

TOWN OF PARACHUTE, COLORADO
RESOLUTION NO. 2015-07

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO APPROVING SPECIAL REVIEW USE PERMIT FOR NATURAL GAS EXTRACTION SUPPORT FACILITIES FOR URSA OPERATING COMPANY, LLC

WHEREAS, Applicant, Ursa Operating Company, LLC (“Ursa”), wishes to operate natural gas extraction support facilities on property located in Parachute, identified as Garfield County Parcel Nos. 2407-073-07-019, 2407-073-07-020, 2407-073-07-018 (the “Property”);

WHEREAS, the Property is vacant land, owned by B&V Developers, LLLP, and zoned Service Commercial;

WHEREAS, Service Commercial zoning does not allow for natural gas extraction facilities as a use by right and, therefore, Applicant has applied for a special review use permit for such use on the Property (the “Application”);

WHEREAS, Section 15.05 of the Parachute Municipal Code (the “Code”) allows for special review use to be approved as follows:

Uses designated as special review uses are contingent uses which may or may not be appropriate in a particular location depending on the nature of the proposed use, its relationship to surrounding land uses and its impact on traffic capacities, potential environmental effects, compatibility with the neighborhood, and conformance with the Parachute Plan. It is the intent of these Regulations to provide a review of special review uses so that the community is assured that any proposed special review uses are suitable for the proposed location and are compatible with the surrounding land uses.

WHEREAS, the Planning Zoning Commission of the Town of Parachute reviewed the Application and has recommended approval, subject to the conditions set forth in Exhibit A which is incorporated herein (the “Conditions”); and.

WHEREAS, the Board of Trustees has reviewed the Applicant’s Application for a Special Review Use Permit to allow for natural gas extraction facilities to be located on the Property and finds that it conforms with the terms and conditions of Chapter 15.05 of the Code subject to the Conditions and, therefore, wishes to approve such permit.

NOW, THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Applicant's Application for a special review use permit for natural gas extraction support facilities on the Property is hereby approved, subject to the Conditions set forth in Exhibit A.

THIS RESOLUTION was read, passed, and adopted by the Board of Trustees of the Town of Parachute at a regular meeting held this 21st day of May, 2015.



TOWN OF PARACHUTE, COLORADO

By Roy B. McClung
Roy B. McClung, Mayor

ATTEST:

S. Denise Chiaretta
S. Denise Chiaretta, Town Clerk

The Parachute Planning and Zoning Commission recommends **APPROVAL** of the Ursa Special Review Use for Natural Gas Extraction Support Facilities with the following conditions:

1. A final fencing design plan must be submitted and shall be subject to review and approval by the Town staff.
2. The applicant shall submit a drainage plan that conforms to the recommendations of the Town engineer and the Parachute Public Works Manual for review and approval by Town staff prior to initiation of construction.
3. The applicant should work with the Town on vacation of or realignment of Spring Lake Boulevard to a location around the well pad.
4. Pursuant to the Parachute land use regulations on fence height, the Trustees should approve use of the proposed 32-foot sound wall to mitigate sound and other drilling impacts on this site.
5. A site access plan should be presented to the public works department for review and approval. The access plan should include a gravel pad to prevent mud, dirt and debris from being tracked onto the public right-of-way and the applicant should be required to clean up a material carried onto the street as needed.
6. The Town should establish procedures for addressing and mitigating complaints that are brought to the attention of the Town and which the Board of Trustees direct the applicant to mitigate.
7. All representations made by the applicant verbally or in writing and in all application materials presented to the Planning Commission and/or Board of Trustees are considered part of the application and binding on the applicant.
8. Applicant shall reimburse the Town for any and all fees, including consulting costs, incurred in the review of the Application.