



# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOULDER COUNTY PLANNING COMMISSION AGENDA

**January 15, 2014**  
**Afternoon Session – 4:30 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 4:30 P.M.**

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **December 18, 2013** Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **Boulder County Comprehensive Creek Planning Initiative Overview**  
Briefing on Boulder County Comprehensive Creek Planning Initiative to engage residents in unincorporated Boulder County in post-flood creek rehabilitation, identify short-term site specific mitigation measures, and develop collaborative watershed-level master plans. Overview includes summary of December 2013-January 2014 community meetings and anticipated project activities.  
*Informational Item - No Action Requested*  
Public Testimony Will Not Be Taken  
(Staff Planner: Julie McKay)

### **ADJOURNED**

*The annual dinner has been rescheduled to February 19, 2014.*

#### **PLANNING COMMISSION ANNUAL DINNER AT 5:30 P.M.**

At Walnut Brewery (located at 1123 Walnut Street, Boulder).

Detailed information regarding these items, including maps and legal descriptions, is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.

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# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **January 8, 2014**.

*Shayla Najera*

Agent

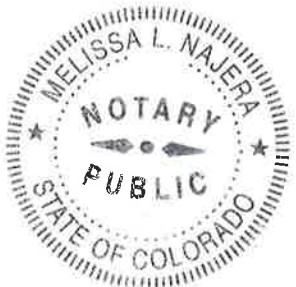
Subscribed and sworn to before me this **8th** day of **January, 2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*

Notary Public

My commission expires 12/11/2014

Account #220246  
Ad #5608980  
Fee \$19.62



### BOULDER COUNTY PLANNING COMMISSION AGENDA

January 15, 2014

Afternoon Session - 4:30 P.M.

Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

#### PUBLIC HEARING

AFTERNOON SESSION - 4:30 P.M.

#### 1. APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS

Approval of the December 18, 2013 Planning  
Commission Minutes.

#### 2. STAFF UPDATE(S) ON PROJECTS AND/OR DE- VELOPMENT REVIEW ITEMS (IF NECESSARY)

Informational Item - Public Testimony Will  
Not Be Taken

#### 3. Boulder County Comprehensive Creek Planning Initiative Overview

Briefing on Boulder County Comprehensive  
Creek Planning Initiative to engage residents  
in unincorporated Boulder County in post-flood creek  
rehabilitation, identify short-term  
site specific mitigation measures, and devel-  
op collaborative watershed-level master  
plans. Overview includes summary of Decem-  
ber 2013-January 2014 community meetings  
and anticipated project activities.

Informational Item - No Action Requested

Public Testimony Will Not Be Taken  
(Staff Planner: Julie McKay)

#### ADJOURNED

#### PLANNING COMMISSION ANNUAL DINNER AT 5:30 P.M.

At Walnut Brewery (located at 1123 Walnut  
Street, Boulder).

Detailed information regarding these items,  
including maps and legal descriptions, is  
available for public examination on the  
Boulder County Land Use website at  
[www.bouldercounty.org/lu](http://www.bouldercounty.org/lu) or at our office located  
at 2045 13th Street, Boulder, Colorado 303-441-3930.

Staff recommendation packets  
will be posted to the project page approxi-  
mately one week prior to the hearing.  
Published: Longmont Times-Call  
on January 8, 2014, Ad #5608980



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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

January 15, 2014

### AFTERNOON SESSION – 4:30 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on February 19, 2014}*

### PUBLIC MEETING

### AFTERNOON SESSION – 4:30 PM

On Wednesday, January 15, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 4:31 p.m. and adjourning at 5:25 p.m.

Commissioners Present: Ben Blaugrund (Acting Chair), Meg Blum, Dan Cohen, Scott Holwick, and Doug Young.

Commissioners Excused: Natalie Feinberg-Lopez, John Gerstle, Gail Hartman, and Pat Shanks.

Staff Present: Dale Case (Land Use Director), George Gerstle (Transportation Director), Barbara Andrews (Assistant County Attorney), Denise Grimm, Rick Hackett, Meredith Lanning, Julie McKay (Transportation Dept.), Iris Sherman (Public Health), and Ron West (Parks and Open Space).

Others: 2-4

### Boulder County Comprehensive Creek Planning Initiative Overview

Julie McKay, Planning Division Manager from the Transportation Department, gave a briefing on the Boulder County comprehensive Creek Planning Initiative to engage residents in unincorporated Boulder County in post-flood creek rehabilitation, identifying short-term site specific mitigation measures, and developing collaborative watershed-level master plans. The overview included a summary of December 2013-January 2014 community meetings and anticipated project activities.

***Informational Item – No Action Requested***

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*



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## BOULDER COUNTY PLANNING COMMISSION AGENDA

**February 19, 2014**  
**Study Session – 3:30 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC MEETING**

#### **STUDY SESSION – 3:30 P.M.**

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the December 18, 2013 and January 15, 2014 Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **INFORMATION SESSION REGARDING BOULDER COUNTY FLOODPLAIN REGULATIONS AND NATIONAL FLOOD INSURANCE PROGRAM**  
Boulder County staff along with experts from FEMA (TBD) to hold information session for Planning Commission on the National Flood Insurance Program (NFIP) and Boulder County's Floodplain regulations adopted as a part of the Program. Topics covered will include: NFIP background/ history/purpose; NFIP costs overall, how Program should work, and Biggert Water Reform; Community Rating System; Floodplain mapping – limitations and expectations; Special Flood Hazard Area requirements and Boulder County's floodplain regulations; Substantial Damage/Substantial Improvements; Floodproofing measures, costs, and insurance costs and implications; Enforcement requirements and expectations.  
*Informational Item - Public Testimony Will Not Be Taken*  
(Staff: Varda Blum- Floodplain Program Manager/Transportation Dept., Scott Coulson- Floodplain and Stormwater Permitting Specialist/Transportation Dept., Dave Webster- Project Engineer (Interim Flood Plain Manager during the flood)/ Transportation Dept., Kim Sanchez – Planning Division Manager/Land Use Dept., Dale Case- Director/Land Use Dept.)

### **ADJOURNED**

**PLANNING COMMISSION ANNUAL DINNER AT 5:30 P.M.**  
At Walnut Brewery (located at 1123 Walnut Street, Boulder).



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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

February 19, 2014

### AFTERNOON SESSION – 3:30 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on March 19, 2014}*

### PUBLIC MEETING

### AFTERNOON SESSION – 3:30 PM

On Wednesday, February 19, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 3:32 p.m. and adjourning at 5:28 p.m.

Commissioners Present: John Gerstle (Chair), Ben Blaugrund, Meg Blum, Natalie Feinberg-Lopez, Gail Hartman, Scott Holwick, Pat Shanks, and Doug Young

Commissioners Excused: Dan Cohen

Staff Present: Dale Case (Land Use Director), George Gerstle (Transportation Director), Kathy Acosta, Barbara Andrews (Assistant County Attorney), Varda Blum (Transportation Dept.), Scott Coulson (Transportation Dept.), Ron Flax, Rick Hackett, Bryan Harding, Michelle Huebner, Meredith Lanning, Kim Sanchez, Abby Shannon, Dave Webster (Transportation Dept.), and Ron West (Parks and Open Space).

Others: 12-14

### MINUTES/MISCELLANEOUS BUSINESS

**MOTION:** Pat Shanks MOVED that the Boulder County Planning Commission APPROVE the Minutes from December 18, 2013 as written.

**SECOND:** Doug Young

**VOTE:** Motion PASSED {6 to 0} (Abstained: Ben Blaugrund and Gail Hartman)

**MOTION:** Pat Shanks MOVED that the Boulder County Planning Commission APPROVE the Minutes from January 15, 2014 as written.

**SECOND:** Doug Young

36                   **VOTE:           Motion PASSED {4 to 0} (Abstained: Natalie Feinberg-Lopez, John**  
38                   **Gerstle, Gail Hartman, and Pat Shanks)**

**Information Session Regarding Boulder County Floodplain Regulations and National Flood Insurance Program**

40           Varda Blum, Floodplain Administrator for the Transportation Department, Dave Webster, Project  
42           Engineer/former Interim Floodplain Administrator from the Transportation Department, Chris Tagert  
44           (consultant from Michael Baker retained by the Transportation Department), and Kim Sanchez,  
46           Planning Division Manager for the Land Use Department, led an informational session for the  
46           Planning Commission on the National Flood Insurance Program (NFIP) and Boulder County's  
46           Floodplain regulations adopted as part of the program. Topics covered included:  
48               I.    Introductions and Meeting Objectives  
48               II.   National Flood Insurance Program (NFIP) and Community Rating System (CRS)  
50               III.   Floodplain Mapping  
50               IV.   Boulder County Floodplain Regulations  
52               V.    Flood proofing  
52               VI.   Substantial Damage/Substantial Improvements  
54               VII.   Floodplain Regulation Enforcement

56           Question and answer session followed.

58           ***Informational Item – No Action Requested***

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available  
for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder,  
Colorado 303-441- 3930.*

60



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## BOULDER COUNTY PLANNING COMMISSION AGENDA

**March 19, 2014**

**Afternoon Session – 1:30 P.M.**

**Second Afternoon Session – 3:30 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 1:30 P.M.**

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **February 19, 2014** Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **Docket LE-13-0001: ALLENSPARK FIRE PROTECTION DISTRICT**  
Request: Location and Extent review for the construction of a fire barn.  
Location: At 18720 Peak to Peak Highway, west of Peak to Peak Highway (HWY 7) and south of and adjacent to Bunce School Road approximately 3.5 miles south of Allenspark, Section 05, Township 2N, Range 72.  
Zoning: Forestry (F)  
Applicants: Robert Snell, Allenspark Fire Protection District  
Judith Snell, The Hilltop Guild  
Agents: Mike Daley  
Gary Maguire  
*Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner: Hannah Hippely)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=656](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=656)
4. **Docket LE-13-0002: FOUR MILE FIRE PROTECTION DISTRICT**  
Request: Location and extent review for the construction of a fire station.  
Location: At 1740 Fourmile Canyon Drive , immediately south of the intersection of Fourmile Canyon Drive and Poorman Road, Section 21, T1N, R71W.  
Zoning: Forestry (F)  
Applicant: Bret Gibson, Four Mile Fire Protection District  
*Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.*



Public testimony will be taken  
(Staff Planner: William Davidson)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=694](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=694)

**SECOND AFTERNOON SESSION – 3:30 P.M.**

5. **Docket DC-14-0002: Amendments to Land Use Code (“SI Cumulative Amendment”)**  
Proposed amendments to the Land Use Code to revise the CUMULATIVE “SUBSTANTIAL IMPROVEMENT” DEFINITION IN ART. 18-206.A. OF THE FLOODPLAIN OVERLAY DISTRICT REGULATIONS.  
*Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.*  
Public Testimony Will Be Taken  
(Staff Planners: Varda Blum, Floodplain Program Manager/Transportation Dept.,  
Kim Sanchez – Planning Division Manager/Land Use Dept.,)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx](http://www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx)

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



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## BOULDER COUNTY PLANNING COMMISSION **REVISED AGENDA**

**March 19, 2014**

**Afternoon Session – 1:30 P.M.**

**~~Second Afternoon Session – 3:30 P.M.~~**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 1:30 P.M.**

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **February 19, 2014** Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **Docket LE-13-0001: ALLENSPARK FIRE PROTECTION DISTRICT**  
Request: Location and Extent review for the construction of a fire barn.  
Location: At 18720 Peak to Peak Highway, west of Peak to Peak Highway (HWY 7) and south of and adjacent to Bunce School Road approximately 3.5 miles south of Allenspark, Section 05, Township 2N, Range 72.  
Zoning: Forestry (F)  
Applicants: Robert Snell, Allenspark Fire Protection District  
Judith Snell, The Hilltop Guild  
Agents: Mike Daley  
Gary Maguire  
*Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner: Hannah Hippely)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=656](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=656)
4. **Docket LE-13-0002: FOUR MILE FIRE PROTECTION DISTRICT**  
Request: Location and extent review for the construction of a fire station.  
Location: At 1740 Fourmile Canyon Drive , immediately south of the intersection of Fourmile Canyon Drive and Poorman Road, Section 21, T1N, R71W.  
Zoning: Forestry (F)  
Applicant: Bret Gibson, Four Mile Fire Protection District  
*Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken  
(Staff Planner: William Davidson)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=694](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=694)

**~~SECOND AFTERNOON SESSION 3:30 P.M.~~**

5. ~~**Docket DC-14-0002: Amendments to Land Use Code (“SI Cumulative Amendment”)**~~  
Proposed amendments to the Land Use Code to revise the CUMULATIVE “SUBSTANTIAL IMPROVEMENT” DEFINITION IN ART. 18-206.A. OF THE FLOODPLAIN OVERLAY DISTRICT REGULATIONS.  
*Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.*  
~~— Public Testimony Will Be Taken~~  
~~(Staff Planners: Varda Blum, Floodplain Program Manager/Transportation Dept., Kim Sanchez— Planning Division Manager/Land Use Dept.,)~~  
~~— Docket Webpage: [www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx](http://www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx)~~

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



# Land Use

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## PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: March 19, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
3:30 P.M. (Second Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

### AFTERNOON SESSION – 1:30 P.M.

#### **Docket LE-13-0001: ALLENSPARK FIRE PROTECTION DISTRICT**

A request for a Location and Extent review for the construction of a fire barn, by Robert Snell, Allenspark Fire Protection District and Judith Snell, The Hilltop Guild, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 18720 Peak to Peak Highway, west of Peak to Peak Highway (HWY 7) and south of and adjacent to Bunce School Road approximately 3.5 miles south of Allenspark, Section 05, Township 2N, Range 72. *Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### **Docket LE-13-0002: FOUR MILE FIRE PROTECTION DISTRICT**

A request for a Location and extent review for the construction of a fire station, by Bret Gibson, Four Mile Fire Protection District, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 1740 Fourmile Canyon Drive, immediately south of the intersection of Fourmile Canyon Drive and Poorman Road, Section 21, T1N, R71W. *Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

### SECOND AFTERNOON SESSION – 3:30 P.M.

#### **Docket DC-14-0002: Amendments to Land Use Code (“SI Cumulative Amendment”)**

Proposed amendments to the Land Use Code to revise the CUMULATIVE “SUBSTANTIAL IMPROVEMENT” DEFINITION IN ART. 18-206.A. OF THE FLOODPLAIN OVERLAY DISTRICT REGULATIONS. *Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.* Public testimony will be taken.

<b>ADJOURNED</b>
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Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: March 5, 2014-- Daily Times-Call

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# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **March 5, 2014**.

  
Agent

Subscribed and sworn to before me this **5th** day of **March, 2014** in the County of Boulder, State of Colorado.

  
Notary Public  
My commission expires **12/11/2014**

Account #220246  
Ad #5612631  
Fee \$32.83

NICHOLAS ROSS MIDDLEBROOKS  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID # 20054010888  
MY COMMISSION EXPIRES APRIL 19, 2017

### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: March 19, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
3:30 P.M. (Second Afternoon Session)  
PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County  
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 1:30 P.M.

##### Docket LE-13-0001: ALLENSPARK FIRE PROTECTION DISTRICT

A request for a Location and Extent review for the construction of a fire barn, by Robert Snell, Allenspark Fire Protection District and Judith Snell, The Hilltop Guild, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 18720 Peak to Peak Highway, west of Peak to Peak Highway (HWY 7) and south of and adjacent to Bunce School Road approximately 3.5 miles south of Allenspark, Section 05, Township 2N, Range 72. Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

##### Docket LE-13-0002: FOUR MILE FIRE PROTECTION DISTRICT

A request for a Location and extent review for the construction of a fire station, by Bret Gibson, Four Mile Fire Protection District, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 1740 Four-mile Canyon Drive, immediately south of the intersection of Fourmile Canyon Drive and Poorman Road, Section 21, T1N, R71W. Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### SECOND AFTERNOON SESSION - 3:30 P.M.

##### Docket DC-14-0002: Amendments to Land Use Code ("SI Cumulative Amendment")

Proposed amendments to the Land Use Code to revise the CUMULATIVE "SUBSTANTIAL IMPROVEMENT" DEFINITION IN ART. 18-206.A. OF THE FLOODPLAIN OVERLAY DISTRICT REGULATIONS. Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing. Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedocket.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing. Published in the Longmont Times-Call on March 5, 2014, Ad #5612631





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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

March 19, 2014

### AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on May 21, 2014}*

### PUBLIC HEARING

### AFTERNOON SESSION – 1:30 PM

On Wednesday, March 19, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 1:31 p.m. and adjourning at 3:26 p.m.

Commissioners Present: Ben Blaugrund (Acting Chair), Dan Cohen, Natalie Feinberg-Lopez, Lieschen Gargano, Pat Shanks, and Doug Young

Commissioners Excused: Meg Blum, Scott Holwick, and Gail Hartman

Staff Present: Barbara Andrews (Assistant County Attorney), William Davidson, Rick Hackett, Hannah Hippely, Meredith Lanning, Anita Riley (Transportation Dept.), and Ron West (Parks and Open Space).

Others: 9-11

### MINUTES/MISCELLANEOUS BUSINESS

**MOTION:** Natalie Feinberg-Lopez **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from February 19, 2014 as written.

**SECOND:** Dan Cohen

**VOTE:** Motion **PASSED** {5 to 0} (Abstained: Lieschen Gargano)

*At this time Commissioner Blaugrund welcomed Lieschen Gargano to the Planning Commission.*

**Docket LE-13-0001: ALLENSPARK FIRE PROTECTION DISTRICT**

34 Hannah Hippely, Senior Planner, presented the application for Robert Snell, Allenspark Fire  
36 Protection District and Judith Snell, The Hilltop Guild, for a Location and Extent review for the  
38 construction of a fire barn. The proposed project is located in the Forestry (F) Zoning District, at  
18720 Peak to Peak Highway, west of Peak to Peak Highway (HWY 7) and south of and adjacent to  
Bunce School Road approximately 3.5 miles south of Allenspark, Section 05, Township 2N, Range  
72. Staff recommended APPROVAL as outlined in the staff recommendation, dated March 19, 2014.

40 **SPEAKERS:** Mike Daley (Agent) – 13245 Hwy 7

42 **PUBLIC HEARING OPENED**

44 **SPEAKERS:** None

46 **PUBLIC HEARING CLOSED**

48 **MOTION:** Dan Cohen MOVED that the Boulder County Planning Commission  
50 **CONDITIONALLY APPROVE DOCKET LE-13-0001: ALLENSPARK**  
52 **FIRE PROTECTION DISTRICT FIRE BARN**, subject to the five (5)  
conditions listed in the staff recommendation:

54 **SECOND:** Natalie Feinberg-Lopez

56 **CONDITIONS OF APPROVAL**

- 58 1. The Applicant shall obtain all necessary building permits as required by the County  
Building Code.
- 60 2. Prior to the issuance of a building permit for the fire barn, an acceptable access  
62 easement shall be provided, and an access permit obtained from the County  
64 Transportation Department, with the installed access to comply with the adopted County  
Multimodal Transportation Standards. Prior to final inspection or the issuance of a  
66 certificate of occupancy for the fire barn, the access implementation shall be inspected  
and approved by the County Transportation Department.
- 68 3. A wildfire mitigation plan shall be submitted with the building permit for review and  
approval by the County Wildfire Mitigation Coordinator, and the approved plan shall be  
70 fully implemented prior to final inspection or the issuance of a certificate of occupancy  
72 for the fire barn. The plan shall be maintained over the life of the use.
- 74 4. The exterior colors, materials, and doors of the proposed District fire barn shall be  
approved by Land Use Staff with HPAB subcommittee review if necessary prior to the  
issuance of a building permit for the structure.
- 76 5. All areas of exposed soil that are disturbed by construction shall be revegetated, with  
78 revegetation limited to the use of native species.

80 **VOTE:** Motion PASSED Unanimously {6 to 0}

82



**Docket LE-13-0002: FOUR MILE FIRE PROTECTION DISTRICT**

84 William Davidson, Planner II, presented the application for Bret Gibson, Four Mile Fire Protection  
86 District for a Location and extent review for the construction of a fire station. The proposed project is  
located in the Forestry (F) Zoning District, at 1740 Fourmile Canyon Drive, immediately south of the  
intersection of Fourmile Canyon Drive and Poorman Road, Section 21, T1N, R71W. Staff  
88 recommended APPROVAL as outlined in the staff recommendation, dated March 19, 2014.

90 **SPEAKERS:** Bret Gibson (Applicant) – 87 Four Mile Canyon Drive

92 **PUBLIC HEARING OPENED**

94 **SPEAKERS:** David Hustvedt – 967 Poorman Road

96 **PUBLIC HEARING CLOSED**

98 **MOTION:** **Dan Cohen MOVED that the Boulder County Planning Commission**  
100 **CONDITIONALLY APPROVE DOCKET LE-13-0002: FOUR MILE**  
**PROTECTION DISTRICT FIRE BARN, subject to the seven (7)**  
102 **conditions listed in the staff recommendation:**

104 **SECOND:** **Ben Blaugrund**

106 **CONDITIONS OF APPROVAL**

- 108 1. The Applicant shall obtain all necessary building permits as required by the County  
Building Code. At the time of a building permit submittal any necessary geotechnical  
110 information for building permit review shall be required to ensure that on site  
geotechnical issues have been evaluated and addressed in the construction plans.
- 112 2. Prior to the issuance of a building permit for the fire station, an access permit shall be  
obtained from the County Transportation Department; the access shall comply with the  
114 adopted County Multimodal Transportation Standards. Prior to final inspection or the  
issuance of a certificate of occupancy for the fire station, the access implementation  
116 shall be inspected and approved by the County Transportation Department.
- 118 3. A wildfire mitigation plan shall be submitted with the building permit for review and  
approval by the County Wildfire Mitigation Coordinator; the plan shall be fully  
120 implemented prior to final inspection or the issuance of a certificate of occupancy for  
the fire station. The plan shall be maintained over the life of the use.
- 122 4. All areas of exposed soil that were disturbed by construction shall be revegetated and  
124 revegetation shall be limited to the use of native species.
- 126 5. Prior to the issuance of a building permit for the structure, the applicant shall submit  
exterior colors to Land Use staff for review and approval.
- 128 6. A lighting plan shall be submitted with the building permit for review and approval by  
130 the Land Use Department. The plan shall conform with the County requirements for  
exterior lighting and be fully implemented prior to final inspection or the issuance of a  
132 certificate of occupancy for the fire station.

- 134           7. Prior to the development of the site, the applicant should document any historic or  
136           archaeological resources which are found on the property. The applicant should hire a  
138           mining historian or historic archaeologist to complete the state historic preservation  
140           office Management Data Form and Historic Archaeological Component Form so that the  
142           site is officially documented prior to site disturbance due to the presence of the old  
              millsite on the property.

**VOTE:           Motion PASSED Unanimously {6 to 0}**

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available  
for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder,  
Colorado 303-441- 3930.*



# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOULDER COUNTY PLANNING COMMISSION AGENDA

**April 16, 2014**

**Afternoon Session – 1:30 P.M.**

**Second Afternoon Session – 3:30 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 1:30 P.M.**

1. **NOMINATION OF OFFICERS**  
Chair, Vice-Chair, and Second Vice-Chair
2. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **March 19, 2014** Planning Commission Minutes.
3. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
4. **Docket SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP**  
Request: Special Use and Site Specific Development application for a 2000 kW (2 MW) Medium Solar Energy System or Solar Garden.  
Location: At 1600 S. 66<sup>th</sup> Street, east of and adjacent to S. 66th Street, approximately 0.75 miles south of the intersection of Marshall Drive and S. 66th Street, in Section 23, T1S, R70W.  
Zoning: Agricultural (A)  
Property Owner: Cowdery Company  
Applicant: Richard L. Miller, Clean Energy Collective  
*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner(s): Hannah Hippely, Land Use Dept. and Ron West, Parks and Open Space Dept.)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=596](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=596)

**SECOND AFTERNOON SESSION – 3:30 P.M.**

**5. Docket DC-14-0002: Land Use Code Text Amendments related to the Floodplain Regulations, Articles 4 and 18**

Proposed Boulder County Land Use Code Text Amendments to the Floodplain Regulations, Articles 4 and 18, Concerning Cumulative Retroactive Application of "Substantial Improvement" Definition and Related Amendments.

*Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.*

Public testimony will be taken

(Staff Planner(s): Varda Blum, Floodplain Program Manager/Transportation Dept.,  
Kim Sanchez, Planning Division Manager/Land Use Dept.)

Docket Webpage: [www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx](http://www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx)

**6. WILDFIRE PARTNERS OVERVIEW**

In 2013, Boulder County received a \$980,000 grant from the Colorado Department of Natural Resources to implement Wildfire Partners. Modeled after EnergySmart, this voluntary program provides homeowners with an individual, home assessment with a Wildfire Mitigation Specialist; a customized report that identifies what actions homeowners must take to effectively mitigate their home; free access to Wildfire Phone Advisors; a follow-up inspection to verify that required mitigation measures are completed; and, \$300-\$1,300 in rebates and a Wildfire Partners Certificate for participants who pass their follow-up inspection. The program's target is to work with 500 homeowners in 2014; 420 applications were accepted during the first signup period.

*Informational Item - No Action Requested*

Public Testimony Will Not Be Taken

(Staff Planner: Jim Webster)

Webpage: <http://www.wildfirepartners.org/>

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



## Land Use

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### **PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION**

DATE: April 16, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
3:30 P.M. (Second Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### **AFTERNOON SESSION – 1:30 P.M.**

##### **Docket SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP**

A request for a Special Use and Site Specific Development application for a 2000 kW (2 MW) Medium Solar Energy System or Solar Garden, by Richard L. Miller, Clean Energy Collective, in accordance with the Boulder County Land Use Code. The proposed project is located in the Agricultural (A) Zoning District, at 1600 S. 66<sup>th</sup> Street, east of and adjacent to S. 66th Street, approximately 0.75 miles south of the intersection of Marshall Drive and S. 66th Street, in Section 23, T1S, R70W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### **SECOND AFTERNOON SESSION – 3:30 P.M.**

##### **Docket DC-14-0002: Land Use Code Text Amendments related to the Floodplain Regulations, Articles 4 and 18**

Proposed Boulder County Land Use Code Text Amendments to the Floodplain Regulations, Articles 4 and 18, Concerning Cumulative Retroactive Application of "Substantial Improvement" Definition and Related Amendments. *Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.* Public testimony will be taken.

##### **WILDFIRE PARTNERS OVERVIEW**

In 2013, Boulder County received a \$980,000 grant from the Colorado Department of Natural Resources to implement Wildfire Partners. Modeled after EnergySmart, this voluntary program provides homeowners with an individual, home assessment with a Wildfire Mitigation Specialist; a customized report that identifies what actions homeowners must take to effectively mitigate their home; free access to Wildfire Phone Advisors; a follow-up inspection to verify that required mitigation measures are completed; and, \$300-\$1,300 in rebates and a Wildfire Partners Certificate for participants who pass their follow-up inspection. The program's target is to work with 500

homeowners in 2014; 420 applications were accepted during the first signup period. *Informational Item - No Action Requested.* Public Testimony Will Not Be Taken.

<p style="text-align: center;"><b>ADJOURNED</b></p>
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Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: April 2, 2014-- Daily Times-Call

# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **April 2, 2014**.

TERRY LOVE

Agent

Subscribed and sworn to before me this **2nd** day of **April**, **2014** in the County of Boulder, State of Colorado.

Melissa L. Najera  
Notary Public

My commission expires 12/11/2014



Account #220246  
Ad #5614710  
Fee \$35.64

### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: April 16, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
3:30 P.M. (Second Afternoon Session)  
PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County  
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 1:30 P.M.

##### Docket SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP

A request for a Special Use and Site Specific Development application for a 2000 kW (2 MW) Medium Solar Energy System or Solar Garden, by Richard L. Miller, Clean Energy Collective, in accordance with the Boulder County Land Use Code. The proposed project is located in the Agricultural (A) Zoning District, at 1600 S. 66th Street, east of and adjacent to S. 66th Street, approximately 0.75 miles south of the intersection of Marshall Drive and S. 66th Street, in Section 23, T1S, R70W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### SECOND AFTERNOON SESSION - 3:30 P.M.

##### Docket DC-14-0002: Land Use Code Text Amendments related to the Floodplain Regulations, Articles 4 and 18

Proposed Boulder County Land Use Code Text Amendments to the Floodplain Regulations, Articles 4 and 18, Concerning Cumulative Retroactive Application of "Substantial Improvement" Definition and Related Amendments. Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing. Public testimony will be taken.

##### WILDFIRE PARTNERS OVERVIEW

In 2013, Boulder County received a \$980,000 grant from the Colorado Department of Natural Resources to implement Wildfire Partners. Modeled after EnergySmart, this voluntary program provides homeowners with an individual, home assessment with a Wildfire Mitigation Specialist; a customized report that identifies what actions homeowners must take to effectively mitigate their home; free access to Wildfire Phone Advisors; a follow-up inspection to verify that required mitigation measures are completed; and, \$300-\$1,300 in rebates and a Wildfire Partners Certificate for participants who pass their follow-up inspection. The program's target is to work with 500 homeowners in 2014; 420 applications were accepted during the first signup period. Informational Item - No Action Requested. Public Testimony Will Not Be Taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing. Published in the Longmont Times-Call on April 2, 2014. Ad #5614710





# Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOULDER COUNTY PLANNING COMMISSION AGENDA

**May 21, 2014**

**Afternoon Session – 1:30 P.M.**

**Second Afternoon Session – 4:15 P.M.**

**Evening Session – 7:00 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 1:30 P.M.**

1. **NOMINATION OF OFFICERS**  
Chair, Vice-Chair, and Second Vice-Chair
2. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **March 19, 2014** Planning Commission Minutes.
3. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
4. **Docket SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP**  
Request: Special Use and Site Specific Development application for a 2000 kW (2 MW) Medium Solar Energy System or Solar Garden.  
Location: At 1600 S. 66<sup>th</sup> Street, east of and adjacent to S. 66th Street, approximately 0.75 miles south of the intersection of Marshall Drive and S. 66th Street, in Section 23, T1S, R70W.  
Zoning: Agricultural (A)  
Property Owner: Cowdery Company  
Applicant: Richard L. Miller, Clean Energy Collective  
*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner(s): Hannah Hippely, Land Use Dept. and Ron West, Parks and Open Space Dept.)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=596](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=596)



5. **Docket SU-14-0002: WILDFLOWER PRESCHOOL SU/SSDP**

Request: Special Use Review and Site Specific Development Plan request to amend an existing Special Use Review (SU-97-03) in order to allow up to 48 full-time students and the preschool to operate year-round.

Location: At 4775 Cambridge Street, immediately northwest of where Cambridge Street intersects with Heatherwood Drive, in Section 12, T1N, R70W.

Zoning: Suburban Residential (SR)

Property Owner: Hans L'Orange, St. Mary Magdalene Episcopal Church

Applicant: Amy Harman, Wildflower Preschool

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken

(Staff Planner: Steven Williams)

Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=707](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=707)

**SECOND AFTERNOON SESSION – 4:15 P.M.**

6. **Boulder County Comprehensive Creek Planning Initiative Update**

Briefing on Boulder County Comprehensive Creek Planning Initiative to engage residents in unincorporated Boulder County in post-flood creek rehabilitation and develop collaborative watershed-level master plans.

*Informational Item - No Action Requested*

Public testimony will be taken

(Staff Planner: Julie McKay)

Project Webpage: [www.bouldercounty.org/flood/property/pages/creeks.aspx](http://www.bouldercounty.org/flood/property/pages/creeks.aspx)

7. **Docket DC-14-0002: Land Use Code Text Amendments related to the Floodplain Regulations, Articles 4 and 18**

Proposed Boulder County Land Use Code Text Amendments to the Floodplain Regulations, Articles 4 and 18, Concerning Cumulative Retroactive Application of "Substantial Improvement" Definition and Related Amendments.

*Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.*

Public testimony will be taken

(Staff Planner(s): Varda Blum, Floodplain Program Manager/Transportation Dept., Kim Sanchez, Planning Division Manager/Land Use Dept.)

Docket Webpage: [www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx](http://www.bouldercounty.org/property/build/pages/lucodeupdatedc140002.aspx)

**Planning Commission Dinner Break**

**EVENING SESSION – 7:00 P.M.**

8. **Docket BCCP-08-003: Boulder County Comprehensive Plan Update: Environmental Resources Element Update**

Report on small stakeholder group discussion regarding the rights of nature proposal presented to Planning Commission on April 4, 2013 and language alternatives to that

proposal for addition to the ERE, per direction provided by the Planning Commission on June 19 and October 16, 2013.

*Action Requested: Approval*

Public testimony will be taken

(Staff Planners: Peter Fogg and William Davidson)

Docket Webpage: [www.bouldercounty.org/property/build/pages/bccpupdate.aspx](http://www.bouldercounty.org/property/build/pages/bccpupdate.aspx)

**ADJOURNED**

**Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.**



# Land Use

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## PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: May 21, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
4:15 P.M. (Second Afternoon Session)  
7:00 P.M. (Evening Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

### AFTERNOON SESSION – 1:30 P.M.

#### **Docket SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP**

A request for a Special Use and Site Specific Development application for a 2000 kW (2 MW) Medium Solar Energy System or Solar Garden, by Richard L. Miller, Clean Energy Collective, in accordance with the Boulder County Land Use Code. The proposed project is located in the Agricultural (A) Zoning District, at 1600 S. 66<sup>th</sup> Street, east of and adjacent to S. 66th Street, approximately 0.75 miles south of the intersection of Marshall Drive and S. 66th Street, in Section 23, T1S, R70W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### **Docket SU-14-0002: WILDFLOWER PRESCHOOL SU/SSDP**

A request for a Special Use Review and Site Specific Development Plan request to amend an existing Special Use Review (SU-97-03) in order to allow up to 48 full-time students and the preschool to operate year-round, by Amy Harman, Wildflower Preschool, in accordance with the Boulder County Land Use Code. The proposed project is located in the Suburban Residential (SR) Zoning District, at 4775 Cambridge Street, immediately northwest of where Cambridge Street intersects with Heatherwood Drive, in Section 12, T1N, R70W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

### SECOND AFTERNOON SESSION – 4:15 P.M.

#### **Boulder County Comprehensive Creek Planning Initiative Update**

Briefing on Boulder County Comprehensive Creek Planning Initiative to engage residents in unincorporated Boulder County in post-flood creek rehabilitation and develop collaborative watershed-level master plans. *Informational Item - No Action Requested.* Public testimony will be taken.

**Docket DC-14-0002: Land Use Code Text Amendments related to the Floodplain Regulations, Articles 4 and 18**

Proposed Boulder County Land Use Code Text Amendments to the Floodplain Regulations, Articles 4 and 18, Concerning Cumulative Retroactive Application of "Substantial Improvement" Definition and Related Amendments. *Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.* Public testimony will be taken.

**EVENING SESSION – 7:00 P.M.**

**Docket BCCP-08-003: Boulder County Comprehensive Plan Update: Environmental Resources Element Update**

Report on small stakeholder group discussion regarding the rights of nature proposal presented to Planning Commission on April 4, 2013 and language alternatives to that proposal for addition to the ERE, per direction provided by the Planning Commission on June 19 and October 16, 2013. *Action Requested: Approval.* Public testimony will be taken.

**ADJOURNED**

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

---

Published: May 7, 2014-- Daily Times-Call

# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **May 7, 2014**.

*Shayla T. Najera*  
Agent

Subscribed and sworn to before me this **7th** day of **May**,  
**2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*  
Notary Public  
My commission expires 12/11/2014

Account #220246  
Ad #5617693  
Fee \$43.64



### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: May 21, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
4:15 P.M. (Second Afternoon Session)  
7:00 P.M. (Evening Session)

PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County  
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 1:30 P.M.

##### Docket SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP

A request for a Special Use and Site Specific Development application for a 2000 kW (2 MW) Medium Solar Energy System or Solar Garden, by Richard L. Miller, Clean Energy Collective, in accordance with the Boulder County Land Use Code. The proposed project is located in the Agricultural (A) Zoning District, at 1800 S. 66th Street, east of and adjacent to S. 66th Street, approximately 0.75 miles south of the intersection of Marshall Drive and S. 66th Street, in Section 23, T1S, R70W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

##### Docket SU-14-0002: WILDFLOWER PRESCHOOL SU/SSDP

A request for a Special Use Review and Site Specific Development Plan request to amend an existing Special Use Review (SU-97-03) in order to allow up to 48 full-time students and the preschool to operate year-round, by Amy Harman, Wildflower Preschool, in accordance with the Boulder County Land Use Code. The proposed project is located in the Suburban Residential (SR) Zoning District, at 4775 Cambridge Street, immediately northwest of where Cambridge Street intersects with Heatherwood Drive, in Section 12, T1N, R70W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### SECOND AFTERNOON SESSION - 4:15 P.M.

##### Boulder County Comprehensive Creek Planning Initiative Update

Briefing on Boulder County Comprehensive Creek Planning Initiative to engage residents in unincorporated Boulder County in post-flood creek rehabilitation and develop collaborative watershed-level master plans. Informational Item - No Action Requested. Public testimony will be taken.

##### Docket DC-14-0002: Land Use Code Text Amendments related to the Floodplain Regulations, Articles 4 and 18

Proposed Boulder County Land Use Code Text Amendments to the Floodplain Regulations, Articles 4 and 18, Concerning Cumulative Retroactive Application of "Substantial Improvement" Definition and Related Amendments. Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing. Public testimony will be taken.

#### EVENING SESSION - 7:00 P.M.

##### Docket BCCP-08-0003: Boulder County Comprehensive Plan Update: Environmental Resources Element Update

Report on small stakeholder group discussion regarding the rights of nature proposal presented to Planning Commission on April 4, 2013 and language alternatives to that proposal for addition to the ERE, per direction provided by the Planning Commission on June 19 and October 16, 2013. Action Requested: Approval. Public testimony will be taken.



**ADJOURNED**

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published in the Longmont Times-Call on May 7, 2014. Ad #5617693



# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOULDER COUNTY PLANNING COMMISSION

### MINUTES May 21, 2014

**AFTERNOON SESSION – 1:30 PM**  
**SECOND AFTERNOON SESSION – 4:15 PM**  
**EVENING SESSION – 7:00 PM**

**Hearing Room, Third Floor,  
County Courthouse, Boulder**

*{Approved on June 18, 2014}*

### PUBLIC HEARING

#### AFTERNOON SESSION – 1:30 PM

On Wednesday, May 21, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 1:30 p.m. and adjourning at 3:42 p.m.

Commissioners Present: Ben Blaugrund (Acting Chair), Natalie Feinberg-Lopez, Lieschen Gargano, Daniel Hilton, and Doug Young

Commissioners Excused: Meg Blum, Dan Cohen, Scott Holwick, and Pat Shanks

Staff Present: Dale Case (Land Use Director), William Davidson, Ben Doyle (Assistant County Attorney), Rick Hackett, Hannah Hippely, Meredith Lanning, Kim Sanchez, Ron West (Parks and Open Space) and Steven Williams.

Others: 3-5

*At this time Commissioner Blaugrund welcomed Daniel Hilton to the Planning Commission.*

#### NOMINATION OF OFFICERS

**MOTION:** Doug Young **MOVED** that the Planning Commission postpone the Nomination of Officers until the June 18, 2014, when more Commissioners are in attendance.

**SECOND:** Ben Blaugrund

**VOTE:** Motion **PASSED** Unanimously. {5 to 0}

**MINUTES/MISCELLANEOUS BUSINESS**

**MOTION:** Ben Blaugrund MOVED that the Boulder County Planning Commission APPROVE the Minutes from March 19, 2014 as written.

**SECOND:** Natalie Feinberg-Lopez

**VOTE:** Motion PASSED {4 to 0} (Abstained: Daniel Hilton)

**Docket SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP**

Hannah Hippely, Senior Planner, presented the application for Richard L. Miller, Clean Energy Collective, for a Special Use Review for a 2000 kW (2 MW) Medium Solar Energy System or Solar Garden. The proposed project is located in the Agricultural (A) Zoning District, at 1600 S. 66<sup>th</sup> Street, east of and adjacent to S. 66th Street, approximately 0.75 miles south of the intersection of Marshall Drive and S. 66th Street, in Section 23, T1S, R70W. Staff recommended DENIAL as outlined in the staff recommendation, dated April 16, 2014.

**SPEAKERS:** Jim Hartman, Clean Energy Collective – 3005 Center Green Drive, Ste. 205; Richard Miller, Clean Energy Collective – 3005 Center Green Drive, Ste. 205

**PUBLIC HEARING OPENED**

**SPEAKERS:** None

**PUBLIC HEARING CLOSED**

**MOTION:** Ben Blaugrund MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE DOCKET SU-13-0007: CLEAN ENERGY COLLECTIVE MEDIUM SOLAR GARDEN SU/SSDP, subject to conditions relating to the Applicant fulfilling the conditions that were already part of a prior approval and further conditions to be worked out between the Applicant and the County regarding noxious weed control, impact of construction, and fencing; including any additional conditions that the Applicant and County can agree upon.

**SECOND:** Natalie Feinberg-Lopez

**VOTE:** Motion PASSED Unanimously {5 to 0}

*At this time Planning Commission took a five minute break.*

**Docket SU-14-0002: WILDFLOWER PRESCHOOL SU/SSDP**

Steven Williams, Planner II, presented the application for Amy Harman, Wildflower Preschool for a Special Use Review and Site Specific Development Plan request to amend an existing Special Use



Review (SU-97-03) in order to allow up to 48 full-time students and the preschool to operate year-round. The proposed project is located in the Suburban Residential (SR) Zoning District, at 4775 Cambridge Street, immediately northwest of where Cambridge Street intersects with Heatherwood Drive, in Section 12, T1N, R70W. Staff recommended APPROVAL as outlined in the staff recommendation, dated May 21, 2014.

**SPEAKERS:** Amy Harman (Applicant) – 5337 Pine Valley Court.

**PUBLIC HEARING OPENED**

**SPEAKERS:** None

**PUBLIC HEARING CLOSED**

**MOTION:** Ben Blaugrund MOVED that the Boulder County Planning Commission **CONDITIONALLY APPROVE DOCKET SU-14-0002: WILDFLOWER PRESCHOOL SU/SSDP**, subject to the four (4) conditions listed in the staff recommendation:

**SECOND:** Natalie Feinberg-Lopez

**CONDITIONS OF APPROVAL**

1. The Applicant shall provide a Development Agreement for the Special Use Review of proposed Day Care Center facility for review and approval by County staff, which shall include the express limitations of the proposed use as outlined in the application materials and clarified in this staff report. These conditions include the following limitations: the Day Care Center use is for a maximum of 48 students, a maximum of eight employees, allowed to operate on a year-round basis, and is subject to the stated hours and days of operation (7:30 am – 5:30 pm, Monday – Friday). This use shall also be limited to the described educational wing of the facility. As this proposal is related to an existing use, the Applicants shall have this Development Agreement reviewed, approved, and recorded within 60 days of the adoption of the resolution related to this approval.
2. The Applicant shall either remove or relocate the tree that exists northeast of the existing driveway before the associated Development Agreement for this proposal is approved and recorded.
3. The Applicant shall install 6-8 evergreen shrubs be located to the north and east of the parking lot. A landscape screening plan shall be submitted for review and approval by Land Use staff before the associated Development Agreement for this proposal is approved and recorded.

The approved plan shall be incorporated into the Development Agreement and implementation of the required improvements shall be completed within 6 months of when the Development Agreement is recorded.

4. The Applicant shall be subject to the terms, conditions and commitments of record and in the file for **Docket SU-14-0002: WILDFLOWER PRESCHOOL SU/SSDP**.

**VOTE:** Motion PASSED Unanimously {5 to 0}

128

**PUBLIC HEARING**

**SECOND AFTERNOON SESSION – 4:15 PM**

130

On Wednesday, May 21, 2014, the Boulder County Planning Commission held a second afternoon session, convening at 4:16 p.m. and adjourning at 5:38 p.m.

132

Commissioners Present: Ben Blaugrund (Acting Chair), Natalie Feinberg-Lopez, Lieschen Gargano, Daniel Hilton, and Doug Young

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Commissioners Excused: Meg Blum, Dan Cohen, Scott Holwick, and Pat Shanks

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Staff Present: Dale Case (Land Use Director), Varda Blum (Transportation Dept.), William Davidson, Ben Doyle (Assistant County Attorney), Ron Flax, Peter Fogg, Denise Grimm, Rick Hackett, David Haines, Meredith Lanning, Julie McKay (Transportation Dept.), Kim Sanchez, Abby Shannon, and Ron West (Parks and Open Space).

140

Others: 3-5

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144

**Boulder County Comprehensive Creek Planning Initiative Update**

146

Julie McKay, Planning Division Manager from the Transportation Department, gave a briefing on the Boulder County Comprehensive Creek Planning Initiative to engage residents in unincorporated Boulder County in post-flood creek rehabilitation and develop collaborative watershed-level master plans.

148

150

**PUBLIC HEARING OPENED**

152

**SPEAKERS:** Terry Mayes – 18976 N St. Vrain; Clark Simms – No Address Given

154

**PUBLIC HEARING CLOSED**

156

*Informational Item – No Action Requested*

158

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**Docket DC-14-0002: Land Use Code Text Amendments related to the Floodplain Regulations, Articles 4 and 18**

Kim Sanchez, Planning Division Manager, and Varda Blum, Floodplain Program Manager with the Transportation Dept., presented the proposed Boulder County Land Use Code Text Amendments to the Floodplain Regulations, Articles 4 and 18, Concerning Cumulative Retroactive Application of "Substantial Improvement" Definition and Related Amendments. Staff recommended that the Boulder County Planning Commission APPROVE and recommend to the Board of County Commissioners APPROVAL of Docket DC-14-0002 as outlined in the staff recommendation, dated April 16, 2014.

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**PUBLIC HEARING OPENED**

170

**SPEAKERS:** Kenneth Deault – 8027 N 41<sup>st</sup> Street

172

174 **PUBLIC HEARING CLOSED**

176

178       **MOTION:**     **Ben Blaugrund MOVED that the Boulder County Planning Commission**  
180                   **APPROVE and recommend to the Board of County Commissioners**  
182                   **APPROVAL of Docket DC-14-0002: Land Use Code Text Amendments**  
184                   **related to the Floodplain Regulations, Articles 4 and 18 Concerning**  
186                   **Cumulative Retroactive Application of "Substantial Improvement"**  
188                   **Definition and Related Amendments, and certify the Docket for action to**  
190                   **the Board, which certification includes the approved text of the Docket,**  
192                   **and the official record of the Docket before the Commission with its staff**  
194                   **comments, public testimony, and Commission discussion/action.**

186       **SECOND:**     **Doug Young**

188       **VOTE:**       **Motion PASSED Unanimously. {5 to 0}**

190       *Planning Commission Dinner Break*

192

**PUBLIC HEARING**

194

<b>EVENING SESSION – 7:00 PM</b>
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196     On Wednesday, May 21, 2014, the Boulder County Planning Commission held an evening session,  
198     convening at 7:02 p.m. and adjourning at 9:47 p.m.

200     Commissioners Present: Ben Blaugrund (Acting Chair), Natalie Feinberg-Lopez, Lieschen Gargano,  
202     Daniel Hilton, and Doug Young

204     Commissioners Excused: Meg Blum, Dan Cohen, Scott Holwick, and Pat Shanks

206     Staff Present: Dale Case (Land Use Director), Justin Atherton-Wood (Parks and Open Space),  
208     William Davidson, Ben Doyle (Assistant County Attorney), Peter Fogg, Therese Glowacki (Parks  
210     and Open Space), Rick Hackett, Mac Kobza (Parks and Open Space), Meredith Lanning, Kim  
212     Sanchez, Abby Shannon, and Ron West (Parks and Open Space).

214     Others: 30-35

<b><u>Docket BCCP-08-003: Boulder County Comprehensive Plan Update: Environmental</u></b> <b><u>Resources Element Update</u></b>
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212     Peter Fogg, Senior Planner, gave an update on the small stakeholder group discussions regarding the  
214     rights of nature proposal presented to Planning Commission on April 4, 2013 and language  
216     alternatives to that proposal for addition to the ERE, per direction provided by the Planning  
218     Commission on June 19 and October 16, 2013. Staff requested DIRECTION and/or APPROVAL as  
220     outlined in the staff recommendation, dated May 21, 2014.

218 **PUBLIC HEARING OPENED**

220 **SPEAKERS:** James Duncan – 2375 Panorama Avenue; Steve Jones – 3543 Smuggler Way; Dale  
Ball – 4595 Whitney Place; M.J. Post – 4748 Eldorado Springs Drive; Ruby Bowman

– 1512 Lefthand Drive; David Blankinship – 867 Treece Street; Michael Thomason – 530 South 43<sup>rd</sup> Street; Amy Bowman – 8660 N. 75<sup>th</sup> Street; Francesca Howell – 1123 Cranbrook Court; Penny Nikel – 1072 Button Rock Drive; Lori Hayes – 3801 Pike Road; Susanne Webel – 5735 Prospect Road; Ted Bendelow – 3759 Vale View Lane; Joe Glynn – 4787 6<sup>th</sup> Street; Gary Sprung – 3675 Aspen Court; Chris Morrison – 4100 Aurora Avenue; Howard Witkin – 1498 Kiny Avenue; Charles Anderson – 3470 Ash Avenue; Peg Cage – 13683 Vermillion Trail; Virginia Schuster – 544 Hilltop Street; Cathy Comstock – 2125 18<sup>th</sup>; Morgan Lommele – 1310 Lehigh Street; Ellyn Hilliard – 302 McConnell Drive; Walter Engelherdt – 10650 Yellowstone Road; Walter Maschmeyer – 9000 N. 39<sup>th</sup> Street; Mike Barrow – 1103 Alexandria Street; Morgan Howell – 1123 Cranbrook Court; Sarah Hallowell – 2435 Topaz Drive; Nelda Maschmeyer – 9000 N. 39<sup>th</sup> Street.

**PUBLIC HEARING CLOSED**

**MOTION:** Ben Blaugrund **MOVED** that the Boulder County Planning Commission requests that Staff come up with more specific language that Planning Commission can look at with a more complete Board; language that is similar to proposal 2 and/or 5 of Attachment F of the Staff Report, with the modifications that were discussed. Additional public testimony will not be taken on the language that Staff presents at the June 18, 2014 meeting.

**SECOND:** Doug Young

**VOTE:** Motion **PASSED** Unanimously {5 to 0}

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*



# Land Use

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## BOULDER COUNTY PLANNING COMMISSION AGENDA

**June 18, 2014**

**Afternoon Session – 1:30 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### PUBLIC HEARING

#### AFTERNOON SESSION – 1:30 P.M.

1. **NOMINATION OF OFFICERS**  
Chair, Vice-Chair, and Second Vice-Chair
2. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **May 21, 2014** Planning Commission Minutes.
3. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
4. **Docket SU-14-0005: BENDELE Indoor Riding Arena and Loafing Sheds**  
Request: Special Use Review and Site Specific Development Plan for development that exceeds 25,000 sq. ft. of total floor area on the property; in order to allow two 360 sq. ft. loafing sheds to be constructed in the floodplain (requiring a Floodplain Development Permit).  
Location: At 3618 Plateau Road, approximately 1/2 mile east of the intersection of Foothills Hwy and Plateau Road, in Section 19, T2N, R70W.  
Zoning: Rural Residential (RR) Zoning District  
Applicants: Raymond and Alison Bendele  
*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner: Steven Williams)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=774](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=774)
5. **Docket DC-14-0001: TEXT AMENDMENTS TO ARTICLE 4-512.I MARIJUANA REGULATIONS AND 4-516.Q HOME OCCUPATION**  
Proposed Boulder County Land Use Code Text Amendments to Article 4-512.I of the Boulder County Land Use Code to amend the current definition of Medical Marijuana Center to Marijuana Establishment which includes both retail and medical marijuana. Additional amendments include changes to marijuana terms, home occupation provisions, and marijuana grown for personal use.

*Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.*

Public testimony will be taken  
(Staff Planner: Deb Bristol)

Docket Webpage: [www.bouldercounty.org/property/build/pages/lucodeupdatedc140001.aspx](http://www.bouldercounty.org/property/build/pages/lucodeupdatedc140001.aspx)

**6. Docket BCCP-08-003: Boulder County Comprehensive Plan Update: Environmental Resources Element Update**

Draft language for inclusion into the Environmental Resources Element of the BCCP per specific direction and action provided by Planning Commission (5-0) at their May 21, 2014 public hearing.

*Action Requested: Approval*

Public Testimony Will Not Be Taken  
(Staff Planners: Peter Fogg and William Davidson)

Docket Webpage: [www.bouldercounty.org/property/build/pages/bccpupdate.aspx](http://www.bouldercounty.org/property/build/pages/bccpupdate.aspx)

**7. WILDFIRE PARTNERS OVERVIEW**

In 2013, Boulder County received a \$980,000 grant from the Colorado Department of Natural Resources to implement Wildfire Partners. Modeled after EnergySmart, this voluntary program provides homeowners with an individual, home assessment with a Wildfire Mitigation Specialist; a customized report that identifies what actions homeowners must take to effectively mitigate their home; free access to Wildfire Phone Advisors; a follow-up inspection to verify that required mitigation measures are completed; and, \$300-\$1,300 in rebates and a Wildfire Partners Certificate for participants who pass their follow-up inspection. The program's target is to work with 500 homeowners in 2014; 420 applications were accepted during the first signup period.

*Informational Item - No Action Requested*

Public Testimony Will Not Be Taken  
(Staff Planner: Jim Webster)

Webpage: <http://www.wildfirepartners.org/>

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



# Land Use

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## PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: June 18, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

### AFTERNOON SESSION – 1:30 P.M.

#### **Docket SU-14-0005: BENDELE Indoor Riding Arena and Loafing Sheds**

A request for a Special Use Review and Site Specific Development Plan for development that exceeds 25,000 sq. ft. of total floor area on the property; in order to allow two 360 sq. ft. loafing sheds to be constructed in the floodplain (requiring a Floodplain Development Permit), by Raymond and Alison Bendele, in accordance with the Boulder County Land Use Code. The proposed project is located in the Rural Residential (RR) Zoning District, at 3618 Plateau Road, approximately 1/2 mile east of the intersection of Foothills Hwy and Plateau Road, in Section 19, T2N, R70W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### **Docket DC-14-0001: TEXT AMENDMENTS TO ARTICLE 4-512.I MARIJUANA REGULATIONS AND 4-516.Q HOME OCCUPATION**

Proposed Boulder County Land Use Code Text Amendments to Article 4-512.I of the Boulder County Land Use Code to amend the current definition of Medical Marijuana Center to Marijuana Establishment which includes both retail and medical marijuana. Additional amendments include changes to marijuana terms, home occupation provisions, and marijuana grown for personal use. *Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.* Public testimony will be taken.

#### **Docket BCCP-08-003: Boulder County Comprehensive Plan Update: Environmental Resources Element Update**

Draft language for inclusion into the Environmental Resources Element of the BCCP per specific direction and action provided by Planning Commission (5-0) at their May 21, 2014 public hearing. *Action Requested: Approval.* Public Testimony Will Not Be Taken.

#### **WILDFIRE PARTNERS OVERVIEW**

In 2013, Boulder County received a \$980,000 grant from the Colorado Department of Natural Resources to implement Wildfire Partners. Modeled after EnergySmart, this voluntary program provides homeowners with an individual, home assessment with a Wildfire Mitigation Specialist; a customized report that identifies what actions homeowners must take to effectively mitigate their home; free access to Wildfire Phone Advisors; a follow-up inspection to verify that required

mitigation measures are completed; and, \$300-\$1,300 in rebates and a Wildfire Partners Certificate for participants who pass their follow-up inspection. The program's target is to work with 500 homeowners in 2014; 420 applications were accepted during the first signup period. *Informational Item - No Action Requested.* Public Testimony Will Not Be Taken.

<p style="text-align: center;"><b>ADJOURNED</b></p>
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Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: June 4, 2014-- Daily Times-Call



# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

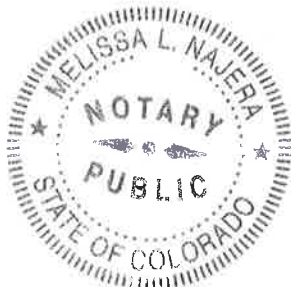
The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **June 4, 2014**.

*Shayla Najera*  
Agent

Subscribed and sworn to before me this **4th** day of **June**, **2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*  
Notary Public  
My commission expires 12/11/2014

Account #220246  
Ad #5620342  
Fee \$44.84



### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: June 18, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor, Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 1:30 P.M.

##### Docket SU-14-0005: BENDELE Indoor Riding Arena and Loading Sheds

A request for a Special Use Review and Site Specific Development Plan for development that exceeds 25,000 sq. ft. of total floor area on the property; in order to allow two 360 sq. ft. loading sheds to be constructed in the floodplain (requiring a Floodplain Development Permit), by Raymond and Alison Bendele, in accordance with the Boulder County Land Use Code. The proposed project is located in the Rural Residential (RR) Zoning District, at 3618 Plateau Road, approximately 1/2 mile east of the intersection of Foothills Hwy and Plateau Road, in Section 19, T2N, R70W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

##### Docket DC 14-0001: TEXT AMENDMENTS TO ARTICLE 4-512.1 MARIJUANA REGULATIONS AND 4-516.Q HOME OCCUPATION

Proposed Boulder County Land Use Code Text Amendments to Article 4-512.1 of the Boulder County Land Use Code to amend the current definition of Medical Marijuana Center to Marijuana Establishment which includes both retail and medical marijuana. Additional amendments include changes to marijuana terms, home occupation provisions, and marijuana grown for personal use. Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing. Public testimony will be taken.

##### Docket BCCP-08-003: Boulder County Comprehensive Plan Update: Environmental Resources Element Update

Draft language for inclusion into the Environmental Resources Element of the BCCP per specific direction and action provided by Planning Commission (5-0) at their May 21, 2014 public hearing. Action Requested: Approval. Public Testimony Will Not Be Taken.

##### WILDFIRE PARTNERS OVERVIEW

In 2013, Boulder County received a \$980,000 grant from the Colorado Department of Natural Resources to implement Wildfire Partners. Modeled after EnergySmart, this voluntary program provides homeowners with an individual, home assessment with a Wildfire Mitigation Specialist; a customized report that identifies what actions homeowners must take to effectively mitigate their home; free access to Wildfire Phone Advisors; a follow-up inspection to verify that required mitigation measures are completed; and, \$300-\$1,300 in rebates and a Wildfire Partners Certificate for participants who pass their follow-up inspection. The program's target is to work with 500 homeowners in 2014; 420 applications were accepted during the first sign-up period. Informational Item - No Action Requested. Public Testimony Will Not Be Taken.

**ADJOURNED**

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441-3525 at least 48 hours before the scheduled hearing.

Published in the Longmont Times-Call  
on June 4, 2014. Ad #5620342



# Land Use

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## BOULDER COUNTY PLANNING COMMISSION

MINUTES  
June 18, 2014

### AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on July 16, 2014}*

### PUBLIC HEARING

### AFTERNOON SESSION – 1:30 PM

On Wednesday, June 18, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 1:31 p.m. and adjourning at 4:05 p.m.

Commissioners Present: Scott Holwick (Chair), Ben Blaugrund, Dan Cohen, Natalie Feinberg-Lopez, Lieschen Gargano, Daniel Hilton, Pat Shanks, and Doug Young.

Staff Present: Dale Case (Land Use Director), Debra Bristol, William Davidson, Ben Doyle (Assistant County Attorney), Peter Fogg, Therese Glowacki (Parks and Open Space), Rick Hackett, David Hughes (Deputy County Attorney), Meredith Lanning, Kim Sanchez, Abby Shannon, Jim Webster, Ron West (Parks and Open Space) and Steven Williams.

Others: 8-10

### NOMINATION OF OFFICERS (Chair, First Vice Chair and Second Vice Chair)

#### Planning Commission Chair 2014:

**MOTION:** Ben Blaugrund NOMINATED Scott Holwick for Planning Commission Chair for 2014.

**SECOND:** Doug Young

**VOTE:** Motion PASSED Unanimously. {8 to 0}

#### Planning Commission Vice-Chair 2014:

**MOTION:** Dan Cohen NOMINATED Doug Young for Planning Commission Vice-Chair for 2014.

34           **SECOND:**     Lieschen Gargano

36           **VOTE:**       Motion PASSED Unanimously. {8 to 0}

38    Planning Commission 2<sup>nd</sup> Vice-Chair 2014:

40           **MOTION:**    Ben Blaugrund NOMINATED Dan Cohen for Planning Commission 2<sup>nd</sup>  
42                               Vice-Chair for 2014.

44           **VOTE:**       Motion PASSED Unanimously. {8 to 0}

46    *At this time Commissioner Blaugrund turned the meeting over to Commissioner Holwick, who  
presided as Planning Commission Chair for the remainder of the meeting.*

48    *At this time Commissioner Holwick welcomed Lieschen Gargano and Daniel Hilton to the Planning  
Commission.*

50

<b>MINUTES/MISCELLANEOUS BUSINESS</b>
---------------------------------------

52           **MOTION:**    Doug Young **MOVED** that the Boulder County Planning Commission  
54                               **APPROVE** the Minutes from May 21, 2014 as written.

56           **SECOND:**     Lieschen Gargano

58           **VOTE:**       Motion PASSED {5 to 0} (Abstained: Dan Cohen, Scott Holwick, and  
Pat Shanks)

60

<b><u>STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENTS REVIEW ITEMS</u></b>
--

62    Kim Sanchez, Planning Division Manager, provided a brief update on previously heard dockets.

- 64           • SU-13-0007: Clean Energy Collective Medium solar garden SU/SSDP is scheduled to go  
before the BOCC on July 3, 2014 at 2:00 p.m. and can be viewed via live webstream.
- 66           • June 12, 2014 the BOCC held a public hearing related to the oil and gas moratorium  
extension. A brief overview and moratorium amendment language was provided during the  
68           hearing. The BOCC will likely revisit the moratorium extension in November 2014.

70

<b><u>Docket SU-14-0005: BENDELE Indoor Riding Arena and Loafing Sheds SU/SSDP</u></b>
--

72    Steven Williams, Planner II, presented the application for Raymond and Alison Bendele, for a  
74    Special Use Review and Site Specific Development Plan for development that exceeds 25,000 sq.  
ft. of total floor area on the property, in order to allow two 360 sq. ft. loafing sheds to be  
constructed in the floodplain (requiring a Floodplain Development Permit). The proposed project  
76    is located in the Rural Residential (RR) Zoning District, at 3618 Plateau Road, approximately 1/2  
mile east of the intersection of Foothills HWY and Plateau Road, in Section 19, T2N, R70W. Staff

78 recommended APPROVAL as outlined in the staff recommendation, dated June 18, 2014.

80 **SPEAKERS:** Alison Bendele – 726 Grant Place

82 **PUBLIC HEARING OPENED**

84 **SPEAKERS:** None

86 **PUBLIC HEARING CLOSED**

88 **MOTION:** Pat Shanks **MOVED** that the Boulder County Planning Commission  
90 **CONDITIONALLY APPROVE** and recommend that the Board of  
County Commissioners **CONDITIONALLY APPROVE DOCKET SU-**  
92 **14-0005: BENDELE Indoor Riding Arena and Loafing Sheds SU/SSDP,**  
**subject to the five (5) conditions listed in the staff recommendation:**

94 **SECOND:** Ben Blaugrund

96 **CONDITIONS OF APPROVAL**

- 98 1. The Applicants shall provide a Development Agreement for the Special Use Review of  
proposed use and development for review and approval by County staff, which shall  
include a summary the existing uses and development, updated classifications of these  
100 uses relative to the current Land Use Code (as outlined in this staff recommendation)  
and the limitations of the proposed development, as outlined in the application materials  
102 and clarified in this staff report.
- 104 2. The Applicants shall receive the required Building and Floodplain Development permits  
before locating the proposed loafing sheds on their property. The proposed structures  
must wet flood-proofed and properly anchored.
- 106 3. At the time of final inspection, the Land Use Department must verify that all new or  
replacement exterior light fixtures are in conformance with the down lighting  
108 requirements of Article 7-1600 and Article 18-162A of the Boulder County Land Use  
Code.
- 110 4. No additional disturbance shall occur in riparian area. More specifically, the grazing  
area shall not be expanded within the riparian area beyond areas that are currently  
112 dedicated to this use, which staff has calculated to be roughly 1.5 acres between the  
existing agricultural buildings and an additional 1.5 acres of fenced paddocks that lies  
114 south of Table Mountain Ditch. The required Development Agreement shall reflect  
these area limitations and include a map that illustrates the limits of these designated  
116 grazing areas. This Agreement shall also reflect that these areas remain fenced.
- 118 5. The Applicant shall be subject to the terms, conditions, and commitments of record for  
Docket SU-14-0005: Bendele Loafing Sheds SU/SSDP.

120 **VOTE:** Motion **PASSED Unanimously {8 to 0}**

122

<p style="text-align: center;"><b><u>Docket DC-14-0001: TEXT AMENDMENTS TO ARTICLE 4-512.I MARIJUANA</u></b> <b><u>REGULATIONS AND 4-516.Q HOME OCCUPATIONS</u></b></p>
---

124 Debra Bristol, Planning Technician, presented the proposed Boulder County Land Use Code Text  
Amendments to Article 4-512.I of the Boulder County Land Use Code to amend the current definition  
126 of Medical Marijuana Center to Marijuana Establishment which includes both retail and medical

marijuana. Additional amendments include changes to marijuana terms, home occupation provisions, and marijuana grown for personal use. Staff recommended that the Boulder County Planning Commission APPROVE and recommend to the Board of County Commissioners APPROVAL of Docket DC-14-0001 as outlined in the staff recommendation, dated June 18, 2014.

**PUBLIC HEARING OPENED**

**SPEAKERS:** None

**PUBLIC HEARING CLOSED**

**MOTION:** Pat Shanks **MOVED** that the Boulder County Planning Commission **APPROVE** and recommend to the Board of County Commissioners **APPROVAL** of DC-14-0001: TEXT AMENDMENTS TO ARTICLE 4-512.I MARIJUANA REGULATIONS AND 4-516.Q HOME OCCUPATIONS having struck the 100 sq. ft. limit for home occupation growing and personal cultivation; and certify the Docket for action to the Board, which certification includes the approved text of the Docket, and the official record of the Docket before the Commission with its staff comments, public testimony, and Commission discussion/action.

**SECOND:** Ben Blaugrund

**VOTE:** Motion **PASSED** Unanimously. {8 to 0}

*At this time the Planning Commission took at 10 minute break.*

<p><b><u>Docket BCCP-08-003: Boulder County Comprehensive Plan Update: Environmental Resources Element Update</u></b></p>
---

Peter Fogg, Senior Planner, led a review of additional language addressing the county's responsibility for sustaining naturally occurring ecosystems and their dependent species through conservation and recovery planning for prioritized Species of Special Concern. Staff requested APPROVAL as outlined in the staff recommendation, dated June 18, 2014.

**MOTION:** Pat Shanks **MOVED** that the Boulder County Planning Commission **APPROVE** the language in Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE Environmental Resources Element Revision Update, as stated in the staff recommendation dated June 18, 2014:  
Acknowledging our responsibility to ensure that naturally occurring ecosystems and their native species populations continue to exist and flourish in Boulder County, Boulder County will develop conservation and recovery plans for priority Species of Special Concern.

**SECOND:** Natalie Feinberg-Lopez

**VOTE:** Motion **PASSED** Unanimously {8 to 0}

**WILDFIRE PARTNERS OVERVIEW**

178 Jim Webster, Wildfire Partners Program Coordinator, provided an overview of the Wildfire Partners  
180 Program.

182 *Informational Item – No Action Requested*

**ADJOURNED**

184

*Detailed information regarding these items, including maps and legal descriptions, is available  
for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder,  
Colorado 303-441- 3930.*

186





# Land Use

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## BOULDER COUNTY PLANNING COMMISSION AGENDA

**July 16, 2014**  
**Afternoon Session – 2:00 P.M.\*\***

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

**\*\*Please note the time change for the afternoon session from the regular 1:30 p.m. to 2:00 p.m.**

### PUBLIC HEARING

#### AFTERNOON SESSION – 2:00 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **June 18, 2014** Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **Docket LE-14-0001: SUGAR LOAF FIRE PROTECTION DISTRICT**  
Request: Location and Extent Review for the expansion of an existing fire station.  
Location: At 1677 Lost Angel Road, approximately 0.15 miles southeast of where Sugarloaf Road and Old Post Office Road intersect, in Section 25, T1N, R72W.  
Zoning: Forestry (F) Zoning District  
Applicant: Sugar Loaf Fire Protection District  
Agent: Miles LaHue, Idiam Architecture  
*Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner: Steven Williams)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=789](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=789)
4. **Docket V-14-0001: MCGUFFEE / BRYANT / IVEY / CORGAN / BAUGH / NICHOLS / TURNER-SIMPSON LP / STEPPERUD / FRAZIER Vacation**  
Request: Request to vacate a portion of the northern half of Spencer Avenue lying south of Block 20, together with portions of the alleys in Block 20 and Block 25, Eldora.  
Location: At 560, 574, 598, 602, 644, 666, 698, 702 Eldorado Avenue and 150 6<sup>th</sup> Street, Eldora Townsite - Spencer Ave south of Block 20 and portions of alleys within Blocks 20 and 25, in Section 21, T1S, R73W.

Zoning: Forestry (F) Zoning District  
Applicants: Elizabeth and Cris McGuffee, Alexander and Elizabeth Ivey, Kimberly and William Baugh, Ronald and Barbara Nichols, Turner-Simpson LP, Lorentz Carr Stepperud, Bruce and Marian Bryant, Howard and Rachel Frazier, Scott and Joan Schumaker

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken

(Staff Planner: William Davidson)

Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=729](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=729)

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



## Land Use

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### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: July 16, 2014  
TIME: 2:00 P.M. (Afternoon Session)\*\*  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

**\*\*Please note the time change for the afternoon session from the regular 1:30 p.m. to 2:00 p.m.**

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION – 2:00 P.M.

##### **Docket LE-14-0001: SUGAR LOAF FIRE PROTECTION DISTRICT**

A request for a Location and Extent Review for the expansion of an existing fire station, by Sugar Loaf Fire Protection District, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 1677 Lost Angel Road, approximately 0.15 miles southeast of where Sugarloaf Road and Old Post Office Road intersect, in Section 25, T1N, R72W. *Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

##### **Docket V-14-0001: MCGUFFEE / BRYANT / IVEY / CORGAN / BAUGH / NICHOLS / TURNER-SIMPSON LP / STEPPERUD / FRAZIER Vacation**

A request to vacate a portion of the northern half of Spencer Avenue lying south of Block 20, together with portions of the alleys in Block 20 and Block 25, Eldora, by Elizabeth and Cris McGuffee, Alexander and Elizabeth Ivey, Kimberly and William Baugh, Ronald and Barbara Nichols, Turner-Simpson LP, Lorentz Carr Stepperud, Bruce and Marian Bryant, Howard and Rachel Frazier, Scott and Joan Schumaker, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 560, 574, 598, 602, 644, 666, 698, 702 Eldorado Avenue and 150 6<sup>th</sup> Street, Eldora Townsite - Spencer Ave south of Block 20 and portions of alleys within Blocks 20 and 25, in Section 21, T1S, R73W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

**PC Public Notice**

**July 16, 2014**

**Page - 2 -**

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: July 8, 2014-- Daily Times-Call

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# Land Use

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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES July 16, 2014

#### AFTERNOON SESSION – 2:00 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on September 17, 2014}*

### PUBLIC HEARING

#### AFTERNOON SESSION – 2:00 PM

On Wednesday, July 16, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 2:03 p.m. and adjourning at 5:28 p.m.

Commissioners Present: Scott Holwick (Chair), Michael Baker, Ben Blaugrund, Lieschen Gargano, Daniel Hilton, and Doug Young.

Commissioners Excused: Dan Cohen, Natalie Feinberg-Lopez, and Pat Shanks.

Staff Present: William Davidson, Ben Doyle (Assistant County Attorney), Rick Hackett, Meredith Lanning, Kim Sanchez, Abby Shannon, and Steven Williams.

Others: 25-30

*At this time Commissioner Holwick welcomed Michael Baker to the Planning Commission.*

### MINUTES/MISCELLANEOUS BUSINESS

**MOTION:** Doug Young **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from June 18, 2014 as written.

**SECOND:** Ben Blaugrund

**VOTE:** Motion **PASSED** {5 to 0} (Abstained: Michael Baker)

### STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENTS REVIEW ITEMS

Kim Sanchez, Planning Division Manager, provided a brief update on previously heard dockets.

- 32 • SU-13-0007: Clean Energy Collective Medium solar garden SU/SSDP went before the  
34 BOCC on July 3, 2014. The Board approved the application, with the PC recommended  
36 conditions of approval, with addition of two conditions of approval; a provision for financial  
assurance to insure that any environmental damage is repaired, and removal of the facility  
and rehabilitation of the site at the end of its useful life.
- 38 • High Hazard Debris removal was successfully completed in time for spring runoff. The  
County will be doing a free mulch give away at the 28<sup>th</sup> and Jay Road Debris Management  
Site on Sunday, July 20<sup>th</sup> from 8:00 am to 2:00 p.m.
- 40 • The Land Use Department has issued determination letters for thirty one Hazard Mitigation  
42 Reviews, with sixteen more currently in process. There have been seven houses rebuilt  
following the flood, pursuant to the advice that was given through the Hazard Mitigation  
Review process.
- 44 • In August, Staff plans to present an informational item covering the interim mapping that is  
46 available.

**Docket LE 14-0001: SUGAR LOAF FIRE PROTECTION DISTRICT**

48 *At this time Commissioner Holwick disclosed for the record that his law firm represents Sugar Loaf*  
50 *Fire Protection District; therefore, he would need to recuse himself from this docket item. He then*  
52 *turned the meeting over to Commissioner Young, who presided as the Planning Commission Chair*  
*for this docket item.*

54 Steven Williams, Planner II, presented the application for Sugar Loaf Fire Protection District, for a  
56 Location and Extent Review for the expansion of an existing fire station. The proposed project is  
located in the Forestry (F) Zoning District, at 1677 Lost Angel Road, approximately 0.15 miles  
southeast of where Sugarloaf Road and Old Post Office Road intersect, in Section 25, T1N, R72W.  
58 Staff recommended APPROVAL as outlined in the staff recommendation, dated July 16, 2014.

60 **PUBLIC HEARING OPENED**

62 **SPEAKERS:** None

64 **PUBLIC HEARING CLOSED**

66 **MOTION:** Ben Blaugrund **MOVED** that the Boulder County Planning Commission  
68 **CONDITIONALLY APPROVE DOCKET LE-14-0001: SUGAR LOAF**  
**FIRE PROTECTION DISTRICT FIRE**, subject to the two (2)  
conditions listed in the staff recommendation:

70  
72 **SECOND:** Lieschen Gargano

**CONDITIONS OF APPROVAL**

- 74 1. The proposed addition shall be painted dark green to match the existing structure and  
76 blend with the natural landscape. Prior to the issuance of a building permit for the  
structure, the applicant shall submit exterior colors to Land Use staff for review and  
78 approval.
- 80 2. A lighting plan shall be submitted with the building permit for review and approval by  
the Land Use Department. The plan shall conform with the County requirements for

exterior lighting and be fully implemented prior to final inspection for the fire station addition.

**VOTE: Motion PASSED Unanimously {5 to 0}**

*At this time Commissioner Young turned the meeting back over to Commissioner Holwick, who presided as Planning Commission Chair for the remainder of the meeting.*

**Docket V-14-0001: MCGUFFEE / BRYANT / IVEY / CORGAN / BAUGH / NICHOLS /  
TURNER-SIMPSON LP / STEPPERUD / FRAZIER Vacation**

William Davidson, Planner II, presented the application for Elizabeth and Cris McGuffee, Alexander and Elizabeth Ivey, Kimberly and William Baugh, Ronald and Barbara Nichols, Turner-Simpson LP, Lorentz Carr Stepperud, Bruce and Marian Bryant, Howard and Rachel Frazier, Scott and Joan Schumaker, for a request to vacate a portion of the northern half of Spencer Avenue lying south of Block 20, together with portions of the alleys in Block 20 and Block 25, Eldora. The proposed project is located in the Forestry (F) Zoning District, at 560, 574, 598, 602, 644, 666, 698, 702 Eldorado Avenue and 150 6<sup>th</sup> Street, Eldora Townsite - Spencer Ave south of Block 20 and portions of alleys within Blocks 20 and 25, in Section 21, T1S, R73W. Staff recommended APPROVAL as outlined in the staff recommendation, dated July 16, 2014.

**SPEAKERS:** Liz McGuffee (Applicant) – 574 Eldorado Avenue; Lex Ivey (Applicant) – 560 Eldorado Avenue

**PUBLIC HEARING OPENED**

**SPEAKERS:** Joe McDonald (Eldora Civic Association) – 695 Bryan Ave; Michael Bosma – 1885 Quince Ave; Earl Bolton – 502 Eldorado Ave; Duane Royer – 725 Bryan Ave; Duane Royer – 725 Bryan Ave; Liz Ivey – 560 Eldorado Ave; Rolf Stepperud – 666 Eldorado Ave; Ron Nichols – 602 Eldorado Ave; Bob Anderson – 780 Eldorado Ave; Kim Baugh – 598 Eldorado Ave; Matt Philips – 175 S. 7<sup>th</sup>.

**PUBLIC HEARING CLOSED**

*At this time the Planning Commission took at 10 minute break.*

**MOTION: Ben Blaugrund MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend that the Board of County Commissioners CONDITIONALLY APPROVE DOCKET V-14-0001: MCGUFFEE / BRYANT / IVEY / CORGAN / BAUGH / NICHOLS / TURNER-SIMPSON LP / STEPPERUD / FRAZIER Vacation, subject to the limitations that there will be no further construction or vegetative disturbance, of any kind, on any of the vacated lands, subject to the implementation of approved OWS. There will not be prevention of any preexisting public access and any such access should be put in an easement that is recorded. The intent of granting these vacations is to clear title for the legally existing structures and to help land owners come into compliance with their onsite waste water systems. Staff is directed to work with the two homeowners at 150 6<sup>th</sup> Avenue and 598 Eldorado Avenue regarding the structure that is currently in the alley to find an agreeable solution to vacate the entire**



alley and retain the improvements of 598 Eldorado Avenue on that parcel. The vacation must also create easements for existing Public Service Company utilities, for the preexisting utility lines.

**SECOND: Lieschen Gargano**

**VOTE: Motion PASSED Unanimously {6 to 0}**

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*

# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **July 8, 2014**.

*Shayla Najera*

Agent

Subscribed and sworn to before me this **8th** day of **July**,  
**2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*

Notary Public

My commission expires 12/11/2014

Account #220246  
Ad #5623518  
Fee \$33.23



### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: July 16, 2014

TIME: 2:00 P.M. (Afternoon Session)\*\*

PLACE: Commissioners Hearing Room, Third Floor, Boulder County Courthouse, 1325 Pearl Street

**\*\*Please note the time change for the afternoon**

session from the regular 1:30 p.m. to 2:00 p.m.

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 2:00 P.M.

##### Docket LE 14-0001: SUGAR LOAF FIRE PROTECTION DISTRICT

A request for a Location and Extent Review for the expansion of an existing fire station, by Sugar Loaf Fire Protection District, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 1677 Lost Angel Road, approximately 0.15 miles south-east of where Sugarloaf Road and Old Post Office Road intersect, in Section 25, T1N, R72W. Action Requested: Decision on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

##### Docket V-14-0001: MCGUFFEE / BRYANT / IVEY / CORGAN / BAUGH / NICHOLS / TURNER-SIMPSON LP / STEPPERUD / FRAZIER Vacation

A request to vacate a portion of the northern half of Spencer Avenue lying south of Block 20, together with portions of the alleys in Block 20 and Block 25, Eldora, by Elizabeth and Cris McGuffee, Alexander and Elizabeth Ivey, Kimberly and William Baugh, Ronald and Barbara Nichols, Turner-Simpson LP, Lorentz Carr Stepperud, Bruce and Marian Bryant, Howard and Rachel Frazier, Scott and Joan Schumaker, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 560, 574, 598, 602, 644, 666, 698, 702 Eldorado Avenue and 150 6th Street, Eldora Townsite - Spencer Ave south of Block 20 and portions of alleys within Blocks 20 and 25, in Section 21, T1S, R73W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441 3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303) 441 3525) at least 48 hours before the scheduled hearing.

Published in the Longmont Times-Call  
on July 8, 2014. Ad #5623518



# Land Use

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## BOULDER COUNTY PLANNING COMMISSION AGENDA

September 17, 2014

Afternoon Session – 1:30 P.M.

Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

### PUBLIC HEARING

#### AFTERNOON SESSION – 1:30 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the July 16, 2014 Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. Approval to change the December 2014 Planning Commission hearing date from Wednesday, December 17, 2014 to Tuesday, December 16, 2014 starting at 1:30 p.m.  
*Action Requested: Decision*  
Public testimony will not be taken.
4. **Program Update: Creek Recovery and Floodplain Management**  
Update on Boulder County Transportation Department post-flood programs for short and long-term creek recovery and floodplain management. Includes summary of High Hazard project implementation that occurred in Spring 2014 in watersheds throughout the county; update on the Comprehensive Creek Planning Initiative to identify stream restoration, flood mitigation, and other watershed recovery and resiliency projects; and overview of Colorado Water Conservation Board interim floodplain maps and use of them for floodplain management purposes.  
*Informational Item - No Action Requested*  
Public testimony will be taken  
(Transportation Staff: Julie McKay, Planning Manager, Brian Graham, Flood Recovery Coordinator, Stacey Proctor, Communications Specialist)  
Creek Project Webpage: [www.bouldercounty.org/flood/property/pages/creeks.aspx](http://www.bouldercounty.org/flood/property/pages/creeks.aspx)  
Interim Floodplain Map Webpage:  
[www.bouldercounty.org/property/flood/pages/interimfloodplainmap.aspx](http://www.bouldercounty.org/property/flood/pages/interimfloodplainmap.aspx)
5. **Docket DC-14-0004: BOULDER COUNTY LAND USE CODE TEXT AMENDMENTS RELATED TO ARTICLE 19, SPECIAL APPROVAL PROCEDURES FOR REDEVELOPMENT AND HAZARD MITIGATION FOLLOWING NATURAL DISASTERS, AND COMPANION CHANGES TO**

**ARTICLES 4-400, 4-600, 4-800, 4-1000, THE BOULDER COUNTY MULTIMODAL TRANSPORTATION STANDARDS, AND OTHER RELATED SECTIONS OF THE CODE AS APPROPRIATE**

Land Use Code text amendments to amend Article 19-200 (regulations addressing rebuilding and hazard mitigation of properties damaged or destroyed in the Front Range Flood); Article 4-400 (notification requirements for floodplain development permits); Article 4-800 (Site Plan Review standards related to hazard evaluation); Article 4-600 (Special Use criteria related to hazard evaluation); Article 4-1000 (nonconforming structures and uses); the Boulder County Multimodal Transportation Standards; and amendments to related sections of the Code as appropriate.

*Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.*

Public testimony will be taken

(Staff: Kim Sanchez, Planning Division Manager/Land Use Dept., Varda Blum, Floodplain Program Manager/Transportation Dept., Anita Riley, Senior Planner/Transportation Dept.)

Docket Webpage: [www.bouldercounty.org/property/build/pages/lucodeupdatedc140004.aspx](http://www.bouldercounty.org/property/build/pages/lucodeupdatedc140004.aspx)

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountvorg.lu](http://www.bouldercountvorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



## Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: September 17, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION – 1:30 P.M.

##### **Program Update: Creek Recovery and Floodplain Management**

Update on Boulder County Transportation Department post-flood programs for short and long-term creek recovery and floodplain management. Includes summary of High Hazard project implementation that occurred in Spring 2014 in watersheds throughout the county; update on the Comprehensive Creek Planning Initiative to identify stream restoration, flood mitigation, and other watershed recovery and resiliency projects; and overview of Colorado Water Conservation Board interim floodplain maps and use of them for floodplain management purposes.

*Informational Item - No Action Requested.* Public testimony will be taken.

##### **Docket DC-14-0004: BOULDER COUNTY LAND USE CODE TEXT AMENDMENTS RELATED TO ARTICLE 19, SPECIAL APPROVAL PROCEDURES FOR REDEVELOPMENT AND HAZARD MITIGATION FOLLOWING NATURAL DISASTERS, AND COMPANION CHANGES TO ARTICLES 4-400, 4-600, 4-800, 4-1000, THE BOULDER COUNTY MULTIMODAL TRANSPORTATION STANDARDS, AND OTHER RELATED SECTIONS OF THE CODE AS APPROPRIATE**

Land Use Code text amendments to amend Article 19-200 (regulations addressing rebuilding and hazard mitigation of properties damaged or destroyed in the Front Range Flood); Article 4-400 (notification requirements for floodplain development permits); Article 4-800 (Site Plan Review standards related to hazard evaluation); Article 4-600 (Special Use criteria related to hazard evaluation); Article 4-1000 (nonconforming structures and uses); the Boulder County Multimodal Transportation Standards; and amendments to related sections of the Code as appropriate. *Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.* Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-

3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: September 3, 2014-- Daily Times-Call

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# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **September 3, 2014**.

*Shayla Najera*  
Agent

Subscribed and sworn to before me this **3rd** day of **September, 2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*  
Notary Public  
My commission expires 12/11/2014

Account #220246  
Ad #5628910  
Fee \$32.03



**PUBLIC HEARING**  
**BOULDER COUNTY, COLORADO**  
**PLANNING COMMISSION**  
DATE: September 17, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County  
Courthouse, 1325 Pearl Street  
Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.  
**AFTERNOON SESSION - 1:30 P.M.**  
**Program Update: Creek Recovery and Floodplain Management**  
Update on Boulder County Transportation Department post-flood programs for short and long-term creek recovery and floodplain management. Includes summary of High Hazard project implementation that occurred in Spring 2014 in watersheds throughout the county; update on the Comprehensive Creek Planning Initiative to identify stream restoration, flood mitigation, and other watershed recovery and resiliency projects; and overview of Colorado Water Conservation Board Interim floodplain maps and use of them for floodplain management purposes.  
**Informational Item - No Action Requested.**  
Public testimony will be taken.  
**Docket DC 14-0004: BOULDER COUNTY LAND USE CODE TEXT AMENDMENTS RELATED TO ARTICLE 19, SPECIAL APPROVAL PROCEDURES FOR REDEVELOPMENT AND HAZARD MITIGATION FOLLOWING NATURAL DISASTERS, AND COMPANION CHANGES TO ARTICLES 4-400, 4-600, 4-800, 4-1000, THE BOULDER COUNTY MULTIMODAL TRANSPORTATION STANDARDS, AND OTHER RELATED SECTIONS OF THE CODE AS APPROPRIATE**  
Land Use Code text amendments to amend Article 19-200 (regulations addressing rebuilding and hazard mitigation of properties damaged or destroyed in the Front Range Flood); Article 4-400 (notification requirements for floodplain development permits); Article 4-800 (Site Plan Review standards related to hazard evaluation); Article 4-600 (Special Use criteria related to hazard evaluation); Article 4-1000 (nonconforming structures and uses); the Boulder County Multimodal Transportation Standards; and amendments to related sections of the Code as appropriate. **Action Requested: Recommendation of approval and certification of the docket by the Planning Commission to the Board of County Commissioners, following staff presentation and public hearing.** Public testimony will be taken.  
**ADJOURNED**  
Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.  
Published in the Longmont Times-Call on September 3, 2014. Ad #5628910





# Land Use

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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

September 17, 2014

### AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on October 15, 2014}*

### PUBLIC HEARING

### AFTERNOON SESSION – 1:30 PM

On Wednesday, September 17, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 1:30 p.m. and adjourning at 3:55 p.m.

Commissioners Present: Scott Holwick (Chair), Michael Baker, Dan Cohen, Natalie Feinberg-Lopez, Lieschen Gargano, Daniel Hilton, Pat Shanks, and Doug Young.

Commissioners Excused: Ben Blaugrund

Staff Present: Dale Case (Land Use Director), Varda Blum (Transportation Dept.), Ben Doyle (Assistant County Attorney), Brian Graham (Transportation Dept.), Rick Hackett, Bryan Harding, Meredith Lanning, Julie McKay (Transportation Dept.), Cindy Pieropan (Transportation Dept.), Kim Sanchez, and Abby Shannon.

Others: 5-8

### MINUTES/MISCELLANEOUS BUSINESS

**MOTION:** Doug Young **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from July 16, 2014 as written.

**SECOND:** Lieschen Gargano

**VOTE:** Motion **PASSED** {5 to 0} (Abstained: Dan Cohen, Natalie Feinberg-Lopez)

**APPROVAL OF HEARING DATE CHANGE**

Planning Commission **APPROVED** the date change for the December 2014 hearing from Wednesday, December 17, 2014 to Tuesday, December 16, 2014 starting at 1:30 p.m.

*Commissioner Shanks arrived after this decision.*

**Program Update: Creek Recovery and Floodplain Management**

Julie McKay, Planning Manager, Brian Graham, Flood Recovery Coordinator, and Varda Blum, Floodplain Program Manager provided an update on Boulder County Transportation Department post-flood programs for short and long-term creek recovery and floodplain management. Included was a summary of High Hazard project implementation that occurred in spring 2014 in watersheds throughout the county; an update on the Comprehensive Creek Planning Initiative to identify stream restoration, flood mitigation, and other watershed recovery and resiliency projects; and an overview of Colorado Water Conservation Board interim floodplain maps and use of them for floodplain management purposes.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Becky Meadows – 7979 Fourmile Canyon

**PUBLIC HEARING CLOSED**

*Informational Item – No Action Requested*

*Planning Commission took a five minute break.*

*At this time Commissioner Holwick turned the meeting over to Commissioner Young, who presided as Planning Commission Chair for the remainder of the meeting.*

**Docket DC-14-0004: BOULDER COUNTY LAND USE CODE TEXT AMENDMENTS  
RELATED TO ARTICLE 19, SPECIAL APPROVAL PROCEDURES FOR  
REDEVELOPMENT AND HAZARD MITIGATION FOLLOWING NATURAL  
DISASTERS, AND COMPANION CHANGES TO ARTICLES 4-400, 4-600, 4-800, 4-1000,  
THE BOULDER COUNTY MULTIMODAL TRANSPORTATION STANDARDS, AND  
OTHER RELATED SECTIONS OF THE CODE AS APPROPRIATE**

Kim Sanchez, Planning Division Manager/Land Use Department, Varda Blum, Floodplain Program Manager/Transportation Dept., and Cindy Pieropan, Flood Recovery Project Manager/Transportation Dept., presented the proposed Boulder County Land Use Code text amendments to amend Article 19-200 (regulations addressing rebuilding and hazard mitigation of properties damaged or destroyed in the Front Range Flood); Article 4-400 (notification requirements for floodplain development permits); Article 4-800 (Site Plan Review standards related to hazard evaluation); Article 4-600 (Special Use criteria related to hazard evaluation); Article 4-1000 (nonconforming structures and uses); the Boulder County Multimodal Transportation Standards; and amendments to related sections

of the Code as appropriate. Staff recommended that the Boulder County Planning Commission APPROVE and recommend to the Board of County Commissioners APPROVAL of Docket DC-14-0004 as outlined in the staff recommendation and addendum, dated September 17, 2014.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Tana Almatzuk - 725 James Canyon Drive; Becky Meadows – 7979 Fourmile Canyon

**PUBLIC HEARING CLOSED**

*Commissioner Holwick left prior to the motion.*

**MOTION:** Pat Shanks **MOVED** that the Boulder County Planning Commission **APPROVE** and recommend to the Board of County Commissioners **APPROVAL of DC-14-0004: Boulder County Land Use Code Text Amendments related to Article 19, Special Approval Procedures for Redevelopment and Hazard Mitigation Following Natural Disasters, and companion changes to Articles 4-400, 4-600, 4-800, 4-1000, the Boulder County Multimodal Transportation Standards, and other related sections of the Code as appropriate**, including the addendum provided, and certify the Docket for action to the Board, which certification includes the approved text of the Docket, and the official record of the Docket before the Commission with its staff comments, public testimony, and Commission discussion/action.

**SECOND:** Dan Cohen

**VOTE:** Motion **PASSED** Unanimously. {7 to 0}

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*



# Land Use

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## BOULDER COUNTY PLANNING COMMISSION AGENDA

**October 15, 2014**

**Afternoon Session – 1:30 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 1:30 P.M.**

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **September 17, 2014** Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE – ENVIRONMENTAL RESOURCES ELEMENT TEXT AND MAPS**  
Land Use and Parks and Open Space staff request for Planning Commission to ADOPT the previously approved text and map updates to the Environmental Resources Element.  
*Action Requested: Adoption*  
Public testimony will be taken  
(Staff Planner: Peter Fogg)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/bccpupdate.aspx](http://www.bouldercounty.org/property/build/pages/bccpupdate.aspx)
4. **Docket SI-13-0001: XCEL ENERGY Boulder County West Main and Louisville West Main Natural Gas Pipeline Replacement Request**  
Request: Areas and Activities of State Interest (1041) for the upgrade and replacement of approximately 24.3 miles of existing natural gas transmission lines. Project includes a new 16-inch line from the Boulder-Larimer County line to the Boulder-Roundup Valve Set on 95th Street south of Isabelle Road, a 12-inch line from the Boulder Junction Valve Set near North 95th Street and West Baseline Road to the Louisville Valve Set near South 96th Street and West Dillon Road, as well as 1.8 miles of smaller laterals.  
Location: Northeast Boulder County - 16 inch line entering the County at N. 95th Street, southwest to Airport Road, south to Oxford Road, then south along 95th Street to Isabelle Road. 12 inch line to extend along 95th Street between Baseline Road and Dillon Road. Please see application materials for specific project locations and information.
  - Sections 5, 8, 16, 17, 20, 21, 32 of Range 69W, Township 1N
  - Section 4, 5, 9, 16, 17 of Range 69W, Township 1S
  - Sections 6, 7, 17, 18, 20, 29, 32, 33 of Range 69W, Township 2N
  - Sections 4, 5, 8, 9, 17, 18, 19, 30, 31, 32 of Range 69W, Township 3N

Zoning: Estate Residential (ER), Rural Residential (RR) and Agricultural (A) Zoning Districts

Applicant: Public Service Company of Colorado – Cheryl Diedrich

Agents: Tetra Tech, Inc. – Stephanie Phippen

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken

(Staff Planner: Hannah Hippely)

Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=593](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=593)

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



## Land Use

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Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: October 15, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION – 1:30 P.M.

##### **Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE – ENVIRONMENTAL RESOURCES ELEMENT TEXT AND MAPS**

Land Use and Parks and Open Space staff request for Planning Commission to ADOPT the previously approved text and map updates to the Environmental Resources Element.

*Action Requested: Adoption.* Public testimony will be taken.

##### **Docket SI-13-0001: XCEL ENERGY Boulder County West Main and Louisville West Main Natural Gas Pipeline Replacement Request**

Areas and Activities of State Interest (1041) for the upgrade and replacement of approximately 24.3 miles of existing natural gas transmission lines. Project includes a new 16-inch line from the Boulder-Larimer County line to the Boulder-Roundup Valve Set on 95th Street south of Isabelle Road, a 12-inch line from the Boulder Junction Valve Set near North 95th Street and West Baseline Road to the Louisville Valve Set near South 96th Street and West Dillon Road, as well as 1.8 miles of smaller laterals, by Public Service Company of Colorado – Cheryl Diedrich, in accordance with the Boulder County Land Use Code. The proposed project is located in the Estate Residential (ER), Rural Residential (RR) and Agricultural (A) Zoning Districts, at Northeast Boulder County - 16 inch line entering the County at N. 95th Street, southwest to Airport Road, south to Oxford Road, then south along 95th Street to Isabelle Road. 12 inch line to extend along 95th Street between Baseline Road and Dillon Road. Please see application materials for specific project locations and information.

- Sections 5, 8, 16, 17, 20, 21, 32 of Range 69W, Township 1N
- Section 4, 5, 9, 16, 17 of Range 69W, Township 1S
- Sections 6, 7, 17, 18, 20, 29, 32, 33 of Range 69W, Township 2N
- Sections 4, 5, 8, 9, 17, 18, 19, 30, 31, 32 of Range 69W, Township 3N

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office

located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: October 1, 2014-- Daily Times-Call

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# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **October 1, 2014**.

*Shayla T. Najera*  
Agent

Subscribed and sworn to before me this **1st** day of  
**October, 2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*  
Notary Public  
My commission expires 12/11/2014

Account #220246  
Ad #5631399  
Fee \$33.63



### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: October 15, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County  
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 1:30 P.M.

#### Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE - ENVIRONMENTAL RESOURCES ELEMENT TEXT AND MAPS

Land Use and Parks and Open Space staff request for Planning Commission to ADOPT the previously approved text and map updates to the Environmental Resources Element.

Action Requested: Adoption. Public testimony will be taken.

#### Docket SJ-13-0001: XCEL ENERGY Boulder County West Main and Louisville West Main Natural Gas Pipeline Replacement Request

Areas and Activities of State Interest (1041) for the upgrade and replacement of approximately 24.3 miles of existing natural gas transmission lines. Project includes a new 16-inch line from the Boulder-Larimer County line to the Boulder-Roundup Valve Set on 95th Street south of Isabelle Road, a 12-inch line from the Boulder Junction Valve Set near North 95th Street and West Baseline Road to the Louisville Valve Set near South 96th Street and West Dillon Road, as well as 1.8 miles of smaller laterals, by Public Service Company of Colorado - Cheryl Diedrich, in accordance with the Boulder County Land Use Code. The proposed project is located in the Estate Residential (ER), Rural Residential (RR) and Agricultural (A) Zoning Districts, at Northeast Boulder County - 16 inch line entering the County at N. 95th Street, southwest to Airport Road, south to Oxford Road, then south along 95th Street to Isabelle Road. 12 inch line to extend along 95th Street between Baseline Road and Dillon Road. Please see application materials for specific project locations and information.

- Sections 5, 8, 16, 17, 20, 21, 32 of Range 69W, Township 1N

- Section 4, 5, 9, 16, 17 of Range 69W, Township 1S

- Sections 6, 7, 17, 18, 20, 29, 32, 33 of Range 69W, Township 2N

- Sections 4, 5, 8, 9, 17, 18, 19, 30, 31, 32 of Range 69W, Township 3N

Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published in the Longmont Times-Call on October 1, 2014. Ad #5631399



# Land Use

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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

October 15, 2014

### AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on November 19, 2014}*

### PUBLIC HEARING

### AFTERNOON SESSION – 1:30 PM

On Wednesday, October 15, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 1:30 p.m. and adjourning at 4:12 p.m.

Commissioners Present: Scott Holwick (Chair), Michael Baker, Ben Blaugrund, Dan Cohen, Natalie Feinberg-Lopez, Daniel Hilton, Pat Shanks, and Doug Young.

Commissioners Excused: Lieschen Gargano

Staff Present: Dale Case (Land Use Director), Justin Atherton-Wood (Parks and Open Space), Ben Doyle (Assistant County Attorney), Peter Fogg, Rick Hackett, Hannah Hippely, Jennifer Kesler (Parks and Open Space), Meredith Lanning, Kathy Parker (Assistant County Attorney), Kim Sanchez, and Abby Shannon.

Others: 15-20

### MINUTES/MISCELLANEOUS BUSINESS

**MOTION:** Doug Young **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from September 17, 2014 as written.

**SECOND:** Dan Cohen

**VOTE:** Motion **PASSED** Unanimously {6 to 0}

*Commissioner Shanks and Commissioner Blaugrund arrived after the approval of the minutes.*

**Docket BCCP-08-003: BOULDER COUNTY COMPREHENSIVE PLAN UPDATE –  
ENVIRONMENTAL RESOURCES ELEMENT TEXT AND MAPS**

Peter Fogg, Senior Planner, gave a brief summary of the history of this docket. Staff requested ADOPTION as outlined in the staff recommendation, dated October 15, 2014.

**PUBLIC HEARING OPENED**

**SPEAKERS:** None.

**PUBLIC HEARING CLOSED**

**MOTION:** Dan Cohen MOVED that the Boulder County Planning Commission ADOPT the text and map revisions to Docket BCCP-08-003 Boulder County Comprehensive Plan Update – Environmental Resources Element Text and Maps, as approved by the Commission on June 19, 2013, December 18, 2013, and June 18, 2014.

**SECOND:** Natalie Feinberg-Lopez

**VOTE:** Motion PASSED Unanimously {8 to 0}

**Docket SI-13-0001: XCEL ENERGY Boulder County West Main and Louisville West Main  
Natural Gas Pipeline Replacement Request**

*At this time Commissioner Holwick disclosed for the record that his law firm has been working with Xcel Energy on some of the negotiations for crossings of ditch company structures; therefore, he would need to recuse himself from this docket item. He then turned the meeting over to Commissioner Young, who presided as the Planning Commission Chair for the remainder of the meeting.*

Hannah Hippely, Senior Planner, presented the application for Public Service Company of Colorado – Cheryl Diedrich, for an Areas and Activities of State Interest (1041) for the upgrade and replacement of approximately 24.3 miles of existing natural gas transmission lines. Project includes a new 16-inch line from the Boulder-Larimer County line to the Boulder-Roundup Valve Set on 95th Street south of Isabelle Road, a 12-inch line from the Boulder Junction Valve Set near North 95th Street and West Baseline Road to the Louisville Valve Set near South 96th Street and West Dillon Road, as well as 1.8 miles of smaller laterals. The proposed project is located in the Estate Residential (ER), Rural Residential (RR) and Agricultural (A) Zoning Districts, at Northeast Boulder County - 16 inch line entering the County at N. 95th Street, southwest to Airport Road, south to Oxford Road, then south along 95th Street to Isabelle Road. 12 inch line to extend along 95th Street between Baseline Road and Dillon Road.

- Sections 5, 8, 16, 17, 20, 21, 32 of Range 69W, Township 1N
- Section 4, 5, 9, 16, 17 of Range 69W, Township 1S
- Sections 6, 7, 17, 18, 20, 29, 32, 33 of Range 69W, Township 2N
- Sections 4, 5, 8, 9, 17, 18, 19, 30, 31, 32 of Range 69W, Township 3N

Staff recommended APPROVAL as outlined in the staff recommendation, dated October 15, 2014.

**SPEAKERS:** Randy Blank (Applicant) – 1123 W. 3<sup>rd</sup> Avenue.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Martin Butley – 8065 Hygiene Road; Jim Vode – No Address Given; John Shaffer – 742 Windflower Drive.

**PUBLIC HEARING CLOSED**

**MOTION:** Ben Blaugrund MOVED that the Boulder County Planning Commission **CONDITIONALLY APPROVE** and recommend that the Board of County Commissioners **CONDITIONALLY APPROVE** Docket SI-13-0001: XCEL ENERGY Boulder County West Main and Louisville West Main Natural Gas Pipeline Replacement Request, **SUBJECT TO THE STAFF RECOMMENDED CONDITIONS INCLUDING THE RECOMMENDED CHANGES TO THE CONDITIONS MADE BY STAFF AFTER THE PUBLIC HEARING CLOSED IN RESPONSE TO THE APPLICANT'S LIST OF PROPOSED CHANGES TO THE CONDITIONS. THEREFORE, subject to the following conditions:**

**SECOND:** Dan Cohen

**Conditions of Approval:**

1. The Applicant shall be subject to the terms, conditions, and commitments of record and in the Docket file, including but not limited to those made in regards to preservation of cultural and historic resources, compensation for agricultural losses, the boring of wetland areas, riparian areas, and trails, preconstruction surveys for wildlife and weed/vegetation mapping, and noise minimization.
2. Prior to any construction activities on any given property or issuance of any permits specific to a site, the Applicant shall obtain all easements or other property rights necessary for the proposed work. The Applicant shall coordinate all ditch crossings with the appropriate ditch companies and all necessary licenses and agreements shall be in place prior to construction.
3. All phases of the project shall be done in compliance with applicable federal, state, and local statutes and regulations, including these conditions of approval. All required permits shall be obtained prior to construction including by way of example but not limited to County Floodplain Development Permits, a County Utility Construction Permit, County Access Permit, CDOT State Highway Access Permits, State and local requirements for a Storm water Management Plan (SWMP), dewatering permit, and air pollution emission notice (APEN), federal Endangered Species Act clearances for threatened and endangered species, and Army Corps of Engineers permits. Prior to any construction activities, the Applicant shall obtain all necessary federal, state, and local permits and the conditions of these permits shall be complied with throughout the life of the project.
4. PSCo shall coordinate with landowners to minimize impacts on agricultural production including but not limited to designing construction windows and planning construction schedules around sensitive times for agricultural and locating work areas to avoid agricultural drain tiles and more productive agricultural fields.
5. All easement and construction areas perimeters shall be delineated with a clear recognizable boundary (construction fence or equivalent). All activities shall stay within this boundary.
6. The Applicant shall fund a project overseer to monitor the project and ensure compliance with permit conditions and county requirements. This overseer must be both independent

of the primary construction contractor and have the authority to alter, direct, and/or stop any activity that will result in adverse environmental or agricultural impacts or violate the permit or county-approval conditions. Stopping work during wet soil conditions shall be specifically incorporated into the overseer's purview and authority. The project overseer shall provide reports to the county on a regular basis during construction, and monitor success of reclamation efforts for three years after completion of construction.

7. A reclamation plan shall be developed on a site-specific basis for all impacted lands so that lands disturbed by the construction of the pipeline shall be fully restored to pre-construction conditions or better. The reclamation plan should include a description of the current condition of the lands to be disturbed, sufficient to enable an assessment of adequate post-project restoration. Documentation of pre-disturbance conditions for agricultural lands shall include a detailed description of the agricultural operations /practices, irrigation and drainage systems, soil composition and profiles, and any other features pertinent to agricultural productivity. The Specifications for Soil Handling and Reclamation provided by Parks & Open Space for county properties may be used for guidance on private properties; however, the final plan should reflect the unique nature of the individual property and the goals of the property owner. Reclamation shall be monitored for a period of three years after completion of the reclamation plan on and individual property so that issues which aren't immediately apparent may be resolved.
8. The groundwater mitigation measures proposed by the Applicant shall be reviewed and approved by a qualified third party, approved by the County, who shall recommend changes or improvements to the plan and BMPs to ensure that groundwater is not adversely impacted by the project, the Parks and Open Space recommendation for the use of cutoff trenches and cutoff walls and the approach to handling drain tiles shall be included in the plan presented for review by the third party. The specific plans for groundwater mitigation measures shall be included in the 60% drawings and shall be reviewed by the third party at that time, recommended changes shall be included in the 90% drawings.
9. The Applicant shall provide the public with means to find information about the project status and timeline and have questions answered by the Applicant. The Applicant's shall create a website related to the project and shall notice that website to impacted property owners and County agencies. In addition, the Applicant shall create a hotline where the public may raise concerns or ask questions and expect a response within 24 hours. Fire Districts shall be made aware of any road closures which could impact emergency response routes.
10. In order to ensure existing and new active raptor and migratory bird nests are not disturbed, surveys should be conducted prior to construction and recommended seasonal and spatial buffer zones should be established and maintained.
11. Black-tailed prairie dog colonies exist throughout Boulder County. If the route requires construction through prairie dog colonies, the prairie dogs shall either be: (1) passively relocated or dispersed (i.e., temporarily removed from the construction zone by fencing, barriers, or other appropriate measures, so that the prairie dogs may return to their original habitat when construction/reclamation is concluded). This option is only acceptable as long as prairie dogs are not temporarily dispersed into new territory/habitat; (2) permanently moved to another location alive; or (3) humanely euthanized before onset of construction. A permit must be obtained from Colorado Parks and Wildlife prior to implementation of any trap/transplant effort.
12. Burrowing owl surveys are required if destruction or poisoning of prairie dog burrows will occur between March 15 and October 31 of any year. Surveys to detect burrowing owls should be performed as per the protocol provided by Parks and Open Space.

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13. If heavy equipment to be used for the project has previously been used in another stream, river, lake, reservoir, pond, or wetland, appropriate disinfection practices are necessary prior to construction to prevent the spread of New Zealand mud snails, zebra mussels, quagga mussels, whirling disease, and any other aquatic invasive species into the drainage. These practices are also necessary after project completion, prior to this equipment being used in another stream, river, lake, reservoir, pond, or wetland.

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14. The spread of noxious weed species shall be prevented through the implementation of a weed management plan and post construction revegetation. PSCo. shall work with Boulder County's weed specialist when developing and implementing any containment or revegetation work to ensure that noxious weeds do not spread from the project site, or become established in areas disturbed by construction. All Russian-olive trees – a state noxious weed – within the easements should be cut and the stumps removed or immediately treated with a systemic herbicide to prevent re-sprouting; however, Russian-olive trees can remain within the easements at the property owner's request. If stumps are not removed, inspections for re-sprouting must be completed for 3 years after construction, and subsequent control measures completed if necessary.

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15. The removal of large mature trees shall be avoided and other trees removed in construction should be replaced at a minimum 2 to 1 level, however tree replacement may be negotiated with individual land owners. County Parks and Open Space requires tree replacement on a 3 to 1 on County lands. A tree protection, removal and replacement plan shall be provided with the 90% construction drawings; this plan shall be reviewed and approved by the Land Use Department prior to any construction activities.

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16. Engineering and construction plans for 60% and 90% must be submitted for review and approval by the County Land Use, Parks and Open Space, and Transportation Departments prior to permit issuances. In addition to standard engineering and construction plan elements, these plans shall identify all laydown areas, temporary use areas; turn around areas, bore pit locations, and above ground facility schematics including a color and fencing scheme for all above ground facilities. The Applicant shall provide detailed information (on a parcel/property specific basis or pipeline segment basis) regarding the associated easement widths and types (permanent verses construction) and shall identify the linear footage of pipeline construction that will parallel Boulder County road rights-of-way, as well as identify any areas where the construction will encroach into the rights-of-way. These materials shall also include updated tables identifying all properties impacted by the project and shall identify all conservation easements and open spaces crossed by the project. The Applicant shall abide by any additional conditions that result from the review and approval of the 60% and 90% drawings.

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17. 60% and 90% plans shall include the details regarding how nearby utility infrastructure has been addressed (responding to the concerns raised in the referral comments).

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18. At the time of 60% and 90% plan submittal, the Applicant shall provide the County Land Use, Parks and Open Space, and Transportation Departments with GIS shapefiles showing the full length of the pipeline route, the method for construction (bore or trench), permanent and construction easements, location of above ground facilities, location of laydown areas, turn around areas, and temporary use areas. An updated set of information shall be provided once there are finalized plans.

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19. The Applicant shall hire a project overseer, approved by the County Engineer, to monitor and inspect the project and ensure compliance with Utility Construction Permit conditions and all other County requirements specific to the Transportation Department

issues and concerns. This overseer must be both independent of the primary construction contractor and project engineer and have the authority to alter, direct, and/or stop any activity that will result in adverse environmental or safety conditions or violates the condition(s) of the permit, county approval or accepted construction standards.

20. The Applicant shall comply with the Recommendation/Requirements provided by the Boulder County Parks and Open Space Department in the referral response dated 9/2/2014 and the Specific Conditions listed in the referral responses provided by the Boulder County Parks and Open Space Department dated 8/29/2014.

21. The Applicant shall hire a project overseer, approved by Parks & Open Space, to monitor and inspect the project and ensure compliance during construction and reclamation on county open space lands, including fee-owned, conservation easement-encumbered, and trail easement areas, to ensure that any construction and reclamation issues are promptly and adequately addressed to the county's satisfaction. This overseer must be both independent of the primary construction contractor and project engineer and have the authority to alter, direct, and/or stop any activity that will result in adverse environmental or safety conditions or violates the condition(s) of the permit, county approval or accepted construction standards.

22. All practicable methods (including watering, re-vegetation, synthetic cover, and/or chemical stabilization) shall be used to minimize fugitive particulates. The contractor will be responsible for developing and implementing the fugitive dust control plan.

23. The Applicant shall endeavor to negotiate overlapping easements with other utility easements where practicable.

**VOTE: Motion PASSED Unanimously {7 to 0}**

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*





## Land Use

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### **BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION JOINT STUDY SESSION AGENDA**

**November 3, 2014**  
**Joint Study Session – 5:00 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **JOINT STUDY SESSION WITHOUT PUBLIC TESTIMONY**

**JOINT STUDY SESSION – 5:00 P.M.**

**PLEASE NOTE THAT THIS MEETING WILL BE OPEN TO THE PUBLIC AND THE  
PUBLIC IS ENCOURAGED TO ATTEND, BUT NO PUBLIC TESTIMONY WILL BE  
TAKEN. THE MEETING WILL BE WEBSTREAMED.**

**1. BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update –  
Assessment and Options for Scope of Work**

Presentation by Clarion Associates, consultant for the City of Boulder, on the Scope of Work assignment which includes deliverables covering:

- Summary of current BVCP status, history, and policy directions
- Best practices for comprehensive plans
- Key themes from community, staff, and leadership input
- Analysis of current plan strengths and weaknesses

The purpose of the study session is to provide an opportunity for Planning Commission and the Board of County Commissioners to jointly review and discuss the Boulder Valley Comprehensive Plan and the upcoming 2015 Major Five Year Update and to provide feedback to the City's consultant regarding potential process and scope for the Update.

*Discussion Item – No Action Requested.* Public testimony will not be taken.

(Presenters: Clarion Associates (Ben Herman) with support from city and county staff, Peter Fogg – Senior Planner, Boulder County, Lesli Ellis – Comprehensive Plan Manager, City of Boulder)

Docket Webpage: [www.bouldercounty.org/property/build/pages/lubvcp150001.aspx](http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx)

**ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountygov.org/lu](http://www.bouldercountygov.org/lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.





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**PUBLIC MEETING  
BOULDER COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
AND PLANNING COMMISSION**

DATE: November 3, 2014  
TIME: 5:00 P.M. (Joint Study Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public study session will be held by the Boulder County Board of County Commissioners and the Planning Commission at the time and place specified above.

**JOINT STUDY SESSION WITHOUT PUBLIC TESTIMONY**

**JOINT STUDY SESSION – 5:00 P.M.**

**PLEASE NOTE THAT THIS MEETING WILL BE OPEN TO THE PUBLIC AND THE PUBLIC IS ENCOURAGED TO ATTEND, BUT NO PUBLIC TESTIMONY WILL BE TAKEN. THE MEETING WILL BE WEBSTREAMED.**

**Docket BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update – Assessment and Options for Scope of Work**

Presentation by Clarion Associates, consultant for the City of Boulder, on the Scope of Work assignment which includes deliverables covering:

- Summary of current BVCP status, history, and policy directions
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- Key themes from community, staff, and leadership input
- Analysis of current plan strengths and weaknesses

The purpose of the study session is to provide an opportunity for Planning Commission and the Board of County Commissioners to jointly review and discuss the Boulder Valley Comprehensive Plan and the upcoming 2015 Major Five Year Update and to provide feedback to the City's consultant regarding potential process and scope for the Update.

*Discussion Item – No Action Requested.* Public testimony will not be taken.

**ADJOURNED**

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at [www.bouldercounty.org/property/build/pages/lubvcp150001.aspx](http://www.bouldercounty.org/property/build/pages/lubvcp150001.aspx) or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441- 3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

**BOCC/PC Public Notice**

**November 3, 2014**

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Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published:           October 28, 2014-- Daily Times-Call



# Land Use

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## **BOULDER COUNTY BOARD OF COUNTY COMMISSIONERS AND PLANNING COMMISSION JOINT STUDY SESSION AGENDA**

### **MINUTES**

**November 3, 2014**

**JOINT STUDY SESSION – 5:00 PM**

**Hearing Room, Third Floor,  
County Courthouse, Boulder**

*{Approved on December 16, 2014}*

### **STUDY SESSION WITHOUT PUBLIC TESTIMONY**

#### **JOINT STUDY SESSION – 5:00 PM**

On Monday, November 3, 2014, the Boulder County Planning Commission held joint study session with the Board of County Commissioners, convening at 5:05 p.m. and adjourning at 6:39 p.m.

County Commissioners Present: Cindy Domenico, Deb Gardner, and Elise Jones.

Planning Commissioners Present: Scott Holwick (Chair), Michael Baker, Dan Cohen, Lieschen Gargano, Pat Shanks, and Doug Young

Planning Commissioners Excused: Ben Blaugrund, Natalie Feinberg-Lopez and Dan Hilton.

Staff Present: Dale Case (Land Use Director), Ben Doyle (Assistant County Attorney), Peter Fogg, Richard Hackett, Meredith Lanning, Kathy Parker (Assistant County Attorney), Kimberly Sanchez, and Abby Shannon.

Interested Other(s): 3-5

#### **BVCP-15-0001: Boulder Valley Comprehensive Plan 2015 Major Five Year Update – Assessment and Options for Scope of Work**

Peter Fogg, Senior Planner/Land Use Department, Lesli Ellis, Comprehensive Plan Manager/City of Boulder, and Ben Herman, Clarion Associates, presented the Boulder Valley Comprehensive Plan 2015 Major Five Year Update Scope of Work assignment which includes deliverables covering:

- Summary of current BVCP status, history, and policy directions
- Best practices for comprehensive plans
- Key themes from community, staff, and leadership input
- Analysis of current plan strengths and weaknesses

30 Planning Commission and the Board of County Commissioners reviewed and discussed the Boulder  
Valley Comprehensive Plan and the upcoming 2015 Major Five Year Update and provided feedback  
32 to the City's consultant regarding potential process and scope for the Update.

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**Discussion – No Action Requested**

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**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available  
for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder,  
Colorado 303-441- 3930.*

36



# Land Use

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## BOULDER COUNTY PLANNING COMMISSION AGENDA

**November 19, 2014**

**Afternoon Session – 3:00 P.M.\*\***

**\*\*Please note the time change from the regular 1:30 p.m. start to 3:00 p.m.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 3:00 P.M.**

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the **October 15, 2014** Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **Docket SU-14-0001: FIDELITY TOWERS and AT&T Telecommunications Facility SU/SSDP**  
Request: A Special Use and Site Specific Development Review for the installation of a new Telecommunications Facility including a 75 foot tall monopine design stealth tower and an associated 322 sq. ft. equipment shelter.  
Location: At 32161 Coal Creek Canyon Drive, North of and adjacent to Coal Creek Canyon Drive approximately 9.5 miles west of Highway 93, immediately west of the Coal Creek Fire Station, in Section 31, T1S, R71W.  
Zoning: Forestry (F) Zoning District  
Property Owner: Art Bosworth, Miramonte Limited Liability Company  
Applicant: Neil Wiser, Fidelity Tower Partners, LLC  
*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner: Hannah Hippely)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=688](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=688)

### **ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.

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### **PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION**

DATE: November 19, 2014  
TIME: 3:00 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### **AFTERNOON SESSION – 3:00 P.M.**

#### **Docket SU-14-0001: FIDELITY TOWERS and AT&T Telecommunications Facility SU/SSDP**

A Special Use and Site Specific Development Review for the installation of a new Telecommunications Facility including a 75 foot tall monopine design stealth tower and an associated 322 sq. ft. equipment shelter, by Neil Wiser, Fidelity Tower Partners, LLC, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 32161 Coal Creek Canyon Drive, North of and adjacent to Coal Creek Canyon Drive approximately 9.5 miles west of Highway 93, immediately west of the Coal Creek Fire Station, in Section 31, T1S, R71W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### **ADJOURNED**

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: November 5, 2014-- Daily Times-Call

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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

November 19, 2014

### AFTERNOON SESSION – 3:00 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on December 16, 2014}*

### PUBLIC HEARING

### AFTERNOON SESSION – 3:00 PM

On Wednesday, November 19, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 3:00 p.m. and adjourning at 3:45 p.m.

Commissioners Present: Doug Young (Acting Chair), Michael Baker, Ben Blaugrund, Dan Cohen, Daniel Hilton, and Pat Shanks.

Commissioners Excused: Natalie Feinberg-Lopez, Lieschen Gargano, and Scott Holwick.

Staff Present: Ben Doyle (Assistant County Attorney), Rick Hackett, Hannah Hippely, Meredith Lanning, Kathy Parker (Assistant County Attorney), Kim Sanchez, and Ron West.

Others: 5-8

### MINUTES/MISCELLANEOUS BUSINESS

**MOTION:** Dan Cohen **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from October 15, 2014 as written.

**SECOND:** Ben Blaugrund

**VOTE:** Motion **PASSED** Unanimously {6 to 0}

### **Docket SU-14-0001: FIDELITY TOWERS and AT&T Telecommunications Facility** **SU/SSDP**

Hannah Hippely, Senior Planner, presented the application for Neil Wiser, Fidelity Tower Partners, LLC, for a Special Use and Site Specific Development Review for the installation of a new Telecommunications Facility including a 75 foot tall monopine design stealth tower and an associated 322 sq. ft. equipment shelter. The proposed project is located in the Forestry (F) Zoning

District, at 32161 Coal Creek Canyon Drive, North of and adjacent to Coal Creek Canyon Drive approximately 9.5 miles west of Highway 93, immediately west of the Coal Creek Fire Station, in Section 31, T1S, R71W. Staff recommended APPROVAL as outlined in the staff recommendation, dated November 19, 2014.

**SPEAKERS:** Neil Wiser, Fidelity Tower Partners – 7539 E. Stroh Road;

**PUBLIC HEARING OPENED**

**SPEAKERS:** Kenny Zwick - 2454 S. Sedalia Circle; Arthur Bosworth – 32161 Coal Creek Canyon Drive; Karl Wagner - 37 Jennie Lane

**PUBLIC HEARING CLOSED**

**MOTION:** Pat Shanks **MOVED** that the Boulder County Planning Commission **CONDITIONALLY APPROVE** and recommend that the Board of County Commissioners **CONDITIONALLY APPROVE DOCKET SU-14-0001: FIDELITY TOWERS and AT&T Telecommunications Facility SU/SSDP**, subject to the five (5) conditions listed in the staff recommendation:

**SECOND:** Dan Hilton

**CONDITIONS OF APPROVAL**

1. The Applicant shall provide a Development Agreement, for review and approval by County staff, prior to the issuance of any permits by the Boulder County Land Use Department and prior to the recordation of said agreement.
2. The Applicant is subject to all applicable County Building Division requirements for a building permit. If wildfire mitigation is necessary the wildfire mitigation plan shall be designed to preserve as many trees as possible to maximize visual screening of the tower.
3. The new monopine color and branch design shall be reviewed and approved by Land Use prior to issuance of a building permit.
4. All unused structures and equipment, including but not limited to the tower, antenna, antenna mounting hardware, cable, and ground located equipment, shall be removed from the site immediately upon discontinuance of its use, at the operators and/or owners expense.
5. The Applicant shall be subject to the terms, conditions and commitments of record and in the file for Docket SU-14-0001: AT&T Telecommunication Monopine SU/SSDP.

**VOTE:** Motion PASSED Unanimously {6 to 0}

**STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENTS REVIEW ITEMS**

Kim Sanchez, Planning Division Manager, provided a brief update on previously heard dockets.

- On November 10, 2014 the BOCC held a public hearing related to the oil and gas moratorium extension. On November 13, 2014 the BOCC voted to extend the moratorium through July 1,



80           2018. A list of ongoing studies was sent to the Planning Commission as well as an update on  
82           the local lawsuit rulings. Additionally, Planning Commission was informed that there may be  
            additional regulatory amendments going forward in the future.

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**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available  
for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder,  
Colorado 303-441- 3930.*

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# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **November 5, 2014**.

*Shayla Najera*

Agent

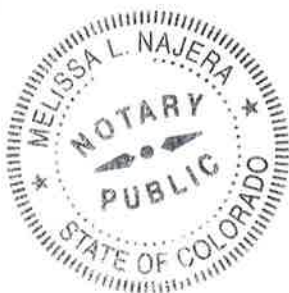
Subscribed and sworn to before me this **5th** day of **November, 2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*

Notary Public

My commission expires 12/11/2014

Account #220246  
Ad #5634129  
Fee \$21.62



**PUBLIC HEARING**  
**BOULDER COUNTY, COLORADO**  
**PLANNING COMMISSION**

DATE: November 19, 2014  
TIME: 3:00 P.M. (Afternoon Session)  
PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County  
Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

**AFTERNOON SESSION - 3:00 P.M.**  
**Docket SU-14-0001: FIDELITY TOWERS and AT&T Telecommunications Facility SU/SSDP**

A Special Use and Site Specific Development Review for the installation of a new Telecommunications Facility including a 75 foot tall monopole design stealth tower and an associated 322 sq. ft. equipment shelter, by Neil Wiser, Fidelity Tower Partners, LLC. In accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 32161 Coal Creek Canyon Drive, North of and adjacent to Coal Creek Canyon Drive approximately 9.5 miles west of Highway 93, immediately west of the Coal Creek Fire Station, in Section 31, T1S, R71W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.*

**ADJOURNED**

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers. Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.  
Published: Longmont Times-Call  
November 5, 2014, Ad #5634129



# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOULDER COUNTY PLANNING COMMISSION AGENDA

**December 16, 2014**

**Afternoon Session – 1:30 P.M.**

**Second Afternoon Session – 4:00 P.M.**

**Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street**

### **PUBLIC HEARING**

#### **AFTERNOON SESSION – 1:30 P.M.**

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**  
Approval of the November 3, 2014 and November 19, 2014 Planning Commission Minutes.
2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**  
Informational Item - Public Testimony Will Not Be Taken
3. **Docket SU-14-0008: ANCIENT ALTERNATIVES LLC SU/SSDP**  
Request: Special Use Review and Site Specific Development Plan request for a Retail and Personal Service Use (Marijuana Establishment) that will generate traffic volumes in excess of 150 average daily trips.  
Location: At 12626 N. 107<sup>th</sup> Street, located at the northeast corner of the intersection of 107th Street (U.S. HWY 287) and State HWY 66, in Section 22, T3N, R69W.  
Zoning: Business (B) Zoning District  
Property Owner: Jack A. Brown & Phyllis A. Family Trust  
Applicant: Loree Schwartz, Ancient Alternatives, LLC  
*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*  
Public testimony will be taken  
(Staff Planner: Steven Williams)  
Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=863](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=863)
4. **Docket SU-14-0004: FOOTHILLS BUSINESS PARK SU/SSDP AMENDMENT**  
Request: A Special Use and Site Specific Development Review to amend SU-97-06 to expand the uses on site into two existing buildings and clarify the uses allowed on site. Additionally, the application proposes to remove the potential for adding 13,000 sq. ft. of floor area as was contemplated in the approval of SU-97-06.  
Location: At 6859 and 7173 N. Foothills Highway, approx. 2 miles north of the intersection of Broadway and N. Foothills Hwy., on the west side of N. Foothills Hwy., in Sections 25 and 36, T2N, R71W.

Zoning: Light Industrial (LI) and Agricultural (A) Zoning Districts

Property Owner: Green Hill Investments, LLC

Applicant: Laszlo Bagi

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public testimony will be taken

(Staff Planner: Hannah Hippely)

Docket Webpage: [www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=782](http://www.bouldercounty.org/property/build/pages/docketdetails.aspx?docid=782)

## **PUBLIC HEARING**

### **SECOND AFTERNOON SESSION – 4:00 P.M.**

**5. Docket IGA-14-0001: Proposed Amendment to the Nederland Area Boulder County Comprehensive Development Plan: Evans Annexation**

Request: Review and recommendation to the Board of County Commissioners on a proposed amendment to the Nederland Area Boulder County Comprehensive Development Plan regarding an application to the Town of Nederland for the annexation of a 19.0 +/- acre portion of the Evans Property aka Aspen Trails, located on the east side of County Road 130 in Section 14, T1S R73W for a mixed residential use.

Location: At 365 Eldora Road (SE ¼ of the SE ¼ of Section 14, T1N R73W)

Zoning: Forestry (F) Zoning District

Applicant: Town of Nederland

Property Owners: Kayla Evans, Joseph Evans and Tamara Ann Holmbe

*Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.*

Public Testimony will be taken

(Staff Planner: Peter Fogg)

Docket Webpage: [www.bouldercounty.org/property/build/pages/iga140001.aspx](http://www.bouldercounty.org/property/build/pages/iga140001.aspx)

## **ADJOURNED**

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at [www.bouldercountyorg.lu](http://www.bouldercountyorg.lu) or at our office located at 2045 13th Street, Boulder, Colorado 303-441- 3930. Staff recommendation packets will be posted to the project page approximately one week prior to the hearing.



## Land Use

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### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: December 16, 2014  
TIME: 1:30 P.M. (Afternoon Session)  
4:00 P.M. (Second Afternoon Session)  
PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION – 1:30 P.M.

##### **Docket SU-14-0008: ANCIENT ALTERNATIVES LLC SU/SSDP**

A Special Use Review and Site Specific Development Plan request for a Retail and Personal Service Use (Marijuana Establishment) that will generate traffic volumes in excess of 150 average daily trips, by Loree Schwartz, Ancient Alternatives, LLC, in accordance with the Boulder County Land Use Code. The proposed project is located in the Business (B) Zoning District, at 12626 N. 107<sup>th</sup> Street, located at the northeast corner of the intersection of 107th Street (U.S. HWY 287) and State HWY 66, in Section 22, T3N, R69W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

##### **Docket SU-14-0004: FOOTHILLS BUSINESS PARK SU/SSDP AMENDMENT**

A Special Use and Site Specific Development Review to amend SU-97-06 to expand the uses on site into two existing buildings and clarify the uses allowed on site. Additionally, the application proposes to remove the potential for adding 13,000 sq. ft. of floor area as was contemplated in the approval of SU-97-06, by Laszlo Bagi, in accordance with the Boulder County Land Use Code. The proposed project is located in the Light Industrial (LI) and Agricultural (A) Zoning Districts, at 6859 and 7173 N. Foothills Highway, approx. 2 miles north of the intersection of Broadway and N. Foothills Hwy., on the west side of N. Foothills Hwy., in Sections 25 and 36, T2N, R71W. *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

#### SECOND AFTERNOON SESSION – 4:00 P.M.

##### **Docket IGA-14-0001: Proposed Amendment to the Nederland Area Boulder County Comprehensive Development Plan: Evans Annexation**

Review and recommendation to the Board of County Commissioners on a proposed amendment to the Nederland Area Boulder County Comprehensive Development Plan regarding an application to the Town of Nederland for the annexation of a 19.0 +/- acre portion of the Evans Property aka Aspen

Trails, located on the east side of County Road 130 in Section 14, T1S R73W for a mixed residential use, by The Town of Nederland, in accordance with the Boulder County Land Use Code. . The proposed project is located in the Forestry (F) Zoning District, at 365 Eldora Road (SE ¼ of the SE ¼ of Section 14, T1N R73W). *Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing.* Public testimony will be taken.

<p><b>ADJOURNED</b></p>
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Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13<sup>th</sup> Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

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Published: December 2, 2014-- Daily Times-Call

G:\Boards & Commissions\Minutes & Agendas\BOA-PC 2014\pc1412pno.DOC



# AFFIDAVIT OF PUBLICATION

## TIMES-CALL

State of Colorado  
County of Boulder

I, the undersigned agent, do solemnly swear that the LONGMONT TIMES-CALL is a daily newspaper printed, in whole or in part, and published in the City of Longmont, County of Boulder, State of Colorado, and which has general circulation therein and in parts of Boulder and Weld counties; that said newspaper has been continuously and uninterruptedly published for a period of more than six months next prior to the first publication of the annexed legal notice of advertisement, that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any, amendments thereof, and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado; that a copy of each number of said newspaper, in which said notice of advertisement was published, was transmitted by mail or carrier to each of the subscribers of said newspaper, according to the accustomed mode of business in this office.

The annexed legal notice or advertisement was published in the regular and entire edition of said daily newspaper once; and that one publication of said notice was in the issue of said newspaper dated **December 2, 2014**.

*Shayla Najera*

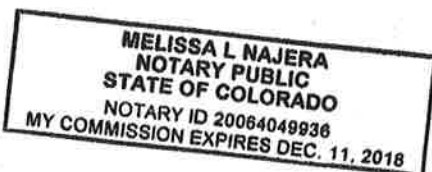
Agent

Subscribed and sworn to before me this **2nd** day of  
**December, 2014** in the County of Boulder, State of Colorado.

*Melissa L. Najera*

Notary Public

Account #220246  
Ad #5635702  
Fee \$40.84



### PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: December 16, 2014

TIME: 1:30 P.M. (Afternoon Session)

4:00 P.M. (Second Afternoon Session)

PLACE: Commissioners Hearing Room, Third Floor,  
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearings will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following items are requested to attend such hearing and aid the Commission members in their consideration.

#### AFTERNOON SESSION - 1:30 P.M.

##### Docket SU-14-0008: ANCIENT ALTERNATIVES LLC SU/SSDP

A Special Use Review and Site Specific Development Plan request for a Retail and Personal Service Use (Marijuana Establishment) that will generate traffic volumes in excess of 150 average daily trips, by Loree Schwartz, Ancient Alternatives, LLC, in accordance with the Boulder County Land Use Code. The proposed project is located in the Business (B) Zoning District, at 12626 N. 107th Street, located at the northeast corner of the intersection of 107th Street (U.S. HWY 287) and State HWY 66, in Section 22, T3N, R69W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

##### Docket SU-14-0004: FOOTHILLS BUSINESS PARK SU/SSDP AMENDMENT

A Special Use and Site Specific Development Review to amend SU-97-06 to expand the uses on site into two existing buildings and clarify the uses allowed on site. Additionally, the application proposes to remove the potential for adding 13,000 sq. ft. of floor area as was contemplated in the approval of SU-97-06, by Laszlo Bagl, in accordance with the Boulder County Land Use Code. The proposed project is located in the Light Industrial (LI) and Agricultural (A) Zoning Districts, at 6859 and 7173 N. Foothills Highway, approx. 2 miles north of the intersection of Broadway and N. Foothills Hwy., on the west side of N. Foothills Hwy., in Sections 25 and 36, T2N, R71W. Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### SECOND AFTERNOON SESSION - 4:00 P.M.

##### Docket IGA-14-0001: Proposed Amendment to the Nederland Area Boulder County Comprehensive Development Plan: Evans Annexation

Review and recommendation to the Board of County Commissioners on a proposed amendment to the Nederland Area Boulder County Comprehensive Development Plan regarding an application to the Town of Nederland for the annexation of a 19.0 +/- acre portion of the Evans Property aka Aspen Trails, located on the east side of County Road 130 in Section 14, T1S R73W for a mixed residential use, by The Town of Nederland, in accordance with the Boulder County Land Use Code. The proposed project is located in the Forestry (F) Zoning District, at 365 Eldora Road (SE 1/4 of the SE 1/4 of Section 14, T1N R73W). Action Requested: Recommendation to BOCC on proposed Docket following staff and applicant presentations and public hearing. Public testimony will be taken.

#### ADJOURNED

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at <http://www.bouldercounty.org/landusedockets.aspx> or at our office located at 2045 13th Street, corner of 13th and Spruce Street in Boulder or by calling (303) 441-3930. Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at hearing for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: Longmont Times-Call on December 2, 2014—Ad #5635702



# Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856  
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • [www.bouldercounty.org](http://www.bouldercounty.org)

## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

December 16, 2014

### AFTERNOON SESSION – 3:00 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder

*{Approved on January 21, 2015}*

### PUBLIC HEARING

### AFTERNOON SESSION – 3:00 PM

On Tuesday, December 16, 2014, the Boulder County Planning Commission held a regular afternoon session, convening at 1:31 p.m. and adjourning at 3:38 p.m.

Commissioners Present: Scott Holwick (Chair), Natalie Feinberg-Lopez, Lieschen Gargano, Daniel Hilton, Pat Shanks, and Doug Young.

Commissioners Excused: Michael Baker, Ben Blaugrund, and Dan Cohen

Staff Present: Dale Case (Land Use Director), Ben Doyle (Assistant County Attorney), Rick Hackett, Hannah Hippely, Meredith Lanning, Kathy Parker (Assistant County Attorney), Kim Sanchez, Ron West, and Steven Williams.

Others: 8-10

### MINUTES/MISCELLANEOUS BUSINESS

**MOTION:** Doug Young **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from November 3, 2014 as written.

**SECOND:** Pat Shanks

**VOTE:** Motion **PASSED** {4 to 0} (Abstained: Dan Hilton)

**MOTION:** Doug Young **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from November 19, 2014 as written.

**SECOND:** Pat Shanks



**VOTE: Motion PASSED {3 to 0} (Abstained: Lieschen Gargano, Scott Holwick)**

**STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENTS REVIEW ITEMS**

Kim Sanchez, Planning Division Manager, introduced new staff member Steven Giang and informed the Commission that the watershed master plans for St. Vrain Creek, Left Hand Creek, and Fourmile Creek are now completed and would come before them again, as an informational item, in January 2015.

**Docket SU-14-0008: ANCIENT ALTERNATIVES LLC SU/SSDP**

Steven Williams, Planner II, presented the application for Loree Schwartz, Ancient Alternatives, LLC, for a Special Use Review and Site Specific Development Plan request for a Retail and Personal Service Use (Marijuana Establishment) that will generate traffic volumes in excess of 150 average daily trips. The proposed project is located in the Business (B) Zoning District, at 12626 N. 107<sup>th</sup> Street, located at the northeast corner of the intersection of 107th Street (U.S. HWY 287) and State HWY 66, in Section 22, T3N, R69W. Staff recommended APPROVAL as outlined in the staff recommendation, dated December 16, 2014.

**PUBLIC HEARING OPENED**

**SPEAKERS:** None

**PUBLIC HEARING CLOSED**

**MOTION: Pat Shanks MOVED that the Boulder County Planning Commission CONDITIONALLY APPROVE and recommend that the Board of County Commissioners CONDITIONALLY APPROVE DOCKET SU-14-0008: ANCIENT ALTERNATIVES LLC SU/SSDP, subject to the seven (7) conditions listed in the staff recommendation:**

**SECOND: Lieschen Gargano**

**CONDITIONS OF APPROVAL**

1. The applicant shall provide a Development Agreement for the Special Use Review of proposed use and development for review and approval by County staff, which shall include a final site plan that illustrates the location of the onsite wastewater treatment system, the parking and vehicle circulation plan, vehicle access points to the property, and a landscaping plan. These plans shall be reviewed and approved by Land Use staff prior to inclusion in the development agreement.
2. The applicant shall apply for and receive the following required building permits based on the proposal:  
  
A deconstruction permit for the removal of chain-link fencing, the 100 sq. ft. shed, the non-compliant parking lot light and barbed wire fencing. Because this permit is required to bring the parcel into zoning requirements, it must be applied for and issued before the applicant can receive a building permit for the proposed change of use.

Building permits, plan review, and inspection approvals are required for the two sheds that are proposed to remain onsite. Because these permits are required to bring the parcel into zoning requirements, they must be applied for and issued before the applicant can receive a building permit for the proposed change of use.

A building permit, plan review, and inspection approvals are required for the proposed changes to the principal building and a new Certificate of Occupancy is required to achieve the proposed change of use and occupancy. This building permit application shall also include cut sheets of the exterior lighting fixtures proposed. All exterior lighting must be downcast and fully shielded.

Building permits, plan review, and inspection approvals are required for the two signs that are proposed onsite. Detailed permit applications will need to demonstrate compliance with Land Use standards, including the Boulder County Sign Code, and appropriate building codes.

The applicant shall submit cutsheets for all proposed exterior lighting fixtures to Land Use for review and approval as part of the required building permit for the proposed change of use. All exterior lighting fixtures are required to be downcast and fully shielded.

3. The applicant shall apply for and receive an onsite wastewater treatment system (OWTS) permit before the required Development Agreement can be recorded. This proposal needs to be reviewed and approved by both Public Health and Land Use. The preferred OWTS facility is a leach field, not a vault-based system, and the system needs to be designed to accommodate a public restroom facility, not an employee-only system. A vault system is only permissible if a licensed engineer can demonstrate that an adequate leach field cannot be accommodated onsite, the inconvenience (need to remove a hard surface or compacted gravel) of locating an OWTS shall not be considered sufficient grounds permitting a vault over an OWTS.

4. Medical marijuana is regulated by the State and County licensing authorities under the Colorado Medical Marijuana Act. Any such businesses located on this site shall obtain the necessary State and County licenses within 6 months after the recordation of the Development Agreement, or sooner if so required by the State or local licensing officials. Once issued, the Applicant/owner shall maintain compliance with the licenses.

5. The applicant shall provide a final landscaping/revegetation plan for Land Use review and approval before the required Development Agreement is approved and recorded. This plan will need to address the following standards:

- a) Neighborhood compatibility,
- b) Total vegetated/pervious area and revegetation measures, and
- c) Parking lot screening.

The final approved landscape plan shall be installed and inspected before a Certificate of Occupancy for the proposed change of use is issued.

6. The applicant shall utilize the internal access across the Wal-Mart Retail Center development to the east in lieu of utilizing existing accesses to Hwy 66 and Hwy 287, which shall be eliminated. The applicant shall have their final access, parking and circulation plan approved by CDOT before the required Development Agreement is approved and recorded. This plan will also be subject to a review by Land Use and

Transportation staff to ensure that vehicle access, parking, and vehicle site circulation, as well as overall site design meet relevant County criteria.

7. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for **Docket SU-14-0008: ANCIENT ALTERNATIVES SU/SSDP.**

**VOTE: Motion PASSED Unanimously {5 to 0}**

**Docket SU-14-0004: FOOTHILLS BUSINESS PARK SU/SSDP AMENDMENT**

Hannah Hippely, Senior Planner, presented the application for Laszlo Bagi, for a Special Use and Site Specific Development Review to amend SU-97-06 to expand the uses on site into two existing buildings and clarify the uses allowed on site. Additionally, the application proposes to remove the potential for adding 13,000 sq. ft. of floor area as was contemplated in the approval of SU-97-06. The proposed project is located in the Light Industrial (LI) and Agricultural (A) Zoning Districts, at 6859 and 7173 N. Foothills Highway, approx. 2 miles north of the intersection of Broadway and N. Foothills Hwy., on the west side of N. Foothills Hwy., in Sections 25 and 36, T2N, R71W. Staff recommended APPROVAL as outlined in the staff recommendation, dated December 16, 2014.

**SPEAKERS:** Madeline Meacham (Agent) – 1790 30<sup>th</sup> Street.

**PUBLIC HEARING OPENED**

**SPEAKERS:** Linda VanDervort – 66 S. Cherryvale Road; Shawn Colman – 3250 O’Neal Circle; Clay Douglas – No Address Given; Pamela Evans – 6859 N. Foothills Hwy.

**PUBLIC HEARING CLOSED**

**MOTION:** Scott Holwick MOVED that the Boulder County Planning Commission go into executive session for legal advice pursuant to CRS Section 24-6-402(4)(b).

**SECOND:** Lieschen Gargano

**VOTE:** Motion PASSED Unanimously {5 to 0}

Following the motion the Planning Commission and staff exited the hearing room and held an executive session in the BOCC Conference room.

*Commissioner Feinberg-Lopez arrived while the Commission was in executive session.*

**Meeting resumed**

**MOTION:** Scott Holwick MOVED that the Boulder County Planning Commission **CONDITIONALLY APPROVE** and recommend that the Board of County Commissioners **CONDITIONALLY APPROVE DOCKET SU-14-0004: FOOTHILLS BUSINESS PARK SU/SSDP AMENDMENT,** subject to the twenty-nine (29) conditions listed in the staff recommendation, as amended in the staff’s presentation:

184           **SECOND:     Pat Shanks**

186           **CONDITIONS OF APPROVAL**

- 188           1.   The Applicant shall provide a Development Agreement, for review and approval by  
190           County staff, prior to the issuance of any permits by the Boulder County Land Use  
192           Department and prior to the recordation of said agreement. A draft development  
194           agreement shall be submitted to the County for review within 15 days of the County  
             Commissioners approval of the application. A final development agreement shall be  
             recorded within 60 days of the approval. This time frame may be extended at the  
             discretion of the Land Use Director for good cause shown and with diligent progress  
             toward resolution of the issues demonstrated by the Applicant.
- 196           2.   All marijuana related operations on the site shall obtain the necessary State and local  
             licenses related to marijuana and maintain compliance with these licenses once they are  
             issued.
- 198           3.   No additional Floor Area outside the existing building footprints and building envelopes  
             or in additional height or stories may be added to the property.
- 200           4.   The Applicant is subject to all applicable County Building Division requirements for a  
202           building permit. Within 60 days of recordation of the required development agreement,  
204           the applicant shall submit a complete application for all work requiring a building  
             permit. No permits, except for deconstruction permits for the structures the applicant has  
             proposed to deconstruct or has already deconstructed, shall be issued prior to recordation  
             of a development agreement.
- 206           5.   Removal of Buildings 4, 5, 6, 7, 5A, 8, 9, 11, and 14 shall be completed before any new  
208           certificates of occupancy are issued for Building G(10) and F(2). Disturbed areas of  
             bare dirt shall be revegetated per an approved revegetation plan.
- 210           6.   The development shall be limited to a maximum of 498 average daily trips to the site,  
             exceeding this number shall trigger the need for a Special Use Review amendment.
- 212           7.   The maximum daily occupancy proposed for Buildings E(16), F(2), C(17), D(13), and  
             G(10) shall be 35 people, 15 people, 50 people, 43 people, and 19 people respectively.
- 214           8.   Site lighting including exterior fixtures on building, overhead lights and any other lights  
216           on site shall be minimized and brought into compliance with current down lighting  
218           requirements and an effort shall be made to remove unnecessary exterior lighting. The  
             lighting plan shall be updated to identify all exterior lighting on a site plan, detail the  
             type of fixtures in each location, indicate if it is conforming or not, and include a  
220           schedule for removal or replacement of unnecessary and/or non-conforming fixtures.  
             The schedule shall not exceed three years from recordation of the development  
             agreement. This lighting plan shall be reviewed and approved by staff prior to  
             recordation of the development agreement.
- 222           9.   The exterior colors and materials used on the site shall maintain the medium earthtone  
             color palate similar to what is currently in use on the property.
- 224           10. No changes to the exterior of Building G(10) and Building F(2) is approved and any  
226           changes to the elevations of these buildings shall be limited to those required bring the  
             structures into compliance with the County Building Code, such changes shall be

- 228 reviewed and approved by Land Use who shall evaluate the additional visual impacts on  
the scenic corridor.
- 230 11. Uses allowed in the repurposed buildings shall be limited to marijuana cultivation and  
232 storage in Building G(10) and Building F(2) shall be limited marijuana cultivation,  
marijuana-infused products manufacturing, the existing Telecommunications Facility,  
and storage.
- 234 12. The use of Buildings C(17), D(13), and E(16) shall be restricted Light Industrial Uses of  
manufacturing, assembly, warehouse, office, engineering, research and development,  
and storage and shall be consistent with the following list of prospective tenant types:
- 236 A. General office and warehouse for a landscape company.  
238 B. Pharmaceutical manufacturing company.  
C. General office and testing lab for a computer company.  
240 D. Office for a medical supply marketing company.  
E. Manufacturing and assembly of metal panels.  
242 F. Stair case and fencing manufacturing and assembly company.  
G. Digital mastering for compact disks.  
244 H. Door and trim manufacturing and distribution center.  
I. Sportswear manufacturing, distribution, and general office.  
246 J. Back office processing center for a local bank.  
K. General office for a aerospace company.  
248 L. Screen printing company.  
M. General office for a computer software company.  
250 N. General office for a outsource accounting office.  
O. Shoe distribution center.  
252 P. Furniture manufacturing company.
- 254 The allowed office types are those of a Light Industrial nature consistent with the list of  
prospective tenant types rather than Professional Offices as defined by the Land Use  
Code.
- 256 Buildings C(17), D(13), and E(16) may be used for the Marijuana Establishment  
activities as proposed in the application; cultivation and infused products manufacturing  
in Buildings C(17) and D(13) and a testing lab in Building E(16).
- 258 Changes of use of a unit in Buildings C(17), D(13), and E(16) must be reviewed and  
260 approved by the Land Use Department to ensure the overall nature and intensity of the  
uses at the site remain consistent with was considered as part of the original review and  
262 approval and to assure that changes to not result in substantially different impacts than  
the uses approved as part of the docket.
- 264 13. A marijuana store or any other retail operation is not permitted on the property.
- 266 14. The applicant shall remove all foreign windblown materials from the first adjacent  
268 drainage twice per year with once between May 1st and June 30th and again between  
October 1st and November 30th.
- 270 15. All outdoor storage must be accessory to an approved use and shall be screened from  
272 view of adjacent properties and fenced to secure the materials from wind.
- 274 16. The applicant shall restrict the use of the property by tenants and their employees to the  
developed area of the property (the buildings and their immediate surrounding disturbed

- 276 areas; parking and loading areas, outside storage areas, waste collection areas, etc.)  
277 through the lease agreements.
- 278 17. The applicant shall install the requested fence or other equivalent means, approved by  
279 the Land Use Department, of blocking access to adjacent open space in the area in  
280 question and maintain all other existing barriers (road blocks, etc.) which prevent people  
281 from accessing the adjacent open spaces through the subject property. These existing  
282 barriers and new boundary fence (or other means of blocking access) shall be delineated  
283 on the site plan which shall be included as part of the development agreement. Any  
284 fencing shall be a wildlife safe fence and the location and design of the fence or barrier  
285 shall be reviewed and approved by the Land Use Department prior to recordation of the  
286 development agreement. The new fence or barrier shall be installed prior to the issuance  
287 of any new certificates of occupancy are issued for Building G(10) and F(2).
- 288 18. The plan for protection of the *Physaria Belii*, plant shall be fully implemented,  
289 maintained, and updated over time as needed.
- 290 19. A weed management plan shall be implemented for the property to control and suppress  
291 the noxious weeds, including but not limited to Mediterranean Sage, Myrtle Spurge, and  
292 Russian Olives. Russian Olives shall be removed over 5 years, this shall be included in  
293 the weed management plan.
- 294 20. The waste pile along the south side of the road between Building G(10) and F(2) shall  
295 be removed prior to the issuance of any certificates of occupancy for Building G(10) and  
296 F(2). The area disturbed by the berms shall be revegetated per an approved revegetation  
297 plan.
- 298 21. The traffic report should be updated in a final version with the requested information  
299 and the final report shall be included as an exhibit to the development agreement.
- 300 22. The applicant shall submit a revised parking plan showing conformance with the  
301 Americans with Disabilities Act Accessibility Guidelines, this plan shall be reviewed  
302 and approved by County Transportation and included as an exhibit to the development  
303 agreement.
- 304 23. The parking plan shall be implemented through striping or other appropriate method of  
305 delineating parking. This implementation of this plan shall be completed within 3 years  
306 of the recordation of the development agreement.
- 307 24. The applicant shall ensure the roads on site are maintained so that safe routes of access  
308 to the buildings are provided and specifically a maintainable surface shall be installed on  
309 the road to Building F(2) prior to the issuance of a certificate of occupancy for Building  
310 F(2).
- 311 25. The combined occupancy on Building C(17) and D(13) shall be limited to 49 people  
312 until such time that onsite wastewater treatment system capacity is provided to serve the  
313 overall approved maximum capacity of 50 people in Building C(17) and 43 people in  
314 D(13).
- 315 26. All onsite wastewater treatment systems shall maintain compliance with all Federal,  
316 State and County regulations and permitting requirements including being registered as  
317 Class V injection wells with the US EPA, as necessary.
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328 27. No wastewater flows resulting from the manufacturing uses on site shall be allowed to  
330 enter the OWTS without a detailed evaluation of the system's capacity the approval of  
332 the system for such use by the County Health Department. Improvements to the systems  
334 may be required before addition wastewater streams can be sent to the system.  
Additionally, the floor drains are not permitted to be used for waste disposal and the  
existing drains will be capped prior to issuance of certificates of occupancy or final  
inspections related to tenant finishes.

336 28. The Landscape Plan shall be fully implemented and maintained for the life of the  
338 facility, the Plan shall be included as an exhibit to the development agreement.

340 29. The Applicant shall be subject to the terms, conditions and commitments of record and  
342 in the file for Docket SU-14-0004: FOOTHILLS BUSINESS PARK SU/SSDP  
Amendment.

344 **VOTE: Motion PASSED Unanimously {5 to 0}**  
(Abstained – Natalie Feinberg-Lopez)

**ADJOURNED**

346

**PUBLIC HEARING**

**SECOND AFTERNOON SESSION – 4:00 PM**

350

352 On Tuesday, December 16, 2014, the Boulder County Planning Commission held a regular afternoon  
session, convening at 4:01 p.m. and adjourning at 6:10 p.m.

354 Commissioners Present: Scott Holwick (Chair), Natalie Feinberg-Lopez, Lieschen Gargano, Daniel  
Hilton, Pat Shanks, and Doug Young.

356

358 Commissioners Excused: Michael Baker, Ben Blaugrund, and Dan Cohen

360 Staff Present: Dale Case (Land Use Director), Ben Doyle (Assistant County Attorney), Rick Hackett,  
Hannah Hippely, Meredith Lanning, Kathy Parker (Assistant County Attorney), Kim Sanchez, and  
Ron West.

362

364 Others: 25-30

**Docket IGA-14-0001: Proposed Amendment to the Nederland Area Boulder County  
Comprehensive Development Plan: Evans Annexation**

366 Peter Fogg, Senior Planner, gave an overview of the proposed amendment to the Nederland Area  
368 Boulder County Comprehensive Development Plan regarding an application to the Town of  
Nederland for the annexation of a 19.0 +/- acre portion of the Evans Property aka Aspen Trails,  
located on the east side of County Road 130 in Section 14, T1S R73W for a mixed residential use, by  
370 The Town of Nederland, in accordance with the Boulder County Land Use Code. The proposed  
project is located in the Forestry (F) Zoning District, at 365 Eldora Road (SE ¼ of the SE ¼ of  
372 Section 14, T1N R73W). Staff recommended DENIAL as outlined in the staff recommendation,  
dated December 16, 2014.

374

**SPEAKERS:** Alisha Reis, Nederland Town Administrator – 45 West First Street; Kayla Evans – 1250 Eldora Road.

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378

**PUBLIC HEARING OPENED**

380

**SPEAKERS:** Jaydene Morrison – 910 West Pine Street; R. Kenneth Robinson – 2270 Eagles Nest Drive; Richard Blatnik – 703 Hwy 1195; Adam Fels – 54 Sugarloaf Mtn. Road; Jeff Miller – 35 Sundown Trail; Joseph Evans – 646 Hwy 119; Rick Dirr – 650 W.4<sup>th</sup> Street; Cathy Greenwald – 1029 County Road 126; Russ Peterson – 916 West Pine; Rob Roy Ramey – 540 Hummer Drive; Rich Tillotson – 45 Hurricane Hill; Audrey Godell – 135 S. 8<sup>th</sup> Street; Timmy Duggan – 717 S. Hwy 119; Andrew McGregor – 107 Ponderosa Drive; Rich Carlson – 650 W Bridge Street.

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**PUBLIC HEARING CLOSED**

390

**MOTION:** Pat Shanks **MOVED** that the Boulder County Planning Commission recommended the Board of County Commissioners **DENIAL** of Docket IGA-14-0001: Proposed Amendment to the Nederland Area Boulder County Comprehensive Development Plan: Evans Annexation

392

394

**SECOND:** Natalie Feinberg-Lopez

396

**VOTE:** **YES**

**NO**

398

Pat Shanks

Doug Young

Dan Hilton

Scott Holwick

400

Lieschen Gargano

Natalie Feinberg-Lopez

402

**Motion PASSED {4 to 2}**

404

**ADJOURNED**

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 13th and Spruce, Boulder, Colorado 303-441- 3930.*

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