

Special Use Permit

Permit No. PL20220056

Project Name: Thunderstruck SUP Amendment

Permittee: Clay Hockel

Property Owner: NOTTINGHAM LAND & LIVESTOCK, LLLP
C&B HOLDINGS LLC

Type of Use: Special Use Permit – Amendment for snowmobile tours

Property Address: 52255 COUNTY ROAD 80, ROUTT, CO 80487

Legal Description:

1. 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
2. TR 53, SEC 6-8-86 39.47A B765P1320
3. N2 & N2S2 TR 58, TR 59C SEC 7 & 18-8-86 149.25A B765P1320
4. 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
5. LOT 1, SE4NE4, NE4SE4 SEC 3-8-87 124.87A B765P1319 TOTAL: 214.87 AC
6. TR IN SE4 26-7-88 LYING EASTERLY OF CENTERLINE OF RCR 80 TOTAL 15ACS +/-

Conditions of Approval:

General Conditions:

1. 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.
2. 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.

3. 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.
4. Permits will be assessed an Annual Fee in accordance with the Fee Schedule.
5. No junk, trash, or inoperative vehicles shall be stored or left on the property.
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. 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. 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.
9. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
10. 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 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.

Specific Conditions:

11. The Special Use Permit (SUP) is valid for the life of the use provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year (except for uses that a customarily operated seasonally or periodically).
12. Prior to operation, permittee shall submit to Routt County proof of a Sales Tax Account/License if applicable.
13. All trash shall be managed on a bi-weekly basis by a garbage removal service. Per Colorado Parks and Wildlife recommendations, all garbage must be stored either indoors or inside a certified Interagency Grizzly Bear Committee receptacle.

14. Any required permits from the Routt County Road and Bridge Department or Building Department shall be obtained and any inspections completed before operations commence.
15. The SUP is limited to the facilities presented in the required Site Specific Development Plan, Exhibit A. The operations includes:
 - Hours of operation shall be 8:00 a.m. to 5:00 p.m., 7 days per week
 - Forest Service Road (FSR) 42: December 15th – January 1st and April 1st – April 15th pending submission of a Forest Service permit.
 - County Road 80: December 1st – April 1st with weather and 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.
 - Tours are limited to two per day total between the two accesses.
 - There shall be a maximum of 8 clients in each tour. The client to guide ratio shall be at least 4 to 1.
 - Services supporting this use will include:
 - Bi-weekly onsite fuel delivery from a fuel delivery service provider;
 - Two portable toilet services per season, including one service at the end of January and one service at the end of March; and
 - Bi-weekly onsite garbage removal service. Per Colorado Parks and Wildlife recommendations, all garbage must be stored either indoors or inside a certified Interagency Grizzly Bear Committee receptacle.
 - Any additional uses, services, or facilities must be applied for in a new or amended application.
16. 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.
17. Any accidents requiring emergency services shall be reported to the Planning Department within 72 hours.
18. Any wildlife encountered along or near the tours shall not be disturbed and shall be given time to move away from any tours. No pets or firearms shall be allowed. Based on the presence of high priority habitats in the proposed construction area, the following Colorado Parks and Wildlife recommendations must be implemented:
 - Avoid fencing to the maximum extent possible to maintain wildlife movement through this area/site; Where fencing is necessary, install fencing to the specifications for exclusionary fencing in [CPW's Fencing with Wildlife in Mind Document](#)
 - Conduct construction activities outside the period from December 1 to April 30 for elk and Columbian sharp-tailed grouse winter ranges;
 - Conduct construction activities outside the period from March 1 to July 15 to minimize impacts on elk calving and grouse nesting and brood-rearing activities; and
 - Conduct noxious weed surveys and treatments for any disturbed soils following construction.

19. The operator shall avoid all wetlands and streams unless there is sufficient snow cover to protect the vegetation and ground.
20. Lighting shall be downcast and opaquely shielded. All exterior lighting shall be turned off when not in use. Necessary motion-sensitive, safety and/or security lighting is excluded.
21. Private property boundaries will be posted to prevent trespass in areas where trails are on private land.
22. 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 in a safe and practicable stopping point.
23. 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:
 - a. The permittee shall provide traffic control during events in accordance with the MUTCD at the intersection of the site access and CR 80. The traffic control plan shall be submitted for review and approval of the Road and Bridge Department annually prior to the first event each season.
24. 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.
25. Permittee shall apply for a plow permit to conduct grooming operations on the County Road. Permittee shall designate limits on the plow permit as to the sections of the road being groomed. 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.
26. There shall be no customer/employee parking on County Road 80 or FSR 42, the public parking lot, or the corresponding right-of-way for any days that tours will be operated. Guests of tours shall be transported to the site.
27. Permittee shall start and end tours from the 35-acre parcel, subject lot of this amendment. at the end of County Winter Maintenance on County Road 80.
28. The applicant shall coordinate with Road and Bridge on the design and access permit for the gravel apron to their property, which cannot be in the ROW.
29. Applicant shall coordinate with West Routt Fire to review and approve their Emergency Operation Plan.

30. Permittee shall submit Forest Service permit to the Planning Department prior to operations each season.
31. All on-site maintenance shall take place on an impervious surface and spill kits shall be located in the structure.

Permit Issued by the Routt County Board of Commissioners:

M. Elizabeth Melton, Chair

Date

ATTEST:

Jenny L. Thomas, Routt County Clerk and Recorder

ACCEPTED:

Clay Hockel, Permittee

Date