

ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

| | |
|-------------------------------------|------------------------------|
| ITEM DATE: November 16, 2020 | ITEM TIME: 11:30 a.m. |
| | |

| | |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| FROM: | Chris Brookshire, Staff Planner |
| TODAY'S DATE: | November 12, 2020 |
| AGENDA TITLE: | Lucky 8 Ranch PL-20-179 Request for Extension for Permit PL-17-166 COA #17 for Temporary Workforce Housing (TWH) Attachments: Letter of request of extension Permit PL-17-166 BCC minutes 1.9.18 2017 Narrative Vicinity map Site Plan |

| | |
|--------------------------------------------------------|--|
| CHECK ONE THAT APPLIES TO YOUR ITEM: | |
| <input checked="" type="checkbox"/> ACTION ITEM | |
| <input type="checkbox"/> DIRECTION | |
| <input type="checkbox"/> INFORMATION | |

I. DESCRIBE THE REQUEST OR ISSUE:

The Routt County Zoning Regulations Section 8.22 address standards for TWH. 8.22. C and states:

The TWH Facility shall be for a period no longer than three (3) years, including the reclamation phase. Extensions shall only be approved by the Board of County Commissioners.

The Lucky 8 Ranch TWH permit will expire January 9, 2021. Lucky 8 Ranch is requesting an extension to allow employees to live on-site. These employees work on the ranch and also are involved with the operations of the Lucky 8 Ranch SUP for a guest ranch.

Lucky 8 was going to place a mobile home on the ranch to address more permanent housing. However, with the COVID-19 pandemic, this was placed on hold because ranch operations could not be tested to determine how many employees were needed.

Currently there are three employees living in the units. Six units in total were approved.
 The septic system has been installed, the area is graveled and trash dumpsters are in place.
 There has been no complaints filed with operations.

II. OPTIONS:

1. **Approve the request without conditions** if it is determined that the petition will not adversely affect the public health, safety, and welfare and the proposed use is compatible with the immediately adjacent and

ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

nearby neighborhood properties and uses and the proposal is in compliance with the Routt County Zoning Regulations and complies with the guidelines of the Routt County Master Plan.

2. **Deny the request** if it is determined that the petition will adversely affect the public health, safety, and welfare and/or the proposed use is not compatible with the immediately adjacent and nearby neighborhood properties and uses and/or the proposed use is not in compliance with the Routt County Zoning Regulations and/or the Routt County Master Plan, Make specific findings of fact; cite specific regulations or policies by number from the Routt County Master Plan, and the Routt County Zoning Regulations.
3. **Table the request** if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.
4. **Approve the request with conditions and/or performance standards** if it is determined that certain conditions and/or performance standards are necessary to ensure public, health, safety, and welfare and/or make the use compatible with immediately adjacent and neighborhood properties and uses and/or bring the proposal into compliance with the Routt County Zoning Regulations and Routt County Master Plan.

III. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM): N/A

IV. BACKGROUND INFORMATION:

Lucky 8 Ranch is a working buffalo ranch and is approved for a Special Use Permit for a Guest Ranch with recreational facilities.

The Board of Commissioners approved a Special Use Permit to supply Temporary Workforce Housing (TWH) for ranch employees on January 9, 2018. The approval was for a total of three structures, two units in each structure for a total of six units.

V. LEGAL ISSUES: N/A

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: N/A

VII. SUMMARY AND OTHER OPTIONS:

The TWH standards were developed primarily to address man-camps for oil/gas operations. According to the applicant, housing in Routt County can be difficult to find, therefore, housing on-site keeps employees from having to travel to work and helps with their living expenses.

Due to COVID restrictions and uncertainty of the economy, Lucky 8 Ranch is requesting an extension so that the guest ranch can have additional time to assess operational needs to determine how much permanent housing may be needed in the future.

If the Board approves the extension, the existing permit conditions would remain and a new permit would be issued with an expiration date of January 9, 2024.

If there is a denial, the permit will expire on January 9, 2021.

Lucky 8 Ranch

23850 Tobiano Trail
Oak Creek, Colorado 80467
Phone: (970) 846-5592

► **Routt County Planning Department**

P.O. Box 773749
Steamboat Springs, CO 80477
Phone: (970) 879-2704

To Whom It May Concern,

Lucky 8 Ranch would like to extend its Temporary Workforce Housing Permit (PL-17-166) for another 3 years.

The TWH has been a valuable asset for our ranch in retaining employees. It has also helped our current employees save more money without having any housing costs like rent and utilities.

We planned on bringing in a mobile home unit on the property this year, but with the current economic climate and COVID, we were unable to do so.

Let me know if you have any questions.

Thanks,



Lucky 8 Ranch
Nicholas Osadchuk
General Manager
Date: 10-06-2020



SPECIAL USE PERMIT

Routt County, Colorado

Permit No. PL-17-166

Permittee: Lucky 8 Ranch

Address: 23850 Tobiano Trail
Oak Creek, CO 80467

Type of Use: Temporary Workforce Housing

Location/Legal Description: Tr in Section 36-5-86 and Sec 31-5-85
Located approximately 6-7 miles north of Oak Creek, CO accessed from C.R. 29

Period of Permit: Three years; expires January 9, 2021

Board Approval Date: January 9, 2018

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 4, 5, 6, and 8.
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.
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. PL-20-179 Lucky 8 Ranch

8. All exterior lighting shall be downcast and opaquely shielded.
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 any 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. If permits are required from Routt County or State agencies they shall be obtained and any inspections completed before operations commence.
15. 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.
16. Total number of residence shall not exceed three structures, 2 units each, totaling 6 units.
17. The TWH facility shall be for a period no longer than three (3) years, including the reclamation phase. Extensions shall only be approved by the Board of County Commissioners.
18. These quarters are temporary structures as presented in the application.
19. TWH units or rooms shall be for workers and families directly involved with specific development projects and ranching operations and shall not be available for general rental.
20. On the date the Special Use Permit expires, all housing structures and associated infrastructures shall be removed and the land shall be reclaimed to the satisfaction of the Planning Director.
21. Wastewater systems proposed to service TWH must comply with all applicable state and local laws and regulations.
22. Fire extinguishers will be placed in each unit.


Lucky 8 Ranch PL-17-166

SUP - Temporary Workforce Housing

23. The Applicant shall submit as part of the TWH Special Use Permit application, a reclamation and revegetation plan shall be submitted for the TWH site to include the initial installation and the final plan. The plan shall include the timeframe for all reclamation work.

24. All disturbed area(s) must be reclaimed as nearly as practicable to their original conditions and shall be maintained to control dust, weeds and minimize erosion.

Permit Issued by the Routt County Board of Commissioners:



Douglas B. Monger, Chair

Date _____

ATTEST:

Douglas B. Monger, Chair

Date _____

ATTEST:

Kim Bonner *By Kim Bonner* Deputy
Kim Bonner, Routt County Clerk and Recorder

Kim Bonner, Routt County Clerk and Recorder

ACCEPTED:

71021 3-26-18
NICHOLS GRADCHUK, Permittee Date

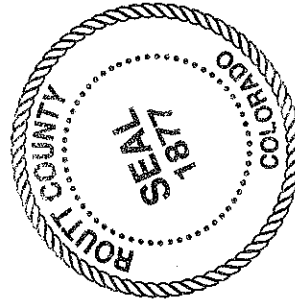
NICHOLAS GRADCHUK

, Permittee

Date

Printed Name: NICHOLAS CRADCHUK
Title: GM

Title: *CM*



Mr. Knaus stated that some changes were made to the agreement at the request of the Grand County Attorney. This agreement is so Routt County can temporarily house the Grand County inmates while they repair damages from a fire. The inmates were already transferred. The changes that Grand County wanted were approved by the Routt County Attorney.

MOTION

Commissioner Corrigan moved to approve and authorize the Chair to sign the Grand County Inmate Agreement.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: PLANNING / CHAD PHILLIPS

Kristy Winser and Chris Brookshire, Planning; Nicholas Osadchuk, Ranch Manager for Lucky 8; and Jim Stegmaier, applicant for Dougherty property; were also present.

LUCKY 8 RANCH SUP; PL-17-166

Ms. Brookshire stated that the Lucky 8 Ranch is proposing the addition of temporary housing for their employees. The units will be located on a 120 acre parcel that is part of the larger ranch. The units are self-contained, have generators, and water holding tanks. They will be accessed along an existing road that is about 18 feet wide and will be hidden behind existing barns. There will be three structures with two units in each structure therefore there will be accommodations for 6 workers. The temporary workforce housing regulations, Section 8.22 of the Routt County Zoning Regulations, were originally developed for oil and gas development but this use falls under the same regulation. Planning received comments back from the Oak Creek Fire Department, Road and Bridge, and the Building Department and this plan met their requirements. The units are temporary and resting on skids therefore they will not need a building permit or inspection by the Building Department. Regarding reclamation, if the temporary units are removed then this area is the barnyard. Planning Commission approved this with the conditions listed in the staff packet.

Commissioner Monger asked where they will get water from. Mr. Osadchuk replied that each unit has its own water tank and water will be delivered from Raindrop Water Delivery.

Commissioner Corrigan asked why they are choosing to utilize generators instead of an electric source. Mr. Osadchuk responded that the nearest electrical source is 250 feet away. If they choose to build permanent structures then they will consider moving the electrical source but at this point they do not want to incur the additional cost. This housing will be needed for additional staff for haying operations and animal caretakers.

Commissioner Corrigan asked if they have ever approved a temporary workforce housing request in the past. Mr. Phillips responded that this is the first application that they have seen for temporary workforce housing. Shortly after these regulations were established the oil and gas industry went into a decline. Commissioner Corrigan asked if anyone engaged in an agricultural industry would be eligible for this approval. Mr. Phillips responded that they would

but most people use a large lot agreement that allows a 2,000 square foot residence per 35 acres.

Commissioner Monger asked how long these temporary units are allowed for. Mr. Phillips responded that this permit would need to be renewed every three years by the Board unless they want to build permanent structures through a large lot agreement.

MOTION

Commissioner Hermacinski moved to approve the Special Use Permit for Temporary Workforce Housing with the findings of fact that the proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and is in compliance with Sections 4, 5, 6 and 8 of the Routt County Zoning Regulations. This approval is subject to the following conditions:

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 4, 5, 6, and 8.
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.
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.
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 any 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. If permits are required from Routt County or State agencies they shall be obtained and any inspections completed before operations commence.
15. 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.
16. Total number of residence shall not exceed three structures, 2 units each, totaling 6 units.
17. The TWH facility shall be for a period no longer than three (3) years, including the reclamation phase. Extensions shall only be approved by the Board of County Commissioners.
18. These quarters are temporary structures as presented in the application.
19. TWH units or rooms shall be for workers and families directly involved with specific development projects and ranching operations and shall not be available for general rental.
20. On the date the Special Use Permit expires, all housing structures and associated infrastructures shall be removed and the land shall be reclaimed to the satisfaction of the Planning Director.
21. Wastewater systems proposed to service TWH must comply with all applicable state and local laws and regulations.
22. Fire extinguishers will be placed in each unit.
23. The Applicant shall submit as part of the TWH Special Use Permit application, a reclamation and revegetation plan shall be submitted for the TWH site to include the initial installation and the final plan. The plan shall include the timeframe for all reclamation work.
24. All disturbed area(s) must be reclaimed as nearly as practicable to their original conditions and shall be maintained to control dust, weeds and minimize erosion.

Commissioner Monger seconded;

Under discussion, Commissioner Monger stated that he is supportive of this although he has concerns about the hauling of water. If this turns into a permanent housing situation he would like to see a single source of water.

The motion carried 3-0.

DOUGHERTY PROPERTY CONCEPTUAL PUD; PL-17-123

Ms. Winser stated that this may seem familiar because this came before the Commissioners in November 2017 for a request for a 60 day extension. The applicant wanted to continue to operate including the outdoor storage on parcels A and B and they were approved to do so as long as the applicant submits for Final PUD within 60 days. The applicant has encountered some additional hurdles that have delayed their submission further. The applicant is now intending to apply for a lot line adjustment which would need to be completed before the submission of a final PUD. The applicant has been actively working with the Planning Department on this application.

Commissioner Hermacinski stated that she wants to extend the submission deadline by 180 days so the applicant doesn't continue to come back to request more extensions. Commissioner Corrigan added that he doesn't want to release the pressure too much on the applicant to get this process completed.

Mr. Stegmaier stated that he believes that he will only need a 60 day extension. Commissioner Hermacinski replied that she wants the extension to be at least 100 days because Mr. Stegmaier will be waiting on Mt. Werner Water and the City of Steamboat Springs to respond to things that he has submitted also.

MOTION

Commissioner Corrigan moved to approve a 100 day extension to April 19, 2018 for the applicant to submit the final PUD plan.

Commissioner Hermacinski seconded; the motion carried 3-0.

EN RE: ROUTT COUNTY BOARD OF HEALTH

Scott Cowman, Environmental Health; Kari Ladrow and Stephanie Anderson, Northwest Colorado Health; and Kelly Keith, Human Services; were present.

FIRST QUARTER UPDATE

NOTE: The following pages are excerpts of the original application that was submitted in 2017. The application was approved with conditions as shown on the permit.

**Lucky 8 Ranch Special Use Permit Application
Temporary Workforce Housing
Written Narrative**



Description of Use:

Our primary mission for our land use is and will always be:

The revival of a once endangered species and the reclamation of the American farmland, by providing a safe work environment and practicing Holistic Land Management while being environmentally conscious and involving the community. We will provide the highest quality Original American Red Meat and other products!

Currently we raise just 150 head and growing of Bison. We use our 1100 acres primarily for agriculture use. We graze and hay on all of our properties, owned & leased. We also go out and hay other properties in the Routt County area. We will also be sharing our ranch with the public for various ranch tours.

In the past we have had potential employees turned away from us due to our lack of employee housing and with the high prices of housing options in the surrounding area, they too have needed to search for jobs outside of Routt County. We would like to add temporary workforce housing units to our ranch to offset the lack of affordable housing in our surrounding area. This is a very cost effective way for us, as the property owner, to not spend the costly capital and time it takes to construct new buildings.

We would like to add temporary workforce housing, similar to that of the oil & gas industry, on our property to allow our employees to live on site and not have to travel to work everyday. We are proposing three wellsite trailers, also known as man camps, to house seasonal employees. Each wellsite trailer has 2 separate living quarter, 2 bedrooms, 2 kitchens, and 2 bathrooms. These trailers are self contained with utilities, except for sewage. They each have a

400 gallon fresh water holding tank, which we would fill by delivery from a local water delivery service, such as rain drop or by our own hauling. They use propane for furnace & water heat. The electrical source is from a generator. We would however need to construct a new septic system to manage the waste water. We have contacted NWCC and they have started the design process.

Hours of Operation:

The temporary housing units will be used to house employees and/or family of the ranch entity. They will not be rented out to others therefore will not have business hours of operation.

General Ranch Work Hours: 7am or earlier (depending on the season) – when the job is done

Ranch Tours Hours: 9am – sundown

Special Events Hours: 8am – 12am with amplified music cut off at 10pm

Anticipated number of employees:

Lucky 8 Ranch currently has 4 full time members on staff (1 General Manager, 1 Ranch Manager, 1 Ranch Hand, 1 Animal Care Taker/Trainer). We anticipate to hire seasonal employees for various positions at the ranch.

Projected 2018 Positions Available:

3-5 Ranch Hands to help out with all projects and activities at the ranch

We are not looking to house families in these units. We are expecting 2 tenants per trailer for a total of 6 persons in the housing camp. If a potential employee does however have a spouse we would allow that person to stay in the unit with their spouse.

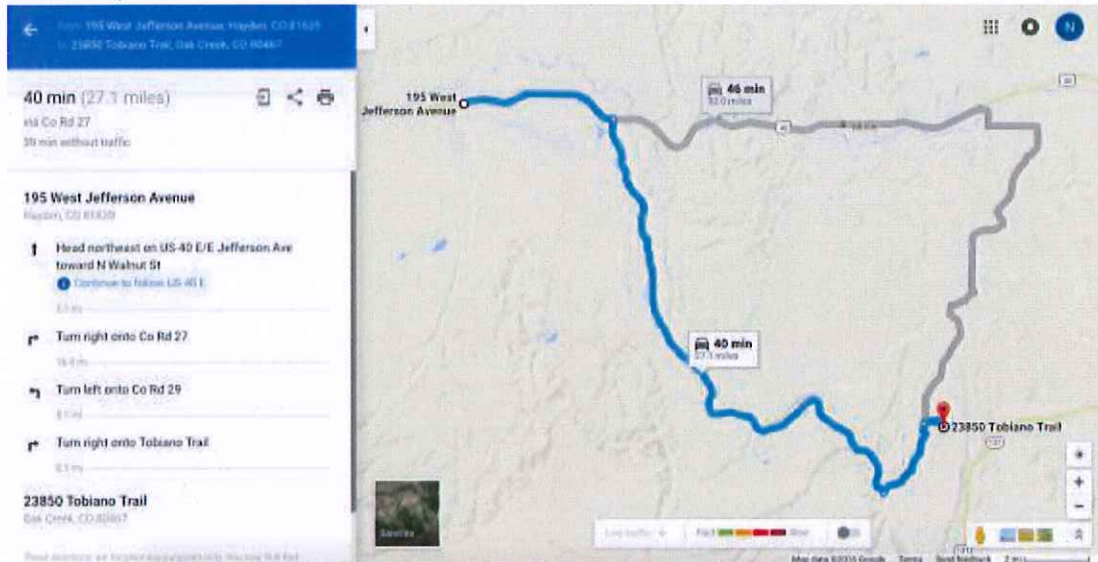
Anticipated Traffic:

By adding these units, we anticipated less traffic traveling to the ranch. With them being housed at the ranch, there will be no need for them to drive in and out daily.

Access to the Property:

Access to the proposed units is through the barn yard at the ranch headquarters on the Homestead Ditch Road/Trail.

From Hayden



Type of Equipment and Vehicles:

3 – Wellsite Trailers

Reclamation & Revegetation Plan:

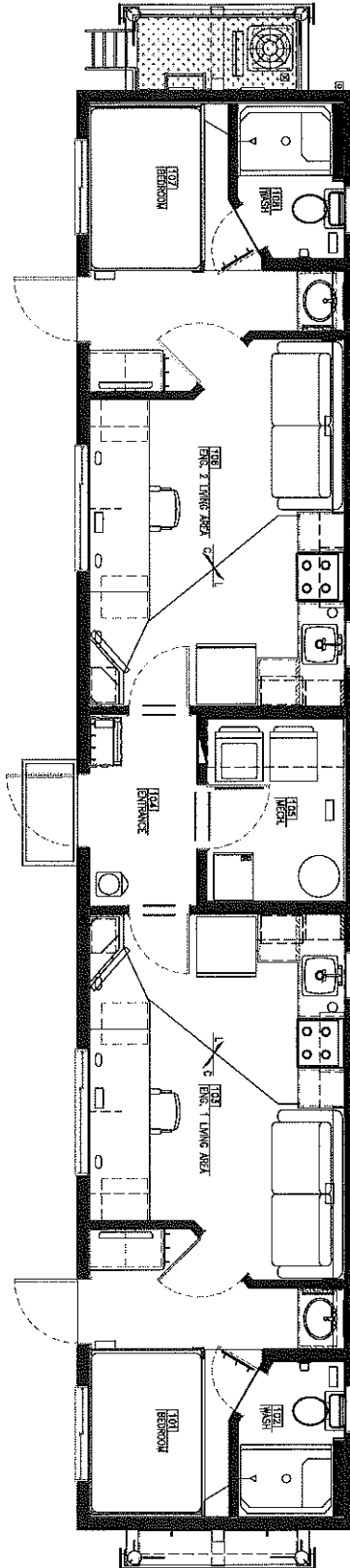
After the use & removal of the temporary housing units we will seed the area with a native grass mix. This area is our barn yard and will most likely be used for equipment and material storage.

Site Fire Safety Plan:

Attached.

Floor Plans & Elevation Drawings:

Attached.



12' x 60' (skid) WELLSITE "ENG./ENG."

presented to ...
Client: TBA

Copyrighted Material. No reproduction of any kind of this document and attachments
is allowed without the written consent from Alta-Fab Structures Ltd.
©2011 Alta-Fab Structures Ltd.

Drawing No. WSEE

Drawn By: RC

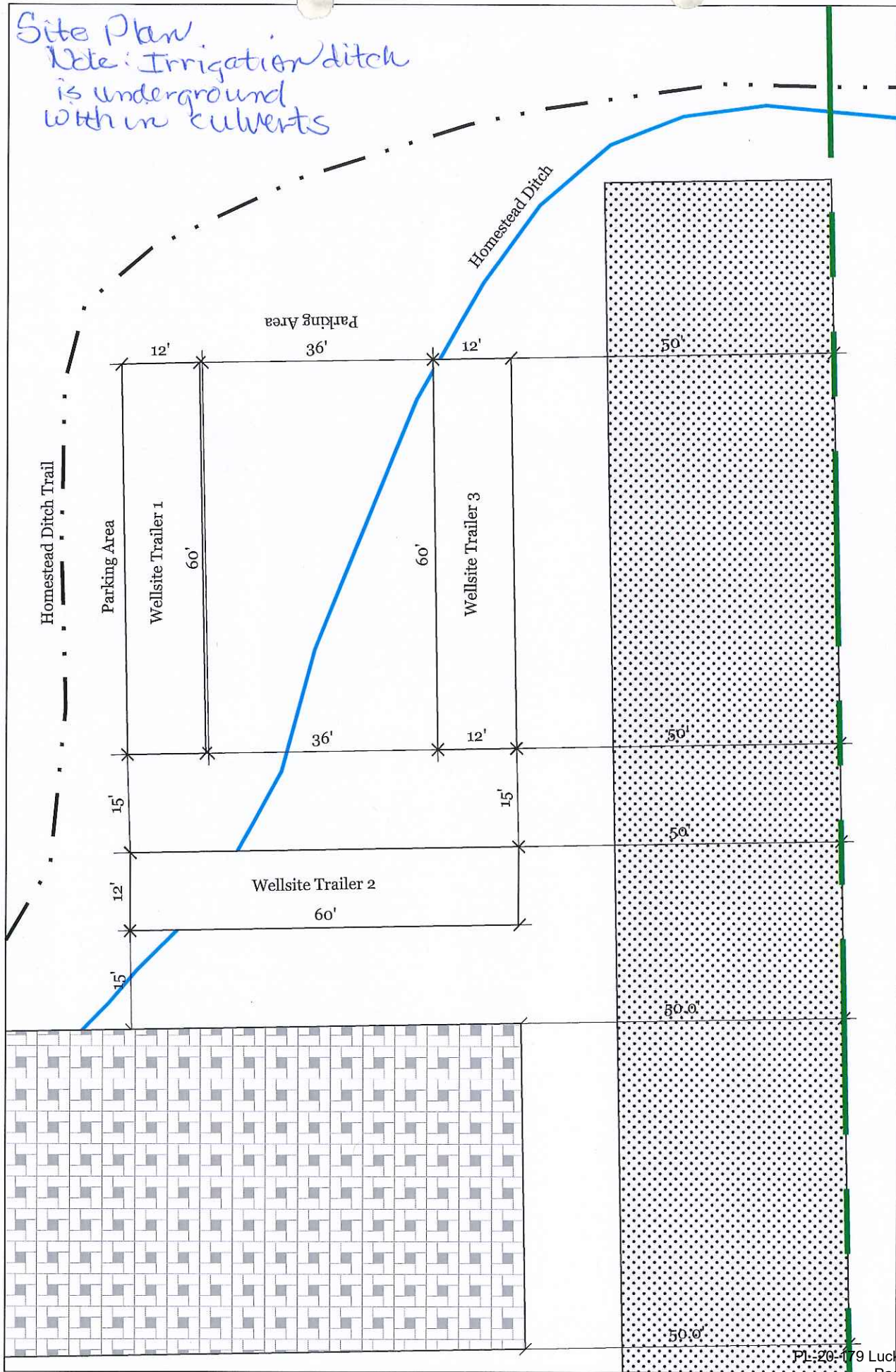
Date: MAR. 25, 2011

ALTA-FAB
Structures Ltd.
Box 146, 146th Avenue, Nisku, Alberta T9E 7P6
Telephone: (780)935-7733 Fax: (780)935-7851
toll free: 1-800-252-7990



Site
Vicinity
Map

Site Plan
 Note: Irrigation ditch
 is underground
 within culverts



| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|
| 10 | A |
| <p>Legend</p> <ul style="list-style-type: none"> Property Line Irrigation Ditch Driveway/Trail Barn Yard 50' x 100' Hay Barn | |
| <p>Lucky 8 Ranch Temporary Workforce Housing</p> | |
| <p>Scale: 0' 20' 40'</p> <p>North Arrow</p> | |