



PLANNING COMMISSION AGENDA

July 27, 2023 at 1:30 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Zoom: <https://us02web.zoom.us/j/82550511219> | Meeting ID: 825-5051-1219

1. Work Session 10:00 AM - 12:30 PM

- a. Cooperative Planning Projects
- b. 1041 Update

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. READING OF MINUTES

- [a.](#) Minutes from 06-08

5. ACTION ITEMS

- [a.](#) 23-028 Vacate Mohr

6. LGD UPDATES

- [a.](#) Move-in Rig-Up Notices

7. OLD BUSINESS

8. NEW BUSINESS

9. DISCUSSIONS

10. UPCOMING MEETINGS

11. ADJOURNMENT



PLANNING COMMISSION MINUTES

June 08, 2023 at 1:30 PM

Commissioners Meeting Room - 401 Main Street, Suite 309, Walsenburg, CO 81089

Office: 719-738-3000 ex 200 | Fax: 719-738-3996

Join via Zoom: <https://us02web.zoom.us/j/82550511219> | Meeting ID: 825-5051-1219

1. Work Session 10:00 - 12:30

2. ROLL CALL

Meeting started at 1:30pm

3. PLEDGE OF ALLEGIANCE

Meeting started at 1:30pm

4. READING OF MINUTES

EnterTextHere

a. Minutes from 5-25

Motion made to approve minutes with discussion: It was requested that individual comments not be a part of the minutes from this point moving forward.

5. PUBLIC HEARINGS

a. 23-05 Rezoning and Plat Amendment - Huerfano County Economic Development

Sky Tallman appointed Hearing Officer. Public Hearing opened at 1:36PM. The Staff Report was read. Lola Spradley the chairperson of Huerfano County Economic Development Committee (the applicant) presented a summary of the application for the Truck Driving School. Then Carlton Croft from Huerfano County Economic Development talked about how the Truck Driving School will benefit the Huerfano County will help in the economic development of Huerfano County, will help lower the unemployment rate. He talked about what other businesses will potentially be brought in with this truck driving school. Steve Speak from the Colorado Springs Truck Driving School spoke about bringing in not only the Truck Driving School with training but it will also be a CDL testing site. Steve talked about how excited the surrounding communities are with this project. Then Lola answered David Tesitors question on what they are planning on doing with expanding education to the surrounding school districts. The truck driving school will also make classes available to high school students. The applicant spoke how this is going to be a hands-on school. Questions were answered by the applicant about what would happen if this truck driving school does not happen and what the future looks like for this parcel of land and uses that are compatible for the

area. Questions were answered why non-profits don't have to pay taxes and they won't be taxed on this parcel of land and the buildings on it. Roy Britt spoke in opposition to the truck driving school as it will be close to his house and stated that the ground is a marsh and it won't be able to stand up to the semi trucks and he doesn't want a truck driving school in his front yard. He talked about Bear Creek being there and the how the trucks are going to be running by that creek. As lieutenant of the Fire Department he spoke about the fire trucks being able to have access to the parcel. Roy stated he didn't feel that was this is the place to put the truck driving school. The applicant addressed the concerns that Roy Britt brought up about the dust, noise, flood plain. Stated the noise will be minimum and that they will do dust mitigation, and they will only run the trucks during normal business hours. Motion made for recommendation to approve the Variance and the Rezoning The Public Hearing closed at 2:16pm.

6. ACTION ITEMS

a. 23-15 Wood Burial Review

The applicant Ray Bongiovanni was present. Sky Tallman presented the details of the application. Second paragraph of the Environmental Covenant was discussed that the Wood Cache Completion Corporation will maintain and manage the easement and that they will get the carbon credits. If the property is sold the Corporation would continue to manage the wood burial projects. They will do a "First out last in" for the actual burial project with the first layer of topsoil and augment the proper amount of water to retain the topsoil. The Planning Commission asked for the seed mix with the contact person from NRCS. The Planning Commission would like to see the Environmental Covenant to run through the County as well as the State of Colorado. Assurity or Performance Bond Document that has term and conditions. The applicant is currently doing a trial on the property with his own property. The applicant stated for the Business Plan they would take waste wood that cannot be used for anything else, minimum one inch in diameter, then to bury it. Will not be a public facility and various costs that will be associated with project. Then they will do a carbon exchange to sequester CO2. Then the Carbon Credits will go back to Wood Cache Completion Corp to assist in the cost of maintaining the burial project and the applicant will also get a portion of the money obtained from the credits. Recommendation made to send application 22-15 have provisional approval by the BOCC. for the purpose of the applicant to complete his application with the state with the final easement, environmental covenant performance or assurity Bonds .once all documents are received to then return back to the County for final decision.

7. LGD UPDATES

a. Oxy Maintenance Operations

Dale believes there will be a state permit for operations being performed by OXY corp. Will let us know when she receives the permit.

8. OLD BUSINESS

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12. ADJOURNMENT



Huerfano County Planning Commission Staff Report – Permit #23-028 Vacate Mohr Meeting Type – Assignment

Meeting Date: July 27, 2023

Request Summary

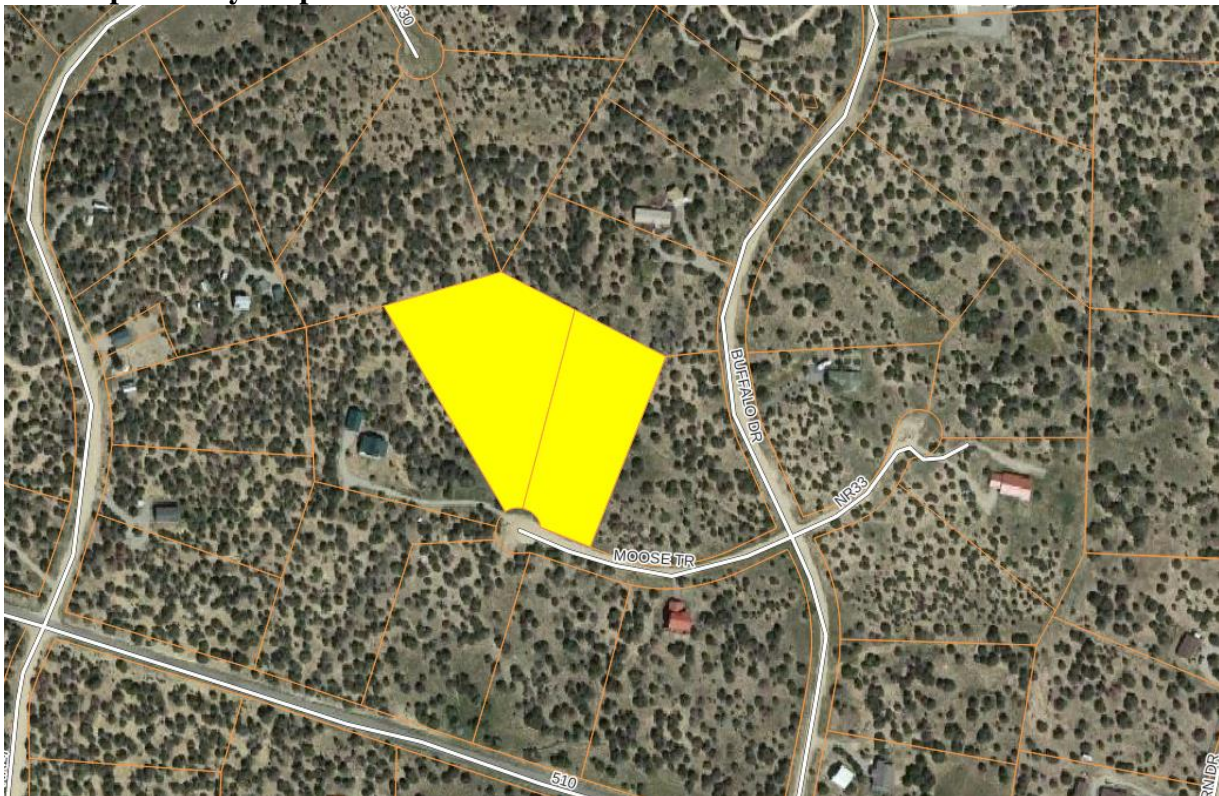
With this Application Johnathan Mohr (the Applicant) requests the following:

A vacation of lot line and utility easement pursuant to LUR Section §2.15 to vacate an internal lot line and utility easement to consolidate lots 69 (1.91 acres) and 70 (2.61 acres) in Navajo Ranch Estates to create a single lot 70A containing 4.53 acres. The site consists of two vacant parcels (Parcel Numbers 3339369 and 3339370). The 1985 amended subdivision plat for Navajo Ranch Estates (Map 285) establishes a 5-foot utility easement on either side of all side and rear lot lines.

The subject property is zoned Rural Residential. Zoning standards for this district are set forth in LUR Section §1.03.

Landowner Intent: Plan to build a pole barn and home on combined properties.

Site Map/Vicinity Map



Code References

The following Code Sections are applicable to this application and may be referenced by the Planning Commission in their evaluation of the request:

§2.15.01 Procedures for Vacating Plats, Roads and Easements

§2.15.02 Submittal requirements: Proof of ownership, copy of approved and recorded plat or easement and a vacated plat; narrative statement

§2.15.03 Criteria for Action on a Vacating Application

1. That the proposed vacating would not interfere with development of nor deny access via a public thoroughfare to existing structures within the recorded plat, adjoining properties, utility services or other improvements, nor deny access to structures, facilities or sites located beyond the plat or easement to be vacated.
2. That the proposed vacating would not cause undue hardship or inconvenience for any utility company, special district, neighboring landowner or tenant.
3. That the proposed vacating would not be likely to prove detrimental to the public health, safety or welfare of County residents.
4. That the proposed vacating would be consistent with all other provisions in these regulations.
5. That the proposed vacating would not cause undue financial hardship to Huerfano County nor deprive it of needed tax base.

Background

This Application was received on July 13, 2023; Application Fees were received by the County; the applicant will be billed for public noticing fees. The Application was determined to be complete on July 13, 2023.

Application Materials

1. Land Use Application
2. Narrative statement
3. Copy of approved and recorded plat or easement and a vacated plat
4. Proof of ownership

Criteria/Findings

In order for an Vacation to be issued, the criteria described above in LUR Section 2.05.03 must be met.

Staff has notified San Isabel Electric and Navajo Western Water District regarding the vacation of the utility easement and is awaiting comment. There is no apparent conflict with the land use code or planned land uses that arises from the vacation of this lot line.

Noticing:

10 days notice in paper and to property owners within 500 ft.

Within 500 ft of these properties, there are 25 parcels with 20 unique owners.

Potential Referral agencies

San Isabel Electric Association
Navajo Western Water District
Huerfano County fire district

Huerfano County Health Department
Huerfano County Road and Bridge Department
School District
Huerfano County Water Conservancy District
HOA/POA - Navajo Ranch HOA (Dave Rogers?)

Referral Comments

Potential Conditions

None recommended

Recommend to send to a Joint Public Hearing

Commission Action Options:

1. **Approval** without any special conditions.
2. **Conditional** Approval with a description of the special conditions.
3. **Denial**, indicating for the record the reason(s) for such action.
4. **Continuation** until a future date to gather more information or obtain clarification or for any other relevant cause.

7-13-23

Dear Board member,

I am looking to remove the lot line in between the lots I own in Navajo Estates. The lots are 69 + 70.

I plan to build a pole barn and a home on these properties.

There is no negative implication to the removing of this lot line.

Also would like vacate the utility easement.

Thank you

Jonathan Mohr
6891 Willis Tx 77318
713-563-7871

~~6210~~

wfd62102@gmail.com

MAP-AMENDMENT PLAT FOR JONATHAN MOHR

Lots 69 and 70, Navajo Ranch Estates
County of Huerfano, State of Colorado

LEGAL DESCRIPTION:

Lots 69 and 70, Navajo Ranch Estates, County of Huerfano, State of Colorado being more particularly described as follows:

Beginning at the Southeast corner of Lot 70, Navajo Ranch Estates; Thence N 32° 09' 15" W along the West line of said Lot 70, a distance of 512.07 feet to the Northwest Corner of Lot 70; Thence N 73° 41' 52" E along the North line of Lot 70, a distance of 270.00 feet; Thence S 61° 59' 23" E along the North line of Lot 69 and 70, a distance of 400.00 feet to the Northeast corner of Lot 69; Thence S 20° 45' 51" W along the East line of Lot 69, a distance of 423.00 feet to the Northerly Right of Way line of Moose Trail; Thence along said right of way line the following Two (2) Courses:

- 1) N 70° 11' 36" W, a distance of 119.69 feet
- 2) On the Arc of a curve to the left, through a central angle of 114° 35' 38", whose radius is 50.00 feet and an arc length of 100.00 feet to the point of beginning. Containing 4.52 Acres more or less. TO KNOW BE KNOWN AS LOT 70A, NAVAJO RANCH ESTATES, COUNTY OF HUERFANO, STATE OF COLORADO.

This is to Certify that this Map Amendment Plat, is hereby approved this _____ day of _____, 2023, by the Board of County Commissioners, County of Huerfano, State of Colorado.

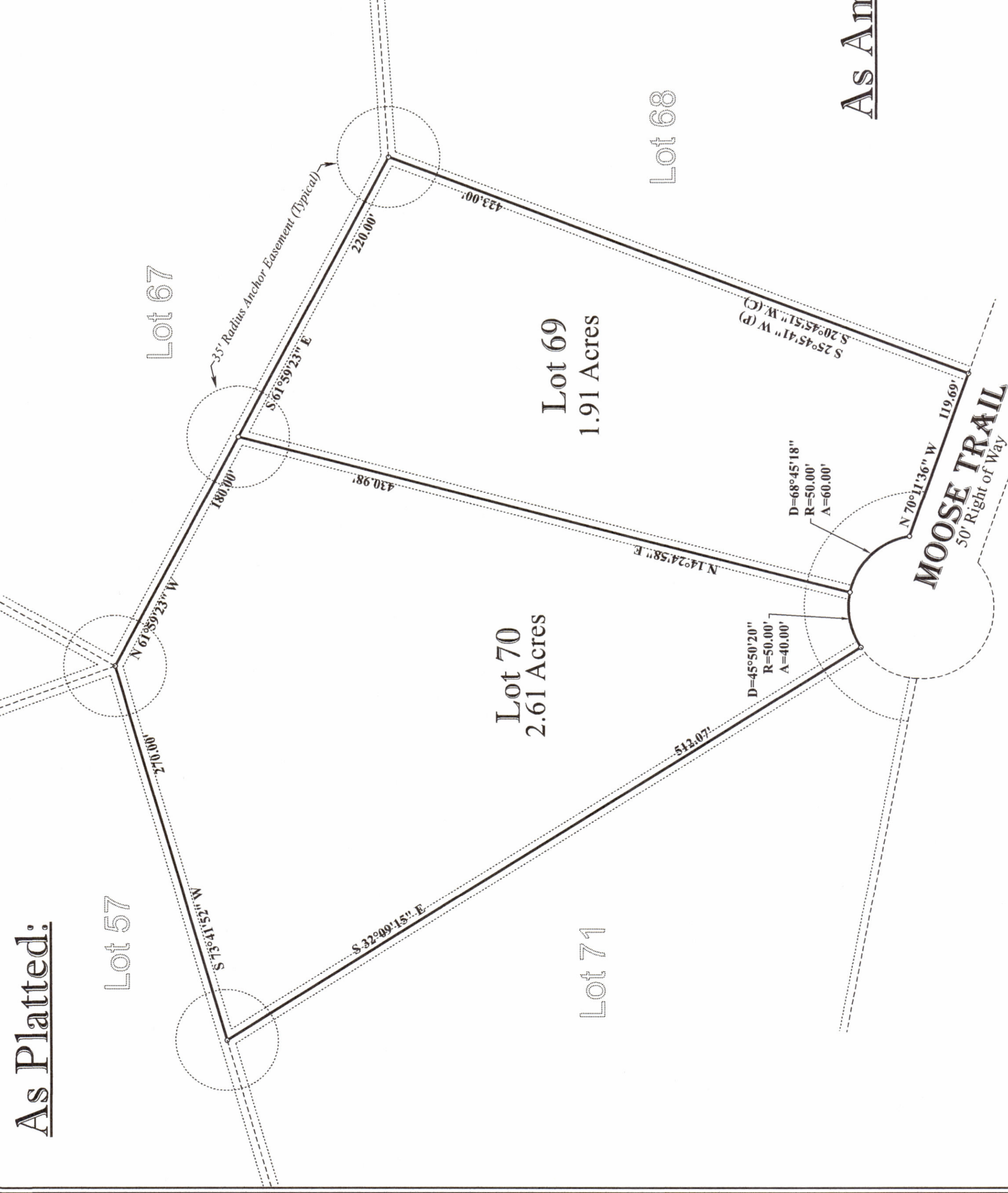
By: _____ Date: _____
Chairperson of the Board

By: _____ Date: _____
Attest: Clerk of the Board

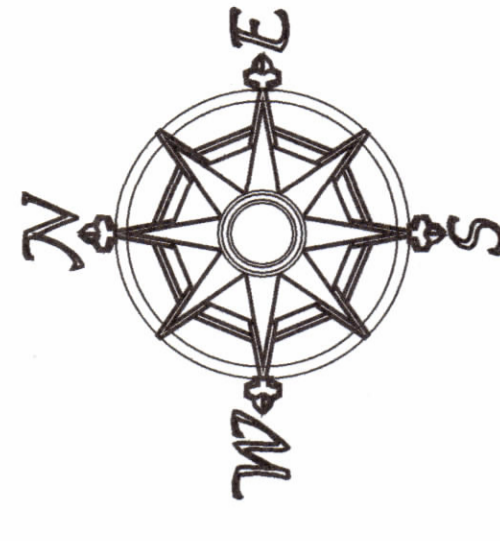
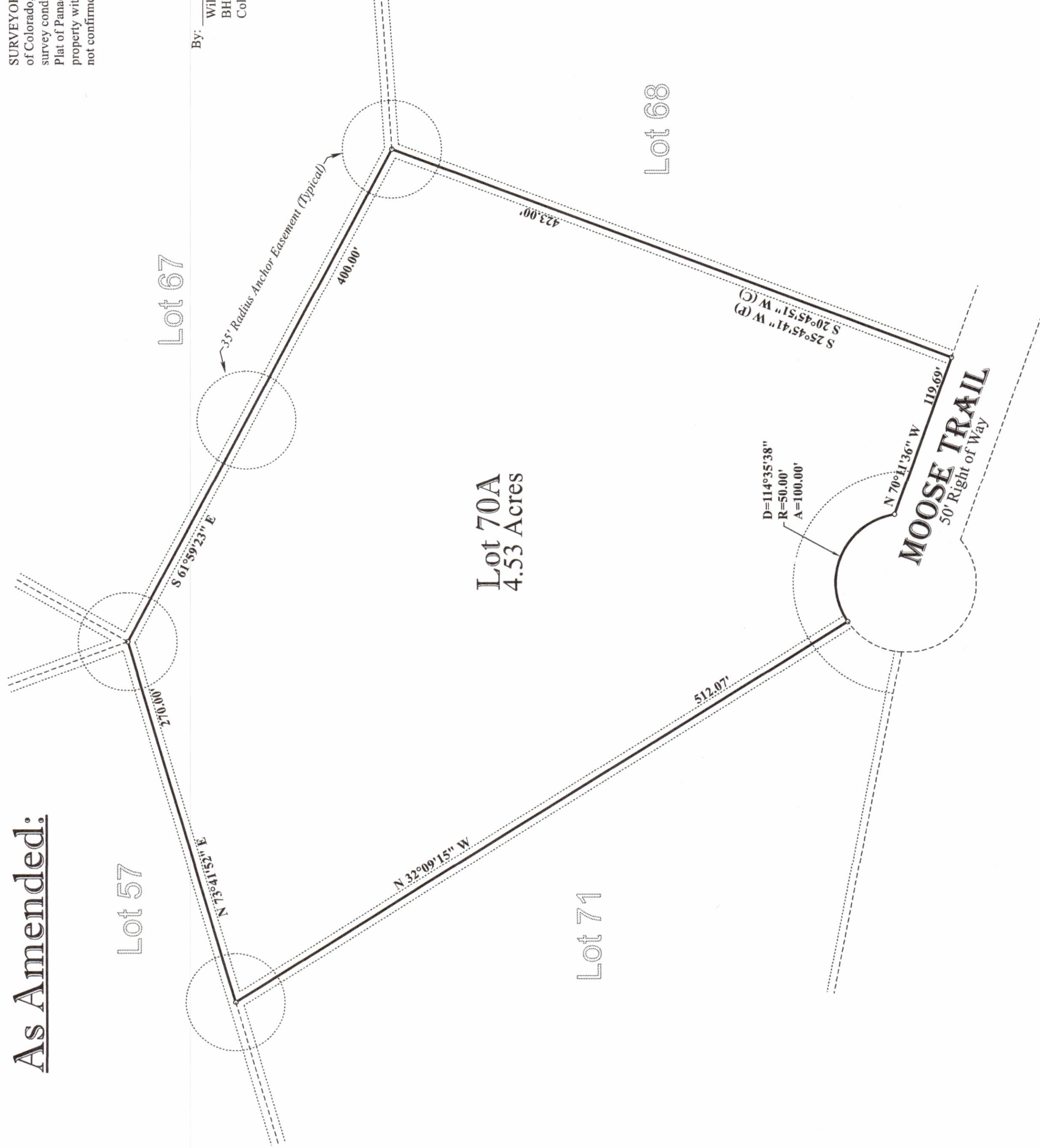
SURVEYORS CERTIFICATION: I, William S. Bechaver, a Professional Land Surveyor registered in the State of Colorado, hereby certify to Jonathan Mohr, that this Map Amendment is not based upon an actual field survey conducted by me or under my responsible charge, but was prepared using information shown on the Plat of Panadero Development Filing No. 3, filed for record at the Huerfano County Clerk and Recorder; The property within this Map Amendment may or may not be presently monumented and if it is monumented I have not confirmed that the property pins are accurately located.

By: William S. Bechaver, P.L.S. 38103
BH² Land Surveying, LLC
Colorado City, Colorado

Date: _____



As Amended:



Scale 1" = 60'
(U.S. Survey Feet)



BH² LAND SURVEYING
P.O. Box 20399, Colorado City, CO 81019
Phone: 719-676-2072
Email: bh2@gghvalley.net

| | | |
|----------------|------------------|---------------|
| Scale 1" = 60' | Date: 7-11-2023 | Drawn By: WSB |
| Sheet 1/1 | Job No. 2023-067 | |

Note: All side and rear lot lines are subject to a five (5) foot utility easement lying five (5) feet on either side of Lot Lines.

ACCOUNT FILE MAINTENANCE

INQUIRY ONLY

Item 5a.

Account 3339370 Flag R LEGAL DESCRIPTION
 Name MOHR, JONATHAN LOT 70 NAVAJO RANCH ESTATES
 Address 1 6891 STILLWATER DRIVE 397-310-311(POA)
 Address 2 WILLIS REC#339442 #339441 #341462
 Address 3 350983 379555
 Address 4 410562 427925
 State/Zip TX 77318 0000

Property
 Map Num 28-5157-292-05-070

Prev Name1 SHADLE, JENNIFER L
 Prev Name2 PETERS, JENNIFER S

VALUES-ASSD TAXABLE EXEMPT
 LAND 6993

Use 0100 City 00000 Subdv 0404
 Anlys 000 Tax/Dst 1NS Zone 00
 Exempt Late Filing Advrt Y Bnkprpt N

TOTALS 6993

ACRES: Master Legal Value Ignore PP \$ 14508 Exemption N
 00000000262 000 261 NOV # 2775 NOD #

CHANGES

Parcel On 09/20/2022 By COHUPTON CMD1-Value Change CMD2-Legal Change
 Name On 09/20/2022 By COHUPTON CMD3-Both Changes CMD4-Sales Change
 Values On 04/11/2011 By COHUPTON
 Legal On 09/20/2022 By COHUPTON CMD22-Abort Entry HELP-More Details

ACCOUNT FILE MAINTENANCE

INQUIRY ONLY

Item 5a.

Account 3339369 Flag R LEGAL DESCRIPTION
 Name MOHR, JONATHAN LOT 69 NAVAJO RANCH EST
 Address 1 6891 STILLWATER DRIVE #344907 379555 410562
 Address 2 WILLIS 427925
 Address 3
 Address 4
 State/Zip TX 77318 0000
 Property
 Map Num 28-5157-292-05-069
 Prev Name1 SHADLE, JENNIFER L
 Prev Name2 PETERS, JENNIFER S.

| | | |
|-------------|---------|--------|
| VALUES-ASSD | TAXABLE | EXEMPT |
| LAND | 3211 | |

Use 0100 City 00000 Subdv 0404
 Anlys 000 Tax/Dst 1NS Zone 00
 Exempt Late Filing Advrt Y Bnkprpt N

TOTALS 3211

ACRES: Master Legal Value Ignore PP \$ 14508 Exemption N
 00000000192 000 192 NOV # 2774 NOD #

CHANGES

Parcel On 09/20/2022 By COHUPTON
 Name On 09/20/2022 By COHUPTON
 Values On 08/10/2010 By ELISHA
 Legal On 09/20/2022 By COHUPTON

CMD1-Value Change
 CMD2-Legal Change
 CMD3-Both Changes
 CMD4-Sales Change
 CMD22-Abort Entry
 HELP-More Details



Fwd: NOTICE OF MOVE-IN, RIG-UP [#403475625]

1 message

Dale Lyons <lgd@huerfano.us>

Tue, Jul 25, 2023 at 12:45 PM

To: Sky Tallman <stallman@huerfano.us>, "Young, Carl" <cyoung@huerfano.us>, "Andreatta, Arica" <aandreatta@huerfano.us>, John Galusha <john@huerfano.us>, Karl Sporleder <karl@huerfano.us>

----- Forwarded message -----

From: **COGCC Notice Service** <helpdesk.eform@state.co.us>

Date: Tue, Jul 25, 2023 at 11:32 AM

Subject: NOTICE OF MOVE-IN, RIG-UP [#403475625]

To: <lgd@huerfano.us>

Cc: <gardnerite@juno.com>

DEPARTMENT OF NATURAL RESOURCES



Jared S. Polis, Governor

1120 Lincoln St, Suite 801

Denver, CO 80203

Phone: (303) 894-2100

FAX: (303) 894-2109

www.cogcc.state.co.us

UPDATE: No

NOTICE OF MOVE-IN, RIG-UP

Operator Num: 66561
Operator Name: OXY USA INC
Contact Name: PULIDO, NOE
Phone Num: (970) 515-1500
Email: WATTERNBERGIOC@OXY.COM

API Num: 055-06314-00
Facility ID: 436941
Location ID: 333348
Facility Name: Sheep Mountain 4-23-L
Sec: 22/ Twp: 27S / Range: 70W / QtrQtr: NENE / Meridian: 6 / Lat: 37.6913/ Long: -105.202

NOTICE OF MOVE-IN, RIG-UP

Start Date: [07/26/2023] Start Time: 08:00 (HH:MM)

Select the type of rig below. (Only 1 box may be checked.)

Drilling Rig (Spud Rig) – 2 Business Days Notice

OR

Drilling Rig – 2 Business Days Notice

OR

Work-Over Rig, Planned Operations – 2 Business Days Notice

OR

Work-Over Rig, Unplanned Operations – notify within 1 Business Day after start

Is the estimated duration of operations with this rig on this Location anticipated to last for longer than one day? Yes

If YES, describe the estimated anticipated duration of these operations:

ESTIMATED DURATION OF OPERATIONS IS 14-21 DAYS REVISION TO ORIGINAL MIRU NOTICE 403463555

403475625_approved.pdf
146K

State of Colorado
Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203
Phone: (303) 894-2100 Fax: (303) 894-2109



| |
|-----------------------------------|
| OGCC RECEPTION |
| Receive Date: <u>07/25/2023</u> |
| Document Number: <u>403475617</u> |

Item 6a.

FIELD OPERATIONS NOTICE

The Form 42 shall be submitted as required by Rule, Notice to Operators, Policy, or Condition of Approval. A Form 42 Update shall be submitted to revise the scheduled date or time on a previous Form 42 - Advance Notice of Field Operations. A Form 42 Update must be for the same well, location, or facility and for the same Field Operation as a previous Form 42. NOTE: Operator's Contact for Advance Notices of Field Operations should be available 24 hours a day, 7 days a week and should have the most current scheduling information for the operation. Operator's Contact for other notices should be able to respond to questions regarding the reported information.

Update of a previous Form 42 Notice NO

Entity Information

| | |
|---|-------------------------------------|
| OGCC Operator Number: <u>66561</u> | Contact Person: <u>NOE PULIDO</u> |
| Company Name: <u>OXY USA INC</u> | Phone: <u>(970) 515-1500</u> |
| Address: <u>PO BOX 173779</u> | Fax: <u>()</u> |
| City: <u>DENVER</u> State: <u>CO</u> Zip: <u>80217-3779</u> | Email: <u>WATTENBERGIOC@OXY.COM</u> |

| | | |
|--|---|----------------------------|
| API #: <u>05 - 055 - 06314 - 00</u> | Facility ID: <u>436941</u> | Location ID: <u>333348</u> |
| Facility Name: <u>Sheep Mountain 4-23-L</u> | <input type="checkbox"/> Submit By Other Operator | |
| Sec: <u>22</u> Twp: <u>27S</u> Range: <u>70W</u> QtrQtr: <u>NENE</u> | Lat: <u>37.691320</u> | Long: <u>-105.201750</u> |

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REVISING ORIGINAL NOTICE 403463555

I hereby certify all statements made in this form are, to the best of my knowledge, true, correct and complete.

Print Name: ERIN JOSEPH Email: ERIN_JOSEPH@OXY.COM

Signature: _____ Title: SR REGULATORY ADVISOR Date: 07/25/2023



Sky Tallman <stallman@huerfano.us>

Fwd: NOTICE OF MOVE-IN, RIG-UP [#403475617]

1 message

Dale Lyons <lgd@huerfano.us>

Tue, Jul 25, 2023 at 12:45 PM

To: Sky Tallman <stallman@huerfano.us>, "Young, Carl" <cyoung@huerfano.us>, "Andreatta, Arica" <aandreatta@huerfano.us>, John Galusha <john@huerfano.us>, Karl Sporleder <karl@huerfano.us>

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Date: Tue, Jul 25, 2023 at 11:22 AM

Subject: NOTICE OF MOVE-IN, RIG-UP [#403475617]

To: <lgd@huerfano.us>

Cc: <gardnerite@juno.com>

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UPDATE: No

NOTICE OF MOVE-IN, RIG-UP

Operator Num: 66561
Operator Name: OXY USA INC
Contact Name: PULIDO, NOE
Phone Num: (970) 515-1500
Email: WATTENBERGIOC@OXY.COM

API Num: 055-06314-00
Facility ID: 436941
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Sec: 22/ Twp: 27S / Range: 70W / QtrQtr: NENE / Meridian: 6 / Lat: 37.6913/ Long: -105.202

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Drilling Rig – 2 Business Days Notice

OR

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State of Colorado Oil and Gas Conservation Commission

1120 Lincoln Street, Suite 801, Denver, Colorado 80203 Phone: (303) 894-2100 Fax: (303) 894-2109



OGCC RECEPTION Receive Date: 07/25/2023 Document Number: 403475625 Item 6a.

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Update of a previous Form 42 Notice NO

Entity Information

OGCC Operator Number: 66561 Contact Person: NOE PULIDO Company Name: OXY USA INC Phone: (970) 515-1500 Address: PO BOX 173779 Fax: () City: DENVER State: CO Zip: 80217-3779 Email: WATTERBERGIOC@OXY.COM

API #: 05 - 055 - 06314 - 00 Facility ID: 436941 Location ID: 333348 Facility Name: Sheep Mountain 4-23-L Submit By Other Operator Sec: 22 Twp: 27S Range: 70W QtrQtr: NENE Lat: 37.691320 Long: -105.201750

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I hereby certify all statements made in this form are, to the best of my knowledge, true, correct and complete.

Print Name: ERIN JOSEPH Email: ERIN_JOSEPH@OXY.COM Signature: Title: SR REGULATORY ADVISOR Date: 07/25/2023