



Archuleta County  
Development Services—Planning Department  
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## MEMORANDUM

TO: Archuleta County Planning Commission  
FROM: John C. Shepard, AICP; Planning Manager  
DATE: August 28, 2019  
RE: Vacation of Pagosa Meadows Unit 2 Amendment No. 3 replat (PLN19-332)

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### EXECUTIVE SUMMARY

The SAM Trust dated the 25<sup>th</sup> day of August 2014, represented by Stephen P. Van Horn, has applied to vacate Amendment No. 3, Pagosa Meadows Unit 2, replat recorded April 26, 1994, which will effectively un-consolidate parcels to be known as Lots 28A and 38XA (PLN19-332). The property at 561 Big Sky Pl., Pagosa Springs, is zoned Planned Unit Development (PUD).

### REVIEW PROCEDURE

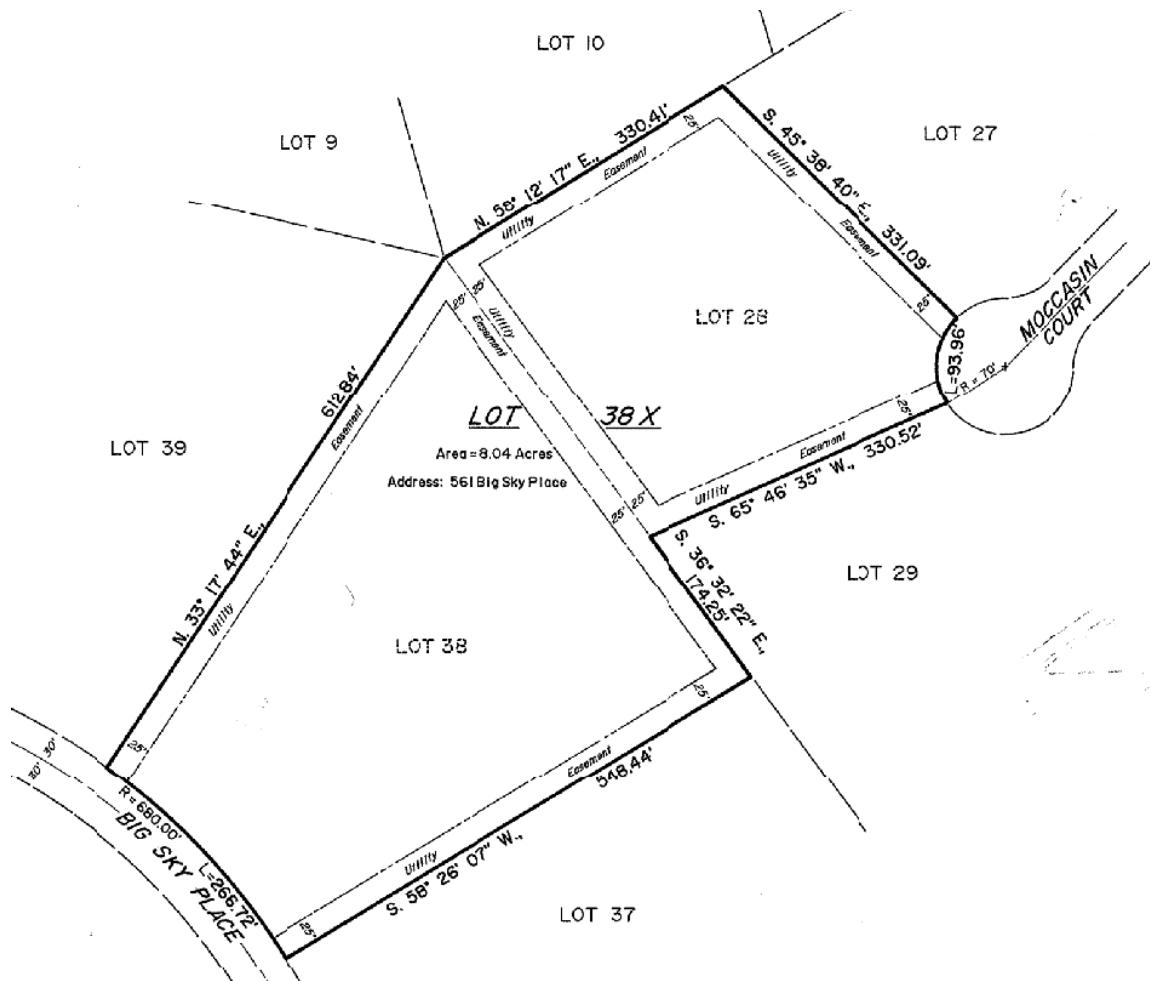
Section 4.8 of the *Archuleta County Land Use Regulations* provides for Vacation of a Recorded Subdivision. Section 4.8.3 provides that the Planning Commission shall review the petition for vacation and take into consideration all pertinent factors. The Board of County Commissioners then reviews the request at a public hearing, for approval by Resolution.

Applicants published public notice as required by Section 2.2.3.

### DISCUSSION

The plat of Pagosa Meadows Unit 2 was originally recorded September 13, 1971, just as the State of Colorado adopted requirements for County Subdivision review. In 1994, the Board of County Commissioners approved consolidation of Lot 28 (on Moccasin Court) with Lot 38 (on Big Sky Place) by re-plat, becoming Lot 38X of Amendment No. 3. There is a single family residence on original Lot 38, which will become Lot 38XA. Original Lot 28 remains vacant and will become Lot 28A.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for Low Density Residential development. The Meadows area, other than Unit 1, is zoned Planned Unit Development (PUD) with 55' setbacks on all sides. Existing improvements are well farther than 55' from the restored lot lines.



All utility easements remained on Amendment No. 3 as on the original plat. Applicant’s narrative states these easements have not been vacated, meeting the requirement of Section 4.8.2.4.

The proposal to vacate the amended plat, reverting back to two parcels, received no negative review comments from other agencies or utilities authorized to do business in Archuleta County:

- Pagosa Area Water & Sewer District will require payment of back fees accrued from the previous consolidation, in the amount of over \$4,000, in addition to their \$100 map fee.
- County Engineering and Pagosa Fire Protection District had no objections.
- PLPOA made no objections to the proposal.

## RECOMMENDATION AND FINDINGS

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

- a. The application meets the review criteria for development in the Planned Unit Development (PUD) district, in Section 3.1 of the of the *Archuleta County Land Use Regulations*.
- b. The application meets the review criteria for a Vacation of a Recorded Subdivision in Section 4.8 of the *Archuleta County Land Use Regulations*, and

The Planning Commission hereby recommends approval of the SAM Trust request to vacate Amendment No. 3, Pagosa Meadows Unit 2, replat recorded April 26, 1994, with one condition:

1. The two effectively un-consolidated parcels shall be known as Lots 28A and 38XA.

## PROPOSED MOTION

**I move to recommend approval for Vacation of Amendment No. 3, Pagosa Meadows Unit 2 replat, with Findings A & B, and Condition #1 of the staff report.**

## ATTACHMENTS.

Attachment 1: Area Maps

Attachment 2: Review Comments

Attachment 3: Narrative