



# 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

**February 21, 2018**  
**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 *December 20, 2017* 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-17-0008: NORTHSTAR TRANSITIONS Group Care Home**

Request: Special Review for a Group Care Facility on a 42-acre property at 1236 Ridge Road.

Location: At 1236 Ridge Road, located east of the Bar-K Ranch Subdivision, accessed by a private drive off of Ridge Road in Section 26, Township 2N, Range 72W.

Zoning: Forestry

Applicant/Property Owner: Michael Ferrell c/o 1236 Ridge Road LLC

Action Requested: Recommendation to the BOCC.

Public testimony will be taken.

(Staff Planner: Robert Haigh)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=SU-17-0008>

**4. Docket SU-17-0005: Seventh Day Baptist Church Telecommunication Facility**

Request: Special Use Review to recognize an existing wireless communication facility use which exceeds the height limitation of thirty-five feet in the Forestry zone district.

Location: At 192 Mine Lane, on Parcel 146104000004 totaling 68.16 acres, approximately 1,000 feet south of the intersection of Mine Road and Deer Trail Road, in Section 4, Township 1N, Range 71W.

Zoning: Forestry

Property Owner: Seventh Day Baptist Church of Denver & Boulder

Applicant: Liz Walker, Wireless Policy Group

Action Requested: Recommendation to the BOCC.

Public testimony will be taken.

(Staff Planner: Summer Frederick)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=SU-17-0005>

**ADJOURNED**

**PLANNING COMMISSION ANNUAL DINNER – IMMEDIATELY FOLLOWING**

Detailed information regarding these items 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 pages approximately one week prior to the hearing.



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**REVISED**

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Zoning: ~~Forestry~~

Property Owner: ~~Seventh Day Baptist Church of Denver & Boulder~~

Applicant: ~~Liz Walker, Wireless Policy Group~~

Public testimony will be taken.

~~(Staff Planner: Summer Frederick)~~

***The applicant has withdrawn the application.***

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=SU-17-0005>

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## PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: February 21, 2018  
TIME: 1:30 P.M.  
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-17-0008: NORTHSTAR TRANSITIONS Group Care Home**

Special Review for a Group Care Facility on a 42-acre property at 1236 Ridge Road, submitted by Michael Ferrell c/o 1236 Ridge Road LLC. The proposed project is in the Forestry (F) Zoning District, located at 1236 Ridge Road, east of the Bar-K Ranch Subdivision, accessed by a private drive off of Ridge Road in Section 26, Township 2N, Range 72W.

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### ADJOURNED

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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.

Published: February 7, 2018-- Daily Times-Call

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PUBLIC HEARING  
BOULDER COUNTY, COLORADO  
PLANNING COMMISSION

DATE: February 21, 2018  
TIME: 1:30 P.M.  
PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County Court-  
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Published: Longmont Times-Call February 7, 2018 - 1422281

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder  
State of Colorado

The undersigned, Terry Love, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Longmont Times Call*.
2. The *Longmont Times Call* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Boulder County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Feb 7, 2018

*TERRY LOVE*

Signature

Subscribed and sworn to me before me this 7<sup>th</sup> day of February, 2018.

*Shayla Najera*

Notary Public

**SHAYLA NAJERA**  
**NOTARY PUBLIC**  
**STATE OF COLORADO**  
 NOTARY ID 20174031965  
 MY COMMISSION EXPIRES JULY 31, 2021

(SEAL)

Account: 1050753  
Ad Number: 1422281  
Fee: \$46.40



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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES

February 21, 2018

**AFTERNOON SESSION – 1:30 PM**

**Hearing Room, Third Floor,  
County Courthouse, Boulder**  
*{Approved March 21, 2018}*

### PUBLIC HEARING

**AFTERNOON SESSION – 1:30 PM**

On Wednesday, February 21, 2018, the Boulder County Planning Commission held a regular afternoon session, convening at approximately 1:34 p.m. and adjourning at approximately 4:38 p.m.

Commissioners Present: Doug Young, Lieschen Gargano (Second Vice-Chair), Mark Bloomfield, Sam Fitch, Gavin McMillan, and Sean Stewart.

Commissioners Excused: Natalie Feinberg Lopez (Chair), Dan Hilton (Vice-Chair), and Ann Goldfarb

Boulder County Staff Present: Summer Frederick, Robert Haigh, Dale Case, Kim Sanchez, Ron West (Parks & Open Space), Kyle McCatty, Kathy Parker (Assistant County Attorney), Ron Flax, Anna Milner, Rick Hackett.

Others: 75-100

### MINUTES

**MOTION:** Sam Fitch **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from the December 20, 2017 Planning Commission Hearing as written.

**SECOND:** Sean Stewart

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

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

Kathy Parker, Assistant County Attorney, introduced Elizabeth Cross, Assistant County Attorney.

32 Kim Sanchez, Chief Planner, provided an update on four oil and gas efforts that Boulder County has  
34 been involved with lately: 1) the Crestone Peak Resources Comprehensive Drilling Plan (CDP) and  
36 its revised timeline, 2) on the two drilling and spacing unit applications that have been submitted to  
38 the COGCC by 8 North LLC, which Boulder County is protesting to the COGCC at a hearing  
currently scheduled for April 30-May 1, 2018, 3) the outcome of the COGCC Flowline Rulemaking  
(in response to the Firestone tragedy), in which Boulder County actively participated, and 4) the  
outcome of the COGCC Mill Levy Rulemaking, in which Boulder County testified at on Feb. 12,  
2018 . Detailed information can be found on Boulder County's Oil & Gas Development webpage.

40 Nicole Wobus, Long Range Planning and Policy Manager, provided an update that Land Use and  
Public Health Department staff are proceeding with preliminary stages of developing a public health  
42 element for the Boulder County Comprehensive Plan (BCCP). When presenting Planning  
Commission with a BCCP update work plan in December 2017, staff indicated that a public health  
44 element was a potential addition to the BCCP. Based on staff review it was determined that  
proceeding with addition of a Public Health element is appropriate.

46 **Docket SU-17-0008: NORTHSTAR TRANSITIONS Group Care Home**

48 Kathy Parker, Assistant County Attorney, requested that Planning Commission enter into Executive  
50 Session pursuant to C.R.S. 24-6-402(4)(b) for legal advice on Docket **SU-17-0008: NORTHSTAR**  
**TRANSITIONS Group Care Home.**

52 **The Planning Commission entered an EXECUTIVE SESSION following a motion by Sean**  
54 **Stewart, a second by Mark Bloomfield, and a unanimous vote.**

56 Robert Haigh, Planner II, presented the application for Michael Ferrell c/o 1236 Ridge Road LLC and  
Northstar Transitions, LLC, for Special Review for a Group Care Home on a 42-acre property at 1236  
58 Ridge Road. The proposed project is in the Forestry (F) Zoning District, located at 1236 Ridge Road,  
located east of the Bar-K Ranch Subdivision, accessed by a private drive off of Ridge Road in Section  
60 26, Township 2N, Range 72W. Staff recommended CONDITIONAL APPROVAL as outlined in the  
staff recommendation, dated February 21, 2018.

62 **PUBLIC HEARING OPENED**

64 **SPEAKERS:** Harmon Zuckerman – 4750 Table Mesa Drive (Agent)  
66 Fatina Cannon and Parker Smith (Applicants)  
Mark McDade – 152 Crockett Trail  
68 Marlyce Bowdish – 2685 S. Dayton Way  
Holly Saracco – 641 Ranch Road  
70 Karina Schaupp – 555 Hickok Trail  
David Kinney – 7130 S. Chapparal Circle West  
72 Cynthia Sliker – 1124 Ridge Road  
Robert Schaller – 1124 Ridge Road  
74 Harry Hempy – 400 Rock Lake Road  
Cody Gardner – Dawn Court  
76 Judy Fisher - 93 Bridger Trail (pooled time with Sally Parsons- 180 Crockett Trail)  
Sue Rudy - 500 Ridge Road (pooled time with Reinhard Schaupp - 555 Hickok Trail)  
78 Laurie Mead – 433 Bramer Road  
Jim Weglarz – 1021 Ridge Road  
80 Rourke Weaver – 624 Pennsylvania Street  
Natasha Garfield – 7964 E. Bayand Ave.  
82 Don Altman – 311 Mapleton



- 84 Michael Gay – 630 2<sup>nd</sup> Avenue  
Scott Kendel – 540 Hartford Drive  
86 Robyn Kube - 2060 Broadway (pooled time with Rick Rudy - 500 Ridge Road, Sally  
Hempy - 700 Rock Lake Road, and Andrew Rupel – 105 Crockett Trail)  
Laverna Alby – 162 Ridge Road  
88 Martin Leopold – 429 Ridge Road  
Patricia Olsen – 92 Tilghman Road  
90 Kevin Morse – 837 Ridge Road  
Kim Busey – 143 Crockett Trail  
92 Don Busey – 143 Crockett Trail

94 **PUBLIC HEARING CLOSED**

96 **MOTION: Doug Young MOVED that the Boulder County Planning Commission**  
98 **CONDITIONALLY APPROVE and recommend that the Board of**  
County Commissioners **CONDITIONALLY APPROVE Docket SU-17-**  
100 **0008: NORTHSTAR TRANSITIONS LLC Group Care Home, as**  
described in the application materials and subject to the eight (8)  
conditions listed in the staff recommendation.

102 **SECOND: Mark Bloomfield**

104 **Conditions of Approval:**

- 106
1. The Applicant shall provide a Development Agreement, for review and approval by  
108 County staff, prior to the issuance of any permits by the Boulder County Land Use  
Department and prior to the recordation of said agreement.
  - 110 2. The Group Care Home must obtain and maintain all applicable local, state, and  
112 federal permits.
  - 114 3. A building permit, plan review, inspections approvals, and a Certificate of  
Occupancy are required for this Change in Occupancy.
  - 116 4. The vulnerability of the structures on site to igniting from embers, surface fire, and  
118 crown fire will need to be further reduced (or “hardening”).

120 At the minimum:

- 122 a. Replace current wood siding with non-wood, ignition-resistant siding on at  
least the lower portion of any vertical wall, fascia, trim, etc. (first 3-4 feet)  
where it comes close to the ground, patio, roof, soffit, or any other horizontal  
124 surface.
- 126 b. Many exposed parts of the wood siding show signs of weathering and must  
be replaced with a non-wood, ignition resistant material which will hold up  
better to the extreme weathering conditions that exist at elevation in  
128 Colorado. The log portions of the siding are exempt from this requirement.
- 130 c. The base of the non-permeable siding will need extra protection from the  
accumulation of needles and other burnable material. These materials may be  
132 ignited by embers which could ignite the wall sheathing or insulation behind  
the siding.
- 134 d. Remove or harden the detached accessory structure immediately northeast of  
the home.

- 136 e. Create at least 5 feet of a noncombustible surface over a weed barrier within  
5 feet of the exterior walls and accessory structure(s).
- 138 f. Remove any burnable material, including firewood, burnable patio furniture,  
and door mats, away from the house. Firewood must be at least 30 feet away.  
140 In the winter, it is ok to have firewood within 30 feet of the house if covered  
with at least a thick canvas drop cloth, especially if fire danger is elevated.
- 142 g. Defensible space will need to be reestablished and increased to  
approximately 250 feet unless restricted by the property boundary.
- 144 h. Individual emergency water cistern will need to be inspected and approved  
by the Lefthand Canyon Fire Protection District to ensure the individual  
cistern is still able to be used in an emergency.
- 146
- 148 5. The applicant must complete a fire inspection and obtain approval for the change in  
use from the Lefthand Fire Protection District.
- 150 6. The property owner has two options for compliance with the Standards. First, the  
property owner may apply for a Design Exception under Section 2.8.5 of the  
Standards for any applicable Standard for which the applicant meets the criteria for  
152 an Exception. If the applicant does not receive a Design Exception, the existing  
access to the Subject Property shall be upgraded so as to be in compliance with the  
Standards, including without limitation, the following provisions:
- 154
- 156 a. Section 5.5 – Parcel Access Design Standards  
b. Standard Drawing 11 – One-Lane Private Access Section  
158 c. Standard Drawing 16 – Access Grade & Clearance  
d. Standard Drawing 17 – Access Pull-outs  
160 e. Standard Drawing 18 – Access Turnaround  
f. Standard Drawing 19 – Typical Turnaround & Pullout Locations  
162 g. Section 5.6 – Parking Facilities
- 164 Three parking spaces must be provided on-site, one of which shall be a space  
compliant with the Americans with Disabilities Act (ADA). A parking plan shall be  
166 submitted for review showing where these parking places are to be located.
- 168 **Prior to issuance of building or grading permits**, submit two copies of an access  
design for review and approval by the Boulder County Land Use and Transportation  
170 Departments.
- 172 **Prior to issuance of a certificate of occupancy**, the Transportation Department  
must verify that the driveway has been constructed to meet the Parcel Access Design  
Standards in the Boulder County Multimodal Transportation Standards.  
174
- 176 7. The proposed group therapy home will require an OWTS change of use permit from  
Boulder County Public Health. An engineer assessment of the wastewater to be  
178 generated by the Group Care Home is required for permit application.
- 180 a. An annual renewal permit will be required for the Group Care Home. On-  
going water meter readings will be required to ensure that wastewater  
182 generated doesn't exceed the capacity of the existing OWTS.
- 184 8. The Applicant shall be subject to the terms, conditions, and commitments of record  
and in the file for Docket SU-17-0008: NORTHSTAR TRANSITIONS LLC Group  
186 Care Home.

188           **VOTE:           Motion PASSED {5 to 1}**

**ADJOURNED**

190

*Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 2045 13<sup>th</sup> St., Boulder, Colorado 303-441- 3930.*

192