



SAN MIGUEL COUNTY PLANNING COMMISSION

PLANNING COMMISSION MEETING AGENDA THURSDAY, SEPTEMBER 9, 2021 – 9:00 AM

MEETING INFORMATION - This meeting will be held online due to the COVID-19 virus. To join the meeting: <https://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply)

1. 9:00 AM CALL TO ORDER.

2. APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS

Approval of minutes August 19, 2021
[pc.8.19.minutes final.pdf](#)

3. 9:15 AM PUBLIC HEARING: REVIEW OF LAND USE APPLICATION

- Applicant: Steve Snyder, Snyder Ranches LLC; Outlaw Automotive and Fabrication
- Location: 38764 State Highway 145
- Parcel size: 2.58-acre (Parcel #429517300003)
- Zone District: Wright's Mesa (WM)
- Proposal: Special Use Permit to establish Automotive Repair Service Shop.

MOTION

[3 CPC Packet Snyder Auto Shop SUP 9.9.21 \(1\).pdf](#)

4. LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION

Amending San Miguel County Land Use Code Section 1-10, County Planning Office, regarding Written Interpretations. **MOTION**
[5 CPC Packet Written Interpretation LUC Amendment 090921 \(1\).pdf](#)

5. LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION:

Amending San Miguel County Land Use Code Section 5-319 K., Wright's Mesa Definitions, "Material Recovery Facility (MRF) to include composting **MOTION**
[4 CPC Packet Wright's Mesa Definition 090921 \(1\).pdf](#)

6. WORKSESSION:

Discussion of Affordable Housing

7. ADJOURN

NOTE: All times are approximate; items may begin earlier (except public hearings) or later than scheduled. For more information contact Planning Department at (970) 728-3083.

If special accommodations are necessary per ADA, contact 970-728-3174, via email bocc@sanmiguelcountyco.gov prior to the meeting.

The official, designate posting place for all meeting notices will be online at <https://www.sanmiguelcountyco.gov/liveagenda>. Use this link to view the live agenda with any last-minute changes. To be automatically notified, please sign up at www.sanmiguelcountyco.gov, sign up for alerts, and follow the prompts.



AGENDA ITEM

TITLE:

Approval of minutes August 19, 2021

Presented by:

Time needed:

PREPARED BY:

Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

[pc.8.19.minutes final.pdf](#)

Description:

**SAN MIGUEL COUNTY PLANNING COMMISSION
MINUTES – REGULAR MEETING**

August 19, 2021

Meeting at Norwood Library

Present: Lee Taylor, Chair
M.J. Schillaci, Secretary
Josselin Lifton-Zoline, Member
Matthew Bayma, Sr. Alternate
Tobin Brown, Jr. Alternate

Absent: Pamela Hall, Vice-chair
Ian Bald, Member

Planning Staff Present: Kaye Simonson, Planning Director
John Huebner, Senior Planner
Troy Hangen, Senior Planner

County Staff Present: Matt Gonzales, Building Official
Amy Markwell, County Attorney
Nancy Hrupcin, Legal Assistant, County Attorney's Office

9:15 AM Site Visit: 7239 County Road 44 ZS, SUP Hunting Lodge

10:15 AM Site Visit: 272 County Road 43 ZS, SUP Warehousing, Affordable Housing

11:00 a.m. Called to Order

PUBLIC HEARING: REVIEW OF LAND USE APPLICATION

Applicant: Jim & Alice Fae Young, Therin Pace

Location: 272 County Road 43 ZS

Parcel size: 3.2 acre (Parcel 429526200010)

Zone District: Heavy Commercial (HC)

Proposal: Amendment to Special Use Permit to establish Warehousing and Affordable Housing for persons employed on site.

Those who addressed the commission:

Jim & Alice Fae Young, Applicant

Jenny Russell, Attorney representing Parker & Dellis

Therin Pace, Applicant

George Parker, neighbor

Tina Dellis, neighbor

Kaye Simonson, Planning Director, presented the land use application submitted by Therin Pace and Jim & Alice Fae Young. On December 10, 2020, a complaint was filed regarding possible zoning violations at 272 and 350 County Road 43ZS, Norwood. The property has Special Use

Permits (SUP) for an auto repair shop, impound yard and contractor shop. On March 25, 2021 the Planning Director and Building Official conducted a site visit and on April 9, 2021, a letter was issued to Therin Pace, business owner/tenant, and Jim Young, property owner identifying areas that needed to be addressed. Specifically, the number of cars stored on the site exceed that allowed by the current SUP; the impound use is no longer occurring; unpermitted warehousing is occurring on site within cargo containers; and there are unpermitted residential uses on the property, in a mobile home on site, in an apartment in the building at the southeast corner of the lot, and in an RV parked on site. The key violations for this property are the number of vehicles parked on site in excess of the number allowed by CPC Resolutions No. 1997-10 and 2004-08; use of the property for warehousing without a special use permit; and the residential uses occurring on the property without a special use permit, development permit or building permit.

In response, an application was submitted by the applicants requesting amendments to the existing SUPs to increase the number of vehicles allowed to be parked on the site, a request to keep the vehicle impound and storage use, to retain the construction shop and yard use, and to add “Warehousing” as an allowed use on the site. Also, to allow the mobile home, which was placed on the site in the late 90s but not permitted, and to authorize the existing apartment in the south end of Building C, which is classified by Planning as a legally non-conforming structure. It was constructed with permits and met the setback requirements in place at the time it was built. There is no evidence that building permits or a certificate of occupancy were issued for the apartment.

The number of vehicles and the duration of their stay should be limited. Based on all the activities occurring on the site, staff does not believe the site can accommodate additional vehicles. Vehicle storage should not exceed 30 days and vehicles should be currently registered and have an active work order.

The impound business is no longer active. If a use is abandoned for 12 months it is no longer valid.

With the unauthorized use of shipping containers, the use of site is near capacity. The storage containers cannot be placed within the minimum setbacks allowed by zoning regulations; they are considered buildings by the Land Use Code. All storage containers should be placed outside of the setbacks at least 50 feet from the property lines. The commission asked if there was some flexibility in regards to the parking of customer and employee vehicles in the setbacks.

The apartment within Building C, is classified as a legally non-conforming structure as it was constructed without permits when it was built. There is no evidence building permits or a certificate of occupancy were issued for the apartment. If the Planning Commission approves the use, the applicant will need to obtain all necessary plumbing, electrical and building permits, as well as verify the size and condition of the Onsite Wastewater Treatment System (OWTS). The apartment shall only be occupied with employees that work on site.

Staff believes the condition of the mobile home building is not habitable. Consideration of the mobile home use was not included in the application because it does not meet setback

requirements; approval of the use of the mobile home would also require approval of a setback variance from the Board of Adjustment. No application has been submitted.

11:51 a.m. Recessed

11:56 a.m. Reconvened

Jim and Alice Fae Young and Therin Pace questioned staff and the commission regarding the original resolutions, OWTS requirements, and the use of the setback area.

12:14 p.m. Public Comment opened.

Jenny Russell, attorney for neighbors George Parker and Tina Dellis, stated on their behalf that they do not object to the proposed zoning or the SUP. They are concerned with the significant number of violations involving law enforcement that has inhibited their enjoyment of their property. There is also concern about the location of the OWTS. It was expressed that if the apartment is approved that there be proof (a W-2) required that the person occupying the space is actually an employee. Also, the shipping containers are located right up against the fence. She stated that the 50 foot setback would protect her client. They also requested that fencing be required on the south & east sides of property to prevent trash from blowing onto their property.

Tina Dellis and George Parker expressed these numerous violations inhibit their use and enjoyment of their property.

12:37 p.m. Public Comment closed.

The Commission asked whose responsibility is the fence. Staff stated it is the applicant's responsibility. They inquired about the size of the apartment and if it is County Deed Restricted.

Staff added that the occupants have vacated the RV campers on site; it is not zoned for a campground. There are two long term classes of work, impound and car restoration business. Also, the outdoor vehicle storage is not a use by right.

The Commission commented that there is clean-up needed on site; the applicant needs to reduce the numbers of cars and the storage containers are placed haphazardly and in the setback. The Commission concluded that due to multiple reasons (in the setback, unlivable, OWTS) the mobile home must be removed. The number of vehicles allowed on site, twenty four (24) does not include employees commuter vehicles.

MOTION by Josselin Lifton-Zoline to approve the amendment to the Foreign Cars Special Use Permit, and adopt Resolution No 2021-05, retaining the auto repair business, retaining the contractor's yard and shop, retaining the impound business, adding warehousing as a new use, and adding a residential use that shall be affordable housing for persons employed on the site, based on the finding that the proposed SUP amendment meets the standards of LUC Section 5-308 B, Heavy Commercial, and of 5-1002, Special Uses, with the following conditions *as amended during today's meeting*:

1. All written representations of the applicant, in the original submittal and all supplements, letters and emails, are deemed to be conditions of approval, except to the extent modified by this Motion.
2. This Resolution shall replace all prior SUP resolutions in their entirety, including CPC Resolution No. 1997-10 and CPC Resolution No. 2004-10.
3. Erect an opaque fence to screen the property that is at least 6 feet high along the south ~~and east~~ property lines ~~and extending north along the east property line for a distance of at least 75 feet.~~ The Planning Director may waive this condition if the final settlement with the neighbor otherwise addresses screening.
4. The maximum number of vehicles parked outside for the automotive repair use shall be limited to **twenty four (24)** ~~ten (10). Only short term customer parking and employee vehicles shall be parked on the west side of the building.~~ All vehicles shall have current registration *or work order* and shall not be on the property for more than thirty (30) days, **per LUC Section 5-308 B.XII.j. Vehicles stored in buildings or containers are not subject to these limits.**
5. ***The impound use is no longer active and shall not be reestablished unless and until a Special Use review is conducted pursuant to the requirements of the Land Use Code.*** ~~The applicant shall notify the Planning Department at least thirty (30) days prior to resuming any impound activities and storage. Planning staff shall verify that there is adequate room to park impounded vehicles. The maximum number of vehicles that may be stored for the impound use, if that use is active, shall be limited to twenty (20) vehicles and up to four (4) tow trucks. No impounded vehicle shall be stored for a period of more than fourteen (14) days. There shall be no vehicles associated with the impound use on the property if the impound business is not active except the tow trucks owned by the applicant.~~
6. All stored vehicles (those not being actively repaired ~~or impounded~~ and/or allowed to be stored outside per the above conditions) shall be located inside buildings or containers.
7. There shall be no more than twenty (20) cargo/storage containers on the site.
8. No storage containers, ~~equipment, vehicles or other materials~~ shall be placed, parked or located in the fifty-foot (50') setbacks.
9. Obtain all necessary inspections for the apartment. If a Certificate of Occupancy or Final Inspection is not obtained within ninety (90) days of the date of this approval, the apartment and all plumbing and wiring associated with the kitchen and bathroom shall be removed and approval of the affordable housing use shall be void. The Planning Director and Building Official may grant an extension and allow more time to meet this condition, provided the applicant is working diligently to complete all work and obtain all inspections.

10. The apartment shall only be occupied by person employed on the site. ***There shall be no more than four (4) people residing in the apartment. The name(s) of the tenants(s) and their position(s) of employment within the SUP shall be provided to the Planning Department no later than January 31 of each year.***
11. Provide documentation from an engineer regarding the size, location, and condition of the Onsite Wastewater Treatment System(s) (OWTS) within ninety (90) days of this approval. The engineer shall demonstrate to the satisfaction of the San Miguel County Site Inspector that the OWTS is adequate and functioning and will meet all needs for the site. The Site Inspector may require any modifications to the system(s) deemed necessary for the public health and safety.
12. Comply with all requirements of the Norwood Water District. Within ninety (90) days of this approval, provide San Miguel County Planning Department with verification from the District that their requirements have been met.
13. Vegetation and weeds shall be controlled. The site shall be kept clear of trash and debris and maintained in a clean and orderly condition.
14. The open shed along the east property line shall be removed. Alternately, the applicant and owner may apply for and obtain all necessary permits (development permit, building permit). A complete application shall be submitted within thirty (30) days of this SUP approval. If the open shed is proposed to be retained in its existing location within the setback, the applicant must apply for and receive approval from the Board of Adjustment for a variance to the rear yard setback. Nothing in this SP approval provides any guarantee that the variance or subsequent permits will be granted. If the applicant fails to obtain all necessary approvals and permits within six (6) months of the date of this approval, the open shed shall be removed.
15. ~~The mobile home shall be removed. Alternately, the applicant and owner may apply for and obtain all necessary permit (Special Use Permit, setback variance, development permit, building permit). A complete application shall be submitted within forty five (45) days of this SUP approval. If the mobile home is proposed to be retained in its existing location within the setback the applicant must apply for and receive approval from the Board of Adjustment for a variance to the rear yard setback. Nothing in this SUP approval provides any guarantee that th variance or subsequent permits will be granted. If the applicant fails to obtain all necessary approvals and permits within six (6) months of the date of this approval, the mobile home shall be removed.~~
16. There shall be an annual review one (1) year after the date of approval of this SUP amendment (August 2022). Prior to the annual review by the Planning Commission, notice will be provided to the neighbors and individuals who have commented on this SP application. The CPC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future.

SECONDED by Tobin Brown. **VOTE PASSED 5-0.**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	<u>Aye</u>	Nay	Abstain	<u>Absent</u>
Ian Bald	<u>Aye</u>	Nay	Abstain	<u>Absent</u>
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	Absent

2:07 p.m. Recess

2:17 p.m. Reconvened

PUBLIC HEARING: REVIEW OF LAND USE APPLICATION

Applicant: John T Howe, Representative; Jan Scharf, T.L Bar Ranch Partnership

Location: 7239 County Road 44ZS

Parcel size: 75 –acre (Parcel #452735300102)

Zone District: Wrights Mesa (WM)

Proposal: Special Use Permit to establish seasonal Hunting Lodge

Those who addressed the commission:

John T. Howe, Attorney for the applicant

Jan & Jerry Scharf, TL Bar Ranch applicant

Alex Sokolik, neighbor

Abby & Tyrell Thompson, neighbors

John Huebner, Senior Planner, presented the TL Bar Ranch Partnership application for a Hunting Lodge Special Use Permit to house hunters from their hunting operation on their property for approximately four (4) weeks during the hunting season. There will be a maximum of 11 hunters and 8 staff and guides this year hosted in 10 recreational vehicles (“RVs”) that will be located on the property. All meals will be provided, and the residence’s kitchen and dining room will be utilized to prepare and serve meals to hunters and employees. The ten RVs will be sited in a fenced area that was originally designed as an outdoor horse arena. Electrical service is provided to the RVs. Parking for customers and hunting vehicles is also planned in the arena. The property’s existing well is permitted for fire protection, up to three residences, lawn and livestock. It currently serves the existing residence. A commercial onsite wastewater treatment system (OWTS) is proposed to be installed near the arena to serve the RVs. Potable water is planned to be provided to the lodgers from an existing onsite well and from water hauled to the site. The applicant is required to treat the water prior to use in the RVs and kitchen for meal preparation and drinking to insure it meets commercial standards.

All customers’ guns are to be stored in the RV’s each night. No hunting or shooting will occur on the Property. All hunting will take place on other private property owned by the applicant.

Comments from neighbor Jay Scott were received after the packet was distributed. His concerns were addressed by staff prior to the meeting so he did not attend the meeting.

Staff recommend approval as all condition have been met.

The Commission asked if applicant has obtained permission for water from the Town of Norwood as they want to minimize any drawdown from the existing well. A water card has been obtained from the town and they can also haul water from Montrose County. It was commented that no dogs are allowed and that there would be only field dressing on site. Processing would be sent out.

The OWTS will be sized to meet the maximum number of hunters and staff. It was asked if the SUP will run with the land. This SUP will be tied to the actual owners of the property and not run with the land.

John Howe stated on behalf of the applicant stated that the proposed hunting lodge use is low impact, seasonal, with no hunting on the specific property. The applicant is also looking to possibly convert the residential well to a commercial well.

Some comments were received concerning the impact to the water table. With the leach field 90-95% of the water goes back into the system minimizing impacts.

2:56 p.m. Public Comment opened.

Alex Sokolik, neighboring property owner stated concerns regarding water, that commercial status brings more crime, and he would like the property to stay residential only. He is happy there is no gun range on site.

The Commission added that part of the business plan is to mitigate the water issues.

Tyrell & Abby Thompson commented that the gallons of water usage proposed is not even close to agricultural water use. This project will bring more revenue to town. Jan and Jerry are not part of the Gurley HOA and have taken the HOA comments into consideration.

Patti Grafmyer, on behalf of the Water Commission stated that there will be economic benefits to the town and that applicant is able to have a card for the water dock.

3:13 p.m. Public Comment closed.

The Commission asked about adding a condition not to site and fire weapons. Kaye Simonson said we do not have county shooting zones. Lee Taylor asked if that is enforceable.

The Commission commented that the applicant has a good reputation and history in San Miguel County and there are no issues with the application.

MOTION by Toby Brown to approve the Special Use Permit (SUP) to the TL Bar Ranch to operate a seasonal Hunting Lodge at 7239 CR 44Z S as presented, and to adopt the corresponding Resolution No. 2021-06 based on the finding that the proposed use complies with the standards of Land Use Code (LUC) Section 5-319 Wrights Mesa (WM) Zone District Purpose, LUC Section 5-319 K Review Standards for all WM Zond District Special Uses, LUC Section 5-407 A, C Wildlife Habitat Areas – Elk Winter Range, LUC Section 5-605 Water

Supply, LUC Section 5-10 Special Uses, and is consistent with policies in LUC Section 2-16 Wildlife Protection; and the County Master Plan, with the following conditions:

1. The Applicant shall apply for and obtain a San Miguel County Development Permit prior to making any site improvements.
2. The Applicant shall apply for and obtain a San Miguel County Onsite Wastewater Treatment System (OWTS) Permit for the proposed OWTS to service the RVs for hunters and staff.
3. Approval for the use of a cistern for water storage for RVs shall be obtained from the Board of County Commissioners.
4. Treatment of drinking water that meets CDPHE or County Public Health standards is required.
5. A lighting plan shall be submitted. All lighting shall be directed down and meet the requirements of LUC Section 5-710.
6. Trash and recycling shall be located within wildlife resistant containers or enclosures.
7. A sign permit shall be obtained prior to placing any commercial sign.
8. The use of the site shall be limited to the areas shown on the site plan. There shall be no further development without County Planning approval.
9. All written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this Motion.

SECONDED By Matthew Bayma *with the additional conditions that the applicant will comply with OHV rules and the SUP runs with the applicants only.*

AMENDMENT TO MOTION by Brown and Bayma ACCEPTED.

VOTE PASSED 5-0

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	Aye	Nay	Abstain	<u>Absent</u>
Ian Bald	Aye	Nay	Abstain	<u>Absent</u>
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	Absent

APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS:
MOTION by MJ Schillaci to approve the July 8, 2021 Planning Commission minutes as presented.

SECONDED By Josselin Lifton-Zoline **VOTE PASSED 5-0**

Lee Taylor	<u>Aye</u>	Nay	Abstain	Absent
Pamela Hall	Aye	Nay	Abstain	<u>Absent</u>
Ian Bald	Aye	Nay	Abstain	<u>Absent</u>
M.J. Schillaci	<u>Aye</u>	Nay	Abstain	Absent
Josselin Lifton-Zoline	<u>Aye</u>	Nay	Abstain	Absent
Matthew Bayma	<u>Aye</u>	Nay	Abstain	Absent
Tobin Brown	<u>Aye</u>	Nay	Abstain	Absent

3:28 p.m. Meeting ADJOURNED.

Respectfully Submitted,

Nancy Hrupcin, Legal Assistant, County Attorney

Approved on _____, 2021.

SAN MIGUEL COUNTY PLANNING COMMISSION

M.J. Schillaci, Secretary

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AGENDA ITEM

TITLE:

- Applicant: Steve Snyder, Snyder Ranches LLC; Outlaw Automotive and Fabrication
- Location: 38764 State Highway 145
- Parcel size: 2.58-acre (Parcel #429517300003)
- Zone District: Wright's Mesa (WM)
- Proposal: Special Use Permit to establish Automotive Repair Service Shop. **MOTION**

Presented by:

Time needed:

PREPARED BY:

Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

[3 CPC Packet Snyder Auto Shop SUP 9.9.21 \(1\).pdf](#)

Description:

PUBLIC HEARING RECORD

County Planning Commission

Application: Snyder Properties LLC Auto Repair Shop Special Use Permit application –
Wright's Mesa (WM) Zone District

Date: September 9, 2021

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).
3. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated September 9, 2021.
4. Draft Resolution, County Planning Commission, San Miguel County, CO, Approving Snyder Properties LLC Auto Repair Shop Special Use Permit, WM Zone District.
5. Application and Supplement submitted by Snyder Properties LLC dated July 13, 2021 and July 27, 2021.
6. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated July 27, 2021.
7. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on August 25, 2021.

AGENCY COMMENTS

8. Memo from John Huebner, Senior Planner, to Review Agencies dated August 17, 2021.
9. Email from Ryan Righetti, County Road Director, to John Huebner, Senior Planner dated August 17, 2021.
10. Email from Bill Masters, County Sheriff, to John Huebner, Senior Planner dated August 17, 2021
11. Email and attachment received from Matt Gonzales, County Building Official, to John Huebner, Senior Planner dated August 19, 2021.
12. Emails received from John Bockrath, NFPD District Chief, to John Huebner, Senior Planner dated August 19, 2021.

PUBLIC COMMENT

None

OTHER

13. News article “Outlaw Automotive and Fabrication celebrates one year, Sean McGee serves Norwood car community”, Norwood Post, Regan Tuttle, Editor, dated August 5, 2020.

MEMORANDUM

TO: San Miguel County Planning Commission
FROM: John Huebner, Senior Planner
RE: Special Use Permit: Automotive Repair Service Shop – Wrights Mesa
DATE: September 9, 2021

[Z:\Applications\2021_Snyder Properties_SUP Auto Repair Shop_Wrights Mesa]

Background

On or about February 1, 2021, a complaint was filed regarding possible zoning violations at 38764 State Highway 145, Norwood. On March 19, 2021 and May 17, 2021 letters were issued to Snyder Properties LLC, property owner, identifying that a Special Use Permit is required to operate a commercial auto repair shop on the property. In response, an application was submitted, requesting an SUP for an auto repair shop. On August 25, 2021 the Planning staff and Building Official conducted a site visit.

Land Use Code Violations

Violations of the Land Use Code are listed in LUC Section 1-15 and include use of a property in violation of the Land Use Code. The process for enforcement and remedies is contained in LUC Section 1-16. The violation for this property is use of the property for commercial automotive service and repair without a special use permit.

LUC Section 1-1605 states, “The County may withhold or deny development permits, building permits, plat approvals or any other administrative or quasi-judicial action on any land on which there is an uncorrected violation of a provision of this Code or of a permit issued hereunder. The County may, rather than withholding a permit or denying another permit or action, condition any such action on the correction of the uncorrected violation. The provisions of this section shall apply regardless of whether the applicant for the subsequent permit is responsible for the uncorrected violation.” In order to resolve the violations, the applicant has requested a Special Use Permit.

Proposal

The property is a 2.58-acre site, located at 38764 SH 145 just over 2 miles east of the Town of Norwood. There is a single-family residence, metal frame building and assorted agricultural outbuildings on the property. The property is zoned WM – Wright’s Mesa, as are the surrounding properties. The property to the east has a single-family residence. Remainder of surrounding area is mostly agricultural with houses located farther away.

The property is served by a residential water tap from the Norwood Water District, and by an onsite wastewater treatment system (OWTS) that was constructed in the 1970’s.

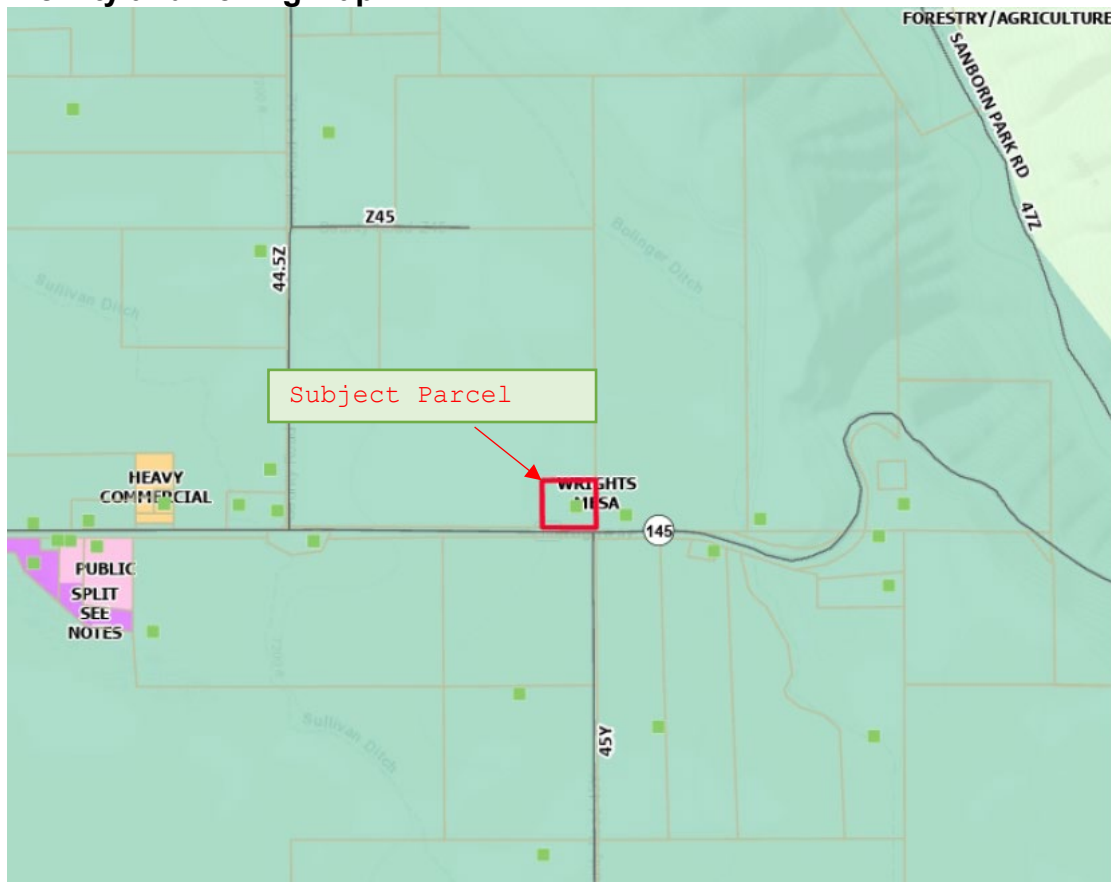
An existing small scale automobile/equipment repair facility, Outlaw Automotive & Fabrication, owned by Sean McGee, operates on site.

The application requests the following:

1. To establish the commercial automotive repair service use on the property.

2. An existing 1,872 sq. ft. metal frame building serves as the auto repair facility.
3. A yard hydrant outside shop building is water source. Employee uses a restroom in the residence.
4. Vehicles dropped off / picked up by customers; repairs completed in 1-5 business days.
5. Used motor oil, other liquids stored in secure containers on site and removed by qualified recyclers. Tires disposed with a permitted waste facility.
6. Overnight vehicle parking plan: (2-4) vehicles inside facility, (5) outside at rear of facility.
7. Access to facility is off SH 145 on existing gravel/dirt driveway.

Vicinity and Zoning Map



Aerial Map



Site Map



Site Photos



Southwest Front



Southeast Front



Northwest Rear



Rear Vehicle Parking; includes ranch vehicles



Northwest Rear Oil/Antifreeze storage



Interior Front

Public Noticing

A Notice of Public Hearing was published in the Norwood Post and Telluride Daily Planet on Wednesday, August 25, 2021 for the Planning Commission hearing. Public Notice was mailed by the Planning Department to all property owners within 500 feet of the subject parcel, per Section 5-2907 A, on August 17, 2021; posting was completed by the applicant on or about August 20, 2021.

Referral Agencies

The application was referred to the County Attorney, County Building Official, County Manager, County Road and Bridge Director, County Sheriff, County Site Inspector, Norwood Fire Protection District, Town of Norwood, Colorado Division of Water Resources, and Colorado Department of Transportation.

John Bockrath, Norwood Fire Protection District – Chief Bockrath conducted a site visit and stated that all his concerns had been satisfied.

Sheriff Bill Masters, SMCSO – Sheriff Masters noted no issues affecting the Sheriff's Office.

Matt Gonzales, SMC Building Department – Building Official Gonzales conducted a site visit and noted a building permit and Certificate of Occupancy will be required for the Auto Shop, if SUP approved.

Ryan Righetti, SMC Road Department – Director Righetti noted no impact on County Roads or Right-of-ways.

Public Comments

As of the writing of this report, no public comments have been received.

Review Standards

Proposed use requires One-Step review by the Planning Commission. An application for a Special Use Permit in the Wright's Mesa zone district is subject to the standards contained in LUC Sections 5-319 E. XI. & XV. and K., Wright's Mesa; and in 5-10, Special Uses, as follows:

Planning staff comments are in italics

5-319 E. Uses Allowed Subject to One-step Planning Commission Approval

XI. Repair service shops up to 2,000 sq. ft.;

As discussed above, the auto repair shop business is conducted within an existing 1,872 sq. ft. metal frame building on site, which was constructed in 2000 (Assessors records).

XV. Auto Repair with no more than 5 cars stored or parked overnight outside the building;

The application indicates that vehicles left overnight will be parked inside or in the rear of the building. There is an area at the front of building for employee and temporary customer parking.

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

The proposed use of the property subject to the proposed conditions is consistent with the above criteria. Specifically, permits and inspections must be obtained for the auto repair facility in order to obtain a Certificate of Occupancy. Limitations proposed on the

drop off and pickup of vehicles, number of vehicles on site, length of time vehicles kept on site as discussed in the report provide compatibility with surrounding properties.

SECTION 5-10: SPECIAL USES

5-1001 General

This section of the Code establishes standards to review special uses subject to either one-step Planning Commission or Board of County Commission review or two-step special use permit review. Special uses may or may not be appropriate in certain locations depending on degree of conformance with adopted, relevant standards and policies. For certain special uses these standards may supplement special standards for specific uses. Refer to Section 3-5 for one-step review procedures, Section 3-6 for two-step review procedures and Section 4-7 for submission contents.

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, except Oil and Gas Exploration and Development (Section 5-26), 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.

The applicant has submitted a site plan showing the existing buildings, fences, driveway, residence and facility.

Recommendation:

Planning staff recommends approval of a Special Use Permit for the proposed Snyder Properties LLC Auto Repair Service Shop use as presented.

Sample Motion: I move to approve the proposed Snyder Properties, LLC Auto Repair Service Shop Special Use Permit (SUP), and adopt Resolution No 2021-07, based on the finding that the proposed use complies with the standards of Land Use Code (LUC) Sections 5-319 Wrights Mesa (WM) Zone District Purpose, 5-319 K Review Standards for all WM Zone District Special Uses, and 5-1002, Special Uses, and is consistent with the County Master Plan, with the following conditions:

1. The maximum number of vehicles parked outside for the automotive repair use shall be limited to five (5). Only short-term customer parking and employee vehicles shall be parked on the south side of the building. All vehicles shall have current registration and shall not be on the property for more than thirty (30) days.
2. Obtain all necessary inspections for the Repair Facility. If a Certificate of Occupancy or Final Inspection is not obtained within ninety (90) days of the date of this approval, the approval of the auto repair service use shall be void. The Planning Director and Building Official may grant an extension and allow more time to meet this condition, provided the applicant is working diligently to complete all work and obtain all inspections.
3. Vegetation and weeds shall be controlled. The site shall be kept clear of trash and debris and maintained in a clean and orderly condition.
4. The use of the site shall be limited to the areas shown on the site plan. There shall be no further development without County Planning approval.
5. A lighting plan shall be submitted prior to installing any exterior lighting. All lighting shall be directed down and meet the requirements of LUC Section 5-710.
6. A sign permit shall be obtained prior to placing any commercial sign.
7. The Special Use Permit is issued to the Applicant, Snyder Properties, LLC, and does not run with the Land.
8. All written representations of the applicant, in the original submittal and all supplements, letters and emails, are deemed to be conditions of approval, except to the extent modified by this Motion.
9. There shall be an annual review one (1) year after the date of approval of this SUP amendment (September 2022). The CPC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future.

**RESOLUTION OF THE COUNTY PLANNING COMMISSION,
OF SAN MIGUEL COUNTY, COLORADO,
APPROVING A SPECIAL USE PERMIT FOR AN AUTOMOTIVE REPAIR SHOP FOR
SNYDER PROPERTIES, LLC, WRIGHT'S MESA (WM) ZONE DISTRICT**

Resolution 2021-07

WHEREAS, Snyder Properties, LLC, hereafter "Applicant", is the owner of a 2.58-acre parcel (PIN # 429524400038), hereafter "Property," in the Wright's Mesa Zone District, more particularly described as shown on Exhibit A, Legal Description; and

WHEREAS, the Applicant has submitted an application for a Automotive Repair and Service Shop Special Use Permit ("Application") at the Property, in accordance with San Miguel County Land Use Code Section 5-319 Wrights Mesa (WM) zone district; and

WHEREAS, Applicant is seeking to establish an Automotive Repair and Service Shop as shown on Exhibit B, Site Plan; and

WHEREAS, the Application was referred to the County Attorney, County Building Official, County Manager, County Road and Bridge Director, County Sheriff, County Site Inspector, Norwood Fire Protection District, Town of Norwood, Colorado Division of Water Resources, and Colorado Department of Transportation for review and comment; and

WHEREAS, on or about August 17, 2021, the Applicant sent Notice of the application and the CPC Public Hearing to be held on Thursday, September 9, 2021 to all property owners within 500 feet of the subject parcel, and on or about August 20, 2021 a sign was posted on the property noticing the proposed use and the CPC meeting to be held on September 9, 2021; and

WHEREAS, a Public Hearing Notice for the proposed Special Use Permit and the County Planning Commission meeting to be held on September 9, 2021 was published in the Norwood Post and the Telluride Daily Planet on August 25, 2021; and

WHEREAS, a list of the items included in the Public Hearing Record is attached to this resolution as Exhibit C; and

WHEREAS, the Planning Commission of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public hearing on-line on Thursday, September 9, 2021.

NOW, THEREFORE, BE IT RESOLVED that the County Planning Commission of San Miguel County, Colorado, approves the proposed Snyder Properties, LLC, Auto Repair Service Shop Special Use Permit, based on the finding that the proposed use complies with the standards of Land Use Code (LUC) Section 5-319 Wrights Mesa (WM) Zone District Purpose, LUC Section 5-319 K Review Standards for all WM Zone District Special Uses, LUC Section 5-10 Special Uses, and is consistent with the County Master Plan, with the following conditions:

1. The maximum number of vehicles parked outside for the automotive repair use shall be limited to five (5). Only short-term customer parking and employee vehicles shall be parked on the south side of the building. All vehicles shall have current registration and shall not be on the property for more than thirty (30) days.
2. Obtain all necessary inspections for the Repair Facility. If a Certificate of Occupancy or Final Inspection is not obtained within ninety (90) days of the date of this approval, the approval of the auto repair service use shall be void. The Planning Director and Building Official may grant an extension and allow more time to meet this condition, provided the applicant is working diligently to complete all work and obtain all inspections.
3. Vegetation and weeds shall be controlled. The site shall be kept clear of trash and debris and maintained in a clean and orderly condition.
4. The use of the site shall be limited to the areas shown on the site plan. There shall be no further development without County Planning approval.
5. A lighting plan shall be submitted prior to installing any exterior lighting. All lighting shall be directed down and meet the requirements of LUC Section 5-710.
6. A sign permit shall be obtained prior to placing any commercial sign.
7. The Special Use Permit is issued to the Applicant, Snyder Properties, LLC, and does not run with the Land.
8. There shall be an annual review one (1) year after the date of approval of this SUP amendment (September 2022). The CPC may make a determination in its discretion if there is a need for additional on-going annual reviews, or periodic reviews of the terms and conditions of the SUP in the future.

BE IT FINALLY RESOLVED that all written representations of the applicant in the original submittal and all supplements, letters and emails are deemed to be conditions of approval, except to the extent modified by this review process.

DONE AND APPROVED by the County Planning Commission of San Miguel County, Colorado, on September 9, 2021.

**SAN MIGUEL COUNTY, COLORADO
PLANNING COMMISSION**

By: _____
Lee Taylor, Chair

Vote:	Lee Taylor	Aye	Nay	Abstain	Absent
	Pamela Hall	Aye	Nay	Abstain	Absent
	Ian Bald	Aye	Nay	Abstain	Absent
	M.J. Schillaci	Aye	Nay	Abstain	Absent

Josselin Lifton-Zoline	Aye	Nay	Abstain	Absent
Matthew Bayma	Aye	Nay	Abstain	Absent
Tobin Brown	Aye	Nay	Abstain	Absent

ATTEST:

By: _____
M.J. Schillaci, Secretary

EXHIBIT “A” Legal Description

EXHIBIT “B” Site Plan

EXHIBIT “C” Public Hearing Record

EXHIBIT A

**LEGAL DESCRIPTION
SNYDER PROPERTIES LLC
38764 HIGHWAY 145**

A PORTION OF SECTION 24, TOWNSHIP 45 NORTH, RANGE 13 WEST OF THE NEW MEXICO PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH RIGHT OF WAY LINE OF COLORADO HIGHWAY 145 SAID POINT BEING 50 FEET NORTH OF SOUTHEAST QUARTER OF SECTION 24 TOWNSHIP 45 NORTH, RANGE 13 THEN NORTH 375 FEET THEN WEST 300 FEET THEN SOUTH 375 FEET TO COLORADO HIGHWAY 145 THEN EAST 300 FEET ALONG HIGHWAY 145 TO THE POINT OF BEGINNING,

COUNTY OF SAN MIGUEL, STATE OF COLORADO.

EXHIBIT B SITE PLAN



EXHIBIT C

Public Hearing Record

County Planning Commission

Application: Snyder Properties LLC Auto Repair Shop Special Use Permit application –
Wright's Mesa (WM) Zone District

Date: September 9, 2021

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only).
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only).
3. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated September 9, 2021.
4. Draft Resolution, County Planning Commission, San Miguel County, CO, Approving Snyder Properties LLC Auto Repair Shop Special Use Permit, WM Zone District.
5. Application and Supplement submitted by Snyder Properties LLC dated July 13, 2021 and July 27, 2021.
6. Applicant's Certifications of Compliance with the public noticing requirements of the San Miguel County Land Use Code Section 3-9 dated July 27, 2021.
7. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on August 25, 2021.

AGENCY COMMENTS

8. Memo from John Huebner, Senior Planner, to Review Agencies dated August 17, 2021.
9. Email from Ryan Righetti, County Road Director, to John Huebner, Senior Planner dated August 17, 2021.
10. Email from Bill Masters, County Sheriff, to John Huebner, Senior Planner dated August 17, 2021
11. Email and attachment received from Matt Gonzales, County Building Official, to John Huebner, Senior Planner dated August 19, 2021.
12. Emails received from John Bockrath, NFPD District Chief, to John Huebner, Senior Planner dated August 19, 2021.

PUBLIC COMMENT

None

OTHER

13. News article “Outlaw Automotive and Fabrication celebrates one year, Sean McGee serves Norwood car community”, Norwood Post, Regan Tuttle, Editor, dated August 5, 2020.

LAND USE APPLICATION

SAN MIGUEL COUNTY – PLANNING DEPARTMENT

P.O. Box 548, Telluride CO 81435

Phone (970) 728-3083 www.sanmiguelcountyco.gov

Permit #	<u>20210087</u>
Project #	_____
Received	<u>6/28/21</u>
Paid	<u>CK# 9321 \$750</u>

Property Owner: Snyder Properties LLC

Mailing Address: P.O. Box 363 Norwood Co.

E-mail: Snyder Ranch 56@yahoo.com Phone: 970-327-0271

Representative/Agent: Terri Lamers

Mailing Address: P.O. Box 363 Norwood CO

E-mail: Snyder Ranch 56@yahoo.com Phone: 970-327-0271

Project Location/Address: 38764 HWY 145

Parcel ID Number: 429517300003 Zone District: _____

Project Title: _____

Describe your project:

Automotive shop

Project Type (check all that apply)

☒ Special Use Permit – 1-step

☐ Special Use Permit – 2-step

☐ Subdivision Exemption

☐ Subdivision

☐ Planned Unit Development

☐ Substantial Plat Amendment

☐ Substantial PUD Amendment

☐ Rezoning

☐ Land Use Code Amendment

☐ Master Plan Amendment

- | | |
|--|---|
| ☐ Insubstantial Plat Amendment | ☐ Major Review – Single Family Residence |
| ☐ Insubstantial PUD Amendment | ☐ Mineral Exploration and Mining |
| ☐ Minor Amendment to Special Use Permit | ☐ Logging |
| ☐ Right-of-Way Vacation | ☐ Major Oil and Gas Facility |
| ☐ Variance | ☐ Minor Oil and Gas Facility |
| ☐ Area of Local/State Interest | ☐ Temporary Use |
| ☐ Scenic Foreground Overlay Review | ☐ Flood Plain |
| | ☐ Wetland |
| ☐ Other: _____ | |

SUBMIT THE FOLLOWING:

- ☐ 2 sets of paper copies of all submittal requirements (refer to the Pre-Application letter for submission requirements)
- ☐ Complete Set of Electronic Files (25MB maximum per file)
- ☐ Legal Description
- ☐ Proof of Ownership
- ☐ Authorization of Representative if other than Owner

I hereby certify, subject to penalty of perjury, that the above is true and accurate to the best of my knowledge and that I understand all provisions of County and State Codes applicable to the proposed development, and all information requested by this document. I agree to abide by any and all conditions placed upon the proposed development by the Decision-Making Body. I also understand that if I violate any applicable provisions of County and/or State codes, I may be required to remedy such violation(s) through appropriate legal processes imposed by the County, including moving or removing structures and ceasing construction and/or uses,

Jeni Laves
Owner

6-14-21
Date

Jeni Laves
Representative

6-14-21
Date

county letter

Sean McGee <sean@outlawautofab.com>

Mon 6/14/2021 2:31 PM

To: smnit92@gmail.com <smnit92@gmail.com>

To whom it may concern:

The facility at 38764 highway 145 operates as a small scale auto/small equipment repair facility. The facility is a drop-off and pickup operation only. Customers are not in the facility nor do they wait there for the repair to be finished. All vehicles are dropped off and then picked back up after repairs. There are from 1-3 vehicles worked on daily on average. Some repairs may leave a vehicle at the shop for more than a week for more in depth repairs. Some vehicles are parked inside, the remaining vehicles are parked out of view behind the shop or in the fenced in lot behind the shop. The only equipment serviced is small equipment and is only worked on occasionally, on average 3-5 pieces of equipment per year and only small scale repairs. There will be very limited equipment parked at the business. There may be other equipment in the area that is owned by Snyder Ranches as all of the surrounding property is an operating ranch. Currently there are no sanitary facilities as the business is operated as drop off and pickup only. Access to highway 145 is via a gravel driveway. There is a weekly dumpster for disposal of trash materials. There will be no tire equipment at the facility in the upcoming future, however, if any were to be purchased in the future tires will be stored out of view until there is a quantity that can be picked up by the appropriate disposal agency. Oil and other liquids are stored in secure containers that will be removed and/or pumped out by qualified individuals when full. There are no planned additions or changes to the facility at this time.

county letter

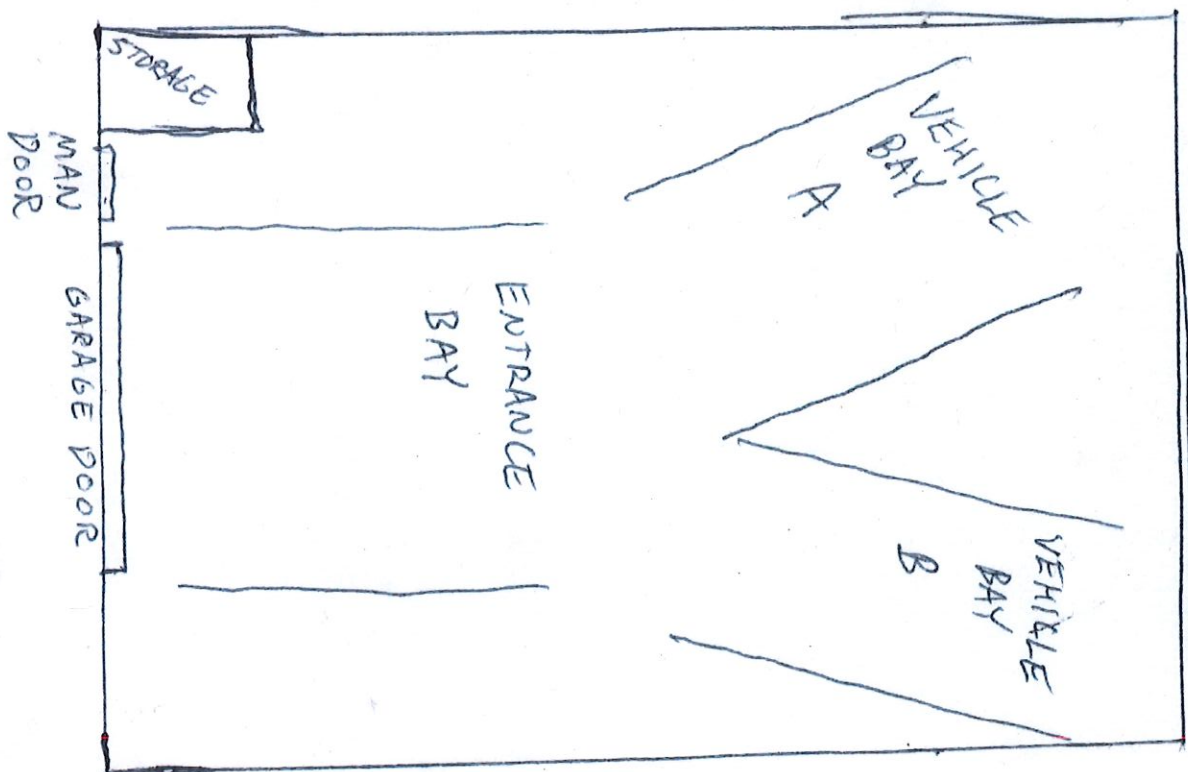
Sean McGee <sean@outlawautofab.com>

Tue 7/27/2021 5:16 PM

To: Sean McGee <smnit92@gmail.com>

Facilities are not available at the shop. Customers will drop off/pickup only. Currently there is only one person working at the shop, Sean McGee. He will be using the facilities at the family residence located near the shop. Oil is stored in a secure 350 gallon caged container and will be removed by Safety Kleen when it is full. A proposed clean burning waste oil furnace is being considered as a means of waste oil removal as well. Contaminated fluids will be disposed of by Safety Kleen and stored in a secure sealed drum and will be removed when the drum is full. Tires will be disposed of by Intrawest LLC or Tire Dealers Warehouse. Intrawest comes to the area periodically and will pickup tires when they are in the area. If tires accumulate to an unsatisfactory amount before Intrawest is available, they will be hauled to Tire Dealers Warehouse for disposal.

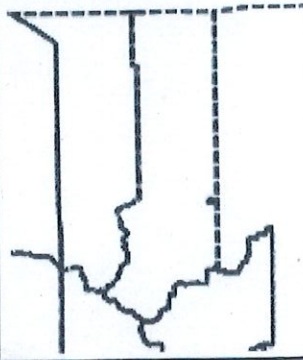
Shop layout
NOT TO SCALE





San Miguel County, Colorado
Map Viewer

Outlaw Automotive Site Map



Legend

- Road
- County Boundary
- Town Boundary
- Tax Parcels cache

Vehicles awaiting Repair/completed will be parked in highlighted area behind building.

The one employee vehicle will be parked in area marked "A"

Map Generated
7/9/21 11:52 AM

Notes

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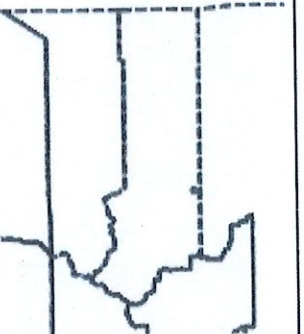
San Miguel County, Colorado
Map Viewer

Outlaw Automotive Site Map

SNYDER PROPERTIES
LLCA
CO LLC

SNYDER

SPOR PETE T JR
AND LOREEL
AND JERRY D AND



Legend

- Road
- County Boundary
- Town Boundary
- Tax Parcels cache



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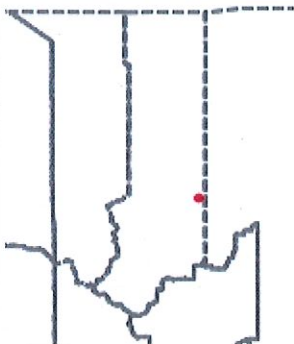
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Notes

Map Generated
7/9/21 11:54 AM



Outlaw Automotive Vicinity Map



- Legend**
- Road
 - County Boundary
 - Town Boundary
 - Tax Parcels cache

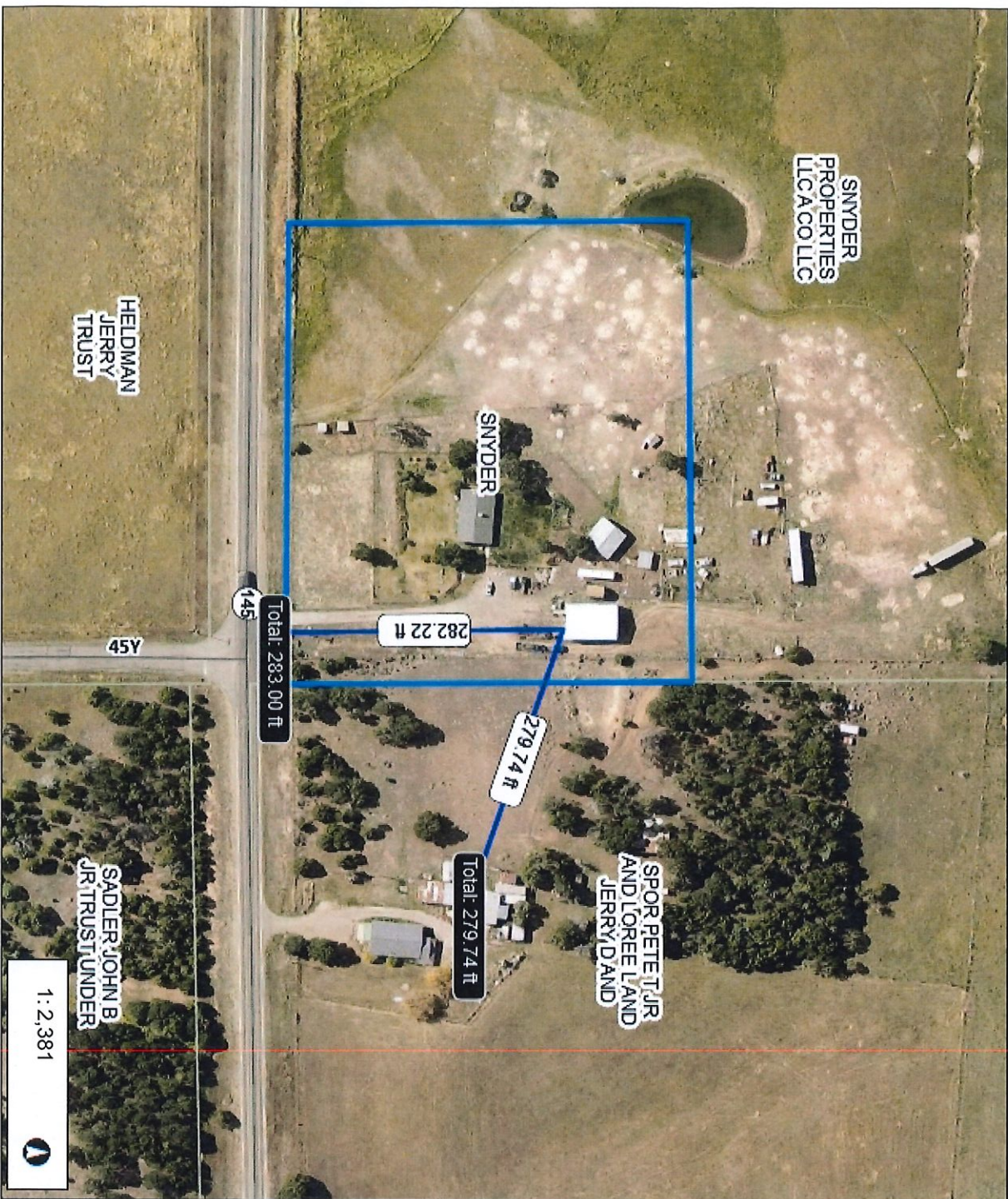
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Outlaw Automotive Vicinity Map



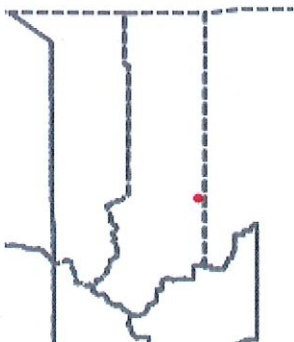
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Legend

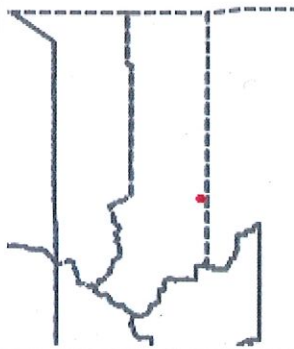
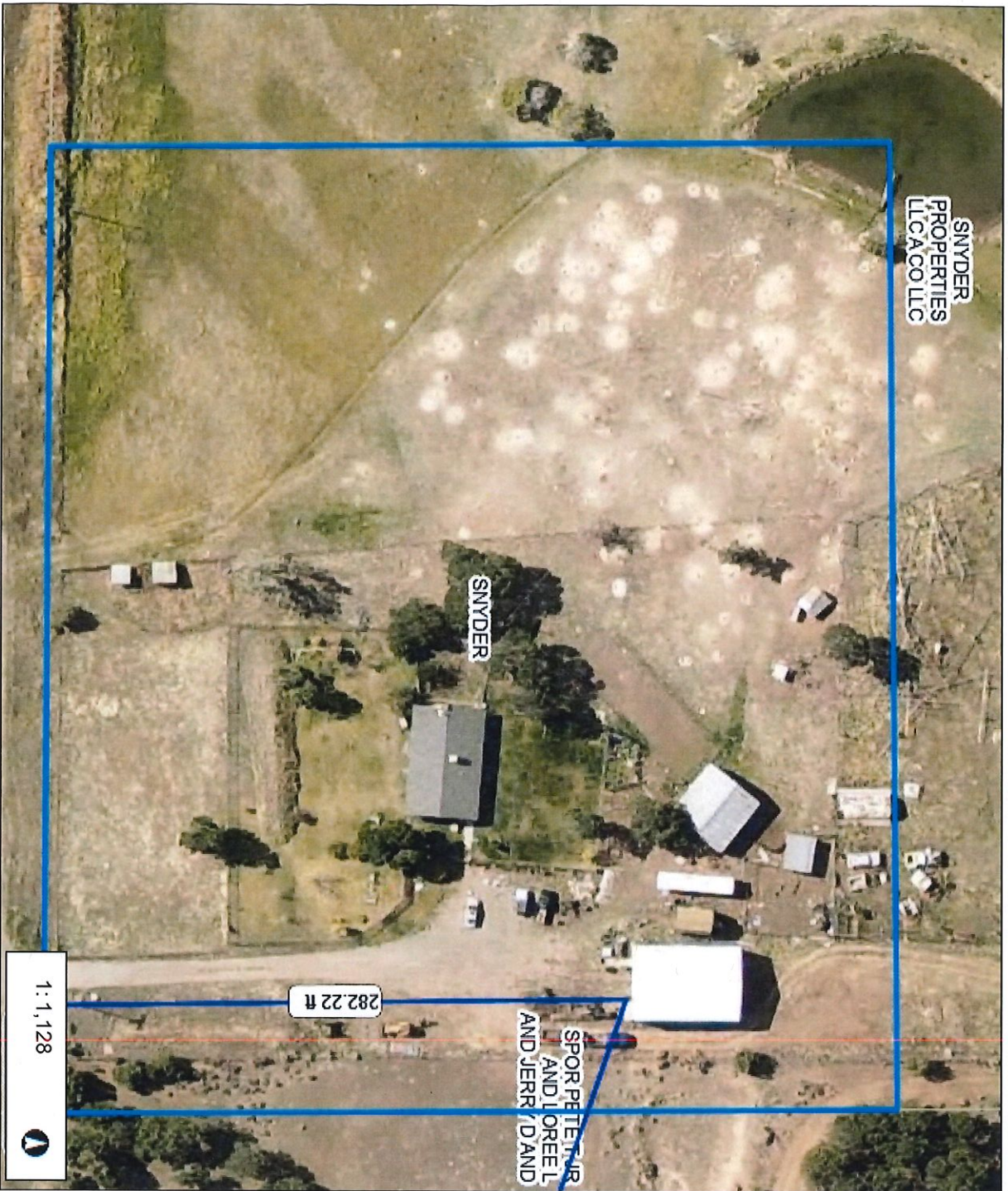
- Road
- County Boundary
- Town Boundary
- Tax Parcels cache

Notes

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7/9/21 11:48 AM



Outlaw Automotive Aerial Map



Legend

- Road
- County Boundary
- Town Boundary
- Tax Parcels cache

Map Generated
7/9/21 11:49 AM

Notes

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THIS MAP IS NOT TO BE USED FOR NAVIGATION
www.sanmiguelcountyco.gov

**APPLICANT'S CERTIFICATION OF COMPLIANCE WITH THE PUBLIC NOTICING
REQUIREMENTS OF THE SAN MIGUEL COUNTY LAND USE CODE SECTION 3-9**

Snyder Properties Applicant, or the duly designated agent(s) of Applicant, has applied to San Miguel County for approval of a land use application. Applicant recognizes that the provisions of the San Miguel County Land Use Code (LUC) Section 3-9 require public notice by First Class mail and posting of the property not less than twenty (20) days before the date scheduled for a public meeting or hearing.

Applicant or Applicant's agent(s) have examined the current tax records of San Miguel County as they appeared either in the records of the San Miguel County Assessor or under the San Miguel County Geographic Information Systems* (GIS) mapping program no more than sixty (60) days prior to the date of the public meeting or hearing. Applicant or Applicant's agent(s) hereby certifies that: (Applicant must check all.)

☒ Following an examination of the records in the San Miguel County Assessor or under the San Miguel County GIS* mapping program, the Applicant has provided public notice, in compliance with LUC § 3-903C not less than twenty (20) days before the date scheduled for a public meeting or hearing, by First Class mail to every property owner and condominium unit owner within 500 feet of the perimeter of the subject property. **I hereby certify that I have attached a copy of this public notice letter and mailing list to this certification.**

AND

☐ Not less than twenty (20) days before the date scheduled for a public meeting or hearing, I hereby certify that, in compliance with LUC § 3-903B, public notice has also been provided by posting a sign in a conspicuous place on the property that is the subject of the land use application.

I understand that San Miguel County requires completion and delivery of this Certification of Compliance to the San Miguel County Planning Department at least ten (10) days prior to the initial public meeting or hearing on a land use application. I further understand that failure to submit the required Certification of Compliance to the County Planning Department at least ten (10) days prior to the initial public meeting on a land use application will result in the public meeting or hearing being rescheduled to a later date.

John Huebner Steve Snyder
Name (Insert Applicant's name if executed by agent)

30764 HWY 145 Norwood
Physical location of Property and/or legal description

PO Box 363, Norwood, CO 81421
Mailing Address (if different from above)

Date: 9/17/2021

Signature: John Huebner [text/luc/certification.property.owner]

* GIS data may not accurately or completely reflect owners in multi-unit, multi-floor buildings in San Miguel County. In such instance, the applicant must examine the Assessor's information in addition to the GIS data in order to provide the required public notice.

August 17, 2021

NOTICE TO PROPERTY OWNERS:

The San Miguel County Planning Commission has been asked to consider an application submitted by Steve Snyder, Snyder Properties LLC, property owner, for property zoned Wright's Mesa (WM), located at 38764 Highway 145, Norwood, Colorado. The applicant seeks a Special Use Permit for an Automotive Repair Service Shop within an existing building in the metal storage building near the northeast corner of the site. The existing single-family residence and outbuilding associated with the operation of their ranch will remain.

The proposed use is a One-step Planning Commission review pursuant to Land Use Code Sections 5-319 E. XI and XV.

A site visit will be conducted by County staff only prior to the formal meeting to review this application. A Public Hearing on the above proposal will be held by the San Miguel County Planning Commission on Thursday, September 9, 2021 at 9:15 AM. This meeting will be held online. To provide comment or ask questions regarding the proposed application, please join the meeting at <https://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply). Please contact the Planning Department for more information on the application.

Written comments of more than one page may not receive full consideration if not received by September 1, 2021. Send comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435 or planning@sanmiguelcountyco.gov.

The meeting on this proposal is not limited to those receiving copies of this notice. If you know of any neighbor or potentially affected property owner who, for any reason, has not received a copy of this notice, it would be appreciated if you would inform them of this public meeting.

Respectfully,

Steve Snyder, Applicant

NAME1	NAME2	ADDRESS	CITY	STATE	ZIPCODE
HELDMAN JERRY TRUST		PO BOX 305	NORWOOD	CO	814230305
SADLER JOHN B JR TRUST	ATTN JOHN B SADLER JR	314 WILMETTE AVE	GLENVIEW	IL	600253337
SNYDER PROPERTIES LLC A CO LLC		PO BOX 363	NORWOOD	CO	81423
SPOR PETE T JR AND LOREE L AND JERRY D AND	LOESCH LINDA S AND SPOR JOSEPH D	PO BOX 537	NORWOOD	CO	814230537

Please publish the following Legal **PUBLIC HEARING NOTICE** in the:

NORWOOD POST and TELLURIDE DAILY PLANET on WEDNESDAY, AUGUST 25, 2021

Please bill: San Miguel County Planning Department
P.O. Box 548
Telluride, CO 81435

PUBLIC MEETING NOTICE

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Norwood Classifieds

Help Wanted



SEEKING FULL-TIME CUSTOMER SERVICE REPRESENTATIVE

- Must have strong multitasking and communication skills.
 - Must pass all security and background checks.
 - Must be drug free.
 - Must speak English fluently.
 - Must be able to work effectively as a team-player.
 - Must be able to work holidays and 1 weekend day per week.
- BENEFITS:**
- Starting Pay: \$18/hr
 - Holiday & Overtime Pay is Time and a half
 - Health/Dental/Vision insurance available after 60 days employment
 - Profit Sharing
 - Retirement plan with 5% match after 1 year employment
 - Paid vacation time
 - Work schedule alternates 3-4 days per week.
- Details and To Apply:**
<https://tellurideairport.com/employment-opportunities/>

Classifieds ads are small but **POWERFUL**
The Norwood Post has the largest reach of any media in the region and is the only newspaper dedicated to news and information about the Norwood area.



UMC

Uncompahgre Medical Center is seeking a Medical Assistant
40 hours a week
Pay Range Dependent on Experience and Certifications – Hourly \$15.00-\$35.00

- Benefits:**
- Health & Vision Insurance
 - Life Insurance
 - Accident Insurance
 - Employee Assistance Program
 - Retirement Plan
 - 176 hours of PTO
 - Wellness Benefit

Send resume and cover letter to Sarah Franklin at sfranklin@umclinic.org

Help Wanted



Telluride Regional Medical Center is seeking to fill a full-time Patient Relations Specialist position.

This position is responsible for providing exceptional customer service and successfully navigating patient needs in a confidential, professional and efficient manner. A full position description is included with this posting. The ideal candidate will have a high school diploma or equivalent, possess exceptional interpersonal and relationship building skills, including conflict resolution, strong attention to detail, proficient computer skills to learn eCW [eClinical Works] program effectively. Bilingual [English/Spanish] is preferred. A competitive Salary and Benefits package is available and includes: Medical, Dental, Vision, Vacation, Sick Leave, 401(a) and 457 Retirement Plan options. This position is an hourly/40 hours per week/non-exempt position. The salary range for this position is \$19-\$22/hour. Telluride Regional Medical Center is an Equal Opportunity and Affirmative Action Employer and healthcare provider, providing the highest quality, comprehensive Primary Care and exceptional Emergency & Trauma Services to all residents and visitors to our region. We celebrate diversity and are committed to creating an inclusive environment for all. Position will remain open until filled.

Candidates should apply for the position at: <https://jobs.telmed.org>



San Miguel Power Association, Inc. (SMPA) is seeking to fill:

WORKING FOREMAN (Ridgway)

To view the complete job posting, benefits, compensation and how to apply, please visit our website www.smpa.com.

SMPA is an Equal Opportunity Provider & Employer.

Real Estate

Homes

195 Spruce Drive Norwood, CO
3 Bedroom, 2.5 Bath + Flex Room
2680 SF / 1.83 Acres
\$479,000

**Call Scott Bennett
Telluride Real Estate Brokers
(970)729-1666**

Legal Notices

SAN MIGUEL COUNTY JUNE 2021 EMPLOYEE COMPENSATION

Includes all Full-time, Part-time, and Temporary Employees. Includes all OT, Housing Allowance, Clothing Allowance, Firearm Allowance, Tool Allowance, Deferred Compensation Match, On-Call Pay, and Termination Pay

Corrections Deputy	6,487.23	COVID-19 Contact Tracer	364.50
Deputy Sheriff	5,912.45	IT Director	6,636.64
Equipment Operator	4,020.13	HR Generalist	539.00
IT Support Tech	4,478.76	Chief Deputy Treasurer	4,183.54
COVID-19 Contract Tracing Supervisor	4,234.29	COVID-19 Vaccine Admin	540.00
Caseworker - Social Services	4,249.36	COVID-19 Public Health Educator	1,814.75
Sr Sheriff's Asst	5,599.68	Public Information Officer	2,229.24
Undersheriff	10,801.63	COVID-19 Vac Reg & Waiting Room Asst	365.95
Parks & Open Space - Temporary	1,029.00	Corrections Deputy	4,557.23
Caseworker - Social Services	6,553.72	Case Manager - Social Services - Temporary	250.38
Corrections Deputy	4,917.47	County Attorney	11,569.24
Administration - Temporary	325.00	Deputy Sheriff	5,808.00
County Manager	12,615.40	Appraisal Supervisor	7,145.72
Veterans Officer	958.33	Corrections Deputy	4,022.52
Deputy Coroner	656.00	Deputy Sheriff	6,661.09
Road & Bridge - Seasonal	2,800.00	Sheriff	8,189.42
COVID-19 Public Health Educator	1,833.57	COVID-19 Vac Reg & Waiting Room Asst	139.64
Deputy Clerk	4,499.92	Equipment Operator	3,932.13
COVID-19 Contact Tracer	311.58	Corrections Deputy	4,694.37
Fairgrounds Coordinator	4,989.67	Sr Permit Technician	4,454.76
Road & Bridge - Seasonal	2,720.00	Sr Equipment Operator	5,699.68
COVID-19 Testing Administrator	545.00	COVID-19 Vac Reg & Waiting Room Asst	115.56
Maintenance/Carpenter	4,176.48	COVID-19 Contact Tracer	104.00
Front Office Coord	3,512.12	COVID-19 Vac Reg & Waiting Room Asst	86.67
Commissioner	6,543.30	Deputy Sheriff	5,685.70
Operations Sergeant	9,585.92	Data Collector	3,832.12
Civil Processer	6,172.94	Deputy Clerk	4,440.72
Juvenile Services Officer	5,738.36	Behavioral Health Clinician	6,617.42
COVID-19 Recovery Funding Coordinator	302.03	Govt Affairs & NR Director	2,378.15
Parks & Open Space - Temporary	3,715.85	Corrections Sergeant	7,491.86
Equipment Operator	3,588.00	Corrections Corporal	5,331.55
EM Coord/Chief Admin Officer	8,687.98	Corrections Deputy	4,603.70
Corrections Corporal	5,384.13	COVID-19 Vaccine Admin	229.50
Deputy Sheriff	6,539.92	COVID-19 Public Health Educator	412.50
COVID-19 Vaccine Admin	391.50	Deputy Sheriff SAR Specialist II	8,366.97
Staff Accountant	4,024.12	Mechanic & Light Equipment Operator	3,842.52
Chief Deputy Assessor	4,432.12	R&B Director	7,762.46
Equipment Operator	3,752.92	Equipment Operator	3,664.92
Parks & Open Space - Seasonal	1,853.25	Case Manager - Juvenile Services	837.30
Surveyor	379.50	COVID-19 Vaccine Admin	513.00
Sheriff's Office - Temporary	630.00	Equipment Operator	4,026.52
Public Health Director	7,214.10	Parks & Open Space - Seasonal	156.07
Clerk - Part Time	536.55	Finance Director	8,474.47
Social Services Director	8,904.18	Coroner	3,566.72
Corrections Deputy	4,378.79	Data Collector	3,888.07
Operations Sergeant	11,039.15	Sr Admin Assist	4,790.10
Systems Analyst	5,158.76	Case Manager - Social Services	3,926.52
Site Inspector	4,722.72	Planning Director	8,990.44
Noxious Weed Tech - Seasonal	2,469.60	Behavioral Health Clinician	6,328.96
COVID-19 Contact Tracer	1,587.50	COVID-19 Vaccine Admin	189.00
Corrections Deputy	4,605.26	Enviro Health Specialist	5,598.06
Chief Deputy Clerk	6,172.94	Equipment Operator	4,532.12
Building Official/Inspector	6,004.48	Mechanic	4,426.52
Corrections Corporal	6,211.73	Staff Accountant	2,921.03
COVID-19 Contact Tracer	1,387.50	Maintenance Tech	3,478.52
Parks & Open Space - Seasonal	2,047.41	Deputy Coroner	723.50
COVID-19 Vac Procurement & Inventory Mgr	1,087.21	Sr Sheriff's Asst	3,889.60
Park Supervisor	5,206.66	Equipment Operator	4,184.48
Sr Planner	5,383.48	Equipment Operator	3,588.00
R&B District Supervisor	5,774.36	Deputy Clerk	3,478.52
Operations Deputy	5,735.41	COVID-19 Vac Reg & Waiting Room Asst	226.31
Grant Coordinator	202.50	Equipment Operator	3,588.00
R&B District Supervisor	6,123.55	Case Manager - Juvenile Services	5,005.58
Treasurer	7,563.62	HR Director	6,999.98
Corrections Deputy	4,486.95	R&B Admin Secretary	1,913.67
Corrections Sergeant	7,985.59	Clerk & Recorder	6,210.54
Extension Director	416.67	Health Educator	3,343.32
COVID-19 Vac Reg & Waiting Room Asst	182.97	Case Manager - Social Services	5,129.73
Commissioner	6,543.30	Case Manager - Social Services	4,121.72
GIS Mapper	4,121.72	Deputy Sheriff	6,257.84
Legal Assistant	4,324.92	COVID-19 Vac Reg & Waiting Room Asst	105.93
Sr Planner	6,480.08	Deputy Clerk	829.60
COVID-19 Vaccine Reg Coordinator	2,279.88	Chief Deputy - BOCC	5,333.34
COVID-19 Contact Tracer	677.16	Commissioner	6,263.54
COVID-19 5 Star Certification Supervisor	45.00	Sr Admin Asst	4,743.22
Natural Resources & Special Projects Dir	6,308.04	Equipment Operator	3,752.92
Deputy Assessor	3,740.92	Operations Sergeant	10,181.34
COVID-19 Contact Tracer	390.75	Deputy Sheriff SAR Specialist I	8,695.69
Assessor	6,303.70	GIS Coordinator	4,864.83
Parks & Open Space Director	6,869.94	Deputy Sheriff	6,048.52
LEAP Outreach Coordinator	1,942.68	Deputy Clerk	3,738.32
Corrections Deputy	4,790.21	Corrections Corporal	6,213.08
COVID-19 Testing Administrator	554.25	TOTAL	682,749.48

Full-time employees receive additional compensation in the form of fringe benefits paid by San Miguel County. These include social security, medicare, retirement, health, dental, vision, life, and disability insurance. The county average for such benefits was 33.32% for June 2021.

Legal Notices

PUBLIC MEETING NOTICE

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PUBLIC HEARING NOTICE

The San Miguel County Board of Adjustment has been asked to consider an application submitted by Thomas LeClaire, owner of Lot 10, The Bluffs (770 Bluff View Dr), an approximately 40 acre parcel zoned Forestry, Agricultural and Open (F) to allow a Caretaker unit to be placed more than the allowed 300' from the primary residence.

A public meeting on the above application will be held by the San Miguel County Board of Adjustment on Thursday, September 16, 2021 at 11:00 AM. This meeting will be held online due to the COVID-19 virus. To provide comment or ask questions regarding the proposal, please join the meeting at <https://zoom.us/join>, Meeting Id # 867 0371 4738, Password 206064, audio only 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply).

Written comments of more than one page may not receive complete consideration if not received by September 8, 2021. Send written comments to: San Miguel County Planning Department, P.O. Box 548, Telluride, CO 81435, or email to planning@sanmiguelcountycogov For more information on this proposed amendment, please call the Planning Department at (970) 728-3083.

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COUNTY PLANNING COMMISSION

SEPTEMBER 9, 2021
Online Meeting

MEETING INFORMATION - This meeting will be held online due to the COVID-19 virus. To join the meeting: <https://zoom.us/join>, Meeting ID: 965 1288 5206, Password: 534277; Audio only: Dial 1-301-715-8592 or 1-253-215-8782 (long distance rates may apply)

9:00 AM CALL TO ORDER.

APPROVAL OF MINUTES, PLANNING COMMISSION AND STAFF COMMENTS

9:15 AM PUBLIC HEARING: REVIEW OF LAND USE APPLICATION

Applicant: Steve Snyder, Snyder Ranches LLC; Outlaw Automotive and Fabrication
Location: 38764 State Highway 145
Parcel size: 2.58-acre (Parcel # 429517300003)
Zone District: Wright's Mesa (WM)
Proposal: Special Use Permit to establish Automotive Repair Service Shop. MOTION

LAND USE CODE AMENDMENT REVIEW AND RECOMMEN-

DATION:

Amending San Miguel County Land Use Code Section 1-10, County Planning Office, regarding Written Interpretations. MOTION

LAND USE CODE AMENDMENT REVIEW AND RECOMMENDATION:
Amending San Miguel County Land Use Code Section 5-319 K, Wright's Mesa Definitions, "Material Recovery Facility (MRF)" to include composting. MOTION

WORKSESSION:

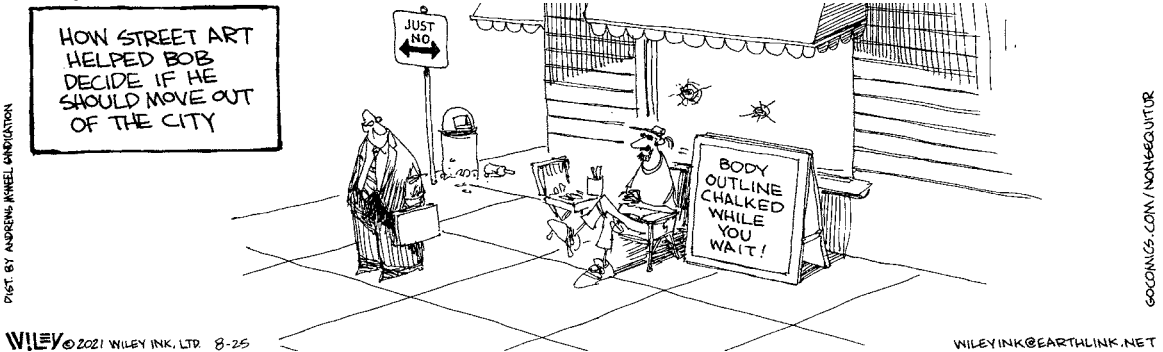
Request: Discussion of Affordable Housing.

ADJOURN

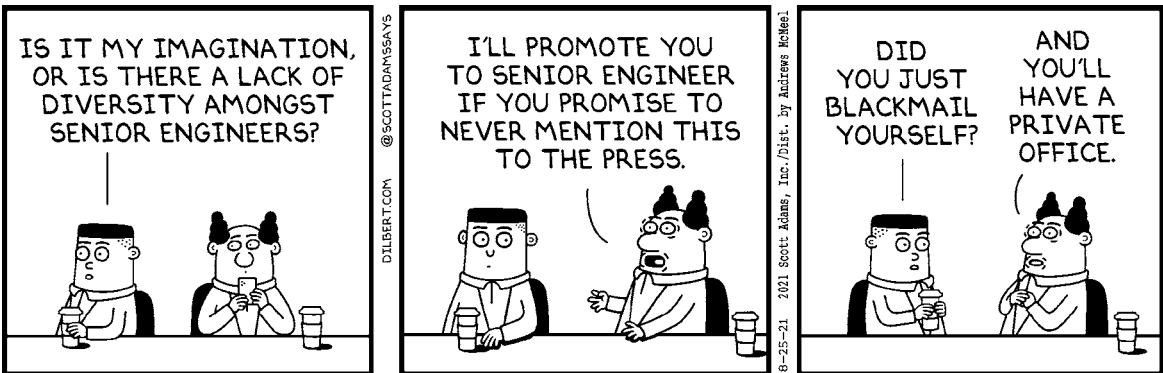
NOTE: All times are approximate; items may begin earlier (except public hearings) or later than scheduled. For more information contact Planning Department at (970) 728-3083.

The official, designated posting place for all CPC notices, agendas is online at <https://www.sanmiguelcountycogov/> AgendaCenter. Use this link to view the agenda with any last-minute changes. To be automatically notified please sign up at www.sanmiguelcountycogov, sign up for alerts, and follow the prompts.

NON-SEQUITUR: WILEY MILLER



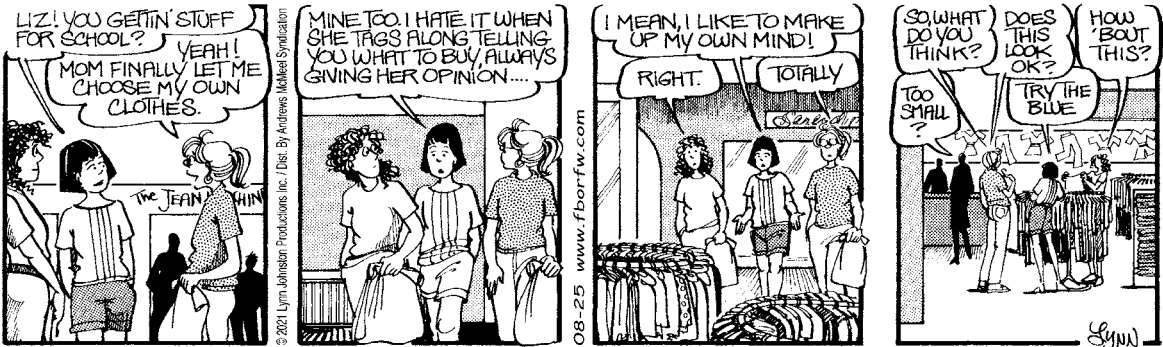
DILBERT: SCOTT ADAMS



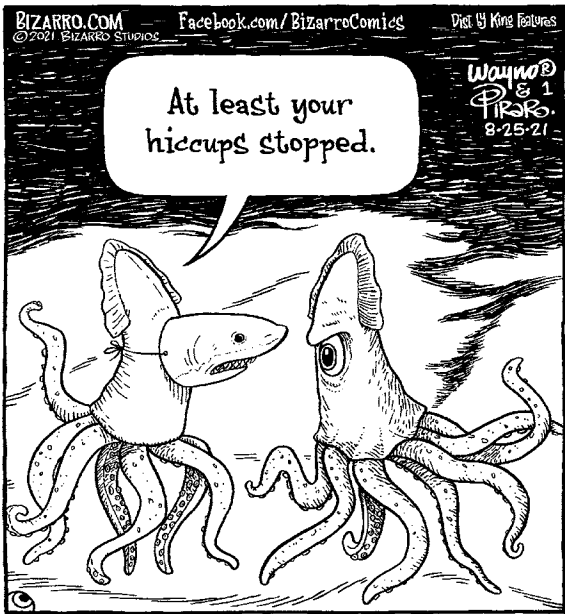
MONTY: JIM MEDDICK



FOR BETTER OR FOR WORSE: LYNN JOHNSTON



BIZARRO: DAN PIRARO



CLOSE TO HOME: JOHN MCPHERSON



At the Spring Valley Retirement Center weekly organ recital.

9			8		6	5		4
						1		
	6			3	5		7	
1	9			4				6
		6		9		4		
3				1			5	9
	1		7	8			4	
		5						
8		3	4		9			1

UNIVERSAL SUDOKU

Complete the grid so that every row, column and 3x3 box contains every digit from 1 to 9 inclusively.

Difficulty rating: 3

Previous puzzle solution:

2	7	6	5	3	1	9	8	4
9	1	3	6	4	8	5	7	2
8	4	5	9	7	2	1	6	3
3	6	8	4	9	5	2	1	7
1	5	9	7	2	3	6	4	8
7	2	4	1	8	6	3	9	5
6	3	7	2	1	4	8	5	9
5	9	2	8	6	7	4	3	1
4	8	1	3	5	9	7	2	6

OPEN
DAILY

MON – FRI
noon
to 8:30 pm

SAT & SUN
10 am
to 8:30 pm

103. W COLORADO AVE.

FLORADORA
SALOON



DINE IN
&
CARRY OUT

Brunch
SAT & SUN
10 am
to 2:30 pm

(970) 728-8884

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- ✓ Simple Design Process
- ✓ In Every Planet
- ✓ Online Storefront, Searchable on Google
- ✓ Includes a Telluridenews.com Ad



728-9788 | Telluridenews.com

Telluride Local Media



PLANNING DEPARTMENT

KAYE SIMONSON, PLANNING DIRECTOR

MEMORANDUM

TO: Amy Markwell, County Attorney
Matt Gonzales, County Building Official
Mike Bordogna, County Manager
Ryan Righetti, County Road and Bridge Director
Bill Masters, County Sheriff
Lisa Garrett, County Site Inspector
Patti Grafmyer, Town of Norwood
John Bockrath, Norwood Fire Protection District
Greg Powers, Colorado Division of Water Resources
Randee Reider, Colorado Department of Transportation,

FROM: John Huebner, Senior Planner

RE: Special Use Permit to allow Automotive Repair Service Shop

APPLICANT: Steve Snyder, Snyder Properties LLC, property owner
Outlaw Automotive and Fabrication, business owner

DATE: August 17, 2021

AGENDA DATE: September 9, 2021 County Planning Commission

Please find the application submitted by Steve Snyder for your review and comment. If you have any questions about the scope of the proposal, feel free to contact us. Please provide review comments by September 1, 2021 to John Huebner at planning@sanmiguelcountyco.gov in the County Planning Department. Please contact the Planning Department if you have any questions.



PLANNING DEPARTMENT

KAYE SIMONSON, PLANNING DIRECTOR

August 17, 2021

Steve Snyder
Outlaw Automotive and Fabrication
PO Box 363
Norwood, CO 81423

**Re: Certification of Application Completeness: Wright's Mesa (PIN# 429524400038)
Special Use Permit - Automotive Repair Service Shop**

Dear Steve,

The purpose of this correspondence is to serve as notification (in accordance with Section 3-202 E. of the San Miguel County Land Use Code) that your application for Automotive Repair Service Shop in the Wright's Mesa Zone District meets the minimum submittal requirements of the Land Use Code and is considered complete. It should be noted that a determination of application completeness shall not necessarily constitute a determination of compliance with the substantive requirements of the County Land Use Code. Additional information may be required after further review by the referral agencies and County staff. The County Planning Commission may also require more materials or information to be supplied by you as the applicant during the public review process. The Special Use Permit application requires One-step Special Use Permit (SUP) review by the Planning Commission in accordance with Land Use Code Sections 5-319 E. XI and XV.

The application, contingent upon the receipt of the necessary responses from referral agencies, has been scheduled for a public hearing by the County Planning Commission at 9:15 AM September 9, 2021 at its regular meeting to be held on-line due to Covid-19 guidelines.

Your application, which has been certified complete, will now be sent to the County Attorney, the County Road and Bridge Department, the County Site Inspector, the County Building Official, Colorado Division of Water Resources, Colorado Department of Transportation, Town of Norwood, and Norwood Fire Protection District. The applicant will be responsible for reimbursing the Planning Department for payment of any review fees, both the initial submittal and any subsequent reviews. In addition, the applicant will be responsible for payment of all copy charges.

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**

P.O. Box 548 • 333 W Colorado Ave, 3rd Flr • Telluride, Colorado 81435 • (970) 728-3083
email: kayes@sanmiguelcountyco.gov website: www.sanmiguelcountyco.gov

(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.

Planning staff will be sending the public notice letters. The enclosed letter certifying the posting of the public notice sign must be submitted to the Planning Department prior to the scheduled meeting date.

If you have any questions regarding this matter, my comments and suggestions or the scheduling of this application please do not hesitate to contact me.

Sincerely,

John Huebner
Senior Planner



John Huebner <johnh@sanmiguelcountyco.gov>

Re: REFERRAL: SUP - Auto Repair Shop - Snyder Properties 38764 SH 145, Norwood CO

1 message

Ryan Righetti <ryanr@sanmiguelcountyco.gov>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Tue, Aug 17, 2021 at 5:57 PM

John,

This project does not appear to have any impact on County Roads or Right-of-way.

Thank you,

Ryan Righetti
Director, Road and Bridge
San Miguel County, Colorado

970.327.4835 Office
970.327.4090 Fax

On Tue, Aug 17, 2021 at 4:30 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,
Attached for your review and comment is an Application received for a Special Use Permit to allow an Automotive Repair Service Shop in an existing building at Snyder Properties LLC [38764 HWY 145 Norwood, CO](#) (Parcel No. 429517300003). Please provide comments by September 1, 2021 and let me know if you have any questions.
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](#)
[Telluride, CO 81435](#)

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>



John Huebner <johnh@sanmiguelcountyco.gov>

Re: REFERRAL: SUP - Auto Repair Shop - Snyder Properties 38764 SH 145, Norwood CO

1 message

Bill Masters <billm@sanmiguelsheriff.org>

Tue, Aug 17, 2021 at 5:01 PM

To: John Huebner <johnh@sanmiguelcountyco.gov>

Cc: Amy Markwell <amym@sanmiguelcountyco.gov>, Gregory Powers - DNR <gregory.powers@state.co.us>, John Bockrath <norwoodchief@gmail.com>, Kaye Simonson <kayes@sanmiguelcountyco.gov>, Lisa Garrett <lisag@sanmiguelcountyco.gov>, Matt Gonzales <mattg@sanmiguelcountyco.gov>, Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Patti Grafmeyer <grafmyer@norwoodtown.com>, "Reider - CDOT, Randee" <randee.reider@state.co.us>, Ryan Righetti <ryanr@sanmiguelcountyco.gov>, Troy Hangen <troyh@sanmiguelcountyco.gov>

No impact on Sheriffs Office. Sounds like a good idea to me.

On Tue, Aug 17, 2021 at 16:30 John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,

Attached for your review and comment is an Application received for a Special Use Permit to allow an Automotive Repair Service Shop in an existing building at Snyder Properties LLC 38764 HWY 145 Norwood, CO (Parcel No. 429517300003). Please provide comments by September 1, 2021 and let me know if you have any questions.

John

John Huebner

Senior Planner

San Miguel County

P:970-728-3083

333 W Colorado Ave, 3rd Flr

Telluride, CO 81435

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

--

Respectfully,

Sheriff Bill Masters

billm@sanmiguelsheriff.org

Direct 970.728.7948 | Cell 970.729-2025 | 24hr Dispatch 970.728.1911

Physical and Mailing Address 684 CR 63L | Telluride, CO 81435

Under the Colorado Open Records Act (CORA) all messages sent by or to me on this county-owned email account may be subject to public disclosure.



John Huebner <johnh@sanmiguelcountyco.gov>

Re: REFERRAL: SUP - Auto Repair Shop - Snyder Properties 38764 SH 145, Norwood CO

1 message

Matt Gonzales <mattg@sanmiguelcountyco.gov>

Thu, Aug 19, 2021 at 7:52 PM

To: John Huebner <johnh@sanmiguelcountyco.gov>

Cc: Amy Markwell <amym@sanmiguelcountyco.gov>, Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Ryan Righetti <ryanr@sanmiguelcountyco.gov>, Bill Masters <billm@sanmiguelsheriff.org>, Lisa Garrett <lisag@sanmiguelcountyco.gov>, Patti Grafmeyer <grafmyer@norwoodtown.com>, John Bockrath <norwoodchief@gmail.com>, Gregory Powers - DNR <gregory.powers@state.co.us>, "Reider - CDOT, Randee" <randee.reider@state.co.us>, Kaye Simonson <kayes@sanmiguelcountyco.gov>, Troy Hangen <troyh@sanmiguelcountyco.gov>

John,

A building permit will be required along with inspection and, upon completion, a new Certificate of Occupancy will be issued to recognize that building's new occupancy classification, "S-1, moderate-hazard storage." In addition to other building general building code standards, motor vehicle repair garages have to be in compliance with Section 406.6 of the 2009 International Building Code. I've attached a PDF that contains a screenshot of Section 406.6 for reference.

Thanks,

Matt Gonzales

Building Official
San Miguel County, CO
970-369-5440 (o)
970-708-8821 (c)



For view only access to codes: <https://codes.iccsafe.org/public/collections/I-Codes>

On Tue, Aug 17, 2021 at 4:30 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,

Attached for your review and comment is an Application received for a Special Use Permit to allow an Automotive Repair Service Shop in an existing building at Snyder Properties LLC [38764 HWY 145 Norwood, CO](#) (Parcel No. 429517300003). Please provide comments by September 1, 2021 and let me know if you have any questions.

John

John Huebner

Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](#)
[Telluride, CO 81435](#)

www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>



2009IBC_Section406.6_RepairGarages.pdf

62K

406.6 Repair garages.

406.6.1 General. Repair garages shall be constructed in accordance with the *International Fire Code* and Sections 406.6.1 through 406.6.6. This occupancy shall not include motor fuel-dispensing facilities, as regulated in Section 406.5.

406.6.2 Mixed uses. Mixed uses shall be allowed in the same building as a repair garage subject to the provisions of Section 508.1.

406.6.3 Ventilation. Repair garages shall be mechanically ventilated in accordance with the *International Mechanical Code*. The ventilation system shall be controlled at the entrance to the garage.

406.6.4 Floor surface. Repair garage floors shall be of concrete or similar noncombustible and nonabsorbent materials.

Exception: Slip-resistant, nonabsorbent, *interior floor finishes* having a critical radiant flux not more than 0.45 W/cm², as determined by NFPA 253, shall be permitted.

406.6.5 Heating equipment. Heating equipment shall be installed in accordance with the *International Mechanical Code*.

[F] 406.6.6 Gas detection system. Repair garages used for repair of vehicles fueled by nonodorized gases, such as hydrogen and nonodorized LNG, shall be provided with a flammable gas detection system.

[F] 406.6.6.1 System design. The flammable gas detection system shall be listed or approved and shall be calibrated to the types of fuels or gases used by vehicles to be repaired. Gas detectors or sensors shall be listed in accordance with UL 2075 and shall indicate the gases they are intended to detect. The gas detection system shall be designed to activate when the level of flammable gas exceeds 25 percent of the lower explosive limit. Gas detection shall also be provided in lubrication or chassis repair pits of garages used for repairing nonodorized LNG-fueled vehicles.

[F] 406.6.6.2 Operation. Activation of the gas detection system shall result in all of the following:

1. Initiation of distinct audible and visual alarm signals in the repair garage.
2. Deactivation of all heating systems located in the repair garage.
3. Activation of the mechanical ventilation system where the system is interlocked with gas detection.

[F] 406.6.6.3 Failure of the gas detection system. Failure of the gas detection system shall result in the deactivation of the heating system, activation of the mechanical ventilation system when the system is locked with the gas detection system and cause a trouble signal to sound in an *approved* location.



John Huebner <johnh@sanmiguelcountyco.gov>

Re: REFERRAL: SUP - Auto Repair Shop - Snyder Properties 38764 SH 145, Norwood CO

1 message

John J. Bockrath <norwoodchief@gmail.com>
To: John Huebner <johnh@sanmiguelcountyco.gov>

Thu, Aug 19, 2021 at 1:20 PM

Hi John,

I have completed my site visit for Outlaw Automotive repair located at [38764 Hwy 145](#) in Norwood.

I am satisfied with the ingress and egress for EMS and fire vehicles. The owner will be adding a fire extinguisher to each work bay as well as the main entrance to the main workshop which more than meets fire code.

The Norwood Fire Protection District approves the request for the special use permit.

Respectfully,

John J. Bockrath, District Chief
Norwood Fire Protection District

On Wed, Aug 18, 2021 at 10:29 AM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

John,
Thank you for your involvement in this application. I look forward to receiving your comments!!
Best regards,
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](#)
[Telluride, CO 81435](#)
www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

On Wed, Aug 18, 2021 at 9:42 AM John J. Bockrath <norwoodchief@gmail.com> wrote:

Hi John,

I will be contacting Terri to conduct a site visit. I am concerned with fire vehicle access in the case of a fire or medical incident. I will also be requiring proper fire extinguisher placement.

respectfully,

John

On Tue, Aug 17, 2021 at 4:30 PM John Huebner <johnh@sanmiguelcountyco.gov> wrote:

All,
Attached for your review and comment is an Application received for a Special Use Permit to allow an Automotive Repair Service Shop in an existing building at Snyder Properties LLC [38764 HWY 145 Norwood, CO](#) (Parcel No. 429517300003). Please provide comments by September 1, 2021 and let me know if you have any questions.
John

John Huebner
Senior Planner
San Miguel County
P:970-728-3083
[333 W Colorado Ave, 3rd Flr](#)
[Telluride, CO 81435](#)
www.sanmiguelcountyco.gov

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

--

John J. Bockrath, District Chief
Norwood Fire Protection District

Office: 970-327-4800
Cell: 970-729-0934

CONFIDENTIALITY NOTICE -- This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.

--

John J. Bockrath, District Chief
Norwood Fire Protection District

Office: 970-327-4800
Cell: 970-729-0934

CONFIDENTIALITY NOTICE -- This email is intended only for the person(s) named in the message header. Unless otherwise indicated, it contains information that is confidential, privileged and/or exempt from disclosure under applicable law. If you have received this message in error, please notify the sender of the error and delete the message. Thank you.

Outlaw Automotive and Fabrication celebrates one year

Sean McGee serves Norwood car community

By REGAN TUTTLE Editor

Aug 5, 2020

Outlaw Automotive and Fabrication, a relatively new car business in Norwood, is celebrating its one-year anniversary, and the McGee family has said they're grateful for the past year. Owner and operator Sean McGee is the sole employee and helping the Norwood community take care of its vehicles.

McGee, who hails from West Virginia, has been in the local area roughly five years and formerly worked for Ray Cossey in Norwood in the automotive industry. A member of the armed forces, McGee previously served in the U.S. Navy and worked on a submarine in the nuclear division in engineering.

Now, he's married into the Snyder family, who are some of the first settlers of Wright's Mesa. His wife Aimee is fourth-generation to live in Norwood.



*"Going to the mountains is like
going home"*

— John Muir

www.TELLURIDE-HOME.com

Scott Bennett and Ashley Story, Brokers Associates,
970-729-1666

(//telluridenews.com/tncms/tracking/bannerad/cli

McGee been working on cars for more than 20 years, and in the past was involved with drag racing and hot rodding, too. In fact, he's been working on cars since he was 16 years old.

Now his business sees newer and older vehicles, as well as side-by-sides or even some boats or dirt bikes, too. He does a little bit of everything, but mostly repair work at this time. Still, he can build custom vehicles, though there's not a big market for that in the Norwood area. When he has time, he can do things for personal use, like engine swaps.

With regard to automotive fabrication, he has the ability to create custom bumpers or other gear for farming, ranching or overlanding. With a background in paint and bodywork, McGee is capable of performing those services too, but he doesn't have the space to do that in his current location.

Outlaw Automotive and Fabrication is located near the top of Norwood Hill. Anyone who needs directions should call McGee first. There, he works out of his shop, which is complete with the lifts and tools he needs to repair vehicles.

According to the McGees, the family business is staying busy, even throughout the pandemic.

Currently, the best way to reach him with automotive questions or to schedule service is by phone at 970-729-3161, and especially in light of the COVID-19 pandemic.

McGee is screening clients for health reasons and said phone calls are best for limiting social interaction during this time.

“People can call me, and we can address the issues,” he told The Norwood Post on Monday.

Going forward, Aimee McGee said the family is working on website planning, and online information will be available for the public in the near future.

His wife agrees having a family-owned business is a good thing, and said she and her husband are grateful for Norwood’s support this last year.

“Thank you to the community for supporting us,” she said. “We appreciate your business, and all of our customers.”

McGee said he agrees that those in the Norwood community can get the work they need locally, and avoid traveling to Telluride or Montrose if they wish.



AGENDA ITEM

TITLE:

Amending San Miguel County Land Use Code Section 1-10, County Planning Office, regarding Written Interpretations. **MOTION**

Presented by:

Time needed:

PREPARED BY:

Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

[5 CPC Packet Written Interpretation LUC Amendment 090921 \(1\).pdf](#)

Description:

PUBLIC HEARING RECORD

County Planning Commission

Application: Amendment to the San Miguel County Land Use Code Section 1-10 regarding
Written Interpretations

Date: September 9, 2021

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only)
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only)
3. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director, dated September 9, 2021

AGENCY COMMENTS

4. Agency Referral email dated August 6, 2021

PUBLIC COMMENT

None

OTHER

None

MEMORANDUM

TO: San Miguel County Planning Commission
FROM: Kaye Simonson, AICP, Planning Director
RE: Amendment to the San Miguel County Land Use Code Section 1-10,
County Planning Office, regarding Written Interpretations
DATE: September 9, 2021

[Z:\Applications\2021_West End Addressing_LUC Amendment\1 Staff Memo(s) and Resolution(s)]

Background

From time to time, the Planning Department receives a request for written interpretation of the Land Use Code and how it applies to a certain property or situation. The Land Use Code does not provide a specific process for the preparation of interpretations, and when the various references to interpretations are pieced together, the Code is inconsistent and contradictory. "Request for Interpretation" is defined, placing the responsibility for LUC and zoning map interpretations with the County Attorney, upon consultation with the Planning Director. Section 1-1903, Appeal of Planning Director's Administrative Decision, references Land Use Code interpretations as a Director's decision that can be appealed to the BOCC. Section 1-1403 A.I gives the Board of Adjustment the authority to make interpretations of a zoning map.

Proposed Amendment

Section 1-10: County Planning Office, would be amended to add Section 1-1004, Written Interpretation. Additionally, a minor corrections are made to Section 1-10 so it is accurate and describes intended functions. Finally, Article 6, Definitions, Request for Interpretation, would be amended to conform to the changes. If the Land Use Code amendment is adopted by the BOCC, the Planning Fee resolution would also be amended to include a fee for the preparation of Written Interpretations. The proposed amendment is as follows:

New text is underlined. Deletions are shown with ~~strike-through~~.

SECTION 1-10: COUNTY PLANNING OFFICE

1-1001 Establishment

The San Miguel County Planning Office is part of the County government and operates in accordance with the County operational, fiscal, employment and other policies and directives.

1-1002 Planning Director

The Planning Office's activities are under the control and direction of the Planning Director, who is selected and serves in accordance with County policies. ~~The Planning Director reports to the Board of County Commissioners.~~

1-1002 A. Power and Duties

The Planning Director administers the Land Use Code and has those powers and duties expressly assigned to him/her under this Code and otherwise delegated or assigned to him/her in accordance with County policy by the County Manager and/or the Board of County Commissioners. The Planning Office has such duties as the Planning Director delegates and has such other powers and duties as are expressly assigned to it under this Code or in accordance with County policy.

1-1003 Issuance of Development Permits

The Planning Director shall issue development permits (refer to Sections 3-1,2,3) prior to the issuance of any building permits for construction activities pursuant to the procedures in the Code and deny development permits that are inconsistent with the Code. The Planning Director shall consult with other county departments in advance of issuing development permits in order to discuss and resolve issues that may arise as a result of the proposed development. The goal is to streamline the development review process for the applicant(s).

1-1004 Written Interpretation

Whenever the Planning Director determines that the meaning or applicability of any of the requirements of this Land Use Code are subject to interpretation, generally or as applied to a specific case, the Director may issue an official interpretation. A Request for Interpretation may also be submitted by any affected person, any resident or real property owner in San Miguel County, or any person having a contractual interest in real property in the County.

1-1004 A. A Request for Interpretation of the Land Use Code shall be submitted in writing. The request shall specifically state the provision(s) in question, shall identify the property for which the request is being made, shall state the applicant's understanding of the meaning of the section or Map boundary, and may provide any additional information to assist in the review of the interpretation request. A Request for Interpretation shall be accompanied by a fee, as established by the Board.

1-1004 B. Within thirty (30) days of receipt of a complete Request for Interpretation, the Planning Director shall render in writing a final interpretation of the request. The Planning Director shall consider the County's legislative intent when interpreting the Land Use Code. The interpretation shall be recorded with the County Clerk and Recorder in the real property records.

1-1004 C. Any appeal of the Planning Director's decision may be made pursuant to Section 1-1903.

Article 6 Definitions

Request for Interpretation

A legal interpretation of (a) specific section(s) of the Land Use Code and/or of a particular boundary or designation of the County Zoning Map as such pertains to a specific development proposal, ~~supplied by the County Attorney to a potential developer upon request by that developer, after the County Attorney consults with the Planning Director.~~

Note: Concurrent with adoption of this Land Use Code amendment, Resolution 2020-035, "Schedule of Land Use Application Review Fees" will also be amended to set a fee for Written Interpretations of \$275. This is the same fee amount charged for Administrative Approvals.

Public Noticing

The meeting agenda has been published in the Telluride Daily Planet and Norwood Post on September 1, 2021.

Referral Agencies

The proposed Land Use Code text amendment was sent to the County Attorney; County Manager; Town of Telluride; Town of Mountain Village; Town of Norwood; Town of Ophir; and Town of Sawpit.

The County Attorney and County Manager was consulted while the draft was being prepared and their comments have been incorporated into the draft as presented. As of the writing of this report, no other referral comments have been received.

Public Comments

As of the writing of this report, no public comments have been received.

Review Standards

Review Standards for Land Use Code Amendments are contained in LUC Section 5-1802 and state, "Land Use Code Amendments may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the following standard." This amendment was requested the County Planning Director after seeing a need to resolve conflicts and provide a clear process. The only review standard, LUC Section 5-1802 A., states "Land Use Code Amendments shall be drafted in a form consistent with the organizational format and style of the code." The proposed amendment has been drafted in the format and style of the code.

In addition, Section 1-4, Purposes of the Land Use Code, should be considered.

1-402 Implement Policies

To implement the policies of San Miguel County regarding land use and

development, housing, growth and related issues, as adopted and amended from time to time.

1-403 Create Common System of Administration and Regulation

To combine the regulation of all aspects of land use and development and the use of land and natural resources into a common system of administration and regulation.

1-404 Simplify the Land Use Regulatory Process

To simplify the application and review process for such regulatory system.

1-405 Protect Health, Safety and Welfare

To protect the health, safety and public welfare of San Miguel County.

Discussion

From time to time, the Planning Director receives requests for written interpretation. Additionally, appeals have been filed in the past regarding written interpretations. The Land Use Code is contradictory regarding who prepares requests for interpretation. Interpretations require thorough research and careful writing, as well as consultation with the County Attorney and any other affected department, yet some requestors expect instant responses. The proposed amendment eliminates the contradictions and establishes a clear process for requesting and responding to an interpretation, including a timeline. The BOA will retain the responsibility to consider requests for interpretation of zone map boundaries; there is no change to that section (1-14).

Additional changes are proposed to be consistent with prior changes to the organizational chart – the Planning Director has not reported to the BOCC since 2019 – and to provide clarity regarding consultations with other departments.

Sample Motion:

I move to recommend to the Board of County Commissioners to adopt the amendment to San Miguel County Land Use Code Section 1-10, County Planning Office, regarding Written Interpretations, with an associated amendment to Article 6, Definitions, based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code.



John Huebner <johnh@sanmiguelcountyco.gov>

LUC Amendment - Planning Office Powers and Duties

1 message

Kaye Simonson <kayes@sanmiguelcountyco.gov>

Fri, Aug 6, 2021 at 1:28 PM

To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Ross Herzog <rherzog@telluride-co.gov>, Ron Quarles <rquarles@telluride-co.gov>, Kim Montgomery <KMontgomery@mtnvillage.org>, Michelle Haynes <MHaynes@mtnvillage.org>, Patti Grafmyer <grafmyer@norwoodtown.com>, Corinne Platt <mayor@ophir.us>, Mike Kimball <michaelnjoyce@msn.com>

Cc: John Huebner <johnh@sanmiguelcountyco.gov>, Troy Hangen <troyh@sanmiguelcountyco.gov>

Please find attached for your review a draft amendment to San Miguel County Land Use Code Section 1-10, County Planning Office. If you have any comments, please submit them to me by Friday, August 27. Thank you.

--

For information about San Miguel County's response to COVID-19 (Coronavirus), please visit <https://www.sanmiguelcountyco.gov/590/Coronavirus>

Kaye Simonson, AICP
Planning Director
San Miguel County Planning Department
Office: (970)369-5436
Cell: (970)729-9929
www.sanmiguelcountyco.gov



1-1004 Written Interpretation DRAFT.pdf

55K



AGENDA ITEM

TITLE:

Amending San Miguel County Land Use Code Section 5-319 K., Wright's Mesa Definitions, "Material Recovery Facility (MRF) to include composting **MOTION**

Presented by:

Time needed:

PREPARED BY:

Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

[4 CPC Packet Wright's Mesa Definition 090921 \(1\).pdf](#)

Description:

PUBLIC HEARING RECORD

County Planning Commission

Application: Amendment to the San Miguel County Land Use Code Section 5-319 K.
regarding Wright's Mesa Definitions

Date: September 9, 2021

1. San Miguel County Land Use Code (Adopted 11/30/90) with all amendments to date (By Reference Only)
2. San Miguel County Comprehensive Development Plan (Adopted 8/3/78) with all amendments to date (By Reference Only)
3. Memorandum to the San Miguel County Planning Commission from Troy Hangen, Senior Planner, dated September 9, 2021

AGENCY COMMENTS

4. Agency Referral email dated August 9, 2021
5. Email from Michelle Haynes, Mountain Village Planning and Development Services Director, dated August 9, 2021
6. Email from Phil Taylor, Town of Telluride Senior Planner, dated August 10, 2021

PUBLIC COMMENT

None

OTHER

None

MEMORANDUM

TO: San Miguel County Planning Commission
FROM: Troy Hangen, Senior Planner
RE: Amendment to the San Miguel County Land Use Code Section 5-319 K.
regarding Wright's Mesa Definitions
DATE: September 9, 2021
[Z:\Applications\2021_LUC Amendment Compost Facility WMRA\1 Staff Memo(s) and Resolution(s)]

Background

On or about June 29, 2021, a Land Use Code Amendment was initiated by the County Legal Assistant Nancy Hrupcin. In the "New" Wright's Mesa Zone District, language adopted March 2010 (Land Use Code 5-319 K. Wright's Mesa Definitions), Waste and Salvage are listed as Industrial Uses allowed in the Wright's Mesa Rural Agriculture Zone District. Use Types "Material Recovery Facility" and "Salvage, Junk Yard" are allowed with a Two-Step Review Process with County Planning Commission recommendation and approval by the Board of County Commissioners.

Proposed Amendment

The following addition would be added to LUC Section 5-319 K. Wright's Mesa Definitions,
(new text is underlined)

INDUSTRIAL USES

WASTE AND SALVAGE

Waste and Salvage firms receive solid or liquid wastes from others for disposal on the site or for transfer to another location. The category includes uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and Salvage uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and shipment of by-products. Specific use types include, but are not limited to:

Material Recovery Facility (MRF)

A solid waste management facility which collects mixed solid wastes and manually or mechanically separates recyclable materials to be marketed and disposes of all non-recyclable wastes to a permitted facility, or a solid waste management facility for the collection, recovery and processing of materials, such as metals, paper or glass, from solid waste for the production of a fuel from solid waste, including a solid waste transfer station, or a compost facility that utilizes a controlled biological process to degrade non-hazardous solid waste.

Public Noticing

The meeting agenda has been published in the Telluride Daily Planet and Norwood Post on September 1, 2021.

Referral Agencies

The proposed Land Use Code text amendment was sent to the County Manager, County Attorney, Telluride Planning and Building Director, Telluride Town Manager, Mountain Village Planning and Development Services, Mountain Village Town Manager, Norwood Town Administrator, Mayor of Ophir, and Mayor of Sawpit.

Responses were received from Michelle Haynes, Mountain Village Planning and Development Services and Phil Taylor (Senior Planner from Town of Telluride). Their comments have been incorporated into the packet.

Public Comments

As of the writing of this report, no public comments have been received.

Review Standards

Review Standards for Land Use Code Amendments are contained in LUC Section 5-1802 and state, "Land Use Code Amendments may be initiated by the County or by persons who are residents of, or own property in, San Miguel County subject to compliance with the following standard." This amendment was requested by the County Legal Assitant. The only review standard, LUC Section 5-1802 A., states "Land Use Code Amendments shall be drafted in a form consistent with the organizational format and style of the code." The proposed amendment has been drafted in the format and style of the code.

In addition, Section 1-4, Purposes of the Land Use Code, should be considered.

1-402 Implement Policies

To implement the policies of San Miguel County regarding land use and development, housing, growth and related issues, as adopted and amended from time to time.

1-403 Create Common System of Administration and Regulation

To combine the regulation of all aspects of land use and development and the use of land and natural resources into a common system of administration and regulation.

1-404 Simplify the Land Use Regulatory Process

To simplify the application and review process for such regulatory system.

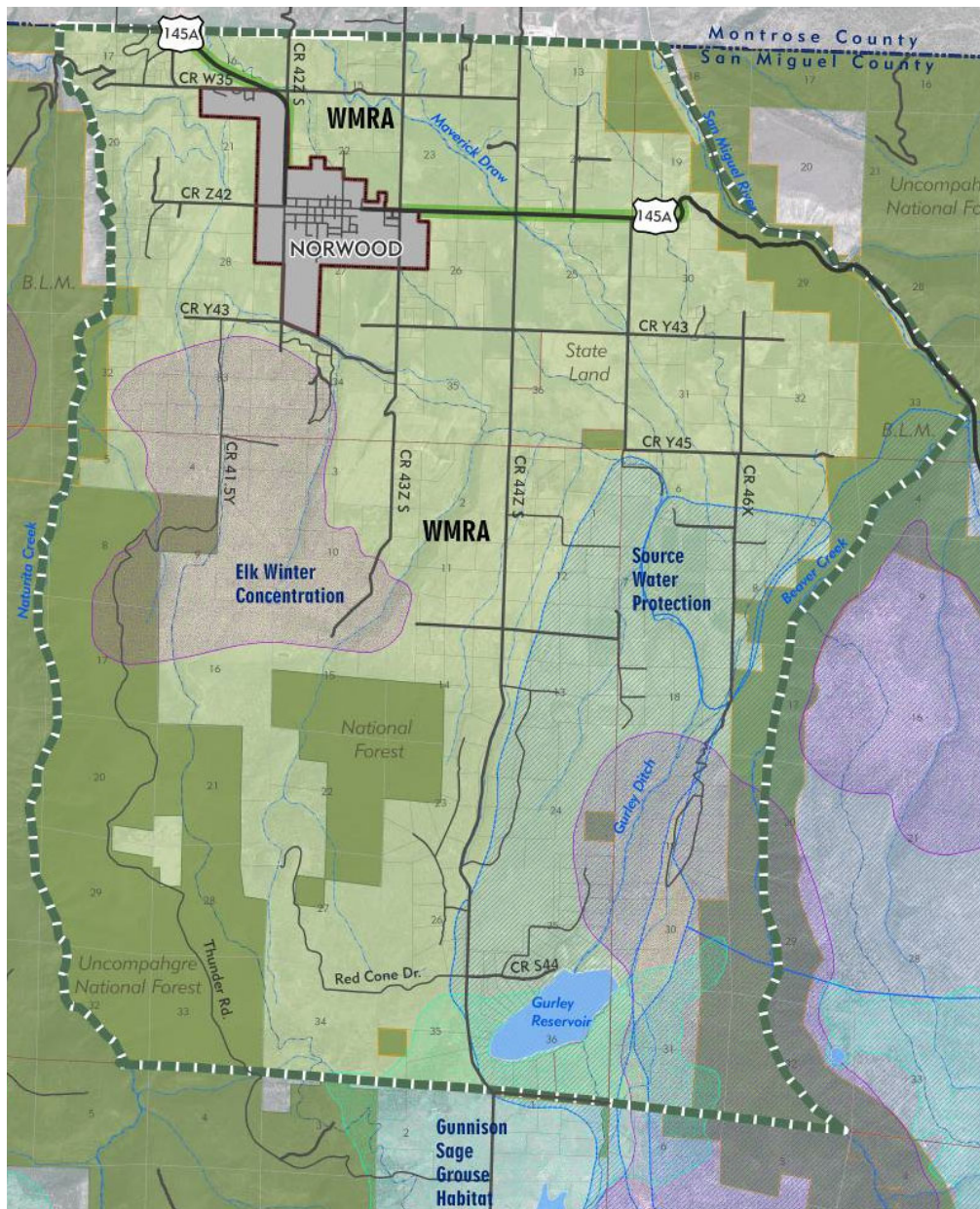
1-405 Protect Health, Safety and Welfare

To protect the health, safety and public welfare of San Miguel County.

Discussion

The proposed compost facility use would be allowed subject to rezoning of a specific parcel to the Wright's Mesa Rural Agriculture Zone District. The County is seeking to acquire a Recycling Resources Economic Opportunity Program ~ Mini-Grant from the Department of Public Health & Environment. The Mini-Grant will allow the County to begin a compost facility which will in turn reduce the degradable matter going to the landfill.

Zoning Map



Sample Motion:

I move to recommend to the Board of County Commissioners to adopt the amendment to San Miguel County Land Use Code Section 5-319 K. regarding definitions in the Wright's Mesa zone district, based on the finding that the proposed amendment complies with the standards of Land Use Code Section 5-1802, Land Use Code Amendments, and is consistent with Land Use Code Section 1-4, Purposes of the Land Use Code.



Troy Hangen <troyh@sanmiguelcountyco.gov>

LUC Amendment - Material Recovery Facility - Compost Facility

Troy Hangen <troyh@sanmiguelcountyco.gov>

Mon, Aug 9, 2021 at 10:31 AM

To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>, Amy Markwell <amym@sanmiguelcountyco.gov>, Ross Herzog <rherzog@telluride-co.gov>, Ron Quarles <rquarles@telluride-co.gov>, Kim Montgomery <KMontgomery@mtnvillage.org>, Michelle Haynes <MHaynes@mtnvillage.org>, Patti Grafmyer <grafmyer@norwoodtown.com>, Corinne Platt <mayor@ophir.us>, Mike Kimball <michaelnjoyce@msn.com>, Kaye Simonson <kayes@sanmiguelcountyco.gov>

Please find attached for your review a draft amendment to San Miguel County Land Use Code Section 5-319, Wrights Mesa Zone District. If you have any comments, please submit them to me by Monday, August 30. Thank you.

--

Troy Hangen

Senior Planner

San Miguel County

P:970-728-3083

333 W Colorado Ave, 3rd Flr

Telluride, CO 81435

www.sanmiguelcountyco.gov

2 attachments

**Compost Facility def.pdf**

128K

**Referral bout LUC.pdf**

98K



Troy Hangen <troyh@sanmiguelcountyco.gov>

LUC Amendment - Material Recovery Facility - Compost Facility

Michelle Haynes <MHaynes@mntnville.org>
To: Troy Hangen <troyh@sanmiguelcountyco.gov>

Mon, Aug 9, 2021 at 12:00 PM

Thank you Troy,

Michelle

[Quoted text hidden]



Troy Hangen <troyh@sanmiguelcountyco.gov>

LUC Amendment - Material Recovery Facility - Compost Facility

Phil Taylor <ptaylor@telluride-co.gov>

Tue, Aug 10, 2021 at 9:11 AM

To: "troyh@sanmiguelcountyco.gov" <troyh@sanmiguelcountyco.gov>

Good Morning Troy,

Thank you for providing the opportunity for the Town of Telluride's Planning and Building Department to provide comments on proposed LUC amendments. At this time, the Planning and Building Department does not have any comments.

If you have questions, please let me know.

Thank you very much,

Phil Taylor, AICP

Senior Planner

Planning and Building Department

(970) 728-2170



From: Ross Herzog <rherzog@telluride-co.gov>

Sent: Monday, August 9, 2021 10:47 AM

To: Kevin Geiger <KGeiger@telluride-co.gov>; Allie Slaten <aslaten@telluride-co.gov>

Cc: Ron Quarles <rquarles@telluride-co.gov>; Phil Taylor <ptaylor@telluride-co.gov>; Jonna Wensel <jwensel@telluride-co.gov>; Lance McDonald <LMcDonald@telluride-co.gov>

Subject: Fwd: LUC Amendment - Material Recovery Facility - Compost Facility

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From: Troy Hangen <troyh@sanmiguelcountyco.gov>

Sent: Monday, August 9, 2021 10:31:18 AM

To: Mike Bordogna <mikeb@sanmiguelcountyco.gov>; Amy Markwell <amym@sanmiguelcountyco.gov>; Ross Herzog <rherzog@telluride-co.gov>; Ron Quarles <rquarles@telluride-co.gov>; Kim Montgomery <KMontgomery@mtnvillage.org>; Michelle Haynes <MHaynes@mtnvillage.org>; Patti Grafmyer <grafmyer@norwoodtown.com>; Corinne Platt <mayor@ophir.us>; Mike Kimball <michaelnjoyce@msn.com>; Kaye Simonson <kayes@sanmiguelcountyco.gov>

Subject: LUC Amendment - Material Recovery Facility - Compost Facility

Please find attached for your review a draft amendment to San Miguel County Land Use Code Section 5-319, Wrights Mesa Zone District. If you have any comments, please submit them to me by Monday, August 30. Thank you.

[Quoted text hidden]



AGENDA ITEM

TITLE:

Discussion of Affordable Housing

Presented by:

Time needed:

PREPARED BY:

Nancy Hrupcin, Planning

RECOMMENDED ACTION/MOTION:

INTRODUCTION/BACKGROUND:

FISCAL IMPACT:

ATTACHMENTS:

Description: