

**BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO
RESOLUTION NO. 2016-___**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS APPROVING
THE CIMARRONA RANCH WATER UTILITY CONDITIONAL USE PERMIT
IN SECTION 1, T35N R1W NMPM**

WHEREAS, the Board of County Commissioners has adopted the *Archuleta County Land Use Regulations*, pursuant to C.R.S. §30-28-101, *et. seq.*, C.R.S. §24-64.1-101 *et. seq.*; C.R.S. §24-67-101 *et. seq.*; and C.R.S. §29-20-101 *et. seq.*; and

WHEREAS, Cimarrona POA, represented by Ron B. Ault of Phoenix, Arizona, applied for a Conditional Use Permit for the Cimarrona Ranch Water Utility, on property owned by the Christopher S. & Lorraine M. Publow Family Trust; Parcel 2 Cimarrona Ranch being a 35-acre tract located in Section 1, T35N R1W NMPM at 285 Grouse Dr, Pagosa Springs, CO; and

WHEREAS, The proposal will permit expansion of the existing water treatment facility building to house two 2,500 gallon water storage tanks; and

WHEREAS, on March 30, 2016, Christopher S. Publow and Lorraine M. Publow, of the Amended and Restated Chistopher S. & Lorraine M. Publow Family Trust dated February 7, 2014, granted to Cimarrona Property Owners Association the right to expand the Water Treatment facility located on their property, specifically described in Exhibit A; and

WHEREAS, the property is zoned Agricultural/Ranching (AR), in which a Public Utility is permitted as a Conditional Use; and

WHEREAS, public notice of hearings before the Planning Commission and Board of County Commissioners was given by publication in a newspaper of general circulation in the County, posted on site and mailed to adjacent property owners, at least twenty-one (21) days prior to each public hearing, as required by Section 2.2.3 of the *Archuleta County Land Use Regulations*; and

WHEREAS, the Archuleta County Planning Commission conducted a public hearing on the request on May 25, 2016, recommending approval (5-0) with conditions; and

WHEREAS, the Board of County Commissioners conducted a public hearing on the request on June 7, 2016; and

WHEREAS, at the public hearing testimony was taken from all persons appearing and wishing to give testimony; and

WHEREAS, the Board of County Commissioners has taken into consideration the recommendations of the Archuleta County Planning Commission and public testimony; and

WHEREAS, the Board of County Commissioners voted 2-0 to approve the request.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, AS FOLLOWS:

Section 1. Findings.

- a. The application meets the review criteria for a Conditional Use Permit in Section 3.2.3.4 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

Section 2. Conditions.

- 1. Correct the structure address to 60 Grouse Drive.

MOVED, SECONDED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, by a vote of _____ in favor to _____ against, this ___ day of _____, 2016.

**BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO**

By: _____
Chair

ATTEST:

Archuleta County Clerk and Recorder

Exhibit A

Property Description

Parcel 2, Cimarrona Ranch, according to the plat thereof recorded February 4, 1998, as Reception No. 98000944, First Supplemental Plat of Cimarrona Ranch and Cimarrona Ranch Two Recorded January 27, 2000, as Reception No. 20000886 and Second Supplemental Plat of Cimarrona Ranch and Cimarrona Ranch Two recorded December 29, 2000, as Reception No. 20012325.