



EL PASO COUNTY

Department of Planning
& Community Development

MEGGAN HERINGTON, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Joseph Letke, Planner
Edward Schoenheit, Associate Engineer

RE: Project File Number: SF247
Project Name: New Breed Ranch Filing No. 3
Parcel Number: 621000002

OWNER:	REPRESENTATIVE:
New Breed Ranch Inc. C/o James Scott 12750 Oak Cliff Way Colorado Springs, CO 80908	Jerome W. Hannigan, PP, PLS Jerome W. Hannigan and Associates, Inc. 19360 Spring Valley Road Monument, CO 80132

Commissioner District: 1

Planning Commission Hearing Date:	3/20/2025
Board of County Commissioners Hearing Date:	4/10/2025

EXECUTIVE SUMMARY

A request by New Breed Ranch Inc. for approval of a Final Plat to create seven (7) single-family residential lots. The 34.7-acre portion of the 279.07-acre property is zoned PUD (Planned Unit Development) and located directly off Shoup Road, approximately 0.2 miles east of the intersection of Shoup Road and Highway 83, and north of the city limits of the City of Colorado Springs.

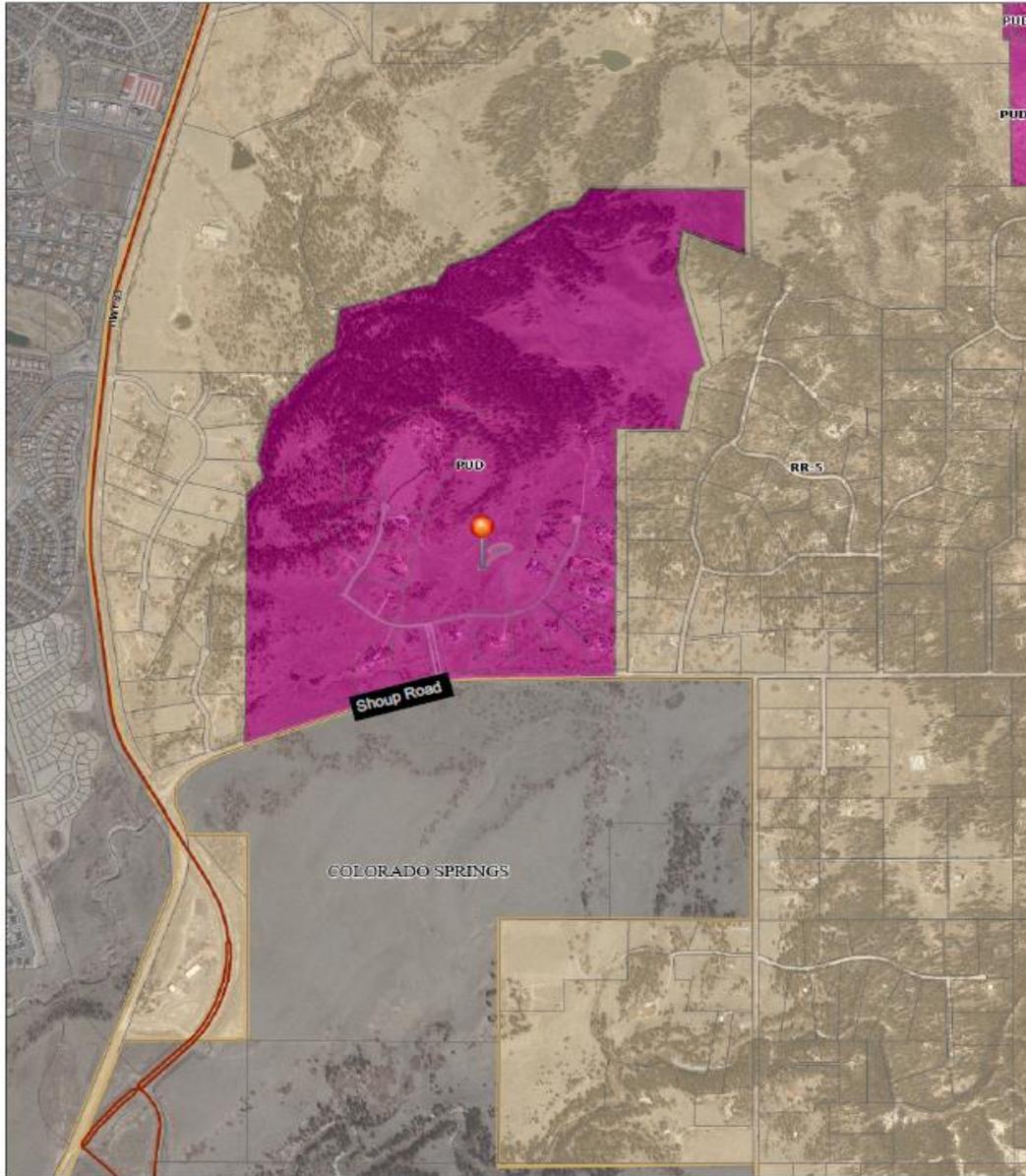
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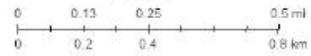
New Breed Ranch Filing No. 3



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- Colorado State Highways
- Streets & Roads
- Parcels
- Incorporated Cities - Outline
- Incorporated Cities - Gray Fill
- County Zoning
- PUD: Planned Unit Development
- RR-5: Residential Rural (5 acres)

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A. AUTHORIZATION TO SIGN: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

In approving a Final Plat, 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 (as amended):

- *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;*
- *Either 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 the Code, or, with respect to applications for administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;*
- *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 the 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 the 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 the 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 the Code;*

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- *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 of the Code;*
- *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 of the Code; 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.].*

C. LOCATION

North:	PUD (Planned Unit Development)	Vacant
South:	City of Colorado Springs	Vacant
East:	RR-5 (Residential Rural)	Single-Family Residential
West:	RR-5 (Residential Rural)	Single-Family Residential

D. BACKGROUND

The 34.7-acre portion of the 279.07-acre property is located within the New Breed Ranch PUD and New Breed Ranch Preliminary Plan. The PUD and Preliminary Plan were approved by the Board of County Commissioners on February 13, 2001. The Preliminary Plan was approved without a finding of water sufficiency.

E. ANALYSIS

1. Land Development Code and Zoning Analysis

The Final Plat 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 (as amended).

F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. Placetype Character: Large-Lot Residential

The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with

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the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and wastewater utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.

Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

Recommended Land Uses:

Primary

- *Single-Family Detached Residential (typically 2.5-acre lots or larger)*

Supporting

- *Parks/Open Space*
- *Commercial Retail (Limited)*
- *Agriculture*

Analysis:

The property is located within the Large-Lot Residential Placetype. The subdivision proposal includes seven new single-family lots. Six of the proposed lots will be 5-acres in size and one lot will be 4-acres in size. Relevant goaland objectives are as follows:

Goal 2.2 - *Preserve the character of rural and environmentally sensitive areas.*

b. Area of Change Designation: Minimal Change: Developed

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense



infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

Analysis:

The property is located in the Minimal Change: Developed area of change designation. Property in this area of change will see more infill development. The Master Plan recommends new development patterns should reflect the overall character of the area. The proposed seven large-lot residential subdivision is similar in size and characteristic to the surrounding residential properties.

c. Key Area Influences: Forested Area

This Key Area includes parts of the County where natural forests are the predominant feature such as Black Forest, areas north of Peyton, and areas along Highway 115 as well as lands within Pike National Forest. Pike National Forest is one of the County's largest natural amenities and tourist destinations. Continued coordination with the U.S. Forest Service is critical to ensuring future development in areas adjacent to the Forest do not negatively impact the natural environment. There are also many established communities within Pike National Forest particularly in Ute Pass and along Highway 115. New development and any redevelopment in these locations should be of a lower intensity to mitigate any impacts on the Forest, properly manage stormwater, provide safe access to major roads and state highways for the traveling public and emergency response vehicles and adhere to the strictest building codes to prevent any hazards such as fires and soil erosion related to poor planning, design, and construction.

Managed residential growth, along with supportive commercial uses, have helped the other forested areas preserve their natural amenities while supporting the daily needs of a thriving local community. The seamless connection between the natural environment and small-scale, low intensity development is critical to their identity. All new development and redevelopment in this Key Area should strictly adhere to the

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transportation and infrastructure, stormwater requirements, built form, and transition guidelines outlined in their appropriate placetypes. Each development proposal should also be reviewed on a case-by-case basis to determine its specific impact on the forested area and the established character of the individual community.

Analysis:

The property is located in the Forest Areas Key Areas of Influence. New development in Forest Areas should be of a lower intensity to mitigate any impacts to the forest. Strict adherence to transportation, building code, and fire code regulations are required to prevent hazards such as wildland fires and soil erosion.

d. Other Implications (Priority Development, Housing, etc.)

The subject property is located within the property development area delineation.

2. 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. Relevant policies are as follows:

Goal 1.1 - *Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

Policy 1.1.1 - *Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

Goal 1.2 - *Integrate water and land use planning*

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 2 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 2 for central water providers:

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The Plan identifies the current demand for Region 2 to be 7,532 acre-feet per year (AFY) (Figure 5.1) with a current supply of 13,607 AFY (Figure 5.2). The projected demand in 2040 for Region 2 is at 11,713 AFY (Figure 5.1) with a projected supply of 20,516 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 2 is at 13,254 AFY (Figure 5.1) with a projected supply of 20,756 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 7,502 AFY is anticipated for Region 2.

See the Water section below for a summary of the water findings and recommendations for the proposed subdivision.

3. Other Master Plan Elements

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

The Master Plan for Mineral Extraction (1996) identifies eolian 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, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

During the review of the Final Plat, it was found that there are no mapped geological hazards. The Colorado Geological Survey (CGS) advised that due to seasonally wet areas depicted in the Soils and Geology Study conducted by RMG Engineers / Architects, the report should be strictly adhered to. This direction is reflected in Plat note No. 15.

2. Floodplain: The property is not located within a floodplain as determined by a review of the FEMA Flood Insurance Rate Map number 08041C0295G, effective December 7th, 2018. The property is located in Zone X, which is an area of minimal flood hazard and determined to be outside the 500-year flood zone.

3. Drainage and Erosion: The property is located in the Black Squirrel Creek Drainage Basin (FOM03600). Drainage basin and bridge fees in the amount of \$20,543.05 and

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\$1,724.59 respectively is due at the time of Final Plat recordation. Drainage from this planned development area generally flows southwesterly through existing drainage ditches and swales, ultimately flowing to the Black Squirrel Creek channel downstream of this site. No public drainage improvements are proposed with the development. A private water quality control measure (Rain Garden) will be built and maintained by the HOA. A drainage report was prepared by JPS Engineering. The report concluded that the proposed development will not negatively impact the adjacent and downstream properties with respect to stormwater runoff.

- 4. Transportation:** The planned development area is located along Shoup Road which is a County maintained paved minor arterial road. The development gains access off Shoup Road from New Breed Drive and Meadow Run Circle which are County maintained local paved roads. The development proposes to construct a new public paved local road (*Old Arena Way*) approximately ¼ mile long to serve the new subdivision area. Per the traffic impact study the subdivision is expected to generate approximately 71 daily trips to the surrounding road network. The development is subject to the El Paso County Road Impact Fee Program in accordance with BoCC Resolution 24-377 with fees to be paid at time of building permit.

H. SERVICES

1. Water

Water will be provided by individual onsite wells. Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

Wastewater is provided by on-site wastewater treatment systems.

3. Emergency Services

The property is within the Black Forest Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

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4. Utilities

Electric service is provided by Mountain View Electric. Natural gas is provided by Black Hills Energy.

5. Parks/Trails

Fees in lieu of park land dedication in the amount of \$3,535 for regional fees will be due at the time of recording the Final Plat.

6. Schools

Fees in lieu of school land dedication in the amount of \$2,142 shall be paid to El Paso County for the benefit of Academy School District 20 at the time of plat recording

I. STATUS OF MAJOR ISSUES

No major issues.

J. 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 (as amended) staff recommends the following conditions and notations:

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 Final Plat.
4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
6. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated February 6, 2025, as provided by the County Attorney's Office.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$20,543.05 and bridge fees in the amount of \$1,724.59 for the Black Squirrel Creek basin.
 - b. Park fees in lieu of land dedication for regional parks in the amount of \$3,535.
 - c. Fees in lieu of school land dedication in the amount of \$2,142 shall be paid for the benefit of School District 20.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

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4. The El Paso County Road Impact Fee Program Resolution: 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 Resolution No. 24-337, 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.

K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified fifty (50) adjoining property owners on March 4, 2025, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

L. ATTACHMENTS

- Map Series
- Letter of Intent
- Plat Drawing
- State Engineer’s Letter
- County Attorney’s Letter
- Draft Resolution

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Map Exhibit #1: Aerial

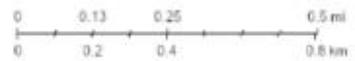
New Breed Ranch Filing No. 3



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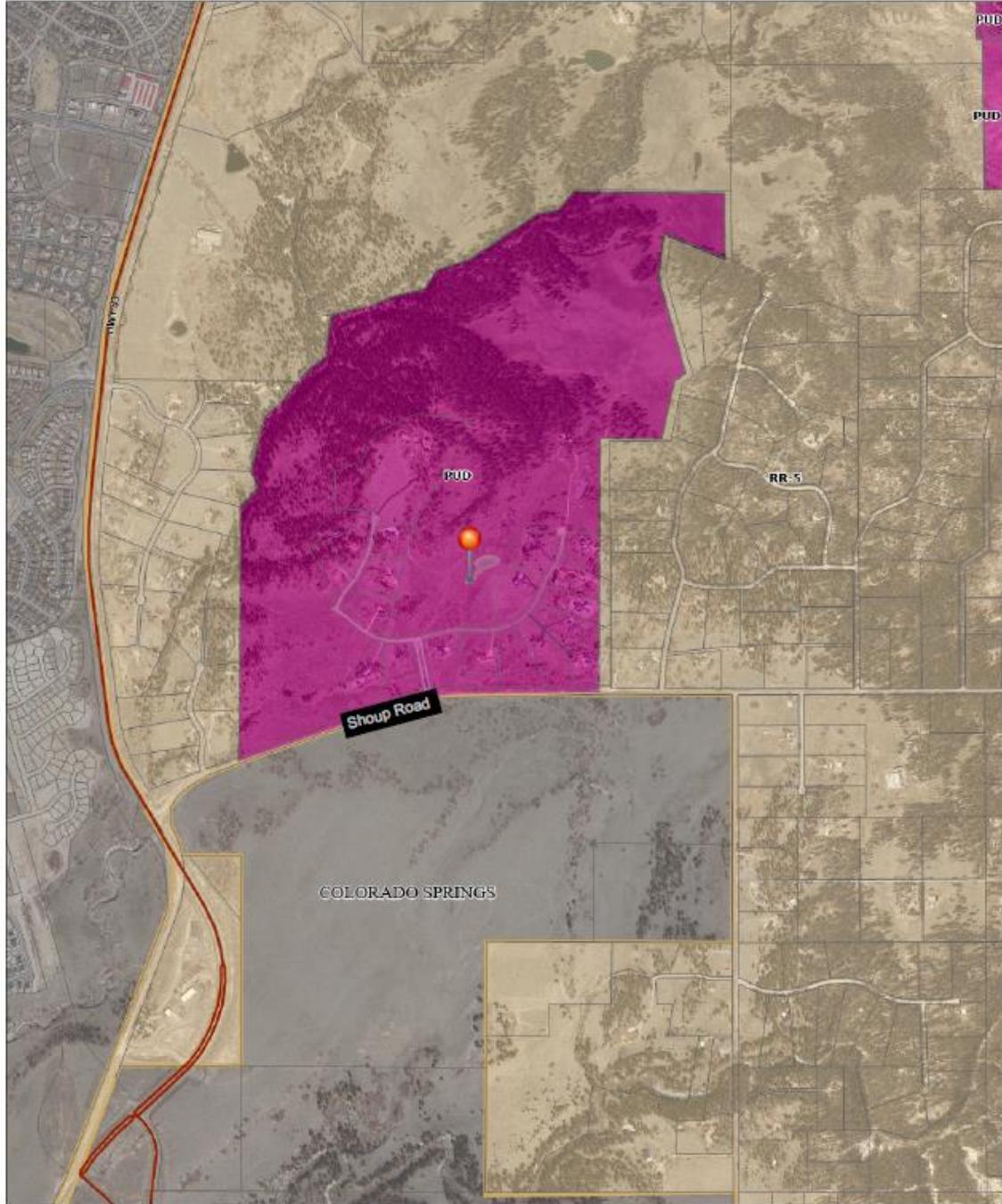
- Colorado State Highways
- Streets & Roads
- Parcels
- Incorporated Cities - Outline
- Incorporated Cities - Gray Fill

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Map Exhibit #2: Zoning

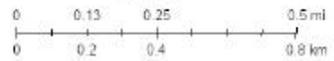
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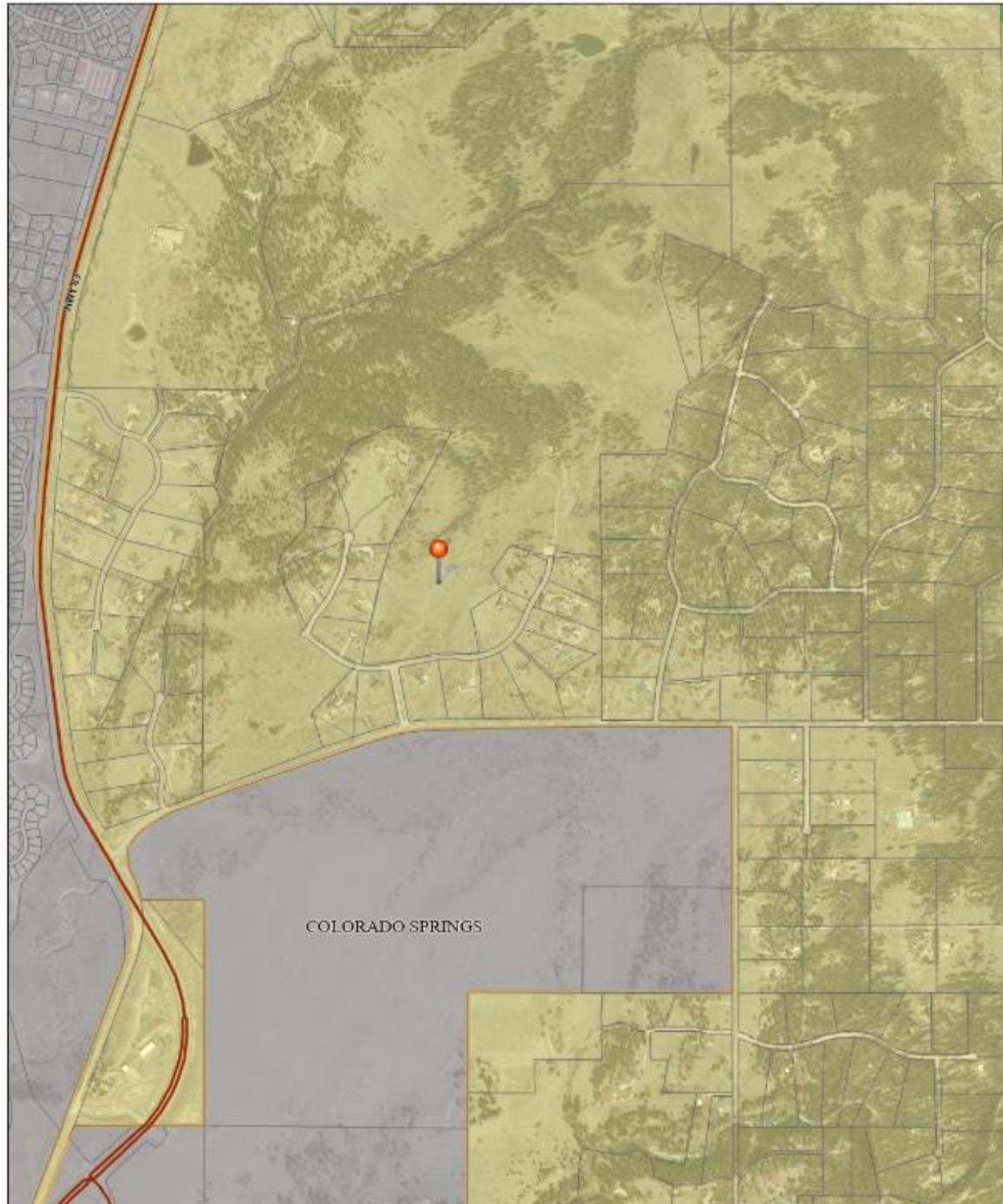
- Colorado State Highways
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- Incorporated Cities - Gray Fill
- County Zoning
- PUD: Planned Unit Development
- RR-5: Residential Rural (5 acres)

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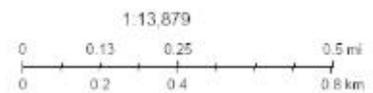
Map Exhibit #3: Placetype

New Breed Ranch Filing No. 3



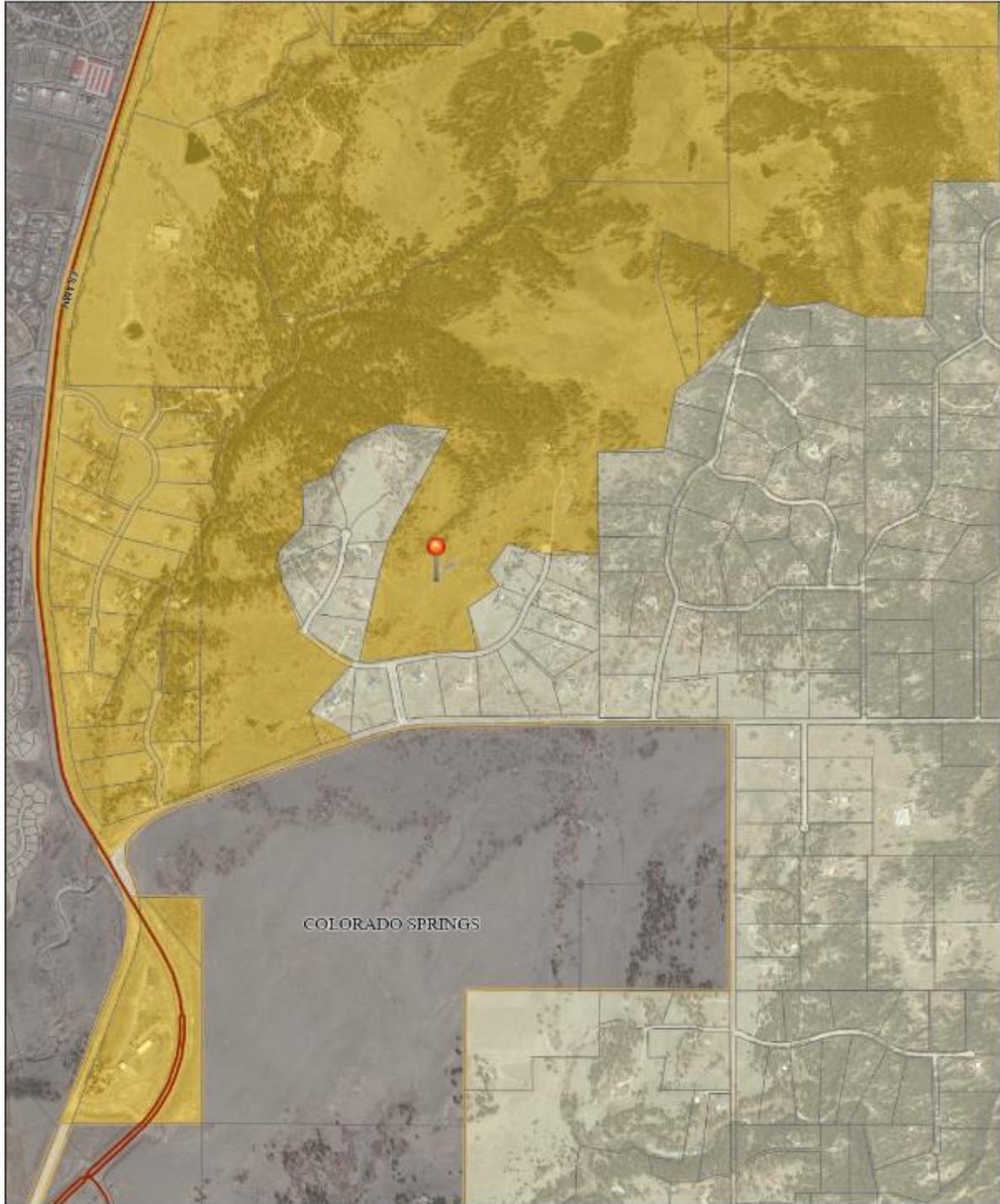
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- | | |
|---------------------------------|-----------------------|
| Colorado State Highways | Placetypes |
| Streets & Roads | Rural |
| Parcels | Large-Lot Residential |
| Incorporated Cities - Outline | Regional Open Space |
| Incorporated Cities - Gray Fill | Incorporated Area |



Map Exhibit #5: Area of Change

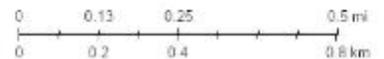
New Breed Ranch Filing No. 3



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- Colorado State Highways
- Streets & Roads
- ▭ Parcels
- ▭ Incorporated Cities - Outline
- ▭ Incorporated Cities - Gray Fill
- Areas Of Change**
- ▭ Protected/Conservation Area
- ▭ Minimal Change: Undeveloped
- ▭ Minimal Change: Developed

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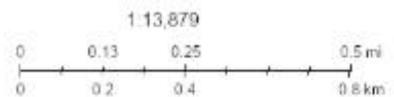
Map Exhibit #6: Priority Development Areas

New Breed Ranch Filing No. 3



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- Colorado State Highways
- Streets & Roads
- Parcels
- Incorporated Cities - Outline
- Incorporated Cities - Gray Fill
- Priority Development Areas





Jerome W.
HANNIGAN and ASSOCIATES, INC.
Land Planning • Land Surveying • Land Development Consulting
19360 Spring Valley Road, Monument, CO 80132 • 719-481-8292 • Fax 719-481-9071

**New Breed Ranch Filing Three
Subdivision Letter of Intent
PCD FILE No. SF 247**

March 23, 2024

Owner and Developer:

Jim Scott, President
New Breed Ranch, Inc.
12750 Oak Cliff Way
Colorado Springs, Colorado 80908

Applicant and Land Planner

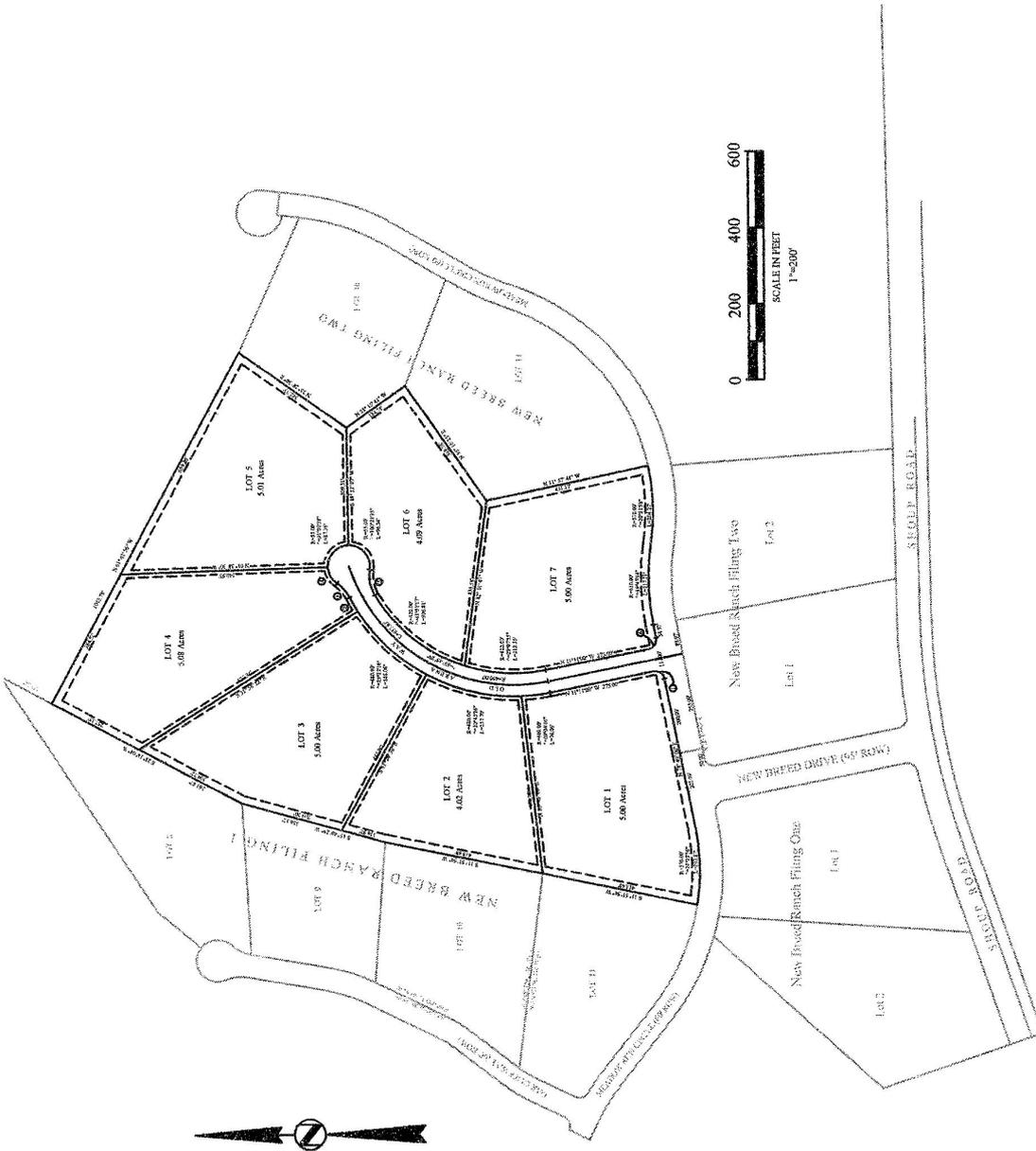
Jerome W. Hannigan, PP, PLS
Jerome W. Hannigan and Associates, Inc.
19360 Spring Valley Road
Monument, Colorado 80132
719-481-8292
Hannigan.and.assoc@gmail.com

Engineering Consultant:

John Schwab, PE
JPS Engineering, Inc.
19 E. Willamette Avenue
Colorado Springs, Colorado 80903
719-477-9429
john@jpsengr.com

Parcel Information for the area proposed to be subdivided:

A portion of Parcel 62100-00-002; 34.7 acres in area; addressed as 3250 Shoup Road, Colorado Springs, Colorado 80908.



NEW BREED RANCH FILING THREE

A Final Plat for a 7 Lot Subdivision in Section 10, Township 12 South,
Range 66 West, 6th Principal Meridian, El Paso County, Colorado.

Development Request:

New Breed Ranch Filing Three is a seven lot addition to the existing New Breed Ranch Subdivision which is located on the north side of Shoup Road, just east of its beginning at State Highway 83. The approved Development Plan / Preliminary Plan illustrates a total of 92 lots on 450 acres. Current zoning is PUD RR-5. Filing One and Two are complete and consist of 10 and 11 lots, respectively; all but one of which is built upon and occupied. Filing Three is 34.7 acres in area with a single centered access road called Old Arena Way which is an approximately 950 foot long paved cul-de-sac. Filing Three lies in Section 10, Township 12 South, Range 66 West of the 6th Principal Meridian. Filing One adjoins Three on the west and south while Filing Two adjoins on the south and east. Lots average 4.75 acres net each. The State Parcel number is 62100-00-002.

Access into New Breed Ranch and to Old Arena Way is by New Breed Ranch Drive which is a 95 foot wide two lane separated roadway that has a large landscape island in the center. Buried in this island is a 30,000 gallon cistern for fire fighting purposes. The cistern was dedicated to the Black Forest Fire Protection District with Filing One and is used and maintained by them. New Breed Drive Tees into Meadow Run Circle from which Old Arena Way will access.

Lying west of New Breed Ranch is Abert Estates and to the east adjoins Bridle Bit Ranch, both rural residential subdivisions with similar features, zoning (RR-5) and density. Both are already built out. Lying to the south side of Shoup Road is a parcel of about 350 acres, zoned Agriculture and currently used for grazing that is within the city limits of Colorado Springs.

Filing Three lots will each have an individual well supplying water which has previously been adjudicated for the entire development. These wells will supply water under the currently approved augmentation plan administered by the HOA. Sewage will be handled by an individual sewage disposal system on each lot. Electricity, natural gas, telephone and other communication services exist on site and will be extended as necessary. The subdivision is served by Academy School District 20, the Black Forest Fire Protection District, Mountain View Electric Association, Black Hills Energy and Century Link. All utilities currently exist in the subdivision and will be extended as needed.

Justification for the Subdivision Request:

This application satisfies the Criteria for Approval outlined in Chapter 7 of the Land Development Code and the design standards in Chapter 8.

In approving a subdivision, the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7 of the El Paso County Land Development Code including:

The application is in conformance with the goals, objectives and policies of the El Paso County Master Plan:

Please see the Master Plan Consistency discussion.

The subdivision is consistent with the design standards and regulations and meets all planning, engineering and surveying requirements of the County for maps, data, surveys, analysis, studies, reports, plans, designs, documents and other supporting materials:

Consistency is established through the submitted supporting materials.

Either a sufficient water supply has been acquired in terms of quality, quantity and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards and the requirements of Chapter 8 of this Code, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval:

All needs for a finding of Water Sufficiency have been established.

A public sewage disposal system has been established or, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations:

Individual Sewage Disposal Systems will be utilized and compliance is identified by the submitted supporting materials.

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.

The Soils and Geological Hazard Study establishes compatibility.

Adequate drainage improvements are proposed that comply with State Statute and the requirements of this code and the Engineering Criteria Manual:

Drainage has been analyzed with appropriate measures for mitigation established and incorporated in this request.

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:

Old Arena Way is dedicated to the County for public road right of way purposes. Meadow Run Circle and New Breed Drive are previously dedicated public roads.

Necessary services, including police and fire protection, recreation, utilities and transportation systems are, or will be made available to serve the proposed subdivision:

All required service providers exist and necessary utilities are available on site.

The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this code;

Fire protection is provided by the Black Forest FPD which has the staff, facilities and equipment to provide coverage to all proposed lots.

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;

Off site impacts consist primarily of traffic utilizing Shoup Road. Additional right of way for Shoup Road was previously required and dedicated.

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:

These are addressed in the SIA.

The subdivision meets other applicable sections of Chapter 6 and 8:

This proposed subdivision is in compliance with both Chapters of the LDC.

The extraction of any known commercial mining deposit shall not be impeded by this subdivision:

There are no known commercially viable minerals under the site.

Master Plan Consistency:

The El Paso County Master Plan utilizes a system of “Key Area Placetypes” aligning with approved “Land Uses” to evaluate Master Plan land use consistency. Being on the edge of the Black Forest, the New Breed Ranch Subdivision Filing Three is located in the “Forested” Key Area. The filing’s location within the Key Area allows for or aligns with a Large Lot Residential Placetype and a single family detached residential land use. The primary Large Lot Residential Placetype allows for detached single family residential land uses having lot sizes of 2.5 acres or greater which is consistent with this request.

Filing Three is located within a “Minimal Change: Developed” area of change. This filing is a portion of the long planned development and is consistent in land use and lot size with both previous filings.

Filing Three is further located within a Large Lot Residential / Priority Development Area. This Priority Area encourages development which efficiently utilizes and extends existing infrastructure, conserves water resources and strengthens established neighborhoods. As mentioned, Filing Three is a continuation of the New Breed Ranch development which efficiently utilizes previously developed infrastructure, conserves water and contributes to the established neighborhood subdivisions.

As discussed in Chapter 14 Implementation – Land Use Applications and Master Plan Consistency, previous New Breed Ranch subdivision approvals, including PUD Zoning, PUD Development Plan, Preliminary Plan and Final Plat Filings also establish Master Plan consistency relative to the land use goals and objectives as well as a significant portion of the Master Plan’s technical subdivision goals and objectives.

Master Plan Goals and Objectives:

Land Use – Core Principal: Manage growth to ensure a variety of land uses that preserve all character areas of the County.

Goal LU-1: Ensure compatibility with established character and infrastructure capacity.

The proposed single family residential land use and density is compatible with the adjoining communities. The existing infrastructure including electric, natural gas, telephone, drainage facilities, open space / trails and roadways have been designed and constructed to facilitate and support this filing.

Goal LU-3: Encourage a range of development types to support a variety of land uses.

The New Breed Ranch community consists of single family detached residential lots varying in size between 3.01 to 19.09 acres.

Objective LU3-1: Development should be consistent with the allowable land uses set forth in the placetypes and second to their built form guidelines.

Filing Three is located within a Large-Lot Residential placetype which supports the proposed single family detached residential 2.5 acre and larger lots.

Objective LU3-3: The Large-Lot Residential placetype should be characterized by predominately residential areas with mostly single family detached housing.

New Breed Ranch Filing Three proposes single family detached residential homes.

Housing and Communities – Core Principal: Preserve and develop neighborhoods with a mix of housing types.

Goal HC-1: Promote development of a mix of housing types in identified areas.

Objective HC1-5: Focus detached housing development in Large-Lot Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities.

The large lot single family detached residential housing proposed in New Breed Ranch Subdivision Filing Three adds to and complements the mix of housing types offered within the Forested Key Area Placetype.

Water Master Plan Consistency:

The entire New Breed Ranch subdivision which includes Filing Three, operates under a State approved Water Augmentation Plan utilizing a 300 year water commitment. The existing approved augmentation plan includes the 7 proposed additional lots. No change to the existing Water Augmentation Plan will be required to accommodate the proposed subdivision.

Supplemental Information:

The developer will be responsible for constructing all required subdivision improvements at his sole expense. Installation of the required improvements will be guaranteed by a letter of credit acceptable to the El Paso County Board of County Commissioners.

The developer proposes to pay fees in lieu of land for school / park dedication requirements.

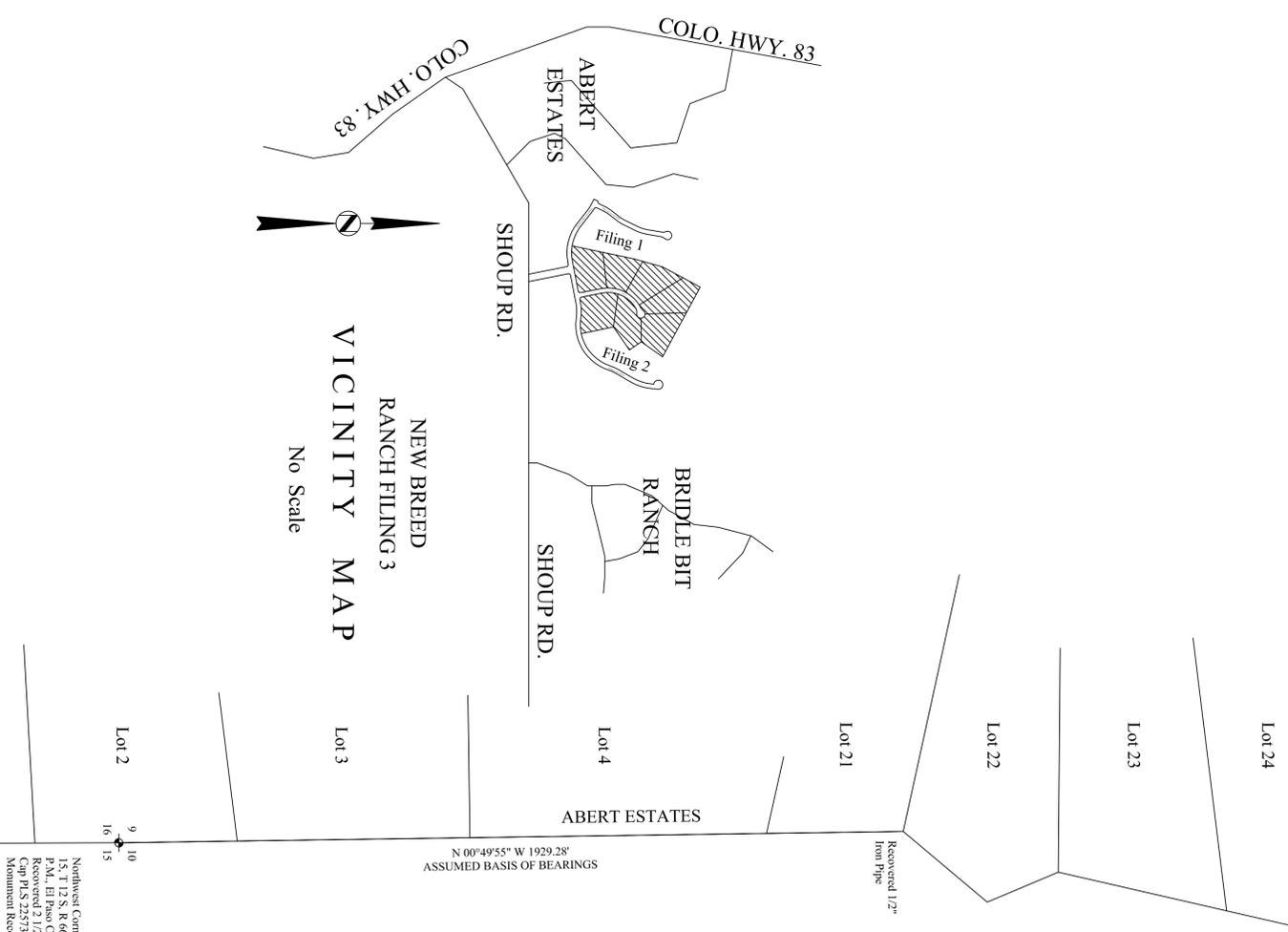
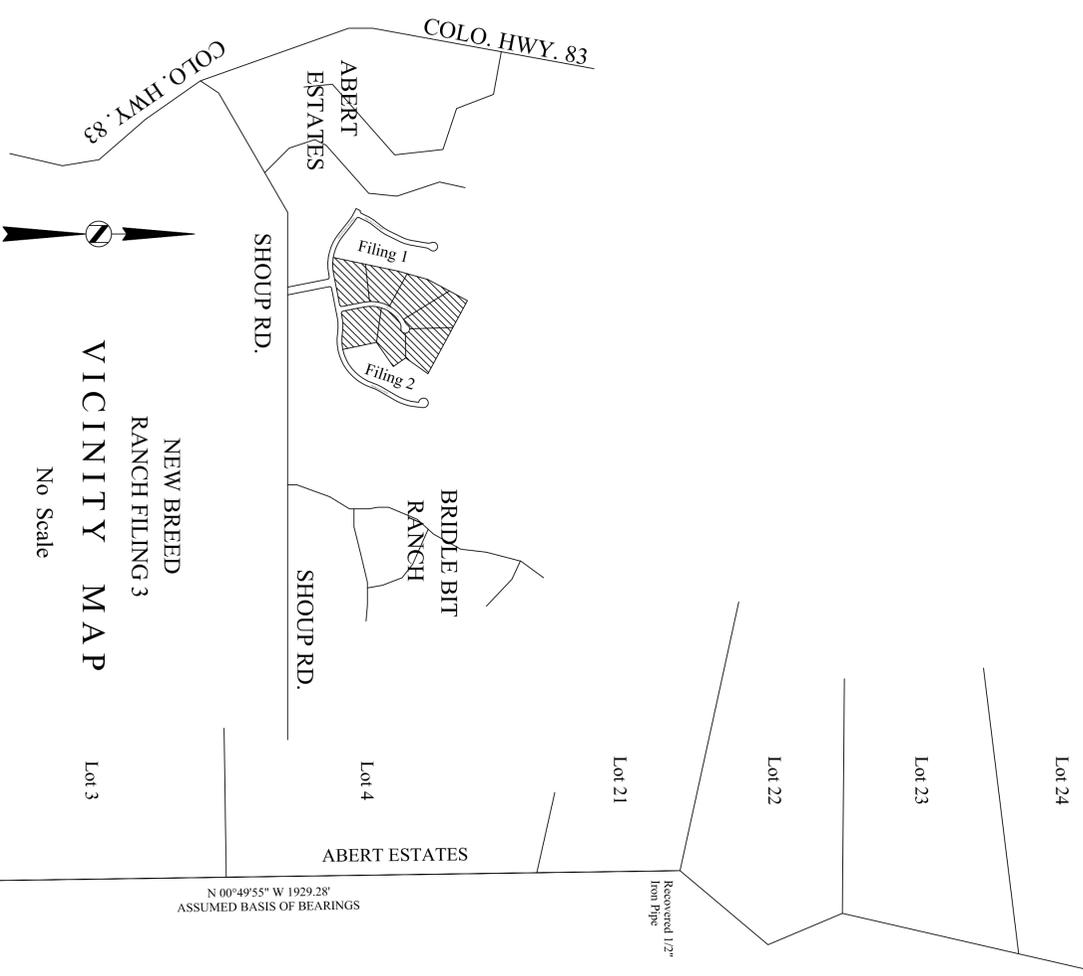
All lots within this subdivision are subject to transportation impact fees in accordance with the El Paso County Road Impact Fee Program; as amended, at the time of building permit application. The road impact fees will be paid on a per lot basis by each individual residential building contractor at the time of building permit application.

There are no slopes exceeding 30% within the proposed Filing Three area.

No waivers to the El Paso County Land Development Code or Deviations to the El Paso County Engineering Criteria Manual are proposed with this application.

NEW BREED RANCH FILING THREE

A Final Plat for a 7 Lot Subdivision in Section 10, Township 12 South, Range 66 West, 6th Principal Meridian, El Paso County, Colorado.



Northwest Corner, Section 10, T. 12 S., R. 66 W., 6th P.M., El Paso County, CO. Reopened 2.127" Monument Record on File

NOTE:
Outer Boundary Points for this Filing are Monumented with a 3/8" x 3/8" Iron Pipe in the side Cap. LS 25629 (W/50' Min) with the surface. ● = Found Pin & Cap LS xxxxx (3605) = Street Address per Enumerations

Old Arana Way 60' Right of Way

CD	AREA TABLE	AREA	PERCENT
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2	0.0000	0.0000	0.00
3	0.0000	0.0000	0.00
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Private Drainage Easement

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PCD File No. SP247

Form No. 1

HANNIGAN ASSOCIATES, INC.
LAND SURVEYING & LAND PLANNING
LAND DEVELOPMENT CONSULTING
1960 SIBRING VALLEY ROAD
NORWINDEN, COLORADO
719-481-8292 • FAX: 719-481-9071

PROJECT: New Breed Ranch Filing Three
SECTION: 10, T. 12 S., R. 66 W.,
6th P.M., El Paso County,
Colorado.

TITLE: New Breed Ranch, Inc.

SHEET 2 OF 2

JOB NUMBER: 21-014

DATE: 09/14/21

DRAWN BY: JMB



June 26, 2024

Joe Letke
El Paso County Planning and Community Development
Transmission via EDARP portal
CDWR Subdivision 31344

**Re: New Breed Ranch Subdivision Filing 3 EA2214 SF247
Secs. 10 and 15, T12S, R66W of the 6th PM
Water Division 2, Water District 10**

Dear Joe Letke:

We have reviewed your April 3, 2024 submittal concerning the above referenced proposal to subdivide 34.7 acres into 7 lots ranging in size from approximately 4 acres to 5 acres. This letter supersedes the letter dated May 22, 2024.

Water Supply Demand

According to the submittal, the proposed uses and estimated water requirements for the four lots are as 7 household units at 0.27 AF/year each, landscape irrigation, livestock, and a pool or pond up to 1.33 acre-feet per year.

Source of Water Supply

We have previously approved the entire subdivision by letter dated February 7, 2000, and specific filings in subsequent letters dated October 19, 2000 and April 4, 2008. The water source is individual on-lot wells diverting from the Denver aquifer, pursuant to the decrees and augmentation plans in Case Nos. 99CW58 and 99CW79.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 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 decreed 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 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 Division 2 Water Court [Ground Water Commission] has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.



The amounts of water in the Denver Basin aquifers, 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 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.

Additional Comments

The application materials indicate that the project will collect storm flows in a detention pond. The applicant should be aware that, unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you have any questions, please contact me in this office at 303-866-3581.

Sincerely,



Melissa A. van der Poel, P.E.
Water Resources Engineer

cc: Subdivision File 31344
Martha Archuleta, Water Data Analyst

Office of the County Attorney – Civil Division

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Bill Wysong, District 3
Cory Applegate, District 4
Cami Bremer, District 5

February 6, 2025

SF-23-24 New Breed Ranch Filing Nos. 3

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. New Breed Ranch Filing Nos. 3 is a proposal to subdivide a 34.7-acre tract (the “property”) into 7 lots by New Breed Ranch Inc. (“Applicant”). The property is zoned PUD RR-5 (Planned Unit Development - Rural Residential).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the subdivision is estimated to use 3.22 acre-feet/year comprising 1.89 acre-feet per year for household use (0.27 acre-feet/year for a single-family dwelling), 1.33 acre-feet per year for landscape irrigation, livestock, and a pool or pond. Based on this total demand, Applicant must be able to provide a supply of 966 acre-feet of water (3.22 acre-feet per year x 300 years) to meet the County’s 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from one or more individual on-lot wells withdrawing from the not-nontributary Denver aquifer as provided in the Findings of Fact, Conclusions of Law, Ruling of Referee, and Decree in Division 2 Case Nos. 98CW58¹ and 99CW79 (“Decrees”).

¹ The water supply documents often mistakenly refer to Case No. 99CW58, which is incorrect.

ATTORNEYS

NATHAN J. WHITNEY
STEVEN W. MARTYN

STEVEN A. KLAFFKY
DOREY L. SPOTTS

LORI L. SEAGO

BRYAN E. SCHMID
MERI V. GERINGER

TERRY A. SAMPLE
ERIKA M. KEECH

The Decrees allocate 39,100 acre-feet of water from the not-nontributary portion of the Denver aquifer. As El Paso County requires a 300-year supply, 39,100 acre-feet is divided by 300, leaving 130.3 acre-feet per year available to all lots in New Breed Ranch, including the 7 lots in Filing No. 3. 32 lots of the 94 contemplated in the Decrees were platted in Filings 1 and 2, resulting in 14.72 annual acre-feet being deducted from the 130.3 annual acre-feet available to supply Filing 3. Available Denver aquifer withdrawals available for this subdivision are to be used for the following: domestic, irrigation, commercial and livestock watering, decorative ponds and swimming pools, dust suppression, central water supply and firefighting purposes, including augmentation of such purposes.

The approved augmentation plan has a term of 300 years and requires that 4% of the annual pumping be replaced through non-evaporative septic system return flows during the pumping period for the constructed wells. Applicant must reserve an additional amount of its water rights in the Laramie-Fox Hills aquifer based on the provisions in the Decree to multiply the average annual Denver aquifer pumping through the end of pumping, by the appropriate stream depletions factor for Monument Creek which shall be used for replacement of post pumping depletions. Each of the wells may pump up to 0.46 acre-feet per year.

State Engineer's Office Opinion

4. In a letter dated June 26, 2024, the State Engineer stated that “. . .the water source is individual on-lot wells diverting from the Denver aquifer, pursuant to the decrees and augmentation plans in Case Nos. 98CW58 and 99CW79.”

The State Engineer provided their opinion, “. . . pursuant to 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 decreed water.”

Recommended Findings

5. Quantity and Dependability. Applicant's water demand for New Breed Ranch Filing No. 3 is 3.22 acre-feet per year. This results in a demand of 966 acre-feet for the subdivision for 300 years. Under the Decree, and subtracting the amounts allocated to Filings 1 and 2, Applicant owns the right to withdraw up to 115.58 acre-feet of water from the Denver aquifer per year, for a total of 34,674 over 300 years, which is a surplus to the requested demand.

Based on the water demand of 3.22 acre-feet/year for New Breed Ranch Filing No. 3 and the Decree's allowable amount of up to 130.3 acre-feet per year, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the New Breed Ranch Filing No. 3.

6. The water quality requirements of Section 8.4.7.B.10.g. of the El Paso County Land Development Code must be satisfied. **El Paso County Public Health shall provide a recommendation as to the sufficiency of water quality.**

7. Basis. The County Attorney's Office reviewed the following documents in preparing this review: a Water Resources Report dated January 10, 2023, the Water Supply Information Summary, the State Engineer's Office Opinion dated June 26, 2024 and Findings of Fact, Conclusions of Law, Ruling of Referee, and Decree in Division 2 Case No. 98CW58 entered on December 1, 1998 and the Amended Augmentation Plan in Division 2 Case No. 99CW79. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

A. Applicant and its successors and assigns shall comply with all requirements of the Findings of Fact, Conclusions of Law, Ruling of Referee, and Decree in Division 2 Case Nos. 98CW58 and 99CW79 ("Decree"), including that water withdrawn from the Denver aquifer shall not exceed 0.46 annual acre-feet per well. At least four percent (4%) of the allowed amount of water withdrawn annually must be returned to the aquifer. Depletions during pumping shall be replaced by individual on-lot non-evaporative septic systems.

B. Applicant must create a homeowners' association ("HOA") for the purpose of enforcing covenants and assessing any necessary fees related to compliance with the water decrees and augmentation plans for the property. **COMPLETED**

C. Applicant shall create restrictive covenants upon and running with the property which shall advise and obligate future lot owners of this subdivision, their successors and assigns, and the HOA regarding all applicable requirements of the Findings of Fact, Conclusions of Law, Ruling of Referee, and Decree in Division 2 Case Nos. 98CW58 and 99CW79. **COMPLETED**

D. Applicant and its successors and assigns shall reserve in any deeds of the property Denver aquifer water in the decreed amount of 966 acre-feet. Said reservation shall recite that this water shall not be separated from transfer of title to the Property and shall be used exclusively for primary supply.

E. Applicant and its successors and assigns shall convey by recorded warranty deed these reserved Denver aquifer water rights at the time of lot sales. Specifically, Applicant and future lot owners shall convey sufficient water rights in the Denver aquifer underlying the respective lots to satisfy El Paso County's 300-year water supply requirement. This amount is 138 acre-feet per lot (0.46 acre-feet/year).

Any and all conveyance instruments shall also recite as follows:

For the water rights and return flows conveyed for the primary supply (Denver aquifer): "These water rights conveyed, and the return flows therefrom, are

intended to provide a 300-year water supply, and replacement during pumping, for each of the lots of New Breed Ranch Filing No. 3. The water rights so conveyed and the return flows therefrom shall be appurtenant to each of the respective lots with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title.”

F. Applicant and its successors and assigns shall submit form deeds and any plat notes required herein to the Planning and Community Development Department and the County Attorney’s Office for review, and the same shall be approved by the Planning and Community Development Department and the County Attorney’s Office prior to recording the final plat. Said Declaration shall cross-reference Findings of Fact, Conclusions of Law, Ruling of Referee, and Decree in Division 2 Case Nos. 98CW58 and 99CW79 and shall identify the obligations of the individual lot owners thereunder.

G. Applicant and its successors and assigns shall record all applicable documents, including but not limited to Findings of Fact, Conclusions of Law, Ruling of Referee, and Decree of Water Court: Adjudicating Denver Basin Groundwater and Approving Plan for Augmentation from Division 2 Water Court, Case Nos. 98CW58 and 99CW79, agreements, assignments, and warranty deeds regarding the water rights, and Declaration of Covenants in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado.

H. The following plat note shall be added that addresses the State Engineer’s admonition to advise landowners of potential limited water supplies in the Denver Basin:

“Water in the Denver Basin aquifers is allocated based on a 100-year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin aquifers is evaluated based on a 300-year aquifer life. Applicant and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than either the 100 years or 300 years used for allocation indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.”

cc: Joe Letke, Project Manager, Planner

FINAL PLAT (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF247

NEW BREED RANCH FILLING NO. 3

WHEREAS, New Breed Ranch Inc. did file an application with the El Paso County Planning and Community Development Department for approval of a Final Plat for the New Breed Ranch Filing No. 3 Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on March 20, 2025; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code ("Code") (as amended):

1. 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;
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;
4. Either 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 the Code, or, with respect to applications for Administrative Final Plat approval, such finding was previously made by the BoCC at the time of Preliminary Plan approval;
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 the Code;
6. 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)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("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 the 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;

10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
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 of the Code;
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;
13. The Subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
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.].

WHEREAS, 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 the Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of New Breed Ranch Inc. for approval of a Final Plat for the New Breed Ranch Filing No. 3 Subdivision be approved by the Board of County Commissioners with the following conditions and notations:

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 Final Plat.

4. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
5. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
6. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated February 6, 2025, as provided by the County Attorney's Office.

NOTATIONS

1. The following fees are required to be paid to El Paso County at the time of Final Plat recordation:
 - a. Drainage Fees in the amount of \$20,543.05 and bridge fees in the amount of \$1,724.59 for the Black Squirrel Creek basin.
 - b. Park fees in lieu of land dedication for regional parks in the amount of \$3,535.
 - c. Fees in lieu of school land dedication in the amount of \$2,142 shall be paid for the benefit of School District 20.
2. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
3. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.
4. The El Paso County Road Impact Fee Program Resolution: 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 Resolution No. 24-337, 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.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

_____ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

The Resolution was adopted by a vote of ____ to ____ by the El Paso County Planning Commission, State of Colorado.

DONE THIS 20th day of March 2025 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair

EXHIBIT A

A parcel of land in the South one half of Section 10, Township 12 South, Range 66 West of the 6th Principal Meridian, El Paso County, Colorado, more particularly described as follows:

Beginning at the Southeast corner of Lot 11, New Breed Ranch Filing One, recorded in the El Paso County Clerk and Recorder's office on June 03, 2002 under Reception Number 202089110 and considering the East line of Abert Estates from the Northwest Corner of Section 15 to the Northeasterly corner of Lot 21, as monumented and described on said Filing One to bear North 00° 49' 55" West, with all bearings contained herein relative thereto;

Thence Easterly along the North right of way line of Meadow Run Circle and along the arc of a curve to the left a distance of 203.27 feet to a point of tangent, said curve has a radius of 570.00 feet and a central angle of 20° 25' 56";

Thence North 78° 49' 00" East along said North right of way line and along said tangent a distance of 201.09 feet to the Northeast corner of Meadow Run Circle as platted in said Filing One;

Thence continuing North 78° 49' 00" East along said right of way line and said tangent now in New Breed Ranch Filing Two, recorded June 6th, 2013 under Reception Number 213713330, a distance of 344.97 feet to a point of curve;

Thence Easterly along the arc of a curve to the right a distance of 217.21 feet, said curve has a radius of 630.00 feet and a central angle of 19° 45' 14" to a point of reverse curve;

Thence Easterly along the arc of a curve to the left a distance of 204.27 feet, said curve has a radius of 570.00 feet and a central angle of 20° 31' 58" to the Southerly corner of Lot 11, said Filing Two;

Thence leaving said right of way line and along the West line of Filing Two the following 4 courses:

Thence North 11° 57' 44" West a distance of 431.17 feet;

Thence North 55° 16' 25" East a distance of 369.76 feet;

Thence North 35° 15' 41" West a distance of 188.74 feet;

Thence North 35° 28' 30" East a distance of 342.73 feet to the Northwest corner of Lot 10;

Thence North 61° 41' 56" West, leaving said Filing Two a distance of 1043.78 feet to a point on the East line of Lot 8, New Breed Ranch Filing One that is 153.32 feet Southwest of the Northeast corner of said Lot 8;

Thence Southwesterly along the East line of said Filing One the following 4 courses:

Thence South 28° 18' 04" West a distance of 561.87 feet;

Thence South 15° 46' 29" West a distance of 386.12 feet;

Thence South 11° 51' 54" West a distance of 418.88 feet;

Thence South 11° 51' 54" West a distance of 413.40 feet to the Point of Beginning.

Containing 34.70 acres, more or less.