



March 7<sup>th</sup>, 2025

RE: 2024-121 Rodriguez Additional Dwelling Unit

Dear Dan Murphy,

Thank you for your submission of the project application items. During staff's review of the project submittal and the agency comments obtained, the following items need to be resolved to bring the project into compliance with the standards outlined in the land use code. The Planning Department offers the following comments:

1. Revisions required for the narrative:
  - a. Please address how this proposal satisfies minimum off-street parking requirements as described in Land Use Code Table 70-18.A.
2. Revisions required for the site plan:
  - a. Please depict the proposed structure's setbacks from the drainage easement as shown on reception number 1080142.
3. Address comments from the La Plata County Engineer (attached) see compliance review.
4. Comments from Durango Fire Protection District, the La Plata County Building Division, the La Plata County GIS Department, and Loma Linda Lane Sanitation District are attached to this document.

This project is non-compliant relative to the required standards. Pursuant to LUC Sec. 66-11, the applicant shall have an opportunity to revise the application materials at this point. After staff's receipt of the revised submittal in response to this letter, additional time will be necessary to review such items and information for compliance with the required standards. Additional information may be required following such review.

Pursuant to LUC Sec. 66-11.II.C.2, revisions to application materials in response to the compliance review shall be re-submitted within one hundred and twenty (120) days from the date of this notice. If the applicant does not address the compliance notice within the one hundred and twenty (120) day period, the application shall be considered automatically withdrawn. Please be advised the findings and conditions are subject to change upon resubmittal of application materials.

Please let me know if you have any questions. [dcuatt@lpcgov.org](mailto:dcuatt@lpcgov.org) (970) 382-6268 .

Sincerely,  
Dylan Cuatt  
Planner I – La Plata County



# Planning Engineering Checklist & Compliance Review Form

## Legend

R	Eng Checklist - <i>Required</i> for submittal
RN	Eng Checklist - <i>Notes on required</i> submittals
S	Compliance Review - <i>Submitted</i> items
CN	Compliance Review - <i>Notes on compliance</i> review submittals

## Project and Review Data

Project Name	Rodriguez ADU
Project Number	2024-0121
Parcel Number	566912405054
Owner/Agent Name	Rodriguez / SEH
Checklist Date	9/23/24
Compliance Review Number	
1 <sup>st</sup> Compliance Rev Date	
2 <sup>nd</sup> Compliance Rev Date	
3 <sup>rd</sup> Compliance Rev Date	

## Project Understanding

Overview	Project will create an ADU
Water	Separate well
Sewer	Loma Linda
Access	Separate driveways to Linda Lane, to CR 220
Drainage	
Other	
Key Agency Comments	

## Project Submittals

Item	Date	Prepared by
Access Compliance	10/15/25	SEH
Plat		
Narrative	1/31/25	SEH
Drainage Report		
Other		
Other		

	R	RN	Required Submittal Description	S	CN
Plan Sheets	Y	1.	<u>Construction Plans</u> showing construction details for road, drainage, or other significant improvements planned. Include all "Site Plan" info if a Site Plan is not independently provided. Refer to Construction Plans Guidance sheets. LUC 70-4.VII., 70-9. IV., 74-3.III.  Include applicable information from traffic and access section below.	Y	1.
			<u>Erosion Control Plan Sheet</u> (construction-phase erosion control) to be included at the same scale as the Construction Plans or, if Construction Plans not required, then at the same scale as the Site Plan.. Include streets, drainage appurtenances, and overlot grading. Address erosion control measures to be implemented during construction of the project, scheduling and implementation of these measures, and revegetation type specifications (seed mix, mulch, application method), and extent of proposed disturbance and revegetation. Refer to Construction Plans Guidance sheets. LUC 70-9.IV.		
			<u>Grading Plan Sheet</u> at the same scale as the Construction Plans or, if Construction Plans not required then at the same scale as the Site Plan. Show contours sufficient to indicate offsite and onsite flow paths including how drainage will be directed away from buildings or access; and culvert and swale details. If a Drainage Report is required, the Drainage Plan Sheet shall correspond to the Report and clearly demonstrate the information provided in the Report. Any onsite and offsite drainage easements needed to support the drainage plan need to be shown. Refer to Construction Plans Guidance sheets. :LUC 70-9.IV.		
Plats			<u>Existing Conditions Plat</u> inclusive of existing elements such as structures, fences, tree clusters, etc. that are located on the site but are not part of the final plat to be recorded. This document will not be recorded and is a separate document from the Plat identified below. LUC 67-15.VI. Chapter 67 Technical Appendix, 67-15.		
			<u>Preliminary Plat</u> . This is separate from the Existing Conditions Plat and shows only elements that will be recorded. LUC 67-15.VI. Chapter 67 Technical Appendix, 67-15.		
Drainage Report			<u>Drainage Report</u> addressing historic and developed flows, onsite detention and outfall structure; culverts; and crossing of major drainageways. Drainage narrative to include sections on Onsite Flow, Offsite Flows, Onsite Detention, Interior Storm Drain System, and Erosion Control. Include drainage exhibits for historic and developed conditions. The Drainage Report shall correspond to the Grading Plan Sheet. See Chapter 70 - Technical Appendix, Section 70-9 Drainage Criteria Standards. LUC 70-9		

	R	RN	Required Submittal Description	S	CN
Access & Traffic	Y	1.	<u>Road Width – Overall County</u> LUC 74-2 <49 ADTs: 20' wide surface; 30' ROW; 10% grade 49-399 ADTs: 20' wide surface + 2' shoulders; 50' ROW; 10% grade 400-999 ADTs: 22' wide surface + 2' shoulders; Paved; 60' ROW; 8% grade <b>See maximum grade limits at intersections in 74-4.VIII.E.</b>	Y	1.
			<u>Road Width – City/County Joint Planning Area</u> LUC 72-2 <49 ADTs: 20' wide surface; 60' ROW; 10% grade 49-399 ADTs: 26' wide surface; 60' ROW; 10% grade 400-999 ADTs: 30' wide surface; 60' ROW; 8% grade 1,000-2,499 ADTs: 43' wide surface; 10' landscape buffer; sidewalks; 70' ROW; 8% grade		
			<u>Emergency Access – Overall County</u> LUC 74-4.XIII. 31-99 single family residences: 20' W, 10% grade, ROW of 30'+ width needed for drainage and maintenance. > 99 single family residences: 24'W 2 <sup>nd</sup> primary access, 10% grade, 30-60' ROW Other uses may require emergency access as required by LUC 74-4.XIII.		
			<u>Emergency Access Joint Planning Area</u> LUC 72-2 200-800 ADT: 20' W; 10%, ROW of 20' + width needed for drainage and maintenance > 800ADT: 24'W, 8% grade, 60'ROW		
			<u>Traffic Evaluation (limited impact)</u> evaluating (1) sight distance; (2) onsite traffic; and (3) turn lane warrants based on CDOT Access Code and taking into consideration onsite and offsite traffic. LUC 74-3.IV.		
			<u>Traffic Impact Study</u> analyzing existing and full build-out demands within the Traffic Impact area; Analysis of LOS for county roads; collect existing traffic counts; 20-year projection of background traffic; trigger points for auxiliary lanes; sight distance in all directions; other relevant safety and operational evaluations; and Right-of-Way needed for any required improvements. LUC 74-3.IV.		
			<u>Legal Access Documentation</u> including perpetual access easements across any private parcels, or other information demonstrating legal access to the project parcel. LUC 70-11, 74-3.II.		
			<u>Survey Exhibit for Right-of-Way Dedication</u> for review by Public Works and County Attorney's Office regarding dedication agreement, setting of monuments, title policy requirements, etc. LUC 74-3.II. ; 81-6 Appendix.		
Sanitary Sewer	Y		<u>Copies of Health Department Permit(s)</u> regarding proposed OSWS for the project's demands. LUC 70-3		
			<u>CDPHE Wastewater Approvals</u> including preliminary effluent limits and approved wastewater system engineering plans. LUC 70-3		
			<u>Commitment to serve</u> from an existing sewer provider stating that such provider has the physical and legal capacity to serve the development and is willing to provide sewer service sufficient for build-out of the proposed development. LUC 70-3.	Y	

	R	RN	Required Submittal Description	S	CN
Water			Water Supply Information Summary Form. LUC 70-4. (Complete Form E.04, attached).		
			<u>Water demand</u> : provide representative estimate of the development's peak daily water demand during a period of sustained water usage, according to either the stated requirements in the code or based upon completion of a site-specific water demand study. LUC 70-4.II.		
	Y		Copies of Division of Water Resources (DOWR) well permits; augmentation plans; and/or water rights decrees covering all proposed uses. Domestic wells that are non-exempt need be accompanied by a water right. LUC 70-4 III.	Y	
			<u>Commitment to serve</u> from an existing public water provider or designated regional public water provider stating that such provider has the physical and legal capacity to serve the development and is willing to provide a water supply sufficient for build-out of the proposed development. LUC 70-4 III.		
			<u>Written confirmation</u> , if demand exceeds 9,750 gpd, from an existing public water provider or designated regional public water provider, that includes: an estimate of the amount of water yield projected from the proposed water supply under various hydrologic conditions; the present demand on the water provider and the anticipated demand due to commitments for service entered into but not yet supplied; the amount of uncommitted firm supply the provider has available for future commitment and development; and a summary of water rights. See LUC 70-4.IV.A. for more details.		
	Y		<u>Current Pump Test</u> (within 1 year) for demands at or below 1,050 gpd. Results from a single well conducted for a minimum of 8 hours. Recovery data needed for a minimum of ½ the pump duration, or until water level recovers 90%, whichever is greater. 2.2 gpm pump rate required with recovery to 90% within 2 times the pumping duration. Based on project water demands, additional hydrologic evaluation may be needed. LUC 70-4.IV.B. (Complete Form E.05, attached).	Y	
			<u>Firm Yield Analysis</u> for surface water. Prepared by a professional engineer, professional hydrologist or professional geologist; Demonstrate that water rights, and water storage, are sufficient in terms of quantity and seniority to meet the development's demand LUC 70-4.IV.C.		
			<u>Comprehensive Hydrogeologic Report</u> : Required if water demands exceed 1,050 gpd.. Report will study aquifer characteristics based on testing. Applicant's engineer to outline specifics scope of report (i.e. duration of pumping and recovery test and location/number of production and observation wells, etc). <b><u>Once scope is outlined by applicant's engineer, submit to planning engineer for approval prior to study. Do not conduct the study until county's approval of the scope.</u></b> LUC 70-4.IV.B.3.		
	Y		<u>Current Water Quality Testing Results</u> (within 1 year) for primary drinking water constituents from a certified laboratory. LUC 70-4.V. (Complete Water Quality Testing Results form attached).	Y	
			<u>Complete CDPHE Public Water System Summary</u> for a determination from CDPHE regarding system classification as a Public Water System. If system is a PWS, construction plans for review by CDPHE are needed at submittal and a CDPHE permit will be needed prior to final plat or land use permit. LUC 70-4.VII.C. (Complete Form E.06, attached)		
Associated Project			<u>Microsystems</u> for shared water systems serving more than one building or lot but does not serve enough connections or individuals to be classified as a PWS: 1. Construction plans and associated easements. LUC 70-4.VII. 2. Storage for two days total average daily demand. LUC 70-4.VII.D. 3. Meter on common source and, if system serves more than 4 buildings or lots, individual meters. LUC 70-4.VII.D.5. 4. System maintenance plan. LUC 70-4.VII.D.6. 5. Record drawings, system testing and certification by engineer. LUC 70-4.VII.D.7.		
			<u>Shared Improvements Maintenance Plan</u> . Legally binding mechanism for the maintenance of shared project improvements (roads, drainage, water, sewer, open space, etc) addressing who will pay for and accomplish the maintenance, and how often the maintenance will occur. LUC 67-15		
			<u>Geotechnical Studies</u> for pavement design. LUC 74-4.XII.		
			<u>Snow Storage Calculations</u> . Required for all development over 7,500 elevation. Any additional areas needed outside ROW must be included in a snow storage easement. LUC 74-4.XVI.		
			<u>Geohazard Report</u> . Applies to those areas delineated on the La Plata County Geologic Hazards Maps, prepared by the Colorado Geological Survey (CGS). Requires mitigation plan. LUC 70-8.VII.		

## Notes on Engineering Checklist - Required Submittals

Forms to be Completed	1	<b><u>Construction Plans and Road Standards:</u></b> <ul style="list-style-type: none"> <li>Linda Lane must meet county standards found in LUC Table 74-2 based on traffic.</li> <li>If Linda Lane meets standards, provide an engineer's certification.</li> <li>If Linda Lane does not meet standards, engineering plans are required for improvements. Improvements must be completed prior to permit.</li> </ul>
	2	
	3	
	Y	<b><u>E.04 Water Supply Info Summary</u></b> (Include copies in submittal, DOWR pkt, eng consult pkt)
	Y	<b><u>E.05 Well Pump Test Report</u></b> (Pump tester to complete for each well serving project – using this form or their own with equivalent info)
		<b><u>E.06 CDPHE Public Water System Summary Sheet</u></b> (Applicant to complete and include with application submittal)
	Y	<b><u>E.07 Water Quality Testing Results</u></b> (Applicant to complete and include with application submittal)

## Notes on Compliance Review

<b>Compliance Review #</b>		1: To be addressed prior to hearing
<b>Compliance Review Date</b>		2/27/25
1	<b><u>Construction Plans and Road Standards:</u></b> <ul style="list-style-type: none"> <li>Linda Lane, from CR 220 to Mama Llama Lane, must meet standards for a Minor Local Road.</li> <li>Linda Lane, from Mama Llama Lane to project driveway, must meet standards for a Low ADT road.</li> <li>ROW width cannot be determined by measuring in GIS. A review of the relevant plats show the following:               <ul style="list-style-type: none"> <li>DGM Saddler Subdivision Reception #1080142 calls out the width of Linda Lane varying between 21.47' to 29.18'. There is also an additional 15' road maintenance easement on the east side of Linda Lane to the south limit of the subdivision.</li> <li>Mama Llama Subdivision Reception #980932 calls out a 40' access and utility easement on the west side of Linda Lane.</li> <li>Loma Linda Acres Subdivision Reception #250084 shows a 31.03' wide ROW at the CR 220 intersection.</li> </ul> </li> <li>The combination of the existing ROW for Linda Lane and the access / road maintenance easements satisfies the code requirements for right of way widths and no design exceptions are needed. Please modify analysis accordingly.</li> </ul>	
	2	
	3	

## Notes

- Full submittal requirements are outlined in LUC. The checklist provided here is not a substitution for the standards outlined in LUC, and only is a summary provided to facilitate general discussion. Checklist is based on a preliminary understanding of the contemplated project. Following review of submittals and project details, additional items may be needed to demonstrate compliance with LUC.
- To be accepted, a land use application submittal must contain items identified in the checklist, and must have consistent information within the submitted materials. Once the submittal is determined to be complete and is accepted, a more detailed review will occur and any additional information needed to demonstrate compliance will be noted.

## DRAFT CONDITIONS OF APPROVAL

Standard Conditions of Approval		Applicable?
1	Prior to Planning Commission consideration, all items identified in the <i>Compliance Review Notes (CRN)</i> section, including outstanding agency comments noted, shall be resolved, unless otherwise specifically noted.	
2	Prior to Planning Commission consideration, draft copies of the conveyance and legal exhibits shall be provided. It is the developer's responsibility to obtain a signed agreement from the property owner where an access/utility easement do not exist. The agreement shall state that prior land use permit issuance the landowners will grant the easement.	
3	Prior to Planning Commission consideration, Draft graphic exhibits for the right-of-way shall be provided. The applicant's surveyor should contact Planning regarding exhibit requirements.	
4	Prior to construction, the proposed Right-of-Way shall be executed and recorded or otherwise appropriately dedicated. LUC 74-3.II.	
5	Prior to construction, one electronic complete set of the signed and stamped engineered construction drawings, traffic analysis, and drainage report shall be submitted. LUC 70-4.VII., LUC 70-9. III , LUC 74-3.III.	
6	Prior to land use permit issuance or plat recording, improvements shall be installed per the Construction, Drainage, and Erosion Control Plans as verified by (1) documentation from the applicant's engineer and developer that the improvements have been completed per plans, (2) County inspection. LUC 70-4.VII.D.7., LUC 70-9.III.E., LUC 74-3.III.D.	
7	Prior to land use permit issuance or plat recording, the site shall be reclaimed and revegetated adequate to stabilize exposed soil. LUC 74-9.III.E.	
8	Prior to plat recording or land use permit issuance, certification by an engineer of the volume of detention pond based on an as-built survey shall be submitted. LUC 70-9.III.E	
<b>Compliance with Other Agency Permits</b>		
9	Prior to approval of the project by Board of County Commissioners, design drawings for any applicable water, wastewater, or access permits shall be incorporated into the Construction Plans and demonstration of approval of the respective water, wastewater, or stormwater plans by CDPHE shall be provided. LUC 66-2, LUC 70-4.VII.C , LUC 74-3.I.F.,	
10	Prior to construction, verification shall be provided that the relevant CDPHE Water Quality Control Division (WQCD) permit has been obtained related to stormwater: Stormwater Discharge Associated with Construction Activities; Industrial Stormwater Permit; and/or other as verified by CDPHE. LUC 66-2	
11	Prior to certificate of occupancy, provide documentation from sewer provider of approval of sewer connection.	Y
12	Prior to land use land use permit issuance or plat recording, provide documentation from fire district of approval of improvements.	
13	Prior to land permit issuance or plat recording, signed commitments of firm water delivery (such as a perpetual, non-revocable tap reservation) or evidence of tap purchases from the water provider for all uses or lots.	
14	Prior to land use permit issuance or final plat recording, the applicant shall provide a binding commitment for sewer service signed by the service provider (such as a perpetual, non-revocable tap reservation) or evidence of tap purchases from the service provider for all uses or all lots	
15		
<b>Project-Specific Conditions of Approval</b>		
15		
16		
17		



## Dylan Cuatt

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**From:** Terry Cartwright  
**Sent:** Monday, February 24, 2025 7:10 AM  
**To:** Dylan Cuatt  
**Cc:** dmurphy@sehinc.com  
**Subject:** PL20240121

**Categories:** Agency Comments

Building permits or required for new construction. The property is in high expansive soils area and may require an engineered foundation.

Terry Cartwright  
Building, Plumbing and Mechanical Inspector  
970-382-6279

**NOTICE: New County Email Address [TCartwright@lpcgov.org](mailto:TCartwright@lpcgov.org)**

**“Under the Colorado Open Records Act (CORA), all messages sent by or to me on this county-owned email account may be subject to public disclosure.”**

## Dylan Cuatt

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**From:** DFPD Prevention and Code Enforcement <FireMarshal@durangofire.org>  
**Sent:** Tuesday, February 18, 2025 1:40 PM  
**To:** Dylan Cuatt  
**Subject:** Durango Fire Rescue RE: Correspondence from La Plata County - Agency Notification Letter (PL20240121)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

DFPD Impact Fee due prior to Certificate of Occupancy OR Final Inspection. Property Owner has been invoiced for this fee. No other comments regarding this additional single family dwelling unit.

Thank you.

Kim Roth  
Administrative Assistant

Durango Fire Protection District  
103 Sheppard Drive – Second Floor  
Durango, CO 81303  
970-382-6001 Direct Line  
Office hours are 8:30 – 4:00 M – F  
kim.roth@durangofire.org  
firemarshal@durangofire.org

In accordance with the Colorado Open Records Act, this email and all correspondence to or from this email address may be subject to public disclosure.

-----Original Message-----

From: cityview@lpcgov.org <cityview@lpcgov.org>  
Sent: Thursday, February 13, 2025 3:04 PM  
To: AMcKelvey@lpcgov.org; Planning@co.laplata.co.us; jasmyn.fouts@co.laplata.co.us; RMonk@harriscomputer.com; Smith, Bud <bud@flslegal.com>; Smith, Bud <bud@flslegal.com>; rhondab@rpowerc.com; Travis Fischer <tfischer@lpea.coop>; ggarcia@lpea.coop; Bernard, Jerome <jbernard@lpcgov.org>; Richardson, Matthew <mrichardson@lpcgov.org>; DFPD Prevention and Code Enforcement <FireMarshal@durangofire.org>; TBeattie@lpcgov.org; Kirby.Bryant@CenturyLink.com; kara.a.hellige@usace.army.mil; SPA-RD-CO@usace.army.mil  
Subject: Correspondence from La Plata County - Agency Notification Letter (PL20240121)

External message - please be cautious when opening links or attachments in email.

Project Number – PL20240121

Project Name – Rodriguez Additional Dwelling Unit Project Type – Minor Land Use Permit

Project Planner – Dylan Cuatt, DCuatt@lpcgov.org

Planning Department Portal:

<https://cityview.lpcgov.org/Planning/Locator>

Dear Agency Representative,

An application for a Minor Land Use Permit has been submitted to the La Plata County Planning Department. Your agency has been identified as a commenting agency for the project listed above.

Please respond within 21 days of this e-mail using the La Plata County Planning Department online portal or emailing the comments directly to the project planner listed above. A link to the Planning Department portal is provided above for your convenience. The attached document provides detailed instructions on how to access the project information and submit comments through the Planning Department portal.

Thank you,

La Plata County Planning Department  
211 Rock Point Drive  
Durango, CO 81301  
970-382-6263

This email was sent from CityView - Live.

LPC-La Plata County GIS/Rural Addressing - [jerome.bernard@co.laplata.co.us](mailto:jerome.bernard@co.laplata.co.us)

Primary residence will retain 156 Linda Ln. ADU has been assigned 124 Linda Ln. Applicant can contact La Plata County GIS at 970-382-6226 or

[https://www.lpcgov.org/departments/gis\\_\\_\\_mapping/contact\\_form\\_\\_\\_gis.php](https://www.lpcgov.org/departments/gis___mapping/contact_form___gis.php) if official address notification protocol is needed.

FLOYD L. SMITH  
ATTORNEY AT LAW

48 County Road 250, Suite 5  
Durango, Colorado 81301  
Telephone 970/247-1921  
Fax 970/259-5224  
[bud@flslegal.com](mailto:bud@flslegal.com)

June 6, 2024

La Plata County Planning  
Via email: [planning@lpcgov.org](mailto:planning@lpcgov.org)

RE: Loma Linda Sanitation District  
156 Linda Lane  
Flor Rodriguez

I represent the Loma Linda Sanitation District (the "District") which provides wastewater collection and treatment services to property located on Florida Mesa.

The property at 156 Linda Lane is located within the service area of the District. The property originally had one paid Equivalent Residential Tap (ERT) for sewer service, Account No. 0438. The tap was made several years ago to serve a mobile home on the property.

In June 2019 the owner of the property, Flor Rodriguez, paid a plant investment fee for an additional ERT to either add a second dwelling unit or subdivide the property. This letter confirms, as required by Section 73-3.III.B.6, LPC LUC, that the District has adequate capacity to handle the second dwelling unit's increased usage. Sewer service for the second dwelling unit can be connected to the existing service line for the existing dwelling unit.

If you have questions, please contact me.

Sincerely,

*Bud Smith*

Floyd L. Smith

xc: Flor Rodriguez, via email  
Berenice Lozano, via email  
Dan Murphy, via email  
Nancy Dodsdall, via email