

**ARCHULETA COUNTY PROCEEDINGS
BOARD OF COUNTY COMMISSIONERS**

The Board of County Commissioners held a Regular Meeting on August 2, 2016 noting County Commissioners Michael Whiting, Clifford Lucero and Steve Wadley, County Administrator Bentley Henderson, County Attorney Todd Starr and June Madrid County Clerk & Recorder present.

Chairman Whiting called the meeting to order at 1:30 p.m.

The meeting began with the Pledge of Allegiance and a moment of silence.

Disclosures and/or Conflicts of Interest

There were none.

Approval or Adjustments to Agenda

The Board will be holding an Executive Session per C.R.S. 24-6-402(4)(b) for purposes of the Board to receive legal advice regarding PAGWAPA and the Courthouse. **Commissioner Wadley moved to approve the agenda as presented with an Executive Session at the end of the meeting. Commissioner Lucero seconded the motion. The motion carried unanimously.**

Public Comments

Chairman Whiting stated that he was opening the floor to public comments for those wanting to comment on items not on this agenda. Comments were asked to be held to 3 minutes for each person who desired to speak. No response from the Board would be given.

Reports

A. Department of Human Services 2nd Quarter Report

Matt Dodson Director of the Archuleta County Human Services Department presented a report from his department for the 2nd quarter of 2016 for various divisions within the agency. He read their Mission Statement.

Chairman Whiting recessed the Regular Meeting to convene the Local Licensing Authority for a Hearing at 2:02 p.m.

Local Licensing Authority

Chairman Whiting swore in Tonya McCann Executive Assistant for testimony.

A. J & J Enterprises, Inc. dba Pagosa Organic Therapeutics Medical Marijuana Center License

Tonya McCann Executive Assistant presented a renewal of a Medical Marijuana Center License for J & J Enterprises, Inc. dba Pagosa Organic Therapeutics. They are located at 298 Bastille Drive, Unit A7 & A9. There were no changes, the application was complete and the proper fees had been paid. The Sheriff's Office had completed their background checks. The Building Department, Planning Department, San Juan Basin Health and the Fire Department had inspected the premises and there were no objections from the last time.

Chairman Whiting opened the floor for public comments.

Comments “In Favor of the Renewal”

There were none.

Comments “Against the Renewal”

There were none.

Chairman Whiting closed public comments.

Commissioner Comments

County Attorney stated that this business did have a problem that had gone through the state but was taken care of immediately and did not reflect on their County license, but he would be remiss in his job if this was not noted at the time of this renewal.

Commissioner Lucero moved to approve the renewal of the Medical Marijuana Center License for J & J Enterprises, dba Pagosa Organic Therapeutics. Commissioner Wadley seconded the motion and it carried unanimously.

B. J & J Enterprises, Inc. dba Pagosa Organic Therapeutics Medical Marijuana Optional Premises License

Tonya McCann Executive Assistant presented a renewal for a Medical Marijuana Optional Premises License for J & J Enterprises, Inc. dba Pagosa Organic Therapeutics. They are located at 298 Bastille Drive, Unit A7 & A9. There were no changes, the application was complete and the proper fees had been paid. The Sheriff’s Office had completed their background checks. The Building Department, Planning, San Juan Basin Health and the Fire Department had inspected the premises and there were no objections from the last time.

Chairman Whiting opened the floor for public comments.

Comments “In Favor of the Renewal”

There were none.

Comments “Against the Renewal”

There were none.

Chairman Whiting closed public comments.

Commissioner Comments

Commissioner Wadley moved to approve the renewal of the Medical Marijuana Optional Premises Cultivation License for J & J Enterprises, Inc. dba Pagosa Organic Therapeutics. Commissioner Lucero seconded the motion and it carried unanimously.

C. J & J Enterprises, Inc. dba Pagosa Organic Therapeutics Retail Marijuana Center License

Tonya McCann Executive Assistant presented a renewal for a Retail Marijuana Center License for J & J Enterprises, Inc. dba Pagosa Organic Therapeutics. They are located at 298 Bastille Drive, Unit B1. There were no changes, the application was complete and the proper fees had been paid. The Sheriff’s Office had completed their background checks. The Building, Planning, San Juan Basin Health and the Fire Department had inspected the premises and there were no objections from the last time.

Chairman Whiting opened the floor for public comments.

Comments “In Favor of the Renewal”

There were none.

Comments “Against the Renewal”

There were none.

Chairman Whiting closed public comments.

Commissioner Comments

Commissioner Wadley asked to be reminded how much the license were and the answer was \$3,000 per license.

Commissioner Lucero moved to approve the renewal of the Retail Marijuana Center License for J & J Enterprises, Inc. dba Pagosa Organic Therapeutics. Commissioner Wadley seconded the motion and it carried unanimously.

D. J & J Enterprises, Inc. dba Pagosa Organic Therapeutics Retail Marijuana Optional Premises Cultivation License

Tonya McCann Executive Assistant presented a renewal for a Retail Marijuana Optional Premises Cultivation Licenses for J & J Enterprises, Inc. dba Pagosa Organic Therapeutics. They are located at 354 Bastille Drive. There were no changes, the application was complete and the proper fees had been paid. The Sheriff’s Office had completed their background checks. The Building, Planning, San Juan Basin Health and the Fire Department had inspected the premises and there were no objections from the last time.

Chairman Whiting opened the floor for public comments.

Comments “In Favor of the Renewal”

There were none.

Comments “Against the Renewal”

There were none.

Chairman Whiting closed public comments.

Commissioner Comments

Commissioner Wadley moved to approve the renewal of the Retail Marijuana Optional Premises Cultivation License for J & J Enterprises, Inc. dba Pagosa Organic Therapeutics. Commissioner Lucero seconded the motion and it carried unanimously.

Chairman Whiting closed the Local Licensing Authority and convened the Board of Adjustments for a Hearing at 2:09 p.m.

Board of Adjustments

Chairman Whiting swore in Planning Manager John Shepard for testimony.

A. Humane Society of Pagosa Springs Variance from Paving and Landscaping

Planning Manager Shepard presented a request from the Humane Society of Pagosa Springs for a variance from paving and landscaping from Section 5.4.5.4 of the Archuleta County Land Use Regulations and Sections 27.1.7.3 and 27.1.7.4 of the Archuleta County Road and Bridge Design Standards requiring paving of access and parking and Section 5.4.1.6 of the Land Use Regulations requiring parking lot landscaping. The property is located in Section 9, T35N, R2W with an

address of 465 Cloman Blvd. The Humane Society currently has a Conditional Use Permit (CUP) for an Animal Shelter and had made a concurrent request for a Minor Amendment to the CUP to add an accessory structure which would be reviewed by the Planning Commission separately.

Planning Manager Shepard said that there was a concurrent request for a minor amendment. They (minor amendments) are presented to the Planning Commission and the Board of Commissioners don't see them unless the Planning Commission disagrees.

The change swaps out the accessory for a new building. The reason you (the Board) was seeing this was because the 2007 approval was done in 3 phases. Rather than paving the parking lot, they submitted a bond for that amount which had guaranteed the paving and sidewalks through their Development Agreement. It was supposed to be extended because the first phase was not done. This comes up because the applicant came into build a new building. No variances had been requested for parking lot paving. Their request today needed to be handled in two parts.

Mike Stahl Director of the Humane Society of Pagosa Springs said this came to be because of the need for a new crematorium.

Chairman Whiting opened the floor for public comments.

Comments "In Favor of the Variance"

There were none.

Comments "Against the Variance"

There were none.

Chairman Whiting closed public comments.

Commissioner Comments:

Commissioner Lucero moved to approve the Humane Society Variance from landscaping requirements in the Land Use Regulations with no conditions and instruct staff to draft a Resolution stating these Findings and Conditions of Approval. Commissioner Wadley seconded the motion and it carried unanimously.

Commissioner Lucero moved to approve the Humane Society Variance from Paving Requirements in the Road & Bridge Design Standards with Condition 1 in the Staff Report and instruct staff to draft a Resolution stating these 3 Findings and Conditions of Approval. Commissioner Wadley seconded the motion and it carried unanimously.

B. Resolution 2016-05BOA Variance from Land Use Regulations-Old West Landing

Planning Manager Shepard presented a resolution for James Perrie. The resolution states the Findings and Conditions of Approval of James Perrie's request for the Frontier Building Variance from Driveway Standards in Section 27.1.7.3 of the Road & Bridge Design Standards on Lots 9, 10, 11, 12 & 13 of Old West Landing Correction Plat II with no conditions. The Variance was approved at the Board Commissioner's Meeting of July 19, 2016 and this resolution was memorializing the action taken.

Chairman Whiting opened the floor for public comments.

Comments "In Favor of the Resolution"

There were none.

Comments “Against the Resolution”

There were none.

Chairman Whiting closed public comments.

Commissioner Comments:

Commissioner Wadley moved to approve Resolution 2016-05BOA approving the Variance from Driveway Standards for Lots 9, 10, 11, 12 & 13 of Old West Landing. Commissioner Lucero seconded the motion and it carried unanimously. .

C. Resolution 2016-06BOA Variance from Land Use Regulations-Old West Landing

Planning Manager Shepard presented a resolution for James Perrie. The resolution states the Findings and Conditions of Approval of James Perrie’s request for the Frontier Building Variance from Landscaping Standards on Lots 9, 10, 11, 12 & 13 of Old West Landing Correction Plat II with no conditions. The Variance had been approved at the Board of Commissioner’s Regular Meeting of July 19, 2016 and this resolution memorializes that action.

Chairman Whiting opened the floor for public comments.

Comments “In Favor of the Resolution”

There were none.

Comments “Against the Resolution”

There were none.

Chairman Whiting closed public comments.

Commissioner Comments:

Commissioner Lucero moved to approve Resolution 2016-65BOA approving the Variance from Landscaping Standards for Lots 9, 10, 11, 12 & 13 in Old West Landing. Commissioner Wadley seconded the motion and it carried unanimously. .

Chairman Whiting closed the Board of Adjustments Hearing and convened the Liquor Board Authority for a Hearing at 2:33 p.m.

Liquor Board Authority

Chairman Whiting swore in Flora Goheen Administrative Assistant for testimony.

A. Special Events Permit for the Archuleta County Fair Board

Flora Goheen Administrative Assistant submitted a Special Events Permit application for the Archuleta County Fair Board of Pagosa Springs to sell malt, vinous and spirituous liquor at the Western Heritage Event Center located at 344 Highway 84 for the Archuleta County Fair to be held August 4-7, 2016. The proper fees were collected and the premises was posted for the required 10 days prior to today’s hearing.

Chairman Whiting opened the floor for public comments.

Comments “In Favor of the Permit”

There were none.

Comments “Against the Permit”

There were none.
Chairman Whiting closed public comments.

Commissioner Wadley moved to approve the Special Events Permit for the Archuleta County Fair Board to sell malt, vinous and spirituous liquor at the Archuleta County Fair located at 344 Highway 84 on August 4, 5, 6, & 7, 2016. Commissioner Lucero seconded the motion and it carried unanimously.

Chairman Whiting closed the Liquor Board Authority and reconvened the Regular Meeting at 2:35 p.m.

Consent Agenda

A. Payroll & Payable Warrants and Purchase Cards for July 20 through August 2, 2016

| | |
|---|------------------------|
| General Fund Payable | 295,798.16 |
| Road and Bridge Fund Payable | 499,056.51 |
| Department of Human Services Fund Payable | 51,817.63 |
| All Combined Dispatch Fund Payable | 22,791.80 |
| Solid Waste Fund Payable | 21,136.87 |
| Airport Fund Payable | 278,748.38 |
| Fleet Fund Payable | 33,026.32 |
| Total | \$ 1,202,375.67 |
| General Fund Payroll | 148,601.54 |
| Road and Bridge Fund Payroll | 32,416.98 |
| Department of Human Services Fund Payroll | 36,411.29 |
| All Combined Dispatch Fund Payroll | 16,963.10 |
| Solid Waste Fund Payroll | 7,843.20 |
| Airport Fund Payroll | 4,073.28 |
| Fleet Fund Payroll | 8,785.28 |
| Total | \$ 255,094.67 |

B. Special Meeting Minutes
June 28, 2016

C. Regular Meeting Minutes
July 5, 2016

D. Renewal of the Hotel & Restaurant Liquor License for Marcos of Colorado, LLC dba Marconi's located at 117 Navajo Trail Dr.

E. Letter of Support to Colorado Department of Natural Resources, Wildfire Risk Reduction Grant Program

F. Resolution 2016-50 Lot Consolidation for Lakewood Village for owner Dennis R. Wall
County Administrator Henderson read the Consent Agenda. **Commissioner Lucero moved to approve the Consent Agenda as read. Commissioner Wadley seconded the motion and it carried unanimously.**

New Business

A. Resolution 2016-51 Stating the Value of Continued Federal Ownership and Management of Public Lands in Archuleta County

County Administrator Henderson submitted a resolution for the Board's consideration. The resolution joins other counties in the same purposes. It stated the value to Archuleta County of the support coming from County Commissioners supporting continued federal ownership and management of public lands in Archuleta County, as well as in the United States generally. The Board realized the irreplaceable value these lands provide to our economy, recreation, quality of life and national heritage.

Commissioner Wadley said if we took the land back, it would be a huge loss of PILT money and cause us extra cost to take care of the land.

Commissioner Lucero said this was a big issue for smaller counties.

Chairman Whiting agreed and said 64% of this movement was a land grab for outside industries. This is not a good thing for counties and would have unintended consequences. **Commissioner Wadley moved to approve Resolution 2016-51 stating the value of public lands to Archuleta County's economy, recreation, heritage and quality of life and supporting the continued federal ownership of federal public lands. Commissioner Lucero seconded the motion. Chairman Whiting asked for public comment. The motion carried unanimously.**

B. Facilities Development Planning

County Administrator Henderson stated that given the facilities process decisions made by the Board at their July 19, 2016 meeting, continued progress demands that some decisions be made regarding the parcels/options still under consideration. AT the July 19, 2016 certain decisions were made by the Board to establish a timeline for facility meetings. Included in that was that the Board was in concurrence of two options, one being downtown and one downtown. Given that nature, it sets into process some things that need to be taken care of. One decision was that a site would be selected by September 20, 2016. In order to do that, staff needs direction of how to proceed to gather the data to facilitate the making of a final decision. First needed was the cost for both options on table. Since we do have two, trying to determine the value of the two could possibly take professional appraisals. Professional appraisals could take between 60-90 days which was not built into the Board's timeline. They could probably obtain local market appraisals if the Board wanted to go that way. In order to meet the timeline, staff will need to permission to move that way. They were asking for guidance and direction.

After a brief discussion regarding appraisals versus market appraisals the Board agreed to go with the market appraisals. The Board agreed they are at the point of needing to get to the schematic designs to obtain more accurate numbers for building. These figures are needed by the architects. It was agreed that both options need to be based on the same square footage. There was not time for schematic designs nor does the County have the money. They agreed to go with a building that fits us in 20 years to 2038.

The Board agreed the square footage needs to be taken down to the only necessary footage to give to the architects to proceed. A conversation would need to be had regarding the size of the detention facility and the number of beds needed to be defined before starting. The Board agreed again that the same square footage should be used for both buildings. They want to know what is

included in the entire square footage. The Board agreed to start with the 'County's need' and build from there.

Public Comments

Chairman Whiting stated that he was opening the floor to public comments for those wanting to comment on items not on this agenda. Comments were asked to be held to 3 minutes for each person who desired to speak

- Julie Church of 3601 Hidden Valley Drive said she wanted to inform the Board about something she did not think they knew. It was regarding the Aspen Village subdivision where the County's 'uptown facility' was being looked at. That property was in a development with CC&R's and building must be approved by all owners before the Board could proceed to build. She asked if they were aware of that. She also stated that the land the County had talked about purchasing to extend the jail was currently owned by Alpine Bank. When the property was sold to them, they agreed that that property would always be a sight where only a bank could be built. If you are considering that property it may not be a viable option.
- Mark Weiler of 7 Parelli Way warned the Board about being bullied. He said he heard the Colorado Justice Department could come in and build a building, turn it over to the County along with the bill, although he could not verify that. The court system in our County is not as nice as other counties but they cannot choose. He asked the Board to consider telling them they are sorry but we do not have the financial stability to strap our taxpayers for 25 years just for them. It all started with the Courts being dissatisfied and because there was a leak in the jail, now we need a new jail. He has had the pleasure of visiting each department. Buildings don't serve people, people do. Instead of strapping taxpayers with a 20 year debt based on the misstatements, stand up to the bullies.
- Bill Hudson of 268 Hermosa Street said that a few years ago the state sent down people who said we need \$45 million put into the schools. He had pleaded with the school for the voters to have an option of a 10 mill increase to fix the school or \$98 million for new schools. The school laughed. You could do the same thing. You could go the voters in 2017 with two options and let them tell you what they want. He also wanted to talk about the Land Use Regulations. We need housing in Archuleta County and you need to fix that. Your Regs are set to build a home 20 years ago. How do we fit 6,000 new homes in this community?

Media Questions

- Bill Hudson of the *Pagosa Daily Post* asked Commissioner Lucero about a statement he made during the meeting. Commissioner Lucero said 'he had a conversation but didn't really have the conversation, you know what I mean'. What did you mean? County Attorney Starr answered that all Commissioner Lucero could say was that the Board had a communication with a property owner regarding the removal of restrictions.

Commissioner Comments

- Commissioner Wadley said it wasn't long ago there was an issue on the ballot for a rec center that failed. He said people thought the Board would not let the community help make this decision but they will be the ones to decide.

- Commissioner Lucero commended the PLPOA for applying for a grant for a tub grinder and then allowing the Solid Waste to use it. He then wanted to talk about marijuana. The County had talked about changing some of the regulations. People said it's a gateway drug. He said he always thought it was a problem even though the other two Commissioners laughed. It is a concern and could still get out of control
- Commissioner Wadley said that taxpayers depend on the Board to make decisions. They (the Board) can't be afraid to make it. He too had been down in the courts and jails and disagreed with someone who spoke earlier in the meeting. It was not a good place to be or work. The Board shouldn't be afraid to make decisions. Some people say there is a jail and that we should be happy, but that's not enough. Are we going to strap the taxpayers with a debt? Yes, probably so. The voters will decide though, Option A and Option B. If they are honest and state the truth the taxpayers will help decide. The decision will be made here in September regarding the building. The County has money to hire an architect.
- Chairman Whiting said ironically Mr. Hudson brought up the groups currently being organized: broadband, childhood education and affordable and reliable housing. He wanted to expand on the three groups. Three workgroups are being organized now for 3 reasons. They will collect all info on their subject, take it down to a consumable amount then present funding and strategic recommendations. We are in great shape to solve those problems. These people in the groups know what they need to do and need to bring them back to the Board. For instance, are the County's Building Regs being a hamper to building process if so we will change. They are not closed workgroups, anyone may attend.

Executive Session

Chairman Whiting asked for a motion to allow the Board to move into Executive Session.

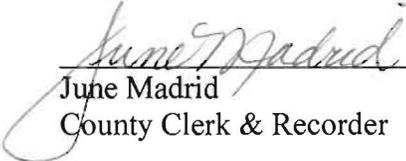
Commissioner Wadley moved to go into Executive Session per C.R.S. 24-6-402(4)(b) & (e)(1) for purposes of the Board to receive legal advice regarding PAGWAPA and the Courthouse. Commissioner Lucero seconded the motion and it carried unanimously.

Chairman Whiting stated those going into Executive Session would be the 3 Commissioners, County Administrator Henderson and County Attorney Starr and Executive Assistant Tonya McCann Greg Schulte for PAGWAPA.

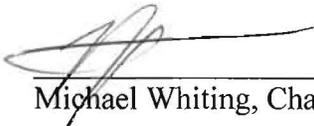
Chairman Whiting recessed the Regular Meeting to go into Executive Session at 3:30 p.m.

Chairman Whiting reconvened the Regular Meeting at 4:09 p.m. stating no decisions were made during Executive Session.

With no further business coming before the Board, the meeting was adjourned at 4:10 p.m.


June Madrid
County Clerk & Recorder

Approved this day 16th of August, 2016.


Michael Whiting, Chairman

**ARCHULETA COUNTY, COLORADO
RESOLUTION 2016-05BOA**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT APPROVING VARIANCE
FROM THE ARCHULETA COUNTY LAND USE REGULATIONS
FOR LOTS 9, 10, 11, 12 & 13, OLD WEST LANDING**

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, James Perrie, applied for the Frontier Building Variance from Section 27.1.7.3.A of the *Archuleta County Road and Bridge Design Standards* to allow an existing driveway to remain too close to the intersection with County Road 600, on Lots 9, 10, 11, 12 & 13, of Correction Plat II – Old West Landing, located at 40 County Road 600 and 10 Solomon Drive, Pagosa Springs, CO (PLN16-069); and

WHEREAS, Section 5.4.5.6 of the *Archuleta County Land Use Regulations* require that parking layout and traffic flow must be approved by the County Engineer; and

WHEREAS, Philip J. Perrie and Rachella Perrie are the owner(s) of record of Lots 9, 10, 11, 12 & 13, of Correction Plat II – Old West Landing; and

WHEREAS, the property is zoned Commercial (C), and a concurrent application has been made for a Use by Right Site Plan for a Retail and Office use (PLN16-068); and

WHEREAS, the Board of County Commissioners sits as the Board of Adjustment, as provided by Section 1.2.4.2 of the *Archuleta County Land Use Regulations*; and

WHEREAS, the Board of Adjustment conducted a public hearing on the requests on July 19, 2016; and

WHEREAS, public notice of the hearing 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 the public hearing, as required by Section 2.2.3 of the *Archuleta County Land Use Regulations*; and

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

WHEREAS, the Board of Adjustment considered in full the requirements of Section 2.2.3 of the *Archuleta County Land Use Regulations* as to Standards for the Grant or Denial of Variances; and

WHEREAS, the Board of Adjustment voted 3-0 to approve the request.

Rtn: _____

JUNE MADRID
RESOLUTIONS



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

Section 1. Findings.

The Board of Adjustment finds that:

- a. The application meets each of the standards for a grant of variance in Section 1.2.4.4(1) of the *Archuleta County Land Use Regulations*, and
- b. The application meets the standards for variance from design standards in Section 27.6 of the *Archuleta County Road and Bridge Design Standards and Construction Specifications*, and
- c. Variance is granted for the specific plans proposed by Applicant, to leave the existing driveways in place; and

Section 2. Conditions.

The Board of Adjustment approves James Perrie's request for the Frontier Building Variance from Driveway Standards, in Section 27.1.7.3 of the *Road and Bridge Design Standards*, on Lots 9, 10, 11, 12 & 13, of Correction Plat II – Old West Landing ,with no conditions:

APPROVED AND ADOPTED this 2nd day of August, 2016, in Pagosa Springs, Archuleta County, Colorado.

BOARD OF ADJUSTMENT
OF ARCHULETA COUNTY, COLORADO

Michael Whiting, Chairman

ATTEST:

June Madrid by Amy W. Chan
 June Madrid, Clerk and Recorder
 MAY 20
 1825
 COLORADO

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**ARCHULETA COUNTY, COLORADO
RESOLUTION 2016-06BOA**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT APPROVING VARIANCE
FROM THE ARCHULETA COUNTY LAND USE REGULATIONS
FOR LOTS 9, 10, 11, 12 & 13, OLD WEST LANDING**

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, James Perrie, applied for the Frontier Building Variances from Section 5.4.3.1 of the *Archuleta County Land Use Regulations* requiring landscaping of a minimum of 15% of commercial sites; Section 5.4.3.2 requiring a 40' landscaped buffer for commercial development along US Highway 160; and Section 5.4.3.3 requiring a 5-10' landscaped buffer along a major arterial (Piedra Road), on Lots 9, 10, 11, 12 & 13, of Correction Plat II – Old West Landing, located at 40 County Road 600 and 10 Solomon Drive, Pagosa Springs, CO (PLN16-069); and

WHEREAS, Philip J. Perrie and Rachella Perrie are the owner(s) of record of Lots 9, 10, 11, 12 & 13, of Correction Plat II – Old West Landing; and

WHEREAS, the property is zoned Commercial (C), and a concurrent application has been made for a Use by Right Site Plan for a Retail and Office use (PLN16-068); and

WHEREAS, the Board of County Commissioners sits as the Board of Adjustment, as provided by Section 1.2.4.2 of the *Archuleta County Land Use Regulations*; and

WHEREAS, the Board of Adjustment conducted a public hearing on the requests on July 19, 2016; and

WHEREAS, public notice of the hearing 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 the public hearing, as required by Section 2.2.3 of the *Archuleta County Land Use Regulations*; and

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

WHEREAS, the Board of Adjustment considered in full the requirements of Section 2.2.3 of the *Archuleta County Land Use Regulations* as to Standards for the Grant or Denial of Variances; and

WHEREAS, the Board of Adjustment voted 3-0 to approve the request.

Rth:

JUNE MADRID
RESOLUTIONS



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

Section 1. Findings.

The Board of Adjustment finds that:

- a. The application meets each of the standards for a grant of variance in Section 1.2.4.4(1) of the *Archuleta County Land Use Regulations*, and
- b. Variance is granted for the specific plans proposed by Applicant, not to provide required landscaping and landscape buffers; and

Section 2. Conditions.

The Board of Adjustment approves James Perrie's request for Frontier Building Variances from Landscaping Standards in the Commercial (C) zone, in Section 5.4.3.1, 5.4.3.2 and 5.4.3.3 of the *Archuleta County Land Use Regulations*, on Lots 9, 10, 11, 12 & 13, of Correction Plat II – Old West Landing, with no conditions:

APPROVED AND ADOPTED this 2nd day of August, 2016, in Pagosa Springs, Archuleta County, Colorado.

BOARD OF ADJUSTMENT
OF ARCHULETA COUNTY, COLORADO

Michael Whiting, Chairman

ATTEST:



June Madrid by Sonya McKinnon
June Madrid, Clerk and Recorder *Sonya McKinnon*
Deputy Clerk

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RESOLUTION NO. 2016-50

**A RESOLUTION APPROVING THE CONSOLIDATION OF CERTAIN
LOTS IN ARCHULETA COUNTY, COLORADO**

WHEREAS, the Board of County Commissioners of Archuleta County, Colorado, has heretofore adopted regulations relating to the consolidation of lots in Archuleta County, Colorado, (Resolution No. 2006-25); and

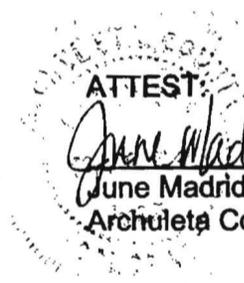
WHEREAS, the Board has received an application from Dennis R. Wall, to consolidate certain lots in Archuleta County pursuant to the regulations heretofore adopted by the Board; and

WHEREAS, the Board has found that Dennis R. Wall, has met all the requirements contained in said regulations for Lot Consolidations and the Board may consolidate the hereafter mentioned lots.

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners of Archuleta County as follows: The Chair does hereby sign on authority granted by the Board of County Commissioners and approves the consolidation of Lots 18 and 19, Lakewood Village, according to the plat thereof filed for record April 30, 1979, as Reception No. 94867, Archuleta County, Colorado, to become Lot 18X with the condition that if, at a future date, there is a request to split or re-subdivide the consolidated lots, the applicant must comply with the applicable Land Use Regulations in effect at the time the application is made.

APPROVED AND ADOPTED DURING A MEETING DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD IN PAGOSA SPRINGS, ARCHULETA COUNTY, COLORADO, this 2nd day of August, 2016.

The Board of County Commissioners
Archuleta County, Colorado



ATTEST:

June Madrid by [Signature]
June Madrid,
Archuleta County Clerk and Recorder

[Signature]
Chairman Michael Whiting

Return copy to Planning Dept.

Rtn: _____
JUNE MADRID
RESOLUTIONS

RESOLUTION 2016 - 51

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ARCHULETA COUNTY, COLORADO, STATING THE VALUE OF PUBLIC LANDS TO ARCHULETA COUNTY'S ECONOMY, RECREATION, HERITAGE AND QUALITY OF LIFE AND SUPPORTING CONTINUED FEDERAL OWNERSHIP OF FEDERAL PUBLIC LANDS

WHEREAS, Archuleta County includes a unique wealth of scenic and wild natural landscapes, including mountains, rivers, forests, lakes, basins and plateaus; and

WHEREAS, most such natural landscapes within the county are federal public lands managed by the U.S. Forest Service and the Bureau of Land Management on behalf of all Americans; and

WHEREAS, these federally administered public lands are essential to the quality of life in Archuleta County, providing extensive public recreational opportunities for wildlife watching, hiking, hunting, fishing, backpacking, horseback riding, skiing, bicycling, sightseeing, and numerous other outdoor recreational activities, thereby improving the health of our community and its visitors; and

WHEREAS, fish and wildlife and the exceptionally scenic landscapes of Archuleta County's federal public lands, attract the outdoor recreation and tourism that are the dominant drivers of Archuleta County's thriving tourist economy; and

WHEREAS, the unified, experienced and consistent management of federally administered public lands by the U.S. Forest Service and U.S. Bureau of Land Management across the nation best protects the national value and utility of the public lands for all Americans and the values on which the economy in Archuleta County are dependent; and

WHEREAS, Archuleta County government works collaboratively with the U.S. Forest Service, Colorado Parks and Wildlife, municipal governments and many other agencies and organizations within Archuleta County to improve public land management on a landscape scale; and

WHEREAS, Americans from across the United States value our federal public lands, a prideful part of our national heritage, and desire to have them protected for future generations to benefit from and enjoy; and

WHEREAS, climate change is increasing Archuleta County's vulnerability to natural disasters such as wildfire and flooding that may originate on federal lands; and

WHEREAS, federal funds, labor, personnel, equipment and other specialized fire prevention and fire-suppression assets are essential to protecting our communities from wildfire; and

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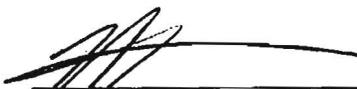
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Archuleta County

WHEREAS, federal public land management agencies directly and indirectly employ many full-time residents of Archuleta County, contributing significantly to the fiscal and social health of the county; and

NOW, THEREFORE, let it be resolved that the Archuleta County Board of County Commissioners supports continued federal ownership and management of these invaluable public lands in Archuleta County, Colorado, as well as in the united states generally, and the Board recognizes the irreplaceable value these lands provide to our economy, recreation, quality of life and national heritage.

APPROVED AND ADOPTED this 2nd day August, 2016 in Pagosa Springs, Archuleta County, Colorado.

BOARD OF COUNTY COMMISSIONERS
ARCHULETA COUNTY, COLORADO



Michael Whiting, Chair

ATTEST



June Madrid by [Signature]
June Madrid, County Clerk *Deputy Clerk*