

**SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS
MINUTES
WEDNESDAY, DECEMBER 18, 2024**

1. 9:30 am Call to Order.

(Any of the stated items in this agenda may involve an Executive Session C.R.S. 24-6-402(4))

2. Roll Call

Lance Waring, Chair
Kris Holstrom, Vice Chair
Anne Brown, Commissioner

Staff Present:

Mike Bordogna, County Manager
Jarrod Biggs, Assistant County Attorney
Maura Fahey, County Attorney
Nancy Willis, Paralegal
Carmen Warfield, Chief Deputy Clerk

3. Moment of Silence

4. Review of Agenda

Item 6.m. will be continued to the January 8, 2025, board meeting for ratification.
Jeff Hurd is not available to meet today. He will be rescheduled in January.

5. Public Comment for Items Not on the Agenda

Please limit comments to 3 minutes. If comments are not related to an item on the agenda, there will be no Board response or action taken since the topic was not posted with proper notice and any comment could potentially violate the Colorado Open Meetings Law.

6. Consent Agenda

- a. Approval of Minutes: October 16, 2024, November 6, 2024, and November 13, 2024
- b. Approval of Chair's signature on an Intergovernmental Agreement (IGA) Inter-Agency Partnership for the Women, Infants, and Children Program.
- c. Approval of the re-appointment of Kyle Koehler to the Board of Trustees of the San Miguel County Public Library District #1 for a term expiring December 31, 2029.
- d. Approval of the Chair's signature on an agreement for Behavioral Health Services Administration with Tri-County Health Network
- e. Acceptance of the 2024 non-profit End-of-the-Year Reports.

- f. Acceptance of the October 2024 Road Report.
- g. Approval of the November 2024 Vendor and Payroll payments.
- h. Ratification of Commissioner's signature on a letter of support for the Seasonal Employment Protection Act.
- i. Approval of the Chair's signature on a San Miguel County Behavioral Health Solutions Grantee Agreement with Raices Sin Fronteras in the amount of \$29,040 for each of the 2025, 2026, and 2027 years, if budgeted and appropriated for those future fiscal years.
- j. Approval of the Chair's signature on a San Miguel County Behavioral Health Solutions Grantee Agreement with Rae Centanni Shaffner, CSW, ACC, ADS Map, and the Mirror Counseling, LLC in the amount of \$13,030 for the budget year 2025.
- k. Approval of the Chair's signature on a San Miguel County Behavioral Health Solutions Grantee Agreement with Telluride Regional Medical Center for 2025 in the amount of \$39,105, for the year 2026 \$67,507, and for 2027 \$68,934, if budgeted and appropriated for those future fiscal years.
- l. Approval of the Chair's signature on a San Miguel County Behavioral Health Solutions Grantee Agreement with Telluride School District in the amount of \$44,000 for the budget year 2025.
- m. Approval of the Chair's signature on a San Miguel County Behavioral Health Solutions Grantee Agreement with Tri-County Health Network in the amount of \$75,569.12 for the budget year 2025.
- n. Approval of the Chair's signature on a renewal of Retail Fermented Malt Beverage License for Society Conoco LLC, 100 Society Drive Telluride CO based on the County Clerk's Written Findings.

Motion by Kris Holstrom to approve the consent agenda with Item 6.m. continued due to the wrong backup and Item 6.n. shall state renewal of Retail Fermented Malt Beverage and wine license. **Seconded** by Anne Brown. **PASSED 3-0.**

7. Administrative Matters

- a. 9:35 a.m. Public Hearing: Consideration of a resolution(s) increasing the 2024 budget appropriations for San Miguel County Resolution 2024-63 and the San Miguel County Solid Waste Disposal District Resolution 2024-64./MOTION

Presented by: Jarrod Biggs, Assistant County Manager; Ramona Rummel, Finance Director

9:40 a.m. The Chair Opened the Public Hearing.

9:44 a.m. The Chair Closed the Public Hearing.

Motion by Kris Holstrom to approve **Resolutions 2024-63 and 2024-64** as presented. **Seconded** by Anne Brown. **PASSED 3-0.**

- b. Consideration to certify levies and revenue for all taxing entities for the year 2025/MOTION

Presented by: Jarrod Biggs, Assistant County Manager; Ramona Rummel, Finance Director

Motion by Kris Holstrom to certify levies and revenue for all taxing entities for the year 2025. **Seconded** by Anne Brown. **PASSED 3-0.**

- c. Consideration of 2024-62 resolution transferring money from the San Miguel County Treasurer's Trust and Agency Funds to the San Miguel County General Fund./MOTION

Presented by: Ramona Rummel, Finance Director; Jarrod Biggs, Assistant County Manager

Motion by Kris Holstrom to approve the [Resolution 2024-62] transfer of money from the San Miguel County Treasurer's Trust and Agency Funds to the San Miguel County General Fund. **Seconded** by Anne Brown. **PASSED 3-0.**

- d. Consideration of the 2025 San Miguel County Holidays (Continued)

Presented by: Jarrod Biggs, Assistant County Manager; Sarah Enders, County Assessor and Wellness Committee; Michael Wyszynski, County Clerk and Recorder; Mike Bordogna, County Manager; Ryan Righetti, Road and Bridge Director; Kaye Simonson, Planning Director; Nicola Kerr, Associate Planner

Motion by Lance Waring to approve [Resolution 2024-50] the Holiday schedule as recommended by the wellness committee -13 days. This will occur as an annual discussion. Direction was also given to amend the employee handbook, directing staff to adjust the holiday hours as Jarrod has recommended. **Seconded** by Kris Holstrom. **PASSED 3-0.**

8. 10:00 am Planning Matters

- a. Consideration of an application for Vacation of Lot Lines Wilson Mesa Ranches Filing 6 / MOTION

Presented by: Nicola Kerr, Associate Planner; Ray Bowers, Representative for the applicant

10:38 a.m. The Chair Opened the Public Hearing.

10:41 a.m. The Chair Closed the Public Hearing.

Motion by Kris Holstrom to approve the proposed Subdivision Exemption for Vacation of Lot Lines to vacate the property lines between Lots 85, 96, and 97 of the Wilson Mesa Ranches, as presented, to authorize the Chair's signature on the corresponding final plat, and to adopt the corresponding Board of County Commissioner **Resolution No. 2024-65**, finding that the proposed Subdivision Exemption for Vacation of Lot Lines application is in compliance with all applicable Land Use Code standards in Section 5-1214, Vacation of Lot Lines, including the submission of a final plat that complies with the final plat submission contents required in Land Use Code, subject to the following conditions: 1. All conditions set forth by referral agents. **Seconded** by Anne Brown. **PASSED 3-0**.

- b. Consideration of an Amendment to the Land Use Code regarding Private Camping and Commercial Campgrounds regulations / MOTION

Presented by; John Huebner, Senior Planner

11:00 a.m. The Chair Opened the Public Hearing.

11:11 a.m. The Chair Closed the Public Hearing.

Motion by Kris Holstrom to approve an amendment to the San Miguel County Land Use Code and adopt **BOCC Resolution No. 2024-53** to add Section 5-714 Non-Commercial Camping in order to provide standards for the private occupancy of recreational vehicles and temporary shelters not located in campgrounds, and to add Section 5-1008 Standards for Recreational Vehicle Park, Trailer Park or Campground and to add Section 5-1009 Standards for Semi-Primitive Campground, and with associated amendments to Sections 5-307 J. Forestry, Agriculture and Open and 5-319 H. IV f. Wrights Mesa Rural Agriculture and Article 7 Definitions, as presented, 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. **Seconded** by Lance Waring. **PASSED 2-1**. Anne Brown Opposed.

11:14 a.m. Recessed.

11:20 a.m. Reconvened.

- c. Consideration of an amendment to the Land Use Code regarding cleanup and corrections / MOTION

Presented by: Kaye Simonson, Planning Director

11:21 a.m. The Chair Opened the Public Hearing.

11:32 a.m. The Chair Closed the Public Hearing.

Motion by Kris Holstrom to approve the amendments to the Land Use Code for the purpose of cleanup and corrections as presented, and adopt **Resolution No. 2024-54**,

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. **Seconded** by Anne Brown. **PASSED 3-0.**

12. Affordable Housing Updates

Presented by Mike Bordogna, County Manager; Jarrod Biggs. Assistant County Manager

1. The San Bernardo HOA is working with Mike and Jarrod. They have formally responded and are considering a Memorandum of Understanding with San Miguel County to drill a test well on their property.
2. The housing need assessment is being worked on and is delayed because the Director of SMRHA is leaving her position.

Manager Matters-

1. Upcoming reviews of all staff evaluations are being completed.
2. The Holiday Party for Staff is tomorrow. The County will be closing at noon.
3. The Administrative Assistant for SMRHA will be taking on some additional duties while the Director replacement continues.
4. The Veteran Service Officer for San Miguel County will also provide services to Ouray County. He would be working for each county 16 hours per week. The Board expressed their support of this partnership.

14. Commissioner Updates

Anne Brown - Update on Outside Meetings.

Kris Holstrom - Update on Outside Meetings.

Lance Waring - Update on Outside Meetings.

Kris Holstrom - Telluride Institute, Off the Record - KOTO

Anne Brown - Sheriff's office corporal interview committee; SMART Board meeting;

Collaborative Action for Immigrants; Co-Responder Program meeting

Lance Waring- San Miguel Regional Housing Authority, Grand Junction Town Council - Bruin

Waste - Sorting facility, Early Childhood - ECAP meeting, SMART Board Meeting,

9. Lunch

- a. 11:55 am Meeting with United States Representative Jeff Hurd.
Note: United States Representative Jeff Hurd was unable to attend.
- b. Lunch Break
12:02 p.m. Recessed.
1:00 p.m. Reconvened.

10. Parks and Open Space Matters

- a. 1:00 pm Introduction of the Assistant Noxious Weed Manager, Brian Zoran.

Presented by: Janet Kask, Parks and Open Space Director; Brian Zoran, Assistant Noxious Weed Manager; Julie Kolb, Noxious Weed Manager

11. 1:10 p.m. Department of Human Services

(The Board of Commissioners is sitting as the San Miguel County Board of Human Services.)

- a. Consideration of approving the Chair to sign the Department of Human Services 2025 Early Childhood Memorandum of Understanding or Contracts signing authority./MOTION

Presented by; Linnea Edwards, Director of Human Services

Note: A discussion occurred and staff direction was given to notify the Chair prior to a new contract that has been submitted for signature.

- b. Approval of a contract for Professional Services 100th Meridian Law, Herb McHarg. Outside counsel for DHS./MOTION

Presented by: Linnea Edwards, Director of Human Services

Motion by Anne Brown to approve the contract as presented. **Seconded** by Kris Holstrom. **PASSED 3-0.**

- c. Approval of a contract for Professional Services with Carol Friedrich, Family Engagement Facilitator./MOTION

Presented by Linnea Edwards, Director of Human Services

Motion by Kris Holstrom to approve the professional service contract as presented. **Seconded** by Anne Brown. **PASSED 3-0.**

- d. Consideration of Chair's signature on the Dept of Human Services Balance Sheet, October 2024; Earned Revenue and Expenditures, October 2024; Expenditures through Electronic Benefit Transfers, November 2024; Check Register for the Month of November 2024 County Allocation / MOE Report, October-2024/MOTION

Presented by: Linnea Edwards, Director of Human Services

Motion by Kris Holstrom to approve the financials as presented. **Seconded** by Anne Brown. **PASSED 3-0.**

13. Manager Matters

Update and other, as needed
Mike Bordogna, County Manager

- a. Discussion of the Placerville Survey results.

Presented by: Mike Bordogna, County Manager; Janet Kask, Parks and Open Space Director

Note: Staff direction was given to keep the gate closed by the Placerville Firehouse due to the survey results.

Staff direction was given to order a speed study through the Colorado Dept of Transportation for the Placerville area.

- b. Discussion of the Intergovernmental Goals and Objectives Working Group.

Presented by: Mike Bordogna, County Manager

Note: Staff direction was given that Commissioner Anne Brown will represent San Miguel County at the Intergovernmental Goals and Objectives Working Group.

- d. Consideration of the Fruen Building Preliminary Design MOU

Presented by: Jarrod Biggs, Assistant County Manager; Lance McDonald and James Van Hooser, Town of Telluride

Note: Staff direction was given to move forward with the Memorandum of Understanding. Mike Bordogna is approved to sign the MOU.

- c. Consideration of the Chair's signature on a second supplement and amendment to the Intergovernmental Agreement for cost-sharing of the Planning and Gondola Project Development Phase of the Gondola Project./MOTION

Presented by: Mike Bordogna, County Manager

Motion by Kris Holstrom to approve the Intergovernmental Agreement concerning the Gondola Project as presented. **Seconded** by Anne Brown. **PASSED 3-0.**

15. Attorney Matters

(Any of these items may involve an Executive Session C.R.S. 24-6-402(4))

- a. End-of-Year Update from County Attorney

Presented by: Maura Fahey, County Attorney; Nancy Willis, Paralegal

- b. Executive Session: Discussion of the 155 Hayden View Trail Notice of Appeal,

citation (4)(b), for purposes of receiving legal advice on specific legal questions.

2:55 p.m. Recessed.

3:15 p.m. Reconvened.

Note: Anne Brown recused herself because she knew the applicants from this section of Attorney Matters. Kaye Simonson, Planning Director, was in attendance.

Motion by Kris Holstrom to go into Executive Session. **Seconded** by Lance Waring. **PASSED 2-0.**

Motion by Kris Holstrom to come out of Executive Session. **Seconded** by Lance Waring. **PASSED 2-0.**

- c. Executive Session: Discussion of the contest to Ballot Measure 3A, citation (4)(b) for purposes of receiving legal advice on specific legal questions.

3:22 p.m. Recessed.

3:32 p.m. Reconvened.

Motion by Kris Holstrom to go into Executive Session. **Seconded** by Lance Waring. **PASSED 3-0.**

Motion by Kris Holstrom to come out of Executive Session. **Seconded** by Lance Waring. **PASSED 3-0.**

Note: The County Attorney requested that the above items 15.b. and 15.c. not have written minutes as it constitutes a privileged attorney-client communication, and a statement signed by the attorney and chair is attached.

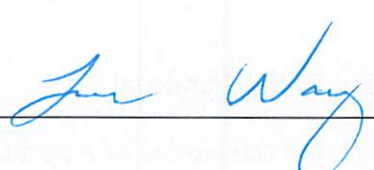
16. Adjournment

Motion by Kris Holstrom to adjourn the meeting. **Seconded** by Lance Waring. **PASSED 3-0.**

3:33 p.m. Adjourn

Respectfully submitted,

Approved January 22, 2025 
BOARD OF COUNTY COMMISSIONERS



ATTEST:

**Resolution of the Board of Commissioners
of San Miguel County, Colorado,
Adopting the 2025 San Miguel County Holidays**

Resolution #2024-50

Whereas, the Board of County Commissioners of San Miguel County shall adopt the dates in 2025 on which the Holidays of San Miguel County shall be taken. The list is attached hereto and incorporated herein by reference as Exhibit "A".

Whereas, the Board of Commissioners of San Miguel County, Colorado considered these holidays, along with relevant evidence and testimony at its regular meeting on December 18, 2024.

Now, Therefore, be it resolved that the San Miguel County Board of Commissioners approved and adopted the San Miguel County Holidays for 2025 (Exhibit "A", attached hereto) and same shall be published in the manner provided for by law.

Approved and done by the Board of Commissioners of San Miguel County, Colorado, on December 18, 2024.

San Miguel County Board of Commissioners

Lance Waring
Lance Waring, Chair

Attest:

Carmen Warfield
Carmen Warfield, Chief Deputy Clerk



Vote: Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

Exhibit A

San Miguel County Holidays for 2025

January 1, 2025 (Wed)	New Year’s Day
January 20, 2025 (Mon)	Martin Luther King Day
February 17, 2025 (Mon)	Presidents Day
May 26, 2025 (Mon)	Memorial Day
June 19, 2025 (Thur)	Juneteenth
July 4, 2025 (Fri)	4 th of July
September 1, 2025 (Mon)	Labor Day
October 13, 2025 (Mon)	Indigenous People’s Day
November 11, 2025 (Tue)	Veteran’s Day
November 27 and 28, 2025 (Thurs,Fri)	Thanksgiving and the Day after
December 25 and 26, 2025 (Thurs, Fri)	Christmas and the Day after

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING AN AMENDMENT TO LAND USE CODE
SECTIONS 5-714 NON-COMMERCIAL CAMPING, 5-1008 STANDARDS FOR
RECREATIONAL VEHICLE PARK, TRAILER PARK OR CAMPGROUND, AND
5-1009 STANDARDS FOR SEMI-PRIMITIVE CAMPGROUND**

Resolution 2024-53

WHEREAS, Planning staff has proposed Land Use Code (LUC) amendments, to add Section 5-714 Non-Commercial Camping in order to provide standards for the private occupancy of recreational vehicles and temporary shelters not located in campgrounds, to add Section 5-1008 Standards for Recreational Vehicle Park, Trailer Park or Campground, and to add Section 5-1009 Standards for Semi-Primitive Campground with associated amendments to Sections 5-307 J. Forestry, Agriculture and Open and 5-319 H. IV f. Wrights Mesa Rural Agriculture and Article 7 Definitions; and

WHEREAS, the draft amendment was referred to the County Manager, County Attorney, County Assistant Manager, County Communications, County Building Official, County Natural Resources Director, County Road and Bridge Director; County Environmental Health; County Parks and Open Space, Colorado Parks and Wildlife, US Forest Service, US Bureau of Land Management, Town of Mountain Village, Town of Norwood, Town of Ophir, Town of Sawpit, and Town of Telluride; and

WHEREAS, at a Planning Commission meeting held on Thursday, November 14, 2024, following its consideration of the proposed LUC Amendment, the CPC unanimously recommended approval of the Land Use Code Amendment; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made 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; and

WHEREAS, a Public Hearing Notice for the proposed Land Use Code Amendment and the Board of County Commissioners meeting to be held on December 18, 2024 was published in the Norwood Post and the Telluride Daily Planet on November 28, 2024; and

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

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this Land Use Code amendment, along with relevant evidence and testimony, at a public hearing on Wednesday, December 18, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves and adopts the following amendments to the San Miguel County

Land Use Code (LUC):

Additions to the following section are indicated with underline. Deletions are indicated with ~~strike-through~~.

5-307 D. Uses Allowed Subject to One-step Planning Commission Review

- IV. Horseback riding and sleigh ride operations, and outdoor recreation areas and campgrounds ~~camping areas~~ (subject to compliance with Standards in Section ~~5-10085-307 J.~~);

~~5-307 J. Camping and Outdoor Recreation Areas and Incidental Facilities Standards~~
~~In addition to complying with the standards for special uses in Section 5-10, camping and outdoor recreation areas and incidental facilities shall comply with the standards in this section.~~

- ~~I. Such areas may be occupied only by persons using travel trailers, truck campers and tents for overnight and short duration camping (4-month maximum);~~
- ~~II. Each space for travel trailers, truck campers and tents shall be at least 1500 sq. ft. in area;~~
- ~~III. Each space shall be at least 30 ft. in width;~~
- ~~IV. Each camping area shall provide a central water supply and shall have one sewage system;~~
- ~~V. The source, quality, quantity, distribution system, volume and method of storage of water, and the method of collection and treatment of sewage and wastewater shall be approved by the Colorado State Department of Public Health;~~
- ~~VI. No dependent travel trailer, truck camper or tent shall be located more than 200 ft. from a service building; and~~
- ~~VII. Provisions shall be made for adequate all-weather walkways to each space.~~

5-307 ~~K.~~I. Airports, Cemeteries, Sanitary Land Fill Operations and Sewage Disposal Areas Standards

In addition to complying with the standards for special uses in Section 5-10, airports, cemeteries, sanitary land fill operations and sewage disposal areas facilities shall comply with the standards in this section.

- I. Such uses shall serve an obvious public need;

II. Sufficient distance shall separate such uses from incompatible abutting properties; and

III. Satisfactory proof shall be given that such areas will be properly maintained.

5-307 ~~L. K.~~ Single-family Dwellings over twelve thousand (12,000) sq. ft. of Floor Area on a minimum of thirty-five (35) acres

5-313 Park (P)

5-313 C. Uses Allowed Subject to One-step Planning Commission

VII. Campgrounds (subject to compliance with Standards in Section 5-1008);

5-319 Wright's Mesa Zone Districts

5-319 H. Use-Specific Standards

All uses are subject to the applicable use-specific standards set forth in the Section.

IV. Commercial

f. Recreational Vehicle Park, Travel Trailer Park or Campground

In addition to complying with the standards for special uses in Section 5-10 and campgrounds in Section 5-1008, A a recreational vehicle/travel trailer park, campground and incidental facilities shall comply with all applicable state Colorado Department of Public Health and Environment (CHPHE) and County Environmental Health review standards and with the following standards:

- ~~i. Minimum Lot Area: The minimum lot area shall be two (2) acres.~~
- ~~ii. Maximum Lot Area: The maximum lot area to be developed with campsites, RV spaces, and service facilities shall be five (5) acres. The Open Space and Recreational areas required by Subsection xii of this Section may be located outside the maximum lot area.~~
- ~~iii. Lot Size/Number of Spaces: The campground may have up to ten (10) spaces per acre. An applicant is not automatically entitled to this maximum density. Each campsite or space shall accommodate only one camping party and the camping vehicle, unit or equipment occupied by persons within the same party.~~
- ~~iv. Duration of Stay: Such areas may be occupied only by persons using RV's, travel trailers, truck campers, and tents for overnight and short duration camping. No park or campground shall be used or long term housing (i.e., stays of longer than thirty (30) consecutive days or a total of thirty (30) days within any one hundred twenty-day (120 day period) unless an alternative time frame is established as part of a special use review. If determined necessary for mitigation of impacts, the maximum duration of stay may be reduced to less than thirty (30) days as part of a special use~~

~~review.~~

~~v. Size of Spaces: Each space shall be at least one thousand five hundred (1,500) square feet and at least thirty (30) feet wide.~~

~~vi.i. Setbacks from Property Line:~~

~~a. WMLI zone district:~~

- ~~• Front: twenty-five (25) feet;~~
- ~~• Side: twenty-five (25) feet;~~
- ~~• Rear: twenty-five (25) feet;~~

~~b. WMRA zone district~~

- ~~• Front: forty (40) feet~~
- ~~• Side: thirty (30) feet~~
- ~~• Rear: thirty (30) feet~~

~~c. The minimum setback from a residential use shall be one hundred (100) feet.~~

~~c.d. The Highway 145 Scenic Corridor Standards of Section 5-319 I.III shall also apply where applicable.~~

~~vii. Central Water and Sewer: Each campground or park shall connect and be served by the Norwood Water Commission and the Norwood Sanitation District or a water supply system and sewage collection and disposal system approved by the Colorado Department of Public Health and Environment.~~

~~viii. Central Refuse Disposal: The storage, collection, and disposal of refuse shall be animal resistant and performed so as to minimize accidents, fire hazards, air pollution, odors, insects, rodents, or other nuisance conditions.~~

~~ix. Service Buildings: Each space shall be located a minimum of two hundred (200) feet from a service building (with restroom).~~

~~x. Parking and Walkways Surface: Provisions shall be made for adequate all-weather parking, such as gravel, and walkways to each space. A minimum of one (1) auto parking space shall be provided on each RV space or campsite. One (1) additional auto parking space shall be provided for each of five (5) RV spaces or campsites.~~

~~xi. Screening and Landscaping: The campground or park shall be landscaped and screened from adjacent roadways and residential land uses. Such landscaping and screening plans must mitigate the visual impacts for the RV Park on the surrounding area. The adequacy of the visual mitigation shall be considered as part of the Special Use Permit. Landscape plans shall include water-conserving measures and use drought-tolerant plants.~~

~~xii. Open Space and Recreational Areas: The campground or park shall provide common recreational area/open space area of sufficient size to meet the needs of the park occupants. Such area or areas shall not be less than ten (10) percent of the gross area of the park or campground.~~

~~xiii. ii. Access: Entrances and Exits from a State Highway or County Road shall require the applicant to obtain the necessary access permits. The RV Park, Travel Trailer Park, or Campground shall abut and have direct access to a State Highway or a paved County Road that is maintained year-round. Signage advising users of County Off-Highway Vehicle (OHV) regulations shall be posted on the site.~~

~~xiii. A drainage plan for the site shall be provided.~~

~~xiv. Convenience establishment may be permitted as an accessory use subject to the following restrictions:~~

~~a. Such establishment shall be restricted in their uses to occupants of the park.~~

~~b. Such establishment shall present no visible evidence from any street outside the park of their commercial character which would attract customers other than occupants of the park.~~

~~c. The structure of such facility shall not be located closer than one hundred (100) feet to any public street and shall be accessible only from a street within the park or campground.~~

~~d. Such establishment shall be discontinued if the primary use is no longer in operation.~~

~~xv. Interior two-way roads shall be twenty (20) feet minimum width and all interior one-way roads shall be sixteen (16) feet minimum width.~~

~~xvi. Roadways shall be designed for the safe and convenient movement of vehicles. All roadways shall be crowned to facilitate drainage. The type of road surface, gravel with dust suppressant, chip seal or paving will be determined based upon location and density as part of the Special Use Review.~~

~~xviii. iii. There shall be no more than three (3) Recreational Vehicle Parks, Travel Trailer Parks or Campgrounds permitted in the Wright's Mesa Rural Agricultural zone district.~~

g. Campground Semi-Private Semi-Primitive

A Semi-Primitive Campground shall comply with the standards for special uses in Section 5-10, and campgrounds in Section 5-1009.

~~i. A Semi-Primitive Campground has rudimentary facilities where such improvements are designed for protection of the site and not for the comfort of the minimal number of campers in the limited use area.~~

~~ii. A Semi-Primitive Campground is accessible only by walk in, equestrian, or motorized trail vehicles.~~

- ~~iii. RV or trailer camping would not be allowed in a Semi-Primitive Campground.~~
- ~~iv. A Semi-Primitive Campground shall comply with all applicable state of Colorado Department of Public Health and Environment (CDPHE) and County Environmental Health review standards.~~
- ~~v. Number of Guests: The Campground may have up to five (5) campsites on more than one hundred fifty (150) acres. Campgrounds with six or more campsites and/or on less than one hundred fifty (150) acres may be permitted by special use review. There shall be no more than six (6) guests per campsite.~~
- ~~vi. Fires shall only be permitted within established fire rings that are built to meet or exceed U.S. Forest Service standards.~~

5-319 K. Wrights Mesa Definitions

COMMERCIAL USES

VISITOR ACCOMMODATIONS

This use category includes for-profit facilities where lodging, meals, and the like are provided to transient visitors and guests for a defined period. Specific use types include, but are not limited to:

Bed and Breakfast (defined in Article 67)

Campground or RV Park (defined in Article 7)

~~Any plot or parcel of real estate upon which two or more recreational vehicle or campsites are located, established, maintained, or occupied for dwelling or sleeping purposes for the general public as temporary living quarters for recreation or vacation purposes regardless of whether a charge is made for such accommodation.~~

Campground Semi-Primitive (defined in Article 7)

~~A Semi-Primitive Campground is a campground accessible only by foot, horseback, or motorized trail vehicles. Facilities or improvements are limited and designed for protection of the site and not for the comfort of the minimal number of campers in the limited use area. RV or trailer camping is not allowed in a Semi-Primitive Campground.~~

5-320 West End (WE)

5-320 D. Uses Allowed Subject to One-step Planning Commission

- VII. Campgrounds and recreational vehicle (RV) parks (subject to compliance with Standards in Section 5-1008);

New Section

5-714 Non-Commercial Camping

The purpose of this section is to provide regulations for the use and occupancy of a recreational vehicle or other temporary shelter on individual parcels of land, and to provide minimum requirements for the protection of health and safety of the occupants. The following standards do not apply in the West End (WE) zone district except for subsection 5-714 A. III, and non-commercial camping is prohibited in the Affordable Housing Planned Unit Development (AHPUD) zone district.

5-714 A. Occupancy of Recreational Vehicles and Temporary Shelters

I. Location

- a. The Recreational Vehicle (RV) or temporary shelter may be occupied by the landowner or by his/her guests on individual parcels for recreational or vacation purposes.
- i. RVs and temporary shelters shall not be located in the required setbacks of the underlying zoning.

II. Number Allowed

- a. If occupied longer than fourteen (14) days in a calendar quarter, only one (1) RV or temporary shelter may be occupied on a single property at a time.
- b. Properties may be permitted to have more than one (1) RV or temporary shelter occupied at the same time for longer than fourteen (14) days, subject to approval of a Temporary Use Permit pursuant to Section 5-301 A.

III. Standards

The following standards shall apply to the occupancy of all RVs and temporary shelters:

- a. RVs must have a current registration and/or vehicle license.
- b. To protect public safety, all RVs and temporary shelters must remain readily mobile and meet the following requirements:
 - i. RVs shall not be driven or parked across, over, or on any part of the onsite waste water treatment system.
 - ii. The RV or temporary shelter's hook-ups must be in compliance with all applicable building, OWTS, fire, electrical, mechanical and related codes.

- c. All waste shall be contained and disposed of in a proper manner.
 - i. Gray water, toilet waste, or any other solid or liquid waste material shall not be disposed upon the ground.
 - ii. RVs must be connected to an approved and appropriately sized OWTS, or transported to a sanitary dump station as needed to empty gray water and toilet waste tanks, or be serviced on-site by a certified waste hauler. Drain outlets on RVs with plumbing fixtures shall be capped unless connected to a sewage disposal system.
 - iii. Refuse shall be contained in a bear-resistant enclosure.
- d. The use of a vehicle not designed or intended for occupancy is not permitted under this Section, e.g. passenger cars and light trucks, livestock trailers without living quarters, utility trailers, and similar vehicles.
- g. RVs and temporary shelters located on private property may not be leased or rented to another party for use on that property except as may permitted within an approved Campground or RV Park.
- h. All areas shall be kept free from accumulations of refuse and from health, fire, or safety hazards.
- i. If any applicable protective covenants or deed restrictions are recorded against the property in the Office of the San Miguel County Clerk and Recorder, they do not prohibit this use or the temporary housing use identified below.

IV. Temporary Housing

A Recreational Vehicle (RV) may be used as a temporary dwelling by the property owner during construction or remodel of a single-family residence on a property subject to the following conditions:

- a. A valid building permit for the permanent single-family dwelling shall be in effect during the entire time that the RV is occupied on the site.
- b. The RV is connected to the water supply and sewage disposal system that will serve the single-family residence, unless other arrangements have been approved by the San Miguel County

Environmental Health Department or the applicable water and sewer district.

c. Refuse shall be contained in a bear-resistant container.

5-1008 Standards for Recreational Vehicle Park, Travel Trailer Park or Campground

In zone districts where permitted, a recreational vehicle/travel trailer park, campground and incidental facilities shall comply with all applicable state Colorado Department of Public Health and Environment (CHPHE) and County Environmental Health review standards and with the following standards:

- I. Minimum Lot Area: The minimum lot area shall be two (2) acres.
- II. Maximum Lot Area: The maximum lot area to be developed with campsites, RV spaces, and service facilities shall be five (5) acres. The Open Space and Recreational areas required by Subsection XII of this Section may be located outside the maximum lot area.
- III. Lot Size/Number of Spaces: The campground may have up to ten (10) spaces per acre. An applicant is not automatically entitled to this maximum density. Each campsite or space shall accommodate only one camping party and the camping vehicle, unit or equipment occupied by persons within the same party.
- IV. Duration of Stay: Such areas may be occupied only by persons using RVs, travel trailers, truck campers, and tents for overnight and short duration camping. No park or campground shall be used or long-term housing (i.e., stays of longer than thirty (30) consecutive days for a total of thirty (30) days within any one hundred twenty-day (120-day period) unless an alternative time-frame is established as part of a special use review. If determined necessary for mitigation of impacts, the maximum duration of stay may be reduced to less than thirty (30) days as part of a special use review.
- V. Size of Spaces: Each space shall be at least one thousand five hundred (1,500) square feet and at least thirty (30) feet wide.
- VI. Setbacks: The minimum setback from adjacent residential uses shall be one hundred (100) feet from the camping area to the dwelling.
- VII. Central Water and Sewer: Each campground or park shall connect and be served by the water utility and the sewer utility or a water supply system and sewage collection and disposal system approved by the Colorado

Department of Public Health and Environment.

- VIII. Central Refuse Disposal: The storage, collection, and disposal of refuse shall be animal-resistant and performed so as to minimize accidents, fire hazards, air pollution, odors, insects, rodents, or other nuisance conditions.
- IX. Service Buildings: Each space shall be located no more than two hundred (200) feet from a service building (with restroom).
- X. Parking and Walkways Surface: Provisions shall be made for adequate all-weather parking, such as gravel, and walkways to each space. A minimum of one (1) auto parking space shall be provided on each RV space or campsite. One (1) additional auto parking space shall be provided for each of five (5) RV spaces or campsites.
- XI. Screening and Landscaping: The campground or park shall be landscaped and screened from adjacent roadways and residential land uses. Such landscaping and screening plans must mitigate the visual impacts for the RV Park on the surrounding area. The adequacy of the visual mitigation shall be considered as part of the Special Use Permit. Landscape plans shall include water- conserving measures and use drought-tolerant plants.
- XII. Open Space and Recreational Areas: The campground or park shall provide common recreational area/open space area of sufficient size to meet the needs of the park occupants. Such area or areas shall not be less than ten (10) percent of the gross area of the park or campground.
- XIII. Access: Entrances and Exits from a State Highway or County Road shall require the applicant to obtain the necessary access permits. The RV Park, Travel Trailer Park, or Campground shall abut and have direct access to a State Highway or a County Road, except where otherwise specified by the zone district standards. Signage advising users of County Off-Highway Vehicle (OHV) regulations shall be posted on the site.
- XIV. A drainage plan for the site shall be provided.
- XV. Provide campground management plan, rules and regulations, and emergency management plan.
- XVI. Convenience establishment may be permitted as an accessory use subject to the following restrictions:
 - a. Such establishment shall be restricted in their uses to occupants of the park.
 - b. Such establishment shall present no visible evidence from any street outside the park of their commercial character which would attract customers other than occupants of the park.

- c. The structure of such facility shall not be located closer than one hundred (100) feet to any public street and shall be accessible only from a street within the park or campground.
 - d. Such establishment shall be discontinued if the primary use is no longer in operation.
- XVII. Interior two-way roads shall be twenty (20) feet minimum width and all interior one-way roads shall be sixteen (16) feet minimum width.
- XVIII. Roadways shall be designed for the safe and convenient movement of vehicles. All roadways shall be crowned to facilitate drainage. The type of road surface, gravel with dust suppressant, chip seal or paving will be determined based upon location and density as part of the Special Use Review.

5-1009 Standards for Semi-Primitive Campground

A Semi-Primitive Campground shall comply with the following standards:

- I. A Semi-Primitive Campground has rudimentary facilities where such improvements are designed for protection of the site and not for the comfort of the minimal number of campers in the limited use area.
- II. A Semi-Primitive Campground is accessible only by walk-in, equestrian, or motorized trail vehicles.
- III. RV or trailer camping is not allowed in a Semi-Primitive Campground.
- IV. A Semi-Primitive Campground shall comply with all applicable state of Colorado Department of Public Health and Environment (CDPHE) and County Environmental Health review standards.
- V. Number of Guests: The Campground may have up to five (5) campsites on more than one hundred fifty (150) acres. Campgrounds with six (6) or more campsites and/or on less than one hundred fifty (150) acres may be permitted by special use review. There shall be no more than six (6) guests per campsite.
- VI. Fires shall only be permitted within established fire rings that are built to meet or exceed U.S. Forest Service standards.

5-2807 Definitions

Recreational Vehicle

~~A vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the~~

largest horizontal projections; (3) designed to be self propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. designed and built either in a factory setting or by a private party, to be used primarily as a temporary living quarter for recreational, camping, travel or seasonal use and that either has its own motor power or is mounted on or towed by another vehicle, including camp trailers, fifth wheel trailers, motor homes, park models, travel trailers and truck campers. Non-factory produced housing units that are mounted on a chassis and have axels are also considered recreational vehicles.

Article 7. Definitions

Campground or Recreational Vehicle Park

Any plot or parcel of real estate upon which two (2) or more recreational vehicles or campsites are located, established, maintained, or occupied for dwelling or sleeping purposes for the general public as temporary living quarters for recreation or vacation purposes regardless of whether a charge is made for such accommodation. A campground may also include an area with rental cabins, but its primary function is to accommodate visitors providing their own shelter. An establishment wherein the majority of the recreational vehicles, campers, tents, or shelters are provided for rent by the operator and are not brought in by visitors shall be considered a Guest Ranch, Hotel, or Hunting Lodge use.

Campground, Semi-Primitive

A Semi-Primitive Campground is a campground accessible only by foot, horseback, or motorized trail vehicles. Facilities or improvements are limited and designed for protection of the site and not for the comfort of the minimal number of campers in the limited use area. RV or trailer camping is not allowed in a Semi-Primitive Campground.

Recreational Vehicle

A vehicle designed and built either in a factory setting or by a private party, to be used primarily as a temporary living quarter for recreational, camping, travel or seasonal use and that either has its own motor power or is mounted on or towed by another vehicle, including camp trailers, fifth wheel trailers, motor homes, park models, travel trailers and truck campers. Non-factory produced housing units that are mounted on a chassis and have axels are also considered recreational vehicles.

Temporary Shelter

The use of camping equipment or facilities such as tents, tarpaulins or fabricated shelters for recreational purposes and not for residential purposes, and that may include the use of temporary cooking and bedding facilities such as open fires, camp stoves, cots, bedrolls, hammocks, or sleeping bags.

BE IT FURTHER RESOLVED, this approval is made 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.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on December 18, 2024.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

By: Lance Waring
Lance Waring, Chair

Vote:	Lance Waring	x	Aye	Nay	Abstain	Absent
	Ann Brown		Aye	x	Nay	Abstain
	Kris Holstrom	x	Aye	Nay	Abstain	Absent

ATTEST:



By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

EXHIBIT A – Public Hearing Record list

**EXHIBIT A
PUBLIC HEARING RECORD**

San Miguel County Board of Commissioners

Application: San Miguel County
Amendments to San Miguel County Land Use Code for Private Camping and
Commercial Campground regulations

Date: December 18, 2024

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 Board of Commissioners from John Huebner, Senior Planner dated December 18, 2024.
4. Draft Resolution 2024-53 of the County Board of Commissioners, San Miguel County, Colorado, Approving an Amendment to Land Use Code Sections 5-714 Non-Commercial Camping, 5-1008 Standards For Recreational Vehicle Park, Trailer Park Or Campground, And 5-1009 Standards For Semi-Primitive Campground.
5. Draft County Planning Commission November 14, 2024 Meeting Minutes.
6. Memorandum to the San Miguel County Planning Commission from John Huebner, Senior Planner dated November 14, 2024.
7. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on Thursday, November 28, 2024.
8. Draft Land Use Code Amendment, Sections 5-714 Non-Commercial Camping, 5-1008 Campgrounds, 5-1009 Primitive Campgrounds, and associated sections.

AGENCY COMMENTS

9. Memo from John Huebner, Senior Planner, to Referral Agencies dated October 11, 2024.
10. Email from Amy Ward, Mountain Village Community Development Director to John Huebner dated August 28, 2024.

PUBLIC COMMENT

None

OTHER

None

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
APPROVING AMENDMENTS TO THE LAND USE CODE
FOR THE PURPOSE OF CLEANUP AND CORRECTIONS**

Resolution No. 2024-54

WHEREAS, Planning staff has prepared Land Use Code (LUC) amendments for the purpose of cleanup and corrections; and

WHEREAS, the draft amendment was referred to the County Manager, County Attorney, County Assistant Manager, County Communications Coordinator, County Building Official, County Natural Resources Director, County Road & Bridge Director, County Parks & Open Space Director, Town of Mountain Village, Town of Norwood, Town of Ophir, Town of Sawpit, Town of Telluride, and Colorado Parks and Wildlife; and

WHEREAS, at a Planning Commission meeting held on Thursday, November 14, 2024, following its consideration of the proposed LUC Amendment, the CPC unanimously recommended approval of the Land Use Code Amendment; and

WHEREAS, in making its recommendation to the Board of County Commissioners, the CPC made 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; and

WHEREAS, a Public Hearing Notice for the proposed Land Use Code Amendment and the Board of County Commissioners meeting to be held on December 18, 2024 was published in the Norwood Post and the Telluride Daily Planet on November 28, 2024; and

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

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this Land Use Code amendment, along with relevant evidence and testimony, at a public hearing on Wednesday, December 18, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves and adopts the amendments to San Miguel County Land Use Code (LUC) as follows:

Additions to the following section are indicated with underline. Deletions are indicated with ~~strike through~~.

ARTICLE 2 LAND USE POLICIES

2-1207

Manage development within the designated view planes and the scenic foreground to preserve the natural appearances ~~within the Telluride Region~~ along scenic and major highways.

2-2905

Assist the private sector in providing new affordable housing throughout San Miguel County, but primarily in the ~~Telluride Region~~ East End of the County and the Telluride R-1 School District, to reduce the critical shortage of affordable housing;

ARTICLE 5 STANDARDS

5-302 High Density (HD)

5-302 A. Purpose

- I. The purpose of the High Density (HD) Zone District is to provide areas suitable for high density, clustered, mixed-use development in accordance with the ~~Telluride Regional Area~~ East End Master Plan. The Master Plan includes an analysis of the ~~Telluride Region's~~ East End's physical characteristics and the capability of the community to provide essential public services. The HD Zone District also provides a high density and mixed use development alternative to low density development as an incentive for the preservation of substantially more open space than could reasonably be required as part of a lower density development. Clustering of residential uses will be required to preserve environmentally sensitive lands and the scenic foreground as open space.
- II. Minimum requirements for approval of the residential densities and the nonresidential land uses allowed in the Zone District shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, the provision of alternate transportation, recreational amenities and affordable housing, as described in the ~~Telluride Regional Area~~ East End Master Plan and in this Code (see Sections 5-13 and 5-20). In the absence of such guarantees and in the absence of the fulfillment of the other requirements set forth in the PUD process, non-environmentally sensitive lands will remain zoned either LD or PUDR and therefore will be subject to the standards of the applicable district, and environmentally sensitive lands will remain zoned either OS or PUDR and therefore will be subject to the standards of the applicable district.

5-302 J. Review Standards for Land Uses and Area and Bulk Requirements Requiring Board of County Commissioner Approval pursuant to the Planned Unit Development (PUD) Procedure

An applicant seeking approval for any of the uses listed in Section 5-302 E. or approval to utilize the area and bulk requirements in Section 5-302 G. must demonstrate to the satisfaction of the Board of County Commissioners substantial compliance with the standards in this section:

- II. Adequate public services such as roads, water, wastewater, public safety and fire protection are available to serve the proposed use and to insure the protection of the public health, safety and welfare in the ~~Telluride Region~~ region;
- VII. ~~In the Telluride Region, acceptable~~ Acceptable guarantees that fulfill the criteria

set forth in the ~~Telluride Regional Area~~ East End Master Plan have been made for the provision of:

5-303 Medium Density (MD)

5-303 A. Purpose

- I. The purpose of the Medium Density (MD) Zone District is to provide areas suitable for clustered medium density residential development in accordance with the San Miguel County Comprehensive Development Plan. The ~~Telluride Regional Area~~ East End Master Plan includes an analysis of the ~~Telluride Region's~~ East End's physical characteristics and the capability of the community to provide essential public services. Due to consideration of such factors as neighborhood compatibility, availability of community services and road capacities, lands zoned MD are capable of accommodating higher density development than can lands zoned LD. Clustering of residential uses will be required to preserve environmentally sensitive lands and the scenic foreground as open space.
- II. ~~Within the Telluride Region, minimum~~ Minimum requirements for approval of the residential densities proposed for the MD Zone District shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of alternate transportation, recreational amenities and affordable housing, as described in the ~~Telluride Regional Area~~ East End Master Plan and in this Code (see Sections 5-13 and 5-20). In the absence of such guarantees and in the absence of the fulfillment of the other requirements set forth in the PUD process, non-environmentally sensitive lands will remain zoned either LD or PUDR and therefore will be subject to the standards of the applicable district, and environmentally sensitive lands will remain zoned either OS or PUDR and therefore will be subject to the standards of the applicable district.

5-303 J. Review Standards for Land Uses and Area and Bulk Requirements Requiring Board of County Commissioner Approval pursuant to the Planned Unit Development (PUD) Procedure

An applicant seeking approval for any of the uses listed in Section 5-303 E. or approval to utilize the area and bulk requirements in Section 5-303 G. must demonstrate to the satisfaction of the Board of County Commissioners substantial compliance with the standards in this section:

- VI. ~~In the Telluride Region, acceptable~~ Acceptable guarantees (as described in the ~~Telluride Regional Area~~ East End Master Plan) have been made for the provision of:

5-304 Low Density (LD)

5-304 A. Purpose

- I. The purpose of the Low Density (LD) Zone District is to provide areas suitable for clustered, low-density residential development in accordance with the San Miguel

County Comprehensive Development Plan. The LD Zone District applies to areas so zoned already; it shall not provide a mechanism for rezoning areas not currently so zoned. The ~~Telluride Regional Area~~ East End Master Plan includes an analysis of the ~~Telluride Region's~~ region's physical characteristics and the capability of the community to provide essential public services. If land is developed under the LD Zone District, the rural characteristics of the land shall be preserved to the maximum extent possible by careful site planning and, if necessary, the clustering of development. Clustering of residential uses will be required to preserve environmentally sensitive lands and the scenic foreground as open space.

- II. ~~Within the Telluride Region, minimum~~ Minimum requirements for approval of the residential densities proposed for the LD Zone District shall include appropriate guarantees for the protection of public health, safety and welfare, which shall include, but are not limited to, provision of transportation (capital, facilities and equipment) necessary to serve the development, long-term operation and maintenance of the regional transportation system, recreational amenities and affordable housing, as described in the ~~Telluride Regional Area~~ East End Master Plan and in this Code (see Sections 5-13 and 5-20). In the absence of such guarantees and in the absence of the fulfillment of the other requirements set forth in the PUD process, all lands will be subject to the standards for uses and area and bulk requirements allowed by right.

5-304 I. Review Standards for Land Uses and Area and Bulk Requirements Requiring Board of County Commissioner Approval pursuant to the Planned Unit Development (PUD) Procedure

An applicant seeking approval for any of the uses listed in Sections 5-304 F. or approval to utilize the area and bulk requirements in Section 5-304 G. must demonstrate to the satisfaction of the Board of County Commissioners substantial compliance with the standards in this section.

- VI. ~~In the Telluride Region, acceptable~~ Acceptable guarantees (as described in the ~~Telluride Regional Area~~ East End Master Plan) have been made for the provision of:

5-305 Affordable Housing Planned Unit Development (AH) (PUD)

5-305 A. Purpose

The purpose of the Affordable Housing Planned Unit Development (AH) (PUD) is to provide areas suitable for clustered affordable housing for persons (and their families) who live and earn their living primarily in the R-1 School District. The AH PUD Zone District may be applied as an overlay where other zoning currently exists to encourage a socioeconomic mix of residents in a development; however, neither the underlying zoning nor the affordable housing requirement associated with that zoning by Section 5-1303 may be affected by the overlay, and 100 percent of the increase associated with the AH PUD overlay must be subject to the County's R-1 Housing Deed Restriction (see Section 5-1304). The AH PUD Zone District is intended for lands currently serving this purpose and may be applied to any land ~~in the Telluride Region~~ identified as suitable for such development within the San Miguel Comprehensive Development Plan or any element of

the Plan.

5-314 Open Space (OS)

5-314 A. Purpose

The Open Space (OS) Zone District is intended to preserve land within view corridors, floodplains, wetlands, riparian areas and big game habitats in its natural character for public or private use or enjoyment. The OS Zone District requires the preservation of natural features, view corridors and environmentally sensitive areas. The OS Zone District shall be applicable to land dedicated to and/or owned by a public or quasi-public entity, but may also include portions of large, privately owned parcels.

The OS Zone District includes some lands previously zoned Forestry, Agriculture and Open (F). For private ownership parcels with split zoning (a parcel with more than one zone district) the development should be located on the portion of the property not zoned OS. In all cases where the OS Zone District has been applied to private lands previously zoned F, the allowed density under the F Zone District (1 unit/35 acres) may be clustered on adjoining acreage (under the same ownership) not zoned Open Space, Park or High Country.

The Open Space Zone District is a transition area between the Town of Telluride, the Telluride Regional Airport, areas of clustered low-density residential development and the surrounding hillsides and mountainous areas some of which are in the High Country Area Zone District. The areas ~~in the Telluride Region~~ zoned OS include lands owned by the Telluride Regional Airport Authority that are intended to prevent development of uses and structures that are incompatible with airport operations, reclaimed mine tailing piles and lands in the vicinity of the Pandora Mill site in the east end of the Telluride Valley, lands owned by San Miguel County that are subject to a Conservation Easement, and privately owned lands adjacent to the Town of Telluride. Many of these OS zoned properties are on steep hillsides and are subject to Geologic Hazards that include but are not limited to avalanche areas, potentially unstable slopes, debris flow, rockfall areas, and slopes greater than 30 percent. In addition to these natural hazards these hillside areas can be seen from many places in the Town of Telluride, public use areas and the surrounding mountainsides, therefore any development, particularly the development of residences, has the potential for significant environmental and visual impact on the overall character of the ~~region-Telluride Region~~. Any development of structures in the OS Zone District should undergo an Administrative Review to ensure that these natural hazards will be avoided or will be properly mitigated, the proposed development will be safe, and to the greatest extent possible the structure(s) should appear to blend in with the hillside and/or immediate surrounding topography so the natural landscape is preserved and the residence will have minimal visibility from State Highway 145, Colorado Avenue, CR K69, the Town of Telluride and public use areas. Development of residences on property within the OS zone district should be sited, designed and built to maximize the perception of Open Space.

5-316 Scenic Foreground Overlay (SFO) and Scenic View Plane (SVP)

5-316 A. Purpose

The Scenic Foreground Overlay (SFO) and Scenic View Plane (SVP) Zone District is intended to establish a scenic resource area including those lands proximate to and most visible from State Highway 145 which substantially contribute to the unique visual character of the ~~Telluride Regional Area~~ East End and/or the entrance to Telluride. The purposes of establishing the SFO and SVP are to steer development away from the most highly visible sites and to insure that developments are designed to complement the natural features within transportation corridors so as to maintain an aesthetically pleasing, rural approach to Telluride. Land development previously allocated to areas within the SFO and SVP Zone District may be clustered elsewhere on a site, as may be appropriate.

5-317 Planned Unit Development Reserve (PUDR)

5-317 A. Purpose

The Planned Unit Development Reserve (PUDR) Zone District is intended to define maximum long-term development potential of specific, large parcels of land under contiguous ownership in the ~~Telluride Region~~ East End (See Section 5-1403 F.). PUD Reserve status for a contiguous parcel provides a transition between designation under the San Miguel County Comprehensive Development Plan and final zoning. No development shall occur under the PUDR Zone District. An applicant desiring to develop a PUD Reserve must obtain PUD approval for the entire parcel. However, portions of a Reserve may be given different rezoning designations as necessary to implement the ~~Telluride Regional Area~~ East End Master Plan. PUDR applies only to existing parcels so zoned already; PUDR shall not be applied to any additional parcels.

5-317 B. Development Potential

The development potential assigned to a given parcel through the PUDR Zone District is based on classifying the Reserve land into one of three categories:

- IV. Mixed Use – as described in Appendix B of the East End Master Plan (originally Section N of the Telluride Regional Area Master Plan) and established as part of the Combined PUD/Subdivision Plan Review process.

5-317 D. Density of Residential Development

The density of residential development in the PUDR Zone District is based upon the cumulative number of people to be housed in various types of housing, as follows (as per the ~~Telluride Regional Area~~ East End Master Plan, Section III. A.):

5-317 E. Sub-districts and Designated Uses

Assigning sub-districts within parcels zoned PUDR can help define development potential by indicating specific locations for and sizes of various types of development.

V. Mixed Use

- a. The purpose of this sub-district designation within a PUD Reserve Zone District is to provide areas suitable for the development of a balanced mix

of land uses, including office, retail, flex space, medical, lodging, and housing, which are compatible with the ~~Telluride Region~~ East End.

5-317 G. Development and PUD Approval Procedure

At such time as a parcel owner is ready to proceed with any development within a PUD Reserve, the developer shall apply for PUD approval of the entire parcel. Sub-districts may receive different final zoning designations as necessary to implement the ~~Telluride Regional Area~~ East End Master Plan. All development plans shall be processed via the PUD Procedure (see Section 5-14)

5-320 West End (WE)

5-320 A. Purpose

The West End (WE) Zone District is intended to preserve large, relatively remote areas of western San Miguel County for resource, agricultural, open space, and recreational purposes, while protecting private property rights. These areas currently have minimum public facilities and services and are considered premature for substantial development. Development activities in these areas shall be encouraged to preserve historical, archeological and natural resources and landmarks, while allowing individuals the right to farm and ranch, using the necessary resources desired and needed with as little intrusion as possible on property rights.

Development Permits are not required in the WE Zone District except for Data Centers pursuant to Section 5-320 J, Oil and Gas Exploration and Development pursuant to Section 5-26, and Solar Energy Systems pursuant to Section 6-2. Based on historic lack of growth in the West End and the flexibility inherent in the WE District, this Zone District shall be reviewed every 5 years.

5-320 E. Uses Allowed Subject to One-Step Board of County Commissioner Review

- I. Open Land Protection Subdivision Exemption for five (5) or more lots (see Section 5-1207); and
- II. Subdivision Exemption for the West End to create ~~5~~ four (4) or fewer parcels, each of at least three (3) acres or larger, from a single original parcel each (see Section 5-1211).

5-322 Low Density Residential (LDR)

5-322 A. Purpose

- I. The purpose of the Low Density Residential Zone is to provide areas suitable for clustered, low density residential development in accordance with the San Miguel County Comprehensive Plan and the PUDR Zone and to implement the “alternative density” provided for in the PUDR Zone District and the ~~Telluride Regional Area~~ East End Master Plan. Only property currently located in the ~~Telluride Region~~ East End and zoned PUDR may be classified in the Low Density

Residential Zone.

- II. In planning for the development of land under the Low Density Residential Zone, clustering of residential uses and the establishment of building envelopes on lots to restrict areas of development to preserve environmentally or visually sensitive open space and wildlife habitat will be required. In addition, attention shall be given to visual vulnerability and/or the relationship of each parcel to essential public facilities and services and the use of the scenic foreground as open space. The density of residential development in the Low Density Residential Zone may vary from one unit per six to eight acres, depending upon an analysis of factors such as neighborhood compatibility, availability of urban services, road capacities, and consistency with the adopted goals and objectives of the ~~Telluride Regional Area~~ East End Master Plan.

5-322 H. Review Standards for Land Uses and Area and Bulk Requirements Requiring Review Through the Planned Unit Development (PUD) Procedure

An applicant seeking approval for any of the uses listed in Sections 5-322 D. or approval to utilize the area and bulk requirements in Section 5-322 F. must demonstrate to the satisfaction of the Board of County Commissioners substantial compliance with the standards in this section.

- VI. ~~In the Telluride Region, acceptable~~ Acceptable guarantees (as described in the ~~Telluride Regional Area~~ East End Master Plan) have been made for the provision of:

5-323 Mixed Use Development (MXD)

5-323 A. Purpose

- I. The purpose of the Mixed-Use Development (MXD) Zone is to provide areas suitable for the development of a balanced mix of land uses that are compatible with the ~~Telluride Region~~ East End as contemplated by the ~~Telluride Regional Area~~ East End Master Plan. Uses and activities should complement those occurring in the Town of Telluride, Town of Mountain Village, and Lawson Hill, enhancing the overall mix of uses serving local residents, employees and visitors alike.
- II. Development of property included in the MXD Zone shall occur in accordance with the ~~Telluride Regional Area~~ East End Master Plan, the San Miguel County Comprehensive Plan, the PUDR Zone, this MXD Zone and other applicable provisions of the San Miguel County Land Use Code.

5-323 G. Review Standards

An applicant seeking approval for any of the Allowable Uses shall demonstrate to the satisfaction of the Decision Maker substantial compliance with the standards in this section.

- I. The use is consistent with the applicable Land Use Policies (Article 2);
- II. Adequate public services such as roads, water, wastewater disposal/treatment, public safety and fire protection are available to serve the proposed use and the

development adequately mitigates the incremental impacts on the community's existing public services;

III. The use minimizes or mitigates any materially adverse environmental impacts and generally utilizes the most environmentally suitable site; and

IV. The use is consistent with the relevant goals and objectives of the San Miguel County Comprehensive Development Plan and the ~~Telluride Regional Area~~ East End Master Plan.

5-407 Wildlife Habitat Areas

5-407 A. General Standards

The standards in this section apply to all wildlife habitat areas.

IX. Fences located within CPW designated mapped wildlife habitat areas are discouraged. Fences in such wildlife habitat areas shall be limited to “wildlife friendly fences” that are in compliance with applicable CPW fencing standards. Wildlife friendly fences are very visible and allow wild animals to easily jump over or slip under the wires or rails. The following regulations shall apply to fencing:

- a. Smooth wire or rounded rail for the top, smooth wire on the bottom;
- b. Fence is limited to 42: in height;
- c. At least 12” between the top two wires or rails;
- d. At least 16” between the bottom wire or rail and the ground;
- e. Posts at minimum 16’ intervals;
- f. Gates, drop-downs, removable fence sections or other passages where animals concentrate and cross;
- g. Using a rail, high-visibility wire, flagging or other visual markers for the top.
- h. A zigzagged worm fence (rails stacked alternately on top of one another, with rails interlocked like laced fingers where the ends meet) should create openings for wildlife to cross by intermittently dropping rails to the ground every 400’; and in swales and at stream crossing for easy wildlife passage.
- i. Perimeter fencing of an entire parcel is discouraged.
- j. As an exception to “wildlife friendly fencing” dogs shall be kept in an enclosed kennel or small fenced yard adjacent to the residence. The standards or allowance for a small fenced yard or area shall be specified in the county’s revised dog or animal control regulations.

If staff has a question regarding the appropriateness of proposed fencing to be located within a CPW mapped wildlife habitat area the application may be referred to the CPW for comment and recommendation. ~~Any new fencing shall follow the CPW “Fencing with Wildlife in Mind” guidelines available at the CPW website,~~
www.wildlife.state.co.us

5-418 Telluride Regional Airport

5-418 G. Height Limits

No structure shall be constructed and no tree shall be allowed to grow above or outside the following limits:

- III. Horizontal Zone - The limiting surface lies 150 above the runway elevation. On terrain above the runway elevation, the limiting surface lies 60 feet directly above the ground surface; and
- IV. Conical Zone - The limiting surface slopes 20 feet outward for each foot upward, beginning at the periphery of the horizontal zone, 150 feet above the runway elevation and extending to 350 feet above the runway elevation. On terrain above the runway elevation, the limiting surface lies 60 feet directly above the ground surface; ~~in addition~~ and
- V. No material change shall be made in the use of land, no structure shall be constructed, and no tree shall be planted above the limiting surfaces established in this Section without a permit approved by the Board of County Commissioners that includes all submission requirements listed in Sections 5-418 D. and 5-418 E.; and
- VI. Before any structure is permitted to be erected, altered, maintained or allowed to be expanded within an Airport Impact Area, the Board of County Commissioners may require a Notice of Construction or Alteration to be filed with the Federal Aviation Administration for a determination of hazardous or non-hazardous conditions and effect on the airport operational Rules and Regulations.

5-502 Road Design Standards

5-502 D. Surfacing

All subdivision roads in the Telluride Air Quality Region, as described in Section 5-23 of this Code, shall be paved. Other roads may have gravel surface.

5-506 Trails

A. Construction of Trails and Dedication of Trail Easements

A developer seeking final plat, rezoning, or any other site specific development approval shall be required by the Board of Commissioners to dedicate trail easements, pursuant to the ~~Telluride Regional Area~~ East End Master Plan and the San Miguel County Comprehensive Development Plan, extending 25 feet either side of the proposed trail centerline for construction and maintenance purposes and 10 feet either side of the proposed trail centerline for public use purposes. A developer seeking final plat or rezoning approval also must construct within two years of the date of approval all trail segments required pursuant to the ~~Telluride Regional Area~~ East End Master Plan and the San Miguel County Comprehensive Development Plan. The Board of County Commissioners, in its sole discretion, may accept an alternative right-of-way width based upon a site-specific request.

5-1302 Accessory Dwelling Units

5-1302 A. Applicability

One (1) accessory dwelling unit per lot or parcel may be approved in the HD, MD and LD Zone Districts ~~(only within the Telluride Region as defined in the Telluride Regional Area Master Plan)~~ subject to compliance with the standards in this section and the applicable Zone District. Refer to sections 3-4 and 4-7 for procedures and submission contents.

5-2001 Transportation Impact Mitigation in the Telluride R-1 School District

5-2001 B. Requirements in the Affordable Housing Planned Unit Development, Low Intensity Industrial, Low Density, Medium Density, High Density, Low Density Residential, Community Housing, and Mixed Use Development Zone Districts

Prior to final subdivision approval, each subdivision including lands proposed for development under the Affordable Housing Planned Unit Development, Low Intensity Industrial, Low Density, Medium Density, High Density, Low Density Residential, Community Housing, and/or Mixed Use Development Zone Districts shall:

- IV. Provide easements on owned or controlled land necessary to ensure the feasibility of the alternate transportation mechanisms planned as part of the Telluride Region R-1 School District Alternate Transportation System and listed in Section 5-2002.

SECTION 5-23: AIR QUALITY

The purpose of this section is to ensure that the impacts of development on air quality in the Telluride region are adequately mitigated.

5-2301 Ban on Solid-fuel Burning Devices in Telluride Air Quality Region

Installation of solid-fuel burning devices, including woodstoves and open fireplaces, is prohibited in the Telluride Air Quality Region as illustrated in map below. However, all solid-fuel burning device permits issued prior to June 4, 1992, the effective date of this provision, shall be honored, except where limited by later property-specific agreements.

ARTICLE 7 DEFINITIONS

Floor Area

The sum area of all Floors protected by an impervious covering calculated using the exterior dimensions of the adjacent walls. If the area being measured shares a common wall with another area (e.g. an Accessory Dwelling Unit attached to a Primary Residence), the area shall be measured to the center of the common wall. Floor Area includes horizontal surfaces in all floors and Basements that have a vertical height in excess of five (5) feet. Floor Area includes any areas less than five (5) feet in height that are part of a larger area and are not fully separated from the larger area by walls. Floor Area is measured across stairwells, flues, vents and other openings between floors. This Floor Area does not include covered decks, porches, patios, or covered surfaces not enclosed by exterior walls. Floor Area includes horizontal surfaces in Basements that have a vertical height in excess of five (5) feet. A Garage, as defined in Article 6, is not included in the calculation of Floor Area. ~~However, to~~ To encourage energy efficiency, where earth ship,

cob, straw bale, or true adobe construction is used, Floor Area will be calculated using the interior dimensions of the ~~adjacent~~ exterior walls.

Master Plan

The San Miguel County Comprehensive Development Plan and/or one of its constituent Master Plans, such as the ~~Telluride Regional Area~~ East End Master Plan or the Wright's Mesa Master Plan.

Referral Agencies

Agencies or persons that may, in the opinion of the Planning Office or the ~~Board~~ Decision-Maker, be affected by a development proposal or be otherwise competent to provide relevant information or analysis concerning the potential impacts of the proposal. These agencies include, but are not limited to:

- (1) The appropriate school district;
- (2) Appropriate offices of each municipality within a two-mile radius of any portion of the Site;
- (3) Appropriate offices of each county within a two-mile radius of any portion of the Site;
- (4) Utility, local improvement and service districts, or ditch companies;
- (5) Each planning commission with jurisdiction over the area;
- (6) The appropriate fire district;
- (7) Special districts pursuant to Title 32, Colorado Revised Statutes;
- (68) Neighborhood caucus groups;
- (79) Homeowner's associations;
- (810) The appropriate soil conservation district board(s);
- (911) The County Attorney;
- (1012) The County Building Official;
- (1113) The County Engineer;
- (1214) The County Extension Agent;
- (1315) The County Road and Bridge Department;
- (1416) The County Environmental Health Director;
- (17) The County Sheriff;
- (1518) The Colorado Department of Health;

- (~~16~~19) The Colorado Department of ~~Highways~~ Transportation;
- (~~17~~20) The Colorado Division of Mines;
- (~~18~~21) The Colorado Division of Parks and Wildlife;
- (22) The Colorado Division of Water Resources;
- (~~19~~23) The Colorado Office of the State Engineer;
- (~~20~~24) The Colorado Forest Service;
- (~~21~~25) The Colorado Geological Survey;
- (~~22~~26) The Colorado ~~Historical Society~~ State Historic Preservation Office;
- (~~23~~27) The Colorado Land Use Commission;
- (~~24~~28) The Colorado ~~Oil and Gas~~ Energy and Carbon Management Commission;
- (~~25~~29) The Colorado Water Conservation Board;
- (~~26~~30) The U.S. Forest Service;
- (31) The U.S. Bureau of Land Management;
- (32) The Ute Mountain Ute Tribe and Southern Ute Indian Tribe;
- (~~27~~33) Canal and Ditch Company; and
- (~~28~~34) In cases of Wetland reviews, a qualified hydrologist;:
- (35) Nonprofits and Organizations with relevant expertise; and
- (36) Any other agency, department, organization or entity determined by the Planning Director to be relevant.

San Miguel Canyon Area

All developable land within one (1) mile of the San Miguel River between the ~~western edge of the Telluride Region~~ the intersection of County Road 63L (Ilium Road) and Highway 145 and the base of Norwood Hill, excluding parcels or portions thereof that lie atop one of the mesas adjoining the river canyon.

Short-Term Rental Permit

A permit issued by the Planning Director ~~Property owners must obtain a “Short-Term Rental Permit” from the County prior to Short-Term renting a residence pursuant to Land Use Code Section 5-30 that allows a Property Owner to rent a Single-Family Residence, Condominium Unit or Duplex Unit as a Short-Term~~

Rental.

BE IT FURTHER RESOLVED, this approval is made 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.

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on December 18, 2024.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

By: Lance Waring
Lance Waring, Chair

Vote:	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent
	Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield 
Carmen Warfield, Chief Deputy Clerk

EXHIBIT A – Public Hearing Record list

**EXHIBIT A
PUBLIC HEARING RECORD**

San Miguel County Board of Commissioners

Application: Amendment to San Miguel County Land Use Code - Cleanup and Corrections

Date: December 18, 2024

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 Board of Commissioners from Kaye Simonson, Planning Director, dated December 18, 2024
4. Draft Land Use Code Amendment, Cleanup and Corrections
5. Draft BOCC Resolution No. 2024-54 – Cleanup and Corrections
6. Memorandum to the San Miguel County Planning Commission from Kaye Simonson, Planning Director, dated November 14, 2024
7. Draft Land Use Code Amendment, Corrections and Cleanup, November 14, 2024
8. Planning Commission minutes, November 14, 2024
9. Legal Notices published in the Telluride Daily Planet and Norwood Post on September 27, 2024

AGENCY COMMENTS

10. Memo from Kaye Simonson to Referral Agencies dated October 11, 2024
11. Letter from Michelle Dodds, Town of Telluride, dated November 4, 2024
12. Email from Amy Ward, Town of Mountain Village, received November 5, 2024

PUBLIC COMMENT

13. None

OTHER

None

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO
TRANSFERRING SUMS OF MONEY FROM THE SAN MIGUEL COUNTY TREASURER'S
TRUST & AGENCY FUNDS TO THE SAN MIGUEL COUNTY GENERAL FUND**

RESOLUTION 2024 - 62

WHEREAS, the San Miguel County Treasurer has received monies from various sources which are currently being held in trust pending instructions for distribution, AND;

WHEREAS, the need exists to transfer such monies to the proper county funds in accordance with budgetary requirements, AND;

WHEREAS, a public meeting was held on December 18, 2024 before the San Miguel County Board of Commissioners, San Miguel County, Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of San Miguel County, Colorado,

THAT, transfers be made as follows:

- \$3,240.99 in Penalty funds be transferred to the San Miguel County General Fund. These funds were collected to defray the costs of advertising and other costs associated with collecting past due property taxes.
- \$ 45,610 in Tax sale overbid funds be transferred to the San Miguel County General Fund. These funds were received in excess of the amount of property tax due at the time of the tax sale.

AND THAT, a copy of this executed resolution constitutes the authority of Brandi R. Hatfield, the duly elected Treasurer of San Miguel County, to make such transfers herewith.

APPROVED by the Board of Commissioners of San Miguel County, Colorado this 18th day of December, 2024.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**



ATTEST:

Carmen Warfield

Carmen Warfield, Chief Deputy Clerk

Lance Waring

Lance Waring, Chair

**A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY
TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED
FOR SAN MIGUEL COUNTY, COLORADO FOR BUDGET YEAR 2024**

RESOLUTION 2024-63

WHEREAS, certain operating expenditures for 2024 for San Miguel County have exceeded those anticipated at the time of adoption of the 2024 budget, and

WHEREAS, there have been revenues received or otherwise made available in 2024 which were not anticipated or were not assured at the time of adoption of the 2024 budget, and

WHEREAS, a public hearing was held on December 18, 2024, before the San Miguel County Board of Commissioners, San Miguel County, Colorado to accept public comment, and

WHEREAS, the need exists to appropriate additional expenditures for use by various county funds and spending agencies, as follows:

General Fund	\$560,000
Road and Bridge Fund	\$205,000
Human Services Fund	\$85,000
Transit Fund	\$325,000
Lodging Tax Fund	\$150,000
Early Childhood Care Fund	\$55,000
Mental Health Services Fund	\$100,000
Public Health Fund	\$50,000
COVID Fund	\$228,000
San Miguel County Housing Authority Fund	\$160,000

AND, WHEREAS, Funds available to be appropriated for the above purposes include:

General Fund	Operating Reserves and Livestock Sale Proceeds	\$560,000
Road and Bridge Fund	Operating Reserves	\$205,000
Human Services Fund	Operating Reserves and Federal/State back-fill funding	\$85,000
Transit Fund	RETA Collections	\$325,000
Lodging Tax Fund	Lodging Tax Collections	\$150,000
Early Childhood Care Fund	Operating Reserves	\$55,000
Mental Health Services Fund	Operating Reserves	\$100,000
Public Health Fund	Operating Reserves	\$50,000
COVID Fund	Federal Funding	\$228,000
San Miguel County Housing Authority Fund	Operating Reserves	\$160,000

AND, WHEREAS, appropriate public notice of this action has been made as required by section 29-1-106 and 109, C.R.S.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Miguel County, Colorado, for the purposes detailed above:

THAT, the 2024 appropriation for the San Miguel County General Fund is hereby increased from \$17,131,232 to \$17,691,232;

AND THAT, the 2024 appropriation for the San Miguel County Road and Bridge Fund is hereby increased from \$4,164,855 to \$4,369,855;

AND THAT, the 2024 appropriation for the San Miguel County Human Services Fund is hereby increased from \$2,083,550 to \$2,168,550;

AND THAT, the 2024 appropriation for the San Miguel County Transit Fund is hereby increased from \$310,700 to \$635,700;

AND THAT, the 2024 appropriation for the San Miguel County Lodging Tax Fund is hereby increased from \$80,000 to \$230,000;

AND THAT, the 2024 appropriation for the San Miguel County Early Childhood Care Fund is hereby increased from \$799,910 to \$854,910;

AND THAT, the 2024 appropriation for the San Miguel County Mental Health Services Fund is hereby increased from \$942,061 to \$1,042,061;

AND, THAT, the 2024 appropriation for the San Miguel County Public Health Fund is hereby increased from \$750,227 to \$800,227;

AND THAT, the 2024 appropriation for the San Miguel County COVID Fund is hereby increased from \$9,853 to \$237,853;

AND, THAT, the 2023 appropriation for the San Miguel County Housing Authority Fund is hereby increased from \$75,000 to \$235,000;

AND, THAT the supplemental appropriations detailed above increase the total appropriations for San Miguel County for 2024 from \$36,196,386 to \$38,114,386.

ADOPTED this 18th day of December, 2024.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By: Lance Waring
Lance Waring, Chair

ATTEST:



Carmen Warfield

Carmen Warfield, Chief Deputy Clerk

**A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY
TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED
FOR THE SAN MIGUEL COUNTY SOLID WASTE DISPOSAL DISTRICT FOR BUDGET YEAR 2024**

RESOLUTION 2024-64

WHEREAS, certain operating expenditures for 2024 for the San Miguel County Solid Waste Disposal District have exceeded those anticipated at the time of adoption of the 2024 budget, and

WHEREAS, there have been revenues received or otherwise made available in 2024 which were not anticipated or were not assured at the time of adoption of the 2024 budget, and

WHEREAS, a public hearing was held on December 18, 2024, before the San Miguel County Board of Commissioners, San Miguel County, Colorado to accept public comment, and

WHEREAS, the need exists to appropriate additional expenditures for use by various county funds and spending agencies, as follows:

Solid Waste Disposal District	\$25,000
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AND, WHEREAS, Funds available to be appropriated for the above purposes include:

Solid Waste Disposal District	Operating Reserves	\$25,000
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AND, WHEREAS, appropriate public notice of this action has been made as required by section 29-1-106 and 109, C.R.S.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of San Miguel County, Colorado, for the purposes detailed above:

THAT the supplemental appropriations detailed above increase the total appropriations for the San Miguel County Solid Waste Disposal District for 2024 from \$86,766 to \$111,766.

ADOPTED this 18th day of December, 2024.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

By: Lance Waring
Lance Waring, Chair

ATTEST:

Carmen Warfield



Carmen Warfield, Chief Deputy Clerk

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
SAN MIGUEL COUNTY, COLORADO,
GRANTING A SUBDIVISION EXEMPTION FOR VACATION OF LOT LINES
BETWEEN LOTS 85, 96, AND 97, WILSON MESA RANCH 6**

Resolution 2024-65

WHEREAS, Ray Bowers submitted an application on behalf of Ira Goldfarb, owner of Lots 85, 96, and 97 Wilson Mesa Ranch 6, also known as parcels #456125406097, #456125406096, and #456125406085, according to the legal description in Exhibit “A”, seeking a Subdivision Exemption for Vacation of Lot Lines to vacate the common property boundaries between these three parcels, as shown in Exhibit “B”. The purpose of this Vacation of Lot Lines is to simplify the ownership of three parcels, two of which have no development rights, into one parcel. Lot 85 is 7.02 acres and has a Single-Family Residence, Lot 96 is 7.02 acres and is vacant, Lot 97 is 7.12 acres and is vacant. The parcels are all zoned Planned Unit Development (PUD). The parcels are located near the intersection of Bucksin Road and W Anderson Road;

WHEREAS, a Subdivision Exemption for Vacation of Lot Lines may be approved via One-Step Board of County Commissioner Review pursuant to Land Use Code Sections 3-501 B.I.b. and 5-1214 Vacation of Lot Lines;

WHEREAS, the application was referred to the County Attorney, County Manager, Assistant County Manager, County Surveyor, the County Road and Bridge Director, and the Wilson Mesa Ranches HOA for review and comment;

WHEREAS, the Applicant sent Notice of the application and the Board of County Commissioners (BOCC) public hearing to be held on December 18, 2024 to all property owners within 500 feet of the subject parcel, and posted a sign on the property by November 6, 2024 noticing the proposed Vacation of Lot Lines Application and the BOCC public hearing to be held on December 18, 2024;

WHEREAS, a Public Hearing Notice for the proposed Vacation of Lot Lines application and the Board of County Commissioners meeting to be held on December 18, 2024 was published in the Telluride Daily Planet and Norwood Post on November 28, 2024;

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

WHEREAS, the Board of Commissioners of San Miguel County, Colorado, considered this application, along with relevant evidence and testimony, at a public hearing held in Telluride and on-line on Wednesday, December 18, 2024.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, approves the Subdivision Exemption for Vacation of Lot Lines to vacate the property lines between Lots 85, 96, and 97, Wilson Mesa Ranch 6, finding that the proposed Subdivision Exemption for Vacation of Lot Lines application is in compliance with all

applicable Land Use Code standards in Section 5-1214, Vacation of Lot Lines, including the submission of a final plat that complies with the final plat submission contents required in Land Use Code, as presented:

DONE AND APPROVED by the Board of County Commissioners of San Miguel County, Colorado, on December 18, 2024.

**SAN MIGUEL COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS**

By: Lance Waring
Lance Waring, Chair

Vote:	Anne Brown	<u>Aye</u>	Nay	Abstain	Absent
	Kris Holstrom	<u>Aye</u>	Nay	Abstain	Absent
	Lance Waring	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk



EXHIBIT "A" Legal Description

EXHIBIT "B" Plat

EXHIBIT "C" Public Hearing Record

EXHIBIT “A”

Legal Description

Parcel # 456125406097

LOT 97 WILSON MESA RANCH 6

Parcel # 456125406096

LOT 96 WILSON MESA RANCH 6

Parcel # 456125406085

LOT 85 WILSON MESA RANCH 6

EXHIBIT "B"

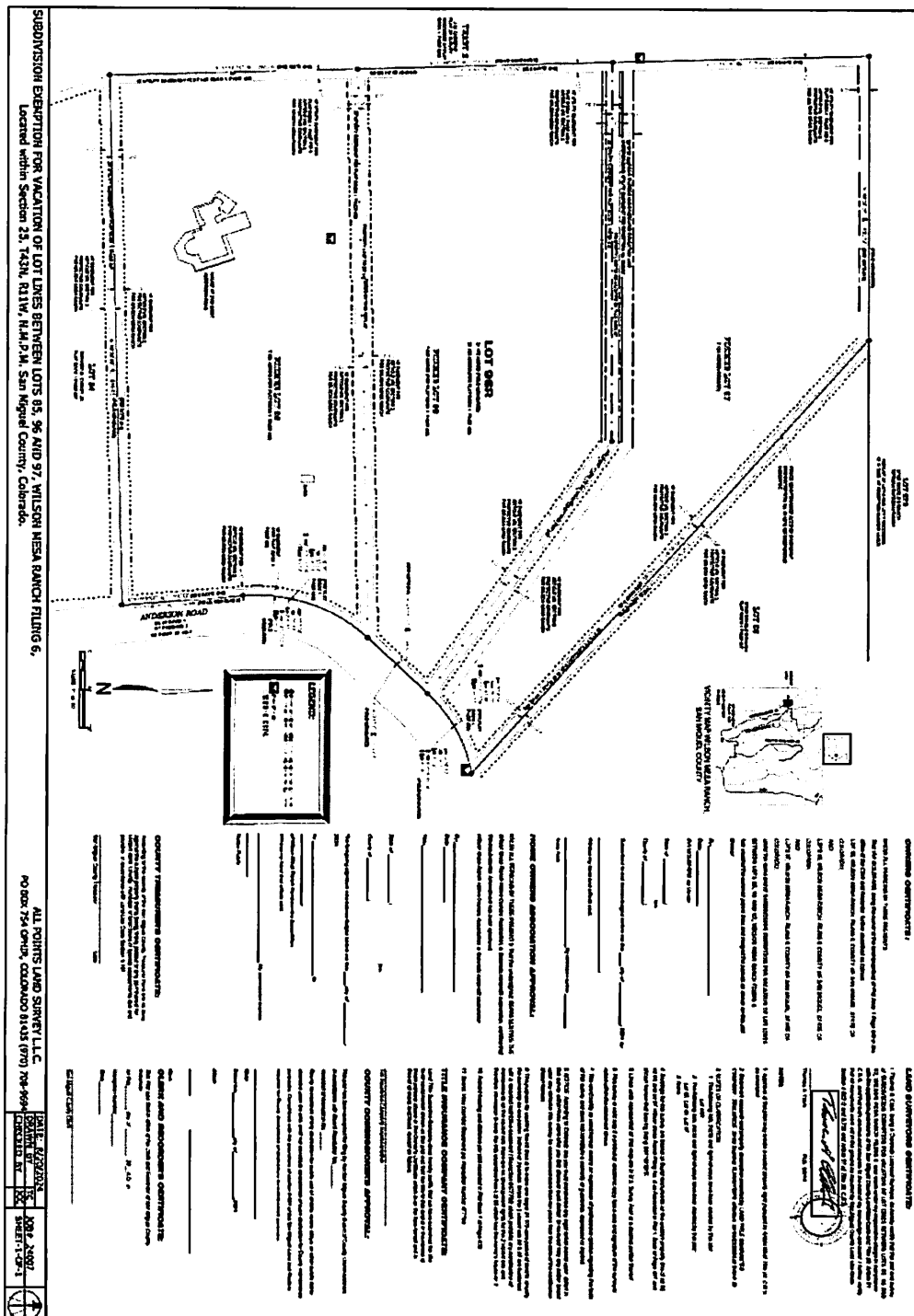
Plat

EXHIBIT "C"

Public Hearing Record

San Miguel County Board of Commissioners

Application: Ray Bowers on behalf of Ira Golfarb

Subdivision Exemption for Vacation of Lot Lines: Lots 85, 96, 97 Wilson Mesa Ranch 6

Date: December 18, 2024

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 Board of County Commissioners from Nicola Kerr, Associate Planner dated December 18, 2024.
4. Draft Resolution 2024-65 of the County Board of Commissioners, San Miguel County, Colorado, Granting a Subdivision Exemption for Vacation of Lot Lines for Lots 85, 96, and 97 Wilson Mesa Ranch 6.
5. Public Hearing Notice published in the Norwood Post and Telluride Daily Planet on November 28, 2024.
6. Application submitted by Ray Bowers, on behalf of Ira Goldfarb owner of Lots 85, 96, and 97 Wilson Mesa Ranch 6 received October 28, 2024
7. "Certification of Compliance with the Public Noticing Requirements" of the San Miguel County LUC Section 3-9 and of C.R.S. § 24-65.5-103(1) dated November 6, 2024.

AGENCY COMMENTS

8. Email from Nicola Kerr, Associate Planner, to Referral Agencies dated November 12, 2024.
9. Letter from J David Foley, County Surveyor, to Nicola Kerr, Associate Planner dated November 27, 2024.

PUBLIC COMMENT

None received

San Miguel County Board of Commissioners Meeting

Executive Session Minutes Attest

Date of Meeting: _____ 12/18/2024 _____

I, _____ Maura Fahey _____ County Attorney (representing San Miguel County), attest that the meeting held in Executive Session discussions of attorney-client matters continued to a permissible executive session topic and constituted a privileged attorney-client communication that does not have written minutes.

_____ *Maura Fahey* _____

County Attorney's Signature

I, __ Lance Waring _____, Chair of the San Miguel County Board of Commissioners, attest that the meeting held in Executive Session discussion of attorney-client matters was confirmed a permissible executive session topic and constituted a privileged attorney-client communication that does not have written minutes.

_____ *Lance Waring* _____

Chair's Signature