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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Brian Risley, Chair

FROM: Nina Ruiz, Planner III
Gilbert LaForce, PE Engineer II
Craig Dossey, Executive Director

RE: Project File #: MS-17-001
Project Name: Cordero Minor Subdivision
Parcel No.: 34000-00-378

OWNER:	REPRESENTATIVE:
Angel Cordero 2020 N. Ellicott Highway Calhan, CO 80808	Angel Cordero 2020 N. Ellicott Highway Calhan, CO 80808

Commissioner District: 4

Planning Commission Hearing Date:	2/18/2020
Board of County Commissioners Hearing Date	3/10/2020

EXECUTIVE SUMMARY

A request by Angel Cordero for a minor subdivision to create two (2) single-family residential lots. The 35.5-acre property is zoned A-35 (Agricultural) and is located on the west side of Ellicott Highway approximately 1.5 miles north of State Highway 94. The property is located within the boundaries of the Ellicott Valley Comprehensive Plan (1989). A request for approval of a map amendment (rezoning) of the 35.5 acres from the A-35 (Agricultural) zoning district to the A-5 (Agricultural) zoning district is under concurrent review. There are two (2) existing single-family dwellings on the subject



parcel. The proposed minor subdivision would allow for the homes to be located on separate lots, which would allow for the independent sale of each lot with a dwelling.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by Angel Cordero for approval of a minor subdivision to create two (2) single-family residential lots.

Waiver(s)/Deviation(s): There are no waivers associated with the request.

Authorization to Sign: Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a minor subdivision, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;

- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
- Off-site impacts were evaluated, and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

North: A-35 (Agricultural)	Non-conforming Mobile Home Park
South: A-5 (Agricultural)	Agricultural
East: A-5 (Agricultural)	Agricultural
West: A-35 (Agricultural)	Agricultural

E. BACKGROUND

The property was zoned A-35 (Agricultural) when zoning was first established for this portion of El Paso County on March 25, 1999. There are two dwellings on the subject parcel. The site-built home was constructed in 1979 and the modular home was constructed in 1978. The A-35 (Agricultural) zoning district allows for both a principle dwelling unit as well as an additional dwelling unit. The applicant is proposing to subdivide the parcel into two lots with Lot 1 being 17.72 acres and Lot 2 being 16.60 acres in size. The applicant has submitted a concurrent application for a map amendment (rezoning) of the property from the A-35 (agricultural) zoning

district to the A-5 (Agricultural) zoning district, which would reduce the minimum lot size to five acres, thereby allowing for subdivision of the property.

F. ANALYSIS

1. Land Development Code Compliance

The minor subdivision application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2019).

2. Zoning Compliance

A request for approval of a map amendment (rezoning) from the A-35 (Agricultural) zoning district to the A-5 (Agricultural) zoning district is being processed concurrently.

The A-5 zoning district is a 5-acre district primarily intended to conserve agricultural resources and ranching operations and accommodate limited residential use.

The density and dimensional standards for the zoning districts are as follows:

- Minimum lot size – 5 acres
- Setbacks – 25 feet on all sides.
- Maximum building height – 30 feet

The existing structures will meet the dimensional standards of the A-5 zoning district if the rezoning and minor subdivision are approved.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

Policy 6.1.3- Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.2.1- Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.

The minor subdivision is adjacent to the A-5 (Agricultural) zoning district to the south and east. The two (2) lots within the Cordero Minor Subdivision are proposed to be 16.6 acres and 17.7 acres in size. The minor subdivision is compatible with the adjacent five (5) acre subdivisions and consistent with the policies and recommendations of the Policy Plan.

4. Small Area Plan Analysis

The property is located within the boundaries of the Ellicott Valley Comprehensive Plan (1989). The Plan does not have any mapped land use scenarios or area specific policies. Rather, it recommends the demonstration of compatibility with existing surrounding land use in terms of general use, building heights, scale, and density.

The Plan contains language such as:

“In the Ellicott Valley, a mix of urban density satellite communities and rural residential developments should be promoted. Because the planning area has such a large amount of vacant land potentially available for development, it is unrealistic to fully predict where the areas of initial growth focus will or should be. For this reason, decisions regarding specific location and land use mix of future development should be largely left up to the private market.”

The following goals have been used in the review of the applicant’s request:

Goal 1.C. Accommodate a balanced mix of urban density and rural residential uses in the planning area in a manner which is sensitive to both existing conditions and the need to preserve future development options.

Policy 1.8 Encourage new developments to demonstrate compatibility with existing surrounding land use in terms of: general use, building heights, scale, density, dust and noise as applicable.

Goal 3.A. Promote the Ellicott Valley Planning Area as a quality residential living environment.

Goal 3.B. Allow for a balanced mix of residential densities and housing types in the planning area.

The property is currently zoned A-35 (Agricultural) which allows two single-family dwelling units on one parcel. There are two existing homes on the subject parcel with separate wells and septic systems. A concurrent application has been submitted for a map amendment (rezone) from the A-35 zoning district to the A-5 zoning district. The parcel is adjacent to the A-5 (Agricultural) zoning district to the south and east. The two (2) lots within the Cordero Minor Subdivision are proposed to be 16.6 acres and 17.7 acres in size. The proposed subdivision will act as a transition between the five (5) acre parcels to the south and east and the 35+ acre parcels to the north and west.

The Plan is generally permissive and, as stated, contains no land use map. The map amendment (rezone) and minor subdivision will not result in an increase in density in terms of dwelling units per acre and the proposal is consistent with the

surrounding area in terms of allowed uses, building heights, scale, density, dust and noise. The proposed subdivision is in general conformance with the Plan.

5. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes.

The application was submitted prior to the adoption of the Water Master Plan, therefore, consistency with the Plan is not an applicable review criteria.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential. Colorado Parks and Wildlife was sent a referral and has no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies potential upland deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, severed mineral rights exist. The mineral rights owner has been notified of the application and hearing date.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

The property contains 100-year floodplain. Please see the floodplain section below for further information and background.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential.

3. Floodplain

FEMA Flood Insurance Rate Map No. 08041C0807G, which has an effective date of December 7, 2018, shows the northeast corner of the subdivision as being located in the 100-year floodplain (Zone A) for Black Squirrel Creek. Section 8.4.2.B.1 requires that the base flood elevations be shown on all Plats. Zone A is unstudied; therefore, a floodplain certification letter was prepared which defined three base flood elevation contours along the subdivision. No structures and no storage of materials are permitted within the floodplain area.

4. Drainage and Erosion

The property is bisected by the Hook and Line Ranch (CHBS1800) and Ellicott (CHBS1600) drainage basins. Both drainage basins are unstudied with no drainage basin or bridge fees.

Water quality capture volume was not provided and was not required per Appendix I of the Engineering Criteria Manual (2019) since the development is low density housing (2.5 acre or larger lots) and having a total lot impervious area of less than 10 percent. A drainage letter was not required as it was deemed unnecessary by the County due to the minimal drainage impact a second lot is expected to generate.

5. Transportation

The subdivision is accessed via North Ellicott Highway. No internal streets are proposed with the subdivision. In accordance with the 2016 Major Transportation Corridor Plan Update (MTCP) the development is dedicating 50 feet of right-of-way along North Ellicott Highway.

The subdivision is subject to the El Paso County Road Impact Fee Program (Resolution 18-471), as amended.

H. SERVICES

1. Water

Sufficiency:

Quality:

Quantity:

Dependability:

Attorney's summary: To be provided at hearing.

2. Sanitation

Wastewater services will be provided by the existing on-site wastewater systems (OWTS). El Paso County Public Health had no objection to the proposed subdivision.

3. Emergency Services

The property is within the Ellicott Fire Protection District. The District was sent a referral and responded with the following comments: "The Ellicott Fire department has no objections to the minor sub-division change as described."

4. Utilities

Mountain View Electric Association will continue to provide electrical service to the two homes on the subject parcel. There is no natural gas available at this time other than propane tanks.

5. Metropolitan Districts

The property is within the limits of the Ellicott Metropolitan District.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$604.00 for regional fees and \$0.0 for urban park fees will be due at the time of recording the final plat.

7. Schools

Fees in lieu of school land dedication in the amount of \$185.00 shall be paid to El Paso County for the benefit of Ellicott School District No. 22 at the time of plat recording

I. APPLICABLE RESOLUTIONS

Approval Page 19
Disapproval Page 20

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019) staff recommends the following conditions and notation:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.

2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer’s Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat,

a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.

3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
8. Park fees in lieu of land dedication for regional parks (Area 4) in the amount of \$604.00 shall be paid at the time of plat recordation.
9. Fees in lieu of school land dedication in the amount of \$185.00 shall be paid to El Paso County for the benefit of Ellicott School District No. 22 at the time of plat recording.
10. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified nine (9) adjoining property owners on February 3, 2020, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map

Letter of Intent

Plat Drawing

State Engineer's Letter

County Attorney's Letter (to be provided at hearing)

El Paso County Parcel Information

File Name: P-17-001/MS-17-001

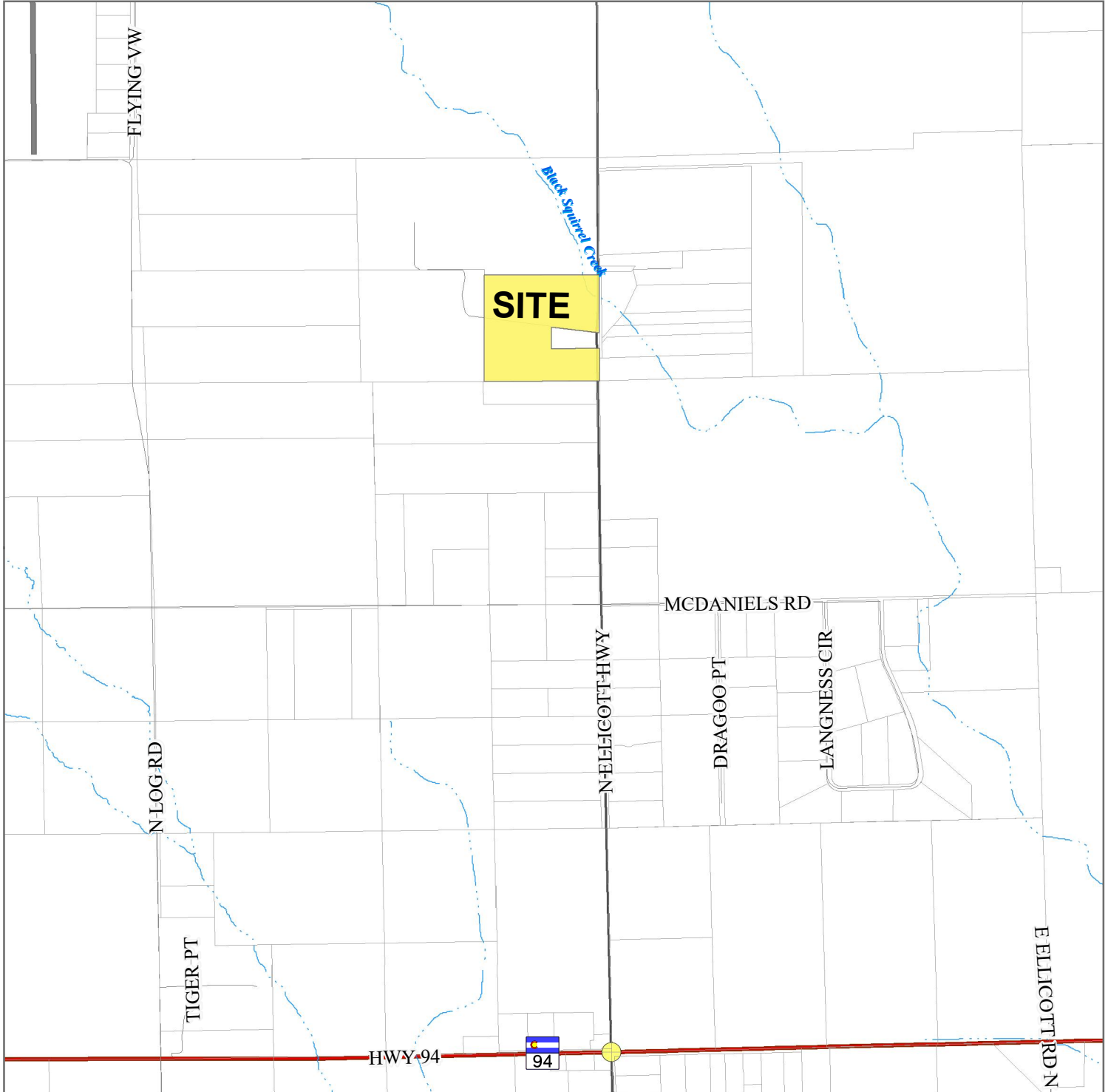
PARCEL	NAME
3400000378	CORDERO ANGEL EMILIO JR

Zone Map No. --

ADDRESS	CITY	STATE
2020 N ELLICOTT HWY	CALHAN	CO

ZIP	ZIPLUS
80808	8829

Date: January 29, 2020



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 919 520-6600



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Letter of Intent

11 October 2019

Angel E Cordero Jr
Owner
2020 N Ellicott Hwy
Calhan, CO 80808
(719) 425-5071

1. Owner/applicant and consultant, including addresses and telephone numbers.
Angel E Cordero Jr, 2020 and 2030 N Ellicott Hwy Calhan CO 80808, 719-425-5071
2. Site location, size and zoning.
2020 and 2030 N Ellicott Hwy Calhan CO 80808 (Parcel Number 3400000378), 35.55 acres, A-35
3. Request and justification.

I Angel E Cordero Jr the owner of real property located at 2020 N Ellicott Hwy Calhan CO 80808 (Parcel Number 3400000378) would like to request a rezoning change from A-35 to A-5. I am submitting a minor subdivision titled Cordero Minor Subdivision where I would like to divide my current 35.55 acre parcel in half, approximately 17 acres in one section and 18 acres in the other section. Each section once divided will have a single family home, one well, and out building/s.

I granted an ingress and egress easement on 16 March 2016 which divides my property approximately in half. It is this new easement which I would like to use as the dividing line for the property to create the subdivision.
4. Existing and proposed facilities, structures, roads, etc.
2 Single Family Homes, two well, various out buildings. I am not proposing the addition of facilities, structures, roads, etc. at this time.
5. Waiver requests (if applicable) and justification.
None
6. The purpose and need for the change in zone classification.
7. I am submitting a minor subdivision titled Cordero Minor Subdivision where I would like to divide my current 35.55 acre parcel (zoned A-35) in half. This would account for approximately 17 acres in one section and 18 acres in the other section requiring the change to A-5 from A-35
8. The total number of acres in the requested area.
35.55 acres
9. The total number of residential units and densities for each dwelling unit type.
Two single family homes

10. The number of industrial or commercial sites proposed.
None
11. Approximate floor area ratio of industrial and/or commercial uses.
N/A
12. The number of mobile home units and densities.
N/A
13. Typical lot sizes: length and width.
700'x122'
14. Type of proposed recreational facilities.
N/A
15. If phased construction is proposed, how it will be phased.
No phased construction is proposed at this time
16. Anticipated schedule of development.
I am not proposing the addition of facilities, structures, roads, etc. at this time.
17. How water and sewer will be provided.
Water: Two wells.
Sewer: Current septic and leach field
18. Proposed uses, relationship between uses and densities.
Single family homes, dwelling for single family home
19. Areas of required landscaping.
N/A
20. Proposed access locations.
Existing driveways
21. Approximate acres and percent of land to be set aside as open space, not to include parking, drive, and access roads.
Not required as I am not a developer.

Review Criteria: 7.2.1.D:

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
Yes, after review of Master Plan and completion of required documents for proposed subdivision and rezoning, the subdivision is in conformance with the goals, objectives, and policies of the Master Plan
2. The subdivision is in substantial conformance with the approved preliminary plan;
Yes, the completion of required documents for proposed subdivision and rezoning allow for the substantial conformance with the approved preliminary plan
3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
Yes, the completion of required documents for proposed subdivision and rezoning ensures all requirements associated with subdivision design standards and regulations are met
4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
Yes, a depletion analysis has been completed and found to be adequate for the placement of two new wells into the Arapahoe Aquifer within the proposed subdivision. Once the subdivision is approved well permits will be sought for the new wells which will confirm to the limitations outlined in Augmentation Plan FO3344
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;
Yes, the system comply with State and local laws and regulations as it is currently in place and has been in use for years.
6. All areas of the proposed subdivision which may involve soil or topographical conditions resenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
Yes, none exist
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;
Yes, no changes are proposed current conditions comply with State Statute and requirements of this Code and the ECM
8. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
Yes, public rights-of-way have been requested and granted, recorded easement is in place and functioning in accordance with agreement, all are acceptable to the County in compliance with this Code and the ECM
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
Yes, all services are currently in place and functioning
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

Yes, Fire protection has identified capability of coverage for subdivision as they currently provide protection.

11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8

Yes, no impacts as a result of the subdivision nothing is changing, requirements of Chapter 8 continue to be met.

12. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;

Yes, impacts of the subdivision are adequately mitigated. The completion of required documents for proposed subdivision and rezoning ensures all requirements are met.

13. The subdivision meets other applicable sections of Chapter 6 and 8

Yes, the completion of required documents for proposed subdivision and rezoning ensures all requirements are met

14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et seq.]

Yes, no changes are proposed as a result of this subdivision, as such extraction of any known commercial mining deposit shall not be impeded.

Very Respectfully,
Angel E Cordero Jr
Owner
2020 N Ellicott Hwy
Calhan, CO 80808
(719) 425-5071

KNOW ALL MEN BY THESE PRESENTS:

That Angel Emilio Cordero, being the owner of the following described tracts of land to wit:

A tract of land located in the Southeast Quarter of the Northeast Quarter of Section 1, Township 14 South, Range 63 West of the 6th P.M., El Paso County, Colorado described as follows;

The Southeast Quarter of the Northeast Quarter of said Section 1,

Excepting therefrom the northerly 65 feet thereof and also excepting the following tract of land described as follows;

Beginning at a point on the east line of said Section 1 from whence the East Quarter of said Section 1 bears S 0°52'33" E, 565.14 feet; thence N 84°01'36" W, 565.14 feet; thence S 0°41'01" E, 251.53 feet; thence N 88°24'07" E, 562 feet to the east line of said Section 1; thence N 0°52'33" W along the east line of said Section 1, a distance of 177.05 feet to the point of beginning.

Containing a calculated area of 35.5483 acres, more or less.

OWNERS CERTIFICATION:

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, easements and road right of way as shown hereon under the name and subdivision of CORDERO MINOR SUBDIVISION. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

Angel Emilio Cordero _____ Date

STATE OF COLORADO }
COUNTY OF EL PASO } SS

Acknowledged before me this _____ day of _____, 2019 by

Angel Emilio Cordero

My commission expires _____

Witness my hand and official seal _____
Notary Public

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

This plat for CORDERO MINOR SUBDIVISION was approved for filing by the El Paso County,

Colorado Board of County Commissioners on the _____ day of _____, 2019, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public (streets, tracts, easements: list those applicable) are accepted, but public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement.

President, Board of County Commissioners Date

DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT CERTIFICATE:

This plat for CORDERO MINOR SUBDIVISION was approved for filing by the El Paso County, Colorado Planning and Community Development Department Director on the

_____ day of _____, 2019, subject to any notes or conditions specified hereon.

Director Of Planning and Community Development Date

SURVEYOR'S CERTIFICATION:

I Mark S. Johannes, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on the date of survey shown hereon, by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

This certification is neither a warranty nor guarantee, either expressed or implied.

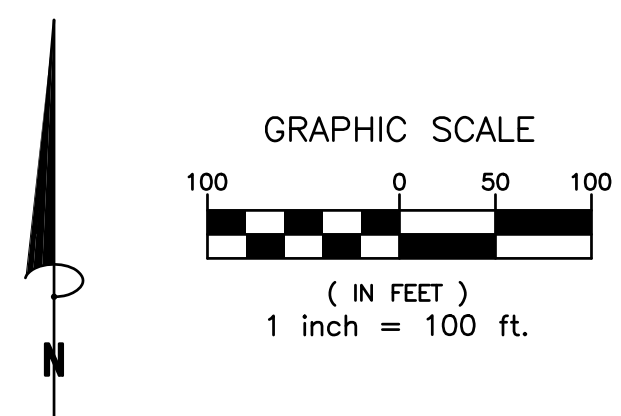
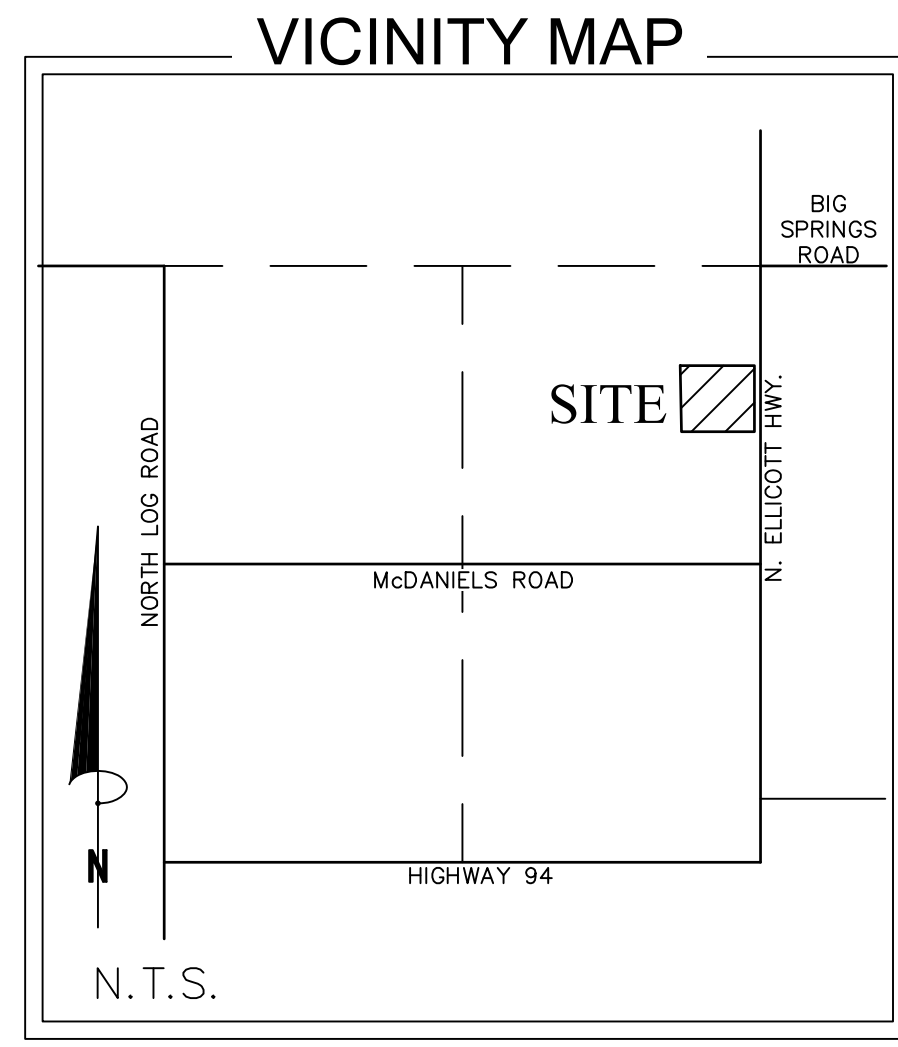
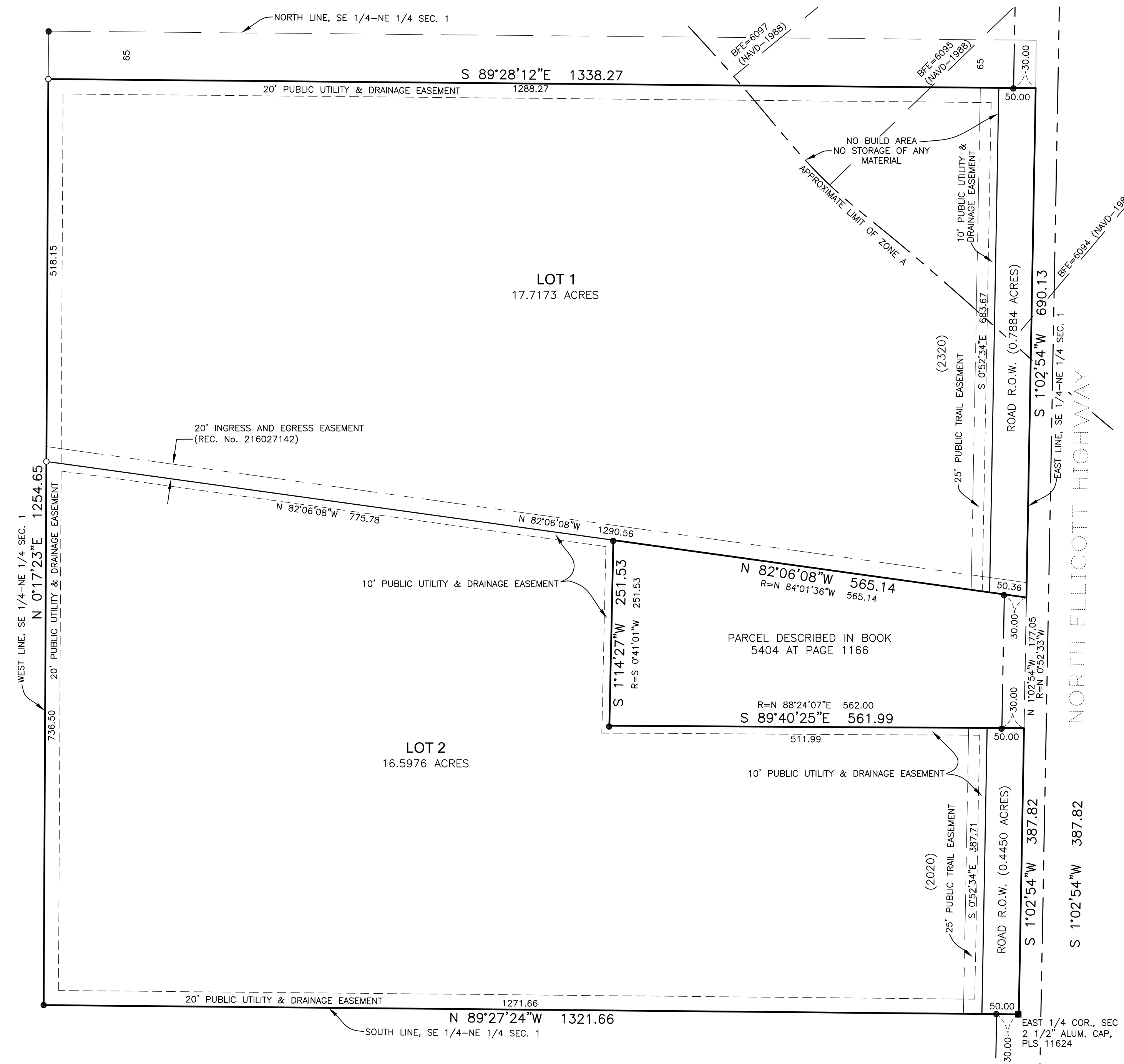
Mark S. Johannes
Colorado Professional Land Surveyor No. 32439
For and on behalf of Compass Surveying and Mapping, LLC

COMPASS SURVEYING & MAPPING, LLC
721 S. 23RD ST., SUITE B
COLORADO SPRINGS, CO 80904
719-354-4120
WWW.CSAMLLC.COM

PROJECT No. 16-030
DECEMBER 01, 2016; REVISED: APRIL 18, 2017; JANUARY 02, 2019;
JANUARY 30, 2019; MARCH 6, 2019; OCTOBER 18, 2019

MINOR SUBDIVISION
CORDERO MINOR SUBDIVISION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1,
TOWNSHIP 14 SOUTH, RANGE 63 WEST OF THE 6TH P.M.,
EL PASO COUNTY, COLORADO



NOTES:

- - Denotes found #4 rebar with plastic cap inscribes "pls 13225", unless otherwise noted.
o - Denotes set #5 rebar with plastic cap marked "PLS 32439".
(406) - Denotes street address.
(R=) - Denotes record bearing and/or distance.
- This survey does not constitute a title search by Compass Surveying and Mapping, LLC to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Compass Surveying and Mapping, LLC relied upon a Title Insurance Policy issued by Stewart Title Guaranty Company, File No. 602728, dated December 12, 2014 at 8:00 A.M.
- Basis of bearings is the south line of the property, monumented as shown and assumed to bear North 89 degrees 27 minutes 24 seconds West, 1321.66 feet.
- Water is to be provided via an individual on site well. Permits for individual domestic wells must be obtained from the state engineer who by law has the authority to set conditions for the issuance of these permits.
- Sewage treatment is the responsibility of the property owner. The El Paso County Department of Health and Environment must approve each system and in some areas and in some cases the Department may require an engineer designed system prior to permit approval.
- This property is located within and serviced by the Ellicott Fire Protection District.
- Easements are as noted, with the sole responsibility for maintenance of these easements is hereby vested with the individual property owner.
- Mailboxes shall be installed in accordance with all El Paso County Department of Transportation and United States Postal Service regulations.
- All structural foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado.
- All property owners are responsible for maintaining proper storm water drainage in and through their property. Structures, fences, materials or landscaping that could impede the flow or runoff shall not be placed in drainage ways.
- The addresses exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.
- Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action be commenced more than ten years from the date of the certification shown hereon.
- FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map, Map Number 08041C0825 G effective date December 7, 2018, indicates that the area within the surveyed property to be located in Zone A (special flood hazard areas inundated by 100-year flood, no base flood areas determined) and Zone X (areas determined to be outside 500-year flood plain). The approximate limit of Zone A shown hereon is by map measure only.
- No driveway shall be established unless an access permit has been granted by El Paso County Planning and Community Development. Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from Ellicott Road per Land Development Code Section 6.3.3.C.2 and 6.3.3.C.3. Due to their length, some of the driveways will need to be specifically approved by the Ellicott Fire Protection District.
- Due to wildfire concerns, the property owner is encouraged to incorporate wildfire fuel break provisions as recommended by the Colorado State Forest Service and illustrated through publications available through the State Forest Services.
- Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species (e.g., Preble's Meadow Jumping Mouse).
- The 60 foot wide public highway contained within this plat as ordered by the Board of County Commissioners for El Paso County on October 3, 1887 and recorded in Road Book A at Page 78 of the records of El Paso County, is hereby vacated upon recordation of this plat.
- Note Regarding Stormwater Drainage: All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 16-454), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

FEES:

Drainage Fee: _____ School Fee: _____

Bridge Fee: _____ Park Fee: _____

RECORDING:

STATE OF COLORADO }
COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed for record in my office at _____ o'clock _____ M., this _____ day of _____, 2019 A.D., and is duly recorded under

Reception No. _____ of the records of El Paso County, Colorado.

SURCHARGE: _____ CHUCK BROERMAN, RECORDER

FEES: _____ BY: _____ Deputy



COLORADO
Division of Water Resources

Department of Natural Resources
1313 Street, Room 821
Denver, CO 80203

August 15, 2018

Nina Ruiz
El Paso County Development Services Department
Transmitted via email:
ninaruiz@elpasoco.com

RE: Cordero Minor Subdivision, MS171
SE1/4 of NE1/4 of Sec. 1, T14S, R63W, 6th P.M.
Water Division 2, Water District 10
Upper Black Squirrel Creek Designated Basin

Dear Ms. Ruiz:

We have received your July 23, 2018 submittal concerning the above-referenced proposal to subdivide 35.55 acres into two lots of approximately 17 acres and 18 acres. This letter replaces our letter dated January 31, 2017.

Water Supply Demand

According to the submittal, the estimated water requirements of the entire Cordero Minor Subdivision are 1 acre-foot annually. The water requirement for each of the 2 lots is 0.5 acre-feet per year for use in one single family dwelling (0.3 acre-feet per year), irrigation of up to 3,000 square-feet of home lawn and garden (0.15 acre-feet per year), and watering of 4 large domestic animals (0.05 acre-feet per year).

Source of Water Supply

The proposed source of water is individual on-lot wells producing from the non-tributary (actual impact replacement) Arapahoe aquifer that would operate pursuant to Determination of Water Right No. 3344-BD and its associated Replacement Plan.

Determination of Water Right no. 3344-BD allows an average annual amount of withdrawal of 6.35 acre-feet based on a 100-year aquifer life. The Replacement Plan for Determination of Water Right no. 3344-BD allows diversions totaling 1 acre-foot annually from the Arapahoe aquifer for a period of 300 years split between two proposed wells on two residential lots. Each well is allowed to divert 0.5 acre-feet annually to serve 1 single family residence, irrigation of 3,000 square-feet of lawn and garden, and watering of 4 large domestic animals.

The proposed source of water is a bedrock aquifer allocation from the Denver Basin. The State Engineer’s Office does not have evidence regarding the length of time for which the bedrock aquifer sources will be a physically and economically viable source of water. According to 37-90-107(7)(a), C.R.S., “Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years.” Based on this **allocation** approach, the annual amounts of water determined are equal to one percent of the total amount, as determined by rule 5.3.2.1 of the Designated Basin Rules, 2 CCR 410-1. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the *El Paso County Land Development Code*, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:



“- Finding of Sufficient Quantity - The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (300) years.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County’s requirement as an **allocation** approach based on three hundred years, the allowed average annual amount of withdrawal of 6.35 acre-feet/year would be reduced to one third of that amount, or 2.12 acre-feet/year. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years, or as limited by the Replacement Plan.

State Engineer’s Office Opinion

Based upon the above and pursuant to Sections 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses on the subdivided land is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Item of Note

There is an existing well, permit no. 304886, producing from the alluvial aquifer, that is located on and was permitted on the basis of being on the existing 35.55-acre parcel. Upon approval of this subdivision the conditions under which this permit was issued would no longer exist, making the well out of compliance with its permit. Continued use of the well would require that it be re-permitted. As the well would be located within a post-June 1, 1972 subdivision material injury to other water rights would be a consideration in re-permitting the well, which would require approval of a replacement plan to prevent injury to water rights in the alluvial aquifer.

As the proposed water supply to the subdivision does not include well permit no. 304886, the plan of the developer and well owner appears to be that it no longer be used (and not re-permitted). Approval of the subdivision will therefore require the well to be plugged and abandoned. The requirement to plug and abandon the well should be included in the County’s approval of the subdivision and conveyed to the developer.

Should you have any questions, please contact Neelha Mudigonda at neelha.mudigonda@state.co.us.

Sincerely,



Keith Vander Horst, P.E.
Chief of Water Supply, Basins

cc: Well permit no. 304886
Upper Black Squirrel Creek GWMD
Determination of Water Right No. 3344-BD

NSM: Cordero_Aug2018