

3 pg

730988

730988
1 of 3

12/8/2016 10:31 AM
RESOL R\$0.00 DS0.00

Debra A Green
Park County Clerk

No fee

**PARK COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

Resolution No. 2016-60

A RESOLUTION CONDITIONALLY APPROVING THE APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR RECREATIONAL FACILITY AT PROPERTY LOCATED IN THE NORTH ½ OF THE SOUTHEAST ¼ OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 72 WEST, COMMONLY KNOWN AND NUMBERED AS 60117 HIGHWAY 285.

WHEREAS, the Applicant/Owner, Bailey Treetop Ventures, LLC, has applied for a conditional use permit ("CUP") to allow an outdoor recreation facility on the property described in Exhibit A hereto; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners ("BOCC"), the BOCC reviewed the application and all supporting documentation, the recommendations of the Planning Commission, the Planning Department, the County Attorney, and the testimony of the Applicant and patrons; and

WHEREAS, during said public meeting, the BOCC found that the application for the CUP meets the criteria for issuance of a conditional use permit as set forth in Section 5-503 of the Park County Land Use Regulations.

NOW THEREFORE, BE IT RESOLVED THAT THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY APPROVES THE APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW AN OUTDOOR RECREATION FACILITY ON THE ABOVE-DESCRIBED PROPERTY, SUBJECT TO THE FOLLOWING CONDITIONS.

1. Development of any structures other than poles within the water course setback will require a variance.
2. The applicant shall submit a state application to the State of Colorado's Division of Oil and Public Safety, Amusement rides and Devices Program, to register the aerial park. Evidence of completed registration will be required prior to opening the park to the public.
3. The applicant and his successors shall maintain and keep active all certifications and registrations with the Colorado Department of Labor and Employment, Division of Oil and Public Safety. Copies shall be available on site.
4. The applicant shall retain a third-party plans examiner to review and approve the construction plans for each platform, challenge, and zip line, and all

building plans will need to be engineered and stamped by a Colorado licensed engineer.

5. The applicant shall retain a third-party inspector to investigate the safety of the construction of each platform, obstacle, challenge, or zip line prior to the park opening to the public. The inspector shall be certified or licensed with the State of Colorado as capable of inspecting aerial parks of challenge courses.
6. Liability insurance must be submitted to both the state and County of an amount not less than \$1 million per occurrence for Class B amusement rides insuring the owner or operator against liability for injury to persons arising out of the use of the amusement ride or device. The insurance policy shall be maintained and, if the insurance lapses, the applicant's CUP may be revoked.
7. Quarterly safety reports will be submitted to the County for the first three years of operation. This report will be due within one month from the end of each quarter. An annual safety report will be required for each year after (starting in the 4th year) due by February 1st of that year.
8. All platforms and towers that are over 40 feet in height are subject to obtaining a height variance from the Park County board of Adjustment.
9. Temporary sanitation facilities may only be used for up to one year from approval, after which permanent facilities will be required.
10. Hours of operation for the aerial park shall be limited to sunrise to sunset to mitigate the potential negative impacts from noise and traffic to the surrounding properties.
11. Signage for the aerial park will need to follow the County's standards for signage in the Commercial zone district.

Moved, seconded, and passed this 8th day of December, 2016.

PARK COUNTY BOARD OF COUNTY COMMISSIONERS



Mike Brazell, Chairperson

ATTEST:


Park County Clerk & Recorder
Deputy

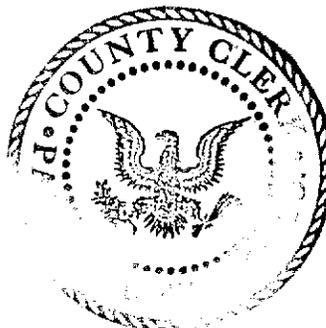


Exhibit A

Part of the N1/2 SE1/4 of Section 30
Township 7 South, Range 72 West of the 6th P.M., described as follows:

Beginning at a point on the North line of said SE ¼ whence the East one-quarter corner of said Section 30 bears North 88 degrees East, 599.07 feet;
thence South 88 degrees West, along said North line, 1160.00 feet;
thence South 1 degree 6 feet West, 385.6 feet to a point on the North right of way line of U.S. Highway No. 285;
thence Easterly along and conforming to said right of way line, 1093.65 feet, more or less, a point whence the Point of beginning bears North 8 degrees 45 feet East;
thence North 8 degrees 45 feet East, 490.53 feet to the Point of Beginning,

County of Park, State of Colorado.

Also known by street address as: 60117 Highway 285, Bailey, CO 80421