

RESOLUTION NO. 2013-032

**A RESOLUTION OF THE
BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO
TO APPROVE THE APPLICATION FOR RENEWAL OF AND AMENDMENT TO
THE SPECIAL USE PERMIT FOR TOP OF THE PINES, INC.**

WHEREAS, Top of the Pines, Inc. (TOP), operating under a Management Agreement with Ouray County to operate the a parcel of land owned by Ouray County known as Top of the Pines, former Girl Scout Camp, filed an application for an amendment to their Special Use Permit, approved in 2002, to allow the operation of an "outdoor education/recreation camp" at 1035 Highland Drive, Ridgway, Colorado; and

WHEREAS, the special use permit for TOP and the Management Agreement and Resolution approving the Management Agreement provide for annual review of the TOP special use permit and Management Agreement; and

WHEREAS, TOP requested a modification to provisions numbers 4 and 9 of the terms and conditions of the special use permit, the Management Agreement and Resolution to permit the sale and consumption of alcohol on the property on a limited basis, and to permit the use of bicycles on trails by groups utilizing the facilities; and

WHEREAS, as required by Section 5.4C of the Ouray County Land Use Code, notification to adjacent property owners was mailed and notice of the pending Special Use Permit application amendment was posted at the subject location and notice of the proposed amendments was published in the *Ouray County Plaindealer* at least fourteen (14) days in advance of the scheduled public hearing and action by the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners conducted a public hearing to review the subject Application at its regularly scheduled and properly noticed meeting on September 10, 2013; and

WHEREAS, the Board heard statements from Staff and representatives of TOP; and

WHEREAS, the Board received and considered written and oral public comment.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF OURAY COUNTY, COLORADO, THAT THE APPLICATION TO AMEND THE SPECIAL USE PERMIT IS APPROVED AS FOLLOWS:

A. The terms and conditions of the Special Use Permit are amended as follows:

4. The sale and/or consumption of alcohol by adult groups or organizations may be permitted at the Top of the Pines with the advance written approval of the Top of the Pines Board of Directors and shall be indicated on the use permits issued to such groups or organizations. However, the use of glass containers shall not be permitted anywhere on the Property except at the pavilion. All sales and consumption of alcohol on the property shall be in accordance with state and local laws.
9. No ATVs, OHVs or other off-road motorized vehicles shall be used or operated in any manner on the Property except as may be necessary for construction or maintenance activities. Trail use of bicycles by groups or organizations may be permitted with the advance written approval of the Top of the Pines Board of Directors and shall be indicated on the use permits issued to such groups or organizations; and

B. The Management Agreement shall be amended to incorporate these revisions and to address limitations on outdoor fires on the property.

APPROVED AND ADOPTED THIS 24th DAY OF SEPTEMBER, 2013.

Voting for: Commissioners Fedel, Padgett and Batchelder
Voting against: None

**BOARD OF COUNTY COMMISSIONERS OF
OURAY COUNTY, COLORADO**



Linda N. Haley
Michelle Nauer, Clerk and Recorder
By: Linda Munson-Haley, Deputy Clerk of the Board

F. Mike Fedel

F. Mike Fedel, Chair

Lynn M. Padgett

Lynn M. Padgett, Vice-Chair

Den Batchelder

Den Batchelder, Member