

**TOWN OF GRAND LAKE  
PLANNING COMMISSION  
RESOLUTION NO. 31 – 2024**

**A RESOLUTION TO APPROVE THE CONDITIONAL USE PERMIT FOR A BOARDING FACILITY LOCATED AT BLOCK 28, LOT 9-10, TOWN OF GRAND LAKE; MORE COMMONLY REFERRED TO AS 304 WEST PORTAL RD.**

**WHEREAS**, the Town of Grand Lake (the “Town”) received an application for a conditional use permit to operate a boarding facility (the “Application”) at 304 West Portal Rd (the “Property”); and

**WHEREAS**, staff reviewed the application and found it to be complete and comply with the requirements of the Section 12-2-31(B)(3); and

**WHEREAS**, the Town of Grand Lake Municipal Code (the “Municipal Code”), Section 12-2-18: Regulations for Commercial District allows for conditional uses including “*fixed-business kennels, boarding facilities, horseback riding facilities, and other businesses that generate income from the use and utilization of animals*”; and

**WHEREAS**, Municipal Code 12-2-31(B): Conditional Use Permits, allows the Planning Commission the option of scheduling a Public Hearing prior to consideration; and

**WHEREAS**, on April 3<sup>rd</sup>, 2024, the Planning Commission motioned to properly notice and conduct a public hearing on the Application on April 22<sup>nd</sup>, 2024; and

**WHEREAS**, Municipal Code 12-2-31(B): Conditional Use Permits states:

*The Planning Commission shall take the following factors into consideration prior to making recommendation to the Town Board of Trustees:*

- 1. Relationship of the proposed Conditional Use to the economic development objectives of the Town and the anticipated impact of the Conditional Use on existing businesses and neighborhood residences.*
- 2. Effect upon the character of the area in which the proposed Conditional Use is to be located, including the scale and bulk of the proposed Conditional Use in relation to surrounding uses and neighborhood.*
- 3. Such other factors and criteria as the Commission deems applicable to the proposed Conditional Use including but not limited to: hours of operation; signage; specific businesses, land owners or other interested parties to be notified; or proposed conditions of CUP issuance.*

**WHEREAS**, the Town of Grand Lake has made efforts to support local “brick and mortar” businesses; and

**WHEREAS**, the Zoning Regulations limits the location of boarding facilities to the Commercial District; and

**WHEREAS**, the Property is located within the Commercial District; and

**WHEREAS**, after taking into consideration the applicable factors in Municipal Code Section 12-2-31(B)(3)(a)(3); the Planning Commission forwards a favorable recommendation for approval of the Conditional Use Permit application limited by the following conditions to the Board of Trustees:

1. The applicant comply with the requirements of Municipal Code Chapter 8: Regulation of Animals; and
2. The applicant is the considered the responsible party and/or “person” of the animals relating to Municipal Code Chapter 8: Regulation of Animals; and
3. The applicant obtain all permits and comply with inspections required by the State of Colorado; and
4. All permits necessary to comply with the Municipal Code shall be obtained by the applicant; and
5. The outdoor operating hours are limited to 8a-5p, 7 days a week plus 6p-7pm on Wednesdays; and
6. The breeding of animals is NOT permitted; and
7. The applicant is responsible for maintaining a clean facility including the area immediately surrounding the premise, as determined by the Town; and
8. The play area shall graded, drained and maintained by the applicant to prohibit off premise discharge of any and all animal waste; and
9. All animal care activities such as grooming and washing shall be conducted inside the facility; and
10. The applicant shall install a wood privacy fence; and
11. All structures, including shade shelters, shall be constructed less than 6’ in height and in accordance with the Municipal Code; and
12. The applicant shall adhere to the site plan provided in Exhibit A; and
13. The Town shall review the Conditional Use Permit if two (2) or more written complaints, including citations, which are received by the Town in any twelve-month period. The review shall be conducted according to Municipal Code 12-2-18(B);

**NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF GRAND LAKE, COLORADO,**

**THAT**, the Board of Trustees has reviewed the recommendations of the Planning Commission and the Application for a boarding facility located at Block 28, Lot 9-10, Town of Grand Lake during a properly noticed public hearing; and

**THAT**, the Applicant has fulfilled the necessary requirements set forth in the Municipal Code for the approval of the issuance of a Conditional Use Permit; and

**THAT**, after taking into consideration the applicable factors in Municipal Code Section 12-2-31(B)(3)(a)(3), the Board of Trustees hereby approves the Conditional Use Permit application subject to the following conditions:

1. The applicant comply with the requirements of Municipal Code Chapter 8: Regulation of Animals; and
2. The applicant is the considered the responsible party and/or “person” of the animals relating to Municipal Code Chapter 8: Regulation of Animals; and
3. The applicant obtain all permits and comply with inspections required by the State of Colorado; and
4. All permits necessary to comply with the Municipal Code shall be obtained by the applicant; and
5. The outdoor operating hours are limited to 8a-5p, 7 days a week plus 6p-7pm on Wednesdays; and
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7. The applicant is responsible for maintaining a clean facility including the area immediately surrounding the premise, as determined by the Town; and
8. The play area shall graded, drained and maintained by the applicant to prohibit off premise discharge of any and all animal waste; and
9. All animal care activities such as grooming and washing shall be conducted inside the facility; and
10. The applicant shall install a wood privacy fence; and
11. All structures, including shade shelters, shall be constructed less than 6’ in height and in accordance with

- the Municipal Code; and
12. The applicant shall adhere to the site plan provided in Exhibit A; and
  13. The Town shall review the Conditional Use Permit if two (2) or more written complaints, including citations, which are received by the Town in any twelve-month period. The review shall be conducted according to Municipal Code 12-2-18(B);

DULY MOVED, SECONDED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF GRAND LAKE, COLORADO THIS 13th DAY OF MAY, 2024.

( S E A L )

Votes Approving:  
Votes Opposed:  
Absent:  
Abstained:

**ATTEST:**

**BOARD OF TRUSTEES OF THE  
TOWN OF GRAND LAKE, COLORADO**

\_\_\_\_\_  
Alayna Carrell, Town Clerk

By: \_\_\_\_\_  
Steve Kudron, Mayor