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## MEMORANDUM

TO: Archuleta County Board of County Commissioners

FROM: John C. Shepard, AICP; Planning Manager

DATE: April 2, 2019

RE: Pace and Green Request for the Coyote Cove Amendment 2019-01 final plat, a replat of Lots 11 & 12, and relocating utility easements (PLN19-097)

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### EXECUTIVE SUMMARY

John & Kay Pace of Scottsdale, AZ, and Michael & Marlene Green of Oriedo, FL, represented by Davis Engineering, have applied for final plat approval of the Coyote Cove Amendment 2019-01, a replat of Lots 11 & 12, creating Lots 11Z and 12Z, and relocating unused utility easements (PLN19-097). The property is zoned county Residential (R). The proposal is effectively a Minor Lot Line Adjustment, but also adjusts unbuilt building envelopes with the common lot line and utility easements.

Archuleta County Planning Commission is scheduled to review this request at their public meeting on March 27, 2019.

### REVIEW PROCEDURE

Section 4.6 of the *Archuleta County Land Use Regulations* provides for Plat Amendments, including re-platting, through the subdivision review process outlined in Section 4.1. For a Minor Subdivision, resulting in three or fewer parcels, Planning Commission makes a recommendation on the Final Plat, with final approval by the Board of County Commissioners in a public hearing. Section 4.6.5 provides for vacation of right-of-way and easements. Sketch Plan Review was completed in November 2018. This proposal was adjusted in response.

### DISCUSSION

Coyote Cove was approved in 2006, and is within the Pagosa Lakes Property Owners Association (PLPOA). This was apparently the last major subdivision approved in Archuleta County, and would have been reviewed under the old Land Use Regulations prior to countywide zoning. The Coyote Cove plat includes detailed topography as required currently. Several lots have designated Building Envelopes, to keep building off steep slopes and protect Lake Hatcher's water supply.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for High Density Residential development. Policy 2.2 of the Community Plan also reads in part: “New development avoids, minimizes or mitigates damage and disruption to...environmentally sensitive areas.” There may also be concerns with new homes “ridge-lining”, impacting natural vistas across Lake Hatcher. Policy 3.5 states “New development is designed so that it is visually compatible with community character and the natural environment.” Policy 6.1 states “Encourage the design and location of new development to minimize the impacts on Archuleta County’s rural and scenic character, wildlife habitat and mountain vistas.” While most of the property within PLPOA is zoned Planned Unit Development (PUD), Coyote Cove was zoned county Residential (R) when countywide zoning was adopted in 2006. Both lots remain well over the 8,000 sq. foot minimum lot size in the R zone (Table 4).

Both lots are currently vacant. Applicant John Pace owns Lot 11, and Applicants Michael & Marlene Green own Lot 12. While considering site plans for their planned homes, the neighbors agreed to a lot line adjustment which would bring Lot 11 into conformance with the 60’ minimum lot width (at the road frontage) in the county Residential (R) zone and provide more practical access for a driveway.



*Existing Coyote Cove Plat – Building Envelopes on lots 11 & 12*

The Coyote Cove covenants restrict improvements to Building Envelopes. The proposal moves the utility easement and building envelopes to follow the adjusted lot line. The new Building Envelope on Lot 11 remains outside the area mapped with 20% slopes. The Building Envelope on Lot 12 stays substantially the same, and includes some area mapped 20% or greater slopes.

Section 5.2.3.1 of the *Archuleta County Land Use Regulations* states:

- (1) Slopes greater than or equal to twenty (20) percent shall not be built upon with habitable structures unless a geological report proves no geologic hazards exist such as excessive erosion, landslides, rockfalls, debris flows, mudflows, ground subsidence,

collapsible soils or avalanches and if applicable a geotechnical report shall be submitted and approved providing appropriate provisions to eliminate or control the hazard(s).

Sec 5.2.3.1(2) further restricts building on slopes greater than 30%, and a cautionary note has been added to the plat. Section 5.2.3.2 Geologic Hazard Areas also states that “The County shall not approve any development if the proposed project is located in an identified geologic hazard area, or is suspected by the County to be in a geologic hazard area, unless the developer can submit adequate evidence, prepared by a Colorado registered professional engineer or qualified geologist, that the proposed project [is safe].”

These provisions have not changed substantially since Coyote Cove’s plat was approved. The NRCS Web Soil Survey maps soils as Winifred clay on 4-25% slopes and Carracas loam on 25-65% slopes. According to the original USDA Soil Survey, Carracas loam has a high hazard of cutbank sloping.

Review comments received include:

- The Deputy County Surveyor had technical comments on the plat (3/05/19), and has not yet reviewed revisions (3/22/19).
- County Engineering had no issues with the lot line adjustment. Driveways must follow design requirements of the Road & Bridge Design Standards.
- Pagosa Fire Protection District had no objection.
- LPEA had no objections.
- At Sketch Plan, PAWSD had no objections, and noted a mapping fee will be assessed.
- PLPOA and the Coyote Cove HOA previously approved the proposal.

Staff comments include:

- Applicant’s surveyor has revised the plat to meet concerns raised at Sketch Plan.

The County Clerk & Recorder has suggested that certifications on final plats be revised to better reflect the approval process, especially with delays between Board approval and recordation while signatures are collected on the mylar copy of the final plat. Applicant’s surveyor updated the plat with the recommended certifications (3/22/19).

This request is scheduled to be considered by the Archuleta County Planning Commission at their regular meeting on Wed. 3/27/19. Due to scheduling considerations, staff placed this item on the Board agenda earlier than normal to facilitate applicant’s building schedule.

## RECOMMENDATION AND FINDINGS

**Based on evidence provided, staff recommends the Board of County Commissioners find that:**

- a. The application does meet the review criteria for development in a Residential (R) 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 Board approves the **Pace/Green** request for final plat approval of the **Coyote Cove Amendment 2019-01**, a replat of Lots 11 & 12 creating Lots 11Z and 12Z, and relocating utility easements, with the following conditions:

1. The plat be revised if required by the Deputy County Surveyor.

PROPOSED MOTION

**I move to approve the Coyote Cove Amendment 2019-01 Final Plat, with Findings A and B and Condition #1 of the staff report.**

ATTACHMENTS.

Attachment 1: Area Maps

Attachment 2: Review Comments

Attachment 3: Proposed Amended Plat (3/22/2019)