

Huerfano County Land Use Department  
401 Main Street, Suite 304  
Walsenburg, Colorado 81089  
(719) 738-3000 ext. 108



## GENERAL LAND USE APPLICATION

Application File No.: \_\_\_\_\_

### 1. ACTION(S) REQUESTED:

- |   |   |
|---|---|
| <input type="checkbox"/> Conditional Use Permit Application   | <input type="checkbox"/> Sign Permit                                    |
| <input type="checkbox"/> Conditional Use Application / Marijuana  | <input checked="" type="checkbox"/> Temporary Use or Assembly Permit    |
| <input type="checkbox"/> Conditional Use Application / Oil, Gas or Uranium Exploration and/or Development | <input type="checkbox"/> H.B. 1041 Text Amendment                       |
| <input type="checkbox"/> Rezoning   | <input type="checkbox"/> H.B. 1041 Development Permit                   |
| <input type="checkbox"/> Variance   | <input type="checkbox"/> H.B. 1041 Flood Plain Exemption                |
| <input type="checkbox"/> Subdivision Exemption  | <input type="checkbox"/> Comprehensive Plan Text of Map Amendment       |
| <input type="checkbox"/> Plat Amendment   | <b>PUD or non-PUD Subdivision Approval:</b>                             |
| <input type="checkbox"/> Plat Correction  | <input type="checkbox"/> Sketch Plan                                    |
| <input type="checkbox"/> Road Right-of-Way or Easement Vacation   | <input type="checkbox"/> Preliminary Plan                               |
| <input type="checkbox"/> Lot Consolidation  | <input type="checkbox"/> Final Plat / Subdivision Improvement Agreement |
| <input type="checkbox"/> Other Actions (specify): _____   | <input type="checkbox"/> Re-hearing of Denied Application               |

### 2. APPLICATION STATUS (for County use only):

Date Application Received: \_\_\_\_\_ Application Fees Required: \_\_\_\_\_  
Received By: \_\_\_\_\_ Date Application Fees Paid: \_\_\_\_\_

### 3. APPLICATION AND OWNER INFORMATION:

Name of Applicant: \_\_\_\_\_ Hummingbird Ranch, LLC \_\_\_\_\_  
Applicant's Mailing Address: \_\_\_\_\_ 732 County Road 653; Rye, CO 81069 \_\_\_\_\_  
Applicant's Telephone and/or FAX: \_\_\_\_\_ (970) 658-1050 office; (970) 222-9542 \_\_\_\_\_  
Applicant's E-Mail Address: \_\_\_\_\_ jess@grieslaw.com \_\_\_\_\_  
Name of Land Owner: \_\_\_\_\_ Hummingbird Ranch, LLC \_\_\_\_\_  
Land Owner's Mailing Address: \_\_\_\_\_ 732 County Road 653; Rye, CO 81069 \_\_\_\_\_  
Land Owner's Telephone and/or FAX: \_\_\_\_\_ (970) 658-1050 office; (970) 222-9542 \_\_\_\_\_

### 4. SUMMARY OF APPLICATION:

Land Area included within the scope of this Application: 360 Acres  Square Feet or  Acres  
Parcel (Schedule) Number (Available from Assessor): \_\_\_\_\_ 13483 \_\_\_\_\_  
Legal description of land on which action is proposed (please attach the legal description to this Application)  
Existing Zoning District(s): \_\_\_\_\_ AG \_\_\_\_\_  
Proposed New District(s): \_\_\_\_\_ N/A \_\_\_\_\_  
Number of Existing Lots: \_\_\_\_\_ N/A \_\_\_\_\_  
Number of Proposed Lots: \_\_\_\_\_ N/A \_\_\_\_\_  
Number of Proposed Dwelling Units: \_\_\_\_\_ N/A \_\_\_\_\_

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### GENERAL LAND USE APPLICATION

Proposed Average Lot Size: Applicant does not believe that this section is applicable to this Application  
If a Variance Request, please state the reason for the Variance(s): \_\_\_\_\_

Is all or a portion of the subject land located in a potential flood plain area, or are there areas with slopes in excess of twenty percent (20%)?  YES  NO  
If YES, which of these conditions exist? \_\_\_\_\_

Value of proposed new development: \_\_\_\_\_  
Will the proposed project require any State or Federal permits?  YES  NO  
If YES, please list all permits or approvals required: \_\_\_\_\_

If a H.B. 1041 permit is required, for what matters of local concern and state interest? \_\_\_\_\_

Please list any additional pertinent information: \_\_\_\_\_

#### 5. CERTIFICATION BY THE APPLICANT:

I hereby certify that this Application is made with full knowledge of the design standards, all fees, procedures, public hearing and meeting requirements contained in the Huerfano County Land Use Regulations. Furthermore, I understand that all land use permits are non-transferable, unless specifically approved by the Huerfano County Board of County Commissioners. The Board of County Commissioners may impose permit transfer fees as it deems appropriate. I also understand that issuance of a permit does not relieve me of the requirement to comply with all federal, state, and local laws as well as all relevant subdivision regulations, declarations, and covenants. All documents submitted may be subject to internet publishing.

Signature of Applicant:  Date: 11/18/2022

Printed Name: Jamie Janover, Owner of Hummingbird Ranch, LLC

#### 6. ACTION (by the authorized permitting authority):

Final Approval  Conditional Approval  Denial

Name \_\_\_\_\_ Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

**1.13.04 Application Requirements**

*A. The name, age, residence and mailing address of all persons required to sign the application and, in the case of a corporation, a certified copy of the articles of incorporation.*

The Application is signed by Jamie Janover, age 52, with a residential address of 732 County Road 653, Rye, CO and a mailing address of 732 County Road 653, Rye, CO 81069. A certified copy of the Hummingbird Ranch, LLC Articles of Organization are attached.

*B. The address and legal description of all property upon which the assembly is to be held, together with the name, residence and mailing address of the record owners of such property.*

The address and legal description is 732 County Road 653, Rye, CO 81069: (Township 25 South Range 67 West of the 6th PM. Section30: SW 1/4 SE1/4 Section 31: NE 1/4 SE 1/4, NW1/4 SE 1/4, NW 1/4 NE 1/4,SW 1/4 NE 1/4, E1/2 NE 1/4) and an adjacent parcel to the west (including 756 County Road 653, Rye, CO 81069). The record owner of the property is Hummingbird Ranch, LLC with a residential address of 732 County Road 653, Rye, CO and a mailing address of 732 County Road 653, Rye, CO 81069.

*C. A notarized statement by the record owners of such property consenting to such an assembly.*

**LANDOWNER PERMISSION & APPLICANT AFFIDAVIT**

I, James Janover, am the owner of Hummingbird Ranch, LLC, which in turn owns the properties slated to be used for a night of camping on June 14-15, 2023 and I hereby give notice of my consent to use my property. The properties include the main grounds at 732 County Road 653, Rye, CO 81069: (Township 25 South Range 67 West of the 6th PM. Section30: SW 1/4 SE1/4 Section 31: NE 1/4 SE 1/4, NW1/4 SE 1/4, NW 1/4 NE 1/4,SW 1/4 NE 1/4,E1/2 NE 1/4), two adjacent parcels to the west (including 756 County Road 653, Rye, CO 81069).

As the sole Member and President of Hummingbird Ranch, LLC, I affirm that the Application is accurate to the best of my knowledge and belief and that Hummingbird Ranch, LLC intends to comply with all bonding and insurance requirements and deadlines as applicable.

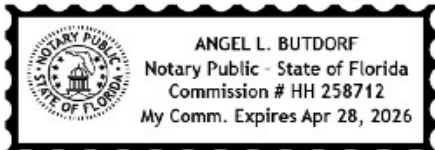
*James Janover*

James Janover

STATE OF Florida )  
 )  
COUNTY OF Highlands )

Subscribed, sworn to and acknowledged before me by James Janover, this 18th day of November, 2022.

Witness my hand and seal. My commission expires on April 28, 2026



*Angel L. Butdorf*

Notary Public  
Angel L Butdorf-Remote Online Notary Public

Signer(s), produced CO DL, as identification, along with multi-factor KBA authentication and was notarized online using audio/video recording.

*D. The nature and purpose of the assembly.*

Hummingbird Ranch, LLC plans to host a single night of camping on June 14, 2023 for people coming to the 2023 Sonic Bloom Festival, which begins the following day just as done the night prior to the 2022 Festival. Hummingbird Ranch, LLC makes this request to help mitigate the impact of the Festival on neighbors.

Since 2017, after consultation with and suggestions from Huerfano County officials, there has been a separate, non-festival (no music or other programming), night of camping before the Festival as a measure to spread out ingress traffic, mitigate the impact of traffic on Lascar Road and lessen the possibility of early arrivers camping out in unapproved spaces while waiting for the Festival gates to open on Thursday. Applicant continues to believe that this is a good idea and is willing to host this camping for a single night. Applicant will limit availability of the camping to people that are staying at the Ranch for the Festival. Hummingbird Ranch, LLC will contract with Sonic Bloom Festival, LLC to use the infrastructure that it is bringing in for its Event to be used for the camping night, including its systems to track the number of campers.

*E. The dates and hours during which the assembly is to be held.*

Wednesday June 14, 2023 at 10:00 AM to Thursday June 16 at noon.

*F. The maximum number of persons permitted to assemble at any time. 2,500*

*G. The maximum number of tickets to be sold, if any. 2,000*

*H. The plans of the applicant to limit the maximum number of people permitted to assemble.*

Applicant will contract with Festival to use its ticketing system and check-in system to track the number of people.

*I. The plans for supplying potable water including the source, number of locations, and method of distribution.*

Applicant will provide an adequate and safe supply of portable water from multiple free water stations accessible from the campgrounds. Applicant will contract with Festival to monitor water supplies to insure that ample supplies of free water are available to attendees at all times. All of our drinking water will come from an approved public supply, be transported by a licensed potable water hauler and will meet Colorado Department of Health requirements. There will be infrastructure on-site to provide water to an assembly many times the size of what is requested in this Application.

*J. The plans for holding, collecting and disposing of solid waste material.*

Waste will be collected at multiple stations with separate containers for trash and recycling. These stations are serviced by a dedicated staff that empties the bins at the stations into large roll-off dumpsters. This system will be able to handle solid waster generation in excess of 2.5 lbs. of refuse per person per day. There will be many times the required number of port-a-lets for a gathering of this size in the campgrounds, including ADA compliant units and a hand-wash station for every four toilets. The ports will be serviced regularly.

*K. The plans to provide for medical facilities, including the locations and construction of a structure, the names, addresses and hours of availability of medical technologists and nurses and provisions for emergency ambulance service.*

We will contract with the Festival to staff their medical tent with the requisite number of EMTs, paramedics and, if more than a thousand persons are camping, nurse(s) as required by the regulations. Applicant will provide standby ambulance service and a professional tent where treatment can be rendered.

*L. The plans, if any, to illuminate the location of the assembly, including the source and amount of power and the location of lamps.*

Applicant will use ambient lighting to illuminate pedestrian walkways and generator based light towers to illuminate parking and work areas. Applicant will be mindful of Dark Sky principles and will make efforts to shade and direct light downward and reduce intensity when bright light is not necessary.

*M. The plans for parking vehicles, including size and location of lots, points of highway access and interior roads, including routes between highway access and parking lots.*

Patrons access the site by exiting I-25 at Exit 64 (Lascar Road), heading west to the box office area to be processed, then continuing west on Lascar Road to CR652 for a short stretch and then onto CR653 which terminates inside Hummingbird Ranch. There are various internal roads that are used by patrons to reach their designated parking and/or camping areas.

*N. The plans for communication, including the source, amount and location of communication equipment.*

Medical and security teams will be in contact with one another and the Applicant by 16-channel radios. Cell phone coverage is available at the site and Applicant has a land-line as a redundant measure to reach emergency services if need be.

*O. The plans for camping facilities, if any.*

There will be tent camping, "car-camping" (where people pitch their tent in proximity to their vehicle) and RV camping. The campgrounds will have potable toilets, hand-wash stations, free potable water and trash disposal stations.

*P. The plans for fire protection.*

Applicant will comply with the restrictions found in any County Fire Ban or similar order that may be in effect at the time of the Event. Regardless of Fire Ban status, there will be no campfires or open flame allowed.

A. Applicant plans to hire a private pump truck or trailer that could respond to a fire at the incipient stage.

B. If conditions so demand, deploy a water truck to wet campgrounds and parking lots just before they are utilized to mitigate against any vehicle ignition sources if conditions merit the same.

C. Equip security golf carts with extinguishers.

*Q. The plans for security, including the number of guards, their deployment and their names, addresses, credentials and hours of availability; description of peer group control, if any.*

Battle Tested Security, a veteran-owned Denver-licensed security company, will provide security in numbers that exceed those required by the regulations. To be scaled based on the number of people in attendance.

*R. The plans for sound control and sound amplification, if any, including number, location and power of amplifiers and speakers.*

Wednesday night is camping only, THERE IS NO MUSIC OR OTHER PROGRAMMING.

*S. If applicable: plans for meeting County health standards for food concessions and concessionaires who will be allowed to operate on the grounds, including the names and addresses of all concessionaires and their license or permit numbers.*

Campers are expected to provide their own food. There are no concessionaires.

*T. The plans, if any, for electrical systems.*

Lighting will be powered by portable generators.

*U. The plans to insure that trees, underbrush, large rocks and other natural features shall be left intact and undisturbed; that natural vegetative cover shall be retained, protected and maintained so as to facilitate drainage, prevent erosion and preserve the scenic attributes; and that the location of the site be maintained in a manner so as to abate dust.*

The camping and associated vehicle and foot traffic has not been observed to impact trees, underbrush, large rocks and other natural features. The County is planning work on the roads leading to the Ranch that include mag-chloride for dust abatement.

*V. An affidavit from the applicant stating that they intend to comply with all bonding and insurance requirements and deadlines as applicable.*

Please see the "Landowner Permission & Applicant Affidavit" above. Applicant will contract with Festival to be covered for the night of camping under Festival's Insurance and Bond.

*W. The permit fee as outlined in Sec. 11, which shall not be refundable even if the permit is not granted.*

Applicant will pay the fee as directed by the Land Use Department.

X. A legible plot plan at an appropriate scale and level of detail.



Location: 732 County Road 653; Rye, CO  
(Hummingbird Ranch is lightly shaded area, approximately three hundred sixty acres)  
(Applicant will use a small portion of the green shaded areas for June 15 camping)

## ARTICLES OF ORGANIZATION





Colorado Secretary of State  
 Date and Time: 10/29/2015 05:28 PM  
 ID Number: 20151703850

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

Document number: 20151703850  
 Amount Paid: \$50.00

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Organization**

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

Hummingbird Ranch, LLC

*(The name of a limited liability company must contain the term or abbreviation "limited liability company", "Ltd. liability company", "limited liability co.", "Ltd. liability co.", "limited", "L.L.C.", "llc", or "Ltd.". See §7-90-601, C.R.S.)*

*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the limited liability company's initial principal office is

Street address

942 Westview Dr

*(Street number and name)*

Boulder

*(City)*

CO

*(State)*

80303

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province - if applicable)*

Mailing address

*(leave blank if same as street address)*

*(Street number and name or Post Office Box information)*

*(City)*

*(State)*

*(ZIP/Postal Code)*

*(Province - if applicable)*

*(Country)*

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

*(if an individual)*

Gries

*(Last)*

Jess

*(First)*

*(Middle)*

*(Suffix)*

or

*(if an entity)*

*(Caution: Do not provide both an individual and an entity name.)*

Street address

633 1/2 S. College Ave.

*(Street number and name)*

Fort Collins

*(City)*

CO

*(State)*

80524

*(ZIP Code)*

Mailing address

*(leave blank if same as street address)*

*(Street number and name or Post Office Box information)*

\_\_\_\_\_  
(City) CO \_\_\_\_\_  
(State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name  
(if an individual) Janover Jamie  
(Last) (First) (Middle) (Suffix)

or

(if an entity) \_\_\_\_\_  
(Caution: Do not provide both an individual and an entity name.)

Mailing address 942 Westview Dr  
(Street number and name or Post Office Box information)

Boulder CO 80524  
(City) (State) (ZIP/Postal Code)  
United States  
(Province - if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

or

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_  
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Gries	Jess		
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>
633 1/2 S. College Ave			
<i>(Street number and name or Post Office Box information)</i>			
Fort Collins		CO	80524
<i>(City)</i>		<i>(State)</i>	<i>(ZIP/Postal Code)</i>
<i>(Province - if applicable)</i>		United States	
		<i>(Country)</i>	

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).