



## SPECIAL USE PERMIT

**Project Name:** Steamboat Lake Outpost ATV Tours and Rentals

**Permit Number:** PL-20-180

**Permittee:** Steamboat Lake Outpost, Ben Simms

**Address:** 60880 County Road 129

**Property Owner:** Jones Outpost Holding, LLC

**Legal Description:** A tract of land in Sections 28 and 29, T10N, R85W, approximately ½ mile south of the Town of Hahn's Peak on CR129.

**Expiration Date:** 5 years until November 1, 2025

### Conditions of Approval:

#### General Conditions

1. The Special Use Permit (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.
2. The SUP 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 which 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.
4. 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.
5. No junk, trash, or inoperative vehicles shall be stored on the property.
6. This approval is contingent upon any required federal, state, and local permits being obtained and complied with; 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 operations.

7. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
8. All exterior lighting shall be downcast and opaquely shielded.
9. 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.
10. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
11. The permits/approval shall not be issued until all fees have been paid in full. Failure to pay fees may result in revocation of this permit. Permits/Approvals that require an ongoing review will be assessed an Annual Fee. Additional fees for mitigation monitoring will be charged on an hourly basis for staff time required to review and/or implement conditions of approval.
12. Transfer of this SUP 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 to 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.
13. The permittee shall prevent the spread of weeds to surrounding lands and comply with the Colorado Noxious Weeds Act as amended in 2013 and Routt County Noxious Weed Management Plan. A weed mitigation plan shall be developed by the permittee and reviewed and approved by the Weed Supervisor prior to issuance of the Special Use Permit.

### **Specific Conditions**

14. All Hahn's Peak Roadhouse guides shall be clearly marked. Hahn's Peak Roadhouse employees on Trail #1 are required to wear jackets or vests clearly identifying them as guides or Hahn's Peak Roadhouse employees. Such jackets or vests shall be a bright, solid color-orange, yellow, or red. A maximum of 20 guest snowmobiles are allowed under this permit.
15. The permittee shall be responsible for search and rescue of lost clients and ensuring all guides have current first aid certifications.
16. The tours shall not be conducted on County Roads, unless otherwise approved under this permit.
17. The machines used for this operation shall be registered with the State of Colorado.
18. All accidents involving personal injury resulting in hospitalization or death or property damage of \$3,000.00 or more shall be immediately reported to the Colorado State Patrol or the Sheriff's Office in the county where the accident occurred and a report shall be submitted to the Denver and Steamboat Lake Office of the Colorado State Parks on the approved form and the Routt County Planning Department within 48 hours of the accident, according to state law. All search and rescue operations shall be reported to the Routt County Planning Department within 48 hours of the incident.

19. Approval of this permit constitutes permission by the property owners and operators for Colorado Parks and Wildlife and the Routt County Planning Department to conduct periodic site reviews to evaluate wildlife impact from the snowmobile operation.
  20. Toilet facilities shall be made available to clients and employees and shall be approved by the Routt County Department of Environmental Health.
  21. All signs used for this operation shall comply with the Sign Code outlined in Section 8.1 of the Routt County Zoning Regulations. No off-premises signs or billboards are permitted.
  22. Any change to the proposed trail system or plan of operation shall be submitted to Planning Staff for evaluation. If staff determines that said changes would not create impacts to the environment, adjacent property owners, wildlife, etc., administrative adjustments to the permit may be made. Should the changes create impacts that cannot be mitigated or require numerous or involved mitigation measures, the Routt County Planning Commission and/or the Board of County Commissioners will review and approve or deny the changes.
  23. Neither the issuance of this permit nor any action taken pursuant to this permit shall create a liability on the part of, or be the basis for, a cause of action against Routt County or any officer, employee, or technical advisor thereof. The issuance of this permit does not imply that the land uses permitted will be free from danger as a result of natural hazards, human error, or mechanical problems.
  24. Hahn's Peak Roadhouse shall be responsible for maintaining trails in a safe and acceptable condition, including erosion control and prompt revegetation of any affected areas.
  25. This approval supersedes all previous approvals for snowmobiles, staging areas, and trail permits.
  26. TERM OF PERMIT AND RENEWAL
    - a. This permit is valid until November 1, 2025. A review by Planning staff shall be conducted prior to renewal, and if no concerns are identified or if concerns/complaints can be mitigated, the permit may be administratively renewed. The applicant must apply in writing for renewal prior to the expiration of the permit or it will be required to return to Planning Commission and the Board of County Commissioners for review.
  27. USES
    - a. This permit is for guided ATV and UTV operations for Hahn's Peak Roadhouse lodging guests on Trail #1.
    - b. Machines must stay on the trail at all times when surrounded by private property and travel at a speed not to exceed 15 miles per hour when traveling through the private easement.
    - c. The number of machines per trip departing at one time shall not exceed 22, provided that a ratio of 10 (or fewer) riders per guide is maintained.
    - d. Hahn's Peak Roadhouse is permitted to rent no more than 20 ATVs or UTVs to guests of Hahn's Peak Roadhouse.
    - e. Only routes authorized by the US Forest Service are able to be utilized during operations.
    - f. This permit is for guided 4x4 street legal vehicle operations for HPR clients excluding Trail #1 and Hahn's Peak Village.
  28. OPERATING DATES AND TIMES
    - a. Tours may be conducted seven (7) days per week.
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- b. ATVs and UTVs are allowed on Trail #1 between June 15<sup>th</sup> and November 1<sup>st</sup> unless weather permits ATV and UTV tours to end operations later than November 1<sup>st</sup>. Guests and business invitees using Trail #1 must be guided both in and out, which include privately owned ATVs and UTVs. Under no circumstances shall any machine operate on Trail #1 between April 15<sup>th</sup> and June 15<sup>th</sup>, subject to change with CPW recommendation. The permittee must inform the Planning Director and the adjacent landowners prior to weather based changes to the schedule of operation.
- c. All guided ATV and/or UTV operations on Trail #1 for Hahn's Peak Roadhouse lodging guests shall be conducted between 8:00 and 7:30. Late arrivals through Trail #1 after 7:30 p.m. due to emergencies or unforeseen circumstances are not considered violations of this condition. Any such emergencies shall be reported to the Routt County Planning Department. Unforeseen circumstances shall be defined as the retrieval of disabled machines, which may delay the return of the Hahn's Peak Roadhouse personnel and/or lodging guests engaged in retrieval efforts.
- d. All guided ATV and/or UTV tours across Trail #1 shall consist of groups no more than 10 guest machines per guide, and shall leave Hahn's Peak Roadhouse on tours at 8:00, 9:00, 10:00, 11:30, 12:00, 1:00, 2:00, 3:00, and 4:30 for a total of no more than nine departure times per day. Hahn's Peak Roadhouse personnel shall be permitted to depart from Hahn's Peak Roadhouse across Trail #1 as needed between normal operating times of 8:00 a.m. and 7:30 p.m. for the purpose of trail maintenance, retrieval of disabled machines or aiding departed tours that require assistance such as transporting guests back to Hahn's Peak Roadhouse due to disabled machines.

#### 29. ENFORCEMENT AND MONITORING

- a. A Hahn's Peak Roadhouse staff member shall patrol the parking lot/Larkspur Lane area during the hours of operation for the purpose of controlling the number of uninvited guests (trespassers) on Trail #1.
- b. Hahn's Peak Roadhouse shall monitor and record the usage of Trail #1 and submit a report of the total number of users to Planning Staff at the end of the season.
- c. Hahn's Peak Roadhouse is required to place and maintain signage every 200 yards along Trail #1 (the private easement) stating that it is a private trail, not for public use; riders must stay on trail; and that the speed limit is 15 mph. Signage shall also be placed facing both directions at the north and south end of Trail #1. All signage shall remain in place throughout the year.

#### 30. LODGING GUESTS/RIDER RESPONSIBILITY

- a. The permittee shall provide the user with a safety lesson, a riding helmet, and a trail map illustrating trails and private property to address and avert trespass issues.
- b. If riders encounter wildlife on the trail, they will stop their machines until the wildlife moves on and riders will not leave their machines to pursue wildlife on foot.
- c. Prior to beginning their tour, all unguided tour clients shall be required to sign a form stating that they have been informed of the conditions of this permit and that they agree to abide by them. This form shall be reviewed and approved by Planning staff.

#### 31. ACCESS/ROADS/PARKING/TRAFFIC

- a. 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 operation, Routt County will cooperate with permittee to allow operations to be continued in a safe and practicable stopping point.

