



# 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

**May 16, 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 *April 18, 2018* 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 V-18-0003: 524 Kelley Rd LLC**

Request: Vacation of an unused utility easement on an approximately 2.29 acre property.

Location: 524 W Kelly Road; at the junction of W Kelly Road and Junction View Road; in Section 28, Township 1N, Range 71W.

Zoning: Forestry (F) Zoning District

Applicant/Property Owner: 524 Kelley Road, LLC

*Action Requested: Decision.*

Public testimony will be taken.

(Staff Planner: Christian Martin)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=EP-18-0002>

**4. Docket SU-18-0002: McRAWHIDE LLC SU-SSDP**

Request: Special Use and Site Specific Development plan for multiple principle uses including an existing Light Industrial use and a proposed Marijuana Establishment on a 1-acre parcel at 5853 Rawhide.

Location: At 5853 Rawhide Court, Lot 2 IRLLC Subdivision Exemption Plat, 200 feet north of Longhorn Road and 200 feet east of US Hwy 36, in Section 6, Township 1N, Range 70W.

Zoning: Light Industrial (LI)

Applicants: Alan and Alicia Bonsett

Property Owner: McRawhide LLC

*Action Requested: Decision.*

Public testimony will be taken.

(Staff Planner: Christian Martin)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=SU-18-0002>

**5. Docket V-18-0001: Boulder Valley Farm NUPUD Pedestrian Easement Vacation Request**

Request: Vacation of existing pedestrian easements on Outlots G, I and W.

Location: At Parcel #s 146516007012, 146516007013, 146521005001, 146516007015, 146521007011, on Outlots G, I, W, approximately 1,150 feet north of the intersection of North 95th Street and Valmont Road, in Sections 16 and 21, Township 1N, Range 69W.

Zoning: Agricultural (A) Zoning District

Applicants/Property Owners: Boulder Valley Farm Inc., The Farm Pond LLC, and Farm in Boulder Valley HOA

Agents: Michael F. Browning and John G. Lubitz

*Action Requested: Decision.*

Public testimony will be taken.

(Staff Planner: Michelle McNamara)

Webpage: <http://landuse.boco.solutions/boco.lu.docketlistings/app/detail.html?docket=V-18-0001>

**6. Update on the County Floodplain Remapping Project**

Staff will present in a study session an update on the County Floodplain Remapping Project, which has recently completed receipt of the second phase of draft mapping revisions prepared by the Colorado Hazard Mapping Program (“CHAMP”), technical review of those maps and data, and an associated series of public outreach meetings. Staff is preparing to propose the adoption of a comprehensive zoning map amendment to the Floodplain Overlay District (“FO District”), specifically the Boulder County Floodplain and Floodway, based upon these revised analyses from CHAMP, Federal Emergency Management Agency (“FEMA”), and other best available data.

*Action Requested: None. Study Session only.*

No public testimony will be taken.

(Staff Planners: Varda Blum and Erin Cooper)

Webpage: <https://www.bouldercounty.org/transportation/floodplain-mapping/>

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.

**ADJOURNED**



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## PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: May 16, 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 V-18-0003: 524 Kelley Rd LLC**

Vacation of an unused utility easement on an approximately 2.29 acre property, submitted by 524 Kelley Road, LLC. The proposed project is in the Forestry (F) Zoning District, at 524 W Kelly Road; at the junction of W Kelly Road and Junction View Road; in Section 28, Township 1N, Range 71W. *Action Requested: Decision.* Public testimony will be taken.

#### **Docket SU-18-0002: McRAWHIDE LLC SU-SSDP**

Special Use and Site Specific Development plan for multiple principle uses including an existing Light Industrial use and a proposed Marijuana Establishment on a 1-acre parcel at 5853 Rawhide, submitted by Alan and Alicia Bonsett and McRawhide LLC. The proposed project is in the Light Industrial (LI) Zoning District, at 5853 Rawhide Court, Lot 2 IRLLC Subdivision Exemption Plat, 200 feet north of Longhorn Road and 200 feet east of US Hwy 36, in Section 6, Township 1N, Range 70W. *Action Requested: Decision.* Public testimony will be taken.

#### **Docket V-18-0001: Boulder Valley Farm NUPUD Pedestrian Easement Vacation Request**

Vacation of existing pedestrian easements on Outlots G, I and W, submitted by Boulder Valley Farm Inc., The Farm Pond LLC, and Farm in Boulder Valley HOA. The proposed project is in the Agricultural (A) Zoning District, at Parcel #s 146516007012, 146516007013, 146521005001, 146516007015, 146521007011, on Outlots G, I, W, approximately 1,150 feet north of the intersection of North 95th Street and Valmont Road, in Sections 16 and 21, Township 1N, Range 69W. *Action Requested: Decision.* Public testimony will be taken.

#### **Update on the County Floodplain Remapping Project**

Staff will present in a study session an update on the County Floodplain Remapping Project, which has recently completed receipt of the second phase of draft mapping revisions prepared by the Colorado Hazard Mapping Program (“CHAMP”), technical review of those maps and data, and an associated series of public outreach meetings. Staff is preparing to propose the adoption of a comprehensive zoning map amendment to the Floodplain Overlay District (“FO District”), specifically the Boulder County Floodplain and Floodway, based upon these revised analyses from CHAMP, Federal Emergency Management Agency (“FEMA”), and other best available data. *Action Requested: None.* Study Session only. No public testimony will be taken.

**ADJOURNED**

Detailed information regarding these items is available for public examination at the Boulder County Land Use website at [www.bouldercounty.org/lu](http://www.bouldercounty.org/lu) 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: May 2, 2018-- Daily Times-Call

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

DATE: May 16, 2018  
TIME: 1:30 P.M.  
PLACE: Commissioners Hearing Room,  
Third Floor, Boulder County Court-  
house, 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 V-18-0003: 524 Kelley Rd LLC**  
Vacation of an unused utility easement on an approximately 2.29 acre property, submitted by 524 Kelley Road, LLC. The proposed project is in the Forestry (F) Zoning District, at 524 W Kelly Road; at the junction of W Kelly Road and Junction View Road; in Section 28, Township 1N, Range 71W.  
*Action Requested: Decision.* Public testimony will be taken.

**Docket SU-18-0002: McRAWHIDE LLC SU-SSDP**  
Special Use and Site Specific Development plan for multiple principle uses including an existing Light Industrial use and a proposed Marijuana Establishment on a 1-acre parcel at 5853 Rawhide, submitted by Alan and Alicia Bonsett and McRawhide LLC. The proposed project is in the Light Industrial (LI) Zoning District, at 5853 Rawhide Court, Lot 2, IRLLC Subdivision Exemption Plat, 200 feet north of Longhorn Road and 200 feet east of US Hwy 36, in Section 6, Township 1N, Range 70W.  
*Action Requested: Decision.* Public testimony will be taken.

**Docket V-18-0001: Boulder Valley Farm NUPUD Pedestrian Easement Vacation Request**  
Vacation of existing pedestrian easements on Outlots G, I and W, submitted by Boulder Valley Farm Inc., The Farm Pond LLC, and Farm in Boulder Valley HOA. The proposed project is in the Agricultural (A) Zoning District, at Parcel #s 146516007012, 146516007013, 146521005001, 146516007015, 146521007011, on Outlots G, I, W, approximately 1,150 feet north of the intersection of North 95th Street and Valmont Road, in Sections 16 and 21, Township 1N, Range 69W.  
*Action Requested: Decision.* Public testimony will be taken.

**Update on the County Floodplain Remapping Project**

Staff will present in a study session an update on the County Floodplain Remapping Project, which has recently completed receipt of the second phase of draft mapping revisions prepared by the Colorado Hazard Mapping Program ("CHAMP"), technical review of those maps and data, and an associated series of public outreach meetings. Staff is preparing to propose the adoption of a comprehensive zoning map amendment to the Floodplain Overlay District ("FO District"), specifically the Boulder County Floodplain and Floodway, based upon these revised analyses from CHAMP, Federal Emergency Management Agency ("FEMA"), and other best available data.  
*Action Requested: None.* Study Session only. No public testimony will be taken.

**ADJOURNED**

Detailed information regarding these items is available for public examination at 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, 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 May 2, 2018 - 1456672

**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):

May 2, 2018

*TERRY LOVE*

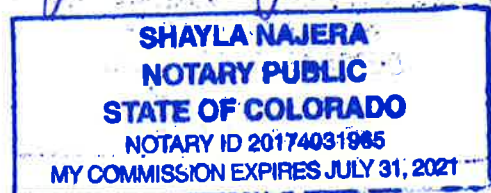
Signature

Subscribed and sworn to me before me this

2nd day of May, 2018.

*Shayla Najera*

Notary Public



(SEAL)

Account: 1050753  
Ad Number: 1456672  
Fee: \$68.73



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## BOULDER COUNTY PLANNING COMMISSION

### MINUTES May 16, 2018

#### AFTERNOON SESSION – 1:30 PM

Hearing Room, Third Floor,  
County Courthouse, Boulder  
*{Approved June 20, 2018}*

### PUBLIC HEARING

#### AFTERNOON SESSION – 1:30 PM

On Wednesday, May 16, 2018, the Boulder County Planning Commission held a regular afternoon session, convening at approximately 1:31 p.m. and adjourning at approximately 3:44 p.m.

Commissioners Present: Mark Bloomfield, Doug Young, Sam Fitch, Gavin McMillan, Ann Goldfarb (Second Vice-Chair), Natalie Feinberg Lopez.

Commissioners Excused: Dan Hilton (Chair), Lieschen Gargano (Vice-Chair) and Sean Stewart.

Boulder County Staff Present: Summer Frederick, Christian Martin, Liz Cross (Assistant County Attorney), Kathy Parker (Assistant County Attorney), Dale Case, Anna Milner, Rick Hackett, Sinead O’Dwyer, Nicole Wobus, Ron West (Parks and Open Space), Erin Cooper (Transportation), and Varda Blum (Transportation).

Others: 10-15

### MINUTES

**MOTION:** Doug Young **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from the April 18, 2018 Planning Commission Hearing as written.

**SECOND:** Natalie Feinberg Lopez

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

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

Nicole Wobus, Long Range Planning Manager, provided an update on two upcoming Land Use Code text amendments. In early May BOCC authorized staff to proceed with amendments the Land Use

32 Code pertaining to solar energy (DC-18-0002) and agriculture (DC-18-0003). Staff plans to take the items to Planning Commission for approval during the summer.

34 **Docket V-18-0003: 524 Kelley Rd LLC**

36 Christian Martin, Planner II, presented the application for 524 Kelley Road, LLC, a request for the  
38 vacation of an unused utility easement on an approximately 2.29 acre property. The proposed project  
40 is located in the Forestry (F) Zoning District at 524 W Kelly Road; at the junction of W Kelly Road  
and Junction View Road; in Section 28, Township 1N, Range 71W.

42 Staff recommended **CONDITIONAL APPROVAL** as outlined in the staff recommendation, dated  
May 16, 2018.

44 **PUBLIC HEARING OPENED**

46 **SPEAKERS:** Eric Moutz - 524 W Kelly Road (Applicant)

48 **PUBLIC HEARING CLOSED**

50 **MOTION:** Sam Fitch **MOVED** that the Boulder County Planning Commission  
52 **CONDITIONALLY APPROVE** and recommend to the Board of County  
Commissioners **CONDITIONAL APPROVAL** of **Docket V-18-0003: 524**  
54 **Kelley Rd LLC** with the conditions as stipulated by staff.

56 **SECOND:** Natalie Feinberg Lopez

**CONDITION OF APPROVAL**

58 1. The applicant shall meet all the post approval requirements within one year after the date  
60 of the Board of County Commissioners' resolution approving this vacation. This resolution  
and associated documents, including a new plat, shall also be recorded by Land Use Staff  
62 with the County Clerk and Recorder's Office within this one year time-frame. This vacation  
approval shall not be considered final or effective until this recordation. Finally, this vacation  
64 approval shall expire if recordation does not occur within the required one year timeframe  
(unless an extension is granted).

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

68 **Docket SU-18-0002: McRAWHIDE LLC SU-SSDP**

70 Christian Martin, Planner II, presented the application for Alan and Alicia Bonsett, and McRawhide  
72 LLC, Special Use and Site Specific Development plan for multiple principle uses including an  
existing Light Industrial use and a proposed Marijuana Establishment on a 1-acre parcel at 5853  
74 Rawhide in the Light Industrial (LI) Zoning District, at 5853 Rawhide Court, Lot 2 IRLLC  
Subdivision Exemption Plat, 200 feet north of Longhorn Road and 200 feet east of US Hwy 36, in  
76 Section 6, Township 1N, Range 70W.

78 Staff recommended **CONDITIONAL APPROVAL** as outlined in the staff recommendation, dated  
80 May 16, 2018.

82 **PUBLIC HEARING OPENED**

84 **SPEAKERS:** Alan and Alicia Bonsett - 2759 4th Street (Applicants); Mark McIntyre -  
1475 Moss Rock Place (Applicant), Jeffrey Gard – 2541 Spruce Street; Mark  
Donaldson - P.O. Box 5380.

86

**PUBLIC HEARING CLOSED**

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90 **MOTION:** Gavin McMillan **MOVED** that the Boulder County Planning  
Commission **CONDITIONALLY APPROVE** and recommend to the  
Board of County Commissioners **CONDITIONAL APPROVAL** of  
92 **Docket SU-18-0002: McRAWHIDE LLC SU-SSDP** as described in the  
application materials subject to the 5 conditions outlined in the staff  
94 report.

96 **SECOND:** Mark Bloomfield

98 **CONDITIONS OF APPROVAL**

- 100 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.
- 102
- 104 2. The applicant must obtain and maintain all applicable permits, including but not  
limited to:  
a. Building permits for any construction or renovation and for the change in use.  
106 b. State and Local Marijuana Licenses  
c. Sign permit for any proposed sign
- 108
- 110 3. At Building Permit application, the applicant shall submit a plan showing delineated  
parking spaces, compliant with ADA parking requirements and Boulder County  
Bicycle parking requirements. This plan shall demonstrate that a commercial truck  
112 will be able to access and exit the parking lot without maneuvering outside of the  
subject property limits and access easement.
- 114
- 116 4. Prior to the issuance of a Certificate of Occupancy, confirmation from Boulder Rural  
Fire that all requirements of the Boulder Rural Fire Code have been met shall be  
provided to the Boulder County Land Use Department.
- 118
- 120 5. The Applicant shall be subject to the terms, conditions, and commitments of record  
and in the file for **Docket SU-18-0002: MCRAWHIDE LLC SU/SSDP.**

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

124

**Docket V-18-0001: Boulder Valley Farm NUPUD Pedestrian Easement Vacation Request**

126

128 Summer Frederick, Senior Planner, presented the application for Boulder Valley Farm Inc., The Farm  
Pond LLC, and Farm in Boulder Valley HOA, request for vacation of existing pedestrian easements  
on Outlots G, I and W, located in the Agricultural (A) Zoning District, at Parcel #s 146516007012,  
130 146516007013, 146521005001, 146516007015, 146521007011, on Outlots G, I, W, approximately  
1,150 feet north of the intersection of North 95th Street and Valmont Road, in Sections 16 and 21,  
132 Township 1N, Range 69W.



134 Staff recommended CONDITIONAL APPROVAL as outlined in the staff recommendation, dated  
135 May 16, 2018.

136

**PUBLIC HEARING OPENED**

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**SPEAKERS:** John G. Lubitz - 1700 Lincoln Street, Suite 4000 (Agent for Applicant)

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**PUBLIC HEARING CLOSED**

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**MOTION:** Mark Bloomfield **MOVED** that the Boulder County Planning  
144 Commission **CONDITIONALLY APPROVE** and recommend to the  
Board of County Commissioners **CONDITIONAL APPROVAL** of  
146 Docket V-18-0001: Boulder Valley Farm NUPUD Pedestrian Easement  
Vacation Request with the 2 conditions outlined by staff with the minor  
148 modification.

150

**SECOND:** Gavin McMillan

152

**CONDITIONS OF APPROVAL**

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1. The applicant shall meet all the post approval requirements within one year after the  
date of the Board of County Commissioners' resolution approving this vacation. This  
resolution and associated documents, including a new plat, shall also be recorded by  
156 Land Use Staff with the County Clerk and Recorder's Office within this one year  
time-frame. This vacation approval shall not be considered final or effective until  
158 this recordation. Finally, this vacation approval shall expire if recordation does not  
occur within the required one year timeframe (unless an extension is granted).

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2. Prior to the recordation of the resolution, a Conservation Easement as  
requested by Parks and Open Space is required to be approved, signed and may be  
recorded prior to, or with the associated resolution.

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

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**Update on the County Floodplain Remapping Project**

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Erin Cooper, Floodplain Specialist with the Transportation Department, presented an update on the  
County Floodplain Remapping Project, which has recently completed receipt of the second phase of  
draft mapping revisions prepared by the Colorado Hazard Mapping Program ("CHAMP"), technical  
review of those maps and data, and an associated series of public outreach meetings. Staff is  
preparing to propose the adoption of a comprehensive zoning map amendment to the Floodplain  
Overlay District ("FO District"), specifically the Boulder County Floodplain and Floodway, based  
upon these revised analyses from CHAMP, the Federal Emergency Management Agency ("FEMA"),  
and other best available data.

180

**ADJOURNED**

*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.*

180