TO: **Planning Commission**

SUBJECT: ***DRAFT* Minor Impact Decision**
Rocky Mountain Biological Laboratory (RMBL)
Amendment to LUC-1984-33
LUC-15-00034

DATE: **Planning Commission Meeting of December 4, 2015**

PREPARED BY: **Neal Starkebaum, Assistant Director**

APPLICANT: **Ian Billick, Executive Director – Rocky Mountain Biological Laboratory**

PROJECT DESCRIPTION:
The Rocky Mountain Biological Laboratory is requesting an increase from the current limit of 160 concurrent summer residents to 180. The 160 residents is a threshold, self-imposed by RMBL as part of the 1984 Master Plan (LUC 1984-33), amended and approved by the Board of County Commissioners on June 6, 1989. No other changes are requested. The applicant indicates that the existing infrastructure (housing, water, sewer, and parking) at the Gothic Townsite facility is more than adequate to handle the increase to 180 concurrent residents. Additionally, the applicant requests the establishment of current maximum occupancies for individual cabins, as described in the 1989 approval, as those occupancies have changed over time. The occupancies of the cabins are based upon the historic patterns of use, and this will formalize the occupancies proposed for use at the facility, as identified in Appendix B of the application.

LOCATION:
RMBL is located on 230-acres, legally described as Block 1, All of Blocks 2-36, Smelter Grounds Except Block 37, All of First Addition Located In S/2NE/4, All Of L A Waits Second Addition Located In S/2NE/4, W/2NE/4 & SE/4NE/4 Town Of Gothic E/2NW/4 Section 3 Township 13 South Range 86 West, 6th P.M.

ADJACENT LAND USES:
The Gothic Townsite is surrounded by National Forest on the east, north, and west. Private parcels are located to the south of the town site.

PLANS/REPORTS/SUBMITTALS:
Plans, reports, and other submittal documents informing this Decision include, but are not limited to:

- Minor Impact Land Use Change Application and site plan

This review and Decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Department file relative to this application; including all exhibits, references, testimony and documents as included therein.

REVIEW AGENCY REFERRAL COMMENTS:
The following entities or agencies provided referral comments.

<u>Crested Butte Fire Protection District (CBFPD):</u>
Scott Wimmer, Fire Inspector, CBFPD, letter of November 25, 2015, notes the following CBFPD requirements:

"The Fire Division of the Crested Butte Fire Protection District has received your request for review for the above noted project. After reviewing the application and accompanying you onsite, we have the following requirements.

1. The dry hydrant located at the east side of Gothic shall be tested and maintained to provide the approved operation and function.
2. All portable fire extinguishers shall be properly mounted and have a current service tag attached. CBFPD recommends a multipurpose type ABC portable fire extinguisher with a 2A, 10 BC rating.
3. Smoke alarms shall be provided in every room used for sleeping purposes immediately outside such rooms and on every level.
4. Carbon monoxide alarms shall be provided within 15 feet of every room used for sleeping purposes in structures with fuel fired appliances.
5. Propane (Lower Explosive Level) alarms shall be provided in every structure that utilizes propane appliances.
6. All smoke, carbon monoxide and propane alarms shall be properly mounted, maintained and replaced according to the manufactures recommendations.
7. All propane lines shall be pressured tested and properly installed according to NFPA 58 *Liquefied Petroleum Gas Code,* current edition.
8. All propane tanks shall be in an approved location according to NFPA 58 *Liquefied Petroleum Gas Code,* current edition.
9. All structures used for sleeping purposes shall have an approved means of egress.
10. All structures used for sleeping purposes shall have an approved fire evacuation and safety plan mounted on the back of the main entrance door."

Gunnison County Public Works Department:

Marlene Crosby, Gunnison County Public Works Director, via email November 9, 2015, provided the following comments:

"Thank you for the opportunity to review the land use change permit application for RMBL. Also, thank you for including the documents from 1989 which we do not have in our files.

The increase in traffic that is proposed is definitely minimal, but at this time as we look at increasing impacts in the Gothic corridor it is hard for this department to support any increase in traffic. RMBL needs to continue to expand their bus service and increase the number of their community using the bus service. They will need to coordinate with the Public Works Department to coordinate bus schedules and essential road maintenance.

They identify overflow parking in Mt. Crested Butte. During our recent field trip to Gothic we were told that unless additional parking is developed in Mt. Crested Butte the "overflow parking" at the ski area is currently at capacity in the summer.

The application indicates that the increased need is partially due to the increase in the number of children at the lab housing which raised another concern. It is critical for the lab to establish no more than two pedestrian crossing areas between the entrance to town and the Community Center. Currently the entire section is used as a pedestrian crossing which is impossible to delineate or manage for safety. The Public Works Department is willing to work with RMBL on these designations."

SITE VISIT:

- A site visit was conducted by staff from the Crested Butte Fire Protection District and the Gunnison County Community Development Department, on November 19, 2015 to review all of the cabins proposed for increased occupancies.

PUBLIC HEARING:

A public hearing was held on December 4, 2015; at that time ……..

MEETINGS WITH PLANNING COMMISSION:
November 20, 2015 – Work session
December 4, 2015 - Public Hearing
December 4, 2015 – Work session

COMPLIANCE WITH THE APPLICABLE STANDARDS OF THE *GUNNISON COUNTY LAND USE RESOLUTION:*

Section 10-102: *Locational Residential Development:*
Not applicable. No new residences are proposed.

Section 10-103: *Residential Density:*
Not applicable. No new residences are proposed.

Section 10-104: *Locational Standards for Commercial, Industrial and Other Non-Residential Development*
Not applicable. All cabins and other structures are existing.

Section: 11-102: *Voluntary Best Management Practices*
Voluntary; not mandated.

Section 11-103: *Development in Areas Subject to Flood Hazards.*
Not applicable. All cabins and other structures are existing.

Section 11-104: *Development in Areas Subject to Geologic Hazards*.
Not applicable. All cabins and other structures are existing.

Section 11-105: *Development in Areas Subject to Wildfire Hazards.*
Not applicable. All cabins and other structures are existing.

Section 11-106: *Protection of Wildlife Habitat Areas.*
Not applicable. All cabins and other structures are existing.

Section 11-107: *Protection of Water Quality*.
Not applicable. All cabins and other structures are existing.

Section 11-109: *Development That Affects Agricultural Lands.*
Not applicable.

Section 12-103: *Road System*.
Marlene Crosby, Gunnison County Public Works Director, via email November 9, 2015, noted that:

> "The increase in traffic that is proposed is definitely minimal, but at this time as we look at increasing impacts in the Gothic corridor it is hard for this department to support any increase in traffic. RMBL needs to continue to expand their bus service and increase the number of their community using the bus service. They will need to coordinate with the Public Works Department to coordinate bus schedules and essential road maintenance."

Section 12-104: *Public Trails*.
Not applicable. No trails are proposed.

Section 12-105: *Water Supply*.
Not applicable. No changes to the existing water supply is required. The applicant has documented that the existing water supply and system is more than adequate for the increase of 20 residents.

Section 12-106: ***Sewage Disposal/Wastewater Treatment.***
Not applicable. No changes to the existing wastewater treatment systems is required. The applicant has documented that the existing wastewater treatment systems are more than adequate for the increase of 20 residents.

Section 12-107: ***Fire Protection*****.**
Scott Wimmer, Fire Inspector, CBFPD, letter of November 25, 2015, provided comments on the CBFPD requirements. See above.

Section 13-103: ***General Site Plan Standards and Lot Measurements.***
Not applicable. All cabins and other structures are existing.

Section 13-107: ***Installation of Solid Fuel-Burning Devices***
Not applicable. No new installation of solid-fuel burning devices is contemplated in this application.

Section 13-108: ***Open Space and Recreation Areas***
Not applicable.

Section 13-109: ***Signs.***
Not applicable.

Section 13-110: ***Off-Road Parking and Loading.***
The site provides sufficient existing off-road parking and loading.

Section 13-111: ***Landscaping and Buffering.***
Not applicable.

Section 13-112: ***Snow storage****.*
Not applicable.

Section 13-113: ***Fencing***
Not applicable.

Section 13-114: ***Exterior Lighting.***
Not applicable.

Section 13-115: ***Reclamation and Noxious Weed Control.***
Not applicable.

Section 13-116: ***Grading and Erosion Control.***
Not applicable.

Section 13-117: ***Drainage, Construction and Post-Construction Stormwater Runoff.***
Not applicable.

Section 13-118: Standards to Ensure Compatible Uses.
The addition of 20 seasonal residents will have no measureable effect on the compatibility of the existing facility with surrounding land uses.

FINDINGS:
The Commission finds that:

1. This application is a Minor Impact Project.

2. The housing occupancies identified in Appendix B of the application were verified by an onsite site visit and review by staff from the Crested Butte Fire Protection District and the Gunnison County Community Development Department, on November 19, 2015.

3. Scott Wimmer, Fire Inspector, CBFPD, letter of November 25, 2015, provided comments on the CBFPD requirements for the increase in occupancies of the cabins.

4. Marlene Crosby, Gunnison County Public Works Director, via email November 9, 2015, provided comments on transportation elements associated with the increase in the number of residences.

5. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site plan as submitted. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution.*

6. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

DECISION:
The Gunnison County Planning Commission, having reviewed all the documentation submitted to the County and included within the Planning Office file relative to this application, including all exhibits, references and documents as included therein, and including provision of a public hearing, and having reached the above cited Findings, classifies LUC No. 2015-34, Rocky Mountain Biological Laboratory as a Minor Impact Project, approves the Land Use Change Permit with the following conditions, and that said approval shall be memorialized by recordation of a Minor Impact Certificate with the Gunnison County Clerk and Recorder:

1. This permit is limited to activities described within the "Project Description" of this application, and as depicted on the site plan submitted as part of this application. Expansion or change of this use will require either an application for amendment of this permit, or submittal of an application for a new permit, in compliance with applicable requirements of the *Gunnison County Land Use Resolution.*

2. The applicant shall comply with the requirements of the Crested Butte Fire Protection District, noted in the letter of November 25, 2015, from Scott Wimmer, Fire Inspector, CBFPD.

3. The applicant shall work with the Gunnison County Public Works Department to coordinate bus schedules, essential road maintenance, and to establish and delineate no more than two public pedestrian road crossing areas between the entrance to the townsite and the Community Center.

4. This permit may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.

5. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change permit.