



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA COMMUNICATION FORM

ITEM DATE: 3/9/21	ITEM TIME: 11:00 a.m.
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FROM:	Chris Brookshire, Staff Planner
TODAY'S DATE:	3/1/21
AGENDA TITLE:	PI-20-184 Vista Verde Guest Ranch Special Use Permit to change permit boundary Attachment: Planning Commission minutes of 2/4/21

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:

Revise the permit boundary to add an adjoining 35 acre parcel with an existing dwelling unit. The unit will be used as accommodations for guests of the Vista Verde Ranch for families or large groups to stay in one structure.

There will be no increase in the number of guest if the structure is occupied. Total occupancy of the guest ranch will be kept at 54 guests. Guest staying at the unit would have use of all guest ranch services and recreation a uses at the ranch. The only exception would be that they can request food to be delivered to the structure if they do not want to use the dining hall.

This change was initiated due to COVID-19 restrictions and safe distance requirements The unit will be kept to 10 peopled to meet building codes.



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II. RECOMMENDED ACTION (*motion*):

BOARD OF COMMISSIONERS OPTIONS:

1. **Approve the Amendment to Special Use Permit 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 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 Amendment to Special Use Permit 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.
3. **Table the Amendment to Special Use Permit request** if additional information is required to fully evaluate the petition.
4. **Approve the Amendment to Special Use Permit 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.

FINDINGS OF FACT that may be appropriate if the Special Use Permit is approved:

1. The proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and the Upper Elk River Valley Community Plan and is in compliance with Sections 4, 5, 6 of the Routt County Zoning Regulations.

III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET): NA

PROPOSED REVENUE (*if applicable*): \$

CURRENT BUDGETED AMOUNT: \$

PROPOSED EXPENDITURE: \$

FUNDING SOURCE:

SUPPLEMENTAL BUDGET NEEDED: YES NO

Explanation:



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

V. BACKGROUND INFORMATION: Please see Planning Commission staff report of February 4, 2021.

VI. LEGAL ISSUES: N/A

VII. CONFLICTS OR ENVIRONMENTAL ISSUES: N/A

VIII. SUMMARY AND OTHER OPTIONS:

Planning Commission heard this item on February 4, 2021 and recommended approval. Condition #24 was added to the permit conditions.

ROUTT COUNTY PLANNING COMMISSION

MINUTES

FEBRUARY 4, 2021

The regular meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke and Commissioners Troy Brookshire, Billy Mitzelfeld, Greg Jaeger, Andrew Benjamin, Roberta Marshall, and Linda Miller. Peter Flint and Bill Norris were absent. Planning Director Kristy Winser and staff planner Chris Brookshire also attended. Sarah Katherman prepared the minutes.

PUBLIC COMMENT

There was no public comment.

CONSENT AGENDA

MOTION

Commissioner Kelly moved to approve the consent agenda, as presented. Commissioner Benjamin seconded the motion. **The motion carried 9 – 0, with the Chair voting yes.**

ACTIVITY: PL-20-184

PETITIONER: Vista Verde Guest Ranch

PETITION: Amendment of Special Use Permit to the change the permit boundary

LOCATION: 38000 Cowboy Way, located off of Seedhouse Road

Mr. Ben Martin, general manager of the Vista Verde Guest Ranch, reviewed the history of the separately deeded 35-acre parcel that is being proposed for inclusion in the permit boundary. He said that for the past 14 years the house on the parcel has been used as the ranch owner's residence. He said that the current owners are rarely



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here. Mr. Martin said that as a way of spreading their guests out further in response to COVID-19, they are proposing to utilize the residence as guest lodging for single groups that want a bit more separation from others than the units at the main ranch provide. He said that the proposal would not increase the total occupancy of the ranch operation.

Ms. Brookshire stated that she had received a late referral from Mike Mordi with the Road & Bridge Department stating that they had no concerns. She said that the petitioner is working with the Building Department and the Environmental Health Department to ensure that everything meets code for a maximum occupancy of 10 lodging guests in the house. She said that there would be no changes to the ranch operation; the request is only to add the 35-acre parcel to the existing permit boundary. In response to a question from Chairman Warnke, Ms. Brookshire reviewed the sign-off procedure that would ensure that all of the Building and Environmental Health requirements are met prior to the house being used for guests.

Commissioner Jaeger asked for a clarification regarding the number of guests. Mr. Martin said that they had originally requested 10 – 12 guests, but had decided to limit the number to 10. Only one party traveling together will be allowed to use the house at a time. Ms. Brookshire clarified that 12 guests would push the house into a different lodging category with the Building Department. She said that the conditions of approval (COAs) would not change; only the permit boundary would be changed.

Commissioner Mitzelfeld asked if the water and septic systems were adequate for 10 guests. Mr. Martin said that the house is served by its own well and septic system, which was designed for a 4 bedroom residence. He added that because the total ranch capacity is not changing, the use of the house would reduce the pressure on the systems serving the main ranch. The adequacy of the septic system and water well will be evaluated by the Environmental Health Department.

Commissioner Brookshire suggested adding a COA to address the possibility that this 35-acre parcel, which is separately deeded, could be sold independently of the rest of the Vista Verde Ranch. He said that in the event of a sale to a different owner than the main ranch, the use of the 35-acres parcel should revert to the uses-by-right allowed in the A/F zone district. Commissioner Brookshire presented draft language for such a condition. Commissioner Jaeger proposed adding the PIN # of the parcel to the condition for clarification. Mr. Martin expressed his support for the additional COA.

There was no public comment.

MOTION

Commissioner Benjamin moved to recommend approval of the amendment to the Vista Verde Ranch SUP to increase the permit boundary with the findings of fact that the proposal with the following conditions meets the applicable guidelines of the Routt County Master Plan and the Upper Elk River Valley Community Plan and is in compliance with Sections 4, 5, 6 of the Routt County Zoning Regulations. This approval is subject to the following conditions:

General Conditions:



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1. The Special Use Permit (SUP) is valid for the life of the use. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
2. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5 and 6.
3. 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.
4. 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.
5. 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.
6. No junk, trash, or inoperative vehicles shall be stored on the property.
7. 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.
8. 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.
9. All exterior lighting shall be downcast and opaquely shielded.
10. 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 with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. Routt County shall be named as an additional insured on the policy.

Specific Conditions:

11. A transportation plan that includes provisions for shuttle service for guests and employees shall be submitted to and approved by the Planning Director prior to the issuance of any building permits for new facilities approved herein.
12. An onsite wastewater system permit shall be obtained from the Routt County Environmental Health Department or the State of Colorado, as applicable, prior to the issuance of a building permit for the expansion of the lodge/restaurant building. In the event that flows exceed 2000 gpd and such system requires a permit from the State of Colorado, a SUP shall be obtained from Routt County prior to the systems installation.
13. The SUP does not grant permission for use of the Routt National Forest lands. Such permission and appropriate permits shall be obtained from the Forest Supervisor prior to any guest ranch activities on or uses of forest lands.
14. Written confirmation from The Nature Conservancy that the new structures meet the terms and conditions of their conservation easement shall be obtained and provided to the Planning Department prior to the issuance of building permits for these facilities.



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15. The Planning Director may approve the owners' home site plan or minor improvements and/or additions to the SUP that do not cause an increase in guest or employee numbers, traffic and other off-site impacts. Requests for such approval shall be in detailed written form accompanied by a site plan and any other applicable information as requested by Planning staff.
16. The arena and hay storage barn architecture shall be typical of other agricultural structures located on the site and surrounding area.
17. All livestock feed shall be protected from wildlife.
18. Any new fencing shall be constructed in compliance with Colorado Division of Wildlife (DOW) recommendations.
19. The owner shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act and Routt County noxious weed management plan.
20. Domestic predators shall be kept under their owner's control at all times and shall not be allowed to run at large.
21. Trash receptacles be bear and rodent-resistant.
22. Revegetation of disturbed areas with a seed mix that avoids the use of aggressive non-native grass seed mixes and shall occur within one growing season.
23. A maximum of 54 guests may be housed at the ranch under its current configuration. Accommodations for additional guests would be subject to Specific Condition 15, above.
24. Any and all uses conferred upon this 35-acre parcel (PIN: 920074001) above and beyond the uses by right in the AF zone district are strictly for those uses as they relate to the Vista Verde Guest Ranch. In the event this 35-acre parcel is sold independently from Vista Verde Guest Ranch all uses shall revert to only those uses allowed in the AF zone district.

Commissioner Kelly seconded the motion.

The motion carried 9 – 0, with the Chair voting yes.