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 18, 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 facility is more than adequate to handle the increase to 180 concurrent summer 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.

NOTE: As the review of the application moved forward it was determined that the changes in the maximum occupancies for the existing cabins are more closely related to compliance with building and fire code issues, rather than a land use issue. Accordingly, the request to increase the occupancies for individual cabins is under the purview of the Crested Butte Fire Protection District and the County Building Office. The total housing capacity of the RMBL facility is adequate to house the requested increase to 180 concurrent summer residents. How the residents are housed in individual cabins, and the occupancy allowed in each individual cabin, is up to the applicant, in compliance with the Fire District and Building Office requirements.

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., according to the current legal description found in the records of the Gunnison County Clerk and Recorder. The applicant has provided an undated legal description based upon street and alley vacations and lot clustering completed in 2012, as identified in Appendix A of the application.

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.

Crested Butte Fire Protection District (CBFPD):
Scott Wimmer, Fire Inspector, CBFPD, letter of November 25, 2015, provided comments on the request for increases in housing occupancy.

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."

Gunnison County Building Office:
Crystal Lambert, Building Official, Gunnison County Community Development Department, memo of November 30, 2015, provided comments on the request for increases in housing occupancy.

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, for purposes of inspecting the cabins proposed for increased occupancy.

PUBLIC HEARING:
A public hearing was held on December 4, 2015; at that time Lee and Polly Spann were present, but had no comment. Two emails were received from the public:

- Daniel Inouye, November 25, 2015, supporting the request.
- Daniel T. Blumstein, December 1, 2015, supporting the request.

MEETINGS WITH PLANNING COMMISSION:
November 20, 2015 – Work session
December 4, 2015 - Public Hearing
December 4, 2015 – Work session
December 18, 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. Staff from the Crested Butte Fire Protection District and the Gunnison County Community Development Department conducted an onsite inspection on November 19, 2015.

3. Scott Wimmer, Fire Inspector, CBFPD, letter of November 25, 2015, provided comments on the requested increases in occupancy.

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 concurrent summer residents.

5. Crystal Lambert, Building Official, Gunnison County Community Development Department, memo of November 30, 2015, provided comments on the requested increases in occupancy.

6. Changes to the occupancy classifications of individual cabins is subject to the purview of the Crested Butte Fire Protection District and the County Building Office and the requirements of those entities. The Planning Commission encourages the applicant to work with those entities to comply with the requirements noted in the comments received.

7. 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.*

8. 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 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.

3. 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.

4. 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.