

**TOWN OF SILT
 PLANNING AND ZONING COMMISSION AGENDA
 TUESDAY, DECEMBER 1, 2020 6:30 P.M.
 MUNICIPAL COUNCIL CHAMBERS
 REMOTE MEETING**

ESTIMATED TIME	ELECTRONIC AGENDA ITEM	PUBLIC HEARING/ ACTION	ELECTRONIC LOCATION AND PRESENTOR
	Agenda		Tab A
6:30	Call to Order		Chair Classen
	Roll Call		
	Pledge of Allegiance		
6:35	Public Comments - Each speaker will limit comments to no more than three (3) minutes, with a total time of 30 minutes allotted to public comments, pursuant to Section 2.28.020 of the Silt Municipal Code		
6:40	Consent agenda – 1. Minutes of the October 6, 2020 Planning & Zoning Commission meeting	Action Item	Tab B Chair Classen
	Conflicts of Interest		
	Agenda Changes		
6:45 15 min	Ordinance No. 17, Series 2020, AN ORDINANCE OF THE TOWN OF SILT, COLORADO, AMENDING SECTION 17.42.060 OF THE SILT MUNICIPAL CODE REGARDING USES REQUIRING A SPECIAL USE PERMIT AND SITE PLAN IN COMMERCIAL DISTRICTS.	Public meeting (Recommendation to the Board)	Tab C Attorney Sawyer and Planner Chain
7:00 15 min	Planners Report – 1. Report on County Action for Ruiz Minor Subdivision (By Silt River Preserve) 2. County Referral – Minor Subdivision for Ruiz Family on nearby property to the above 3. Request for Short term Rental AirBnB 4. Access to area north of Stoney Ridge Phase 3	Info Item	Tab D Planner Chain
7:15 10 min	Commissioner Comments		
7:25	Adjournment		

The next regularly scheduled meeting of the Silt Planning & Zoning Commission is tentatively set for Tuesday, January 5, 2021, at 6:30 p.m. Items on the agenda are approximate and intended as a guide for the Planning and Zoning Commission. "Estimated Time" is subject to change, as is the order of the agenda. For deadlines and information required to schedule an item on the agenda, please contact the Town of Silt at 876-2353. Please be aware that this agenda is given to the public and to the Commission in electronic form. If you require a hard-copy, please request one before or after the scheduled meeting. Normal Town copying charges may apply. Thank you.

**TOWN OF SILT
REGULAR PLANNING AND ZONING COMMISSION MEETING
OCTOBER 6, 2020 – 6:30 P.M.
REMOTE MEETING**

The Silt Planning and Zoning Commission held their regularly scheduled meeting on Tuesday, October 6, 2020. Chair Classen called the meeting to order at 6:32 p.m.

Roll call	Present	Chair Chris Classen Vice-chair Lindsey Williams Commissioner Eddie Aragon Commissioner Brittany Cocina Commissioner Marcia Eastlund Commissioner Kim Leitzinger
	Absent	Commissioner Joelle Dorsey

Also present remotely were Town Administrator Jeff Layman, Town Clerk Sheila McIntyre, Town Attorney Michael Sawyer, Planner Davis Farrar, Planner Mark Chain and members of the public.

Pledge of Allegiance

Public Comments – There were no public comments.

Conflicts of Interest – There were no conflicts of interest.

Agenda Changes – There were no agenda changes.

Resolution No. 35, Series 2020, A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMANENT FOUNDATION AT 734 N. 7TH STREET WITHIN THE TOWN OF SILT, COLORADO

Planner Mark Chain went through his staff report regarding construction of a duplex structure, adding that the review criteria have been met with conditions. He proceeded to read through the conditions provided staff. Chair Classen asked where the sewer line was located and applicant Jesse Schoeller stated that it runs just north of the property line, but that he believes the waterline runs down the driveway. Mr. Schoeller stated that they have made all of the changes necessary to meet the requirements of code.

Vice-chair Williams made a motion to approve Resolution No. 35, Series 2020, A RESOLUTION OF THE TOWN OF SILT APPROVING THE SCHOELLER SPECIAL USE PERMIT TO ALLOW FOR THE CONSTRUCTION OF A FACTORY BUILT/MODULAR DUPLEX STRUCTURE ON A PERMANENT FOUNDATION AT 734 N. 7TH STREET WITHIN THE TOWN OF SILT, COLORADO with the condition that the meter pit and waterline be

placed in a utility easement or be moved. Commissioner Eastlund seconded the motion, and the motion carried unanimously.

Garfield County Referral – Ruiz Minor Subdivision update

Planner Chain went through his report stating that this had originally come before the Commission in March where staff made their initial comments on various concerns and impacts affecting the Silt River Preserve. He stated that he has since spoken with the County Planner and was provided with the formal application that is being presented tonight for staff comment.

Planner Chain spoke about the potential impacts on the eagle's nests on the Preserve and the town's bulk water station should the lots not have sufficient water. He stated that he would like to submit a letter that addresses:

- that the property not be subdivided into more than three lots,
- that he would like to see the comments provided by Colorado Parks and Wildlife,
- that no construction be allowed within the 200-meter buffer of the bald eagle nest,
- that dogs be kept under control of property owners,
- that best managed practices be used for reclamation, and
- that structures not be allowed within the 25-foot buffer on the north property line.

There was discussion by the Commission regarding:

- weed control and chemicals that could be used to mitigate a variety of weeds, Russian olive trees and tamarisk,
- an allowable construction window so as not to effect eagle nesting,
- concern of water being purchased from the town's bulk water system,
- concerns about how close this subdivision is to the Silt River Preserve, and
- would the new subdivision effect the Highwater Farms project on the Preserve.

Mr. Chain recommended having a joint letter from the Town along with Aspen Valley Land Trust in an effort to be more successful in addressing concerns. **There was support from the Commission to have Planner Chain prepare and submit a letter to the County regarding this referral.**

Village at Painted Pastures Site Plan review application – Applicant Raley Ranch Project, LLC & Presenters Doug Pratte and Team

Planner Davis Farrar introduced himself to the Commission and his history of working with Silt. Applicant Doug Pratte provided his presentation by going through the layout of the project including but not limited to:

- the roundabout,
- the residential buildings and their locations,
- open space,
- parks and trails,
- community building,
- sidewalks,

- ingress and egress,
- landscaping, and
- which items would be coming back as part of the site plan review process in the future.

Planner Farrar then went through his staff presentation for the Planned Unit Development explaining that the Commission's action would be the final action on the site plan and that it does not go before the Board. Mr. Farrar went over the following items but not limited to:

- the site plan,
- portions of the property that would be located on easements,
- the traffic model and the reconfiguration of the roundabout to allow for larger trucks,
- that the site is under a single ownership,
- that the roads would be private and the metro district would be responsible for them including snow plowing,
- that the town would be responsible for the water and wastewater,
- that the developer would be responsible for stormwater and that it would be covered by the metro district as well as park maintenance and operation even though the parks would be available to the public,
- the Cactus Valley Ditch that runs through the project,
- how the project complies with the Comprehensive Plan,
- how this project provides much needed affordable housing in the area, and
- the projects close proximity to the rest of the town.

Yancy Nichols, Engineer for the applicant clarified that the HOA would own and maintain the streets including the snow plowing.

The Commissioners asked for additional discussion and clarification regarding:

- the use of the community building for the entire town,
- accumulation of debris along with ditch bank by the ditch company,
- the amount of irrigation water necessary for the project,
- if there would be a sidewalk along the northern property line,
- parking spaces,
- updating of the interchange due to the increase in residents and traffic impact,
- reduction of the speed limit on Highway 6 to allow for a pedestrian crossing at the east end of the project,
- that the project would be pet friendly,
- if a fence would be placed along the project next to Highway 6 to help protect children and dogs in that area, and
- location of fire hydrants throughout the project.

Planner Farrar proceed to go through his staff recommendations with a correction to number two to clarify that it is the CTL "Thompson" report and that number five would be changed to state that the applicant would work in good faith with the Town Engineer to resolve the issues identified in the October 1, 2020, Boundaries Unlimited Inc. letter to the satisfaction of the Town Engineer prior to the construction of any improvements on the property.

Commissioner Eastlund made a motion to approve the Village at Painted Pastures site plan application with the staff recommendation including the modifications to change

number two to CTL Thompson and number five so that it states that the applicant shall work in good faith with the Town Engineer to resolve the issues identified in the October 1, 2020, Boundaries Unlimited Inc. letter to the satisfaction of the Town Engineer prior to the construction of any improvements on the property. Commissioner Cocina seconded the motion, and the motion carried unanimously.

Ordinance No. 12, Series 2020, AN ORDINANCE FOR THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF CHAPTERS 17.13 AND 17.73 OF THE SILT MUNICIPAL CODE RELATED TO THE LAND USE REGULATION OF MARIJUANA WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO

Attorney Sawyer went through his presentation explaining that the town had enacted a moratorium in January so that the town could revisit the code to address changes requested by the Board as well as legislative changes that have taken place. Attorney Sawyer proceeded to code through the ordinance and the following changes that were made:

- administrative changes and updates,
- industrial hemp,
- concentration and setbacks,
- restrictions on the location of marijuana businesses, and
- prohibition of delivery to retail marijuana consumer.

The public hearing was opened at 8:59 p.m. There were no public comments and the hearing closed at 8:59 p.m.

Chair Classen as asked if the town would be setting any type of precedence with other businesses in town by limiting the number of marijuana businesses based on population and Attorney Sawyer stated that he believes that this would be appropriate under Colorado law. Commissioner Leitzinger commented that by not allowing delivery would it encourage unsafe driving while under the influence and the Attorney explained the code is written with health and safety in mind so that marijuana that would be delivered doesn't end up in the wrong hands.

Vice-chair Williams made a motion to recommend the modifications made to Ordinance No. 12, Series 2020, AN ORDINANCE FOR THE TOWN OF SILT, COLORADO AMENDING AND RESTATING VARIOUS SECTIONS OF CHAPTERS 17.13 AND 17.73 OF THE SILT MUNICIPAL CODE RELATED TO THE LAND USE REGULATION OF MARIJUANA WITHIN THE TOWN OF SILT, GARFIELD COUNTY, STATE OF COLORADO. Commissioner Aragon seconded the motion, and the motion carried unanimously.

Commissioner Comments

Chair Classen welcomed Ms. Leitzinger and thanked her for her interest in serving on the Planning Commission.

Adjournment

Commissioner Eastlund made a motion to adjourn. Commissioner Aragon seconded the motion, and the motion carried unanimously. Chair Classen adjourned the meeting 9:06 p.m.

Respectfully submitted,

Approved by the Planning Commission

Sheila M. McIntyre, CMC
Town Clerk

Chris Classen
Chair

Karp Neu Hanlon^{PC}

ATTORNEYS AT LAW

www.mountainlawfirm.com

Glenwood Springs – Main Office
201 14th Street, Suite 200
P. O. Drawer 2030
Glenwood Springs, CO 81602

Aspen
323 W. Main Street
Suite 301
Aspen, CO 81611

Montrose
1544 Oxbow Drive
Suite 224
Montrose, CO 81402

Anna S. Itenberg
Of Counsel

asi@mountainlawfirm.com

Office: 970.945.2261

Fax: 970.945.7336

**Direct Mail to Glenwood Springs*

TO: Planning and Zoning Commission

FROM: Karp Neu Hanlon

DATE: November 25, 2020

SUBJECT: Revision to Section 17.42.060 – Uses requiring a special use permit and site place review in all commercial districts

The Town of Silt has worked very hard on implementing a unified streetscape for Main Street and the entrances into Town. However, the Municipal Code does not have a landscape plan review process for landscaping installed within public rights of way. Therefore, there is currently no way for the Town to ensure that landscaping within a public right of way is consistent with the existing streetscape.

Ordinance No, 17, Series of 2020, revises section 17.42.060 to require a site plan review for any landscaping greater than 150 square feet within any public right of way that is located within or abuts any zone district that permits commercial or multi-family residential uses. The review process will follow with the landscaping plan review process set forth in Section 17.42.110 of the Code.

We will be happy to provide further clarification and address any questions you have at the December 1, 2020 meeting.

Very truly yours,

KARP NEU HANLON, P.C.



Anna S. Itenberg

**TOWN OF SILT
ORDINANCE NO. 17
SERIES OF 2020**

AN ORDINANCE OF THE TOWN OF SILT, COLORADO, AMENDING SECTION 17.42.060 OF THE SILT MUNICIPAL CODE REGARDING USES REQUIRING A SPECIAL USE PERMIT AND SITE PLAN IN COMMERCIAL DISTRICTS.

WHEREAS, the Town of Silt is a Colorado home-rule municipality organized under Article XX, Section 6 of the Colorado Constitution and with the authority of the Silt Home Rule Charter; and

WHEREAS, Section 17.42.060 of the Silt Municipal Code sets forth the uses that require a special use permit and site plan review in commercial districts; and

WHEREAS, Section 17.42.110 of the Silt Municipal Code provides that an application for commercial or multifamily site plan review must include a landscape plan that satisfies the requirements of that section; and

WHEREAS, the Silt Board of Trustees desires to revise Section 17.42.060 to require landscaping greater than 150 square feet within certain public rights of way to submit a landscaping plan pursuant to Section 17.42.110; and

WHEREAS, pursuant to Section 17.88.010 of the Silt Municipal Code, amendments to Title 17 of the Municipal Code must be submitted to the Planning and Zoning Commission for review and recommendations; and

WHEREAS, the Town gave proper and timely published and/or posted notice of the dates and times of the public hearings at which the Planning and Zoning Commission and the Board considered this ordinance; and

WHEREAS, on or about December 1, 2020, the Planning and Zoning Commission considered and recommended approval of this Ordinance 17, Series of 2020; and

WHEREAS, the Silt Board of Trustees desires to adopt the revisions to Section 17.42.060 set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SILT THAT:

SECTION 1

Section 17.42.060 of the Silt Municipal Code is hereby amended as follows, with additions in double underlined text and ~~strike through language deleted~~:

Section 17.42.060 - Uses requiring a special use permit and site plan review in all commercial districts.

- A. All new construction for commercial and multifamily (defined as three or more dwelling units within one building or upon one lot) special uses as described in this code shall also require a site plan review.
- B. Any use not specifically described in Title 17 of this code as a permitted use, special use or prohibited use shall be designated a special use for purposes of this chapter. In addition, specifically the following uses require a special use permit and a site plan review, which may occur concurrently:
 - 1. Buildings over three stories in height;
 - 2. Buildings over 35,000 square feet in gross floor area;
 - 3. Site plan proposals that include more than two accessory buildings on a lot; and
 - 4. Site plan proposals that have more than one land use on the property.
- C. Any landscaping greater than 150 square feet within any public right of way that is located within or abuts any zone district that permits commercial or multi-family residential uses shall require a landscaping plan review in accordance with Section 17.42.110.

APPROVED ON FIRST READING this ___ day of _____, 2020, 7 p.m. in the Municipal Building of the Town of Silt, Colorado.

PASSED, APPROVED ON SECOND READING, ADOPTED AND ORDERED PUBLISHED this ___ day of _____, 2020.

TOWN OF SILT

ATTEST:

Mayor Keith Richel

Town Clerk Sheila M. McIntyre, CMC

MEMORANDUM

TO: Chair Chris Classen and Members of the Silt Planning and Zoning Commission

FROM: Mark Chain, Planner *MC*

DATE: November 24, 2020

RE: Planners Report for December 1 packet

Report on County action – Ruiz Minor Subdivision. We discussed this application referral from Garfield County at the October Planning Commission Meeting. There were concerns about its close proximity to the Silt River Preserve. I worked with Aspen Valley Land Trust and Colorado Parks and Wildlife in analyzing and proposing conditions related to the application and its possible approval. I am attaching the letter that the Town sent under the signature of Chair Classen as well as the Directors Decision from the Garfield County Community Development Department. Our main point was that there should be a Construction Restriction based on Best Management Practices for areas within Eagles Nest Buffer Zones. The County included our recommendations in the final approval. The construction restriction is for the time period December 1 to July 31. It does provide for flexibility if there are no fledglings in the nest that year or if they leave the nest early.

Garfield County Referral - Ruiz Minor Subdivision. This County referral is for land to the south of the subdivision noted above. (These applicants are Joel and Ruben Ruiz. The above application was submitted by Samuel and Esau - it is a different application). This property is to the south of County Road 346 - so further away from the Silt River Preserve. I quickly reviewed the application, will and this application seems appropriate for the site. The property is approximately 36 acres in size and is zoned R - Rural with a minimum lot size of 2.0 acres. The applicants are proposing a total of 3 lots and it appears that no further subdivision would be allowed on this property. As long as they can get the necessary water, which I am sure they can do, I have no concerns with the application. The application has been professionally prepared in cooperation with High Country Engineering. The nearest part of this property is approximately 1300 feet from the Eagles Nest located on the River Preserve. Therefore, I have none of the concerns that I had for the application on the other Ruiz property.

I will be happy to answer any questions that you may have. **I recommend that I send a short letter to the County indicating that there are no concerns from the Town of Silt.**

Short Term Rental – AirBnB. The Town has been approached by someone who wishes to open an AirBnB. He may be sending a letter to the Town requesting that such uses be permitted in the Towns Zoning Code. This is a hot topic in many areas of Colorado with many pros and cons. I just want to put this on the radar and see if you wish to discuss this and give some kind of recommendation to the Board of Trustees. We can of schedule is that another meeting where I have enough time to gather some background material for you.

In this particular case, someone would like to initiate this utilizing an RV. I don't think this will work for number of reasons which I can go over at the meeting. Regardless of using an RV, short-term rentals are something that the Town will probably encounter in the future and perhaps it is best to put together some regulations in the near future if you choose to go in that direction so the town is not caught unaware.

Arguments in favor of short-term rentals

- can accommodate more tourists and guests in Town
- income source for residents/owners
- additional income for the Town if the Town choose to charge sales tax and/or Lodging Tax

Arguments against short-term rentals

- more competition and negative impact on hotels/motels. The hospitality industry has substantial costs associated with operation and utilities, not the least of which are commercial property taxes.
- Can overwhelm a neighborhood if not properly regulated.
- Can lower the number of permanent or long-term rental units in an area (this often happens in the mountain resort areas) thereby increasing living costs for renters

This land use is constantly evolving. If you choose to either encourage this or want it regulated, there are certain steps you should take. They would include requiring a permit, paying sales tax and/or lodging tax and perhaps requiring the owner to live on site. Much of the anecdotal information is that when owners live on the property, they generally keep the land use under control.

No action tonight is required. Just trying to put this on your radar and see if you wish to discuss in the future.

Access for a 7 acre property within the Town limits north of Stony Ridge. The Town has been requested to help provide access for a 7-acre property that is within the town limits off of Eagles Nest Drive. My research shows that no access from a town Street was provided for this parcel. I am not sure exactly when it was annexed into the Town. Stony Ridge I believe was annexed in approximately 2003 and it may have come in at that time.

In checking the subdivision plat for Phase 3, there is no access easement or other arrangements for access to the property on a Town right-of-way or street. Access to the property can be obtained in a circuitous manner on county roads to the west or east of this area, but these are county roads and would require considerable upgrade at town expense. There is a utility easement which connects from Eagles Nest Drive to this

property that is for the Town water line coming from a water tank located in the north portion of the site. But this is not an access easement and that would have to be secured with assistance of the owner of that lot in Stony Ridge or someone would have to buy the lot.

This 7.0 acre property and a couple the other parcels in this area are included in the Comprehensive Plan as residential land uses for the future. I'm wondering if anybody knows the history of this area and is aware of what may have been discussed or an alternative access for the property. This may or may not have been discussed in the past and I'm just trying to learn more about any plans or issues for future reference. It could be a growth area for this part of the Town and immediately surrounding vicinity in the future if that is desired.

RUIZ MINOR SUBDIVISION

- Letter from the Town of Silt
- Garfield County Directors Decision



231 N. 7th Street / P.O. Box 70 / Silt, CO 81652
Phone: 970-876-2353 / Fax: 970-876-2937

Mr. Vincent Hooper, PMP
Department of Community Development, Garfield County –
108 8th Street, Suite 401

RE: Ruiz Minor Subdivision – Parcel # 2174-094-00-002

Dear Vince:

Thank you for the referral of this project to the Town of Silt. The Town of Silt Planning Commission discussed this project at their October 6 meeting and is submitting this letter with their comments and recommendations. As you know, this property is adjacent to the Silt River Reserve which is owned by the Town. This parcel is 132 acres in size and a conservation easement has been placed on the property with the Aspen Valley Land Trust as the grantee. The property includes two documented Bald Eagle nests, 0.6 miles of riverfront property, together with native wildlife, riparian habitat, scenic open space and agricultural value and access to the public. This property is very important to the Town and we hope that development of this adjacent parcel can occur which allows the owner(s) to obtain value while still taking into consideration the conservation, wildlife habitat and environmental benefits to the community at large.

We had our staff briefly examine the development application, discuss the issue with other local agencies and provide guidance to the Planning Commission. After review, we would like to make the following recommendations:

1. Because of the conservation value and the presence of active eagle nests, that no further resubdivision of lots be allowed. This recommendation is being provided after carefully considering the conservation value of the Silt River Preserve and the development guidelines suggested in the Silt Comprehensive Plan
2. Eagle Nest Buffer. That no structures be allowed to be constructed within the existing 200 - meter Eagle Nest Buffers as shown on the attached exhibit.
3. Other setbacks. It is suggested that any structures be directed towards the south half of the lots. If that is not possible, we still recommend that all lots comply at a minimum with the 75-foot setback from the Rising Sun Ditch per Plat Note # 9.
4. That any perimeter fencing be “wildlife friendly” allowing for movement of wildlife across the property.
5. That dogs and other domestic pets be kept “under control” of the property owner.

6. That Best management practices be used related to weed control including using an appropriate seed mix to reclaim disturbed areas (per Article 7 – 208 B, Garfield County General Resource Protection Standards – Reclamation). We suggest that weed treatments generally be chemical free, though we understand that this depends on specifically what weeds are present and need to be eradicated (e.g. Russian Olives).
7. That any outdoor lighting be downcast, fully shielded and comply with Article 7-304 of the Garfield County Land Use and Development Code.
8. That any referral comments and specific language from Colorado Parks and Wildlife be strongly considered and followed in order to mitigate any potential impacts to the Silt River Preserved
9. That there be a winter/bald eagle nest winter construction restriction from December 1 through July 31. Any alternative language in this regard or process which allows conditional construction that is proposed or suggested by Colorado Parks and Wildlife be followed.

Once again, thank you very much for giving the Town of Silt the opportunity to comment on this development proposal. Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Classen", with a long, horizontal flourish extending to the right.

Chris Classen

Chair, Town of Silt Planning Commission



October 28, 2020

Esau Ruiz
Box 456
Silt, CO 81652

DIRECTOR DETERMINATION – Ruiz Minor Subdivision (MISA-08-19-8747)

Dear Mr. Ruiz,

This letter is provided to you, as the applicant for Garfield County File No. MISA-08-19-8747 pertaining to the Ruiz Minor Subdivision. This letter is notification that your request to divide an existing 30.59 acres into a 10.015 acre lot, a 16.075 acre lot and a 9.789 acre lot, known by Assessor's parcel Number 2179-094-00-002 and located at 6799 County Road 346 Silt, CO 81652 has been reviewed in accordance with the Administrative Review procedures contained in the Land Use and Development Code as amended. Said provisions require a Decision by the Director of the Community Development Department on whether to approve, approve with conditions, or deny the request.

The Director's Decision is based on the following findings:

1. That proper public notice was provided as required for the Director's Decision.
2. Consideration of the Application was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were given an opportunity to provide input prior to the Director's decision.
3. That for the above stated and other reasons, the proposed amended plat is in the best interest of the health, safety, convenience, order, prosperity and welfare of the citizens of Garfield County.
4. That the application is in general conformance with the 2030 Comprehensive Plan, as amended.

5. That with the granting of waivers (Section 5-301.C. 8.; Section 7-107; Section 7-207.F.1.; Section 5-301.1. parts), adoption of conditions and for the above stated and other reasons the application has adequately met the requirements of the Garfield County Land Use and Development Code, as amended.

The Director's Decision is hereby issued approving the Minor Subdivision Application subject to the following conditions:

1. All representations of the Applicant contained in the Application submittals shall be conditions of approval unless specifically amended or modified by the conditions contained herein.
2. Prior to BOCC signature on the Plat, the Applicant shall submit documentation that Lots 1 and 3 have secured new well permits and proof of adequate water supply. All wells will be required to provide documentation of adequate supply for quantity, quality and dependability. This documentation is provided by an up-to-date pump tests for all wells that meet the standards in Section 4-203(M)(1)(b)(5)(a). The pump tests shall include representation by a qualified professional that the pump rates for the well is adequate for the proposed uses. Water quality documentation is provided by an up-to-date water quality tests for all wells that meet the standards in Section 4-203(M)(1)(b)(5)(c) and at least as robust as the Colorado Department of Public Health and Environment Laboratory Services Division's Deluxe Colorado Package. The water quality tests shall include representations by a qualified professional that the water quality for the well meets the County's primary drinking standards.
3. Prior to the BOCC signature on the Plat the Applicant shall pay applicable current Garfield County taxes.
4. Prior to the BOCC signature on the Plat the Applicant shall pay applicable School Land Dedication Fees in compliance with Section 7-404.C. LUDC.
5. Prior to the BOCC signature on the plat the Applicant shall prepare a Weed Management Plan and obtain approval of that Plan from Garfield County Vegetation Management. This plan shall include a weed inventory, treatment plan and schedule and reporting of treatment. Management of any inventoried noxious weeds should occur in the spring or early summer of 2021. Treatment or management records shall be provided to Garfield County by July 1, 2021. The records may be application records, or a written statement of the work performed.
6. The Plat shall be revised according to the following and be subject to final review and approval by County Staff, including Garfield County Attorney's Office and Garfield County Surveyor, prior to submittal of the Mylar plat for final execution, BOCC signature and recording.
 - a. Add an annual construction activity restriction from December 1 to July 31 for the

bald eagle nest located on the Silt River Preserve in compliance with the bald eagle nest Best Management Practices defined in CPW's Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors (2020).

- b. Add a label on the plat clarifying the centerline of the Rising Sun Ditch. Check spelling in the 4th line of the description.
 - c. Add all required common plat notes as required by Section 5-402.F.17 LU&DC and defined in Division 3-01. A.-F. AA., BB, CC., & EE of the Resource Guide.
 - d. All color graphics shall be converted to black and white.
 - e. Remove depiction of structure and driveway from plat.
7. Prior to BOCC signature on the plat the driveway accesses to Lots 1 and 3 shall be constructed to Garfield County Road & Bridge standards and inspected by Road & Bridge.
 8. Once all conditions of approval have been completed, the Mylar may be prepared for recording. The Mylar shall be delivered to the Community Development office with all private party and the Treasurers Certificate of Taxes Paid signatures prior to scheduling for a future available commissioner meeting.
 9. The Applicant has 90 days within which to satisfy conditions of approval (subject to extensions authorized by Directors Decision) and provide the following documentation for BOCC signature and recordation:
 - a. A plat Mylar with signed Certificates that include Dedication, Ownership, Title, Taxes, Applicant's Surveyor, Lienholders and any mortgagees.
 - b. Recording fees.

The Land Use and Development Code requires notification to the Board of County Commissioners for their review and potential call-up of the Director's Decision. The Board review is for a period of 10 calendar days commencing on the date of the Director's Decision. The call-up period shall expire on October 2nd, 2020. Once the call-up period has passed with no request for review or public hearing and provided all relevant conditions of approval have been resolved, the Subdivision Plat may be recorded. Pursuant to the Land Use and Development Code, the Applicant has 90 days from the date of the Director's Decision to satisfy all conditions of approval or request an extension.

Feel free to contact Vince Hooper, the staff planner, if you have any questions regarding this decision.

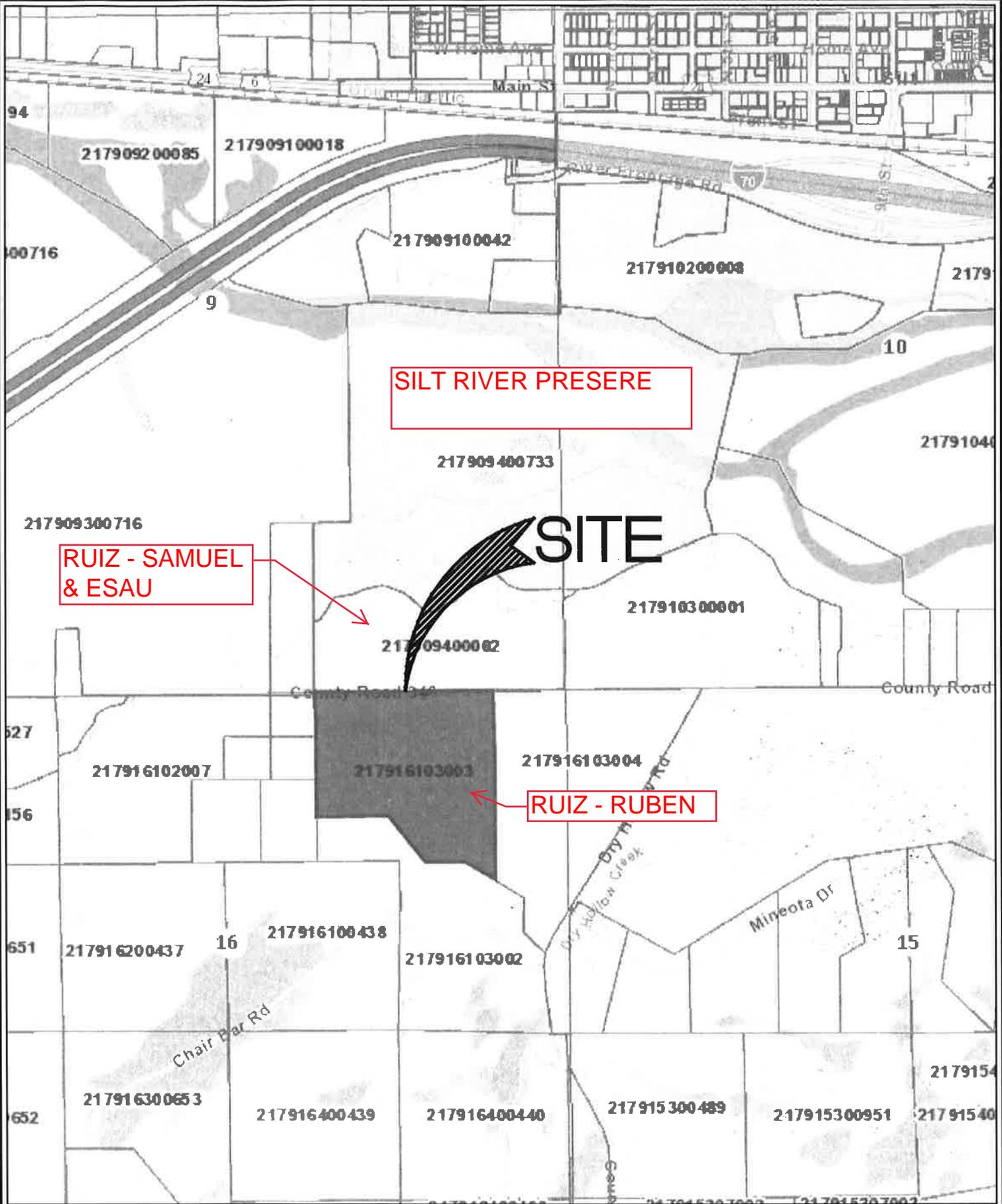
Sincerely,


For -

Sheryl Bower, AICP
Director of Community Development

JOEL AND RUBEN RUIZ MINOR SUBDIVISION

- Location Map



HIGH COUNTRY ENGINEERING, INC.

14 INVERNESS DRIVE EAST, STE F-120, ENGLEWOOD, CO 80112
 PHONE (303) 925-0544 FAX (303) 925-0547
 1517 BLAKE AVENUE, STE 101, GLENWOOD SPRINGS, CO 81601
 PHONE (970) 945-8676 FAX (970) 945-2555
 WWW.HCENG.COM

RUIZ
 GARFIELD COUNTY
FUTURE RUBEN SUBDIVISION
ON SITE WASTE WATER TREATMENT
VICINITY MAP

DRAWN BY: HCE	SCALE: 1" = 1,000'
CHECKED BY: HCE	PROJECT NO: 2201012.00
DATE: MARCH, 2020	PAGE: 1
FILE: EX-01	