

Conditional Use Permit

Permit No. PL20250022

Project Name: Swarey Sawmill

Permittee: SWAREY, ELAM S JR & SUSIE F (JT)

Property Owner: SWAREY, ELAM S JR & SUSIE F (JT)

Type of Use: Conditional Use Permit – For the Milling and Processing of Lumber

Property Address: 32755 COUNTY ROAD 5, ROUTT, CO 80479

Legal Description: TRS IN SE4SE4, SW4SE4 LYING S OF CO RD 5 SEC 16-1N-84W. TOTAL: 61.85 AC

Conditions of Approval:

General Conditions:

1. The CUP approval is contingent upon compliance with all applicable provisions of the Routt County Unified Development Code.
2. The CUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns that may arise from this operation may be cause for review of the CUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this CUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. Permits will be assessed an Annual Fee in accordance with the Fee Schedule maintained by the Routt County Planning Department.
6. 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. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to the commencement of operations.

7. Prior to the issuance of the permit, 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.
8. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
9. Transfer of this CUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the 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. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
10. The Permittee shall prevent the spread of weeds to surrounding lands and comply with the most current version of the Colorado Noxious Weed Act and Routt County regulations for noxious weeds.

Specific Conditions:

11. The Conditional Use Permit (CUP) is valid for the life of the use provided it is acted upon within one year of approval. The CUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
12. All operations and maintenance activities shall be limited to daylight hours, with the exception of March 1 – May 15, during which activities shall occur from 9:00 am to 4:00 pm only.
13. The operators shall avoid any ground disturbances associated with this use within 500 feet of the common high-water mark of King Creek.
14. Grasses surrounding the facility shall be cut to less than 3 inches in height during fire prone times of the year.
15. The fabric covering for the structure shall be white.
16. All operations and pile sizes must meet the requirements of current Fire Code.
17. No burning of waste materials is permitted on this site.

18. The maximum amount of green waste allowed to stay on site is 3,000 cubic yards. Green waste shall be removed from the property in a time period suitable to the permittee as long as the 3,000 cubic yard limit is not exceeded.
19. 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 allow operations to be continued to a safe and practicable stopping point.
20. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance (if possible), who may then require:
 - a. The Permittee to place traffic control signage along routes and at intersections as specified by the Routt County Road and Bridge Director and at Permittee's expense; and types and placement of signs shall be in conformance with the Model Traffic Code.
21. Routt County roads affected by this CUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage, repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the County, or a third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Road and Bridge shall inform permittee of such maintenance or repair activities prior to work being performed. Permittee shall bear their share of repair costs. Share being defined as traffic counted that is generated from permittee's use compared to most recent traffic counts as whole on road. If damage to the road is the sole responsibility of the permittee then the permittee shall solely bear the costs of repairing the roadway.
22. For the duration of the use, the rooms listed below shall be rented only to an employee of the operation. This condition shall constitute the deed restriction required by UDC section 3.21.D.2.a.ii. Any proposed change or modification to this unit's arrangement is subject to planning review to determine compliance with section 3.21.D.2.a.ii.
 - a. Single family residence located at 32755 County Road 5 - 2 of bedrooms



136 6th St., Suite 200
Steamboat Springs, CO 80487
970-879-2704

www.co.routt.co.us/Planning

Permit Issued by the Routt County Planning Commission:

Steve Warnke, Chair

Date

ACCEPTED:

Elam Swarey, Permittee

Date