...**

A portable Agricultural accessory structures in Agricultural Use as exempted under Section 2.1.2 are is also exempt from the limits of this Section 3.2.6.5.

*Insert section number for clarity*

**3.2.6.6** Accessory structures including portable accessory structures, used for Commercial and/or Industrial purposes shall be by a minor amendment to a Conditional Use Permit (CUP) or Use By Right (UBR) permit only and shall comply with all applicable Regulations and Standards thereof. There shall be no additional fee charged to amend ~~the CUP or a~~ UBR site plan to allow accessory structures.

Clarify cross-references and certain provisions of Table 1 and Table 4..

**2.2.1 Review Process Chart:**

**TABLE 1: REVIEW PROCESS**

Approval Requested	Pre-App	Sketch			Preliminary			Final				Notes
		Staff	PC	BCC	Staff	PC	BCC	Staff	PC	BCC	BOA	
Floodplain Development Permit	M							A <sup>3</sup>			APP	<a href="#"><sup>3</sup>Sec 10.2.2</a>
Sign Permit	M							A <sup>3</sup>			APP	<a href="#"><sup>3</sup>Sec 7.1.3</a>
Temporary Use Permit	M							A <sup>3</sup>			APP	<a href="#"><sup>3</sup>Sec 3.2.4</a>
Minor O&G Permit	M	M <sup>1</sup>						A <sup>3</sup>			APP	<a href="#"><sup>1</sup>Sec9.2.6.9</a> <a href="#"><sup>3</sup>Sec 9.2.6.10</a>
Minor S&G Permit	M							A <sup>3</sup>			APP	<a href="#"><sup>3</sup>Sec 9.1.4</a>
Major O&G Permit	M	M <sup>1</sup>						M	P	H <sup>3</sup>		<a href="#"><sup>1</sup>Sec9.2.6.9</a> <a href="#"><sup>3</sup>Sec 9.2.6.11</a>
Major S&G Permit	M							M	H	H <sup>3</sup>		<a href="#"><sup>3</sup>Sec 9.1.5</a>
<a href="#">Geothermal Exploration Activity Notice</a>	M							A <sup>3</sup>		APP		<a href="#"><sup>3</sup>Sec2.5.6.3</a>
<a href="#">Geothermal Resources Permit</a>	M	M <sup>1</sup>						A <sup>3</sup>	H <sup>3</sup>	H <sup>3</sup>		<a href="#"><sup>1</sup>Sec 2.5.6.4(1)a</a> <a href="#"><sup>3</sup>Sec 2.5.6.4(1)b</a> <a href="#">Sec 2.5.6.5</a> <a href="#">Sec 2.5.6.7</a>
Access Permit	M							M	P	HP <sup>3</sup>		<a href="#"><sup>3</sup>Sec 5.3.2</a>
<a href="#">Use by Right Site Plan</a>	MA							A <sup>3</sup>			APP	<a href="#"><sup>3</sup>Sec 3.2.2</a>
Conditional Use Permit	M							M <sup>43</sup>	H	H		<a href="#"><sup>3</sup>Sec 3.2.3</a>
Concept Review	M	M		H <sup>1</sup>				M	H	H		<a href="#"><sup>1</sup>Sec 2.2.12</a>

General Development Plan	M	M				H <sup>2</sup>		M	H	H		<u><sup>2</sup>Sec 2.2.13</u>
PUD	M	M	P <sup>1</sup>		M	H	APP	M	H	H		<sup>1</sup> Sec <del>4.2.3.2</del> 3.1.6.2
Rezoning	M							M	H	H <sup>3</sup>		<sup>3</sup> Sec 3.1.7.3
Major Subdivision	M	M	P <sup>2</sup> <u>1</u>		M	H <sup>2</sup>	APP	M	P	H <sup>3</sup>		<sup>2</sup> <sup>1</sup> Sec 4.2.3.2 <sup>2</sup> Sec 4.3.3 <sup>3</sup> Sec 4.4.3
Minor Subdivision	M	M	A/ P <sup>2</sup> <u>1</u>					M	P	H <sup>3</sup>		<sup>2</sup> <sup>1</sup> Sec 4.2.3.2 <sup>3</sup> Sec 4.4.3
Rural Land Use Process	M	M	P <sup>2</sup> <u>1</u>		M	H	APP	M	P	H		<sup>2</sup> <sup>1</sup> Sec <del>4.2.3.2</del> 4.5
Site Specific Development Plan	M									H <sup>3</sup>		<u><sup>2</sup>Sec 2.3.1</u>
Amended Plat - Major	M	M	P <sup>2</sup> <u>1</u>		M	H <sup>2</sup>	APP	M	P	H <sup>3</sup>		<sup>2</sup> <sup>1</sup> Sec 4.2.3.2 <sup>2</sup> Sec 4.3.3 <sup>3</sup> Sec 4.6.4.3-1, 4.6.4.3-2
Amended Plat - Minor	M	M	A/ P <sup>2</sup> <u>1</u>					M	P	H <sup>3</sup>		<sup>2</sup> <sup>1</sup> Sec 4.2.3.2 <sup>3</sup> Sec 4.6.4.3-1, 4.6.4.3-2
Lot Line Adjustment	M							M	P <sup>4</sup>	P <sup>4</sup> <sup>3</sup>		<sup>4</sup> <sup>3</sup> Sec 4.6.4.3-3
Lot Consolidation	M							M		P <sup>3</sup>		<sup>3</sup> Sec 4.9.5, Sec 4.10.4
Subdivision Vacation	M							M	P	H <sup>3</sup>		<sup>3</sup> Sec 4.8.3
<u>Variances- Administrative</u>	<u>M</u>							<u>A<sup>3</sup></u>			<u>APP</u>	<u><sup>3</sup>Sec 2.4.3</u>
<u>Variances- General</u>	<u>M</u>										<u>H<sup>3</sup></u>	<u><sup>3</sup>Sec 2.4.3</u>

### 3.1.4 Zoning District Standards

**TABLE 4: ZONE DISTRICT STANDARDS**

<b>DIMENSION</b>	<b>AF</b>	<b>AR</b>	<b>AE</b>	<b>RR</b>	<b>R</b>	<b>MH</b>	<b>C</b>	<b>I</b>
Minimum Lot Size	160 acres	35 acres	5 acres	3 acres <i>(w/H<sub>2</sub>O or Sewer)</i>	8,000 ft <sup>2</sup>	2,500ft <sup>2</sup>	10,000 ft <sup>2</sup>	10,000 ft <sup>2</sup>
Minimum Lot Width	500 feet	200 feet	100 feet	80 feet	60 feet	40 feet	100 feet	100 feet
Minimum Front Setback	100 feet	75 feet	25 feet	20 feet	15 feet	10 feet	25 feet	50 feet
Minimum Side Setback	100 feet	25 feet	25 feet	20 feet	15 feet	10 feet	10 feet	25 feet
Minimum Corner Setback (street side )	<del>150</del> <u>100</u> feet	50 feet	<del>50</del> <u>25</u> feet	<del>40</del> <u>20</u> feet	<del>25</del> <u>15</u> feet	<del>25</del> <u>10</u> feet	25 feet	50 feet
Minimum Rear Setback	100 feet	25 feet	25 feet	20 feet	15 feet	10 feet	10 feet	25 feet

###

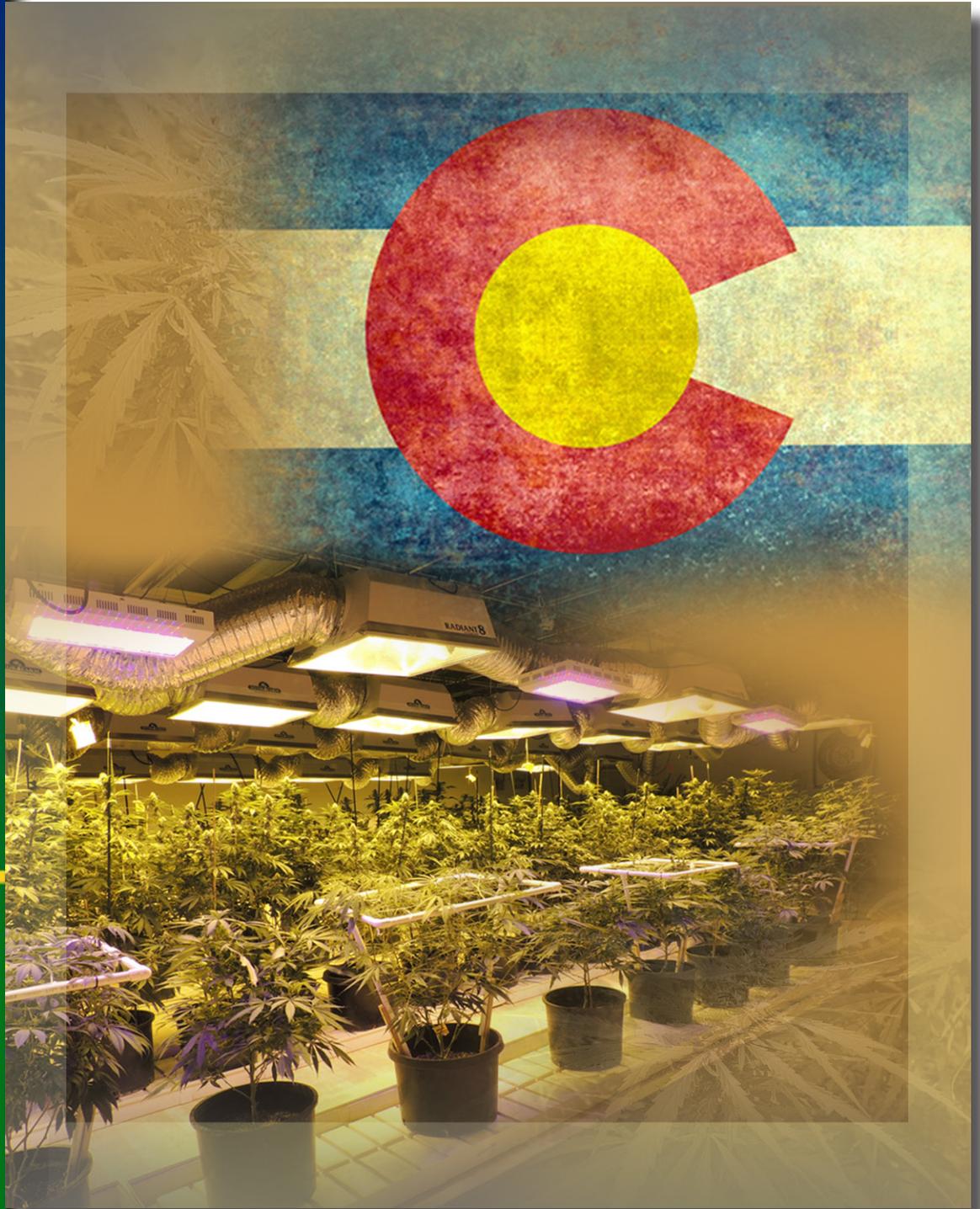
UNCLASSIFIED



DEA  
INTELLIGENCE  
REPORT

# Residential Marijuana Grows in Colorado: The New Meth Houses?

DEA-DEN-DIR-041-16  
JUNE 2016



UNCLASSIFIED

## Residential Marijuana Grows in Colorado: The New Meth Houses?

### Executive Summary

Colorado's state laws legalizing marijuana do not limit how much marijuana can be grown within a private residence. Further, there is no mechanism at the state-level to document or regulate home grows, even large ones. This has led to a proliferation of large-scale marijuana grow operations in hundreds of homes throughout the state. Much of the marijuana produced in large home grows is shipped out of Colorado and sold in markets where it commands a high price.

Although growing a large number of marijuana plants within private residences can fall within the parameters of state law, it presents potential risk to the occupants, homeowners, and neighbors of these residences, as well as to first responders who are called to them. Marijuana grows often cause extensive damage to the houses where they are maintained and are increasingly the causes of house fires, blown electrical transformers, and environmental damage. Much like the "meth houses" of the 1990s, many of these homes may ultimately be rendered uninhabitable.

### DETAILS

Colorado's legalization of medical marijuana and recreational marijuana by voter referendum set the stage for unfettered marijuana production in the state. Both Amendment 20 and Amendment 64 contain loopholes that allow for large marijuana grows within private residences. Although the State of Colorado created the Marijuana Enforcement Division (MED)—a regulatory body for licensed marijuana businesses—the MED does not have authority to regulate home grows.

*According to the Colorado Department of Public Health and Environment, in January 2016 there were 8,210 medical marijuana patients in Colorado with physician recommendations to grow 50 to 99 plants. If each patient grew 50 plants, that equals 410,000 marijuana plants.*

*From each plant, they would likely harvest 1 pound of finished marijuana every 90 days. That is 1.64 million pounds of harvested marijuana per year.*

Access to medical marijuana became every Coloradan's constitutional right in November 2000 when voters approved Amendment 20. Amendment 20 allows patients to possess six marijuana plants, unless a physician recommends more. As of 2016, physician recommendations for 75 to 99 plants are commonly used to justify large residential grows, many of which produce marijuana for sale outside the state. In January 2016, there were 107,798 medical marijuana registry patients. Of those, roughly 8 percent (8,210 patients) had physician recommendations for 50 to 99 plants.<sup>1</sup> Notably, in January 2014, when cultivation and possession of recreational marijuana became legal under state law, there were more overall medical marijuana patients (110,979), but fewer with elevated plant counts of 50 or more plants (5,308).<sup>2</sup>

As of March 2016, there is not a state-imposed limit on either the number of plants a physician may recommend for a medical marijuana patient or on the number of plants a patient may grow in a private residence. In

May 2015, state legislation was passed that limited medical marijuana patients to growing 99 plants on private property—it will take effect January 2017.<sup>3</sup>

Amendment 64 allows any adult 21 years old or older in Colorado to cultivate up to six plants. It further allows for the possession of all marijuana produced by those plants, provided the marijuana remains in the enclosed residence and is not sold.<sup>4</sup> Amendment 64 also allows any adult in Colorado to "assist" any other adult in Colorado in "possessing, growing, processing, or transporting" his/her marijuana.<sup>5</sup> Consequently, large grows and/or quantities of processed marijuana within a residence are often justified through the claim

## Residential Marijuana Grows in Colorado: The New Meth Houses?

that the resident is assisting others by growing or storing their marijuana. As there is no mechanism at the state or local level to document or regulate recreational marijuana home grows, there is no practical means for local police to verify whose plants are grown or whose marijuana is stored in any given residence.

Some local governments have begun to place limits on the number of plants that can be grown in private residences. However, such local ordinances are widely varied and rarely effectively enforced.

As a result of the permissiveness of Colorado's medical and recreational marijuana laws, the system is extensively exploited by traffickers who operate large marijuana grows that supply out-of-state markets. Since 2014, there has been a noticeable increase in organized networks of sophisticated residential grows in Colorado that are orchestrated and operated by drug trafficking organizations. These organizations operate hundreds of large-scale home grows throughout Colorado. Harvested marijuana is shipped or transported from Colorado to markets in the Midwest and along the East Coast.<sup>6</sup>

Indoor marijuana plants can grow as tall as 6 feet or more and yield more than a pound of harvested marijuana every 90 days. Growing them requires specific conditions that consume high levels of electrical power and water and results in the drainage of chemical-laden waste water. Grow rooms must be maintained at temperatures between 71 and 80 degrees Fahrenheit. At certain times during the growing cycle, plants must remain under high-power grow lights for 24 hours a day. Fertilizers and pesticides—sometimes harsh ones—are required to grow robust and healthy plants. At times in the growing cycle, each plant can require 3 or more gallons of water per day.

Local police departments often receive numerous calls from neighbors about marijuana grow houses. Common complaints include strong odors, excessive noise from industrial air-conditioning units, blown electrical transformers, and heavy vehicle traffic.

Colorado homes where marijuana is grown often sustain extensive structural damage. Moisture, condensation, and molds spread throughout the residence. Growers often cut holes in floors and exterior walls in order to install ventilation tubes. Growers often tamper with electrical systems in order to supply multiple high-power grow lights and industrial air-conditioning units. These alterations are often done by tenant growers with little regard for fire risk or the home's structural integrity. This is an increasing concern for first responders.

FIGURE 1. A BASEMENT GROW IN A COLORADO HOME.



Source: DEA

## Residential Marijuana Grows in Colorado: The New Meth Houses?

FIGURE 2. DO-IT-YOURSELF VENTILATION IN A COLORADO GROW HOUSE



Source: DEA

Altered electrical systems with loose and entangled wires, flammable fertilizers and chemicals, explosive materials such as propane and butane, or holes cut into sub-floors for venting all pose clear hazards to firefighters or police officers responding to the residence in an emergency situation.

### Outlook

Adding to the list of unintended consequences of marijuana legalization in Colorado, the proliferation of large residential grows is taxing local police and fire departments, consuming power and water resources, and potentially affecting home values in communities throughout the state. Further, the ability to establish large-scale marijuana grow operations within residential homes under the guise of state law will likely continue to attract drug traffickers and criminal organizations. Thus, Colorado will continue to be a source for much of the marijuana destined for markets in other states.

<sup>1</sup> Colorado Department of Public Health and Environment, January 2016.

<sup>2</sup> Ibid.

<sup>3</sup> Colorado Senate Bill 15-014, passed May 2015.

<sup>4</sup> Colorado Constitution. Article 18, Section 16, Subsection 3(b).

<sup>5</sup> Colorado Constitution. Article 18, Section 16, Subsection 3(e).

<sup>6</sup> DEA Denver Division Investigative Reporting. 2016; extracted information is: (U); overall document classification is: (U).



This product was prepared by the DEA Denver Division. Comments and questions may be addressed to the Chief, Analysis and Production Section at [dea.onsi@usdoj.gov](mailto:dea.onsi@usdoj.gov).



Archuleta County  
Development Services—Planning Department  
1122 HWY 84  
P. O. Box 1507  
Pagosa Springs, Colorado 81147  
970-264-1390  
Fax 970-264-3338

## MEMORANDUM

TO: Archuleta County Planning Commission

FROM: John C. Shepard, AICP; Planning Manager

DATE: August 10, 2016

RE: Humane Society CUP Amendment, in Section 9, T35N R2W NMPM, at 465 Cloman Blvd (PLN16-073).

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### EXECUTIVE SUMMARY

Humane Society of Pagosa Springs, represented by Steve Schwartz, Spectrum Construction; has applied for a Minor Amendment to their Conditional Use Permit (CUP), approved in 2007, to add an accessory structure (PLN16-073). Applicant's property is described as the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , all in S9, T35N R2W NMPM, located at 465 Cloman Blvd.

Applicant has also made a concurrent request for Variances from Development Standards where were approved separately by the Board of Adjustment (PLN16-074).

There are, essentially, two questions before the Planning Commission:

1. Does the application qualify as a Minor Amendment to a Conditional Use Permit?
2. Does the application meet the development standards of the *Archuleta County Land Use Regulations*?

### REVIEW PROCEDURE

*Archuleta County Land Use Regulations* Section 3.2.3 Conditional Use Permit (CUP) provides for Conditional Uses, which require review and evaluation with respect to their effects on surrounding properties and Archuleta County at large. The Planning Commission may approve Minor Amendments to an approved CUP, including **modifications to approved site plans**, if the request does not alter the basic intent and character of the approved CUP, are consistent with the Site Development Standards (Section 5.4), are deemed necessary in light of technical or engineering considerations first discovered during actual construction, or could not have been reasonably anticipated during the initial review process (Section 3.2.3.4). The Planning Commission makes a final decision on a Minor Amendment.

Public notice is not required for this application. However, notice was scheduled to be published in the *Pagosa Springs Sun*, posted on site, and mailed to adjacent property owners for the concurrent Variance request.

## DISCUSSION

A Conditional Use Permit (CUP) was approved in 2007 for the Humane Society Animal Shelter, a Conditional Use in the Agricultural Estate (AE) zone. When the current shelter was built, three storage sheds and an outdoor pet cremator were moved from the old site on Paws Court to the new location on Cloman Blvd. The proposed project will replace the three wooden sheds with a new metal building that will house a new, modern indoor pet crematorium, in addition to improved storage space.

The *Archuleta County Community Plan's* Future Land Use Map and the Joint Town/County Planning Commission map of 2010 recognize the Cloman area west of the airport as one of the few industrial areas in the county. This 11.25-acre parcel is zoned Agricultural Estates (AE). Cloman Park, located to the north, is zoned Industrial (I), as is the Airport, located nearby. The remainder of the quarter-quarter section, immediately to the south and west, is owned by Archuleta County and is zoned Agricultural/Ranching (AR). A vacant 114-acre parcel, zoned AR, is located between this parcel and the airport.

The *Archuleta County Land Use Regulations* do not provide specific standards for an Animal Shelter, which is classified as an "Other" type use (not Commercial, Industrial, etc.), and allowed as a Conditional Use in AF, AR, AE, C and I zones (Table 3). The use is subject to Development Standards in Section 5, such as drainage, paving and landscaping. These improvements were originally guaranteed by a Development Agreement, which has since expired, for construction with a proposed second phase of site development. On August 2<sup>nd</sup>, the Board of Adjustment approved Variance from paving and parking lot landscaping, rather than requiring renewal of the financial guarantee.

Reviews for both the Minor Amendment to the CUP and the Variance application were combined. Consulting agency comments included:

- County Engineering, Pagosa Fire Protection District, PAWSD and LPEA had no objections to the requests.
- The Town of Pagosa Springs Planning Director did not object, but suggested consideration for long-term impacts on air quality and the impression of substandard development on airport travelers visiting the community.
- Projects in the Airport Influence Area are routinely forwarded to the Airport Manager for their information.

Before acting on the application, the Planning Commission should confirm the Amendment is consistent with the required findings under Section 3.2.3.5:

- (1)** That the proposed location of the use, the proposed access to the site, and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- (2)** That, if required by the proposed use, there are adequate and available utilities and public services to service the proposed use, without reduction in the adequacy of services to other existing uses. These utilities and public services may include, but are

not necessarily limited to, sewage and waste disposal, water, electricity, law enforcement, and fire protection.

- (3) That the proposed use will be compatible with adjacent uses, including but not limited to site design and operating factors, such as the control of any adverse impacts including noise, dust, odor, vibration, exterior lighting, traffic generation, hours of operation, public safety, etc.

Applicant discusses justification of their request in their narrative (See attached). The new building will replace existing equipment and buildings, so there will be no new impacts. The pet cremator is an important community service, and the new equipment will be more efficient, eliminating occasional smoke and odor. Colorado Dept. of Public Health (CDPHE) has also approved the required air quality permit.

There are essentially two questions to be answered for this proposal:

1. Does the Application qualify as a Minor Amendment to the approved CUP?
2. Is the proposed Minor Amendment in compliance with the development standards of the *Archuleta County Land Use Regulations*?

#### RECOMMENDATION AND FINDINGS

**Should the Planning Commission accept that Applicants have provided sufficient evidence in support of their proposal, staff recommends the Planning Commission find that:**

- a. The application meets the review criteria for a Minor Amendment to a Conditional Use Permit in Section 3.2.3.7 of the *Archuleta County Land Use Regulations*, and
- b. The application meets the required findings for a Conditional Use Permit in Section 3.2.3.5 of the *Archuleta County Land Use Regulations*, and

**That the Planning Commission approves the Humane Society CUP Amendment, in Section 9, T35N R2W NMPM, at 465 Cloman Blvd., with no conditions.**

#### PROPOSED MOTION

**I move to approve the request for the Humane Society CUP Amendment, with the Findings A and B of the staff report and no conditions.**

#### ATTACHMENTS.

- Attachment 1: Area Maps
- Attachment 2: Review Comments
- Attachment 3: Applicant's Narrative
- Attachment 4: Building Plans
- Attachment 5: Site Plan

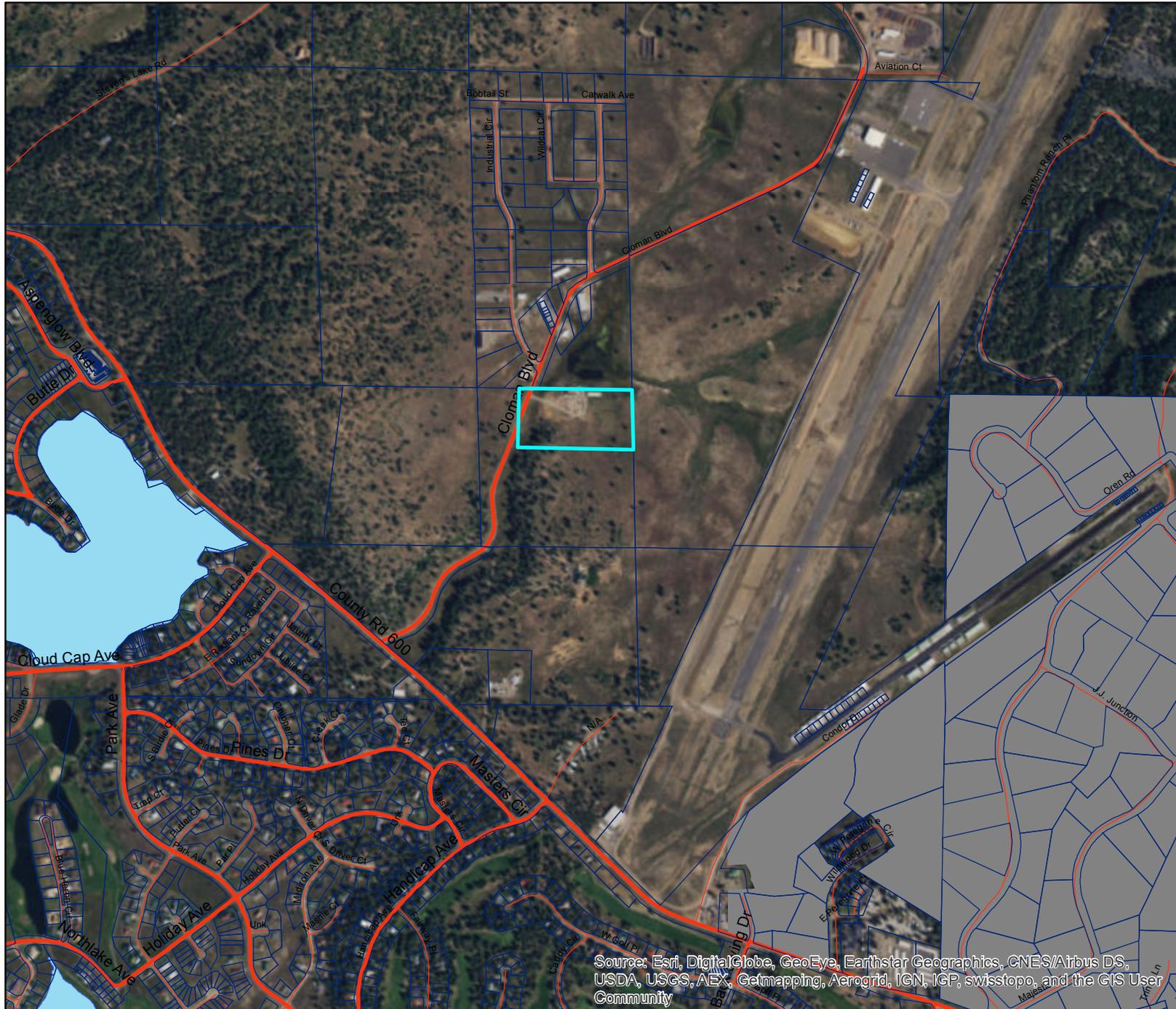


# Site Map

Humane Society  
Minor CUP Amend  
PLN16-073  
Variances  
PLN16-074

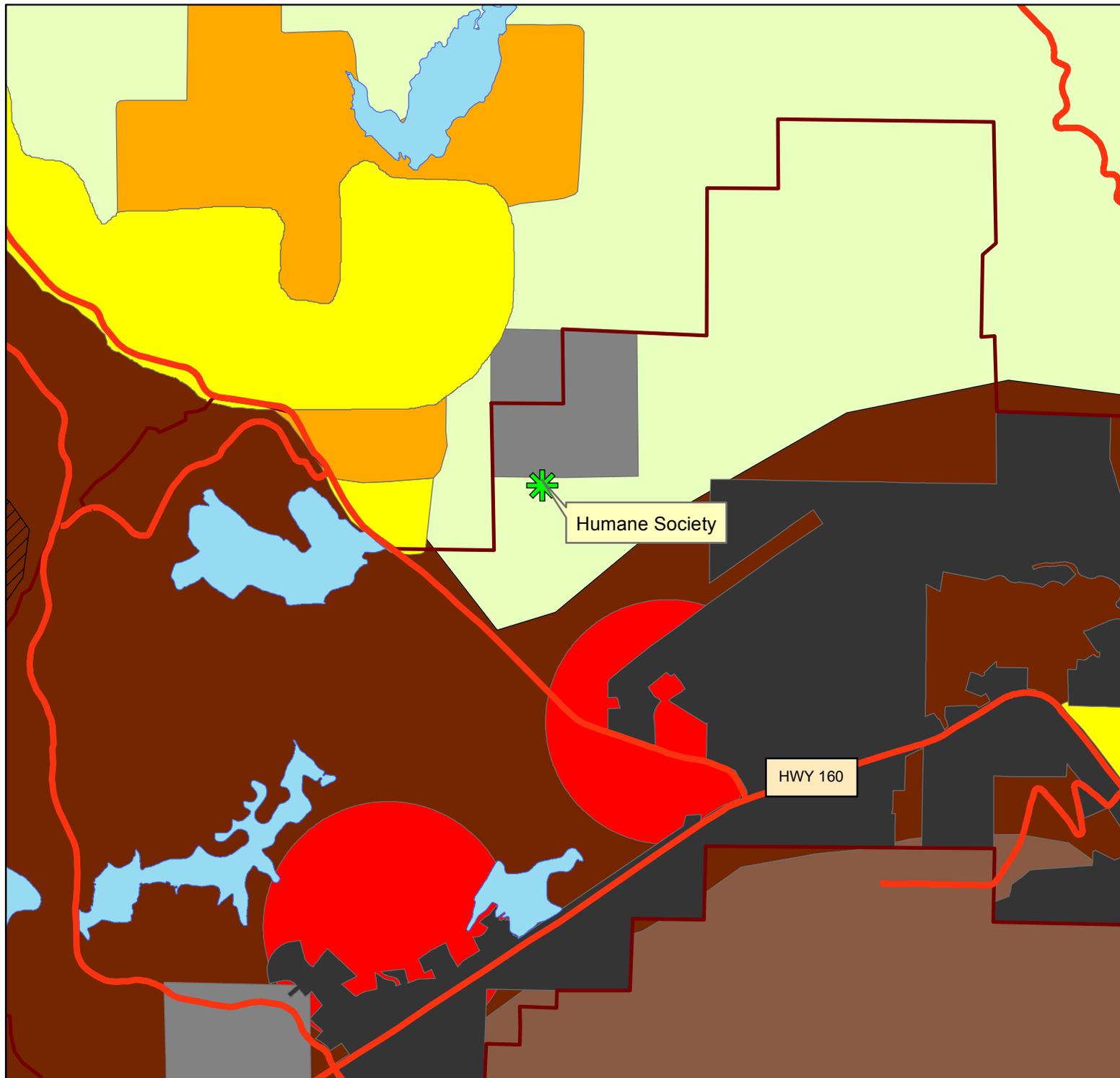
### Legend

- Highway
- Primary Road
- Lakes
- Pagosa Springs
- Parcels
- Project Location



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

# Archuleta County Community Plan Detail: Future Land Use



## Legend

- Major Roads
- Rivers & Streams
- Lakes
- Critical Wildlife Habitat
- Migration Corridor
- Joint Planning Area
- Pagosa (2009)
- Tier 1
- Tier 2
- Industrial Park
- Commercial Area

## Future Landuse

- High density residential
- Medium density residential
- Low density residential
- Very low density residential
- Public land
- Village Center



Detail of map developed 21 Sept 2011

Archuleta County Development Services  
1 July 2016





# Site Map

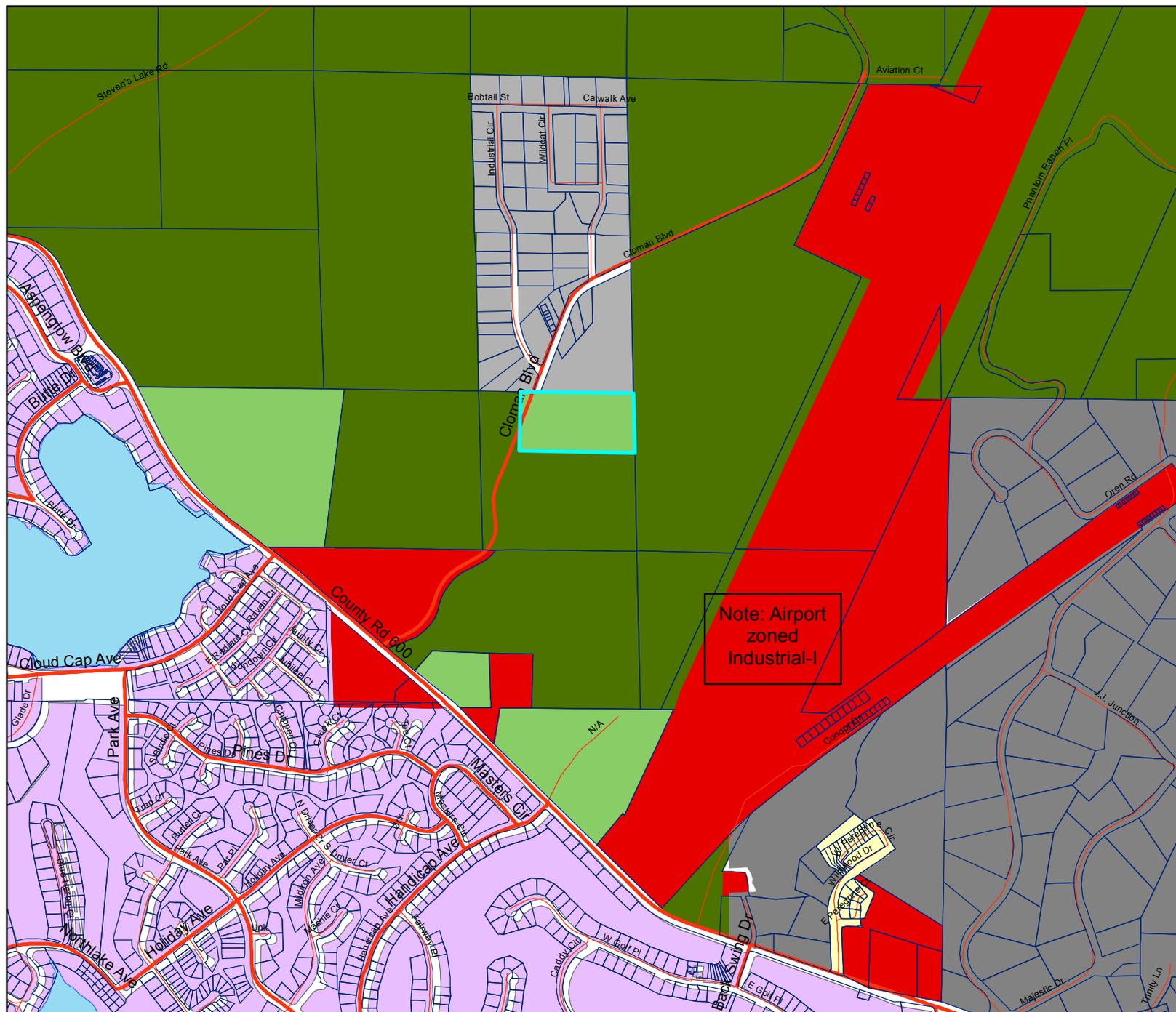
Humane Society  
Minor CUP Amend  
PLN16-073  
Variances  
PLN16-074

## Legend

- Primary Road
- Lakes
- Pagosa Springs
- Parcels
- Zoning Map 2011**
- Zoning Districts**
- Agriculture Forestry (AF)
- Agriculture Ranching (AR)
- Agricultural Estate (AE)
- Rural Residential (RR)
- Residential (R)
- Mobile Home Park (MHP)
- Commercial (C)
- Industrial (I)
- PUD
- Project Location



500 250 0 500 Feet



This map has been produced using various geospatial data sources. The information displayed is intended for general planning purposes and the original data will routinely be updated. No warranty is made by Archuleta County as to the accuracy, reliability or completeness of this information. Consult actual legal documentation and/or the original data source for accurate descriptions of locations displayed herein.



## Site Map

Humane Society  
 Minor CUP Amend  
 PLN16-073  
 Variances  
 PLN16-074

### Legend

-  Primary Road
-  Lakes
-  Pagosa Springs
-  Parcels
-  Project Location



140 70 0 140 Feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



## MEMO

**Date:** July, 06, 2016

**To:** John Shepard

**From:** Yari Davis

**cc:** Bob Perry

**RE: Humane Society, Road and Bridge Standards–  
Variance Request.**

The Engineering Department has reviewed the variance requested by Humane Society from Archuleta County Road & Bridge Design Standards, section 27.1.7.3.F and section 27.1.7.4.C, "that requires driveway and parking serving commercial uses must be paved". The Engineering Department has no objections with the variance approval.



# Pagosa Fire Protection District

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July 18, 2016

Subject: Conditional Use Permit Amendment, Paving and Landscaping Variances  
Owner: Humane Society  
Project: Accessory Structure  
Address: 465 Cloman Blvd. Pagosa Springs Colorado

Attention: John C. Shepard, AICP

Dear Sirs;

I have review the land use application provided for the proposed construction of an Accessory Structure to be located 465 Cloman Blvd. The Fire Districts has no objections to this project, we would require a plan review to insure compliance with the International Fire Code prior to construction. The District has no objection to granting the associated variances.

Thank You

*David Hartman*

David Hartman  
Fire Marshal



551 Hot Springs Boulevard  
Post Office Box 1859  
Pagosa Springs, CO 81147  
P: 970.264.4151  
F: 970.264.4634

Town of Pagosa Springs  
Planning Department

Date: July 08, 2016  
To: John Shepard, Archuleta County Planning Department  
Re: Western Heritage Events Center land use application, 344A, US Hwy 84

Hello John,

Thank you for forwarding the application for 465 Cloman Blvd. regarding a land use application for an accessory structure and variance requests.

I have the following comments regarding the application you and the Archuleta Planning Commission will be considering.

**1) Paving Variance request:**

It is reasonable to consider a variance for paving the parking lot due to the nature of the proposed application and the small accessory structure addition.

Given paving variance requests have been fairly common recently, I feel compelled to suggest that more consideration should be considered on the long term impacts and ability to require paving at a later date.

**2) Landscaping Variance Request:**

It is reasonable to consider the interior parking lot landscaping variance if approving a variance for paving of the parking lot, however, landscaping provides a buffer to the business and to passing motorists. Cloman Blvd is seeing increased traffic due to increased air traffic in and out of Stevens Field. Most of these air travelers are visiting our community, and Cloman Blvd is their first impression of Pagosa Springs. There is not a mechanism to require landscape improvements at a later date without a land use permit application triggering the improvements.

**3) Exterior Lighting:**

Though Parking Lot lighting is not proposed, all new and any existing exterior lighting should require the concealment (shielding) of light sources from off site.

Thank You for your serious consideration of the recommendations provided above,

Respectfully,

A handwritten signature in black ink that reads "James Dickhoff".

James Dickhoff

Town of Pagosa Springs  
Planning Department Director  
Po Box 1859  
551 Hot Springs Blvd.  
Pagosa Springs, Co. 81147  
970-264-4151 x225

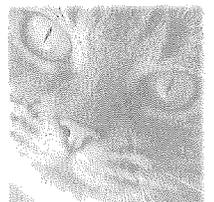
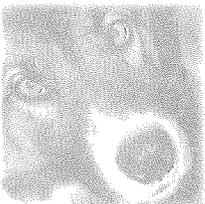
[jdickhoff@pagosasprings.co.gov](mailto:jdickhoff@pagosasprings.co.gov)



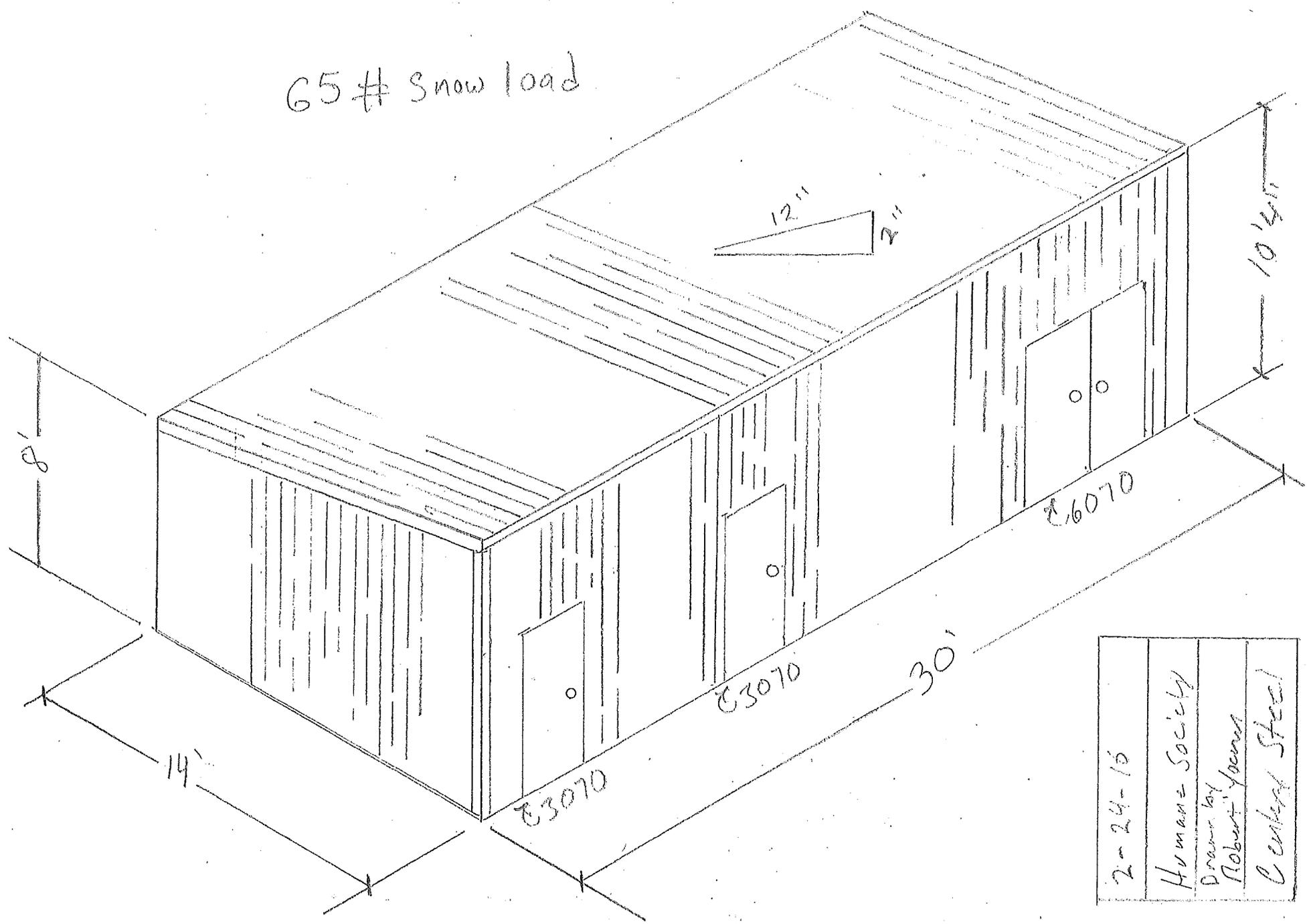
# Humane Society of Pagosa Springs

- d. The project will essentially replace an existing outdoor cremator that has reached the end of its serviceable lifetime with an indoor modern and more efficient unit. The new indoor crematorium should enhance the enjoyment of neighboring properties by eliminating the occasional smoke and odor that can be emitted by the existing outdoor unit when it requires repair and/or servicing. Additionally, most adjacent properties in the Cloman industrial area do not have paved driveways or parking areas or substantial landscaping, so this proposal by HSPS would not change the apparent character of the immediate area.
  
- e. Cloman Blvd is the only maintained road into the Cloman industrial area and the only access to the HSPS shelter property. Cloman Blvd is a gravel road and the area is more rural or industrial in character than residential. Very few other properties that use Cloman Blvd for access have paved driveways and parking areas; businesses that generate comparable or more traffic than the HSPS animal shelter are largely unpaved. Until whatever point in the future Cloman Blvd becomes a paved road it seems inconsistent with the existing conditions and an unnecessary financial burden to require HSPS to pave the shelter drive and parking area. Additionally, the extensive landscaping that HSPS has already voluntarily done on the shelter grounds may more than adequately offset the requirement for landscaping per number of parking spaces.

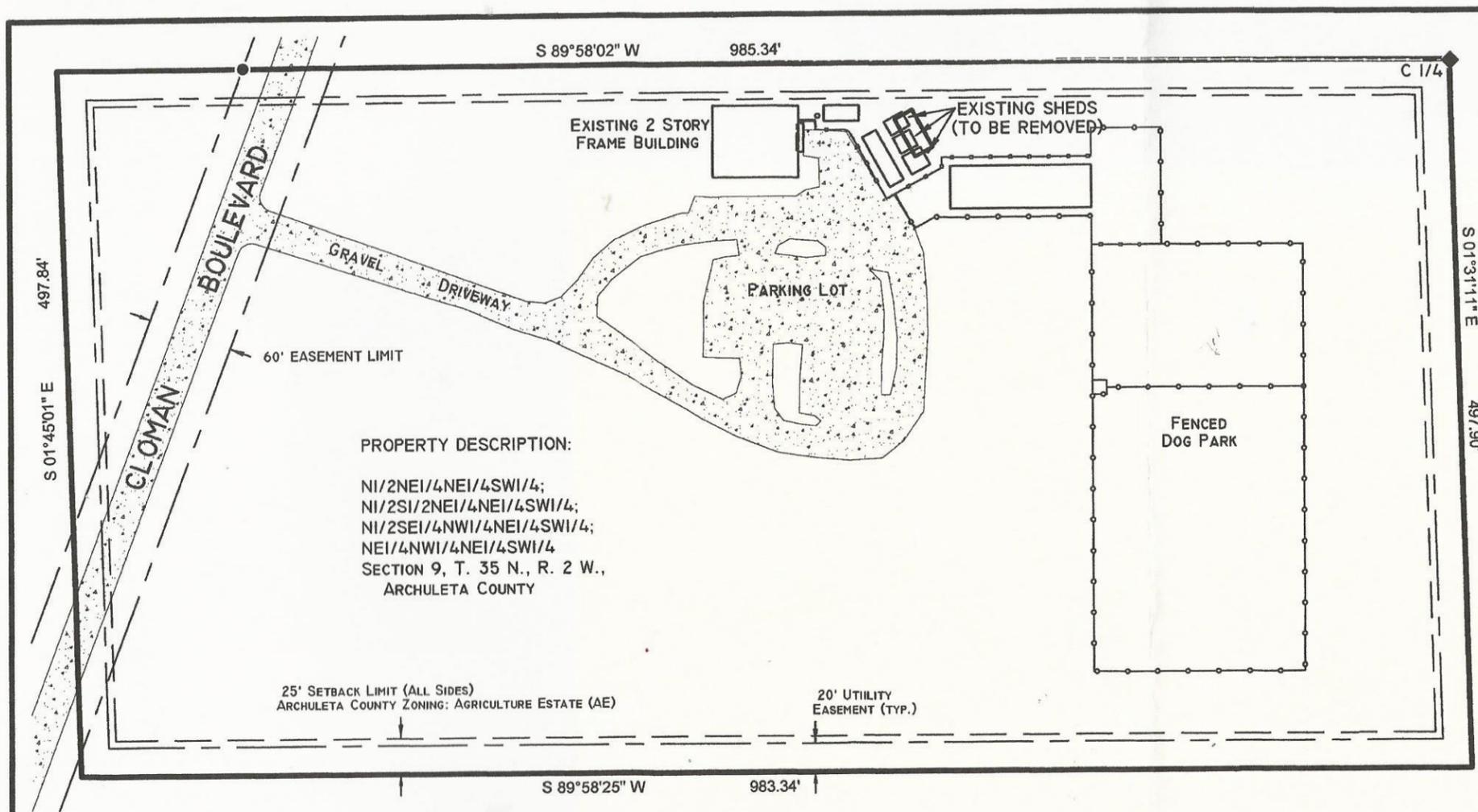
*MIKE STOLL*  
*EXECUTIVE DIRECTOR*



65# snow load



2-24-16
Humane Society
Drawn by
Robert Young
Century Steel



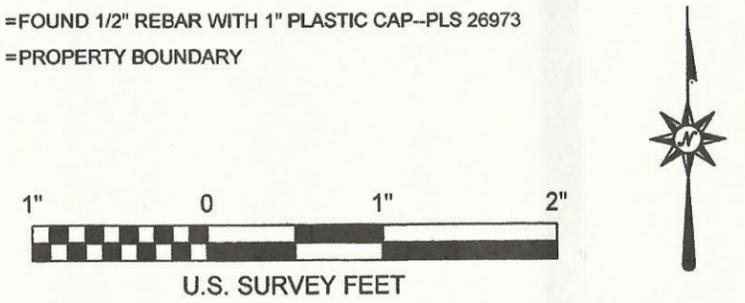
PROPERTY DESCRIPTION:  
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 N1/2S1/2NE1/4NE1/4SW1/4;  
 N1/2SE1/4NW1/4NE1/4SW1/4;  
 NE1/4NW1/4NE1/4SW1/4  
 SECTION 9, T. 35 N., R. 2 W.,  
 ARCHULETA COUNTY

25' SETBACK LIMIT (ALL SIDES)  
 ARCHULETA COUNTY ZONING: AGRICULTURE ESTATE (AE)

20' UTILITY EASEMENT (TYP.)

- NOTES:
- 1) PROPERTY OWNER: HUMANE SOCIETY OF PAGOSA SPRINGS
  - 2) PROPERTY ADDRESS: 465 CLOMAN BOULEVARD
  - 3) APPROXIMATE AREA TO BE DISTURBED BY PROPOSED IMPROVEMENTS IS 0.01 ACRES.
  - 4) THERE ARE NO OIL OR GAS WELLS WITHIN 150' OF THE PROPOSED STRUCTURE SITE.
  - 5) THE GROUND AROUND THE PROPOSED STRUCTURE IS RELATIVELY FLAT.

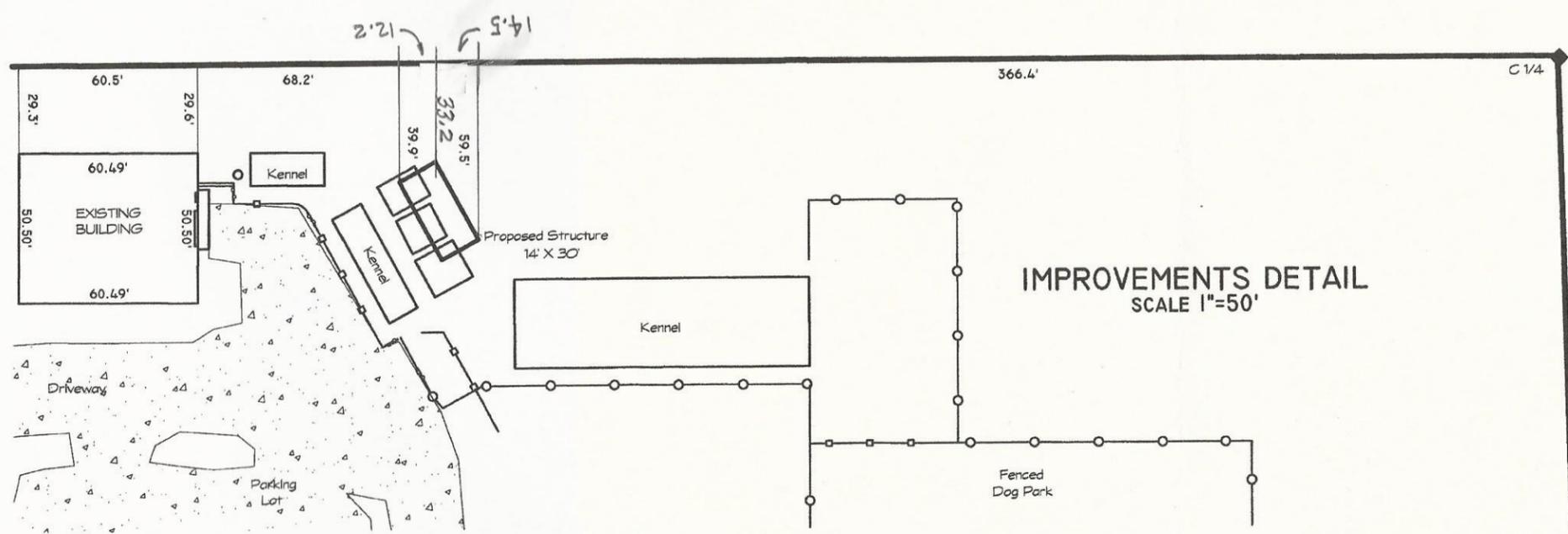
- LEGEND:
- ◆ = FOUND 2 1/2" IRON PIPE WITH 3 1/4" ALUMINUM CAP--PLS 20691
  - = FOUND 1/2" REBAR WITH 1" PLASTIC CAP--PLS 26973
  - = PROPERTY BOUNDARY



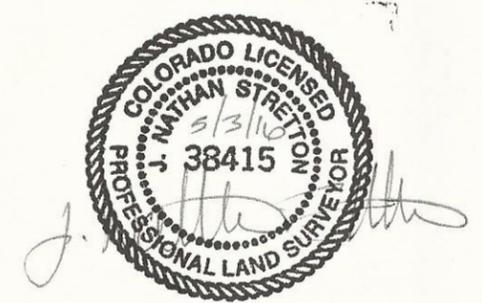
I HEREBY CERTIFY THAT THIS PROPOSED IMPROVEMENT LOCATION CERTIFICATE WAS PREPARED FOR LOCAL BUILDING DEPARTMENTS IN ARCHULETA COUNTY THAT IT IS NOT A LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT, AND THAT IT IS NOT TO BE RELIED UPON FOR THE ESTABLISHMENT OF FENCE, BUILDING, OR OTHER FUTURE IMPROVEMENT LINES. THIS CERTIFICATE IS VALID ONLY FOR USE BY LOCAL BUILDING DEPARTMENTS IN ARCHULETA COUNTY AND DESCRIBES THE PARCEL'S APPEARANCE ON 5/3/2016.

I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE HEREIN DESCRIBED PARCEL ON THIS DATE, 5/3/2016, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES BY IMPROVEMENTS ON ANY ADJOINING PREMISES, EXCEPT AS INDICATED, AND THAT THERE IS NO APPARENT EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

THIS CERTIFICATE DOES NOT CONSTITUTE A TITLE SEARCH BY DAVIS ENGINEERING SERVICE, INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE RECORD, DAVIS ENGINEERING SERVICE, INC. RELIED UPON THAT DEED RECORDED UNDER RECEPTION NUMBER 20008960, ARCHULETA COUNTY RECORDS



NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



REVISIONS		PROPOSED IMPROVEMENT LOCATION CERTIFICATE THE HUMANE SOCIETY OF PAGOSA SPRINGS TRACT LOCATED IN THE NE1/4 SW1/4 SECTION 9, T. 35 N., R. 2 W., N.M.P.M., ARCHULETA COUNTY, COLORADO	
SCALE	1" = 100'	DAVIS ENGINEERING SERVICE, INC. P.O. BOX 1208 PAGOSA SPRINGS, COLORADO 81147 PHONE: (970) 264-5055 FAX: (970) 264-9210	SURVEYED BY
DATE	5/3/2016		DRAFTED BY
CLIENT	HUMANE SOCIETY OF PAGOSA SPRINGS		FILED
			P06814