

Special Use Permit

Permit No. PL20230055

Project Name: Thunderstruck SUP Amendment

Permittee: Clay Hockel

Property Owner:

1. C&B Holdings LLC
2. Henry B. Babson & Farrington R. Carpenter Civic Imp. Foundation
3. Nottingham Land & Livestock, LLLP

Type of Use: Special Use Permit - Recreation

Property Address: 42020 County Road 80

Legal Description:

1. LOTS 2 & 3, SE4NW4, E2SW4, SW4SW4, SW4NE4, W2SE4, SE4SE4 SEC 3-8-87, S2SE4, SEC 4-8-87, N2NE4 SEC 9-8-87, TRS 54 & 55 SEC 27 & 34-9-87, TRS 59 & 60 SEC 34-9-87; TOTAL 969.56 AC
2. TR 50 IN SEC 29,30-9-86; TR 51 IN SEC 30,31-9-86; TR 49 IN SEC 29,30,31,32-9-86; TRS 52,53,54 IN SEC 31,32-9-86; TR 48 IN SEC 28,29,32,33-9-86; TR 45 IN SEC 32,33-9-86 TOTAL 2021A
3. ALL IN 8-86: TR 45 SEC 5 ; TR 46 SEC 5 & 6; TRS 47,50 SEC 6; TR 54 SEC 6 & 7; TR 49; SEC 5-8; TRS 55,56,59A SEC 7; TR 61 LOTS B,C,D & TR 64 LOT B SEC 7; TR 61 LOT A, TR 64 LOT A, LOTS 1 & 2, NW4NE4 SEC 8, (B665 P0743, REC#652508) TOTAL: 1708.78AC
4. TR 53, SEC 6-8-86 39.47A B765P1320
5. LOTS 1 THRU 4, S2N2, E2SW4,SE4 SEC 1-8-87, LOTS 1 THRU 4, S2NW4, N2SW4 SEC 2-8-87, ALL OF SEC 12-8-87, LESS W2NW4; TOTAL 1480A B765P1320
6. LANDS IN 8-87: W2SW4 SEC 1 S2NE4, S2SW4 & SE4 SEC 2 N2 & N2S2 SEC 11 W2NW4 SEC 12; TOTAL 960A
7. LOT 1, SE4NE4, NE4SE4 SEC 3-8-87 124.87A B765P1319 TOTAL: 214.87 AC
8. W2W2SW2 SEC 25-7-88, TR IN SE4 SEC 26-7-88 LYING EASTERLY OF CENTERLINE OF RCR 80. TOTAL: 35.6 AC

Conditions of Approval:**Specific Conditions:**

1. The Special Use Permit (SUP) is valid for three (3) years provided it is acted upon within one year of approval. If no major concerns are identified and there are no substantial changes to the SUP, the SUP may be administratively renewed according to Section 3.2.1 of the Zoning Regulations for an additional five (5) years. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) operational season. If the operation is to cease for a season with the intention of resuming thereafter, the permittee shall contact the Planning Director who may administratively approve a one-operational season waiver of the lapse of the SUP.
2. The site specific development plan consists of the issued SUP, the Application, the staff report, and all final conditions of approval. All material representations made by applicant in the application and at any public hearing shall be considered a part of the site specific development plan. If there is a conflict in these materials, the issued SUP shall be controlling.
3. The SUP is limited to the facilities presented in the Site Specific Development Plan (see condition #2). The operations are limited to:
 - A) Hours of operation shall be 8:00 a.m. to 5:00 p.m., 7 days per week
 - B) County Road 80: December 1st – April 1st, road conditions permitting. Operation past April 1st must be approved by the Road and Bridge Director in writing and shall not extend passed May 1st.
 - C) Access via Forest Service Road (FSR) 42: December 15th – January 1st and April 1st – April 15th contingent upon submission of a valid Forest Service permit. FSR 42 shall only be used when conditions on County Road 80 cannot support the permittee's operation.
 - D) Trips are limited to twenty-four (24) per day total between the two accesses.
 - E) All clients shall be guided. There shall be a maximum of 8 clients in each trip. The guide to client ratio shall be at least 1 to 6.
 - F) The total number of people allowed to go on a trip is limited to 100 per day. This number includes clients and guides.
4. All equipment, except equipment allowed to be stored outside, shall be stored inside the approved structure.
5. Outdoor storage of snowmobiles, and other approved equipment, shall occur in the area identified as a staging area on the approved site plan. Equipment not stored inside is limited to the following:
 - A) Up to 40 snowmobiles

- B) Two (2) groomers
 - C) Eight (8) open place snowmobile trailers
 - D) Three (3) enclosed snowmobile trailers
 - E) Four (4) trucks
 - F) One (1) plow truck
 - G) One (1) skid steer
 - H) Four (4) shuttle buses
 - I) Two (2) fuel tanks
 - J) Portable Toilet
 - K) Snowmobile shipping crates – no limit as long as the storage complies with condition #8 below
6. All snowmobiles stored on-site during the winter shall be for approved tours only. There shall be no general rentals of snowmobiles off of this site. For clarity, any snowmobile located at this site during the winter shall be for trips done in an approved tour.
 7. Except for trailers, all equipment shall be stored inside during the non-operating season. Except for trailers, there shall be no outdoor storage of any kind during the non-operating season.
 8. A fence of at least six (6) feet in height shall be constructed to mitigate views of the shipping crates. No shipping crates shall be visible from behind the fence. This includes crates protruding above the top of the fence or crates not stored behind it.
 9. For the '23/'24 operating season, shipping crates may be stored outside on the permittee's property.
 10. No junk, trash, or inoperative vehicles, except those that are waiting to be repaired, shall be stored or left on the property. All snowmobiles that are inoperative or are waiting to be repaired shall be stored inside.
 11. All on-site maintenance shall take place on an impervious surface and spill kits shall be located in the structure.
 12. Permittee shall record seasonal usage and submit a report of the total number of clients and guides that went of a trip to Planning Staff at the end of the season, no later than May 30th of each year.
 13. All employees shall be first-aid certified and be trained on emergency procedures. Radios or cell phones shall be provided to guides in case of emergency.
 14. Any accidents requiring emergency services shall be reported to the Planning Department within 72 hours.
 15. Any wildlife encountered along or near the trips shall not be disturbed and shall be given time to move away from any trips. No pets or firearms shall be allowed.

16. The operator shall avoid all wetlands and streams unless there is sufficient snow cover to protect the vegetation and ground.
17. All garbage must be stored either indoors or inside a certified Interagency Grizzly Bear Committee receptacle.
18. Lighting shall be downcast and opaquely shielded. All exterior lighting shall be turned off when not in use except for necessary motion-sensitive safety and/or security lighting.
19. Guides shall be aware of where property lines are and there shall be no trespass onto adjacent properties. Permittee shall educate clients regarding the location of private property and shall prevent clients from trespassing onto private property. Should there be an allegation of trespassing, permittee shall provide all tracking data to the Planning Department for verification.
20. Routt County has the authority to close any County Road at its sole discretion if damage to the road may occur by its use. To the extent that a road closure may affect Permittee's operations, Routt County will cooperate with Permittee to the extent possible to allow operations continue.
21. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, it shall be conducted in conformance with the Manual on Uniform Traffic Control at the permittee's expense and the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance to review and approve the proposed traffic control plan.
22. Routt County roads affected by this SUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage, culvert damage, cattle guard damage or repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the county or third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Permittee shall solely bear the costs of repairs.
23. Permittee shall apply for a plow permit to conduct grooming operations on the County Road. The sections of the road to be groomed by the permittee shall be defined on the grooming permit. Permittee shall understand that County Road 80 accesses an area where the public regularly uses snowmobiles. Grooming operations shall not obstruct or impede access to those areas.
24. There shall be no customer/employee parking on County Road 80, County Road 62 or FSR 42, the public parking lot at the end of County Road 80, or the corresponding right-of-way.
25. All guided clients shall be shuttled to the start of the tour. Clients shall not be allowed to drive personal vehicles to the site(s).

26. Except for when the conditions of County Road 80 cannot support the operation and the FSR 42 access is used, permittee shall start and end trips from the 35-acre parcel, at the end of County Winter Maintenance on County Road 80.
27. Snowmobiles may not operate on bare county roads. Any county roads used will require an adequate amount of snow that will prevent snowmobile carbides & track system from coming into contact with any county road it operates over. Snow may not be imported onto the county road to achieve adequate snow levels. Adequate snow levels shall be determined by Routt County Road & Bridge Department and/or Routt County Planning Staff.
28. Permittee shall submit a valid Forest Service permit to the Planning Department prior to operations each season. If a Forest Service permit is not submitted, the permittee shall not use the FSR 42 access.
29. The permittee is encouraged to recycle to reduce the amount of waste entering the landfill.
30. Prior to issuance, a valid lease with the Henry B. Babson & Farrington B. Carpenter Civic Imp Foundation shall be submitted. A valid lease shall be submitted annually prior to operations beginning.

General Conditions:

31. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, and 6.
32. Any complaints or concerns that may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
33. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
34. Permits will be assessed an Annual Fee in accordance with the Fee Schedule.
35. This approval is contingent upon the acquisition of and compliance with any required federal, state and local permits. The operation shall comply with all federal, state and local laws and regulations. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to the commencement of operations.
36. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with all federal, state, and local laws and regulations.
37. Prior to the issuance of the permit, and on an annual basis, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance

and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.

38. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
39. Transfer of this SUP must be approved by the Planning Director and is contingent on the transferee accepting in writing all terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent for the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Any proposal to change the terms and conditions of a permit shall require a new permit.

Permit Issued by the Routt County Board of Commissioners:

Tim Redmond, Chair

Date

ATTEST:

Jenny L. Thomas, Routt County Clerk and Recorder

ACCEPTED:

Clay Hockel, Permittee

Date