
Hunting Camp – One80 Outdoors, Inc. & Wolf Mountain Ranch

Conditional Use Permit

ACTIVITY #: PL20230043

HEARING DATES: Planning Commission: 06/29/2023 at 6:00 pm

PETITIONER: One80 Outdoors, Inc. and Wolf Mountain Ranch

PETITION: Conditional Use Permit to continue conducting hunting operations from a hunting camp that has existed for 35+ years.

LEGAL: LAND IN 7-86: PT OF TRS 58, 59 & 61 SECS 4 & 5; LOT 8, PT OF LOTS 5-7 SEC 5; PT OF TRS 62-65 SEC 5; ALL OF SECS 6-8; LOTS 1-4 SEC 16; ALL OF SECS 17&18; PT OF TRS 98 & 99, LOTS 5-7, 13&14, SE4SW4 SEC 19; PT OF TR 98, E2 SEC 20; ALL OF SEC 21; LOTS 1-6, S2

LOCATION: Approximately 7.9 miles NE of the intersection of CR 52 and US HWY 40; 6.7 miles NW of the town of Milner

ZONE DISTRICT: Agricultural & Forrestry (AF)

STAFF CONTACT: Blake Kelly; bkelly@co.routt.co.us

ATTACHMENTS:

- Applicant Narratives
- Site Plan
- Photos of Facilities

History:

Hunting on Wolf Mountain Ranch (WMR) has been ongoing for 35+ years. Prior to contracting with a hunting outfitter, the property owner and his friends and family were the only people utilizing the land for hunting. As time progressed, a more developed and consistent operation developed and an outfitter (One80 Outdoors, Inc.) was engaged. One80 Outdoors is a licensed outfitter in Colorado. The applicant is currently working with Routt County Building and Routt County Environmental Health related to certain unpermitted structures, retail food operations, & septic system (i.e. staging facilities). Although "Hunting, Private or Commercial" is a use-by-right in the A/F zone district, the applicant is seeking a Conditional Use Permit to allow usage of the aforementioned permanent staging facilities.

Site Description:

The ranch is located in the rolling sagebrush hills that are the lower slopes of the Elkhead Mountains. Additional terrain includes oakbrush, mountain shrub, aspen, and some dark timber. The hunt camp is located approximately 10.5 miles northeast of the town of Hayden and is accessed utilizing CR 52. The camp itself is approximately 35 acres in size and is situated in

the west-central portion of WMR.. Hunting activity occurs on upwards of 18,500 acres of leased land from WMR

Project Description:

One80 Outdoors, Inc. leases approximately 18,500 acres from WMR and employs six guides and one camp cook for a maximum of 35 days during the big game hunting seasons. The hunting calendar is from the first week of September to the third week of October (7 week duration; per CPW regulations, hunting operations cannot begin until September 2nd of each year). The hunt week begins on Sunday afternoon, when guests arrive. Hunting occurs Monday morning through Friday morning. All staff and guests are off the ranch by noon on Friday. The operator allows 2 days between each hunt week to rest the property. The total client count for 2023 is 84 private hunters. This is 12 hunters per week for 7 weeks. Including staff there will be a maximum of 20 individuals in camp per each 5-day hunt week. All individuals sign WMR and One80 Outdoors liability waivers before accessing the property. The hunting camp is not commercially occupied during the remainder of the year, and is generally not used by the ranch family or personnel for any purpose other than a hunting camp. The hunting camp is closed during all winter months.

Staff Comments:

Hunting, Private or Commercial without permanent staging facilities is a use-by-right in the A/F zone district. Hunting/Fishing Facilities are a Conditional Use, requiring a public hearing. This use classification is intended to accommodate large operations with large permanent base camps and staging facilities such as those proposed by the applicant. Staff does not anticipate significant impacts from the operation to adjacent properties, wildlife, or the County roads used for access. Colorado Parks & Wildlife was sent a referral for comment and no response was received. Routt County Environmental Health is working with the applicant to permit the retail food operations and septic system. 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 the permit will be issued.

Staff Recommendation

Staff recommends that the application be **APPROVED**.

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

The Routt County Master Plan (Master Plan), Sub Area Plans, and Zoning Regulations contain dozens of land use policies and regulations that are intended to reinforce the guiding principles of the Master Plan. This report categorizes subject matter content that is important to consider when reviewing. The categories include:

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

Within each category are applicable policies and regulations. Specific Zoning Regulations sections include:

- **Section 5** of the Zoning 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** of the Zoning Regulations contains mitigation techniques and applies to all Minor, Administrative, Conditional or Special Uses allowed by permit only, PUD plans, Site plans, and Subdivisions.
- **Section 8** of the Zoning Regulations applies to certain land uses and are intended to assist in determining the compatibility with the surrounding uses and appropriate mitigation of potentially significant negative impacts..

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

Planning Staff comments are included in **bold** at the end of each category and highlight questions and/or comments from the general public, referral agencies, and Planning Staff.

1. Public Health, Safety and Nuisances

Applicable Zoning Regulations

- 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 General Approval Standards
- 7.C Natural Hazards
 - 7.H Wildland Fire
 - 7.I Noise
 - 7.L Odors
 - 7.M Vibration

Staff comments: The applicant indicates that hunting operations conclude by the third week in October and the camp is closed for winter. As such, no measures are required for snow removal or storage. In the event of wildfire or natural hazard, the applicant has a emergency mitigation plan in place. The wildfire portion of the emergency mitigation plan has been activated multiple times in the past and has been successful in preventing loss of life or property. The existing structures and activities are not located in any wetlands or floodplains, nor are they located on steep slopes. Other than gasoline for the UTV's and a few propane tanks, there are no hazardous materials stored onsite.

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

2. Regulations and Standards

Applicable Zoning Regulations

- 5.2 Dimensional Standards:
- 5.3 Secondary Dwelling Unit 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 Master Plan Policies

- 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 existing structures comply with the dimensional standards, however, the applicant is working with Routt County Regional Building Department to obtain proper permitting. This is also true for the septic system; it's already in place, and is currently in the permitting process with Routt County Environmental Health. There are no grading plans as part of this application.

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

3. Community Character and Visual Impacts**Applicable Zoning Regulations**

- 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
- 5.10 Standards for Structures within mapped Skyline Areas
- 6.1.6 Outdoor Lighting: The proposal shall comply with the Outdoor Lighting Standards in Section 6.3 of these Regulations.
- 6.1 General Approval Standards
 - 7.G Visual Amenities and Scenic Qualities.
 - 7.K Land Use Compatibility.
 - 7.O Historical Significance.

Applicable Master Plan Policies

- 4.6 Support efforts to maintain Dark Skies and control light pollution.
- 4.9 Discourage development on ridges that result in sky lining.

- 8.1 Evaluate the most appropriate areas for recreational use.
- 8.2 Encourage recreational activities on agricultural lands that support the agricultural operations, without negatively impacting it.
- 8.5 Collaborate with the ranching and agricultural community to ensure that recreational and agri-tourism activities are compatible with their operations.
- 8.7 When considering recreational uses in rural areas, focus on maintaining the high quality of life of the County's residents.
- 8.8 Preserve public access to public lands.
- 9.1 Support bona-fide and viable agricultural operations.
- 9.2 Recognize the importance of maintaining the viability of agricultural operations and support them by continuing to allow supplemental uses with appropriate permitting.
- 9.3 Discourage development that changes the rural character or historic agricultural uses and/or practices.
- 9.7 Protect prime agricultural areas from the impacts of developments and commercial recreation.
- 9.16 Protect unique view corridors with high aesthetic value, including the south valley floor and the Hwy 40 and CR 129 corridors.

Staff comments: The hunt camp is situated in a location such that it is not visible from the right-of-way of CR 52. Upon inspection, the hunt camp was found to be organized and clutter free. Outdoor storage is minimal and consists of two gasoline tanks. There is no proposed signage and outdoor lighting is kept to a minimum during the times when the hunt camp is occupied.

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

4. Roads, Transportation and Site Design

Applicable Zoning Regulations

- 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 General Approval Standards
 - 7.A Public Roads, Services and Infrastructure
 - 7.B Road Capacity, traffic, and traffic safety
 - 7.N Snow Storage

Applicable Master Plan Policies

- 7.4 Protect and respect the rights of the pedestrian and the cyclist while considering the needs of agricultural operators.
- 7.15 Ensure that future development occurs where roads can accommodate projected traffic volumes and patterns.
- 8.4 Commercial recreational businesses should be located on primary roads in the County, when possible. Discourage commercial recreational development that creates traffic on Secondary A and Secondary B County roads.

Staff comments: The hunt camp is accessed via a private drive comprised of crushed gravel that spurs off of CR 52, a rural county road. Impacts from parking on the camp and vehicle trips on CR 52 are minimal. No additional accesses are proposed and commercial access to this site will only occur in the fall. The hunt camp will be accessed minimally throughout the remainder of the year for maintenance and upkeep.

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

5. Natural Environment**Applicable Zoning Regulations**

- 5.11 Waterbody Setback Standards
- 6.1 General Approval Standards
- 7.D Wildlife and Wildlife Habitat
- 7.E Water Quality and Quantity
- 7.F Air Quality
- 7.J Wetlands
- 7.P Reclamation and Restoration
- 7.Q Noxious Weeds

Applicable Master Plan Policies

- 4.5 Apply best practices and data to inform decisions impacting sensitive ecological and wildlife areas throughout the County.
- 9.12 Noxious weeds must be controlled at the expense of the landowner.
- 9.13 Enforce the weed management program and educate new or unaware landowners or those that refuse to manage weeds.
- 11.3 Protect wildlife species and their habitats.
- 11.4 Include wildlife habitat and species information in land use and site plan decision making.
- 11.5 Encourage land use practices that will minimize conflicts between wildlife and human uses.
- 11.6 Consider impacts on wildlife before approving new recreational uses, residential developments, and other developments and permits.

- 11.7 Minimize the cumulative impacts of development on wildlife and wildlife habitat.
- 11.9 Protect and/or improve the diversity of native vegetation.

Staff comments: Wolf Mountain Ranch is partnered with Colorado Parks & Wildlife (CPW) in the CPW Ranching for Wildlife (RFW) program. Through this program, hunters can play an important role in helping CPW and landowners manage wildlife populations on private land. The RFW program allows public hunting access to Wolf Mountain Ranch; these hunters are in addition to the commercial operation of One80 Outdoors. Participating landowners are required to improve habitat on their ranch for both game and non-game animals. These efforts help preserve and enhance open spaces for wildlife to live and thrive and keep the hunting heritage alive for future generations. No impacts to waterbodies, wildlife (other than hunting), water quality/quantity, air quality, wetlands, or impacts from weeds are expected. Some sitework is proposed for possible future expansion to include: three buildings consisting of two additional sleeping cabins and one additional bathhouse. At this time, there is no expectation of when this expansion may occur.

***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:
 - Up to five sleeping cabins; up to two bathhouses; up to three guide cabins
 - Onsite outfitter and visitor parking
 - 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 Road and Bridge Department, Environmental Health Department, or Building Department shall be obtained and any inspections completed before operations commence.

17. 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.

18. Guiding operations may occur at any time that weather conditions permit access to the site.

19. Any accidents shall be reported to the Planning Department.