OWNER/APPLICANT:

Town of Telluride
P.O. Box 397
Telluride, CO 81435

Applicant Name & Title: Karen Guglielmone, Environmental & Engineering Div. Mgr.
Phone: 970-729-1015
Email: kguglielmone@telluride-co.gov

PROJECT: Construction/Contractor Office and Staging Area Special Use Permit Application Submittal, 2221 Y43 Road Lot 1 Herndon Subdivision Exemption, Wrights Mesa

STANDARDS REPORT / PROJECT NARRATIVE:

While the original meetings with San Miguel County Planning has stated that the intent of the Construction/Contractor Office and Staging Area on this parcel would be to use the property as a contractor’s shop, staging area, and laydown yard for the Telluride Regional Wastewater Treatment Plant Expansion Project, the intent has since changed. The TRWWTP Expansion Project Design-Build Contractor has stated that they will not likely use this property for their work. Nevertheless, the Town of Telluride has a long-standing need to store a variety of equipment and vehicles indoors, particularly during the winter. These items would include but not be limited to sweepers, water trucks, fencing, picnic tables, tools, etc., as well as excess motor vehicles and tires. When Telluride’s Rebekah Hall and Old Town Hall are renovated, this property may also be needed to store 2-5 CONEX storage containers that contain office furniture and files until the work is completed and staff can move back into the renovated spaces.

The Town of Telluride is not proposing to add any additional structures. It will use the structures that are currently on site. While it is not currently contemplated, the Town may, at some time in the future, assign a workspace for two to three employees in the existing office. There is an existing septic system and drinking water well to service the property.

The property currently has a Special use Permit to allow a Manufacturing Business (wood shop). Per Article 6 of the Land Use Code (LUC), a Construction/Contractor Office and Staging Area is “A facility from which a construction company or other building industry contractor operation is based, which may occur in addition to a single-family residence, and on which an office may be located and only vehicles registered to that company and materials for use off-site may be stored. No manufacturing, fabrication or other work involving those vehicles or materials, except for routine repair and maintenance, may be performed on site.” The Town believes that the proposed uses are consistent with this description.

- **Access:** The Town is proposing 0 to 5 employees or contractors accessing the site per day. They will park on the east side of the existing buildings. There will be no public access to the site.
- **Vehicle Circulation:** See attached Site Plan
- **Lighting:** The Town is not proposing any changes to the existing on site lighting.
- **Noise:** Telluride is proposing interior storage for equipment. Nuisance noise is not likely to be created at any time during employee visits to the site.

- **Dust Control:** Dust caused by the minimal activities proposed for the site are not anticipated to increase dust or create a nuisance. If for some reason dust becomes a problem, Town staff can wet down driving surfaces with a hose or a water truck to mitigate.

- **Odors/Vibrations:** Telluride is not proposing any activities that might cause noxious odors or vibrations to emanate from the premises.

- **Fences:** Town is not proposing any changes to the existing fencing on site.

- **Screening:** Town is not proposing any changes to any existing screening on site.

- **Outdoor Work Areas:** Town is not proposing any work that would occur outdoors.

- **Storage:** Most proposed storage will occur within the existing buildings. Some may occur within 40-foot-long CONEX storage containers. Some temporary vehicle storage may occur outside of the existing structures in the areas denoted for “parking” on the attached proposed Site Plan.

- **Trash & Recycling:** All trash and recycling that is generated on this site will be transported as a matter of course to the Public Works & Transit Facility at 1370 Blackbear Road in Telluride. If this proves infeasible, Town will contract with a trash and recycling service provider in the area for more regular pick up. All trash and recycling will be stored inside until the day of pick up.
**PROJECT:** Construction/Contractor Office and Staging Area Special Use Permit Application Submittal, 2221 Y43 Road Lot 1 Herndon Subdivision Exemption, Wrights Mesa

**AUTHORIZATION OF AGENCY:**

The Town of Telluride is the owner of this parcel and is the entity applying for this Special Use Permit.
General Warranty Deed  
(Pursuant to C.R.S. 38-30-113(1)(a))

Grantor(s), JOHN K. HERNDON AND LAURNA M. HERNDON, whose street address is PO BOX 66, NORWOOD, CO 81423, City or Town of NORWOOD, County of San Miguel and State of Colorado, for the consideration of ($550,000.00) ***Six Hundred Fifty Thousand and 00/100*** dollars, in hand paid, hereby sell(s) and convey(s) to TOWN OF TELLURIDE, A COLORADO HOME RULE MUNICIPALITY, whose street address is PO BOX 397, TELLURIDE, CO 81435, City or Town of TELLURIDE, County of San Miguel and State of Colorado, the following real property in the County of San Miguel and State of Colorado, to wit:

LOT 1, HERNDON SUBDIVISION EXEMPTION, ACCORDING TO THE PLAT RECORDED APRIL 2, 2012 IN PLAT BOOK 1 AT PAGE 4525, COUNTY OF SAN MIGUEL, STATE OF COLORADO.

also known by street and number as: 2221 COUNTY ROAD Y43, NORWOOD, CO 81423

with all its appurtenances and warrant(s) the title to the same, subject to Statutory Exceptions.

Signed this day of \[\_\_<\_\_\_\_\_\_\_\_\_/23/2020.\]

\[\underline{\text{JOHN K. HERNDON}}\]
\[\underline{\text{LAURNA M. HERNDON}}\]

State of \[\underline{\text{COLORADO}}\]  
County of \[\underline{\text{SAN MIGUEL}}\]  

The foregoing instrument was acknowledged before me on this day of DECEMBER 28, 2020 by JOHN K. HERNDON AND LAURNA M. HERNDON

Witness my hand and official seal

My Commission expires: 6-10-2021

[Signature]

Notary Public

LINDSAY REIMANN  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20054000478  
My Commission Expires May 30, 2021

When recorded return to: TOWN OF TELLURIDE, A COLORADO HOME RULE MUNICIPALITY  
PO BOX 397, TELLURIDE, CO 81435
PROPERTY DESCRIPTION

A portion of Lot 1, Herndon Subdivision Exemption, according to the Plat recorded April 2, 2012 at Reception No. 422464, County of San Miguel, State of Colorado further described as follows:

BEGINNING at a point on the Southern boundary of said Lot 1 from whence the Southwest corner of said Lot 1 bears S 89°42'59" W a distance of 20.00 feet, said point being the POINT OF BEGINNING;

Thence N 00°34'08" W a distance of 40.00 feet;
Thence N 89°42'59" E a distance of 27.50 feet;
Thence S 54°21'18" E a distance of 34.08 feet;
Thence S 00°34'08" E a distance of 20.00 feet to a point on the Southern boundary of said Lot 1;
Thence S 89°42'59" W along said Southern boundary, a distance of 55.00 feet to the POINT OF BEGINNING;

County of San Miguel, State of Colorado.

Jeffrey C. Haskell
P.L.S. #37970
12/11/20
COUNTY ROAD Y43 RIGHT-OF-WAY DEDICATION PER RECEIPT No. 422464
**PROJECT:** Construction/Contractor Office and Staging Area Special Use Permit Application Submittal, 2221 Y43 Road Lot 1 Herndon Subdivision Exemption, Wrights Mesa

**REVEGETATION PLAN:** The Town is asking for a change of use and will not be disturbing any additional area on the property and therefore, as the applicant, the Town believes that a revegetation plan is not necessary.
**PROJECT:** Construction/Contractor Office and Staging Area Special Use Permit Application Submittal, 2221 Y43 Road Lot 1 Herndon Subdivision Exemption, Wrights Mesa

**WEED MANAGEMENT PLAN:**

The Town of Telluride and San Miguel County have maintained an Intergovernmental Agreement (IGA) for weed management assistance from the San Miguel County Weed Manager over the past 20 years. As part of regular property maintenance by Telluride’s Facilities Maintenance Supervisor, this property is mowed regularly. In addition, town will commit to conducting an annual inspection of the property for invasive weeds that require more professional intervention.
Septic Permit
San Miguel County
Department of Building and Environmental Health
P.O. Box 2676, Telluride Co 81435 728-0447

Permit ID: 95067
Date of Application: 11/9/95
Date of Issuance: 11/9/95

Owner: STEVE HERNDON / SPYDOR WOODWORKS
Address: BOX 845 NORWOOD CO 81423
Property Address: 321 Y 43 ROAD
Phone Number: 327-4429
Directions to Site:

General Contractor: OWNER /John Oliver/
Address:
New Tank: ☒ Replace Tank: ☐ New Leach System: ☒ Replace Leach System: ☐
Type of Structure: WOODWORKING SHOP Number of Bedrooms: 0
Clothes Washer: ☐ Disposal: ☐ Other:
Lot Size: 40 ACRES Water Supply: WELL

Applicant acknowledges that approval of this permit and system does not guarantee the system against failure. This permit is void if not used within 12 months after application date.

Applicant's signature: ___________________________ Date: 1/26/96

Septic Permit Fee: $150.00 Check #: ___________________________
Received by: Margeville

TO BE FILLED IN BY SANITARIAN
Soil Type: Silt loam Bedrock Depth: 7 FT
Perc Rate: 55 MFI Water Table Depth: ~4 FT
Engineer Design Required: NO Type of System:
Treatment Tank: ☐ Size: 1000 gal
Type: Concrete
Soil Absorption System: ☒ Size:
Comments: System is a closing mound w/ lift station. Site had high groundwater and slow percing soils

Plans and specifications given above are approved for installation:

Signed: ___________________________ Date: 12/25/95

Installed system found to comply with above approved plans and specifications:

Signed: ___________________________ Date: 8/5/96

Sketch of installed system:
### SEPTIC PERMIT APPLICATION

**Owner:** STEVE HERMANN
**Address:** PO Box 845 Norwood CO
**Phone:** 247-4429

**General Contractor:** SPYDER CORP
**Address:** PO Box 845 Norwood CO
**Phone:** 247-4429

**Systems Installer:**
**Address:**
**Phone:**

- **New Tank** [X]  REPLACE TANK
- **New Leach System** [ ]  REPLACE LEACH SYSTEM

**Type of Structure:** LUMBER MILL
**No. of Persons:** 8

**No. of Bedrooms:** 0  CLOTHES WASHER 0  DISHWASHER 0  DISPOSAL 0  OTHER

**Legal Description:** SE 1/4 OF SECTION 26, T 45 N, R 11 W, LOT SIZE: 40 AC

**Water Supply:** WELL
**Direction to Site:** AGRICULTURAL

Applicant acknowledges that approval of this permit and system does not guarantee the system against failure. This permit is void if not used within 12 months after application date.

**Applicant's Signature:** [Signature]
**Date:** 1/1/75

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**Soil Type:**
**Percolation Rate:** 
**Engineer Design Required:**
**Treatment Tank Size:**
**Soil Absorption System Size:**

**Comments:**

**Plans and Specifications Given Above Are Approved for Installation:**
**Signed:** [Signature]
**Date:**

**Installed System Found to Comply With Above Approved Plans and Specifications:**
**Signed:** [Signature]
**Date:**

**Sketch of Installed System:**

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P. O. Box 2676 · Telluride, Colorado 81435 · 303-728-3923 · Room 312, Daved Building
**FIELD CALCULATION WORKSHEET**

**NAME:** John Hernelon  
**ADDRESS:** 438 Ed Norwood  
**SANITARIAN:** Dave Schneck  
**DATE:** 12/21/95

**ABSORPTION AREA CALCULATION:**

\[ Q = 45 \text{(Bdr.)} = \frac{NA}{NA} \]

Perculation Rate = \( T = \frac{555}{\sqrt{5}} = 7.4 \)

Absorption area = \( Q \cdot T = \frac{NA}{NA} \) square feet

\( \times 1.4 \) for use of a clothes washer = \( NA \)

\( \times 1.2 \) for use of a garbage disposal = \( NA \)

\( \times 1.6 \) for both = \( NA \)

Total Absorption Area Required = \( NA \) square feet

17  
50  
13  
60

**TRENCH CALCULATION:**

Total absorption area /3' = \( \frac{NA}{NA} \) \( L \times 3' W \times \frac{1}{2} 'D \)

Deep trench adjustment = \( L \left( \frac{5}{4 + 2D} \right) = \frac{NA}{NA} \)

\( \frac{NA}{NA} \) TRENCHES @ \( L \times 3' W \times \frac{1}{2} 'D \)

\( \frac{NA}{NA} \) yds.\(^3\) \( \frac{1}{4}'' - \frac{1}{2}'' \) washed rock needed under leach pipe

**BED CALCULATION:**

Total absorption area /12' = \( \frac{NA}{NA} \) \( L \times 12' W \times \frac{1}{2} 'D \)

Deep Bed adjustment = \( L \left( \frac{14}{13 + 2D} \right) = \frac{NA}{NA} \)

\( \frac{NA}{NA} \) \( L \times 12' W \times \frac{NA}{NA} D \)

\( \frac{NA}{NA} \) yds.\(^3\) \( \frac{1}{4}'' - \frac{1}{2}'' \) washed rock needed under leach pipe

\( \frac{NA}{NA} \) yds.\(^3\) 3'' oversized rock needed under leach pipe

**INFILTRATORS:**

Total absorption area \( X(\cdot) = \frac{NA}{NA} = \) \( \) Infiltirators

Sizing based on 1994 ISDS Guidelines

Table values for office employees:

\( (15 \text{ employees}) \times (15 \text{ gpcal}) \times (1.5 \text{ peak flow}) \times 3386 \text{ gpcal/day} \)

\( A = \frac{Q \cdot T}{5} \)

\( A = \frac{388(24)}{5} \)

\( A = 800 \text{ ft}^2 \)
July 22, 2022

Katie Doody via email: kdoody@telluride-co.gov
Telluride Public Works
Manager - Water/Wastewater

Re: Pre-application Conference Summary: Construction/Contractor Office and Staging Area Special Use Permit, Lot 1 Herndon Subdivision Exemption, Wrights Mesa

Dear Katie,

This REVISED letter is to replace a January 8, 2021 letter sent to Paul Ruud, Telluride Public Works. The purpose of this correspondence is to serve as a Pre-application Conference Summary, in accordance with San Miguel County Land Use Code Section 4-207, for a Special Use Permit for a Construction / Contractor Office and Staging Area to be located at 2221 County Road Y43, on a 2.25 acre parcel legally identified as Lot 1, Herndon Subdivision Exemption. The property currently has a Special Use Permit to allow a Manufacturing Business (wood shop). Per Article 6 of the Land Use Code (LUC), a Construction/Contractor Office and Staging Area is “A facility from which a construction company or other building industry contractor operation is based, which may occur in addition to a single-family residence, and on which an office may be located and only vehicles registered to that company and materials for use off-site may be stored. No manufacturing, fabrication or other work involving those vehicles or materials, except for routine repair and maintenance, may be performed on-site.” The intent of the Construction/Contractor Office and Staging Area on this parcel is to use the property as a contractor’s shop, staging area and laydown yard for the Telluride Regional Wastewater Treatment Plant expansion, which is expected to take 2-4 years. Once that project is complete, it is expected that the Town will seek a different use for the property, subject to obtaining any necessary land use approvals.

The property is zoned Wright’s Mesa (WM). Planning Department staff has determined that the proposed use is allowed subject to One-step County Planning Commission Special Use Permit Review, pursuant to Land Use Code Sections 5-319 E.VI; Section 5-319 K, Review Standards for all Wright’s Mesa Zone District Special Uses; Section 5-407, Wildlife Habitat Areas; Section 5-10, Special Uses; and the County Master Plan.

The application should address issues including but not limited to noise, dust, odors, traffic, and lighting. A site plan should also be submitted that shows how the site will be used, including the location of all existing and proposed buildings, structures, parking, circulation, storage, outdoor work areas, fences, screening and trash enclosures. If there are any alterations proposed for the building or any new structures or any fences taller than six (6) feet, a development permit
and a building permit will be required. Photographs of the site would be appreciated.

Please describe any landscaping and screening to be installed. In addition to the following submission requirements and review standards listed below, the application should provide a detailed description of the number of staff accessing the site daily, number of employees/staff (including number living on site), number of vehicles accessing the site daily, available parking, type of sanitary facilities to be provided, and a site plan with facilities, parking and access to the county roadway identified. Provide evidence that you have a Commercial Well Permit from the Division of Water Resources and that you will be able to provide both the quantity and quality of water needed to serve the use, consistent with Colorado Department of Public Health and Environment Standards. You will also need to provide evidence that the Onsite Wastewater Treatment System (OWTS) is adequate to serve the proposed use and will meet commercial standards. Please describe any planned additions or improvements to the facilities.

**Submission Requirements LUC Section 4-2**

*See Attachment*

**Review Standards LUC Section 5-1214**

*See Attachment*

**Scheduling of Campground SUP Application Consideration**

Please submit one paper copy and a complete set of electronic files (e.g. thumb drive or e-mail) of the complete application that conforms to all applicable Land Use Code requirements. The Planning Department can then schedule the Special Use Permit for consideration by the Planning Commission. Planning Commission meets the second Thursday of each month. A complete application must be submitted at least one month prior to the requested meeting date.

The Planning Department will refer the application to the County Manager, County Attorney, County Building Official, Designated County Engineer, County Environmental Health, County Road and Bridge Director, County Sheriff, Colorado Department of Parks and Wildlife, Colorado Division of Water Resources, Norwood Fire Protection District, Norwood Water Commission, and Town of Norwood. Other referrals will be determined upon receipt of the application.

**Payment of $750** to San Miguel County must accompany the application(s) for it to be considered complete (in accordance with Board of County Commissioners Resolution 2020-35). The applicant is responsible for reimbursement of any County Designated Engineer review fees, which includes the initial review and any revisions.

**Prior to 20 days before any meeting** for which consideration of any land use application is scheduled, the applicant shall notify by First Class mail every property owner and condominium unit owner within 500 feet of the perimeter of the subject property as listed in the records of the San Miguel County Assessor. In addition, prior to 20 days before any meeting for which consideration of any land use application is scheduled, the applicant shall post notice (letter and sign to be obtained from the Planning Department) of the scheduled consideration of the application. Mailing and posting of notice by an applicant prior to a meeting that is not a public hearing shall be carried out pursuant to Section 3-903 A., B. and C. In addition to the general notice provisions of Section 3-9, the San Miguel County Land Use Code may require additional notice for certain property owners and parties outside the 500 foot perimeter of the
subject property for certain specific development applications, as set forth in the Land Use Code. An applicant's failure/refusal to submit the required certification of notice required by C.R.S. §§24-65.5-103(4) and 104(2), will result in the public meeting or hearing being rescheduled to a later date.

This pre-application letter is valid for one year from date of letter. Please contact the Planning Department if you have questions. Thank you.

Sincerely,

[Signature]

John Huebner
Senior Planner

cc: Scott Robson, Telluride Town Manager via email: srobson@telluride-co.gov

[Planning Folders\Application letters\Preapp\Town of Telluride.construction.office.staging.sup.docx]
Submission Requirements

Land Use Code Section 4-2 establishes the minimum submission requirements for all development applications:

4-201 General

All development applications shall include, at minimum, the information and materials specified in this section of the Code. During the pre-application conference the Planning Office staff may authorize modifications to the required submission contents.

4-202 Required Background Information

A letter signed by the property owner containing the property owner's name, the applicant's name, address and telephone number, and if applicable, the name, address and telephone number of the representative authorized to act on behalf of the property owner.

4-203 Parcel Description

The street address and current legal description of the parcel on which the development is proposed to occur and an 8-1/2" x 11" vicinity map locating the subject property within San Miguel County.

4-204 Disclosure and Proof of Ownership

A disclosure of ownership of the parcel on which the development is proposed to occur, consisting of a current certificate from a title insurance company or attorney licensed to practice law in the State of Colorado, listing the names of all owners of the property and all holders of subsurface mineral interests of record listed in the real estate records of the San Miguel County Clerk and recorder, mortgages, judgments, liens, easements, contracts and agreements affecting use and development of the parcel and proof of the owner's right to use the land for the purposes identified in the development application. This shall normally require proof of complete ownership or written consent from all owners. The staff may also request the applicant to supply information regarding the subject property and contiguous property sufficient to indicate that the subject lot was legally created.

4-205 Legal Access

Sufficient information to demonstrate that the applicant has adequate legal access to the parcel for the development proposal.

4-206 Standards Report

A written report demonstrating that the proposed development complies with the applicable substantive review standards.

4-207 Pre-Application Conference Summary Sheet

A copy of the pre-application conference summary sheet provided to the applicant at the pre-application conference.
4-208 Site Plan

The number of copies of 24" x 36" and 8-1/2" x 11" site utilization maps as specified by the staff during the pre-application conference. During the pre-application conference, the Planning Office may authorize an applicant to consolidate or delete specific maps which may not be applicable to a particular development proposal. The 24" x 36" site utilization maps must be folded to fit within a legal-size folder with the name of the application visible. Site maps shall include identification of Areas of Local and State Interest as set forth in Section 5-4 and Wetland Areas as set forth in Section 5-22, for all areas where development activity is proposed.

4-209 Copies of Application

During the pre-application conference the staff shall specify the number of copies of the application to be submitted.

4-210 Revegetation Plan

A plan for revegetation of all surfaces disturbed in conjunction with development that preferably employs native species, includes replacement of topsoil and specifies a maintenance schedule and techniques.

4-211 Weed Control Plan

A plan for control of noxious weed, as listed in the San Miguel County Weed Identification List, for all surfaces disturbed in conjunction with Development, as approved by County staff. Disturbed surfaces over one cumulative acre in size will require bonding for revegetation and weed control.

4-212 Employee Housing Mitigation Plan

A plan that complies with Section 5-13 of this Code to provide appropriate employee housing mitigation for the proposed development in the R-1 School District, if applicable.
Review Standards for Construction/Contractor Office & Staging Area Special Use Permit

5-319 E. Uses Allowed Subject to One-step Planning Commission Special Use Permit Review (see Section 5-319 K.)

VI. Construction/Contractor Office and Staging Area;

5-319 K. Review Standards for all WM Zone District Special Uses
All special uses shall:

I. Be consistent with the County Master Plan, the County Land Use Policies in Article 2 and the purpose of the WM Zone District;

II. Be consistent with and compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses, and/or shall enhance the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development;

III. Be designed, located and proposed to be operated so that the public health, safety and welfare will be protected;

IV. Be located, designed and operated to minimize adverse effects, including impacts on scenic quality, pedestrian and vehicular circulation, parking, trash, service delivery, noise, vibration and odor on surrounding properties. (The allowed number of employees or occupants may be limited depending upon potential impacts on surrounding properties);

V. Provide adequate public facilities and services to serve the special use, including but not limited to roads, adequate water supply in terms of both quality and quantity, sewer, solid waste and fire protection;

VI. Not substantially adversely affect agriculture or ranching operations, residences or scenic quality of land surrounding State or County roads (including through addition of traffic);

VII. Comply with setback and height restrictions; however, the County may require greater setbacks to mitigate impacts on neighbors or scenic quality;

VIII. Be required to shield exterior lighting to prevent direct visibility of light bulbs from off-site. All exterior lighting shall be directed toward the ground or the surface of a building. High-intensity sodium-vapor and similar lighting shall be prohibited;

XI. Be located to preserve scenic views and blend in with and utilize the natural topography;

X. Use native or similar horticultural materials for revegetation and reforestation, and provide guarantees that any needed revegetation or reforestation will be completed during the first planting season after construction;

XI. Only include roads, utilities and associated structures that bear logical relationships to existing topography and minimize cuts and fills;

XII. Comply with the applicable sign standards in Land Use Code Section 5-704; and

XIII. Be consistent with the historic rural and agricultural character of Wright’s Mesa. The following standards, along with input from neighbors, shall be considered by the County in determining consistency:

Siting of Buildings
- Locate buildings away from open meadows, visible ridges, and wildlife habitat areas.
- Cluster structures with surrounding open space (“ranch compound” concept).
- Locate buildings to maximize solar access.

Roads/Driveways
- Minimize cuts and fills, which should not exceed 2:1 slopes.
• Stabilize cut and fill slopes with erosion-resistant vegetation or material contoured to blend with natural, undisturbed terrain.
• Maintain the natural drainage on the property to the greatest extent possible.
• Encourage shared driveways between buildings.
• Avoid cutting through open meadows.
• Surface driveways with gravel, or employ dust-control.

Parking
• Locate parking areas behind or to the side of buildings.
• Consider parking-surface alternatives, such as gravel and reinforced sod.
• Separate parking areas from buildings with pedestrian ways and planting zones.
• Landscape at least 15 percent of parking areas, and provide one shade tree for each 300 square feet of parking.

Building Materials
• Utilize predominantly natural building materials, such as wood siding and native stone. (Corrugated metal buildings are discouraged, and at minimum should be sited to minimize visibility from roads.)
• Encourage natural earth tones and muted colors to blend with surroundings.
• Paint or anodize exposed metal flashing or trim to reduce reflectivity.
• Encourage composition shingle, metal, slate or other earth toned non-reflective roofing.

Architectural Elements
• Encourage front and side porches.
• Encourage roof slopes that change pitch and peaked roofs with gentle slopes.
• Encourage horizontal building forms (this does not preclude two stories).
• Encourage pitched roofs, and discourage flat, mansard, curved and domed roofs.
• Match roof colors with the darkest colors in the adjacent landscape.
• Encourage reuse, renovation, and/or modification of existing buildings.

Accessory Structures
• Screen mechanical appurtenances, service and storage areas and trash receptacles from public view.
• Utilize the same or similar building materials (forms, colors and textures) for main and accessory structures.
• Mitigate visibility of accessory structures with fences, walls and/or landscaping.

SECTION 5-10: SPECIAL USES

5-1002 Standards for All Special Uses and Other Uses Requiring One-Step and Two-Step Review
All Uses requiring One-Step and Two-Step Review shall comply with the standards in this section.

5-1002 A. Consistency with Master Plan, Land Use Policies, Zone District and Neighborhood

The Uses to be reviewed shall be:

I. Consistent with the County Master Plan;
II. Consistent with County Land Use Policies in Article 2;
III. Consistent with the purpose of the Zone District in which it is proposed to be located;
IV. Consistent with and Compatible with the Character of the Neighborhood of the Parcel proposed for Development and surrounding land Uses, and may enhance the mixture of complementary Uses and activities in the Neighborhood of the Parcel proposed for Development;
V. Necessary for public convenience at the proposed location; and
VI. Designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
5-1002 B. Impacts on Surrounding Area

Compatibility with the Character of Parcels adjacent to the Parcel shall be expressed in terms of appearance, scale and features, Site design, landscaping, as well as, the control and Minimization of adverse Impacts including Noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, Impacts on pedestrian and traffic congestion, parking, trash, service delivery, or other undesirable or hazardous conditions.

5-1002 C. Public Facilities

Adequate public facilities and services shall exist or shall be provided to serve any reviewable Use including, but not limited to, roads, potable water, sewer, solid waste, parks, police, fire protection, emergency medical, hospital and medical, drainage system and schools.

5-1002 D. Bond Requirement

A bond may be required, as a condition of any reviewable Use permit as deemed necessary by the Board of Commissioners or the Planning Commission, sufficient to cover the cost of Site remediation and/or satisfaction of the other conditions and requirements.

5-1002 E. The following must be addressed as part of any application:

I. A Site plan including:
   a. Ownership, Use and zoning of all adjacent Parcels;
   b. Driveways, streets and right-of-way, Access ways, including points of ingress, egress, parking plan;
   c. Easements;
   d. Location and dimensions of Structures and Signs;
   e. Typical elevations/Heights of such Buildings;
   f. Landscaping;
   g. Topography; and
   h. Specific areas proposed for specific types of land Use/the identification of specific land Uses;
   i. Information regarding the function and characteristics of any Building or Use proposed, including: days and hours of operation, number of employees, number of students, number of rooms for rent, etc., as applicable;

II. Lighting plan;
III. Signs – all Signs must meet Section 5-704 standards;
IV. Water/sewer plan – must meet state standards and may include verification of a commercial well permit;
V. Drainage plan;
VI. Grading plan;
VII. Dust control plan;
VIII. Detailed engineered plans and specifications by a registered Colorado Professional Engineer as requested by staff or Referral Agents;
IX. Weed control plan that must include use of weed free hay or straw;
X. Fencing Plan; and
XI. Additional permits as necessary from other agencies.

5-1002 F. Review of Approved Special Uses

I. All approved Special Uses subject to either one-step Planning Commission or Board of County Commissioner review or two-step Special Permit Review shall
commence within three (3) years of the date of approval. If the owner has not obtained a Development Permit for the approved Special Use and/or commenced the approved use or activity, in accordance with the terms and conditions of the approval, within this three (3) year time period, the Special Use shall be subject to review at a duly noticed Public Hearing by the entity that approved the Special Use. The purpose of this review is to determine if there has been a change in circumstances since the Special Use Permit was granted and to determine if the Special Use meets or complies with the review standards for Special Uses set forth in Land Use Code Section 5-1002 A. Standards for all Special Uses and Section 5-1002 B. Impacts on Surrounding Area.

Upon or prior to the expiration of the three (3) year period, the owner/applicant may provide a written statement withdrawing the Special Use application and requesting the Special Use approval be terminated. If upon expiration of the three (3) year period the owner/applicant does not provide a written statement withdrawing the application the matter shall be noticed and scheduled for Public Hearing by the County. The applicant is encouraged to provide a written statement, prior to the Public Hearing, indicating why the approved Special Use has not been permitted and/or commenced, identifying any changes that may have occurred in the surrounding land uses and explaining how the proposed Special Use meets the review standards in Land Use Code Sections 5-1002 A. and 5-1002 B.

Review of an approved Special Use shall be conducted in accordance with the applicable provisions of Article 3 Procedures for one-step reviews and shall include posting and sending written notice of the Public Hearing for review of the Special Use to adjacent property owners.

The Planning Commission and/or Board of County Commissioners in reviewing the Special Use Permit, at a duly noticed Public Hearing, may extend the Special Use Permit approval, extend the approval subject to modifications or additional conditions, or they may rescind and terminate the approval if a finding is made that the Special Use does not meet the review standards for Special Uses pursuant to Section 5-10 Special Uses.

If any approved Special Use is discontinued or abandoned for twelve (12) consecutive months, then such Special Use shall be subject to review initiated by the County. The procedures and standards for review of discontinued or abandoned Special Uses are the same as those for Review and Approval of Special Uses set forth in Land Use Code Section 5-1002 F. I. If a Special Use is discontinued or abandoned for twelve (12) consecutive months, and the Special Use is re-established or resumed by the owner, the use shall be subject to review in accordance with the provisions of this section and subject to review by either the Planning Commission and/or Board of County Commissioners, at a duly noticed Public Hearing, where the permitting entity may rescind or terminate, recognize and extend the original approval, or extend subject to additional conditions or modifications. The procedures and standards for review of discontinued Special Uses are the same as those for Review of Approved Special Uses set forth in 5- 1002 F. I.

5-1005 Violations

Violation or noncompliance with any Special Use Permit or applicable Land Use Code requirement may result in suspension and/or revocation of the Permit by the Board of County Commissioners (BOCC) following a duly noticed public hearing, held with no less than fifteen (15) days prior written notice to the permittee, upon the BOCC determination that there is competent evidence of such alleged violation or noncompliance.
5-407 Wildlife Habitat Areas

This section establishes land use standards for wildlife habitat areas in addition to the general standards in Section 5-402. The standards apply to areas mapped by the Colorado Parks and Wildlife (CPW) on the County’s adopted Wildlife Resource Information System (C.R.S. 1041 Wildlife maps) and to areas known to be wildlife habitat areas by the Colorado Parks and Wildlife, and areas mapped by the Colorado Natural Heritage Program. Agricultural and Ranching activities are exempt from this Section.

5-407 A. General Standards

The standards in this section apply to all wildlife habitat areas.

I. Residential development shall be clustered to avoid impacting wildlife and their habitat.
II. Removal of vegetation shall be minimized. Vegetation removed shall be promptly replaced with beneficial native browse species.
III. Wildlife food, cover and water shall be preserved and development effects that would destroy these shall be mitigated. Special consideration shall be given to trees and shrubs with high wildlife food value, especially heavy seed, berry and fruit producing species.
IV. The planting of wildlife food species and woody cover along fences shall be encouraged as one way of improving wildlife habitat.
V. Waterholes, springs, seepage, marshes, pond and watering areas shall be preserved.
VI. Known endangered species habitats shall be preserved and all disturbances to those habitats shall be minimized.
VII. Every golden eagle nest site, bald eagle roost site, and all other raptor nest sites shall be protected from the adverse impacts of development within a ½ mile buffer.
VIII. Mesh or woven fences shall be prohibited and are encouraged to be removed.
IX. Fences located within CPW designated mapped wildlife habitat areas are discouraged. Fences in such wildlife habitat areas shall be limited to “wildlife friendly fences” that are in compliance with applicable CPW fencing standards. Wildlife friendly fences are very visible and allow wild animals to easily jump over or slip under the wires or rails. The following regulations shall apply to fencing:
   a. Smooth wire or rounded rail for the top, smooth wire on the bottom;
   b. Fence is limited to 42" in height;
   c. At least 12" between the top two wires or rails;
   d. At least 16" between the bottom wire or rail and the ground;
   e. Posts at minimum 16" intervals;
   f. Gates, drop-downs, removable fence sections or other passages where animals concentrate and cross;
   g. Using a rail, high-visibility wire, flagging or other visual markers for the top.
   h. A zigzagged worm fence (rails stacked alternately on top of one another, with rails interlocked like laced fingers where the ends meet)
should create openings for wildlife to cross by intermittently dropping rails to the ground every 400'; and in swales and at stream crossing for easy wildlife passage.

i. Perimeter fencing of an entire parcel is discouraged.

j. As an exception to "wildlife friendly fencing" dogs shall be kept in an enclosed kennel or small fenced yard adjacent to the residence. The standards or allowance for a small fenced yard or area shall be specified in the county’s revised dog or animal control regulations.

If staff has a question regarding the appropriateness of proposed fencing to be located within a CPW mapped wildlife habitat area the application may be referred to the CPW for comment and recommendation. Any new fencing shall follow the CPW “Fencing with Wildlife in Mind” guidelines available at the CPW website, www.wildlife.state.co.us

X. Residential development shall maintain bear proof storage for garbage disposal for all parcels located in all zone districts.

XI. Development activities, such as Subdivisions, PUDs and Special Use Permits uses may require a Wildlife Impact Assessment prepared by a qualified wildlife biologist or scientist for all mapped wildlife habitat areas or known habitat areas to be submitted with the land use application. The Impact Assessment should include changes, trends and proposed mitigation to be reviewed by the Colorado Parks and Wildlife or other County review staff.

XII. Barking dogs, dogs at large, and stray dogs are not permitted in any unincorporated portion of San Miguel County pursuant to Board of County Commissioner Resolution1982-27 or as may be set forth in the most current Board of County Commissioner Resolution regarding dog or animal control rules and regulations.

XIII. It is illegal for dogs to chase and/or harass wildlife, on public or private property. A Colorado wildlife officer or other peace officer may capture or kill any dog he or she determines to be harassing wildlife, pursuant to C.R.S. §33-6-128.

5-407 C. Deer, Elk and Bighorn Sheep Winter Range

Land uses located in deer, elk or bighorn sheep winter range shall comply with Sections 5-407 A. and 5-407 B.I.-III. and the standard in this section.

Commercial activity and recreational uses requiring County review shall be prohibited from December 1 through April 15, unless an applicant can demonstrate written approval from the Colorado Parks and Wildlife of a site-specific wildlife protection plan. Such plan shall include CPW monitoring provisions and set forth on-site protection, including but not limited to habitat enhancement and habitat protection, including but not limited to control of fencing, noise, lighting and siting of structures, and establishment of routes and means of transportation and hours/days of operation. Permits must be renewed annually. The dates in this section may be modified and permits may be suspended at any time upon CPW recommendation on a case-by-case basis as necessary to protect the health of the herd.