

RESOLUTION NO. 2014- 13  
BOARD OF COUNTY COMMISSIONERS  
OF RIO BLANCO COUNTY,  
COLORADO

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO, APPROVING THE TANK CONDITIONAL USE PERMIT 14-2 TO ALLOW AN ENTERTAINMENT FACILITY THAT WILL ACCOMMODATE GROUPS FOR RESEARCH AND RECORDING, AND HOLD EVENTS IN THE MODERATE INDUSTRIAL ZONE, LOCATED AT 233 C.R. 46, RANGELY, COLORADO, IN SECTION 35, T2N, R102W**

WHEREAS, Friends of the Tank, Inc. ("Applicant") has applied for a Conditional Use Permit for their 4.9 acre parcel in Rio Blanco County, Colorado; and

WHEREAS, the subject parcel is located at 233 County Road 46, Rangely, Colorado in Section 35, Township 2 North, Range 102 West, of the 6<sup>th</sup> Principal Meridian; and

WHEREAS, the subject parcel is currently zoned Moderate Industrial, and the property to the north is administered by BLM and zoned Agricultural, and the properties to the east, south, and west are zoned Moderate Industrial; and

WHEREAS, the Applicant is requesting approval to allow an entertainment facility that will accommodate groups for research and recording, and hold events in the Moderate Industrial zone; and

WHEREAS, the Rio Blanco County Planning Commission conducted a public hearing on the Tank Conditional Use Permit 14-2 application on April 10, 2014 upon notice duly given; and

WHEREAS, the Planning Commission, at the April 10, 2014 meeting, voted 4 for, 0 against to recommend to the Board of County Commissioners of Rio Blanco County, Colorado ("Board") approval of the Tank Conditional Use Permit 14-2 subject to all conditions and mitigations described in the December 9, 2013 Application and supporting materials, and any conditions of approval listed below; and

WHEREAS, the Board has reviewed applicable Colorado Statutes, the Rio Blanco County Master Plan, the Rio Blanco County Land Use Resolution, the materials submitted by the Applicant, the materials submitted by members of the public at the various hearings, the Planning Commission recommendations, and upon notice duly given conducted its own hearing in Rangely for the Conditional Use Permit Application on April 21, 2014;

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO FINDS AS FOLLOWS:**

- A. The application is complete;
- B. The public hearing before the Board was extensive and complete, pertinent facts, matters, and issues were submitted, and any interested parties were given an opportunity to be heard at the hearing;
- C. The parcel is appropriately zoned;
- D. The record is complete;

- E. The proposed Conditional Use Permit would not negatively affect the best interests of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Rio Blanco County.

**THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF RIO BLANCO COUNTY, COLORADO:**

- A. The Tank Conditional Use Permit 14-2 is hereby approved, as presented, subject to all mitigations described in the December 9, 2013 Application, and the following conditions:
1. During periods / seasons of use, Applicant must have restroom and handwashing facilities, and secured, animal-proof trash receptacles on site. Applicant must also ensure that emergency vehicles will have expedient access at all times.
  2. Prior to having any group larger than 30 people on the property, Applicant must develop and submit to the County a Large Event Management Plan ("Plan") to address potential impacts and develop detailed measures to minimize those impacts. The Plan must address parking, hours of operation, noise, lighting, sanitation, restroom facilities, trash disposal, advanced notification to law enforcement, emergency vehicle accommodation, and other issues. The Plan must be updated and refined as needed, and implemented for future events.
  3. Applicant must submit an Annual Report summarizing the number of events, approximate numbers of people at large events, incidents, complaints, and their resolution.
  4. The structure is to be reclassified from a water tank to an assembly structure and meet all applicable requirements of the RBC Building and Fire Codes for the safety of the occupants.
  5. A letter must be provided and stamped by a Colorado Licensed Engineer stating the structure is of adequate strength and condition to be safe to occupy and will support the required 40 pound roof snow load and 90 mph wind design, and the foundation (ground) is capable of adequately supporting the structure.
  6. An exit door must be installed, meeting the requirements of IBC Section 1008 is required. (minimum clear opening width of 32 inches, minimum door height of 80 inches)
  7. Door locking hardware must meet the requirements of IBC 1008.1.8.1 and must not be capable of being locked in a way that could prevent someone inside the structure from exiting using a one operation method of opening.
  8. Level landings must be provided, on each side of the door at the same elevation. (Landings must be level except exterior landings are allowed to slope ¼ inch per foot for drainage, landings must be minimum width the same as the door and minimum length 44 inches in the direction of travel.
  9. Door must be readily visible at all times
  10. Every space intended for human occupancy must be provided with lighting. This can be natural or artificial. (IBC Chapter 12)
  11. Natural light requires openings or windows totaling 8% of floor area (probably will not work for the tank)

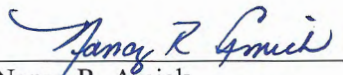
12. Artificial light can be used and must provide an average illumination of 10 foot-candles over the area of the room at a height of 30 inches above the floor level. (IBC Section 1205)
13. The means of egress, including the exit discharge, must be illuminated at all times the building space served by the means of egress is occupied. (IBC 1006.1) (Exterior lighting is also required to comply with section 269 of the RBC Land Use Resolution)
14. Buildings must be provided with natural ventilation in accordance with IBC section 1203.4, or mechanical ventilation in accordance with the International Mechanical Code.
15. Natural ventilation would require minimum openable area to the outdoors of 4% of the floor areas this could include the door while open (this method would require additional openings of approximately 30 square feet excluding the door, may not be the best method for the tank)
16. Mechanical ventilation must be calculated at 15 cfm per person. (probably the best method to provide ventilation to this structure)
17. Guardrails meeting RBC Building Code requirements or an approved well-constructed fence, must be installed at where the ground slopes steeply to CR 46.
18. Provide all weather access road and parking capable of supporting emergency vehicles not in excess of 10% grade. (RBC Land Use Resolution)
19. Provide address numbers at structure and at driveway entrance. (County can assign an address after the driveway location is decided)
20. Provide a minimum of one fire extinguisher as required by the RBC Building Code, at structure.
21. Interior piping at the floor level must be removed or modified in a way that does not create tripping hazard.
22. Signage must be posted showing the maximum occupancy allowed, the proposed occupancy is 18, and the maximum occupancy would be 49, upon approval by the RBC Building Official.
23. The Existing interior ladder must be modified, making it impossible to be used by the occupants of the tank.
24. Interior coatings (all layers) must be analyzed for lead, asbestos, etc. If these coatings are determined to be possibly hazardous to occupants, steps must be taken to minimize the hazard.
25. For the safety of the occupants, temperature must be considered during all events and any use of portable heating or cooling equipment must be in compliance with the manufacturers written instructions.
26. The Tank, driveway, parking, rails, fencing etc., must be maintained and kept in a good safe condition.
27. The toe of slope of the access road to be constructed must be a minimum of 5 feet from the nearest property line. All stormwater runoff must be limited to historic, pre-development flows.

- B. If any section, subsection, sentence, clause, phrase or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of County Commissioners of Rio Blanco County, Colorado declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, or portion herein, despite the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions would be declared invalid or unconstitutional.
- C. Approval of this conditional use permit constitutes approval of a site specific development plan which establishes a vested parcel right, as provided by CRS 24-68-101 et.seq. This vested right is valid for a period of 3 years from the date of publication of this approval. The Planning Department of Rio Blanco County, Colorado, will publish notice of this approval and vested right in the Meeker Herald as soon as possible.

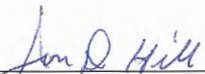
**DULY MOVED, SECONDED, AND PASSED ON A VOTE OF 3 FOR AND 0 AGAINST,  
THIS 21<sup>st</sup> DAY OF APRIL 2014.**

BOARD OF COUNTY COMMISSIONERS OF  
RIO BLANCO COUNTY, COLORADO

ATTEST:

  
\_\_\_\_\_  
Nancy R. Amick  
Clerk and Recorder



By:   
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Jon D. Hill, Chairman

  
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Jeffrey D. Eskelson, Commissioner

  
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Shawn J. Bolton, Commissioner