

MINUTES OF A REGULAR BOARD OF
COMMISSIONERS MEETING

Present: Robert F. Anderson, Chairman; James L. Newberry, Commissioner; Duane E. Dailey, Commissioner; Lurline Underbrink Curran, County Manager; Anthony J. DiCola, County Attorney; Sara L. Rosene, County Clerk and Recorder

July 11, 2000

Chairman Anderson called the regular Board of Commissioner's meeting to order at 8:30 a.m.

Jail Inspection

The Board inspected the jail and found it to be clean and in order. There are 34 prisoners, 4 of whom are female.

Board Business/Correspondence/Calendar

The department heads present for the Board's business portion of the meeting were Scott Penson, Bill Gray, Tina Whitmer, and Sara Rosene.

Chairman Anderson stated that the Board received a letter of resignation from the County Assessor, Nancy Anders. She appointed a deputy, Vicki McManus. Chairman Anderson noted that the Board will not be running the office.

Commissioner Newberry moved to approve the minutes of the regular Board of Commissioner's meeting of June 20, 2000.

Motion passed unanimously.

Commissioner Newberry moved to approve the minutes of the special Board of Equalization meeting of July 3, 2000.

Motion passed unanimously.

Commissioner Dailey moved to approve the minutes of the special Board of Commissioner's meeting of July 3, 2000.

Motion passed unanimously.

Commissioner Dailey stated that he received information on the Fleetmaster Board System. The system could split the account by departments. There is a \$40 set-up fee, and a fee of \$2 per card. Commissioner Dailey asked the County Manager to review the matter further.

Commissioner Dailey stated that the Board had requested information regarding where tax bills are sent. The Assessor's Office provided that information.

Commissioner Dailey stated that he reviewed a letter from Linda and Art Wilson thanking the Board for its response to their letter on slash burning.

Commissioner Dailey stated that he received notification that the final tally on the proposed Troublesome Wilderness was 156 against the proposal, 13 for the proposal, and 1 undecided.

Commissioner Dailey stated receipt of a Schedule of Proposed Actions for the Sulphur Ranger District. The schedule is for July 2000 through September 2000. The Board also received notification of the Schedule of Proposed Actions for the Arapaho and Roosevelt National Forests and Pawnee National Grassland for the same period of time.

The Board reviewed a letter from Senator Wayne Allard regarding gas prices. The letter states that legislation has been proposed to address this issue.

The Board received a Notice of Decision from Linda Gross, of the Bureau of Land Management, for the third phase of the Silver Creek Assembled Land Exchange of public lands in Grand County.

The Board will meet with Cindy Southway on July 13, 2000, regarding placement of a question on the ballot.

Commissioner Newberry stated that he received an e-mail regarding the meeting with the Colorado Water Partnership.

Commissioner Newberry stated that he received meeting notes from the town of Winter Park. The town council encourages the Grand County Commissioners to rename County Road 802 to Ski Idlewild Road.

Commissioner Dailey stated that he received notification of a CCI/CML Telecom Workshop entitled "Helping Local Governments Prepare for and take Advantage of Advancements in Technology". The meeting will be at the Granby Community Center on August 16, 2000, from 9:00 a.m. to 12 p.m.

Planning Director Gray stated that he attended the Anglers Round Table regarding fishing in Lake Granby. He will provide the information he received to the Board.

Manager and Attorney Items

County Attorney DiCola stated that the County signed the contract for Tabernash yesterday. The County has been waiting for Mr. Yaklich to get financing. He noted that people with existing systems will automatically get taps. County Attorney DiCola stated that the County will need to keep track of the taps that are issued.

County Attorney DiCola reported that the Colorado Supreme Court has denied the County's Writ of Certiorari in Grand County v. Terry Beane, et al. It was a case regarding attorney's fees in the County Road 408 case.

There is a meeting scheduled regarding the Corona Road. The Board directed the Planning Director to attend the

meeting.

Planning Director Gray stated that the Chief Building Official and he would like to meet with the Board on the Rumford stove issue.

Board Secretary, Kathy Etlar, stated that the Clear Creek County Assessor, Diane Settle, called regarding AMAX. Ms. Settle would like the Grand County and the Clear Creek County Commissioners to meet together to discuss the issue. There will be a work session between the two Boards on July 19, 2000.

Board Secretary, Kathy Etlar, stated that Tom Hail (Granby Town Manager) would like the Board to join him in a tour of the Eagle County Events Center. The tour is set for July 28, 2000, and none of the Board members will be able to attend.

Treasurer's Report

County Treasurer, Christina Whitmer, presented the Board with a copy of the Grand County Treasurer's Semi-Annual Report for Period Ending June 30, 2000. She asked the Board to approve the report for publication.

Commissioner Newberry moved to approve the Grand County Treasurer's Semi-Annual Report for Period Ending June 30, 2000, and authorized the Treasurer to publish the report.

Motion passed unanimously.

County Treasurer Whitmer presented the Board with the Treasurer's Monthly Report of June 2000.

County Treasurer Whitmer presented the Board with a report of the escrow funds through June 2000, held by the Treasurer.

County Treasurer Whitmer stated that the Board had asked if the County would be saving any money by changing banks. Ms. Whitmer reviewed the accounts and found that the County has saved approximately \$26,000 by switching banks.

Finance Director

Finance Director, Robert Semsack, was represented by Terri Adams who presented the Warrant Register and Expenditure List to be paid on July 12, 2000, for vendor payments. The list for this period was verified by the Finance Director for the Board's approval.

Commissioner Newberry moved to approve and sign the warrants to be paid on July 12, 2000.

Motion passed unanimously.

Calendar

July 12 Commissioners Dailey and Newberry will attend the Leadership Forum

Chairman Anderson will attend the Grand Beginnings meeting

All three Commissioners will attend a meeting at Road and Bridge

Commissioners Newberry and Dailey will attend the Corona Road meeting

Commissioners Newberry and Dailey will attend the meeting at the Timberline Clinic regarding the water line

Commissioner Dailey will attend the Colorado Division of Wildlife meeting

July 13 All three Commissioners will attend the Land Conservancy meeting

July 14 Chairman Anderson will attend the CCI meetings

July 17 All three Commissioners will attend the Housing Authority meeting

July 27 to

August 7 Commissioner Newberry will be out of town

County Road 50 Home Owners Association's 1041 Permit Renewal

The public hearing scheduled to begin at 10:00 a.m. was called to order by Chairman Anderson at 10:15 a.m. Planning Director, Bill Gray, set the record.

Exhibit A Letter of application dated May 18, 2000, with attachments

Exhibit B Letter from Stephen Orzynski dated July 3, 2000, with attachments

Exhibit C Fax from Steve Orzynski received July 7, 2000 (regarding Discharge permit)

Exhibit D Grand County Permit Authority Resolution No. 1997-10-1

Exhibit E Public Notice in the Winter Park Manifest and Sky-Hi News

Exhibit F Proof of Publication in the Winter Park Manifest

Exhibit G Proof of Publication in the Sky-Hi News

Exhibit H Public review sheets (no signatures)

Exhibit I Certified mailings with return receipts to all property owners within 500' as established by the Grand County GIS System; Bureau of Land Management; Sulphur Ranger District; County Road 50 Homeowners Association

Exhibit J Certificate of Recommendation

The following is all or part of staff's Certificate of Recommendation to the Board of County Commissioners as presented at the meeting on July 11, 2000.

APPLICANT: County Road 50 Homeowners Association represented by Brad Keirnes

RE: 1041 Permit Renewal for County Road 50 Homeowners Association Wastewater Treatment Facility

LOCATION: NW1/4 NW1/4 of Section 23, Township 1 South, Range 76 West of the 6th P.M., County of Grand, State of Colorado

STAFF CONTACT: William E. Gray

REQUEST: Applicant is requesting renewal of a Grand County 1041 Permit that allowed for expansion of an existing wastewater lagoon system.

County Road 50 Homeowners Association (the "Applicant") is a private, non-profit corporation that consists of two (2) resort lodges (High Mountain Lodge and Timberline Lodge) and eight (8) single family lots (Tally Ho Ranch Estates). Said lodges and subdivision are located approximately three (3) miles west of the Town of Fraser along the County Road 50 corridor. Wastewater treatment for the above listed land uses is by a lagoon system, consisting now of two (2) ponds.

The original system is a non-surface water discharging stabilization pond and has been in place since the early 1970's. Apparently, it was constructed to serve one (1) or both lodges. In 1995, the single pond lagoon system was found to be undersized, needing expansion and modification for the land uses it serves. Therefore, expansion of the wastewater treatment system was proposed to not only meet the total need of the land uses, but also to meet current state regulations. Said expansion also necessitated a 1041 Permit from Grand County.

On October 28, 1997, Grand County Permit Authority issued a 1041 Permit (permit received approval by the Permit Authority on November 21, 1995) to the Applicant for expansion of an existing domestic wastewater treatment system. The design of the expansion increased capacity from approximately 2,000 gallons per day to 9,500 gallons per day. As well, it added a second pond. The design is based on full occupancy of the two (2) lodges, and a five (5) person household with year round occupancy for each of the eight (8) single family lots.

All of the wastewater flow to the ponds is domestic sewage generated by the lodges and residents of the subdivision.

The ponds are interconnected hydraulically so that the water elevations are essentially identical. Pond 1 experiences the bulk of settling and facultative treatment, whereas Pond 2 acts as a polishing pond with primarily aerobic treatment. The system discharges by seepage into ground and has been issued a general domestic wastewater discharge permit. It is essentially discharge to groundwater in the same fashion as a septic system. The system is allowed to discharge by seepage, at a rate no greater than .00001 cm/sec (or 1/32 inch/day). As well, there is approximately 30 ' of ground between the bottom of the lagoons and the alluvial groundwater.

Given the nature of incoming flow, the degree of treatment afforded by the facultative nature of the ponds, long detention times, and distance between pond bottoms and alluvial groundwater, the effluent from the pond before contacting groundwater is expected to be of good quality (less than a BOD of 30 mg/l, nitrates of 10 mg/l, and total coliforms of 1.0).

The ponds are located downwind of the two (2) lodges and the eight (8) single family lots. No odor nuisances have yet to be a problem with the system. Flooding is not a major concern as the ponds sit 30 to 40 feet in elevation above Crooked Creek. All wellheads within 100 feet of the ponds and those serving the lodges and single family residences are topographically upgradient of the ponds and completed in alluvium more than 50 feet below the ponds' bottoms.

To this date there is no history of surface water or groundwater problems associated with the lagoon system.

The following are 1041 Permit requirements associated with the County Road 50 Homeowners Association 1041 Permit:

- Applicant provided copy of original approved General Domestic Wastewater Discharge Permit. The permittee is required to monitor ground water and flow with the permit. The facility is overseen by Jack Barker, Triple A Operations, a Class A Operator.
- Applicant has been issued a new General Domestic Wastewater Discharge Permit. The new permit is effective through midnight May 31, 2001. No additional concerns were raised with issuance of the new discharge permit. The 1041 Permit initially issued by the Permit Authority was valid through May 30, 2000. Said permit stipulates that its time limits will coincide with that of the discharge permit, with renewals being automatic when discharge permit are renewed. This may not be entirely appropriate yet due to concerns associated with reporting

requirements of this permit. Still, Grand County reserves the right to reopen the 1041 hearing to consider any additional impacts caused by this project. As well, any 1041 Permit issued by the Permit Authority is contingent on a discharge permit being issued by State of Colorado Department of Public Health and Environment (the "CDPHE").

- Monitoring Wells, upgradient and downgradient of the lagoons must be installed. An in-flow monitoring device must be installed. Annual operational and monitoring reports must be generated, and Grand County must be provided with copies of these reports.

Applicant notified Grand County and CDPHE that the treatment facility was constructed as designed and approved. The upgradient and downgradient monitoring wells were also installed. An in-flow monitoring device was also required to be installed. Installation of said device must be verified as it is not included with any correspondence or the as-built drawings. Also, warning signs need installed, the perimeter fencing needs repaired and the gate is required to have a lock.

Annual reporting has been done, but in a sporadic manner and inconsistently. As well, it doesn't appear that water balance reports were ever supplied. Staff believe the latter report pertains to inflow and the rate of discharge. Based upon the reporting that was provided the wastewater treatment facility is operating properly and is in compliance with its permits. Still, the required annual reporting must be improved to establish a more factual basis of compliance. A report shall be submitted annually summarizing the operation of the facility during the preceding twelve month period. The twelve month period is January through December. The annual report shall provide complete and detailed information on the following (more specific as required by the State discharge permit):

- 1.) Average daily flow into the facility for each month that the facility was in operation (this includes providing the required water balance report).
- 2.) A description of any changes in the quality or quantity of wastewater influent to the facility during the course of the preceding twelve month period. The ground water monitoring wells are required to be sampled a minimum of twice yearly (June and October) and analyzed for chlorides, nitrate as N, BOD, and total coliform bacteria, at a minimum
- 3.) A compilation of all quality monitoring data from samples collected from the influent, effluent, and groundwater at the facility.
- 4.) A description of influent, effluent, and ground water monitoring planned for next year or future years.
- 5.) A description of any operational problems with the facility during the year.
- 6.) A description of any proposed expansions or significant alterations to the facility, including any plans to abandon the facility or connect to other wastewater collection facilities.
- 7.) The amount of sludge removed, the date it was removed and by whom the sludge was removed.
- 8.) Provide the distance from the bottom of the lagoon(s) to ground water. Provide the source or method of determination of the depth to ground water. Also, provide that date(s) that this (these) determination(s) was (were) made.
- 9.) Provide a copy of any inspection report(s) maintained at the facility or performed by Division personnel to the Division. Also, provide a copy of any notice of violation served to the facility by either the State or the County.

Staff would like to emphasize that the annual reporting is critical to continue in good standing with the County and this 1041 Permit. The State of Colorado has reissued the general discharge permit until May 31, 2001.

Since, Staff has raised issues with respect to full compliance with this Permit, annual reporting being the major issue, it is appropriate to renew this permit in accordance with the discharge permit.

Staff recommends renewal of the County Road 50 Homeowners Association 1041 Permit with the following conditions:

1. The permit is renewed for a one (1) year period as follows:

From date of the issuance of this permit renewal until May 31, 2001. If all conditions of approval are not met or complied with as required, this Permit will be revoked for cause.

2. Installation of the inflow monitoring device must be verified as it is not included with any correspondence or the as-built drawings. The type of device must also be provided. Also, warning signs need installed, the perimeter fencing needs repaired and the gate is required to have a lock. The above requirements should be met and completed by Tuesday, July 18, 2000.

3. The required annual reporting must be improved to establish a more factual basis of compliance. A report shall be submitted annually summarizing the operation of the facility during the preceding twelve month period. The twelve month period is January through December (or as determined by Applicant, State and County). The annual report shall provide complete and detailed information on the following (more specific as required by the State discharge permit):

a.) Average daily flow into the facility for each month that the facility was in operation (this includes providing the required water balance report).

b.) A description of any changes in the quality or quantity of wastewater influent to the facility during the course of the preceding twelve month period. The ground water monitoring wells are required to be sampled a minimum of twice yearly (June and October) and analyzed for chlorides, nitrate as N, BOD and total coliform bacteria, at a minimum

c.) A compilation of all quality monitoring data from samples collected from the influent, effluent, and groundwater at the facility.

d.) A description of influent, effluent, and ground water monitoring planned for next year or future years.

e.) A description of any operational problems with the facility during the year.

f.) A description of any proposed expansions or significant alterations to the facility, including any plans to abandon the facility or connect to other wastewater collection facilities.

g.) The amount of sludge removed, the date it was removed and by whom the sludge was removed.

h.) Provide the distance from the bottom of the lagoon(s) to ground water. Provide the source or method of determination of the depth to ground water. Also, provide that date(s) that this (these) determination(s) was (were) made.

i.) Provide a copy of any inspection report(s) maintained at the facility or performed by Division personnel to the Division. Also, provide a copy of any notice of violation served to the facility by either the State or the County.

4. All conditions of approval contained in Resolution No. 1997-10-1 remain in full force and effect.

The applicant does not have a problem with the requirements. The applicant have met the requirements, but have been negligent in reporting to the County.

Lew Paul Geisendorfer asked if the permit could be for a longer period. Commissioner Newberry stated that the permit time could be extended after the application has a good track record.

Staff recommended changes to their original recommendations. Recommendation No. 2 will be modified to read:

Installation of the inflow monitoring device or other method acceptable to the County regarding the water balance calculations must be verified as it is not included with any correspondence or the as-built drawings. The type of device must also be provided. Also, warning signs need installed, the perimeter fencing needs repaired and the gate is required to have a lock. The above requirements should be met and completed by Friday, August 18, 2000.

The second sentence of Recommendation No. 3 shall be changed to read:

A report shall be submitted to the County and to the East Grand Water Quality Board annually summarizing the operation of the facility during the preceding twelve month period.

Commissioner Newberry moved to approve the 1041 Permit renewal for County Road 50 Homeowners Association's Wastewater Treatment Facility with staff's recommendations and the changes to Requirement Nos. 2 and 3.

Motion passed unanimously.

Commissioner Dailey moved to close the public hearing.

Motion passed unanimously.

Abatement

The County Assessor's Office presented the abatement for Schedule No. 035-R035066. The property transfer was complex, and the Assessor did not complete the transfer in a timely manner. The reason for the abatement is because the sellers are not responsible for the tax bill. The Assessor is in support of the abatement.

Commissioner Newberry moved to approve Abatement 00-019 in the amount of \$2,222.14 for Johnson, Rydland & Borgeson on Schedule No. 035-R035066 for 1999.

Motion passed unanimously.

Tsunami Subdivision Exemption Sketch Plan

The applicant was not able to attend the meeting, but it was relayed to Mr. Moyer that the applicant had no concerns with staff's recommendation.

The following is all or part of staff's Certificate of Recommendation to the Board of County Commissioners as presented at the meeting on July 11, 2000.

APPLICANT: Tsunami Land Company, LLC - Matt O'Kelley, Representative.

RE: Tsunami Subdivision Exemption - Sketch Plan

LOCATION: NE4 NE4 Section 9, Township 1 South, Range 76 West of the 6th
Principal Meridian.

STAFF CONTACT: Edward T. Moyer

REQUEST: The applicants are requesting sketch plan approval of Tsunami Subdivision Exemption, creating three lots on approximately 38 acres.

The applicant is the current owners of a 38+ acre tract of land (Reception No. 99012367 of the Grand County Records), located approximately 1 mile west of County Road 5, adjacent and south off of County Road 519. The property is proposed to be split into three (3) lots of 11, 11 and 15 acres each. The proposed lots border The Fairways at Pole Creek Subdivision to the north (across CR 519), Tom Drake Subdivision Exemption to the east and The Valley at Winter Park Subdivision to the south and west. The proposed lots incorporate a dense lodgepole pine forest. The terrain generally slopes toward the east at approximately 4% and does not contain any significant drainages. Staff would make mention that this review incorporates and establishes many final plat requirements that are identified with a symbol and should be specifically addressed or met with any final plat submittal. There shall be no site disturbance, above and beyond what is needed for technical reports, prior to any approved final plat being recorded. This specifically means tree clearing and any sort of earth moving.

The applicant's sketch plan depicts access to Parcel 1 via County Road 519. Access to Parcel 2 and Parcel 3 is provided from Elk Meadows Way, within the Valley at Winter Park, as it is a public road and it lessens the length of the driveways. Access to Parcels 2 and 3 were originally planned via CR 519, which made for an excessively long cul-de-sac and accompanying drives.

The proposed driveways should be constructed to applicable Grand County Road Standards. An on-site inspection should be performed with the County Engineer and staff to review the location of the driveways. The applicant must construct the driveways with any required culverts, extend all electric underground, and have everything inspected and approved by the County Engineer. The applicant must provide a means of assuring 110% of all construction through a subdivision improvements agreement guaranteed by a letter of credit, escrow funds, or restricting the lots for sale until such time all construction has been completed. The applicants must provide comprehensive cost estimates for the driveway construction and electric services to each lot, including revegetation and sediment control.

Staff would recommend that any structures built on the proposed lots be of earthen tone colors, blending into the natural landscape; this should be noted on any final plat. Any building site on the proposed lots should be on slopes of no greater than 30%, with driveways at no greater than 5% grade for the first 50' and no greater than 10% thereafter. Any structure will have a minimum water quality setback from 30' up to 150' from any drainage, irrigation ditch or any wetland vegetation. An on-site inspection should be performed by staff in order to verify the locations of the specific building sites and driveways. If the applicants do not have any water rights within any drainage or irrigation ditch, a note should be placed on any final plat stating that the owners of Parcels 1, 2 and 3 do not have the right to use, divert, or impede water from the drainage of irrigation ditch.

Proof of water, from the Colorado Division of Water Resources, for the 38 acres should be provided prior to any final plat review. If the applicants have a domestic well permit, it should be surrendered for three household use only well permits at the time any final plat is approved.

This property is zoned Forestry and Open (F) by Grand County. The minimum lot size in the Forestry and Open Zone is two (2) acres. The minimum lot size for a subdivision exemption is 2.4 acres. The proposed lots of Tsunami Subdivision Exemption are approximately 11+ acres and 15+ acres each, which meet the lot size requirement of this zone district.

The proposed subdivision exemption is included within the Grand County Rural Growth Area No. 1 of the Grand County Master Plan. Growth areas were established by anticipated increased densities and due to the proximity and future availability of central water and/or sewer. Higher density growth (greater than 1 DU / 2 acres) is stated to be directed to the Urban Growth Areas. Lower density growth (less than 1 DU / 2 acres) should then be directed to the Rural Growth Areas. The subdivision exemption creates lower a density than that of the adjacent subdivisions within this Rural Growth Area. Therefore, since the lot sizes are over 11 acres each and have an overall gross density of 1 DU / 12.6 acres, staff feels this proposal is well in compliance with the Grand County Master Plan

The title of the sketch plan is Tsunami Subdivision Exemption. The reception number of conveyance to the applicant should be noted under the title on the Final Plat.

The Legal Description of the property has been provided. The surveyed legal description should be provided on any final plat.

The dimension of County Road 519 right-of-way and the proposed access easement and cul-de-sac are shown on the sketch plan. As stated above, the access road and cul-de-sac should be shown correctly as a 24' driving surface, with a 60' right-of-way and show a 130' right-of-way on the cul-de-sac. A Warranty Deed, to the Grand County Board of County Commissioners, should be provided for the 60' wide access road right-of-way, from County Road 519 to the end of the 130' cul-de-sac right-of-way, for access and utility use; a draft deed should be provided with any final plat. This will enable the applicants to petition that the road be taken over by Grand County in the future for maintenance. A Deed of Easement, 14' in width, for access and utility use, should be provided to the owners of Parcel 3, their heirs, successors, and assigns forever from the cul-de-sac of the access road to Parcel 3; a draft deed should be provided with any final plat.

An Updated Title Commitment should be provided with any final plat.

A Certificate of Taxes for 1999, shown to be paid in full from the Grand County Treasurer, should be provided with any final plat.

Wildfire is a concern in this part of the County. Therefore, the applicant should obtain a wildfire mitigation/ forest management plan, provide proof of payment for the plan with any final plat and add the following note on any final plat: Wildfire mitigation is required in conjunction with each structure built on these tracts and should be in place prior to completion of said structures. Tree thinning and clearing, associated with the health of the forest and fire protection, does not mean clear cutting for view corridors.

Any division of land produces an impact on Grand County Schools and therefore fees will be required in lieu of school land dedication. The Grand County Subdivision Regulations allow the Board of County Commissioners the latitude to apply these fees. The calculation of school fees will be based on the dollar amount per acre of the total actual assessed value based on the Grand County Assessor, the price per acre the applicant paid for the property or the price per acre of area sales, whichever will give a better representation of today's land prices. School fees should be provided prior to any recordation of any approved final plat.

1. The determined unit value for the purpose of the dedication of school sites or money in lieu of school sites for Senate Bill 35, Grand County is .0691, as determined and established through educational criteria in both Grand County School Districts.

2. Single family units up to and including four units - 50% per unit of the above affixed .0691 rate.
3. Land Value: \$14,405.00 per acre. Units: 3 (single family units). Assessable units: 1.5 (50% of 3 units).
 - a. 1.5 (assessable unit) x .0691 (determined rate) = .10365
 - b. .10365 (assessable acres) x \$14,405.00 (\$ per acre) = \$1,493.00

School Fees: Tsunami Subdivision Exemption = \$1,493.00

In order to address water quality concerns for a long term, if this proposal is approved, the applicant will be required to provide \$1,000.00 per lot, at the sale of each lot, to be held either by Grand County, or turned over to a properly formed Sanitation District, for future water quality measures. The applicant will be required to enter into a water quality agreement for the payment of this fund upon sale of Lots. A deed of trust in favor of Grand County for this amount will be required. This deed of trust must be first in line, therefore any deed of trust that exists against the property must be subordinated to this deed of trust. It is also the option of the applicant to pay the \$3,000.00 up front and not have a deed of trust placed on each lot.

The Grand County Planning Commission recommended approval of this subdivision exemption with staff's conditions (Resolution No. 2000-6-1).

Staff recommends approval of Tsunami Subdivision Exemption - Sketch Plan with the following conditions:

1. That an on-site inspection be performed with the County Engineer and staff to review the location of the road, cul-de-sac, driveways and specific building sites.
2. That all final plat requirements be met.

Commissioner Newberry moved to approve the Tsunami Subdivision Exemption Sketch Plan with staff's recommendation.

Motion passed unanimously.

Trestle Townhomes Final Plat

The following is all or part of staff's Certificate of Recommendation to the Board of County Commissioners as presented at the meeting on July 11, 2000.

APPLICANT: Trestle Townhomes, LLC

RE: Trestle Townhomes - Final Plat

LOCATION: Lot 23, Amended Plat of Winter Park Ranch First Filing

STAFF CONTACT: Heather L. Peck

REQUEST: The applicant is requesting final plat approval of the Trestle Townhomes. This proposal would create six (6) townhome units contained within three (3) buildings on a 0.698 acre parcel known as Lot 23, Amended Plat of Winter Park Ranch First Filing, recorded in the Grand County Records at reception number 118249.

Trestle Townhomes, LLC is the current owner of the property. Trestle Townhomes, LLC received ownership of the property by Quit Claim Deed recorded in the Grand County Records at reception number 2000-000871. The property is located on County Road 830, a.k.a. Mulligan Street, in Winter Park Ranch First Filing. The applicant

is proposing to create six (6) townhome units contained within three (3) buildings. Each unit will be constructed with three (3) bedrooms, and will include a one-car garage and an outside parking space, and therefore will meet the minimum requirement of two parking spaces per unit.

Tract A (ingress/egress), Tract B (open space), and snow storage areas are shown on the final plat drawing. The applicant has provided a 10' x 20' turn-around at the end of the access road, located east of the access road between Building 2 and Building 3.

The subject property is zoned Residential by Grand County. Multi-family dwellings are permitted in the "Residential" zone district provided the property is properly platted with Grand County through the subdivision process.

The minimum setback requirements in the "Residential" zone district are: front -30 feet, side - 5 feet and rear - 20 feet. However, the Amended Plat Winter Park Ranch First Filing dedicated ten foot (10') utility easements along all front, side and rear property lines. Therefore, the minimum side yard setback is increased from five feet (5') to ten feet (10').

The subject property can be served by both central water and central sanitation facilities, as it is located within the Winter Park West Water and Sanitation District. The minimum lot size in the "Residential" zone district is 7,000 square feet when the property can be served by central water and sanitation facilities, however, this is not relative to a multi-family subdivision. The property contains approximately 30,000 square feet. The maximum density for a multi-family project is 20 units per acre. This project proposes six (6) units on .698 acres, for a developed density of 8 units per acre, which is well under the allowed 20 units per acre.

The maximum allowed building height in the "Residential" zone district is 35 feet above finished grade. The height of the building is the vertical distance of a structure measured from the lowest elevation of finished grade, a distance of ten feet from the structure, to the highest point of the structure. The applicant has provided a front elevation drawing of the proposed structures showing a height above finished grade of 25'6".

The architectural elevations and floor plans do not include the decks proposed on each structure, however, the decks are included in the building footprints shown on the final plat drawing and have been calculated into the 25% building coverage on the property.

Staff feels that this proposal is in compliance with the Grand County Zoning Regulations.

The subject property is located within Grand County Urban Growth Area No. 2. Urban Growth Areas were established with the Grand County Master Plan to allow and encourage higher densities within and around existing higher density residential areas. Many properties located within Winter Park Ranch are currently under multi-family use.

Growth Strategy No. C-2 states that steps should be taken to encourage the provision of attainable housing. During preliminary review by the Board of County Commissioners, the applicant volunteered to provide \$1,000.00 per unit, for a total of \$6,000.00, to the Grand County Housing Authority in an attempt to address affordable housing. The Board of County Commissioners and the applicant agreed that this donation of funds will be payable upon final plat approval of this subdivision. The funds will be earmarked for a housing needs assessment.

Growth Strategy No. C-8 stresses the need for expansion and modification of existing county design and site planning review standards to ensure quality development. Although Grand County does not currently restrict development within Winter Park Ranch with the use of design standards, Staff feels that design standards must be applied to this project through the subdivision review process. Therefore, Staff will require that the following minimum design standards are made a part of any approval of this subdivision:

1. The exterior of all structures must be of natural materials and colors, and must blend with the surrounding natural environment.
2. A lighting plan shall be submitted with each building permit application for approval by the Department of Planning and Zoning. All lighting must be directed so that no trespass occurs onto surrounding lots, into the sky, or onto roadways. No up-lighting will be allowed.
3. Revegetation of all disturbed areas of the site.

All design standards have been noted on the final plat drawing, and will be made a condition of any final plat approval to ensure compliance with said standards during construction of all structures. Additionally, the applicant should be aware that Grand County is currently working on design standards to be applied through the subdivision process and/or building permit process that may affect this application.

Growth Strategy No. C-10 provides that the County take steps to maintain and improve air quality and water quality and quantity in rivers and streams throughout Grand County. Therefore, the applicant will be required to install and maintain sediment and erosion control measures on site, including revegetation of all areas disturbed during construction of the proposed structures.

The applicant will be required to enter into a Water Quality/Wastewater Agreement with Grand County. Included in this agreement is the payment of \$500.00 per unit, for a total of \$3,000.00, for water quality impact fees. The Water Quality/Wastewater Agreement must be executed prior to recording of any final plat.

Slash from the site is to be chipped or mulched per the Slash Removal and Disposal Plan submitted with the preliminary plat. A note has been placed on the plat stating that the burning of slash within this subdivision is strictly prohibited.

By complying with the above requirements, Staff feels that this proposal will comply with the Grand County Master Plan.

The legal description of the property is contained on the drawing, however, the reception number where conveyance of the property to the applicant occurred (rec. no. 2000-000871) should be included in the title of the plat.

Title Commitment No. 120480-C2, dated January 14, 2000 was provided by the applicant. The title commitment confirms ownership of the property by the applicants, and reveals that the property is encumbered by a Deed of Trust (recorded in the Grand County Records at reception number 99011558). Proof of proper release or partial release from the Deed of Trust for Tract A, Tract B, and the utility easement will be required prior to recording of any final plat.

A proper Dedication Statement has been provided. However, there is a spelling error in the first sentence that

should be corrected. "Limityed" should be changed to "Limited". Also, the streets, alleys, and other ways should be dedicated to the Trestle Townhomes Homeowners Association.

Drafts of the Restrictive Covenants, Articles of Incorporation, and Bylaws of the Homeowners Association have been provided and forwarded to the County Attorney for review. Prior to recording of this subdivision, executed originals of the above mentioned documents must be provided.

Proof of taxes paid in full must be provided prior to recording any final plat of this subdivision.

A 14" x 18" black line address mylar with approved addresses for each unit must be provided prior to recording any final plat of this subdivision.

The address assigned to the lot is 927 County Road 830, a.k.a Mulligan Street, each unit is identified with a unit number as follows:

Building #1 = Unit 1-A, 1-B

Building #2 = Unit 2-A, 2-B

Building #3 = Unit 3-A, 3-B

A 3 ½" floppy disc in AutoCAD.dwg or AutoCAD.dxf which contains the physical features of the subdivision must be provided prior to recording of the final plat of this subdivision.

The Grand County Planning Commission reviewed the Trestle Townhomes Final Plat at their regular meeting on June 14, 2000, and recommended approval with conditions with Planning Commission Resolution No. 2000-6-4.

The Board of County Commissioners has determined that any division of land produces and impact on Grand County Schools, therefore, fees in lieu of school land dedication will be required with any final plat approval of this subdivision. The calculation of school fees is based on the dollar amount per acre that the applicant paid for the property. Reference is made to the Special Warranty Deed recorded in the Grand County Records at Reception No. 99011557 dated 11/02/99, whereby the applicant purchased Lot 23 Amended Final Plat of Winter Park Ranch First Filing, being 0.698 acres for \$150,000.00. The following formula was used to calculate school fees for this project:

$$6 \text{ units} \times .20 = 1.2$$

$$1.2 \times .0691 = .083$$

$$.083 \times \$214,285.71/\text{acre} = \$17,785.71$$

School fees in the amount of \$17,785.71 will be required to be deposited with the Grand County Treasurer prior to recording of any final plat of Trestle Townhomes.

A revised landscape plan, along with a wildfire mitigation plan, has been provided for review by Staff. The landscape plan has been designed using the wildfire mitigation plan. Several trees will be maintained around the perimeter of the site, while an approximately 15' clear area will be established around each building. Fire resistive Class A roofing material will be used on each structure, as well, 3' - 4' of synthetic stone exterior wainscot will be applied. Timber, undergrowth, and ladder fuels will be removed from the property and disposed of off-site. Implementation of the wildfire mitigation plan will be required prior to issuance of a certificate of occupancy for any structure, the same should be noted on the final plat drawing.

The applicant has provided a draft Special Warranty Deed (SWD) conveying the open space to the Trestle Townhomes Homeowners Association; draft SWD conveying ingress/egress to the Homeowners Association; draft Quit Claim Deed conveying County Road 830, lying contiguous with and southerly of Trestle Townhomes Filing No. 1, to Grand County; and draft Easement Agreement granting the Grand County Board of County Commissioners a non-exclusive utility easement. The applicant has also provided drafts of the Articles of Incorporation, Bylaws, and Restrictive Covenants. Each of these documents have been forwarded to the County Attorney for review and comment.

The final plat drawing does not contain a land use breakdown by square footage and percentage. The land use breakdown should be included on the final plat drawing.

Staff recommends approval of Trestle Townhomes - Final Plat with the following conditions to be met prior to recording of any final plat:

1. A note is placed on the final plat drawing stating that implementation of the wildfire mitigation plan is required prior to issuance of a certificate of occupancy for any structure. Additionally, implementation of the wildfire mitigation plan will be guaranteed with the Subdivision Improvements Agreement.
2. The applicant provide \$1,000.00 per unit, for a total of \$6,000.00 to the Grand County Housing Authority to address affordable housing. Said funds will be earmarked for the Housing Needs Assessment.
3. The reception number where conveyance of the property to the applicant occurred is included in the title of the plat (rec. no. 2000-000871).
4. In the Dedication Statement:
 - "Limityed" is changed to "Limited".
 - Roads, alleys, and other ways should be dedicated to the Trestle Townhomes Homeowners Association.
5. The land use breakdown is included on the final plat drawing.
6. A note is included on the final plat drawing that states: "All units within this subdivision are restricted from sale, conveyance or transfer in accordance with the Subdivision Improvements Agreement dated _____, 2000, between Trestle Townhomes, LLC and the Board of County Commissioners of the County of Grand. Such restrictions may be released in accordance with such agreement."
7. Proof of taxes paid in full are provided.
8. Proof of proper release or partial release from the Deed of Trust, for Tract A, Tract B, and the utility easement, is provided.
9. Executed originals of the following documents are provided:
 - Special Warranty Deed (Open Space to HOA)
 - Special Warranty Deed (Ingress/Egress to HOA)
 - Quit Claim Deed (County Road 830 to Grand County)
 - Easement Agreement (Utility Easement to Grand County)
 - Articles of Incorporation of Trestle Townhomes Homeowners Association
 - Bylaws of Trestle Townhomes Homeowners Association
 - Declaration of Covenants, Conditions and Restrictions of Trestle Townhomes, A Planned Residential Townhome Community
9. The applicant provide a 14" x 18" black line address mylar with approved addresses.
10. The applicant provide a 3 ½" floppy disc in AutoCAD.dwg or AutoCAD.dxf containing the physical features of the subdivision.

11. The applicant enter into a Water Quality/Wastewater Agreement, requiring the payment of \$500.00 per unit, or a total of \$3,000.00.
12. The applicant provide School Fees in the amount of \$17,785.71.
13. The applicant enter into a Subdivision Improvements Agreement to ensure the completion of all required improvements.
14. On the Grading and Utility Plans, General Note #5 "Douglas County should be changed to "Grand County".
15. The following items are included in any resolution approving Trestle Townhomes:
 - The Middle Park Soil Conservation District is required to inspect and approve the landscaping and revegetation of the site prior to release of any securities held for landscaping and revegetation.
 - Prior to issuance of a certificate of occupancy for any structure, East Grand Fire Protection District No. 4 must perform a flow test on the fire hydrants and certify to Grand County that flows meet the minimum requirement of 500 gallons per minute.
 - The applicant is required to install and maintain sediment and erosion control measures on site, including revegetation of all areas disturbed during construction of the proposed structures. Erosion and Sediment Controls must be in place prior to any ground disturbance.
 - Address plaques must be in place on each structure prior to issuance of a certificate of occupancy.
 - All units are restricted from sale, conveyance or transfer in accordance with the Subdivision Improvements Agreement between Trestle Townhomes, LLC and the Board of County Commissioners of the County of Grand. Such restrictions may be released in accordance with such agreement."
16. A final plat mylar, support documents, and recording fees are provided.

The Board thanked the applicant for their work toward affordable housing.

Commissioner Newberry moved to approve the Trestle Townhomes Final Plat with staff's recommendation.

Motion passed unanimously.

Reinstatement of Ashbach Family Ltd. Partnership Subdivision Sketch Plan

On June 1, 1999, the Board of County Commissioners reviewed the sketch plan application for the Ashbach Family Limited Partnership Subdivision. The sketch plan proposed to divide a 170-acre tract into 24 lots, ranging in size from 2.3 acres to 10.1 acres (average lot size is 5 acres). Net density of the subdivision is one single-family residential unit per 7 acres. This subdivision is located within Rural Growth Area No. 1, which encompasses the Pole Creek and Crooked Creek Drainage Basins. Furthermore, it is in the vicinity of County Road 519, the Fairways at Pole Creek, The Valley at Winter Park, The Black Forest at Pole Creek, Pole Creek Preserve, and Pole Creek Timbers Sketch Plan. The Board of County Commissioners approved this sketch plan unanimously on June 1, 1999.

Section 4.1(2)(c) states,

an approval or conditional approval of a sketch plan by the Board of County Commissioners shall be valid for the same period as the approval or conditional approval of the Planning Commission.

Sketch plan approvals are valid for one year and if no preliminary plat in conformance is submitted, with all required accompanying material, a new sketch plan shall be submitted. The subject sketch plan's approval is no longer valid.

On June 28, 2000, the applicant requested that the Board of County Commissioners reinstate the approval status for the Ashbach Family Limited Partnership Subdivision Sketch Plan. Staff does not recall the Board reinstating sketch plans. In the past, the Board has granted approval extensions to preliminary plats due to the more technical nature of the review. As well, substantial time and investments are made by the developer during preliminary plat. Sketch plans do not carry the same status. The Subdivision Regulations do not specifically address reinstatement of sketch plan approvals.

Staff has reviewed the Certificate of Recommendation and the sketch plan application that the Board reviewed and approved more than a year ago. Said subdivision site is, based upon staff's review, apparently suited for development as proposed. One year is ample time to prepare a subdivision preliminary plat. Staff is tremendously concerned with reinstating sketch plan approval, however, not for an additional year. It is staff's recommendation to the Board to reinstate the subject sketch plan for an additional three months or until September 1, 2000. If no preliminary plat has been submitted by September 1, 2000, a new sketch plan shall be submitted.

Commissioner Newberry moved to continue until September 1, 2000, with staff's recommendation on the Ashbach Family Limited Partnership Subdivision Sketch Plan.

Motion passed unanimously.

Board Business

Heather Peck, of the Planning Department, attended the open house for the United States Forest Service Roadless Area Conservation Proposal. She presented the Board with the copies she received at the meeting.

Commissioner Dailey moved to approve Resolution No. 2000-5-33, A Resolution denying the vacation of a portion of County Road 478.

Motion passed unanimously.

Commissioner Dailey moved to approve Resolution No. 2000-4-24, A Resolution authorizing and approving the renewal of Special Use Permit No. 1997-1-10 for the placement of a telecommunications shelter that will serve to house and protect the electronics necessary to operate a fiber optics telecommunications network on the Denver and the Rio Grande Western Railroad Company right-of-way near the unincorporated area known as Radium, located in the W1/2NE1/4 of Section 27, Township 1 South, Range 82 West of the 6th P.M.; amending said Special Use Permit to include a similar site near the town of Fraser on the Denver and the Rio Grande Western Railroad Company right-of-way located in the SW1/4SE1/4 of Section 18, Township 1 South, Range 75 West of the 6th P.M.; and transferring said Special Use Permit from SP Construction Services to Qwest Network Construction Services and authorize the Chairman to sign the Special Use Permit.

Motion passed unanimously.

Assessor

The Board considered the appointment of the County Assessor. The County Attorney stated that the County

Assessor cannot have a deputy, and anyone appointed as such would not be able to serve in that capacity.

Anders/Eichhorn Town Homes Sketch Plan

The following is all or part of staff's Certificate of Recommendation to the Board of County Commissioners as presented at the meeting on July 11, 2000.

APPLICANT: Lloyd H. Anders and Susan C. Anders (owners) and Kraig Eichhorn

RE: Anders/Eichhorn Townhomes - Sketch Plan

LOCATION: Lot 24, Block 2, Replat of Winter Park Ranch Second Filing

STAFF CONTACT: Heather L. Peck

REQUEST: The applicants are requesting sketch plan approval for six (6) townhome units on Lot 24, Block 2, Replat of Winter Park Ranch Second Filing.

Lloyd and Susan Anders are currently the owners of Lot 24, Block 2, Replat of Winter Park Ranch Second Filing. Conveyance of the property occurred by Warranty Deed recorded in the Grand County Real Property Records at Reception No. 99010029.

The applicants are requesting sketch plan approval of six (6) townhome units on a 1.5 acre tract known as Lot 24, Block 2, Replat of Winter Park Ranch Second Filing. This proposal consists of one duplex and one four-plex. The applicant has provided a 24' x 36" drawing of the proposed townhome project. Said drawing was made at a scale of 1"=20', and includes topographic lines and driveway grades.

The applicant provided an application letter that briefly describes the site. This information will be further discussed in the Compliance/Noncompliance with Grand County Subdivision Regulations section of this review.

The Replat of Winter Park Ranch Second Filing, recorded in the Grand County Real Property Records at Reception No. 103582, dedicated ten foot (10') utility easements along all front, side and rear property lines. The submitted drawing shows that each of the buildings is located within the required minimum setbacks.

The subject property is zoned "Residential" by Grand County. Multi-family dwellings are permitted in the "Residential" zone district provided the property is properly platted with Grand County through the subdivision process.

The minimum setback requirements in the "Residential" zone district are: front -30 feet, side - 5 feet and rear - 20 feet. However, as stated previously in this certificate, the Replat of Winter Park Ranch Second Filing dedicated ten foot (10') utility easements along all front, side and rear property lines. Therefore, the minimum side yard setback is increased from five feet (5') to ten feet (10').

The subject property can be served by both central water and central sanitation facilities, as it is located within the Winter Park West Water and Sanitation District. The minimum lot size in the "Residential" zone district is 7,000 square feet when the property can be served by central water and sanitation facilities, however, this is not relative to a multi-family subdivision. The maximum density for a multi-family project is 20 units per acre. This project proposes six (6) units on 1.5 acres, for a developed density of 4 units per acre, which is well under the allowed 20 units per acre.

The maximum allowed building height in the "Residential" zone district is 35 feet above finished grade. The height of the building is the vertical distance of a structure measured from the lowest elevation of finished grade, a distance of ten feet from the structure, to the highest point of the structure. The same should be taken into consideration during the design of the structures.

Signs are allowed in the "Residential" zone district provided an approved sign permit is issued by Grand County. Any signs to be located on the property should be taken into consideration by the applicant as they are not allowed to be placed in open space. Additionally, all signage must comply with Section 13.3 Signs of the Grand County Zoning Regulations.

Staff feels that this request is in compliance with the Grand County Zoning Regulations.

Growth Strategy No. C-1 states that urban density residential development should be targeted to occur within designated growth areas around the existing towns and established growth areas. The subject property is located within the Grand County Urban Growth Area No. 2. Urban growth areas were established with the Grand County Master Plan to allow and encourage higher densities within and around existing higher density residential areas. Many properties located within Winter Park Ranch are currently under multi-family use.

Growth Strategy No. C-8 stresses the need for expansion and modification of existing county design and site planning review standards to ensure quality development. Although Grand County does not currently restrict development within Winter Park Ranch with the use of design standards, Staff feels that design standards must be applied to this project through the subdivision review process. With this in mind, any preliminary plat submittal should include design guidelines, including but not limited to the use of natural materials and colors, to blend with the surrounding natural environment, on the exterior of each structure. Natural materials and colors should also be used in the construction of the retaining walls on site.

Design standards will be made a condition of any final plat approval to ensure compliance with said standards during construction of all structures. Additionally, the applicant should be aware that Grand County is currently working on design standards to be applied through the subdivision process and/or building permit process that may affect this application. Grand County is also working on affordable housing regulations that may affect this application.

Growth Strategy No. C-10 provides that the County take steps to maintain and improve the air quality and water quality and quantity in rivers and streams throughout Grand County. Therefore, any preliminary plat submittal must address final grading, revegetation, and erosion and sediment control measures for this site. The applicant should take into consideration the existing vegetation on site, and possibly establish construction limitation lines, to protect existing vegetation. A vegetative screen must be maintained, or established with landscaping, between County Road 834 (a.k.a. Cranmer Avenue) and the development.

The applicant will be required to enter into a Water Quality/Wastewater Agreement with Grand County. Included in this agreement is the payment of \$500.00 per unit for water quality impact fees (for a total of \$3,000.00). Said payment will be collected prior to recording of the final plat of this subdivision.

To ensure that adequate measures are taken to maintain and improve air quality the following note must be placed on the plat:

12. "All lots/units created by this subdivision will comply with Section 5.8 Slash Removal and Disposal and

Section 5.9 Solid Fuel Burning Devices of the Grand County Subdivision Regulations"

A detailed slash disposal plan must be provided with any preliminary plat submittal. Said plan should detail the method of slash removal and disposal. Due to the size of this subdivision and the overall disturbance to the site, it may be cost effective to consider a method of slash disposal other than burning. Also, the site is located within an urbanized area and slash burning may not be the safest method for disposal.

Any preliminary plat submittal should be accompanied by a wildfire mitigation plan for this property. Any final plat approval of this subdivision will contain a condition regarding the implementation of the wildfire mitigation plan at building permit stage. As well, the applicant must address fire protection in accordance with Section 3.2 Utilities of the Grand County Subdivision Regulations.

The applicant has not addressed affordable housing with this sketch plan submittal. At this time, Grand County does not have affordable housing regulations in place, however, for the past approximately nine (9) months, Staff has asked developers to address how they may be able to help with the affordable housing problem.

Currently, Grand County is considering a housing needs assessment to determine exactly what the affordable housing needs in Grand County are. It is very important that this question is answered before any regulatory changes are made or land/units dedicated for this cause. In the past, some developers have chosen to take a roll in addressing affordable housing and have volunteered money to help fund a housing needs study. However, to date this has been the extent of the developers roll in addressing affordable housing. With this in mind, the applicant should provide an affordable housing proposal with any preliminary plat submittal.

By complying with the above requirements, this proposal will be in compliance with the Grand County Master Plan.

The site is located in Winter Park Ranch Second Filing with average slopes ranging from 13% to 25%, with vegetation consisting primarily of lodgepole pine. Located east of the Town of Fraser, the Replat of Winter Park Ranch Second Filing was recorded in the Grand County Real Property Records in November of 1965. Since that time, a mix of single family and multi-family dwellings have been constructed in this area. Cranmer Avenue and this property are accessed most directly from County Road 804 on the south, however, the property may also be accessed from the north by County Road 8 and a number of roads located within Winter Park Ranch Filings 1, 2, 3 and 4.

Within the applicants letter of application, it is stated that the subject property contains slopes averaging 13% to 25%, with vegetation consisting mainly of lodgepole pine. The application letter states that no streams or other bodies of water are located on the property. The applicant states that soils are typical of the Winter Park/Fraser area with no "seeable" boulders, however no additional information regarding soils was provided.

The applicant did not provide reports concerning geologic characteristics significantly affecting the land use proposed on this site. Staff will require site specific investigations, design recommendations, and preliminary construction plans that reflect said design recommendations with any preliminary plat submittal.

The applicants' report suggests no known radiation hazards, however, radon mitigation is a required design element for all foundations within this subdivision.

A sketch drawing of the proposed layout or plan of development plan has been provided with the sketch plan application. This drawing includes the total number of dwelling units and open space. Each townhome unit is labeled with a number. The open space and snow storage areas should be labeled on the drawing.

The drawing includes a project summary, describing the proposal, and also includes a break down of the area of the lot, with 7.34% coverage by buildings, 7.65% coverage by roads and driveways, .33% coverage by walks and dumpster, and 84.68% open space. The Grand County Subdivision Regulations require that a minimum of 60% open space is retained, with a maximum coverage of 40% by structures, common areas, and roads and parking.

The applicant has provided a parking space outside of each unit. The minimum size requirement for a parking space is 10' wide x 20' long. Several of the parking spaces as shown on the sketch plan drawing do not meet this minimum size requirement, and must be redesigned so that they do not encroach into the access road. This proposal contains approximately 84% open space, therefore, the redesign of the parking spaces should not pose a problem with relation to the 60% open space requirement.

To access the property, the applicant is proposing an access road with a 20' driving surface. Per the Road and Bridge Standards, if an accessway accommodates more than 20 ADTs it will be classified as a roadway rather than a driveway. The minimum width of an access road is 24', with a minimum driving surface of 20'. The County Engineer does not believe that a 2' shoulder along each side of the access road is necessary in this subdivision due to the length and purpose of the road, and feels that a 20' driving surface will safely and adequately accommodate two-way traffic within this subdivision. Staff agrees that a 20' driving surface will provide adequate access to the site, and also feels this is the most reasonable way to address access to this site.

The access road into this subdivision varies in grade from 5% to 10%. The applicant should be aware that the maximum allowed grade of an access road is 7%. Section 3.5 Vertical Alignment of the Grand County Road and Bridge Standards allows for a variance of the road grade provided the conditions contained within that section are met. Section 3.6.3 Corner Sight Distance and Section 3.6.4 Sight Triangle of the Grand County Road and Bridge Standards establish requirements for sight distance at intersections. The applicant should review these regulations and design the intersection accordingly. Plans and profiles for the access road and the intersection must be provided for review by the County Engineer at preliminary plat phase.

Section 3.3.3 Cul-de-sacs/Turnarounds of the Grand County Road and Bridge Standards states that cul-de-sacs should be avoided, but where cul-de-sacs are the only alternative a bulb type turn-around shall be provided. The applicant has not proposed a bulb type turn-around, however, a typical driveway turn-around (figure 1, Grand County Road and Bridge Standards) has been provided. At this time, Staff feels that this turn-around will adequately serve the same purpose as the bulb type turn-around.

In accordance with Grand County Road and Bridge Standards, all driving surfaces, including driveways and parking areas, located within this subdivision must be designed and surfaced with either concrete or asphalt.

Article II Design Standards Section 2.2 (14) of the Grand County Subdivision Regulations requires that all developments shall provide two (2) or more means of ingress and egress. The applicant has provided only one point of ingress and egress to the site from County Road 834 (a.k.a. Cranmer Avenue). Grand County has granted variances to this section of the regulations in the past with approval of the plans by the East Grand Fire Protection District and the Grand County Engineer. A variance may not be required as this subdivision is a replat of an existing lot located within the Winter Park Ranch Subdivision. This site could be considered to be served by two

means of ingress and egress due to the fact that the lot can be accessed from County Road 804, as well as from County Road 8 and a number of other roads within Winter Park Ranch. If the Board of County Commissioners finds that a variance is necessary, the applicant must make such a request to be considered during preliminary plat review.

The Grand County Planning Commission reviewed the Anders/Eichhorn Townhomes Sketch Plan at their regular meeting on June 14, 2000 and recommended conditional approval with Planning Commission Resolution No. 2000-6-5.

The applicant is proposing the construction of retaining walls along the access road and behind unit no. 1 thru 4. Any preliminary plat submittal must include typical cross sections of the retaining walls.

Drainage should be considered at an early stage of this subdivision review. Provisions should be made to restrict drainage from the property to a rate less than or equal to that which has historically occurred. Staff will require that an engineered drainage plan is provided with any preliminary plat submittal.

The preliminary plat submittal must include architectural elevations, floor plans for each unit, and a lighting plan for each unit. Minimum parking requirements must be addressed per the Grand County Zoning Regulations, Section 14.4. All lighting must be directed so that no trespass occurs onto surrounding lots, into the sky, or onto roadways. No up-lighting will be allowed.

Staff recommends approval of the Anders/Eichhorn Townhomes Sketch Plan with the following conditions:

1. The applicant provide an affordable housing proposal with any preliminary plat submittal.
2. The applicant and applicant's engineer meet with Staff prior to any preliminary plat submittal.

The following information will be required with any preliminary plat submittal and is included for the applicants information.

- Detailed geo-technical investigations, design recommendations, and preliminary construction plans, for all improvements including drainage (including snow storage areas), drives and parking areas (including drive/parking area plans and profiles), utilities, and erosion and sediment controls.
- All existing easements and utility lines must be shown on the preliminary plat drawing.
- Storm drainage plan complying with the Grand County Storm Drainage Design Criteria Manuel.
- Proof of Water and Sanitation.
- Each item with a symbol must be specifically addressed with any preliminary plat submittal.
- The applicant provide 35 sets (packaged) of a complete preliminary plat submittal.
- All preliminary plat requirements are met.

Commissioner Dailey moved to approve the Anders/Eichhorn Townhomes Sketch Plan with staff's recommendations.

Motion passed unanimously.

Board Business

Commissioner Newberry moved to approve Resolution No. 2000-7-4, A Resolution approving the first amendment to the Subdivision Improvements Agreement for Four Springs Subdivision Exemption and authorize the Chairman to sign the amendment to the Subdivision Improvements Agreement.

Motion passed unanimously.

Faith Tabernacle Outright Exemption

The following is all or part of staff's Certificate of Recommendation to the Board of County Commissioners as presented at the meeting on July 11, 2000.

APPLICANT: Martin and Kimberley Sayers

RE: Faith Tabernacle of Kremmling Outright Exemption

LOCATION: SW1/4 of Section 7, Township 1 North, Range 80 West

STAFF CONTACT: Ben Schwab

REQUEST: The Applicant is requesting approval of an outright exemption that will divide a 12.334 acre tract of land from an existing 117 acre tract for a future church site.

The Applicant owns approximately 117 acres north of the Town of Kremmling. The Applicant is requesting approval of an outright exemption that will allow them to transfer a 12.334 acre tract of land to the Faith Tabernacle of Kremmling. This property will be accessed via US Highway 40. The Applicant has provided Staff with a State Highway Access Permit from the Colorado Department of Transportation for improvements to the existing access and change in access use.

This proposed site will be served by the Town of Kremmling's central water system. The Applicant has provided a letter from Mr. Don Van Wormer, Kremmling's Town Manager, regarding the availability of a water tap for this proposed outright exemption parcel. An easement agreement executed in 1964 between the Town of Kremmling and Earl and Opal Martin, and recorded in Book 147 Page 42 at the Grand County Courthouse, provides for three 3/4 inch water taps in exchange for a waterline easement. The water taps, per the agreement are transferrable to all heirs, assignees and successors. As Ms. Sayers is a successor to the property in question, she is entitled to use the water taps.

This property will be served by a individual septic disposal system. In order to address water quality concerns for the long term, if this proposal is approved, the Applicant will be required to provide \$1,000.00 for the lot to be created to be held either by Grand County, or turned over to a properly formed Sanitation District, for future water quality measures. The Applicant will be required to enter into a water quality agreement for the payment of this fund.

This property is located within the Forestry and Open Zone District. The minimum lot size in this Zone District is two (2) acres. This proposed outright exemption parcel is approximately 12 acres. The proposed use of this tract of land is for the Faith Tabernacle church. Churches are a use permitted in this Zone District. This outright exemption request is in compliance with the Grand County Master Plan.

This outright exemption parcel is located within the Town of Kremmling Growth Area. A primary goal of town growth areas is to provide adequate land for all types uses (residential, commercial, and industrial), and not just

land suited for residential development. This property will be served by a central water system. The density of this proposed outright exemption parcel is compatible with the surrounding area. In Staff's opinion, there are adequate public facilities and services in place to accommodate this outright exemption parcel in relation to its density and use.

Prior to recording the final plat, the Applicant shall provide Staff with an approved highway access permit, granted to the Applicant from the Colorado Department of Transportation, for the proposed outright exemption parcel.

A 14" by 18" black-line mylar with approved addresses and road numbers for the Faith Tabernacle of Kremmling Outright Exemption shall be provided prior to any recording of any final plat.

A 3 ½" floppy disc in AutoCAD which contains the physical features of the Faith Tabernacle of Kremmling Outright Exemption, shall be provided prior to any recording of any final plat.

This parcel must be conveyed to Faith Tabernacle as part of any approval of the proposed outright exemption tract. The Applicant has provided a draft Warranty Deed conveying the outright exemption parcel from the Sayers to Faith Tabernacle. This deed includes a restriction limiting the use of the outright exemption tract to a church and incidental buildings.

At the hearing before the Board of County Commissioners on July 11, trail issues pertaining to this outright exemption parcel were brought to the attention of Staff. At that time it was required that a blanket trail easement be dedicated to the public by the Applicant with a width of 25' as a condition of approval. Headwaters Trail Alliance has been contacted regarding this issue, and they have stated that they are very interested in obtaining a trail easement within the outright exemption parcel. The exact location of this easement will be determined by Headwater Trails Alliance and the Applicant, so as to not interfere with future uses and structures, while providing a logical connection to adjacent trails. This easement would aid in the connection of a continuous non-motorized trail from Woolford Mountain Reservoir to the Town of Kremmling.

Staff recommends approval of the Faith Tabernacle Outright Exemption with the following conditions to be met prior to any recording of any final plat:

1. The Applicant is required to provide \$1,000.00 for the lot to be created to be held either by Grand County, or turned over to a properly formed Sanitation District, for future water quality measures. The Applicant will be required to enter into a water quality agreement for the payment of this fund.
2. That an updated title commitment be provided showing that title will be vested in Faith Tabernacle upon approval and recording of the outright exemption.
3. A Certificate of Taxes, showing property taxes to be paid in full, be provided for the 117 acre tract prior to any recording of any final plat.
4. A 14" by 18" black-line mylar with approved addresses and road numbers for the Faith Tabernacle of Kremmling Outright Exemption be provided prior to any recording of any final plat.
5. A 3 ½" floppy disc in AutoCAD which contains the physical features of the Faith Tabernacle of Kremmling Outright Exemption be provided prior to any recording of any final plat.
6. A correct executed final plat mylar with support documents and recording fees are provided.
7. The Applicant is required to dedicate a blanket trail easement for the outright exemption parcel to the public with a width of 25'. The exact location of this easement will be determined by Headwater Trails Alliance and the

Applicant, so as to not interfere with future uses and structures, while providing a logical connection with adjacent trails.

The Board added an additional recommendation.

9. Blanket Trail Easement be provided by applicant for a bike path 25 feet in width.

Commissioner Dailey moved to approve Faith Tabernacle with staff's recommendations and the Recommendation No. 9.

Motion passed unanimously.

Adams Creek Subdivision Exemption Sketch Plan

Associate Planner, Ed Moyer, stated that the sketch plan review for Adams Creek Subdivision Exemption (Lot 30, Shadow Mountain Ranch) was tabled on May 23, 2000. The issues raised were bringing up the access road to the County's standards and providing electric to the site. The conditions raised by staff were as follows:

The proposed access road from Colorado State Highway 125 and the existing driveway/easement to serve Lots 1 and 2 should be constructed to applicable Grand County Road Standards. Staff would note that the access road and/or driveway currently serves approximately seven, 35-acre parcels to the northeast and at least four more properties to the south. It should be noted that these properties could potentially be subdivided, and the overall impact of any applicable road standard will be properly reviewed. The County Engineer has provided a memo dated May 17, 2000, verifying that any access road from Highway 125 would be required to be built to a minimum of Grand County access road standards, and possibly road standards, depending on the degree of development. The applicant must construct the roads with any required culverts, extend electric, and have everything inspected and approved by the County Engineer. The applicant must provide a means of assuring 110 percent of all construction through a Subdivision Improvements Agreement guaranteed by a Letter of Credit, escrow funds, or by restricting the lots for sale until such time as all construction has been completed. The applicant must provide comprehensive cost estimates and plan and profiles for road construction and electric services to each lot.

The applicant, the Board, the County Engineer, and staff performed an on-site inspection of the access road and proposed subdivision exemption on June 1, 2000. Overall, it seemed as though the road was in fair shape and that it had to be widened in areas to provide for a 20-foot driving surface. Possible variances may need to be granted in a few areas. In addition, the driveway to Lot 3 was discussed, as it was proposed to impact wetlands and be considerably steep. Staff conveyed to the applicant that the County would not support any application for an Army Corps of Engineer Permit to impact the wetlands. This is due to the fact that the applicant can place all three lots on the south side of the wetlands, in the current location of Lots 1 and 2 which already took a Corps Permit to get access. This alignment of lots could still provide for excellent views, while screening each building envelope from one another. Mr. Hulbert recently stated that he is working with the landowner to the north to provide for a shared access that would not impact wetlands and would not be as steep. By doing this, he anticipates the configuration of Lot 3 could be acceptable.

The County Engineer, in a memo dated July 6, 2000, stated that he has spoken with Mr. Cliff Hulbert regarding a reduction in lots versus a reduction in road requirements. The County Engineer conveyed to Mr. Hulbert that the

same road standard would apply to the number of lots the road already serves, and that he had to stand firm on the recommendation. It is staff's understanding that Mr. Hulbert will be asking the Board to consider escrowing proportional monies as development occurs on the access road to someday upgrade the road. Staff feels that the only way to help the applicant in this situation is for the road to be built to the County's standards and have the County require other (new) developments to pay their proportional share for the cost recovery of the initial road upgrade.

Staff feels that the access road should be built to Access Road Standards (20' driving surface), as there are seven other 35-acre tracts between this proposal and Highway 125 that could be subdivided. Improving access roads to County's standards are required with any subdivision exemption. This requirement is not to financially constrain developments but to provide for adequate emergency vehicle/public access. Grand County has made great strides to be consistent in applying the Subdivision Exemption requirements to all developments, whether it be two or three lots.

At this time, staff feels that the access road should be built to Access Road Standards (20' driving surface) and would recommend approval of the Adams Creek Subdivision Exemption Sketch Plan, as originally presented and conditioned, provided that access to Lot 3 can be provided without disturbing wetlands and maintaining applicable grades.

Staff would request that the Board make a determination on the access road being constructed to Grand County Road and Bridge Standards, in order for the applicant to either withdraw the proposed subdivision exemption or continue on through sketch plan review.

Mr. Cliff Hulbert stated that the road standards are for an urban area. He believes this road should be less than required by the standards. He believes that with only one additional resident, this road is not a big problem. He believes that he can provide the best solution. This will be an access condition that is workable. He proposes that he can provide 90 percent of the distance of the road. If no one else comes in to subdivide, this road would be sufficient.

Planning Director Gray stated that staff's recommendation is similar to the compromise reached with Mr. Thurston. Mr. Hulbert needs to decide if he will be willing to go with the same compromise.

The Board agreed that a 20-foot driving surface is necessary. The Board would need to know where the cabin is in relationship to the road.

Mr. Hulbert stated that he can sell the property the way it is.

Board of Health - Matt Laird Sand Filter System

The Board convened a special meeting of the Board of Health.

CSE Amendment Contract

The Board convened a special meeting of the Board of Social Services.

Board Business

Commissioner Dailey moved to approve the contract between Grand County and L. D. Watkins for the remodel of the nurse's office buildings.

Motion passed unanimously.

Board of Equalization - Assessor Reports to the BOCC

The Board convened a special meeting of the Board of Equalization.

Lease Agreement at EMS Building

The Colorado State Patrol has moved out of the building, and the space is vacant.

Network Coordinator Discussion

Public Health Nurse, Ellen Parri, stated that the Grand County Health Care Network received the grant. According to the grant, a coordinator should have been hired by June 1, 2000. They have been working to hire a coordinator, but have not been able to do so.

Ms. Parri stated that her proposal is:

1. Ellen Parri will continue to act as Director of both Public Health and Home Health Departments. However, administrative duties, responsibilities, and authority will be shifted to qualified senior staff. Ms. Parri will provide guidance and big picture management versus detail management.
2. Ms. Parri will assume the Network Coordinator position while overseeing the agency.
3. Network Grant funding for the Coordinator and Administrative Assistant Positions will be shifted to existing staff that will assume greater responsibility.
4. This funding will be "additional pay" so as not to impact any current budget line item that could require added County contribution, i.e., workman's compensation, retirement, insurance, etc. (Staff understands this is a three-year process and will not expect same level of funding at the time of the grant completion.)
5. Future merit raises and cost-of-living increases will be based on present budgeted salaries, not additional pay.
6. If received, she will also supervise the Hospice Grant Coordinator, and will oversee the goals and efforts of the Hospice/Palliative Care Grant. (This will establish certified in-patient and out-patient hospice services for Grand County, and is also a part of the Network Grant goals.)
7. A one-time bonus will be given to staff members not assuming changes or additional responsibilities as an incentive for team cooperation.
8. These changes will go into effect beginning July 24, 2000, and will be in place during her leave of absence.
9. Once approved by the Board, the plan will be developed and presented to the Health Care Network Steering Committee for its approval.

Chairman Anderson stated that he feels the Network Coordinator is a full-time position, and he does not feel that there is enough time to do both jobs. Mr. Parri stated that she is giving additional authority to employees. Chairman Anderson stated that he would like to speak with Deb Pelleni and Bob Wallace on this issue. If they are in favor of this, he would like to do this.

Ms. Parri stated that there are two separate issues here. The Board needs to decide if it is okay with Ms. Parri performing both jobs. If the Board is, then the committee members will decide if they want her to be the Health Care Network Coordinator.

Commissioner Dailey is concerned about going into this knowing that who salaries could be cut back in three years.

Commissioner Newberry stated that feels that he has been put into a position to make a decision after the fact. He feels he has been put into a situation where he was allowed no input. Commissioner Newberry stated that if Ms. Parri is the Network Coordinator, the Public Health Nurse should be someone else.

Ms. Parri stated that she believes this is a win-win situation. The staff present agreed that they have a good support system and can make this work.

Commissioner Newberry stated that he would like to see this work. He feels that there should be a separate Public Health Nurse.

County Manager Underbrink Curran stated that it may be better for Ms. Parri to apply for the job and then work things out with the County. She offered to sit down with staff and find a way to make this work.

The Board would like to review this further.

Board Business

Commissioner Newberry moved to approve Resolution No. 2000-7-5, A Resolution approving the final plat of Aspen Canyon Ranch West, Unit 3, Subdivision Exemption located in a portion of the E1/2 of Section 29, Township 1 South, Range 78 West of the 6th P.M., Grand County, Colorado, and authorize the Chairman to sign the Wastewater/Water Quality Agreement, the Subdivision Improvements Agreement, and the plat.

Motion passed unanimously.

The Board addressed the employees of the Assessor's office. The Board stated that because of an opinion of the County Attorney, it was clear that Vicki (or anyone else) could not serve as deputy to the Assessor. The Board will appoint an Assessor on Friday, July 14, 2000.

Commissioner Newberry moved to sign the letter to Eric Lane, Grand County Weed Board, and Sandra McDoanld thanking them for their help with the weed information meeting.

Motion passed unanimously.

Commissioner Newberry moved to approve and sign the open letter to Grand County regarding the noxious weed program.

Motion passed unanimously.

There being no further business to come before the Board, the regular meeting was adjourned at 5:50 p.m. Minutes were taken and prepared by Sara L. Rosene, County Clerk and Recorder. Approved this _____ day of _____, 2000.

Robert F. Anderson, Chairman

ATTEST:

Sara L. Rosene
Grand County Clerk and Recorder