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Debra A Green
Park County Clerk

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
RESOLUTION NO. 2019- 41**

**A RESOLUTION GRANTING A SPECIAL DEVELOPMENT PROJECTS PERMIT
WITH CONDITIONS FOR RETREAT LAND LLC IN PARK COUNTY, COLORADO**

WHEREAS, the Park County Board of County Commissioners ("BOCC"), pursuant to C.R.S. §24-65.1-101 *et seq.*, have designated Special Development Projects as matters of State Interest; and

WHEREAS, the BOCC has adopted guidelines for the regulation of these designated matters of State Interest ("Regulations" or "1041 Water Regulations"); and

WHEREAS, Retreat Land LLC ("Owner") applied for a Special Development Projects Permit for certain project components of the Lone Rock Ranch Conference and Retreat Facility, which project components are more specifically described on the "Retreat at Lone Rock, Bailey, Colorado, Project Map – Overview", prepared by Oz Architecture, dated 08/08/19 attached hereto as Exhibit A and incorporated herein (the "Project"); and

WHEREAS, a public hearing was held on August 8, 2019, in Fairplay, Colorado and the BOCC considered testimony and received evidence regarding the Project; and

WHEREAS, all applicable notice and public hearing requirements have been followed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR PARK COUNTY, COLORADO:

Section 1. Findings. The BOCC finds that the Project, with conditions, will satisfy the Approval Standards and Criteria in Chapter 3, Article 1 and Chapter 3, Article 2, Section 3-202 of the Regulations. The BOCC further finds that the applicant has consented to the conditions of approval.

Section 2. Permit Approval. The BOCC hereby approves the Special Development Projects Permit for the Project, subject to the following conditions:

1. CDPHE Approval. The applicant shall obtain applicable approvals and permits from the Colorado Department of Public Health and Environment including, but not limited to stormwater discharge during construction, water treatment system approval, and lift station application approval. Failure to comply with the terms of any of these permits and approvals is a violation of the 1041 permit.
2. Other County Permits. The Applicant will comply with Park County Development Services regulations and permitting requirements.

3. Noise Control. Noise levels shall not exceed the 80 Dba at a distance of 10 feet from the building the generator is housed in.
4. ACOE Permit. If applicable, the applicant shall provide the County with a copy of the approved ACOE 404 permit required for this Project.
5. Artifacts. If any artifacts are discovered at any time during excavation of this Project excavation will cease until such time the County Historical Preservation Department can inspect, catalog and document any historically recognized artifacts.
6. Revegetation. All ground disturbance shall be revegetated with the seed mix and application rate approved by Park County within 21 days of the completion of grading, except if conditions make revegetation impractical such as when the ground is covered with snow or frozen. Revegetation will not be considered complete until seeded area has reached at least 70% of the vegetation density as compared to adjoining undisturbed areas.
7. Noxious Weed Control. Owner shall minimize the spread of noxious weeds that are currently listed on the State of Colorado's then current list of noxious weeds. The construction activity shall be conducted in a manner that strictly limits the spread of noxious weeds. The Final Plat and plans for site grading, drainage, and/or erosion control shall include the following requirements, which shall be included as plat notes:
 - i. Soil containing noxious weeds or noxious weed seed shall not be removed from or introduced to the construction site.
 - ii. Construction activity shall not disturb noxious weeds while they bear mature seed heads.
 - iii. All earth moving equipment shall be washed clean at a controlled location prior to being moved onto the Property described on this plat (the "Property").
 - iv. All seed, soil, and mulch imported onto the Property shall be free from weed seeds.
 - v. All excavations, placement of fill soil or other ground disturbance shall be revegetated with the seed mix approved by Park County within 21 days of the completion of grading in order to establish desirable vegetative cover and discourage the growth of weeds.
 - vi. Owner shall conduct regular inspections of the property as generally defined by the Property Boundary shown on Exhibit A (the "Property") to identify the introduction of noxious weeds. If noxious weeds appear, Owner shall take action to eliminate the noxious weeds and prevent their spread. Prior to approval of the preliminary plan, the following provisions will be required:
 - a. Excavated soil containing noxious weeds or noxious weed seed shall not be removed from or introduced to the Property.
 - b. On-going weed control shall consist of digging out or spraying

- individual weeds. Spraying or digging shall occur as needed to prevent the spread of weeds.
- c. Noxious weeds shall not be disturbed while they bear mature seed heads.
- vii. Owner shall submit a noxious weed report to Park County annually for the 3 years after construction of the Project.
- viii. Owner shall allow Park County's designee access to the Property to perform an annual inspection.
- ix. The Owner shall cover the County's costs to review the weed reports and perform field inspections. The Owner shall deposit into the Lone Rock Retreat 1041 fund with the County a sum of \$15,000.00 to cover the initial costs of weed report review and field inspection and shall pay such additional amounts as the County requests to cover these costs as shown on proper documentation provided to Retreat Land LLC.
8. Construction Monitoring. Construction monitoring will be performed through on-site visits on a monthly or milestone basis. On-site reviews are anticipated to consist of:
- i. Review of final design for general compliance with contracts, and the design for compliance with the scheduled milestones.
- ii. Review of proposed work plans and quality control procedures.
- iii. Review of work in progress to determine that the Project is proceeding in accordance with the milestone schedule, design, and required mitigation measures.
- iv. Consultation with the owner and contractor in advance of major inspections or important work phases.
- v. An annual report will be submitted to Park County that summarizes completed construction and monitoring.
9. CDOT. CDOT approval of the force main will be provided to Park County.
10. Financing. The Applicant will furnish a cash management account statement indicating initial funding to the County once 1041 permit approval is obtained and prior to water and wastewater system construction.
11. Permit Conditions. All conditions in this Resolution are necessary to and shall be incorporated by reference into the Special Development Permit for the Project.
12. Violation. Any violation of this permit shall be subject to the enforcement and penalty provisions of the Regulations.
13. Modification to Require Approval by County. This permit is limited to the Project, meaning the project components as set forth in the application and supplemental(s) to the application as submitted and described in Exhibit A. Any change to the Project shall first be reviewed and approved by the County so as to be in compliance with the

applicable requirements of the 1041 Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS THAT THE SPECIAL DEVELOPMENT PROJECT PERMIT WITH CONDITIONS FOR RETREAT LAND, LLC IN PARK COUNTY, COLORADO IS APPROVED.

Moved, seconded, and approved this 15th day of August, 2019.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS



Richard Elsner, Chairperson

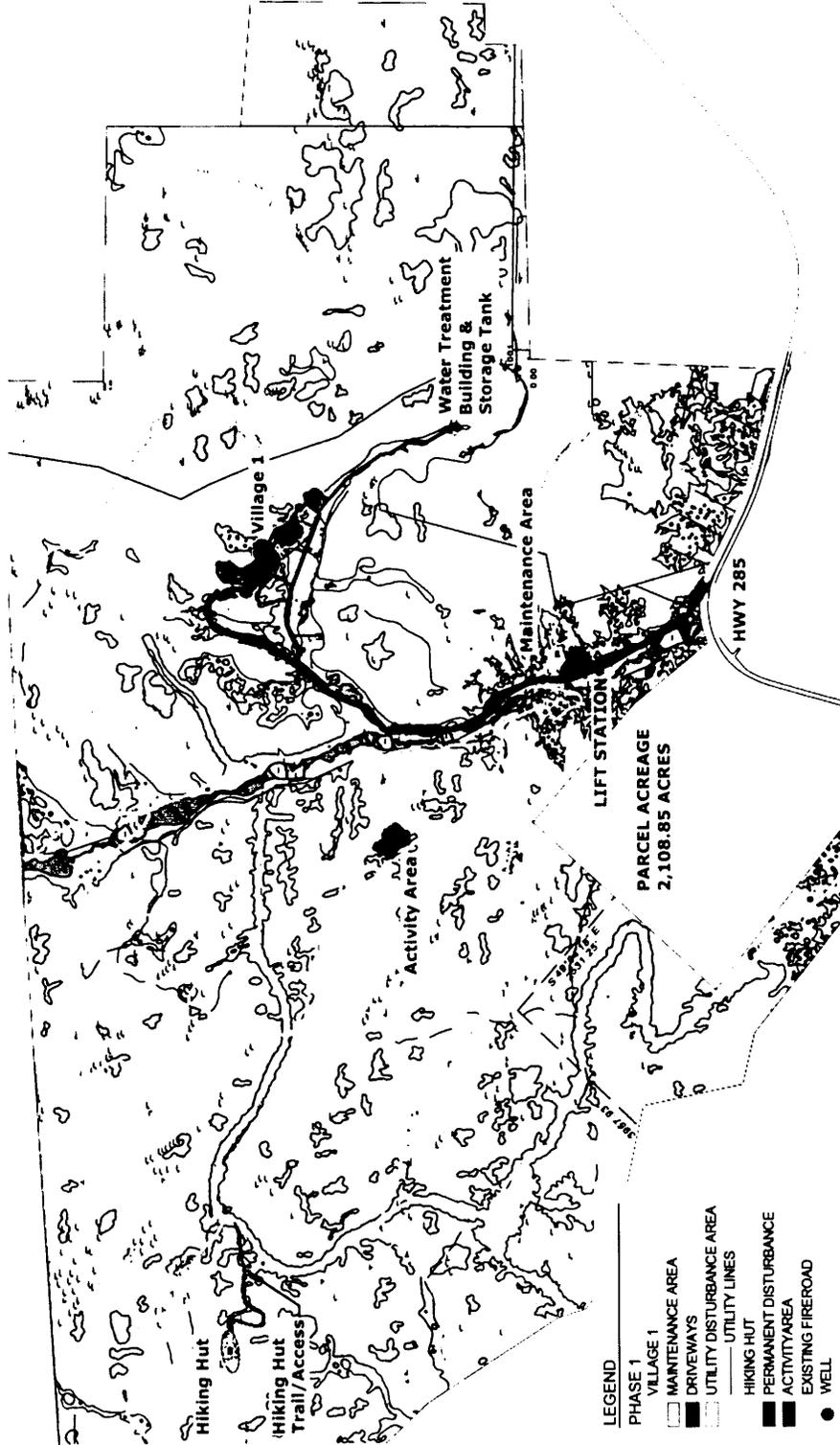
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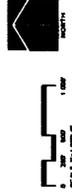
County Clerk



EXHIBIT A
Retreat Land at Lone Rock, Bailey Colorado, Project Map-Overview, prepared by Oz Architecture, dated 08/08/19



AUGUST 8, 2019



RETREAT LAND at LONE ROCK
Bailey, Colorado
PROJECT MAP - OVERVIEW

