

## FIFTH MEETING

The Board of Commissioners of the County of Fremont, State of Colorado, met in Regular Session on March 13th, 2018, 615 Macon Avenue, Room LL3, Fremont County Administration Building, Cañon City, Colorado. Commissioner Chairman Tim Payne called the meeting to order at 9:30 a.m.

Tim Payne	Commissioner	Present
Dwayne McFall	Commissioner	Present
Debbie Bell	Commissioner	Present
Katie Barr	Clerk and Recorder	Present
Brenda Jackson	County Attorney	Present
Sunny Bryant	County Manager	Present
Matt Koch	Planning & Zoning Director	Present

Chris Bower, of The Village, gave the invocation.

Those present recited the Pledge of Allegiance to the Flag of the United States of America.

### APPROVAL OF AGENDA

**Commissioner Bell** moved to approve the agenda. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

### CONSENT AGENDA

1. Approval of Minutes / February 27, 2018
2. Approval of Bills for \$2,668,724.37
3. Ratification of Chairman's signature on Change Orders #15 and #16 for the Fremont County Justice Center Security Electronics Renovation
4. Ratification of Chairman's Signature on a Community Development Block Grant (CDBG) Housing Grant Agreement between the State of Colorado Department of Local Affairs and Fremont County
5. Ratification of Chairman's signature on a Pharmacy Benefits Agreement with Scrip World, LLC
6. Schedule Public Hearing: None.

**Commissioner McFall** moved to approve the consent agenda. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

### ADMINISTRATIVE/INFORMATIONAL

1. Staff / Elected Officials:
  - a. County Clerk's Monthly Report, Katie Barr, County Clerk and Recorder

**Clerk Barr** reported that the total MV fees, Sales Taxes, and Recording fees collected in February was \$992,700.41. Fremont County's portion for disbursement was \$586,521.66 which was 59% of the total fees collected. This is \$20,332.13 more than 2017 and YTD the office is up \$139,778.86.

**Commissioner Bell** moved to approve the Clerk's report. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

- b. County Manager Report, Sunny Bryant, County Manager

**Manager Bryant** reported that:

- On 3/6 she attended the Child Maltreatment Prevention meeting. They are working to come up with ways to reduce child maltreatment in the community.
  - On 3/8 she attended the area manager's luncheon where she had a chance to catch up with various managers in the community.
  - On 3/12 she and the Commissioners met with individuals from the City of Florence and heard about a lot of good things happening in their town.
2. Citizens who wish to address the Commissioners on a matter not scheduled on the agenda

None

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

1. Liquor License Renewal  
PS Camping Inc. /DBA Prospectors RV Park  
43595 Hwy 50 W, Canon City CO 81212  
Retail Liquor Store  
Representative: Rhonda Schirado

**Rhonda Schirado** explained that over the winter she has had to deal with a \$15,000 electric bill from the electric company and has been working hard to take care of that so they can open for the season. She is asking that the Board waive the \$100 late fee on her liquor license renewal because \$100 is a lot of money right now.

**Clerk Barr** explained that there haven't been any problems with their license in the past and they have never been late previously.

**Commissioner Bell** moved to approve the waiver of the \$100 late fee. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

2. SV 17-001 Grant Subdivision Exemption  
Request approval of a Subdivision Exemption, Department file #SV 17-001 GRANT SUBDIVISION EXEMPTION, by the Dwight Grant, for his property which is located north of Highway 50 at Texas Creek, west of Fremont County Road No. 27, from the centerline of the Arkansas River, to the north line of Highway 50. The exemption will create a 1.00 acre parcel to be granted to Colorado Parks & Wildlife for public access to the river.  
Representative: Sydney A. Schieren

**Sydney Schieren** explained that this would give 1 acre to the Colorado Parks & Wildlife for public access.



**P&Z Director Koch** says the application is in order and his department recommends approval.

**Commissioner McFall** moved to approve SV 17-001. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

3. FP 18-001 Cranberry Subdivision Filing #4 / Planned Unit Development  
Request approval of a final plat and Planned Unit Development (PUD), Department file #FP 18-001 Cranberry Park Subdivision Filing No. 4, by D.C.S. Development & Construction LLC. The PUD request is to allow the existing defined unit lines to be adjustable as needed to accommodate different unit sizes. The current lots allow for 8 units, the proposed changes will allow for a total of 8 units. This application is similar to the prior approved filings.  
Representative: Terrye Clear, D.C.S. Development & Construction LLC

**P&Z Director Koch** explained that this would remove unit lines and separate duplexes, utilizing the property better.

**Commissioner Bell** moved to approve FP 18-001. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

4. Fremont County Tourism Council Annual Report  
Representative: Steve Kaverman

**Steve Kaverman** presented the Fremont County Tourism Council Annual Report.

5. Consideration of a Resolution appropriating additional sums of money to defray expenses in excess of amounts budgeted for and appropriated by Fremont County, Colorado for the budget year ending December 31, 2017

**Manager Bryant** explained that the total additional money is in the amount of \$1,135,000. This is one of the steps needed to close out the 2017 budget.

**Commissioner McFall** moved to approve Resolution #8. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

6. Consideration of a Resolution authorizing the transfer of appropriated funds between the various funds of Fremont County, Colorado for the budget year ending December 31, 2017

**Manager Bryant** explained that the total amount being transferred is \$5,160,652. This is also one of the steps needed to close out the 2017 budget.

**Commissioner Bell** moved to approve Resolution #9. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.



## PUBLIC HEARING

### 1. OPC 14-011 Pure Medical, LLC – Modification of Premises

OPC 14-011 Pure Medical, LLC, dba Pure Medical (Optional Premises Cultivation license-Indoor Grow-Greenhouse, Commercial) requesting the approval and issuance of a MODIFICATION of an Optional Premises Cultivation license, to allow for the operation of an Optional Premises Cultivation-Indoor Grow-Greenhouse, Commercial, at 440 8th Street, Penrose, Colorado. This modification request is to allow canopies to be built over the existing grow area, similar to the existing canopy. No expansion of the grow area is requested. This is considered an outdoor grow.

The 2016 renewal and modification, allowing a 1200 square foot vegetation and harvest room was approved with a 1 year trial period. The modification has been completed and the 1 year trial period has concluded with no complaints or violations.

Representative: Jason Vanstrom

**James Marks** the property manager of Pure Medical LLC, came as the Representative. He explained that the reason they are applying for the modification is because they would like to have to additional canopies. They would be A-frames with vents in the roof, no side walls.

**P&Z Director Koch** reported that the application is in order. They have met all requirements and have had no complaints. The two contingencies are that they provide proof of property taxes paid and an updated letter from the Penrose Water District. His office recommends approval.

**Commissioner McFall** moved to approve OPC 14-002 with the mentioned contingencies. Commissioner Bell seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.

### 2. OPC 14-002 High Mountain Medz, LLC – Modification of Premises

Request for issuance of an Optional Premises Cultivation license for an indoor and outdoor grow operation, Department file #OPC 14-002 Mile High Medz, LLC (Optional Premises Cultivation-Commercial, greenhouse), by Mile High Medz, LLC, doing business as Levity Wellness, for property which is owned by Levity Wellness. The property is located approximately 3 miles southwest from the intersection of Colorado State Highway 67 and County Road 103, thence west approximately 800 feet west to the southeast corner of the property, south of Florence, Colorado. The property is zoned Agricultural Forestry and contains 40 acres more or less. The modification request is to expand the current grow area to 5 acres and to allow for the use of an existing building on the site for a video room.

Representative: Ryan Foster, High Mountain Medz, LLC

**Ryan Foster** explained that they are not asking for any additional greenhouses. This request is simply to change the fence line from .45 acres to 2 acres.

**P&Z Director Koch** has no concerns or complaints. They are in a secluded area of the County so there are no issues. The contingencies are to provide a complete copy of the deed or lease, notification to fire and law enforcement personnel with each renewal and a copy of a valid center license.

**Commissioner Bell** moved to approve OPC 14-002 with the mentioned contingencies. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

### 3. SRU 17-006 Crossroads

Request approval of a Special Review Use, Department file #SRU 17-006 Crossroads Business Center by WHP Crossroads LLC, to allow Hemp



Processing, for the property which is located on the east side of Colorado State Highway 115, 2200 feet south of the intersection of U.S Highway 50 and Colorado State Highway 115, in the Penrose Area. The site currently has an approved SRU, SRU 08-001, allowing a restaurant and bar, a rodeo ground, a veterinary premises, a future residence, and overnight parking for event participants (self-contained units). The Hemp Processing will be confined to areas of the building. The building will no longer be used for events. The restaurant and bar will be separated from the Hemp Processing area allowing for the use to continue.

Representative: Angela Bellantoni, PhD

**Angela Bellantoni** explained that this request is for hemp processing, not marijuana. The objective is to obtain CBD oil, no THC. This process is regulated by the Department of Agriculture. Angela then showed a power point as to how the entire process works.

**P&Z Director Koch** said that their application and postings are in order. The Planning Commission did recommend approval with some suggested contingencies. Compliance with the requirements of the County Engineer, Corrections to the drawing prior to recording, Letters from the Florence Chief and Fire Suppressant System Inspector, and if the restaurant is to reopen, all building codes would have to be met.

**Dan Chrysler** has concerns about contamination of water since his property is directly east of this location, drainage of any oil or solvents, traffic, use of his easement, and if the stems will be burned.

**Angela Bellantoni** clarified that there will not be any outdoor drainage. The only traffic will be employees and deliveries off of Hwy 115. No one will be accessing his easement. The stems will be recycled, they will not be burned.

**Commissioner Bell** moved to approve Resolution #10, SRU 17-006 with the mentioned contingencies and adding that the current SRU 08-001 be put in abeyance, for now. If they decide to reopen the restaurant they will have to come before the Board for approval. Commissioner McFall seconded the motion. Upon Vote: Commissioner Bell, aye; Commissioner McFall, aye; Commissioner Payne, aye. The Motion Carried.

4. Amendments to Zoning Resolution

Request approval of a proposed amendment to the Fremont County Zoning Resolution regarding the following changes:

Adding dwelling, multi-family to the Business Zone District.

Adding solar panel field to the Business Zone District.

Changing watchman's quarters to allow for detached residences, this will be throughout the zoning resolution in all instances.

Allowing for storage containers to be used for storage of items other than agricultural items.

Adding Slaughterhouse and Solar Panel Field to Special Review Uses in the Industrial Park Zone District.

**P&Z Director Koch** explained that there are certain amendments to the Fremont County Zoning Resolution he feels are necessary. He went through each proposed amendment. (See attached amendments).

**Tina Heffner** asked if camper trailers or RV's are allowed for watchmen's quarters.

**P&Z Director Koch** explained that campers and RV's would not be allowed since no one can make one of them their full time residence.

**Commissioner McFall** moved to approve Resolution #11. Commissioner Bell, seconded the motion. Upon Vote: Commissioner McFall, aye; Commissioner Bell, aye; Commissioner Payne, aye. The Motion Carried.



**Chairman Payne** adjourned the meeting at 11:22 a.m.

*Katie E. Bau*

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Clerk and Recorder



RESOLUTION NO. 8 2018  
RESOLUTION FOR SUPPLEMENTARY 2017 BUDGET

A RESOLUTION APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR AND APPROPRIATED BY FREMONT COUNTY, COLORADO, FOR THE BUDGET YEAR ENDING DECEMBER 31, 2017.

**WHEREAS**, various expenditures have occurred during the current budget year that were not planned or anticipated at the time of the adoption of the 2017 budget, and....

**WHEREAS**, unanticipated revenues and available Fund Balance Reserves, not assured at the time of the adoption of the 2017 budget, are the providing resource for the various additional expenditures, by Fund, as follows:

SHERIFF DEPARTMENT FUND	\$ 83,000
DEPARTMENT OF PUBLIC HEALTH	\$ 30,000
LODGING TAX FUND	\$ 65,000
PILT FUND	\$ 50,000
SALES & USE TAX FUND	\$ 5,000
SELF FUNDED INSURANCE	\$ 840,000
WEED DEPARTMENT FUND	<u>\$ 62,000</u>
 TOTAL	 <u>\$ 1,135,000</u>

**NOW, THEREFORE BE IT RESOLVED**, by the Fremont Board of County Commissioners that 2017 Appropriations for the following Funds are hereby increased from the Original adopted budget to the Supplemental budget as follows:

	TOTAL ORIGINAL BUDGET	TOTAL SUPPLEMENTAL BUDGET	INCREASE
SHERIFF DEPARTMENT FUND	\$ 11,102,131	\$ 11,185,131	\$ 83,000
DEPARTMENT OF PUBLIC HEALTH	\$ 643,392	\$ 673,392	\$ 30,000
LODGING TAX FUND	\$ 246,504	\$ 311,504	\$ 65,000
PILT FUND	\$ 1,025,000	\$ 1,075,000	\$ 50,000
SALES & USE TAX FUND	\$ 1,706,387	\$ 1,711,387	\$ 5,000
SELF FUNDED INSURANCE	\$ 3,202,079	\$ 4,042,079	\$ 840,000
WEED DEPARTMENT FUND	\$ 225,859	\$ 287,859	<u>\$ 62,000</u>
 TOTAL SUPPLEMENTAL APPROPRIATION			 <u>\$ 1,135,000</u>



Commissioner McFall moved for adoption of this Resolution, with a second by  
Commissioner Bell. The roll call vote of the Board was as follows:

Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Dwayne McFall	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain


The Resolution was declared to be duly adopted.

Date: 3/13/18



Chairman

Attest:



County Clerk and Recorder

RESOLUTION NO. 9, SERIES OF 2018

A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATED FUNDS  
BETWEEN THE VARIOUS FUNDS OF FREMONT COUNTY, COLORADO, FOR THE  
BUDGET YEAR ENDING DECEMBER 31, 2017

**WHEREAS**, the Fremont County Board of Commissioners did approve the 2017 Budget for the various funds of Fremont County, Colorado, by Resolution No. 38, Series 2016, on December 20, 2016, and

**WHEREAS**, such approved budget did include certain Transfers and In-Direct Costs between the various Funds.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Fremont County, Colorado, that the following transfers and in-direct costs between the various Funds of Fremont County, Colorado, are hereby approved, and The County Treasurer is authorized to perform such Transfers for the 2017 Budget Year:

**TRANSFERS TO:**

GENERAL FUND	\$ 762,716
SHERIFFS FUND	3,939,852
DEPT OF TRANSPORTATION	250,000
DEPT OF HEALTH	81,711
PUBLIC BUILDING & MAINTENANCE FUND	106,373
WEED FUND	<u>20,000</u>

**TOTAL TRANSFERS TO** \$ **5,160,652**

**TRANSFERS FROM:**

GENERAL FUND	\$ 4,041,563
WASTE DISPOSAL FUND	36,000
COUNTY LODGING TAX FUND	1,518
PILT FUND	1,056,373
SELF-FUNDED INSURANCE	<u>25,198</u>

**TOTAL TRANSFERS FROM** \$ **5,160,652**

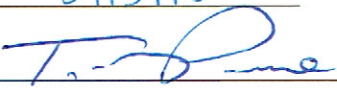


Commissioner Bell moved for adoption of this Resolution, with a second by  
Commissioner McFall. The roll call vote of the Board was as follows:

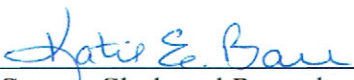
Debbie Bell	<u>Aye</u>	Nay	Absent	Abstain
Dwayne McFall	<u>Aye</u>	Nay	Absent	Abstain
Timothy R. Payne	<u>Aye</u>	Nay	Absent	Abstain

The Resolution was declared to be duly adopted.

Date: 3/13/18

  
Chairman

Attest:

  
County Clerk and Recorder

**RESOLUTION NO. 10**  
**Series of 2018**

RESOLUTION FOR SPECIAL REVIEW USE PERMIT  
DEPARTMENT OF PLANNING AND ZONING  
FILE # SRU 17-006 CROSSROADS EVENT CENTER

BE IT RESOLVED by the Fremont County Board of County Commissioners (hereafter "Board"):

THAT WHEREAS, WHP Crossroads LLC, (hereafter "applicant") has made application for issuance of a Special Review Use Permit pursuant to 8.14 of the Zoning Resolution of Fremont County for a Permit to allow a to allow for Hemp Processing, which application has been designated as file #SRU 17-006 Crossroads Event Center, to be located on certain real property that the applicant owns; and

AND WHEREAS, pursuant to the Fremont County Zoning Resolution previously adopted; the Planning Commission of Fremont County reviewed the application at its February 6, 2018, regular meeting and recommended the **APPROVAL** of such application; and

WHEREAS, a notice containing the specific request, proposed use, date, time, location, telephone number of the Fremont County Department of Planning and Zoning (hereafter "Department"), and a site plan and vicinity map were mailed fourteen (14) days prior to the public hearing, by certified mail, return receipt to the Department, to all property owners within five-hundred (500) feet of the boundaries of the subject parcel and to appropriate reviewing agencies; and

WHEREAS, a notice containing the specific request, proposed use, date, time, location, and telephone number of the Department where additional information may be obtained, was posted on the property fourteen (14) days prior to the public hearing; and

WHEREAS, a notice of the public hearing was published by the Department, in a newspaper of general circulation in Fremont County, fourteen (14) days prior to the public hearing, and which contained the specific request, time and place of the public hearing, and an explanation of the proposed use and its location; and

WHEREAS, the Board held a public hearing concerning said application on March 13, 2018, at which time comments and evidence were considered, including all materials contained as part of the application and which were in the Department's file concerning the application; and



WHEREAS, it appears that issuance of a Special Review Use Permit is appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Board that:

1. The Board makes the following findings with respect to the application for issuance of a Special Review Use Permit to Applicant as follows:
  - a. The procedural requirements of Section 8.14 of the Fremont County Zoning Resolution have been met.
  - b. The location of the proposed use is compatible and harmonious with the surrounding neighborhood.
  - c. The proposed use will not have detrimental effects on property values.
  - d. The proposed site and use will not impair public health, welfare, prosperity and safety by creating undesirable sanitary conditions, overburdening of utilities or adverse environmental influences.
  - e. The site will be served by streets and roads of sufficient capacity to carry the traffic generated by the proposed use, and the proposed use will not result in undue traffic congestion or traffic hazards.
  - f. The site is sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this resolution.
  - g. The proposed use, if it complies with all conditions on which approval is made contingent, will not adversely affect other property in the vicinity or the general health, safety and welfare of the inhabitants of the County, and will not cause significant air, water, noise or other pollution.
2. A Special Review Use Permit shall be issued contingent on the acceptance and observance by the Applicant of the following specified conditions that must be met within six (6) months, if applicable, since the use was previously in operation prior to approval by the Board:

- A. Special Review Use Permit shall be issued for life of the use.
- B. The Department shall review the permit annually to determine compliance with the conditions of the permit and forward it to the Board for their review as required by regulations. It shall be the responsibility of the permit holder to provide the Department with copies of other permits, licenses, or other documentation showing compliance with the requirements of any other governmental agency (*to include items such as changes to the documents, updates, renewals, revisions, annual reports*). Further it shall be the responsibility of the permit holder to provide the Department with copies of any documents that would affect the use of the subject property, such as but not limited to updated or renewed leases for use of or access to the subject property. Copies of these documents shall be submitted to the Department prior to the anniversary date of the approval of the use permit each year. If the Department has to notify the permit holder that the anniversary date has passed and/or request said documentation, then a **penalty fee shall be charged** to the permit holder. If the required documentation and penalty fee are not submitted to the Department within twenty (20) days following notification to the permit holder, then violation procedures may be commenced, which could result in termination, revocation, rescission or suspension of the use permit.
- C. The Applicant shall conform to all plans, drawings and representations submitted with or contained within the application except as may be inconsistent with the other provisions of the permit.
- D. The Applicant shall comply with all laws and regulations of the County of Fremont, its agencies or departments, the State of Colorado, its agencies or departments and the United States of America, its agencies or departments, as now in force and effect or as the same may be hereafter amended.
- E. Applicants shall obtain, prior to operation, and keep in effect, throughout operation, all other permits, licenses or the like, including renewals, required by any other governmental agency and as otherwise may be required by Fremont County and shall provide copies of such to the Department. Revocation, suspension or expiration of any such other permits shall revoke, suspend or terminate the permit authorized hereunder, as the case may be.
- F. If a Special Review Use is abandoned, discontinued or terminated for a period of six (6) months, the approval thereof shall be deemed withdrawn, and the use may not be resumed without approval of a new application. Provided, however, if the holder of the permit intends to or does temporarily cease the use for six (6) months or more without intending to abandon, discontinue or terminate the use, the holder shall file a notice thereof with the Department of Planning and Zoning prior to the expiration of the six-month period stating the reasons thereof and the plan for the resumption of the use. The requirement of a notice of temporary cessation shall not apply to applicants who have included in their permit applications a statement that the



use would continue for less than six (6) months in each year and such fact is noted on the permit. In no case, however, shall temporary cessation of use be continued for more than two (2) years without approval by the Board of County Commissioners.

- G. If a Special Review Use Permit is to be transferred it shall comply with all applicable Federal, State and County regulations regarding such transfer.
- H. Days of operation will be Monday through Saturday 7 A.M. to 6 P.M.
- I. Applicant shall provide to the Department, documentation from the Fremont County Weed Coordinator that the applicant has in place an acceptable weed control plan, and further the applicant shall implement and maintain the plan, if required.
- J. The County shall retain the right to modify any condition of the permit, if the actual use demonstrates that a condition of the permit is inadequate to serve the intended purpose of the condition. Such modification shall not be imposed without notice and a public hearing being provided to the Applicant at which time applicant and members of the public may appear and provide input concerning the proposed modifications to the conditions of the permit.
- K. Only the named party on the permit shall be allowed to operate this Special Review Use Permit. Board approval shall be required prior to allowing any other person or entity to operate at the site under the conditions of this permit. All persons, entities or others requesting Board approval to operate under this Special Review Use Permit must agree to abide by all terms and conditions of this Special Review Use Permit and shall be required to be named on this Special Review Use Permit as additional parties who are bound by the terms and conditions of this Special Review Use Permit.
- L. A Special Review Use Permit shall not be modified in any way without Department approval for Minor Modifications or approval of Major Modifications by the Board in accordance with Section 8.14 of the Fremont County Zoning Resolution (complete reapplication).
- M. The Fremont County Department of Transportation will review the permit yearly to determine if an impact fee should be assessed for traffic impact.
- N. Applicant will be required to bring all structure codes and requirements into compliance upon beginning any other use beyond the Hemp Processing.
- O. Documentation from Fremont County Environmental Health Officer that there is adequate sewage disposal, including veterinary premises, prior to operation.

P. Provide a copy of the following permits or licenses, prior to operation if applicable:

1. State Veterinary Premises License
2. Food Service License

Q. Applicant shall apply an acceptable chemical dust suppressant on the parking area and on other portions of the site as needed.

R. The current SRU 08-001, be put in abeyance for now. If the applicant decides to reopen the restaurant the applicant shall come before the Board for approval.

Commissioner Bell moved the adoption of the foregoing Resolution, seconded by Commissioner McFall and approved by roll call vote as follows:

Commissioner Bell:  Aye / Nay / Abstain / Absent

Commissioner McFall:  Aye / Nay / Abstain / Absent

Commissioner Payne:  Aye / Nay / Abstain / Absent

The Resolution was declared to be duly adopted.

DATE: 3/27/18



CHAIRMAN, FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST: Gardunio Chief Deputy  
FREMONT COUNTY CLERK AND RECORDER



RESOLUTION NO. 11  
Series of 2018  
**9th Amendment to the Fremont County Zoning Resolution**

BE IT RESOLVED by the Fremont County Board of County Commissioners (hereafter "Board"):

THAT WHEREAS, effective **March 13, 2018**, the Board of County Commissioners re-adopted the Fremont County Zoning Resolution; and

WHEREAS, certain amendments to said Resolution have been proposed; and

WHEREAS, the Fremont County Planning Commission has promulgated and recommended approval of the proposed 8th Amendment to the Fremont County Zoning Resolution; and

WHEREAS, the Board of County Commissioners has conducted a public hearing on the proposed amendment on **March 13, 2018**, pursuant to such publication and notice as may be provided by law; and

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the Fremont County Zoning Resolution be and hereby is amended as set forth in Exhibit A attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED that such amendment shall apply to all new submittals from **March 13, 2018**.

Commissioner \_\_\_\_\_ moved the adoption of the foregoing Resolution, seconded by Commissioner \_\_\_\_\_ and approved by roll call vote as follows:

Commissioner Payne:  Aye / Nay / Abstain / Absent

Commissioner McFall:  Aye / Nay / Abstain / Absent

Commissioner Bell:  Aye / Nay / Abstain / Absent

The Resolution was declared to be duly adopted.

DATE: March 13, 2018

  
\_\_\_\_\_  
CHAIRMAN, FREMONT COUNTY BOARD OF COUNTY COMMISSIONERS

ATTEST:   
\_\_\_\_\_  
FREMONT COUNTY CLERK AND RECORDER

**EXHIBIT A – 9<sup>TH</sup> AMENDMENT  
TO THE FREMONT COUNTY ZONING RESOLUTION**

ADDED

~~DELETED~~

In many circumstances due to insertions and deletions, numbering and lettering in the final document may change. In addition, there are a number of clerical changes that standardize language but do not change the content or meaning that are not shown in the amendment but will be changed in the final recorded document.

**1.5 DEFINITIONS:**

**1.5.188 WATCHMEN’S QUARTERS:** A single-family dwelling, or efficiency unit, ~~constructed within the principal use building, attached or detached,~~ whose use is as an accessory to a permitted use in the zone district and that is occupied by a person(s) who either owns the primary use or is employed as a manager, maintenance person, or similar function, with the exception of the following:

**1.5.188.1** A detached single-family dwelling or efficiency unit, recreational cabin or park model is allowed in the Travel Trailer Park and Campground Zone District.

**1.5.188.2** A detached manufactured home, or manufactured home single-wide is allowed in the Manufactured Home Park Zone District.

**3. GENERAL REGULATIONS**

**3.5.1** Watchman's Quarters shall be an accessory use that is either permitted or allowed through the issuance of a Special Review Use Permit in the Manufactured Home Park, Travel Trailer Park & Campground, Neighborhood Business, Rural Highway Business, Business, Industrial and Industrial Park Zone Districts. However, only one watchman's quarters per tract, parcel or lot shall be permitted. ~~A watchman's quarters may consist of an office, living, sleeping, kitchen, and bathroom facilities constructed within the principal use building.~~

**3.8 Storage Structures:**

**3.8.1.1** Tractor trailers, railroad cars, cabooses or shipping or storage containers may be used as a storage structure in the Agricultural Forestry, Agricultural Farming & Ranching, Agricultural Living, Agricultural



Estates, Agricultural Suburban or Agricultural Rural Zone Districts if it is used to house items for an agricultural use on the subject property and in the Industrial Zone District as an accessory use to the principal use.

- 3.8.1.2** A single shipping or storage container may be used for temporary storage ~~when associated with construction of a permanent structure(s)~~ in the Medium Density Residence, High Density Residence, Neighborhood Business, Rural Highway Business, Business, Airport, and Industrial Park Zone Districts; ~~however, when construction is completed the shipping or storage container shall be removed.~~

#### **4.12 NB - NEIGHBORHOOD BUSINESS ZONE DISTRICT**

- 4.12.2.10** Watchman's quarters, single-family dwelling or efficiency unit dwelling, only provided that such is constructed within the principal use building attached or detached and only one (1) such dwelling per premise.

#### **4.13 RHB - RURAL HIGHWAY BUSINESS ZONE DISTRICT**

- 4.13.2.30** Watchman's quarters, single-family dwelling or efficiency unit dwelling only provided that such is constructed within the principal use building and, attached or detached, only one (1) such dwelling per premise;

#### **4.14 B - BUSINESS ZONE DISTRICT**

**4.14.1.15** Dwelling, multi-family (3 units or more per structure); primary use on property. No additional uses permitted. Subject to approval of a commercial/site development plan.

**4.15.1.46** Solar Panel field; subject to approval of a commercial/site development plan.

**4.14.2.46** Watchman's quarters, single-family dwelling or efficiency unit dwelling only provided that such is constructed within the principal use building and, attached or detached, only one (1) such dwelling per premise;

## 4.15 IP - INDUSTRIAL PARK ZONE DISTRICT

**4.15.4 SPECIAL REVIEW USES:** Subject to the issuance of a Special Review Use Permit.

4.15.4.32 Slaughterhouse:

4.15.4.33 Solar Panel Field:

**4.15.4.35** Watchman's quarters, single-family dwelling or efficiency unit dwelling only ~~provided that such is constructed within the principal use building and~~, attached or detached, only one (1) such dwelling per premise;

## 4.17 I - INDUSTRIAL ZONE DISTRICT

**4.17.2.43** Watchman's quarters, single-family dwelling or efficiency unit dwelling only ~~provided that such is constructed within the principal use building and~~, attached or detached, only one (1) such dwelling per premise;