



SPECIAL USE PERMIT
Routt County, Colorado

Permit No. PL-19-195 (Amendment to PL-17-102)

Project Name: Lucky 8 Guest Ranch

Permittee: Lucky 8 Ranch, LLC

Address: 23850 Tobiano Trail
Oak Creek, CO 80487

Type of Use: Guest Ranch with Recreational Facilities

Location/Legal Description: Tracts in Sections 31 & 36,
T5N, R86W; Sections 7 & 12 T4N R85W – Private Property
1,922 acres

**BLM lease of Tracts in Sections 35-5-86; Sections 11 & 14-
5-86 – 586 acres**

Private leases: 232+ acres

Period of Permit: Life of Use – See COA #14

Board Approval Date: December 8, 2020

Conditions of Approval:

General Conditions:

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5, and 6.
2. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns which may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. No junk, trash, or inoperative vehicles shall be stored on the property.

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6. This approval is contingent upon any required federal, state and local permits being obtained and complied with; the operation shall comply with all federal, state and local laws. Copies of permits or letters of approval shall be submitted to the Routt County Planning Department prior to operations.
7. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
8. All exterior lighting shall be downcast and opaquely shielded. This does not include seasonal winter lights event listed under COA #16.
9. Prior to the issuance of the permit, the Permittee shall provide evidence of liability insurance in the amount of no less than \$1,000,000 per occurrence. Routt County shall be named as an additional insured on the policy. Permittee shall notify Routt County Planning Department of an claims made against the policy. Certificate of liability insurance shall include all permit numbers associated with the activity.
10. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
11. The permits/approval shall not be issued until all fees have been paid in full. Failure to pay fees may result in revocation of this permit. Permits/Approvals that require an ongoing review will be assessed an Annual Fee. Additional fees for mitigation monitoring will be charged on an hourly basis for staff time required to review and/or implement conditions of approval.
12. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, Transferee shall submit written consent to the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
13. The Permittee shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act as amended in 2013 and Routt County noxious weed management plan.

Specific Conditions:

14. The Special Use Permit (SUP) is valid for the life of the use provided that all leases are renewed and provided it is acted upon within one year of approval. If leases are not renewed the application should be reviewed to determine if operations meet Section 3.2.10 of the Routt County Zoning Regulations. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year (except for uses that a customarily operated seasonally or periodically).
15. The Special Use Permit for private overnight guests will consist of the following:

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- a. Overnight accommodations are for private guests and not offered to the public. Guests will be offered skiing, snowboarding, cross country skiing or snowshoeing and use of the 'bunny hill' for skiing. They can also participate in tours offered to the public described below.
 - b. Skiing, snowboarding, cross country skiing or snowshoeing for elite athletes will be offered. A rope tow, lift or other similar type of uphill transport is not approved as part of this permit.
16. Tours open to the public can be operated from 7:00 a.m. – 9 p.m., seven days a week. There will be a minimum of two guides per tour. Operations for tours shall be as follows:

Ranch tours, hay rides and sleigh rides

- Tours are offered year round
- 20 people maximum per tour
- One tour per day – 3 days per week

Horseback trail rides

- Tours offered year round
- 14 people maximum per tour
- Three tours per day

ATV tours

- Tours offered Spring, Summer and Fall
- Hay pastures will also be used for off trail travel
- 10 machines maximum tour
- 1 hour to full day tours
- Five tours per day

Snowmobile tours

- Trails will be groomed along interior road and trails and fields
- Hay pastures will be used for off trails
- 10 vehicles maximum tour
- Five tours per day

Riding lessons in Covered Riding Arena

- Conducted year round
- Access by private vehicle allowed
- Riding trails can be used for advanced training

Bison Handling Facility/Barn

- To be used as part of tours associated with the ranch in the education of farm husbandry.

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- This facility may also be used in the Seasonal Events below.

SEASONAL EVENTS

- Haunted house/hay maze
Dates: October 1 - 31
Hours: 4 p.m. – 10 p.m.
Number of Guests: 60-80 per session – three events per evening
- Winter lights
Dates: December 15 – January 15
Hours: 5 p.m. until 10 p.m.
Number of Guests: 60-80 per session – two events per evening

The Seasonal Events can be associated with hay rides, sleigh rides and horseback rides. Shuttle service must be provided for Seasonal Events.

Pole Barn/Pavilions

Two pole barn/pavilions (mom's and dad's retreat)
To be used for weddings or events with no amplified music
Wedding or events are allowed 25 times per year (under Special Events requirements)
To be used for recreational tours as a resting/lunch/snack area or inclement/emergency weather shelter

17. Horsemanship Clinics are limited to 25 clients. If the clinics are proposed as a larger event it shall be conducted as a Special Event. Clinics, lessons and horse boarding clients shall travel to the site by private vehicle.

18. Special Events shall be as follows:

- a. All events shall have port-a-lets/sanitation facilities
- b. Food services shall be provided by the client.
- c. Hours of operation shall be 8:00 a.m. to midnight
- d. Adequate off-street parking shall be provided. Any use of CR 29 for transport of guests must meet Road and Bridge requirements.
- e. Events are limited to one per week/25 per year
- f. All amplified music will cease at 11:00 p.m., and shall take place within the five areas designated on the map included within the conditions of the Special Use Permit, and all music will occur in tents or inside the arena.
- g. Shuttle service to the site is required for all Special Events guests (caterers, musicians, wedding party and special exceptions are not part of shuttle service).
- h. The number of guests allowed at Special Events is 200.
- i. If there is no amplified music, the Special Events may take place outside of the designated areas indicated on the map
- j. All operations at the riding arena are to be held within the arena.
- k. The riding arena may have three events per year with up to 400 guests.

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19. Prior to operation, permittee shall submit to Routt County proof of a Sales Tax Account /License.
20. Permits from the Routt County Road and Bridge Department or Building Department shall be obtained and any inspections completed before operations commence.
21. Routt County has the authority to close any county road at its sole discretion if damage to the road may occur by its use. To the extent that a road closure may affect Permittee's operations, Routt County will cooperate with Permittee to allow operations to be continued in a safe and practicable stopping point.
22. Routt County roads shall not be completely blocked at any time. If traffic regulation is deemed necessary, the Permittee shall notify the Routt County Road and Bridge Director, or designee thereof, in advance (if possible), who may then require:
 - a. A method of handling traffic in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) and approved by the Road and Bridge Director.
23. Routt County roads affected by this SUP will be inspected by the Routt County Road and Bridge Department at intervals determined by same. Any road damage repair or maintenance needs above and beyond typical maintenance, attributable to this use, shall be made by the County, or a third-party contractor as selected by the Routt County Road and Bridge Department and on a schedule determined by same. Road and Bridge shall inform permittee of such maintenance or repair activities prior to work being performed. Permittee shall solely bear the costs of repairs.
24. Prior to issuance, permittee shall obtain an access permit for the access serving the ceremony site. Permittee shall use and maintain such access to minimize impacts to the County road system during the life of the operations. Maintenance of the access may include sweeping, cleaning, and/or repair. If any improvements to the access are needed or desired, a Work in the Right of Way permit shall be obtained from the Routt County Road & Bridge Department prior to commencing work.
25. There shall be no parking on County Road 29 or the corresponding right-of-way for any events. Parking shall be limited to designated areas onsite only.
26. Permittee shall install snowmobile warning signs in advance of the snowmobile crossing at the county road per the MUTCD when snowmobile tours are operating.
27. All employees shall be first aid certified and be trained on emergency procedures. Radios or cell phones shall be provided to guides in case of emergency.
28. Any accidents requiring emergency service response shall be reported to the Planning Department.
29. Any wildlife encountered along or near the tours shall not be disturbed and given time to move away from any tours. The applicant shall work with the DPW to determine if there are any Sharpe-tailed grouse leks on the property and mitigation measures placed to protect the leks. No pets or firearms shall be allowed.
30. Due to wildlife concerns, ATV and Horseback tours shall be limited as follows:

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a. Tours between May 15 and June 15 shall be conducted from 10 a.m. – 3 p.m.
OR

b. Tours shall not begin until June 15th

31. Revegetation of disturbed areas shall occur within one growing season with a seed mix which avoids the use of aggressive grasses. See the Colorado State University Extension Office for appropriate grass seed mixes.

32. All snowmobiles shall have 4-stroke engines.

33. Horse boarding will be limited to no more than 20 horses at any one time.

34. All tours, special events and seasonal events shall be conducted under current COVID19 mitigation plans under Routt County and State of Colorado.

35. The Routt County Planning Director may grant administrative approval to amend the permit boundary. Adjacent property owners must be notified of the proposed change of boundary associated with the existing uses and operations of Lucky 8 Ranch. If no comments are received after 21 days, the Planning Director may grant administrative approval of changes to the permit boundary. If comments are received regarding off site impacts that cannot be mitigated through the Planning Department, the permittee must apply for an Amendment of a Special Use Permit to change the permit boundary.

Permit Issued by the Routt County Board of Commissioners:

DocuSigned by:

Tim Corrigan

1/12/2021

Timothy V. Corrigan, Chair

Date

ATTEST:

DocuSigned by:

Kim Bonner

Kim Bonner, Routt County Clerk and Recorder

ACCEPTED:

Nicholas Osaschuk 1-4-2021
_____, Permittee Date

Printed Name: NICHOLAS OSASCHUK

Title: GM