

TITLE: WOLF II Special Review

REQUEST: Sketch Plan Review of a Special Review for a Pet Animal Facility for WOLF. Up to 60 animals and support facilities, a possible visitor education center and gift shop and possible overnight "camping" for experiential use.

LOCATION: Located north of CR 74E at Log Cabin at the intersection with CR 68 at 16278 CR 74E

APPLICANT & PROPERTY OWNER: WOLF  
Shelley Coldiron, Executive Director  
PO Box 1544  
LaPorte CO 80535

STAFF CONTACTS: Robert Helmick, AICP, Planning  
Doug Ryan, Health Department  
Clint Jones, Engineering Department

FILE #: 16-ZONE2038

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SITE DATA:

Parcel Number(s) 2909000051  
Total property Area 180 acres  
Existing Land Use: Agricultural-grazing/forest  
Proposed Land Use: Animal Sanctuary-Pet Animal Facility  
Existing Zoning: O-Open  
Adjacent Zoning: O-Open  
Adjacent Land Uses: Residential, Recreational & Agricultural  
Services:  
    Access: CR 74E  
    Water: Well  
    Sewer: ISDS  
    Fire Protection: Glacier View Fire Protection District  
No. Trips Generated by Use: TBD

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PROJECT DESCRIPTION/BACKGROUND:

The applicant, WOLF proposes to relocate from the current facility located off of Rist Canyon road in Spring Valley. The current facility was originally approved in 1999 for the care of up to 30 animals. An amendment to that use, a numeric and area expansion, was proposed in 2007 but was not approved by the County. Access and a history of neighbor issues and the impacts from the High Park Fire and the Flooding of 2013 as well as a change in leadership has prompted this proposal to relocate.

This proposal is to utilize a 180 acre parcel of land and develop the site to accommodate up to 60 animals supported by staff of 2-12 per day. The facilities proposed include initially up to 20 enclosures adding more as the population warrants. In support of this, a visitor/education center would be provided that includes a gift shop. The existing structures on site would be used and or repurposed in support of the use.

The 180 acre site is adjacent to or near both the Red Feather Highlands Subdivision as well as filings of the Glacier View Subdivision. Larger parcels ranging from 10 to several hundred acres are nearby or adjacent as well. The Ben Delatour Boy Scout Ranch, the former Girl Scout Ranch and at least one guest lodge are in the nearby area as well.

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#### REVIEW CRITERIA AND ANALYSIS:

To approve a Special Review application, the County Commissioners must consider the following review criteria and find that each criterion has been met or determined to be inapplicable:

**A. The proposed use will be compatible with existing and allowed uses in the surrounding area and be in harmony with the neighborhood;**

We have received a substantial number of comments on this proposal. Negative comment based solely on number would not suggest a compatibility issue but the consistency of the comments raise a number of issues. Noise, wildlife impacts, safety/security, property values and commercial uses have all been raised by a number of commenters. As a use with a previous history, it is not possible to ignore the influence of that on the comments. From a technical standpoint, however the issues with application are the level of activity on site, traffic safety and other issues related to the standards in the Code. The staff believes that most can be addressed to our satisfaction. Noise is however, a significant concern and issue. Based on approvals in this immediate area the level of activity and the general use of the site are consistent with other approved uses in the area (Boy Scouts, Girl Scouts and guest lodges). The level of activity and traffic to this site are similar to and or less than these uses. There are a number of residential lots in the area some are seasonal and some are year round. Within 3500 feet of the site are approximately 140 individual parcels, most in Red Feather Highlands and Glacier View Meadows. Most of the area is zoned O-Open or RE-Rural

Estate, which does allow for pet animal facilities. Some of the Glacier View area is zoned E-Estate, which does not allow this use. We believe that the deciding issue in the discussion on compatibility will be the impact of noise on these nearby residential properties.

**B. Outside a GMA district, the proposed use is consistent with the County Master Plan. Within a GMA district, the proposed use is consistent with the applicable supplementary regulations to the GMA district, or if none, with the County Master Plan or county adopted sub-area plan;**

The site is located in a rural area of the County, outside any GMA. There is no sub area plan adopted for the area. The County Master Plan anticipates the development in the rural areas to be consistent with the zoning and requires adequate facilities.

**C. The applicant has demonstrated that this project can and will comply with all applicable requirements of this code;**

*8.1.1 Sewage Disposal Level of Service Standards:* The applicant proposes to use existing or new individual sanitation systems to treat the domestic waste produced on site. The Health Department has noted this is feasible. No other water treatment is proposed on site. Animal waste will be collected and disposed with the trash service to the site.

*8.1.2 Domestic Water Level of Service Standards:* The applicant indicates that there are several springs on site, which have been developed for use on site. This use may require the applicant to convert the legal rights with those springs to commercial use. This use question will need to be addressed in future applications and ultimately there will need to be a definite approval from the State with respect to the legal right to use water. Flows will need to be evaluated to determine their adequacy for the domestic and other uses on site.

*8.1.3 Drainage Level of Service Standards:* The specifics of how the developed area drainage plans will be addressed during the public hearing and site plan reviews. The Engineering Department comments address this issue.

*8.1.4 Fire Protection & Emergency Medical Level of Service Standards:* The Glacier View Fire District has not yet provided comments. Emergency medical and fire protection in this area will rely on insuring that there are adequate on site safeguards and provisions for notification. A further concern would be the additional impact of another tax exempt entity locating in the bounds of the district. The higher level use may generate additional calls for service. The applicant should address this issue as well as what on site measures will be incorporated into the operations of the site.

*8.1.5 Road Capacity and Level of Service Standards:* Access and traffic generation have been identified as issues have also been identified in the comments from the Engineering Department. Access spacing and site distance evaluations must be done and a full traffic study should address the impact of the use by phase.

Section 8.2 Wetland Areas: County Maps do not show the site as having wetlands; the plan appears to avoid any possible wetland areas.

Section 8.3 Hazard Areas: County Maps do show the site as having both severe Geologic Hazards with respect to rock fall and slopes, mostly in the rocky areas of the property. The site is a mix of severe and low wildfire hazard. The next application must address how the hazards will be addressed and mitigated, if necessary.

Section 8.4 Wildlife: The State Division of Wildlife (DOW) was referred and has commented. With respect to the importance of this area as migration, corridors are restricted by development. Fencing and orientation of the use to one area on site are noted as mitigating factors. Fencing to meet wildlife standards is important on the site perimeter of the site as opposed to the actual enclosure areas. Licensing is also noted in their comments. The USFWS has responded with a no comment.

Section 8.5 Landscaping: No landscaping is proposed or required.

Section 8.6 Off Road Parking Standards: Off road parking is not expected to be an issue with this request. Surface treatment is required by the Code to be paved an appeal will be necessary for both the parking and access on this issue if they are not to be paved.

Section 8.10 Signs: Any proposed signs will need to be permitted through the approval of a sign plan, which would occur with the Site Plan Review.

Section 8.11 Air Quality: No issues identified.

Section 8.12 Water Quality: No issues identified.

Section 8.16 Fences: Any perimeter fencing for the project must comply with the requirements in Section 8.16.2.

Section 8.15 Site Lighting: The applicant is directed to the provisions of this section those requirements shall be followed in site development.

**D. The proposed use will not result in a substantial adverse impact on property in the vicinity of the subject property; and**

The application referrals/citizen comments have noted possible questions regarding the impacts of noise, air and water quality. Compliance with the noise ordinance may meet a technical requirement, but this site is in a remote and rural area. Any additional noise may be seen as an impact. Noise mitigation plans and modeling will be important in future evaluations. Air and water quality will be addressed thru the issuance of permits for any discharges, if required. The use of the road and the impacts on CR 74E will be addressed in the traffic analysis.

**E. The recommendations of referral agencies have been considered.**

Referral comments are address the issues of the use and appropriateness, impacts to additional traffic on CR 74E, noise mitigation, safety and integrity of any fencing, drainage and other issues. The public hearing application should address how the applicant has or will intend on responding to these concerns.

**F. The Applicant has demonstrated that this project can meet applicable additional criteria listed in Section 4.3 Use Descriptions.**

There are no special criteria or standards listed for a pet animal facility.

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OTHER REVIEW AGENCY COMMENTS:

The comments above encompass all agency comments we have received.

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MAJOR ISSUES AND CONCERNS:

The desirability or compatibility of the use with the surrounding area appears to be the most significant issue. While we have been asked by some commenters to look at the use through the lens of the previous use we are avoiding the comparisons. This is a new site with a new leadership that has its own unique issues. There have been some concerns raised with the scope of what the applicants have proposed here. At the direction of the staff, the proposal encompasses the long range view of the applicants. While we believe that this continues to be an appropriate strategy it may be expedient to move forward with a smaller less "ambitious" plan for this initial step and allow performance at this site drive future uses and or applications to allow expansions of the use.

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NEXT STEPS

The applicant's next step is to begin preparation of the next submittal, which will need to be the Public hearing application for the special review application. The next submitted application(s) must respond to all of the issues raised in both this memo and the attached referral comments.

The applicant must conduct a neighborhood meeting. The informational packet for this will be provided to the applicant at the meeting. This use has generated significant public interest and response therefore; we would strongly suggest the use of an independent facilitator for this case. The information for the neighborhood meeting process will be

provided to the applicant. Due to the level of interest, the staff will include the Red Feather Lakes Planning Advisory Committee in the mailing for any neighborhood meeting.

After the neighborhood meeting the next step is submittal of Public Hearing applications for the special review application for processing. This will include referral and public hearings with the Larimer County Planning Commission and Board of County Commissioners.

These comments are intended to be used as guidance for the applicant. The final decision on any application for Public Hearing application for the special review application rests with the Board of County Commissioners.

The applicant is reminded that any request for an appeal to any standard of the Code, which is related to this application, must be noted as a part of any future application. The appeals to standards or regulations may be integrated into any application or processed separately as a request to the Board of County Commissioners.