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Debra A Green
Park County Clerk

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS
Resolution No. 2019- 53**

A RESOLUTION APPROVING THE REZONING FROM MINING AND RESIDENTIAL TO RECREATIONAL VEHICLE PARK AND CAMPGROUND OF PART OF THE S ½ OF SECTION 12, TOWNSHIP 9 SOUTH, RANGE 78 WEST, COMMONLY KNOWN AND NUMBERED AS 405 COUNTY ROAD 19, ALMA, COLORADO.

WHEREAS, the Applicant, Red Canoe Holdings LLC, has applied to rezone the property described in the attached Exhibit A from Mining and Residential to Recreational Vehicle Park and Campground; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners, preceded by the required public notice, the Board of County Commissioners conducted a public hearing on the application for rezoning at which it reviewed the application and supporting documentation, the recommendations of the Planning Department and the Park County Planning Commission, and considered the testimony of the Applicant and patrons; and

WHEREAS, based on the testimony and evidence presented at the public hearing the Board of County Commissioners determines and finds that compliance with the standards for approval of a rezoning set forth in Section 5-203 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence.

NOW, THEREFORE, BE IT RESOLVED THAT:

The application to rezone the above-described real property from Mining and Residential to Recreational Vehicle Park and Campground is approved with the following conditions:

1. Prior to issuance of any development permits, an engineered drainage, erosion, and sedimentation plan is approved by the Planning Department.
2. Prior to issuance of any development permits, the applicant consults with Colorado Parks and Wildlife regarding the mitigation of any potential human-bear conflicts.
3. Prior to operation of the campground, perimeter fencing consisting of four strands of smooth wire with posts no more than twelve feet apart is completed around the perimeter of the rezoned area. This fencing shall be inspected and repaired as necessary to maintain its integrity. "No Trespassing" signs shall be posted along the fencing.
4. Prior to operation of the campground, the Northwest Fire Protection District shall give written confirmation to the Planning Department that the defensible space around fire pits meets their requirements. All fire pits shall only be gas-fueled.

5. Prior to operation of the campground, the applicant shall acquire all State permits necessary for the operation of the campground's water and wastewater systems.
6. All fire bans and other restrictions on fire use shall be diligently enforced by campground staff.
7. All outdoor trash storage shall be in bear-resistant containers.
8. All outdoor lighting shall comply with County regulations regarding light trespass.
9. The use of generators to provide electric power shall be prohibited between the hours of eight p.m. and eight a.m.
10. The soft surface trail shall be for the use of pedestrians only and no vehicles of any sort shall be permitted on it, except for wheelchairs and similar devices designed to increase the mobility of disabled persons.
11. The discharge of firearms within Red Canoe LLC property shall not be permitted.

Moved, seconded, and passed this 12th day of December, 2019.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS


Richard Elsner, Chairperson

ATTEST:


County Clerk
Debra A Green



Exhibit A

LEGAL DESCRIPTION

All that part of Section 12, Township 9 South, Range 78 West of the 6th Principal Meridian, County of Park, State of Colorado, being more particularly described as follows: Beginning at the Northeast corner of said Section 13 and considering the East line of the Northeast Quarter (NE 1/4) of said Section 13 as bearing South 00°00'00" East with all other bearings contained herein and relative thereto; thence N89°26'28"W continuing along the North line of the Northeast (NE 1/4) of said Section 13, 139.82 feet to a point on the Southeastery Right of Way line of Colorado State Highway No. 9, said point also being the true point of beginning; thence North 89°26'28" West continuing along the said North line of the Northeast Quarter (NE 1/4) of said Section 13, 1054.16 feet to a point on the westerly Right of Way line of Park County Road No. 19; thence continuing northerly along said R.O.W. line for the following four(4) courses, North 33°06'54" West 97.86 feet, North 36°10'46" West 80.58', North 37°22'28" West 122.68 feet, North 40°02'47" W 97.84', thence North 89°26'58"W 1257.65 feet to a point on the North-South Center of Section line of said said Section 12, thence North 00°40'51" West along the north-south center line said Section 12, 357.97 feet to the southeast corner of the northeast quarter of the southeast quarter of the southwest quarter of said Section 12; thence North 88°11'08" West along the south line of the northeast quarter of the southeast quarter of the southwest quarter of said Section 12, 193.20 feet thence North 00°01'11" East, 889.19 feet thence South 82°38'55" East 186.01 feet to the northeast corner of land recorded in Book 112 at Page 282 in the office of the Park County Clerk and Recorder; South 27°48'12" East along the westerly line of said parcel of land, 161.08 feet to the southwest corner of said parcel of land; thence North 55°31'48" East along the south line of said parcel of land, 147.33 feet; thence South 29°43'15" East 405.98 feet; thence North 63°38'52" East, 201.48 feet to a point on the west right-of-way line of Park County Road No. 19; thence North 29°20'05" West continuing along said right-of-way line, 192.15 feet to a point of curvature concave

to the northwest having a central angle of 03°58'46", a radius of 3518.99 feet, and a chord which bears North 28°20'14" West, 244.26 feet, thence continuing along said curve and along said right-of-way 244.42 feet, thence North 33°58'50" West along the easterly line of said parcel of land 80.12 feet, to a point on the southeastery line of a parcel of land recorded in Book 112 at Page 282 in the office of the Park County Clerk and Recorder; thence North 55°31'48" East along the southeastery line of said parcel of land, 18.00 feet to the northwest corner of a parcel of land recorded in Book 122 at Page 480 in the office of the Park County Clerk and Recorder; thence South 32°01'12" East along the westerly line of said parcel of land, 158.00 feet; thence North 24°06'47" West along the easterly line of said parcel of land, 180.45 feet to the northeast corner of said parcel of land, said point also being the southeast corner of a parcel of land recorded in Book 112 at Page 282 in the office of the Park County Clerk and Recorder; thence North 27°48'12" West along the easterly line of said parcel of land, 100.58 feet to the northeast corner of said parcel of land, said point also being a point on the westerly right-of-way line of Park County Road No. 19; thence North 33°57'47" West continuing along said right-of-way line, 214.00 feet to a point on the southwestery right-of-way line of Colorado State Highway 9; thence South 48°31'03" East continuing along said right-of-way line, 411.98 feet; thence North 40°28'57" East continuing along said right-of-way line, 70.00 feet; thence South 48°10'19" East continuing along said right-of-way line, 532.56 feet to the northeast corner of a parcel of land recorded in Book 512 at Page 846 in the office of the Park County Clerk and Recorder; thence continuing along said parcel of land the following eight (8) courses and distances:
 South 40°48'44" West, 175.30 feet;
 South 48°10'16" East, 200.00 feet;
 South 0°48'29" West, 79.41 feet;
 South 12°02'31" West, 103.83 feet;
 South 57°45'29" East, 50.57 feet;
 South 62°30'13" East, 51.38 feet;
 South 83°01'08" East, 103.38 feet;
 North 40°48'44" East, 282.40 feet to a point on the southwestery right-of-way line of Colorado State Highway 9; thence South 48°10'19" East continuing along said right-of-way, 1042.78 feet to a point of curvature concave to the southwest having a central angle of 05°51'32", a radius of 5680.88 feet, and a chord which bears South 46°14'33" East, 580.68 feet; thence continuing along said curve and along said right-of-way, 580.92 feet to a point on the south line of the southeast quarter of said Section 12; said point also being the True Point of Beginning. Containing 50.22 Acres, more or less, but is subject to any right-of-way or other encumbrances or reserved by instruments of record or as now existing on said described parcel of land.