
Sunn Ranch Outfitting Yurt Conditional Use Permit

ACTIVITY #: PL20220094

HEARING DATES: Planning Commission (PC): 3/2/2023 at 6:00pm

PETITIONER: Shane Sunn

PETITION: Sunn Ranch, LLC is seeking a conditional use permit in order to conduct a small hunting outfitter business from a yurt constructed on our property.

LEGAL: ALL OF THE NW4SW4 (AKA LOT 3) AND PT OF NE4SW4 N OF THE CENTERLINE OF RCR 56 SEC 19-8-87

LOCATION: Both sides of County Road 56 equidistant between County Roads 74 and 80

ZONE DISTRICT: Agriculture & Forestry (AF)

AREA: 47.58 acres

STAFF CONTACT: Michael Fitz – mfitz@co.routt.co.us

ATTACHMENTS:

- Applicant narratives
- Site Plan
- Site Photos

History:

The applicant purchased this property in 2018 primarily for personal family use. He erected a large yurt on the northeast side of the site via an existing access driveway in 2019. Mr. Sunn is a licensed outfitter in Colorado and began offering guiding services on the property. While *Hunting, Private or Commercial* is a use-by-right in the AF zone district without permanent staging, the yurt and associated structures are permanent staging and require a Conditional Use Permit.

Site Description:

The site is characteristic of the rural Routt/Moffatt County border area, with very hilly terrain, dry grasslands, bushes and low trees. The property is bisected by both County Road 56 and the Dry Fork Elkhead Creek, which run east-west. The site slopes upward from the creek toward the south and the north. County Road 56 comes no closer than 80' to the creek and is generally several hundred feet separated. The shape of the site is defined by a large, generally rectangular western portion, with an additional portion approximately 10 acres extending eastward, only on the north side of County Road 56. The yurt and permanent staging area are located in the extended 10-acre portion of the site, on a moderately sloping portion, separated from the creek by a steep drop-off and County Road 56.

Project Description:

In addition to personal family use, the applicant intends to operate a small outfitting operation from the yurt site, generally for no more than 2-3 persons at a time. He is a licensed outfitter, and intends to operate only seasonally due to poor access along County Road 56. Hunting would occur on his land, and visitors may also access the National Forest for bow hunting in September, using the site as their base camp. Parking is adequately provided onsite. Offsite parking will not

be allowed unless a formal agreement is obtained from a nearby property owner and approved by the Planning Department. The applicant intends to plant fir and pine trees to mitigate visual impacts. The applicant has provided a mitigation plan to address wildfire and personal injury risks, a First Aid kit is onsite, and he is certified in CPR and other life saving measures as a requirement of his outfitter license. A porta-potty is currently provided onsite, but a future onsite water treatment system is being pursued through Routt County Environmental Health.

Staff Comments:

Hunting, Private or Commercial is a use-by-right without permanent staging facilities. *Hunting/Fishing Facilities* become a Conditional Use, requiring a public hearing. This use classification is intended to accommodate potentially large operations with large permanent base camps and staging facilities; the applicant's proposed facilities are very minimal by comparison and Staff does not anticipate significant impacts to adjacent properties, wildlife, or the County roads used for access. Colorado Parks & Wildlife was sent a referral for comment but provided none. Routt County Environmental Health is working with the applicant to install an onsite water treatment center, and Routt County GIS intends to assign a road address to the yurt. All adjacent landowners received a public notice, and no comments have been received to-date. If approved, there is a 5 business day appeal period before this permit is issued.

Compliance with the Routt County Master Plan, Sub Area Plans and Zoning Resolution

The Routt County Master Plan, Sub Area plans and Zoning Resolution contain dozens of policies and regulations regarding land use. Section 5 of the regulations are designed to limit or eliminate conditions that could negatively impact the environment and/or use of surrounding properties, and shall apply in all Zone Districts and to all land uses unless otherwise noted. Section 6 Regulations apply to all Minor, Administrative, Conditional or Special uses allowed by permit only, PUD plans, Site plans, and Subdivisions.

The following checklist was developed by Planning Staff to highlight the policies and regulations most directly applicable to this petition. The checklist is divided into five (5) major categories:

1. Health, Safety and Nuisances
2. Regulations and Standards
3. Community Character and Visual Impacts
4. Roads, Transportation and Site Design
5. Natural Environment

Interested parties are encouraged to review the Master Plan, Sub Area plans and Zoning Regulations to determine if there are other policies and regulations that may be applicable to the review of this petition.

Staff Comments are included at the end of each section, highlighting items where the public, referral agencies, or planning staff have expressed questions and/or comments regarding the proposal. **Staff comments regarding compliance with regulations and policies are noted in bold below.**

Public Health, Safety and Nuisances

Applicable Regulations – Routt County Zoning Resolution

- 5.1.1 Every use shall be operated so that it does not pose a danger to public health, safety or welfare.
- 5.1.2 Every use shall be operated in conformance with all applicable federal, state and local regulations and standards. Failure to comply with any and all applicable federal, state and local regulations and standards may be cause for review and/or revocation of any Land Use Approval granted pursuant to these regulations.
- 6.1.7.C Natural Hazards
- 6.1.7.H Wildland Fire
- 6.1.7.I Noise
- 6.1.7.L Odors
- 6.1.7.M Vibration

Staff comments: The applicant has provided a mitigation plan that addresses danger to public health, safety, welfare, and other natural hazards. The intensity of the proposed use is similar to hunting without a permanent staging area (a by-right use); the applicant proposes only a small number of guests, but has elected to create a permanent facility in lieu of limited durations of camping by-right on the property. The applicant's outfitting license also includes training in CPR and life-saving measures. The parcel is mapped as Low and Medium wildfire risk, and the location of the yurt and staging area are mapped for Slope Failure Complex, which may have building code implications. No impacts from noise, odor, or vibrations are expected.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

Regulations and Standards

Applicable Regulations – Routt County Zoning Resolution

- 5.2 Dimensional Standards
- 6.1.2 The proposal shall be consistent with applicable Master Plans and sub-area plans.
- 6.1.5 The proposal shall meet or exceed accepted industry standards and Best Management Practices (BMP's).

Applicable Policies – Routt County Master Plan

- 5.3.A The County encourages the use of "green" building techniques that lead to the conservation of energy and overall reduction of pollution in our environment.
- 5.3.D Require Best Management Practices and grading plans and strongly discourage overlot grading.

Staff comments: The yurt and accessory structures are already existing and comply with dimensional standards. Grading is not anticipated, and proposed future construction is limited to an onsite water treatment system. A condition is suggested requiring the yurt and any other structures associated with this use to be converted to a by-right or approved use or demolished within 1 year if this permit is terminated.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

Community Character and Visual Impacts

Applicable Regulations – Routt County Zoning Resolution

- 5.1.4 Outdoor storage of materials which might cause fumes, odors, dust, fire hazard, or health hazards is prohibited unless such storage is within enclosed containers or unless a

- determination is made that such use will not have a detrimental impact on the environment
- 5.9 Sign Standards
 - 6.1.6 Outdoor Lighting: The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations.
 - 6.1.7.G Visual Amenities and Scenic Qualities.
 - 6.1.7.K Land Use Compatibility.

Applicable Policies – Routt County Master Plan

- 5.3.E Routt County requires that all new developments do not contribute to light pollution.
- 5.3.F Routt County will continue to consider the impacts of development and uses on view corridors, water, wetland, and air.

Staff comments: Minimal outdoor storage is associated with this proposal, mainly a UTV, tractor to clear the site, and hunting/camping equipment. Signage is not proposed, and only minimal solar lighting is used, within the yurt only. Visual impacts will be minimal and similar to a single family residence. This use is compatible with the adjacent land uses.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

Roads, Transportation and Site Design

Applicable Regulations – Routt County Zoning Resolution

- 5.4 Parking Standards
- 5.5 Addressing Standards
- 5.6 Access to Buildable Lot Standards
- 5.7 Right of Way Access Standards: A Right of Way Access Permit is required prior to construction of any new access point onto a County Road or other Local Public Road or Right of Way.
- 5.8 Road Construction Standards
- 6.1.4 Public Road Use Performance Standards: The proposal shall comply with the Public Road Use Performance Standards in Section 6.2 of these Regulations.
- 6.1.7.A Public Roads, Services and Infrastructure
- 6.1.7.B Road Capacity, traffic, and traffic safety
- 6.1.7.N Snow Storage

Staff comments: Access to the site is via a minimally-maintained segment of County Road 56. Impacts from parking are very limited, as is usage of County Road 56. No additional accesses are proposed, and access to the site will only occur seasonally during good weather. There is adequate space on site for parking and snow storage.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

Natural Environment

Applicable Regulations – Routt County Zoning Resolution

- 5.11 Waterbody Setback Standards
- 6.1.7.D Wildlife and Wildlife Habitat.
- 6.1.7.E Water Quality and Quantity.
- 6.1.7.F Air Quality.
- 6.1.7.J Wetlands.

- 6.1.7.P Reclamation and Restoration.
- 6.1.7.Q Noxious Weeds.

Applicable Policies – Routt County Master Plan

- 5.3.B While respecting private property rights, the County will not approve development applications or special use permits that would lead to the degradation of the environment without proper mitigation that would bring the proposal into compliance with the Master Plan, appropriate sub-area plans, Zoning Resolution, and Subdivision Regulations.

Staff comments: No impacts to waterbodies, wildlife (other than hunting), water quality/quantity, air quality, wetlands, or impacts from weeds are expected. Very little sitework is proposed, mainly to comply with standards imposed by Routt County Environmental Health. The main yurt/staging site is on the opposite side of County Road 56 from the Dry Fork of the Elkhead Creek, several hundred feet away.

***Is the application in compliance with the Policies and Regulations outlined above? Yes or No*

PLANNING COMMISSION OPTIONS:

1. **Approve the Conditional 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 Conditional 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. Make specific findings of fact citing specific regulations or policies by number from the Routt County Master Plan and the Routt County Zoning Regulations.
3. **Table the Conditional Use Permit request** if additional information is required to fully evaluate the petition. Give specific direction to the petitioner and staff.
4. **Approve the Conditional 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 Conditional Use Permit is approved:

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

CONDITIONS that may be appropriate may include the following:

General Conditions:

1. The CUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5 and 6.
2. Any complaints or concerns that may arise from this operation may be cause for review of the CUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.

3. In the event that Routt County commences an action to enforce or interpret this CUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
4. Permits will be assessed an Annual Fee in accordance with the Fee Schedule in Appendix B of the Routt County Zoning Regulations.
5. No junk, trash, or inoperative vehicles shall be stored on the property.
6. This permit is contingent upon the acquisition of and compliance with any required federal, state and local permits.; 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 commencement of 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. All trash shall be stored either inside a garage or inside Interagency Grizzly Bear Committee (IGBC) certified receptacles
10. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
11. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
12. Transfer of this CUP 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 for 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 most current version of the Colorado Noxious Weed Act and Routt County regulations for noxious weeds.

Specific Conditions:

14. The CUP 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. The approved project plan consists of:
 - Yurt - visitor dwelling for the duration of activities
 - Bathhouse – lavatory and bathing facilities as-approved by Routt County Environmental Health
 - Outfitter and visitor parking, contained onsite
 - Hunting & staging area
 - Accessory storage structures directly associated with the above uses
15. The CUP is valid for the life of the use provided it is acted upon within one year of approval. The CUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.

16. Any required permits from the Routt County Building Department and Environmental Health Department shall be obtained and any inspections completed before operations of the permanent staging/lodging areas commence.
17. Guiding operations may occur at any time that weather conditions permit access to the site.
18. Guiding shall only be done by a licensed outfitter. The applicant shall inform the Planning Department if his own outfitter's license expires.
19. Offsite parking shall not be utilized without approval of the Planning Department.
20. If this CUP lapses, the yurt and any other structures associated with this use shall be incorporated into a different by-right use, a new use permit, or demolished within 1 year.

Sunn Ranch Property Use Description

Sunn Ranch, LLC is located on approximately 48 acres on RCR 56. (see map above). A 30ft. diameter yurt was purchased from the Colorado Yurt Company in late September of 2019 and erected on the property (see site and yurt plans). Sunn Ranch and the yurt are used primarily for family rest and relaxation from late April through September each year. We generally stay at the yurt four or five times a year during this time, primarily on weekends. I, Shane, am also a licensed outfitter in Colorado and utilize the yurt for guiding purposes during the first three Colorado Department of Wildlife rifle seasons. I do not book clients in the fourth rifle season because the property is normally inaccessible by this time. During the first three rifle seasons I never host more than three clients at a time and hours of operation are continual until clients fill their game tags or the season ends. At this point, because we do not own snow machines, at the conclusion of third rifle, I winterize the yurt and don't visit until the following spring. At this point, Sunn Ranch has no employees. Access to the property is from RCR 56, which can sometimes be impassable depending on weather conditions. Clients access the property either by personal vehicle or I pick them up from the Yampa Valley Airport and bring them in my vehicle. If the road is impassable I transport clients by UTV from CR80 to the property. Ample parking is available adjacent and east of the yurt. There are never more than two vehicles at a time on the property during hunting season because multiple vehicles are detrimental to hunting. A Polaris UTV and Kubota tractor are permanently on the property. (At this point I don't have a storage building for these vehicles. At the end of third rifle, these vehicles are winterized and covered with large tarps until the following Spring). The UTV is utilized primarily for guide purposes (eg. Animal retrieval, and client transportation). The tractor is used for snow removal, cutting brush, tall weeds in a perimeter around the yurt for fire safety. At this point, Smith Rancho utilizes grazing rights on the property. However because of recent overuse, I'm considering a future personal small livestock operation on the property. I utilize the tractor to brush hog the pasture on the property south of RCR 56 and around the yurt once a year. I also utilize the tractor to spray and mitigate the spread of noxious "white-top."

Explanation of Sunn Ranch Yurt Site Plan

Access:

A description of access (RCR 56) is provided in the site plans by CT Design and Development. Although not labeled, the plat clearly shows the driveway to the yurt from RCR 56. The second plat picture is zoomed in and shows the property line on Sunn Ranch on RCR 56. Farther West the property line turns due south which is shown on the first plat. The driveway was constructed many years ago for access to camping trailers. The drive has sufficient water drainage on each side to prevent potential erosion and driveway damage.

Bathhouse:

Subsequent to the original site plans, a small 8x8 ft bathhouse with vault toilet and direct line propane shower was constructed adjoining the southeast corner of the yurt deck. The bathhouse is accessible by two steps from the main yurt deck to a landing deck in front of bathhouse. Bathhouse door swings outward on from left to right on landing deck. In order to comply with environmental health regulations the vault toilet has been removed and the hole filled. The shower has been disconnected from the water source. The plan is to install a flush toilet in the same location once an approved WWTS is constructed, at which point the shower will also be reconnected. Until then the bathhouse is utilized to store camping gear. **A picture is provided to show the location of bathhouse on site.**

Parking Areas:

Parking is just east of the yurt behind the water tank. It's a flat surface and there is never more than two (usually one) vehicle (s) parked there. A UTV and small Kubota tractor and a few implements when not in use are parked on the south side of the yurt. During hunting seasons if RCR 56 is impassable, clients are ferried from RCR 80 via UTV to the yurt.

Snow Storage:

Because the property isn't accessed beyond mid-November and because there are no adjacent adjoining properties that might be adversely affected by snow removal there isn't a need for snow storage. Snow is simply pushed to the sides of the parking areas and driveway with the Kubota tractor and snowblade.

Sanitation Facilities:

As mentioned, plans are underway for a WWTS. In the meantime a porta-potty is on site, adjacent to the bathhouse (picture provided)

Utilities:

Sunn Ranch is completely “off-the-grid”. The nearest electrical lines are more than five miles away. Power is provided to the yurt for lights and cellphone charges, etc. via a solar system, lithium ion battery bank, and inverter. (Pictures provided). A 110 gallon propane tank installed and serviced by Mountain West Propane supplies a vent-free wall space heater and propane range. Both the space heater and range were installed according to specifications and certified by Mountain West Propane. (picture provided)

Water bodies, drainages, and ditches:

The Dry Fork of the Elkhead traverses Sunn Ranch south of RCR 56. It poses no threat to yurt access. South of The Dry Fork of the Elkhead, an irrigation ditch easement is owned and maintained by Smith Rancho. It traverses Sunn Ranch providing irrigation to a hayfield east and south of the property. The irrigation ditch provides no threat to yurt access or the property.

Easements, building envelopes, and minimum setbacks:

N/A The drawing on the site plan of the yurt and deck is accurate and to scale. The yurt is a 30ft. in diameter attached to a 36 x 34ft. deck. I reduced the deck by 2 feet on the west and east sides. That leaves three feet clearance of deck space at the narrowest juncture on the north and south facing decks and two feet on the west and east facing deck. The deck is enclosed by a safety fence on the north, south and west facing sides to prevent injury from falling.

Location, width, and surface of all sidewalks and trails:

N/A

Location and type of proposed landscaping and/or screening:

Sunn Ranch possessed an approved well-water permit from the Colorado Division of Water Resources. Landscaping plans are presently inconclusive but will be developed once drilling is completed. Approval for irrigating 1 acre of landscaping was approved as part of the application. The plan is to plant fir trees and pines for along the driveway for wind protection and concealment. (well water permit application attached)

Location, width, and surface of all existing and proposed access roads and drives:

The existing driveway from RCR 56 to the yurt is shown on the site plans (but not labeled). It is 12 feet wide and with a compacted rock surface. As mentioned above, sufficient drainage composed of larger rocks are adjacent to both sides of the drive to mitigate damage to the driveway from erosion.

Sunn Ranch Mitigation Plan

Potential hazards that exist on Sunn Ranch include wildfire and personal injury from the inappropriate discharge of firearms. (Flooding can occur on the Dryfork of the Elkhead but the yurt dwelling is located at an elevation far above this potential hazard. Neither is there the risk of avalanche or significant mudslide anywhere on the property). The yurt is equipped with a NOAA weather accessible radio in order to monitor any threatening weather including severe thunderstorms and blizzard conditions.

I seek to mitigate the potential risk of the loss of life and property from wildfire by annually brush hogging in a significant perimeter around the yurt on an annual basis. Flammable materials such as gasoline and diesel fuel are stored in airtight containers at a safe distance away from the yurt. In times of prolonged draught, I utilize a 1500-gallon water tank located on the property to water vegetation and to wet the ground around the yurt. Sunn Ranch abides by all posted Routt County fire regulations prohibiting outside burning.

Also, other than the fact it is required by law, one of the reasons I'm applying for a conditional use permit is so I can obtain an official Routt County address for 911 purposes in case of any kind of personal injury to family members and clients during familial recreation or guiding activities. Sunn Ranch is surrounded by BLM that is heavily utilized by hunters and shots are fired in the direction of the yurt frequently. I have made use of private property signs and all family members and clients abide by CDOW safety requirements. As part of the Colorado Department of Regulatory agencies outfitters are required to be certified in CPR and other live saving measures. A thorough First Aid kit is available onsite.

The yurt is equipped with a gas range for cooking purposes, a vent free propane heater and a wood burning fireplace for heating purposes. Windows and the large dome at the top of the yurt can be opened for adequate ventilation. Smoke and CO2 detectors are installed. Two fire extinguishers are charged and up to date. One is located near the fireplace and the other adjacent to the range.

The need for significant snow removal is rare before the end of third rifle season. In the event of significant snowfall a small Kubota tractor is used to remove snow from the driveway and parking area. The snow is simply pushed to the side of the road and causes no impact on any existing structure or property.

At this point, I am seeking to comply with any environmental hazards posed by ground water contamination. I have hired an engineer to provide plans for the construction of a septic system. In the meantime, Sunn Ranch is utilizing a serviced porta-potty and abiding by dry-camping regulations. Water use other than for drinking and cooking is kept to a minimum. Water is provided from the 1500-gallon water tank for the yurt via two 5-gallon Igloo containers with spigots. The water

tank is supplied by city water from Steamboat Springs or Craig. Paper plates and plastic utensils are utilized and disposed in garbage bags. Cookware is wiped clean of food residue, which is also disposed into the garbage. Cookware is then wiped clean with wet paper towels, which are also disposed in the garbage. All garbage is hauled away from the property and discharged properly. All surfaces are kept clean and sanitized.



SUNN RANCH LLC

05/26/22

FULL SITE PLAN

1" = 200'-0"



PLAN NOTES

- 1 APPROX. LOCATION OF YURT
- 2 APPROX. LOCATION OF WATER TANK
- 3 OVERSIZED DECK SUPPORTING A 30' DIAMETER YURT WITH HIGH-WIND REINFORCEMENT (REF. COLORADO YURT COMPANY SHOP DRAWINGS)
- 4 MAIN PROPERTY ACCESS

SUNN RANCH LLC 

05/26/22

PARTIAL SITE PLAN

1" = 80'-0"



CR56 approach from the east



CR56 approach from the west



Approaching site from the west



Yurt and staging area



Staging and parking area



Property to the southwest