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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Jim Egbert, Chair

FROM: Kari Parsons, PM/Planner II
Jeff Rice, PE Engineer III
Craig Dossey, Executive Director

RE: Project File #: SF-18-011
Project Name: Silverado Ranch Filing No. 1 Final Plat
Parcel No.: 35000-00-082

OWNER:	REPRESENTATIVE:
Silverado Ranch, Inc. Stan Searle, President 18911 Cherry Springs Ranch Drive Monument, CO. 80132	JPS Engineering 19 East Willamette Avenue Colorado Springs, CO. 80903

Commissioner District: 4

Planning Commission Hearing Date:	9/18/2018
Board of County Commissioners Hearing Date	10/9/2018

EXECUTIVE SUMMARY

Silverado Ranch, Inc., requests approval of a final plat to create ten (10) single-family lots, three (3) tracts to be utilized for drainage, open space, and non-motorized trails, utilities. The 318.88 acre parcel zoned PUD (Planned Unit Development) is located south of Drennan Road, west of Ellicott Highway, and east of Peyton Highway and is within Section 16, Township 15 South, Range 63 West of the 6th P.M. The parcel is located within the boundaries of the Highway 94 Comprehensive Plan (2003).



The applicant is proposing to plat 106.39 acres of the overall development with Filing 1. The applicant's letter of intent states that the development will be platted in five (5) phases.

The initial ten (10) lots will gain access via a gravel road constructed to County gravel road standards which will be constructed by the developer and owned and maintained by the homeowners association until the roadway is brought up to paved County road standards.

Pursuant to Recommended Condition of Approval No. 12, the gravel roadway shall be upgraded to paved County road standards by the developer and accepted by the County for ownership and maintenance at the time of construction of the subdivision improvements for Phase 2 of the development. Staff is also recommending inclusion of Condition of Approval No. 13, which requires the subdivision improvements agreement associated with this final plat to include similar language requiring that the gravel road built to County road standards be upgraded to comply with the paved County road standards. Collateral for the gravel road upgrade is not being requested with this filing because the improvements will be required with the next filing, at which time staff will require provision of the associated financial assurance to ensure construction of the road to the paved County road standards.

The final plat, as requested, is consistent with the approved Silverado PUD development plan and preliminary plan. The overall density established by the approved PUD is one (1) dwelling unit per 4.98 acres, which is generally consistent with the adjacent RR-5 (Residential Rural) zoned properties.

A. REQUEST/WAIVERS/AUTHORIZATION

Request: Silverado Ranch, Inc., requests approval of a final plat for the Silverado Ranch Filing No. 1 subdivision to create and authorize the development of ten (10) single-family lots, 12.10 acres of right-of-way, three (3) tracts totaling 61.26 acres to be utilized for drainage, open space, non-motorized trail, and utilities.

Waiver(s): No waivers are requested with this request.

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. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a final plat, Section 7.2.1.D.3 of the Land Development Code (2018) states that the Board of County Commissioners shall find that:

- 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: RR-5 (Residential Rural)	Single-family residential
South: RR-5 (Residential Rural)	State of Colorado/Vacant
East: RR-5 (Residential Rural)	Vacant/Grazing
West: RR-5 (Residential Rural)	Single-family residential/Grazing

E. BACKGROUND

The parcel was zoned RR-3 (Residential Rural) in 1983. Subsequent nomenclature changes have renamed the RR-3 zoning district to the RR-5 (Residential Rural) zoning district. The property within the development was then rezoned from RR-5 to PUD (Planned Unit Development) (PUD-07-002) on August 28, 2008. The PUD included 64 single-family lots and 83 acres of open space. The minimum lot size established with the original PUD development plan is 2.5 acres with an average gross density of one dwelling (1) unit per 4.98 acres. The original PUD development guidelines did not incorporate dimensional standards or uses for equestrian facilities within the overall development.

A preliminary plan (SP-07-003) was also approved by the Board of County Commissioners on August 28, 2008, which included 64 single-family lots and 83 acres of open space.

An amendment to the PUD development plan and associated development guidelines to allow a privately owned equestrian facility on a tract and to allow

equestrian uses on the 64 single-family residential lots and the open space tracts, which are to be owned and maintained by the homeowners association was denied by the Board on December 12, 2017. Pursuant to the denial of the 2017 PUD development plan amendment, the 2007 PUD development plan remains in effect and represents the current zoning of the property.

This final plat request, known as Silverado Ranch Filing No. 1, is for the first phase of the Silverado Ranch development. The applicant's letter of intent proposes five (5) phases. This first phase consists of ten (10) minimum of 2.85 acre single-family lots, right-of-way, three (3) tracts for drainage, open space, utilities and non-motorized trails; and comprises 106.39 acres. The final plat is consistent with the approved 2007 PUD development plan and preliminary plan.

F. ANALYSIS

1. Land Development Code Compliance

This 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 (2018).

2. Zoning Compliance

The Silverado Ranch Filing No. 1 final plat is consistent with the approved PUD development plan and PUD development guidelines. The Silverado Ranch PUD development plan provides permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverages, and maximum building heights; as well as landscaping requirements.

3. Policy Plan Analysis

A finding of consistency with the El Paso County Policy Plan (1998) was made by the Board of County Commissioners in 2007 with approval of the Silverado Ranch PUD development plan and preliminary plan. The proposed final plat is consistent with the approved PUD development plan and preliminary plan.

4. Small Area Plan Analysis

The parcel is within the Highway 94 Comprehensive Plan (2003) area. Specifically, the proposed development is within Sub-Area 5, South Central, of the Highway 94 Comprehensive Plan. A finding of consistency with the Plan was made with the approved PUD development plan and preliminary plan.

5. Other Master Plan Elements

The Master Plan for Mineral Extraction (1996) identifies potential upland deposits in the area of the subject property. 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

A geology, soils, and hazards report was submitted and reviewed in 2007 with the approved PUD development plan and preliminary plan. The report did not identify any hazards that would preclude development.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the property as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Division, was sent a referral and has no outstanding comments.

3. Floodplain

As indicated on FEMA Flood Insurance Rate Map (FIRM) panel numbers 08041C0825F and 08041C1025F, the property is located entirely outside of the current 100-year regulatory floodplain

4. Drainage and Erosion

The site is located within the Drennan Drainage Basin. The basin has not been studied; therefore, no drainage or bridge fees will be due at the time of final plat recordation. The site slopes generally to the southeast. The applicant proposes to utilize existing natural retention ponds to offset developed flows. The drainage report identifies necessary easements and improvements to the ponds that need to be completed by the applicant in order to meet the current drainage criteria.

5. Transportation

The development is located at the southeast corner of the Peyton Highway and Drennan Road intersection. The applicant is proposing a single, gravel road built to County road standards, access from Drennan Road which is gravel surfaced at this location. The next filing (e.g., Phase 2) will provide additional access from Peyton Highway and will trigger the requirement to pave the subdivision roads to County standards.

Drennan Road is shown in the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) as a collector on both the 2040 Roadway Plan and 2060 Corridor Preservation Plan. Peyton Highway is shown as a minor arterial on both the 2040 Roadway Plan and 2060 Corridor Preservation Plan. These roads are adequate to serve the 10-lot subdivision and 64-lot PUD. Additional right-of-way for Drennan Road is being dedicated with this final plat. The development is subject to the County Road Impact Fee Program. The fee will be collected at the time of building permit issuance.

The developer of Silverado Ranch Filing No. 1 is proposing to construct approximately 2,650 linear feet of local gravel roads. The subdivision roads will be accepted for County maintenance once paved and completed to County standards concurrent with Silverado Ranch Filing No. 2..

H. SERVICES

- 1. Water** The site is proposed to be served by individual wells.

Sufficiency: Sufficient

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The County Attorney's Office has made a favorable recommendation for a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has also made a favorable recommendation regarding water quality.

- 2. Sanitation**

The development is proposed to be served by individual on-site wastewater treatment systems (OWTS). El Paso County Public Health has reviewed the wastewater report submitted with this application and has no concerns.

- 3. Emergency Services**

Ellicott Fire Protection District has committed to serve the development.

- 4. Utilities**

Mountain View Electric Association will provide electrical service to the development. Private propane gas companies will supply the individual propane tanks and provide ongoing refueling service to the development. Public utility easements, as applicable, are depicted on the final plat.

5. Metropolitan Districts

The development is within Ellicott Metropolitan District. The District provides athletic programs for youth in the Ellicott area.

6. Parks/Trails

Regional park (Area 4) fees in the amount of \$4070.00 in lieu of land dedication shall be paid at the time of final plat recordation.

7. Schools

School fees in the amount of \$1850.00 in lieu of land dedication shall be paid at the time of final plat recordation for the benefit of Ellicott School District No. 22.

I. APPLICABLE RESOLUTIONS

Approval Page 19

Disapproval Page 20

J. STATUS OF MAJOR ISSUES

There are no issues or concerns.

K. CONDITIONS AND NOTATION

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 (2018), 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 Parks and 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 to access a gravel road built to County road standards will be required for each access from Drover Canyon Lane and Silverado Hill Loop. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. 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.
8. Collateral sufficient to ensure that the public and private improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. 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.
10. Park fees in the amount of \$4070. in lieu of land dedication for regional parks (Area 4) and urban park (N/A) fees shall be paid at the time of plat recordation.
11. Fees in the amount of \$1850 in lieu of school land dedication shall be paid to El Paso County for the benefit of Ellicott School District No. 22 at the time of final plat recordation.

- 12. The developer shall re-construct the Phase 1/Filing No. 1 gravel roads to paved County road standards with the next final plat filing (e.g., Phase 2). The developer or the homeowners association, if one is legally created, shall own and maintain the gravel roads until the roads are upgraded to County road standards and are accepted by the County into the maintenance system. A label and note shall be added to the plat to identify this condition prior to plat recordation. All future road construction beyond Phase 1/Filing No. 1 within this development shall be designed and constructed to County standards.

- 13. The subdivision improvements agreement (SIA) associated with the final plat shall incorporate language to ensure that the Phase 1/Filing No. 1 roads are upgraded to paved County road standards by the developer at the time of the next filing (e.g., Phase 2/Filing No. 2). The SIA shall also include language that the homeowners association remain under control of the developer until such improvements have been preliminarily accepted by the County.

NOTATIONS

- 1. Final plats not recorded within 12 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 17 adjoining property owners on August 30, 2018, for the Planning Commission hearing. Responses will be provided at the hearing.

M. ATTACHMENTS

- Vicinity Map
- Letter of Intent
- Plat Drawing
- State Engineer’s Letter
- County Attorney’s Letter

El Paso County Parcel Information

File Name: SF-18-011

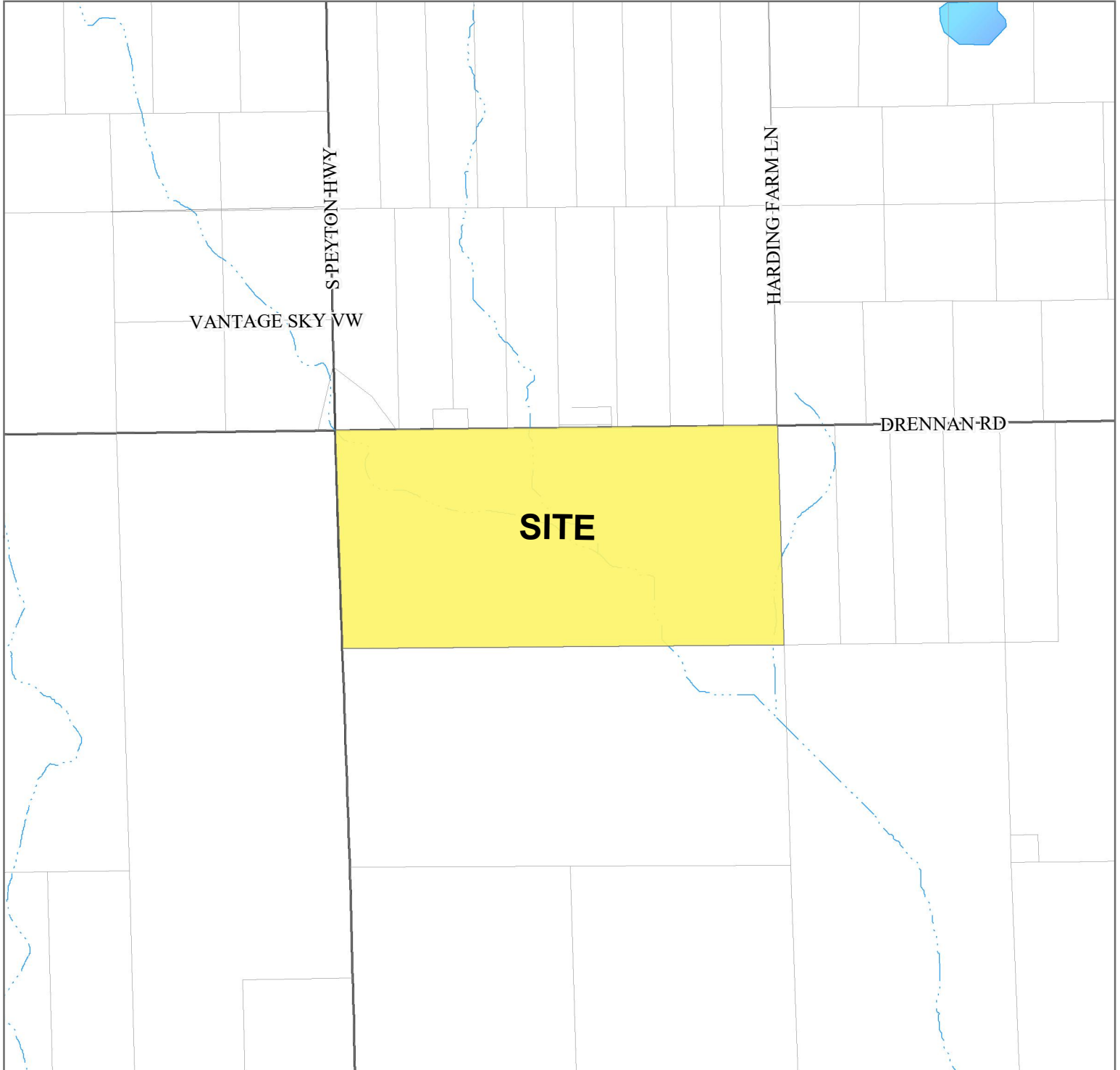
PARCEL	NAME
3500000082	SILVERADO RANCH INC

Zone Map No.: --

ADDRESS	CITY	STATE
18911 CHERRY SPRINGS RANCH DR	MONUMENT	CO

ZIP	ZIPLUS
80132	8378

Date: August 30, 2018



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

August 20, 2018

Silverado Ranch Final Plat Filing No. 1

PARCEL NUMBER: 35000-00-082

OWNER

Silverado Ranch, Inc.
Stan Searle, President
18911 Cherry Springs Ranch Dr.
Monument, CO 80132

DEVELOPER

Silverado Ranch, Inc.
18911 Cherry Springs Ranch Dr.
Monument, CO 80132
(719) 481-3735
stansearle@gmail.com

SITE INFORMATION

The site consists of approximately 106 acres representing Phase 1 of Silverado Ranch subdivision and is situated in the Southeast corner of Drennan Road and Peyton Highway and comprises the North ½ of Sec. 16, Twp 15 S, R63W of the 6th P.M. The property is zoned for a planned unit development with a minimum lot size of 2.5 acres and is currently in agricultural use for cattle and horses.,

REQUEST

The applicant is requesting a Final Plat for 10 single family lots, 3 tracts and public roads on 106 acres in the northwest part of the Silverado Ranch subdivision. The proposed plat is in conformance with the approved PUD. All required submittal materials for the Final Plat have been submitted.

Phase 1 will initiate construction of the subdivision and provide extensive open space areas for residents. It is anticipated that Silverado Ranch may contain 5 phases at buildout.

SILVERADO RANCH, INC.

18911 Cherry Springs Ranch Dr. - Monument, Colo. 80132 - (719) 481-3735 - Facsimile (719) 481-9100

APPROVAL CRITERIA

The Subdivision is in general conformance with the goals, objectives, and policies of the Master Plan. Additional criteria are as follows:

- The subdivision is in substantial conformance with the approved preliminary plan;
The Phase 1 Final Plat and subdivision are consistent with subdivision design standards and regulations and meet all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents and other supporting materials. A deviation to allow gravel roads in Phase 1 has been approved.
- 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 water supply standards [C.R.S. §30-28-133(6)(a)] and requirements of Chapter 8 of this Code;
Sufficient water supply—including quantity and dependability for the type of subdivision proposed—has been verified by the State Engineer’s Office. Water quality has been established as conforming to State standards by an independent test laboratory.
- The method of sewage disposal proposed 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;
Individual wells and septic systems will be subject to County and State permitting requirements. Adequate drainage improvements are proposed that comply with C.R.S. §30-28-133(3)(c)(VIII) and the requirements of the Land Development Code and the ECM;
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
There are no known areas within the proposed subdivision which involve soil or topographical conditions presenting hazards or requiring special precautions.
- 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;
Except for existing drainage retention ponds located in no-build tracts within the subdivision, there are no topographical features or conditions requiring special treatment.
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easements, acceptable to the County in compliance with this Code and the ECM;
Legal and physical access will be provided to all lots from subdivision roadways acceptable to the County. Phase 1 and the future development of the subdivision will include public roadways per County standards.
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
Letters confirming service availability have been provided by all applicable fire protection and utility companies. The El Paso County Sheriffs Dept. provides law enforcement coverage for the area and has not raised any concerns in their comment.

SILVERADO RANCH, INC.

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- In the interest of preserving ground cover and vegetation, Silverado Ranch will not allow resident horses within the subdivision. While equestrian activity is encouraged by residents, horses must be under “handler control” or confined while within the boundaries of the subdivision.

JUSTIFICATION FOR REQUEST

The Silverado Ranch Preliminary Plan (SP07003) and PUD (PUD07002) were approved in 2008. This request, for the Final Plat of Phase 1, is the next step in the process. Except for the proposed gravel road, no modifications are proposed. The proposal complies with all applicable EPC regulations and standards for a Final Plat as well as the Conditions of Approval of the original approval. Extensive open space is included in Phase 1 to provide for trail access and open space/park areas for residents.

SITE ANALYSIS

The Property is primarily native prairie grassland with shallow swales and gentle slopes. There are several ponderosa pines, a few spruce trees and more than 100 pinon pines on the west third of the Property. Historic natural drainage retains any runoff in a 10 acre basin near the eastern boundary of the Property. Water and sewage are provided by individual well and septic systems.

AUTHORITY

These standards are adopted pursuant to the Planned Unit Development Act of 1972, C.R.S. 24-67-101, et. seq., and the El Paso County Land Development Code, and shall apply to all property contained in the approved Silverado Ranch Planned Unit Development Plan. The regulations and requirements shall become the governing standards for review, approval and modification of all development activities occurring on the Property. The subdivision and zoning regulations for El Paso County shall apply where the provisions of this document or the Development Plan do not address a specific subject.

WILDFIRE MITIGATION

The Developer of the Silverado Ranch Subdivision is responsible for planning and developing the lots in a manner consistent with contemporary wildfire hazard mitigation techniques. The home owners and builders are responsible for designing and constructing homes that minimize the fire hazard inherent in a community situated amid prairie grasslands. The homeowners and the Home Owners Association are ultimately responsible for the maintenance of homes and open spaces in a manner consistent with provisions of the Covenants, Conditions and Restrictions, as recorded with the County Clerk. The Ellicott Fire Protection District has provided a Commitment to Serve Letter and a Fire Protection Report.

SILVERADO RANCH, INC.

18911 Cherry Springs Ranch Dr. - Monument, Colo. 80132 - (719) 481-3735 - Facsimile (719) 481-6100

The following principles will be followed in achieving a planned community which can respond to market conditions, while serving the needs of a rural residential equestrian-friendly community:

- ~ Encourage flexibility in site design with respect to spacing, heights and density of buildings and open space;
- ~ Encourage placement of improvements to take advantage of terrain features, especially with respect to allowing Front Range views from every lot;
- ~ Encourage improvement locations that minimize disturbance of terrain and native vegetation;
- ~ Provide appropriate transitions between external and internal land uses while permitting agricultural use of unoccupied lots and tracts.
- ~ Provide well maintained trails and open space and high quality all-weather roadways
- ~ Provide and protect wildlife habitat
- ~ Reduce Wildfire hazards.

The Planned Unit Development includes riding and hiking trails and proposes primary accesses off Drennan Road and Peyton Highway. Access to Filing No. 1 will be provided by construction of Drover Canyon Lane extending south from Drennan Road, along with a part of Silverado Hill Loop. No access from Peyton Highway is proposed in Phase 1. A temporary turnaround will be constructed on the east end of Silverado Hill Loop for Phase 1. The turnaround will be removed and replaced with a continuous road with Phase 2. Roads in Phase 1 will be built to County road standards with a gravel surface with maintenance the responsibility of the owner. At the time of subsequent phases and construction of future roadways, all roads will be paved, built to County road standards and maintained by the County.

Natural features, including trees and grass lands will be protected and incorporated into the design of the project. Only stick-built and manufactured homes which conform to the International Building Code will be permitted on residential lots. A maximum of two accessory buildings will be permitted on each lot—subject to size and use parameters set by the HOA. Construction of any kind shall require prior approval of the Architectural Control Committee of the Silverado Ranch HOA.

PUD Guidelines will include the following regarding horses:

- Temporary confinement of horses within subdivision boundaries must have the prior approval of the SRACC and temporary confinement facilities must be no larger than 1,000 square feet. Temporary shall mean no longer than 48 hours at any one time or as allowed by the HOA.

SILVERADO RANCH, INC.

18311 Cherry Springs Ranch Dr. - Monument, Colo. 80132 - (719) 481-3735 - Facsimile (719) 481-9100

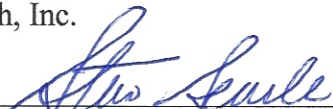
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
The Developer of the Silverado Ranch Subdivision is responsible for planning and developing the lots in a manner consistent with contemporary wildfire hazard mitigation techniques, as well as assuring that roads provide adequate turn-around space for emergency equipment.

- 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;
Studies have identified no off-site impacts requiring mitigation.

- 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;
Appropriate financial assurances will be posted for public infrastructure in accordance with the SIA. Applicable School and Park fees will be paid as required at the time of recording final plats. Traffic Improvement Fees will be paid in full by individual builders or lot owners as building permits are obtained for each lot.

- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et seq.]
There is no extraction of any mineral or hydrocarbon deposits occurring on or near the proposed subdivision. The State of Colorado is a third party mineral rights owner and will be notified according to State law.

Submitted by
Silverado Ranch, Inc.



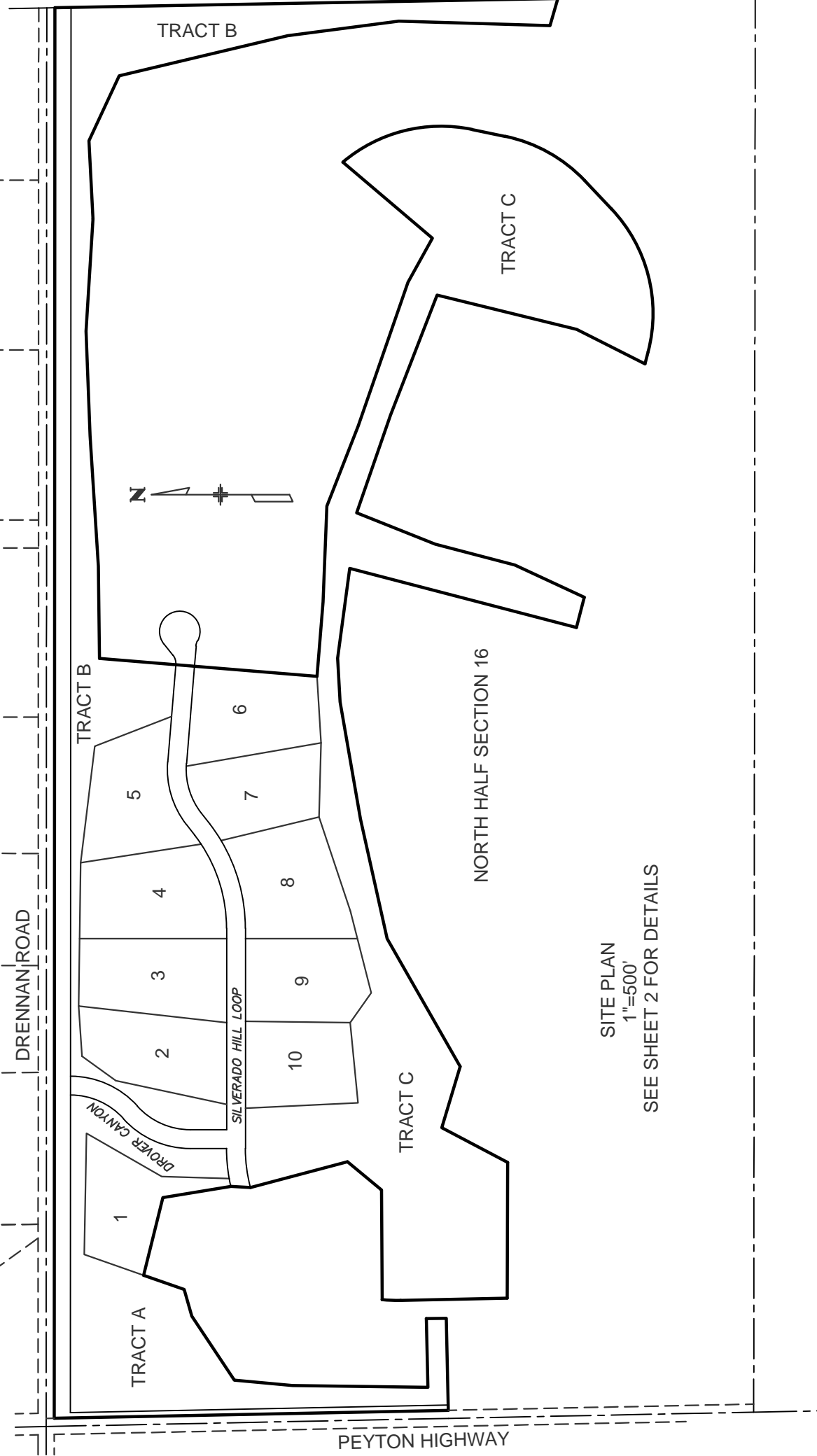
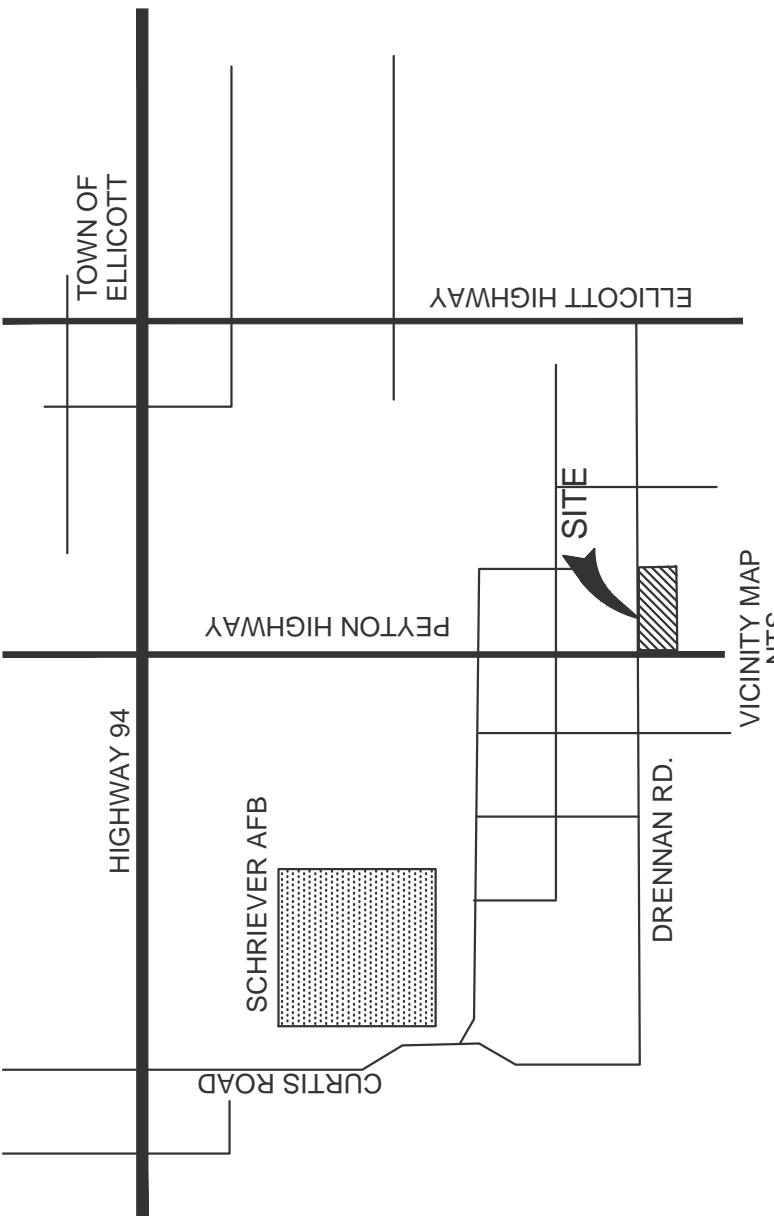
Stan Searle, President

SILVERADO RANCH, INC.

16911 Cherry Springs Ranch Dr. - Monument, Colo. 80132 - (719) 481-3735 - Facsimile (719) 481-9100

SILVERADO RANCH FILING NO. 1

IN THE NORTH HALF OF SECTION 16, T15S, R63W, 6th P.M.
EL PASO COUNTY, COLORADO



SITE PLAN
1:500
SEE SHEET 2 FOR DETAILS

NOTES:

- NO DRIVEWAY ACCESS SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT.
- THERE SHALL BE NO DIRECT LOT ACCESS TO PEYTON HIGHWAY OR DRENNAN ROAD. LOT ACCESS SHALL BE FROM SILVERADO HILL LOOP.
- NO LOT OR INTEREST THEREIN SHALL BE SOLD, CONVEYED, OR TRANSFERRED WHETHER BY DEED OR BY CONTRACT, NOR SHALL BUILDING PERMITS BE ISSUED, UNTIL AND UNLESS EITHER THE REQUIRED PUBLIC AND COMMON DEVELOPMENT IMPROVEMENTS HAVE BEEN CONSTRUCTED AND COMPLETED AND PRELIMINARILY ACCEPTED IN ACCORDANCE WITH THE SUBDIVISION IMPROVEMENTS AGREEMENT BETWEEN THE APPLICANT/OWNER AND EL PASO COUNTY AS RECORDED UNDER RECEPTION NUMBER _____ IN THE OFFICE OF THE CLERK AND RECORDER OF EL PASO COUNTY, COLORADO OR, IN THE ALTERNATIVE, OTHER COLLATERAL IS PROVIDED TO MAKE PROVISION FOR THE COMPLETION OF SAID IMPROVEMENTS IN ACCORDANCE WITH THE EL PASO COUNTY LAND DEVELOPMENT CODE AND THE SUBDIVISION IMPROVEMENTS AGREEMENT. THE APPLICANT/OWNER SHALL BE RESPONSIBLE FOR THE PLANNING AND COMMUNITY DEVELOPMENT COMMISSIONERS OR, IF PERMITTED BY THE SUBDIVISION IMPROVEMENTS AGREEMENT, BY THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR AND MEET THE POLICY AND PROCEDURE REQUIREMENTS OF EL PASO COUNTY PRIOR TO THE RELEASE BY THE COUNTY OF ANY LOTS FOR SALE, CONVEYANCE OR TRANSFER.
- 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.
- INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS FROM SILVERADO HILL LOOP PER LAND DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.3.3.C.3, AS AMENDED. DUE TO THEIR LENGTH, SOME OF THESE DRIVEWAYS WILL BE CONSTRUCTED ON PRIVATE DETENTION BASINS TO MAINTAIN WATER QUALITY BMP. MAINTENANCE AGREEMENT AND EASEMENT AS RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY. THE SILVERADO RANCH HOA IS RESPONSIBLE FOR MAINTENANCE OF THE SUBJECT DRAINAGE FACILITIES.
- THIS PROPERTY IS LOCATED WITHIN ZONE X' AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOOD PLAIN' AS DETERMINED BY THE FLOOD INSURANCE RATE MAP NUMBER 08041C0825F AND 08041C01025F, EFFECTIVE DATE MARCH 17, 1997.
- ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO A DECLARATION OF COVENANTS AS RECORDED AT RECEPTION NO. 217125025 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
- THE DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, REVIEW AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS THAT MAY BE APPLICABLE INCLUDING BUT NOT LIMITED TO, COLORADO PARKS AND RECREATION DEPARTMENT PERMITS FOR SPECIAL USE, COLORADO DEPARTMENT OF AGRICULTURE PERMITS FOR SPECIAL SERVICE REGARDING THE ENDANGERED SPECIES ACT, PARTICULARLY AS IT RELATES TO THE PREBLE'S MEADOW JUMPING MOUSE AS A LISTED SPECIES.
- THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
- INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS. REFER TO THE GEOLOGIC REPORT FOR SPECIFIC RECOMMENDATIONS REGARDING WELL DESIGN AND INSTALLATION, PARTICULARLY AN ADEQUATE WATER SEPARATION SYSTEM FOR ALL WELLS OR WATER TREATMENT SYSTEMS. (NOT 16, C) YEAR ACQUIFER LIFE. HOWEVER, FOR EL PASO COUNTY WATER, THE LARAMEE FOX HILLS BASIN ACQUIFERS IS EVALUATED BASED ON A 300-YEAR ACQUIFER LIFE.
- PLANNING PURPOSES, WATER IN THE LARAMEE FOX HILLS BASIN ACQUIFERS IS EVALUATED BASED ON A 300-YEAR ACQUIFER LIFE. APPLICANTS 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 ACQUIFER MAY BE LESS THAN EITHER THE 100 YEARS OR 300 YEARS INDICATED DUE TO ANTICIPATED WATER LEVEL DECLINES. FURTHERMORE, THE WATER SUPPLY PLAN SHOULD NOT RELY SOLELY UPON NON-RENEWABLE ACQUIFERS. ALTERNATIVE RENEWABLE WATER RESOURCES SHOULD BE ACQUIRED AND INCORPORATED IN A PERMANENT WATER SUPPLY PLAN THAT PROVIDES FUTURE GENERATIONS WITH A WATER SUPPLY.
- THIS PROPERTY IS LOCATED WITHIN THE ELLICOTT FIRE PROTECTION DISTRICT. THE OWNER OF ANY LOT SHOULD CONTACT THE FIRE DISTRICT TO DETERMINE THE BUILDING REQUIREMENTS RELATIVE TO THE ADOPTED FIRE CODE.
- UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE 2018 IBC AND THE 2018 IFC. A UTILITY DEVELOPMENT PLAN PROVIDES DEVELOPMENT GUIDELINES AND STANDARDS AS RECORDED AT RECEPTION NO. 217018689 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER. HOMEOWNERS WILL BE RESPONSIBLE FOR SEPTIC AND WATER.
- THE FOLLOWING REPORTS ARE ON FILE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT:
 - NATURAL FEATURES
 - WILDLIFE HAZARD AND VEGETATION
 - GEOLOGY AND SOILS (THE GEOLOGY, SURFACE SOILS EVALUATION AND SEWAGE DISPOSAL EVALUATION REPORT, PREPARED BY FRONT RANGE GEOTECHNICAL, INC. DATED 10/5/2006)
 - FINAL DRAINAGE REPORT
 - EROSION CONTROL PLAN
 - RESEARCH FOR RECORDED RIGHTS OF WAY AND EASEMENT
 - RESEARCH FOR RECORDED RIGHTS OF WAY AND EASEMENT WAS DONE BY FIDELITY NATIONAL TITLE FILE NO. 570-F0570738-370-030, AMENDMENT NO. 1, EFFECTIVE DATE 3/27/18
 - THE PROPERTY IS SUBJECT TO THE EASEMENTS GRANTED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION BY THE INSTRUMENT RECORDED ON APRIL 03, 1967 IN BOOK 2174 AT PAGE 668 AND BY RECEPTION NO. 216142266 (BLANKET EASEMENT)
 - THE PROPERTY IS SUBJECT TO AN EASEMENT GRANTED TO EL PASO COUNTY MUTUAL TELEPHONE COMPANY BY THE INSTRUMENT RECORDED ON APRIL 05, 1971 IN BOOK 2398 AT PAGE 662 (BLANKET EASEMENT)
 - SPORADIC EXPANSIVE SOILS MAY BE PRESENT ON THIS SITE.
 - ALL STRUCTURAL FOUNDATIONS SHALL BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO. SOIL AND GEOLOGIC CONDITIONS, SEPTIC SYSTEMS MAY NEED TO BE LOCATED AND DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY REGISTERED IN THE STATE OF COLORADO.
 - TRACTS A, B AND C ARE HEREBY DESIGNATED FOR OPEN SPACE, NON-MOTORIZED TRAIL, PUBLIC UTILITIES AND PUBLIC DRAINAGE EASEMENT FOR THE DEVELOPMENT WITH OWNERSHIP AND MAINTENANCE BEING VESTED WITH THE HOA. THE NORTHWESTERLY FIFTY FEET (50') OF TRACT A WILL BE SUBJECT TO AN EASEMENT FOR SIGN PLACEMENT FOR THE DEVELOPMENT. MAINTENANCE VESTED WITH THE HOA.
 - TWENTY-FIVE FOOT (25') BY TWENTY-FIVE FOOT (25') SIGHT TRIANGLE NO-BUILD AREA EXISTS FOR ALL CORNER LOTS ON INTERIOR PUBLIC OR PRIVATE STREETS. NO OBSTRUCTION GREATER THAN EIGHTEEN INCHES (18") IS ALLOWED IN THESE AREAS.
 - THE TURN-AROUND EASEMENT WILL BE VACATED WHEN SILVERADO LOOP IS EXTENDED. IN THE EVENT THAT SILVERADO LOOP IS NOT EXTENDED, THIS EASEMENT WILL REMAIN IN EFFECT. THE FUTURE DEVELOPER OF THIS PROPERTY WILL BE RESPONSIBLE FOR THE COSTS OF THE INTERSECTION OF DRENNAN ROAD AND DROVER CANYON LANE WILL BE FULL MOVEMENT UNTIL DRENNAN ROAD IS IMPROVED THEN IT WILL BECOME A RIGHT INFRIGHT OUT ONLY ENTRANCE.
 - PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO THE TERMS AND PROVISIONS OF THE EL PASO COUNTY ROAD IMPACT FEE PROGRAM (RESOLUTION 16-454) AND ANY SUBSEQUENT AMENDMENTS. FEES FOR EACH LOT WITHIN THIS SUBDIVISION SHALL BE PAID IN FULL AT THE TIME OF BUILDING PERMIT ISSUANCE.
 - ROADS IN THIS FILING OF THE SILVERADO SUBDIVISION SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS WITH A GRAVEL SURFACE. WITH MAINTENANCE BEING THE RESPONSIBILITY OF THE OWNER. AT THE TIME OF SUBSEQUENT FILINGS AND CONSTRUCTION OF FUTURE ROADWAYS, ALL ROADS SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS, INCLUDING FILING 1, AND PAVED WITH AN ASPHALT SURFACE. UPON INSPECTION AND APPROVAL OF THE CONSTRUCTED ROADWAYS WITH AN ASPHALT SURFACE, MAINTENANCE SHALL BECOME THE RESPONSIBILITY OF EL PASO COUNTY.

BE IT KNOWN BY THESE PRESENTS:

THAT SILVERADO RANCH, STAN SEARLE MANAGER IS THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:
A PORTION OF THE NORTH HALF OF SECTION 16, TOWNSHIP 15 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORAD BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE S89°58'30"E ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 16 A DISTANCE OF 30.00 FEET; THENCE S01°09'41"E A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF DRENNAN ROAD AND THE POINT OF BEGINNING OF THE TRACT DESCRIBED HEREIN; THENCE S89°58'39"E ALONG SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 5246.99 FEET TO A POINT ON THE EAST LINE OF SAID NORTH HALF OF SECTION 16; THENCE S01°02'51"E ON SAID EAST LINE A DISTANCE OF 1871.49 FEET; THENCE N73°46'25"W A DISTANCE OF 104.67 FEET; THENCE N01°38'12"E A DISTANCE OF 562.95 FEET; THENCE N13°23'05"W A DISTANCE OF 416.36 FEET; THENCE N65°00'51"W A DISTANCE OF 267.13 FEET; THENCE S87°04'08"W A DISTANCE OF 290.42 FEET; THENCE N86°29'49"W A DISTANCE OF 418.50 FEET; THENCE S87°48'05"W A DISTANCE OF 389.63 FEET; THENCE S86°23'17"W A DISTANCE OF 486.04 FEET; THENCE S89°17'05"W A DISTANCE OF 342.94 FEET; THENCE S04°42'22"W A DISTANCE OF 812.31 FEET; THENCE S85°29'18"E A DISTANCE OF 277.29 FEET; THENCE S88°14'38"E A DISTANCE OF 320.74 FEET; THENCE S70°52'30"E A DISTANCE OF 565.92 FEET; THENCE S60°57'27"E A DISTANCE OF 187.22 FEET; THENCE N40°18'20"E A DISTANCE OF 436.63 FEET; THENCE SOUTH EASTERLY ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 565.00 THROUGH A CENTRAL ANGLE OF 51°58'54" AN ARC DISTANCE OF 512.60 FEET, THE LONG CHORD OF WHICH BEARS S14°13'56"E A DISTANCE OF 495.20 FEET; THENCE S11°45'31"W A DISTANCE OF 126.89 FEET; THENCE SOUTH WESTERLY ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 342.67 FEET THROUGH A CENTRAL ANGLE OF 144°47'7" AN ARC DISTANCE OF 542.67 FEET; THENCE SOUTH WESTERLY ON THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 565.00 THROUGH A CENTRAL ANGLE OF 58°05'00" AN ARC DISTANCE OF 572.78 FEET; THENCE N25°24'27"W A DISTANCE OF 46.56 FEET; THENCE N13°47'06"E A DISTANCE OF 534.05 FEET; THENCE N86°48'18"W A DISTANCE OF 478.94 FEET; THENCE N70°54'24"W A DISTANCE OF 394.66 FEET; THENCE N07°54'21"W A DISTANCE OF 314.79 FEET; THENCE S24°57'20"W A DISTANCE OF 284.64 FEET; THENCE N75°24'27"W A DISTANCE OF 115.97 FEET; THENCE N14°35'33"E A DISTANCE OF 871.56 FEET; THENCE N82°21'10"W A DISTANCE OF 336.70 FEET; THENCE S86°43'07"W A DISTANCE OF 162.89 FEET; THENCE S80°11'51"W A DISTANCE OF 442.22 FEET; THENCE S77°26'41"W A DISTANCE OF 456.22 FEET; THENCE S80°14'30"W A DISTANCE OF 547.57 FEET; THENCE N73°23'19"W A DISTANCE OF 237.31 FEET; THENCE S82°02'21"W A DISTANCE OF 504.28 FEET; THENCE N89°48'24"W A DISTANCE OF 504.28 FEET; THENCE N01°15'21"W A DISTANCE OF 386.03 FEET;

THROUGH A CENTRAL ANGLE OF 7°00'19" AN ARC DISTANCE OF 68.08 FEET; THENCE N89°41'20"E A DISTANCE OF 488.23 FEET; THENCE N39°28'55"E A DISTANCE OF 194.49 FEET; THENCE N14°52'34"W A DISTANCE OF 372.79 FEET; THENCE N03°09'19"E A DISTANCE OF 73.19 FEET; THENCE N89°02'20"W A DISTANCE OF 259.82 FEET; THENCE S19°15'36"W A DISTANCE OF 159.36 FEET; THENCE S74°03'43"W A DISTANCE OF 103.61 FEET; THENCE S56°23'48"W A DISTANCE OF 286.02 FEET; THENCE S05°08'21"W A DISTANCE OF 217.50 FEET; THENCE S00°47'20"W A DISTANCE OF 503.49 FEET; THENCE N88°44'39"E A DISTANCE OF 255.47 FEET; THENCE S01°15'21"W A DISTANCE OF 74.07 FEET;

THENCE S88°44'39"W A DISTANCE OF 342.64 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF DRENNAN ROAD, AN OGDENWAY RIGHT OF WAY A DISTANCE OF 1466.08 FEET TO THE POINT OF BEGINNING.

THE DESCRIBED TRACT CONTAINS 106.394 ACRES, MORE OR LESS.

ACCEPTANCE CERTIFICATE FOR TRACTS:

THE DEDICATION OF THE TRACTS SHOWN ON THIS PLAT ARE HEREBY ACCEPTED FOR OWNERSHIP AND MAINTENANCE BY SILVERADO RANCH HOMEOWNERS ASSOCIATION

BY: STAN SEARLE SILVERADO RANCH HOMEOWNERS ASSOCIATION

NOTARIAL: COUNTY OF EL PASO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF 2018 BY STAN SEARLE, MANAGER SILVERADO RANCH HOMEOWNERS ASSOCIATION

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

PRESIDENT, BOARD OF COUNTY COMMISSIONERS DATE

DIRECTOR, COUNTY PLANNING AND COMMUNITY DEVELOPMENT DATE

COUNTY ASSESSOR DATE

COUNTY CLERK AND RECORDER DATE

CHUCK BROERMAN

FEES: COUNTY CLERK AND RECORDER

DRAINAGE FEES: _____

BRIDGE FEES: _____

SCHOOL FEES: _____

PARK FEES: _____

PREPARED BY _____

RECORDED: COUNTY OF EL PASO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT _____ O'CLOCK _____ M., THIS DAY OF _____ 2018, AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN

CLERK AND RECORDER

RECORDED: COUNTY OF EL PASO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT _____ O'CLOCK _____ M., THIS DAY OF _____ 2018, AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN

CLERK AND RECORDER

FEES: COUNTY CLERK AND RECORDER

DRAINAGE FEES: _____

BRIDGE FEES: _____

SCHOOL FEES: _____

PARK FEES: _____

PREPARED BY _____

RECORDED: COUNTY OF EL PASO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT _____ O'CLOCK _____ M., THIS DAY OF _____ 2018, AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CHUCK BROERMAN

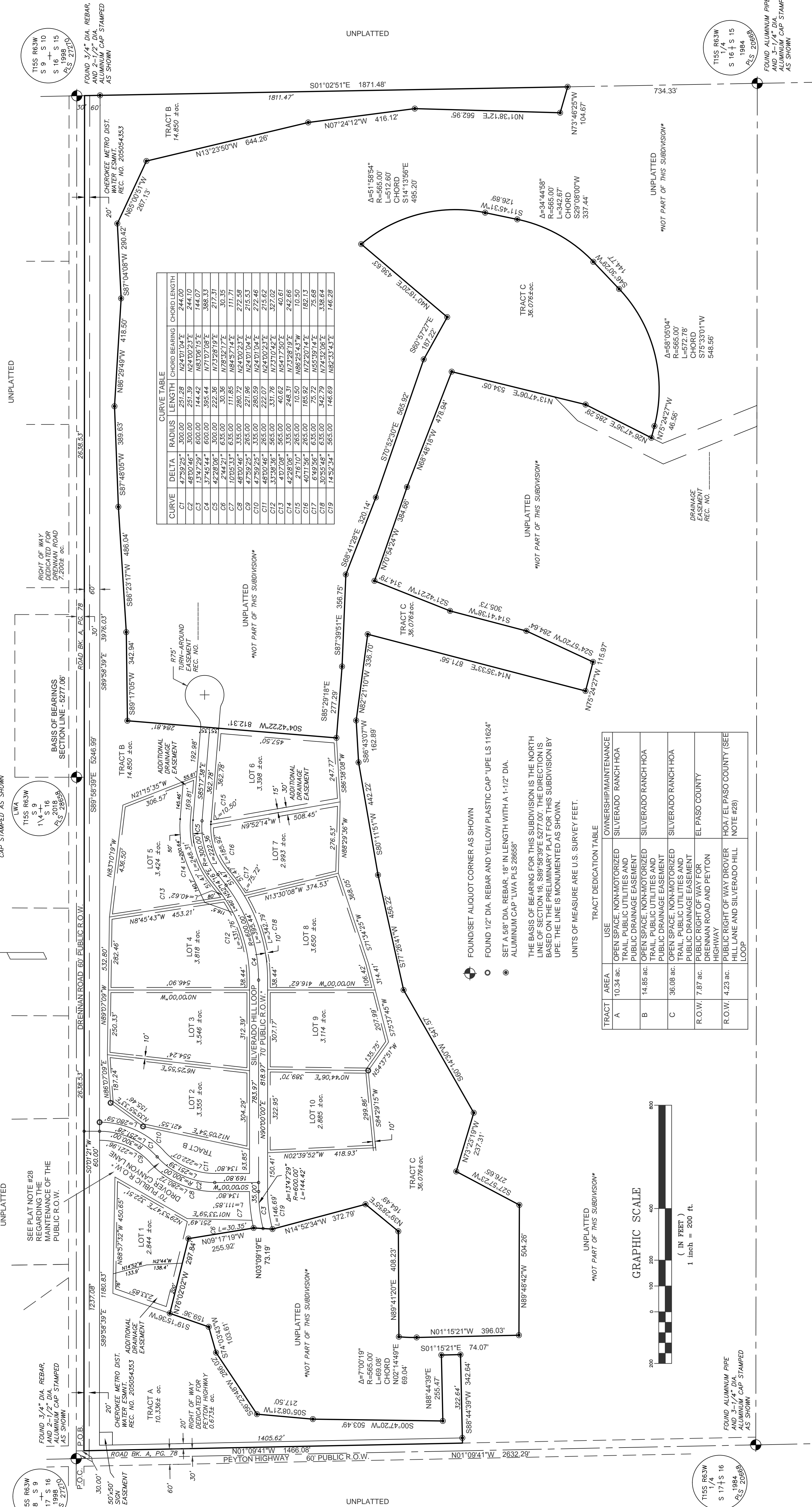
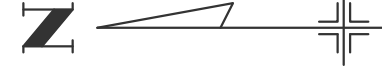
CLERK AND RECORDER

RECORDED: COUNTY OF EL PASO

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT MY OFFICE AT _____ O'CLOCK _____ M., THIS DAY OF _____ 2018, AND IS DULY RECORDED AT RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

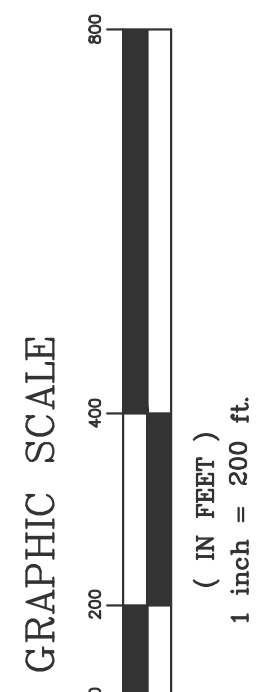
SILVERADO RANCH FILING NO. 1

IN THE NORTH HALF OF SECTION 16, T15S, R63W, 6th P.M.
EL PASO COUNTY, COLORADO



CURVE	DELTA	RADIUS	CHORD BEARING	CHORD LENGTH
C1	47°59'25"	300.00	N24°07'04"E	244.00
C2	48°00'46"	300.00	N24°00'24"E	244.10
C3	134°27'29"	600.00	N83°09'12"E	144.07
C4	37°43'44"	600.00	N77°07'09"E	395.33
C5	42°42'29"	600.00	N74°21'17"E	303.35
C6	102°53'33"	635.00	N45°57'14"E	111.71
C7	47°59'25"	300.00	N24°07'04"E	244.00
C8	48°00'46"	300.00	N24°00'24"E	244.10
C9	134°27'29"	600.00	N83°09'12"E	144.07
C10	37°43'44"	600.00	N77°07'09"E	395.33
C11	42°42'29"	600.00	N74°21'17"E	303.35
C12	102°53'33"	635.00	N45°57'14"E	111.71
C13	47°59'25"	300.00	N24°07'04"E	244.00
C14	48°00'46"	300.00	N24°00'24"E	244.10
C15	134°27'29"	600.00	N83°09'12"E	144.07
C16	37°43'44"	600.00	N77°07'09"E	395.33
C17	42°42'29"	600.00	N74°21'17"E	303.35
C18	102°53'33"	635.00	N45°57'14"E	111.71
C19	47°59'25"	300.00	N24°07'04"E	244.00

TRACT	AREA	USE	OWNERSHIP/MAINTENANCE
A	10.34 ac.	OPEN SPACE, NON-MOTORIZED TRAIL, PUBLIC UTILITIES AND PUBLIC DRAINAGE EASEMENT	SILVERADO RANCH HOA
B	14.85 ac.	OPEN SPACE, NON-MOTORIZED TRAIL, PUBLIC UTILITIES AND PUBLIC DRAINAGE EASEMENT	SILVERADO RANCH HOA
C	36.08 ac.	OPEN SPACE, NON-MOTORIZED TRAIL, PUBLIC UTILITIES AND PUBLIC DRAINAGE EASEMENT	SILVERADO RANCH HOA
R.O.W.	7.87 ac.	DRENNAN ROAD AND PEYTON HIGHWAY	EL PASO COUNTY
R.O.W.	4.23 ac.	PUBLIC RIGHT OF WAY DROVER HILL LANE AND SILVERADO HILL LOOP	HOA / EL PASO COUNTY (SEE NOTE #28)



PREPARED BY
LWA LAND SURVEYING, INC.
SILVERADO RANCH
961 EAST FILLMORE STREET
COLORADO SPRINGS, COLORADO 80907
Phone (719) 636-5729

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 BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.



COLORADO

Division of Water Resources

Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

May 21, 2018

Kari Parsons
El Paso County Development Services Department
DSDcomments@elpasoco.com

RE: Silverado Ranch Filing No. 1, Final Plat
Section 16, T15S, R63W, 6th P.M.
Water Division 2, Water District 10
Upper Black Squirrel Creek Designated Basin

Dear Ms. Parsons:

We have reviewed your April 26, 2018 submittal concerning the above referenced proposal for the subdivision of 106.4 acres into ten single family lots and open space as the first filing of the Silverado Ranch Subdivision.

Our office provided a letter dated April 11, 2017 on the adequacy of the proposed water supply to the Silverado Ranch Preliminary Plan (PUD) as well as the Silverado Ranch Filing No.1, Final Plat. The applicant's Letter of Intent, dated April 3, 2018, in this submittal requests amendments to the Final Plat of Filing No. 1 and withdraws the PUD amendment requests from 2017. As this submittal amends the proposals that were the subject of our April 11, 2017, this letter replaces the opinions in our April 11, 2017 letter.

Water Supply Demand

According to the submittal, the water requirement totals 4 acre-feet per year (0.4 acre-feet per year per lot) for in-house use in one single family dwelling, and irrigation of 0.04 acres (1,742 square-feet) of home gardens and lawn per lot. The water requirement for the open space is not mentioned and is therefore understood to be zero.

Source of Water Supply

The proposed source of water is individual on-lot wells producing from the non-tributary (4% replacement) Laramie-Fox Hills aquifer under Determination of Water Right 325-BD. The allowed average annual amount of withdrawal provided for in Determination of Water Right no. 325-BD is 76.8 acre-feet.

The subdivision lies within the allowed place of use of Determination of Water Right no. 325-BD, and the proposed uses are uses allowed by that Determination.

The proposed source of water is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source 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 76.8 acre-feet/year would be reduced to one third of that amount, or 25.6 acre-feet/year. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

The proposed annual water supply of 25.6 acre-feet is more than the estimated annual demand of 4 acre-feet.

State Engineer’s Office Opinion

Based on the above and pursuant to Section 37-28-136(1)(h)(l), 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 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 Ground Water Commission has retained jurisdiction over the final amount of water available pursuant to the above-referenced determination, pending actual geophysical data from the aquifer.

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.

Silverado Ranch Filing No. 1, Final Plat
May 21, 2018
Page 3 of 3

If you, or the applicant, have any questions, please contact Neelha Mudigonda at 303-866-3581 ext. 8206.

Sincerely,



Keith Vander Horst
Chief of Water Supply, Basins

Cc: Division 2
Silverado Ranch_Filing1.docx

EL PASO COUNTY



OFFICE OF THE COUNTY ATTORNEY CIVIL DIVISION

First Assistant County Attorney
Diana K. May

Amy R. Folsom, County Attorney

Assistant County Attorneys
M. Cole Emmons
Lori L. Seago
Diana K. May
Kenneth R. Hodges
Lisa A. Kirkman
Steven A. Klaffky
Peter A. Lichtman

September 6, 2018

Silverado Ranch Subdivision

SF-18-011 Final Plat, Filing No. 1

Reviewed by: M. Cole Emmons, Senior Assistant County Attorney
Edi Anderson, Paralegal

Note: The County Attorney's Office prepared a previous review for the Silverado Ranch Subdivision, encompassing a PUD Preliminary Plan Amendment and Final Plat for Filing 1 dated October 17, 2017. This review supersedes and replaces the October 17th review and analysis pertaining to the then-proposed PUD Preliminary Plan Amendment and Final Plat for Filing 1.

FINDINGS AND CONCLUSIONS:

1. This is a proposal by Silverado Ranch, Inc. ("Applicant") for a Final Plat to subdivide approximately 106 acres of land into 10 single-family lots, plus 3 open space tracts. This final plat is the first phase of the proposed 320 acre parcel encompassing 64 single-family homes. The property is zoned PUD.

2. The Applicant has provided for the source of water to come from individual on-lot wells via ground water from the Laramie-Fox Hills Aquifer. Applicant estimates its water demand for the 10 lots in Filing No. 1 at 4.0 acre-feet per year or 0.4 acre-feet per lot annually, including in-house use and irrigation of lawns and gardens. No resident horses are permitted in the subdivision; therefore, there is no accommodation for stock watering. In addition, no water supply is provided for the open space tracts. Based on the 4% replacement requirement of Colorado Ground Water Commission Determination of Water Rights Case No. 325-BD and an annual demand of 4.0 acre-feet for 10 lots, Applicant will have to provide an additional 0.16 acre-feet per year for replacement of 10 lots (or 0.016 acre-feet per lot based on a per lot demand of 0.4 acre-feet per year). Therefore, Applicant must provide a total supply of 1,248 acre-feet of water (4.16 acre-feet/yr. x 300 yrs.) to meet the County's 300-year water supply requirement.

200 S. CASCADE AVENUE
OFFICE: (719) 520-6485



COLORADO SPRINGS, CO 80903
FAX: (719) 520-6487

3. The water rights for this property were originally owned by Space Center, LLP pursuant to the Nontributary Ground Water Landownership Statement dated January 30, 2002, which water rights were adjudicated by the Colorado Ground Water Commission in Determination of Water Rights Case No. 325-BD in 2002. The water rights were subsequently transferred to Stan Searle via Special Warranty Deed on June 28, 2005, but did not specify that water rights were included. Mr. Searle subsequently obtained an Affidavit from the agent for Space Center, LLP affirming that “all water rights under Determination of Water Rights 325-BD for the Laramie-Fox Hills Aquifer, comprising 76.8 acre-feet” were included in the 2005 Deed. On November 4, 2016, Mr. Searle conveyed the subject property to Silverado Ranch, Inc., via a Quitclaim Deed. Unfortunately, that Quitclaim Deed was silent as to the water rights. In order to complete and clarify the chain of title for the water rights, Mr. Searle executed and had recorded on September 14, 2017, a Special Warranty Deed for all of the water and water rights in the Laramie-Fox Hills aquifer underlying the property as adjudicated in the Colorado Ground Water Commission Findings and Order in Determination No. 325-BD.

4. In a letter dated May 21, 2018, the Colorado Division of Water Resources State Engineer noted that the subdivision will be served by the not non-tributary Laramie-Fox Hills Aquifer in accordance with the Colorado Ground Water Commission Determination of Water Rights Case No. 325-BD (“Water Right 325-BD”). The State Engineer indicated that the allowed average annual amount of withdrawal provided for in Water Right 325-BD is 76.8 acre-feet from bedrock aquifer allocations from the Denver Basin as well as alluvial sources. This amount is reduced by one third due to El Paso County’s 300 year water supply requirement, resulting in an available supply of 25.6 acre-feet annually for the 64-lot subdivision (which equates to a supply of 4.0 acre-feet for the 10 lots in Filing 1).

With an annual water demand of 4.0 acre-feet for this Filing 1, the Engineer’s opinion is that there is a sufficient water supply to meet the County’s 300-year water supply requirement. Pursuant to C.R.S. § 30-28-136(1)(h)(I), the Engineer offered the opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Note: While not mentioned by the State Engineer, a report provided by Curtis Wells & Co. dated May 4, 2007, notes that even though “the Laramie Fox Hills ground water is considered not non-tributary, no formal Commission issued replacement plan is needed.” **Notwithstanding, Water Right 325-BD provides “that at least four percent (4%) of the amount of water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal.”**

5. The water quality requirements of Section 8.4.7(10) of the Land Development Code must be satisfied.

6. Decree. The Determination of Water Rights in Case No. 325-BD was approved in the name of Space Center, LLP in 2002. The Commission determined there was 7,680 acre-feet of Laramie-Fox Hills Aquifer water available under the 320 acres of property, which resulted in a maximum annual appropriation or amount of water that can be withdrawn of 76.8 acre-feet based on the State's 100 year aquifer life requirement. As the State Engineer noted, this amount must be reduced to meet the County's 300-year rule, which results in a maximum annual appropriation of 25.6 acre-feet. The Commission required "at least four percent (4%) of the amount of water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal."

7. Analysis: The Colorado Ground Water Commission issued Determination of Water Rights No. 325-BD, which results in an available water supply of 76.8 acre-feet per year for 100 years or 25.6 acre-feet per year when reduced by one-third to meet the County's 300-year rule. With an annual supply available of 25.6 acre-feet, and an annual demand of 4.16 acre-feet (including 4% replacement) for the 10 lots of Filing 1, the quantity of the water supply appears to be sufficient to meet the County's 300-year aquifer life requirement.

8. Therefore, at this time, based upon the finding of no injury and sufficiency by the State Engineer, the Colorado Ground Water Commission Determination of Water Rights in Case No. 325-BD, and based on the requirements listed below, the County Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability for the Filing 1 Final Plat. The El Paso County Health Department shall provide an opinion as to quality.

REQUIREMENTS:

A. Applicants, their successors and assigns, shall create an HOA, and advise the HOA and all future owners of these lots of all applicable requirements of the Colorado Ground Water Commission's Determination of Water Right entered in Case No. 325-BD, as well as their obligations to comply with the Water Determination.

B. Applicants shall assign or convey to the HOA, Applicant's interests, rights, and obligations in Determination of Water Right No. 325-BD and shall create restrictive covenants upon and running with the property which shall advise and obligate future lot owner(s) of this filing, their successors and assigns, and the HOA regarding all applicable requirements of the Determination of Water Right No. 325-BD. Such assignment or conveyance shall be accomplished by an appropriate agreement and assignment or conveyance instrument that shall be reviewed and approved by both the Planning and Community Development Department and the County Attorney's Office prior to recording final plats.

C. The restrictive covenants specifically shall advise the following (other conditions in the Decree also may be appropriate to state in the covenants):

1. Applicant's successors and assigns shall be advised that watering of horses or other stock watering is not allowed and no water is provided for such.
2. Applicant's successors and assigns, including the HOA, shall be advised of their obligation to return at least four percent (4%) of the amount of water withdrawn annually to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal. Based on the demand of 4.0 acre-feet per year for the 10 lots in Filing No. 1, an additional 0.16 acre-feet per year will have to be provided to meet the replacement requirement.
3. Applicant's successors and assigns shall be advised that the use of the ground water shall be limited to the following uses: domestic, irrigation, commercial and replacement supply as provided for in Determination of Water Right No. 325-BD.
4. Applicant's successors and assigns shall be advised of their responsibility for any metering and data collecting that may be required regarding water withdrawals from wells pursuant to Determination of Water Right No. 325-BD.

D. Applicant, its successors and assigns, at the time of lot sales, shall convey by warranty deed to individual lot owners sufficient water rights in the Laramie-Fox Hills Aquifer underlying each lot to satisfy El Paso County's 300-year water supply requirement: 0.4 acre-feet annually and at least 120.0 acre-feet total for 300 years. Said conveyance instrument shall recite that this water shall not be separated from transfer of title to the Property and shall be used exclusively for the primary supply and replacement water for the lot. Applicant shall provide a form warranty deed for review and approval to the Planning and Community Development Department and the County Attorney's Office prior to recording the final plat.

E. If the HOA will be responsible for making the annual 4% replacement per Determination of Water Right No. 325-BD, then Applicant shall convey at least 48 acre-feet of Laramie-Fox Hills Aquifer water (0.16 acre-feet/yr. x 300 yrs.) to the HOA to make the replacements. If the individual lot owners will be responsible for making the annual 4% replacement per Determination of Water Right No. 325-BD, then Applicant shall convey an

additional 4.8 acre-feet of Laramie-Fox Hills Aquifer water (0.016 acre-feet/lot/yr. x 300 yrs.) to each lot for the lot owner to make the annual replacement. The covenants shall define the responsibility and allocation for make the annual replacements. In either case, the covenants and deeds shall recite that this water shall not be separated from transfer of title to the Property and shall be used exclusively for the purpose of replacement.

F. Applicant shall submit Declaration of Covenants, Conditions, and Restrictions as well as Bylaws and Articles of Incorporation of the HOA 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 Services Department and the County Attorney's Office prior to recording final plats. Said Declaration shall cross-reference Determination of Water Right No. 325-BD and shall recite the obligations of the individual lot owners and the HOA under each of these documents. Applicant shall provide a copy of the Certificate of Incorporation of the HOA by the Secretary of State to the Planning and Community Development Department and the County Attorney's Office.

G. Applicant, its successors and assigns, shall record all applicable documents, including, but not limited to, the Determination of Water Rights in Case No. 325-BD, agreements, assignments, and warranty deeds regarding the water rights, Declaration of Covenants, By-laws, and Articles of Incorporation 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, which is based on an allocation approach. Applicants, the Home Owners Association, 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 indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers, and alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply."

cc: Kari Parsons, Project Manager/Planner II