



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

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**Archuleta County Planning Commission Minutes, Regular Meeting November 14, 2018**

The Archuleta County Planning Commission held a meeting on Wednesday, November 14, 2018, at 6:00 PM at the Archuleta County Commissioners Meeting Room, 398 Lewis Street, Pagosa Springs, Colorado. Vice Chair Hooton called the meeting to order at 6:00pm.

**Commissioners in attendance:**

Anita Hooton, David Parker, Betty Shahan, and Lisa Jensen. Michael Frederick had an excused absence.

**Staff in Attendance:**

John Shepard, AICP; Planning Manager. Sherrie Vick, Planning Technician

**Public in Attendance:**

Brian Devine from San Juan Basin Public Health. No members of the public were present.

**Consent:**

**Minutes for the August 22, 2018 meeting.**

Commissioner Jensen made a motion to approve the minutes as corrected. Commissioner Shahan second. Vote 4-0 aye.

**Minutes for the October 10, 2018 meeting.**

Commissioner Shahan made a motion to approve the minutes as written. Commissioner Parker second. Vote 3-0 aye, Commissioner Jensen abstained as not present at the meeting.

**Minutes for the October 24, 2018 meeting.**

Commissioner Jensen made a motion to approve the minutes as written. Commissioner Parker second. Vote 2-0 aye, Commissioners Hooton and Shahan abstained as not present at the meeting.

**Old Business:**

None

**New Business:**

**Lake Hatcher Park Amendment 2018-02 final plat, a replat of Lots 75X-78**

Wayne E Maxwell II & Theresa T. Maxwell of Pagosa Springs, and Pat L. Bolton & M. Virginia Bolton of Spring Branch, TX, have applied for final plat approval of the Lake Hatcher Park Amendment 2018-02, a replat of Lots 75X-78, creating Lots 75XZ and 78Z, and vacating unused utility easements (PLN18-242). The property at 36 Bay Ct. is zoned Planned Unit Development (PUD).

Lake Hatcher Park subdivision was approved in 1973, and is within the Pagosa Lakes Property Owners Association (PLPOA). This proposal creates two parcels:

- Lot 75XZ combines consolidated Lots 74 & 75 with the Maxwell's existing Single Family Home, and ½ of vacant Lot 76, at 26 Bay Ct.
- Lot 78Z combines Lots 77 & 76 with the Bolton's existing Single Family Home, and ½ of vacant Lot 76, at 35 Bay Ct.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for High Density Residential development. Lake Hatcher Park, along with most of the property within PLPOA, is zoned Planned Unit Development (PUD). These lots are designated R-1-75 and R-1-90 land use. Resulting lots will be larger than the existing lots, with larger setbacks. Sketch Plan included a Minor Lot Line Adjustment between lots 78 and 79, but that was dropped after PLPOA objected.

This amendment only vacates certain unused utility easements along previous side lot lines by re-plat. The existing drainage easement between former lots 76 and 77 (across new Lot 78X) will remain in place. Review comments received at Sketch Plan and Final Plat review include:

- The County Surveyor had technical comments on the plat (10/18/18) which has been revised (10/24/18).
- County Engineering had no objections except that the drainage ditch between lots 76 & 77 remain in place.
- LPEA had no objection on Sketch Plan review, requesting that utility easements be vacated by plat, agreeing to such on Final Plat review.
- Pagosa Fire Protection District had no objections.
- PAWSD had no objections, and noted a mapping fee will be assessed.
- PLPOA stated no concerns on Final Plat review.

The County Clerk & Recorder has asked that final plats have separate blocks for Board Certification (final plat public hearing) and Approval to Record (date mylar is ready to record), as required by Section 4 Subdivision Regulations.

#### RECOMMENDATION AND FINDINGS

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

- a. The application does meet the review criteria for development in the Planned Unit Development (PUD) district, in Section 3.1 of the *Archuleta County Land Use Regulations*, and
- b. The application does meet the review criteria for an Amended Plat, in Section 4.6 of the *Archuleta County Land Use Regulations*, and

That the Planning Commission recommend approval of the **Maxwell/Bolton** request for final plat approval of the **Lake Hatcher Park Amendment 2018-02**, a replat of Lots 75X-78, creating Lots 75XZ and 78Z, and vacating unused utility easements, with the following conditions:

1. Revise Plat Certifications as noted by staff.
2. Remove reference to Lot 79.
3. Provide sufficient area on the plat for all Owner signatures.

Vice Chair Hooton asked about objections from the Pagosa Lakes Property Owners Association? Mr. Shepard explained that Applicants has proposed to reduce the size of Lot 79 in Sketch Plan, but when PLPOA objected they dropped Lot 79 from the Final Plat. There was some discussion about the number of lots and language on the plat.

Vise Chair Hooton asked the Commission if there were any other questions. Hearing none, she asked for a motion. Commissioner Shahan moved to recommend Approval to the Board of County Commissioners, of the Lake Hatcher Park Amendment 2018-02, with Findings A and B and Conditions #1-3 of the staff report. Commissioner Jensen seconded. Vote 4-0 aye.

#### Planning Commissioner Terms

Article II of the Archuleta County Planning Commission Rules and Bylaws sets terms of membership of 3 years, with terms staggered so 1/3 expire each year. Each member shall be a county resident. Two current members and one new candidate have expressed interest in filling the term which expires 11/01/2021. The Planning Commission may make a recommendation to the Board of County Commissioners.

Commissioner Hooton & Parker terms were expiring and each had expressed a desire to remain on the Commission. Mr. Shepard explained that the Board had advertised and one additional person expressed interest but was not a resident of Archuleta County. Commissioner Jensen made a motion that Commissioners Hooton and Parker be recommended to remain on the Commission. Commissioner Shahan seconded. Vote 4-0 aye.

#### Reports and Announcements:

##### General Review of Archuleta County Land Use Regulations

General discussion of Subdivision Regulations and related provisions in the Land Use Regulations. Brian Devine, San Juan Basin Public Health (SJBPH), joined the meeting to discuss Onsite Wastewater Treatment System (OWTS or septic) permitting, and State and Local requirements for Subdivision Review of wastewater treatment.

Mr. Devine shared that there were about 19,000 permits systems in their jurisdiction. Each situation is reviewed as unique because of the wide variety of soils, project variation, and designers. Their regulations were changed in 2017. Beginning January 1, 2019, at Transfer of Title (real estate sale) an inspection will be required with a certificate of good condition ("Acceptance Document") before closing on sale of property with an Onsite Wastewater Treatment System (OWTS). SJBH has a list of 35 national certified inspectors to check systems and the inspectors charge \$250-\$400 for an inspection. Another change is cisterns and wells must be at least 100 feet from a septic system.

There was discussion on minimum lot size and other items for an OWTS which SJBH looks at. State statute C.R.S. 30-28-136 requires that SJBH review subdivision proposals for the adequacy of existing or proposed sewage treatment works to handle the estimated effluent, and for a report on the water quality of the proposed water supply to serve the subdivision. The statute states "No plan shall receive the approval of the board of county commissioners unless the department of public health and environment or county or district public health agency to which the plan is referred has made a favorable recommendation regarding the proposed method of sewage disposal."

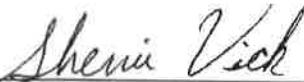
The Commission thanked Mr. Devine for taking the time to come and fill them in on the SJBPH regulations and how they review development projects with Onsite Wastewater Treatment Systems (OWTS).

The Commissioners continued discussing the Subdivision section of the Land Use Regulations and associated provisions, including possible provisions to provide more lots for affordable housing.

**Next Meeting:**

December 12, 2018. Mr. Shepard shared that there will be a review of a sketch plan for a major subdivision next to Town limits, between County Rd 119 and the San Juan River. The entire development is in the regulatory floodplain.

**Adjourn:** Commissioner Jensen moved to adjourn the meeting at 8:34PM, Commissioner Shahan seconded. Vote 4 aye.



Sherrie Vick  
Planning Technician

Approved this      day of      , 2018



Anita Hooton  
Vice Chair