Boulder County

Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

MEETING OF THE PLANNING COMMISSION
BOULDER COUNTY, COLORADO

WEDNESDAY, MAY 20, 2020 AT 1:30 P.M.

PLEASE NOTE: Due to COVID-19 concerns, this hearing will be held virtually. Information regarding how to participate will be available on the Planning Commission webpage in advance of the hearing (www.boco.org/PC).

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

Information regarding how to participate in this virtual meeting will be available on the Planning Commission webpage in advance of the hearing (approximately May 13) at www.boco.org/PC. There will be opportunity to provide public comment remotely on the subject dockets during the respective virtual Public Hearing portions for each item. If you have comments regarding any of these items, you may mail comments to the Community Planning & Permitting Department (PO Box 471, Boulder, CO 80306) or email to planner@bouldercounty.org. Please include the docket number of the subject item in your communication. Call 303-441-3930 or email planner@bouldercounty.org for more information.

Call to Order

Roll Call

Approval of Minutes/Miscellaneous Business
Approval of meeting minutes from April 15, 2020.

Staff Updates

Items

1. **Docket SI-18-0003: City of Boulder - Boulder Interceptor Sewer Relocation**
   Public Hearing

Request:	Areas and Activities of State Interest (1041) review for the relocation and replacement of the City of Boulder sewer interceptor line. The project includes replacing an existing 42-inch diameter concrete pipe with a 54- to 66-inch pipe to increase capacity and to relocate the line to an area less susceptible to flood damage and erosion.
Location:	4045 and 4049 N. 75th St. (146313300002), 3893 N. 75th St. (146313300005, 146314000030), 6936 Jay Rd. (146314000040), 0 RR (146322009001), 5823 Valmont Rd. (146322300003), 0 Valmont Rd. (146322300015), 6005 Valmont Rd. (146322400011), 5973 and 3131 Indian Rd. (146322400014), 3180 61st St. (146322400021), 3152 Indian Rd. (146322400028), 3262 N. 61st St. (146322400032, 146322400033), 0 Valmont Dr. (146323000001), 6405 Valmont Rd. (146323000006), 3897 N. 75th St. (146324000008), 0 N.

	75th St. (146324000009), & 5880 Butte Mill Rd. (146327000003), 6017 Valmont Rd. (146322400012), 6025 Valmont Rd. (146322400013), 5987 Valmont Rd. (146322400029), 6033 Valmont Rd. (146322400034), 6095 Valmont Rd (146322400038), 6327 Valmont Rd. (146323000017), 6379 Valmont Rd (146323000030), 6379 Valmont Rd. (146323000031), and 6423 Valmont Rd. (146323000032), near the intersection of Stazio Drive and Valmont Road continuing northeast to approximately 1,500 feet south of the intersection of Jay Road and Carter Trail, in Sections 13, 14, 22, 23, 24, and 27, Township 1N, Range 70W.
Zoning:	Agricultural (A), General Industrial (GI), Light Industrial (LI), Manufactured Home (MH), Rural Residential (RR), Suburban Residential (SR) Zoning Districts
Applicant:	Cole Sigmon, City of Boulder
Potentially Affected Property Owners:	City of Boulder, County of Boulder, Daniel J. & Cindy Lisco, Regional Transportation District, Cullen Elizabeth, Indian Road Partners Ltd, Loveland Ready Mix Concrete Inc., Hugh & Lee Ann McGinty Revocable Trust, Valmont Community United Presbyterian Church, State of Colorado, Western Disposal, Inc., Hogan Keeter LLC, Gail Bishop, Lisa Elaine Holmquest, Steve Dunn & Lynn Rodenhizer, Veronica Ibarra, Butte Blacksmith Llc, John R Botterill Jr & Jan M Houck, Valmont Properties Llc, Harley I Jr & Joy E Keeter , Benjamin C & Mary Kay Keeter.
Agent:	Amber Dedus, Burns & McDonnell Engineering Company Inc.
Website:	**www.boco.org/SI-18-0003**

Action Requested: Recommendation to BOCC
Public testimony will be taken
Staff Planner(s): Sean Gambrel

2. Docket V-20-0002: Ryan Vacation
Public Hearing

Request:	Request to vacate a portion of the Eastview Drive platted right-of-way, increasing the lot size from 0.88 acres to approximately 0.92 acres.
Location:	At 1375 Eastview Drive, Lot 45 Crestmoor, located on the north end of Eastview Drive, approximately 250 feet from its intersection with Crestmoor Drive, in Section 35, Township 1N, Range 70W.
Zoning:	Estate Residential
Applicant/Property Owner:	Daniel P. Ryan
Website:	**www.boco.org/V-20-0002**

Action Requested: Recommendation to BOCC
Public testimony will be taken
Staff Planner(s): Jean (Raini) Ott

3. Docket V-20-0003: Walter Vacation
Public Hearing

Request:	Request to vacate the Hill Street right-of-way east of Lot 5, Block 9 and west of Grove Street.
Location:	350 Gold Run Street, 351 & 391 Grove Street, and Parcel No. 145912009001, located south of Gold Run Street and on the west side of Grove Street, Lots 1-5, Block 9 and Lot 1, Block 17 of the Gold Hill Townsite in Section 12, Township 1N, Range 72W.
Zoning:	Historic (H)

Applicants/Property Owners: Robert Dale and Lynne Yvonne Walter
Website: **www.boco.org/V-20-0003**

Action Requested: Recommendation to BOCC
Public testimony will be taken
Staff Planner(s): Jean (Raini) Ott

4. **Docket BCCP-20-0001: Geologic Hazard Mapping-Related Amendments**
Public Hearing
The Community Planning & Permitting Department is updating the Geology Element of the BCCP to incorporate improved geologic hazard and constraint mapping that represents the best available data on a range of geologic hazard features present in the county. The mapping was prepared with grant funds following the 2013 extreme rain event. That event changed the landscape, making some areas more susceptible to geologic hazards, and it increased awareness of the importance of understanding the geologic hazards and constraints present in the county. The proposed geologic hazard and constraint mapping will help ensure that properties are developed in a manner that addresses those risks. Minor revisions to the Geology Element of the BCCP also include updates to the definitions and policy sections of the element and a new guidelines table and map for providing further guidance when reviewing development on properties with potential geologic hazards. Final revisions to the Geology Element incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively.
Website: **www.boco.org/BCCP-20-0001**
Action Requested: Decision
Public testimony will be taken
Staff Planner(s): Chad Endicott

5. **Docket BCCP-20-0002: Document Template Conversion-Related Amendments**
Public Hearing
The Community Planning & Permitting Department has converted the BCCP document to a new graphic template to update the look and feel of the document and provide design consistency. Along with the graphics refresh, amendments to the document Introduction and overall organization are proposed. Final revisions to BCCP-20-0002 incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively.
Website: **www.boco.org/BCCP-20-0002**
Action Requested: Decision
Public testimony will be taken
Staff Planner(s): Molly Marcucilli

Adjournment

Boulder County

Community Planning & Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • **www.bouldercounty.org**

PUBLIC HEARING
BOULDER COUNTY, COLORADO
PLANNING COMMISSION

DATE: May 20, 2020
TIME: 1:30 p.m.

PLEASE NOTE: Due to COVID-19 concerns, this hearing will be held virtually. Information regarding how to participate will be available on the Planning Commission webpage in advance of the hearing (www.boco.org/PC).

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

Information regarding how to participate in this virtual meeting will be available on the Planning Commission webpage in advance of the hearing (approximately May 13) at www.boco.org/PC. There will be opportunity to provide public comment remotely on the subject dockets during the respective virtual Public Hearing portions for each item. If you have comments regarding any of these items, you may mail comments to the Community Planning & Permitting Department (PO Box 471, Boulder, CO 80306) or email to planner@bouldercounty.org. Please include the docket number of the subject item in your communication. Call 303-441-3930 or email planner@bouldercounty.org for more information.

Docket SI-18-0003: City of Boulder - Boulder Interceptor Sewer Relocation
Areas and Activities of State Interest (1041) review for the relocation and replacement of the City of Boulder sewer interceptor line. The project includes replacing an existing 42-inch diameter concrete pipe with a 54- to 66-inch pipe to increase capacity and to relocate the line to an area less susceptible to flood damage and erosion. The application is submitted by Cole Sigmon, City of Boulder. Potentially affected property owners include: City of Boulder, County of Boulder, Daniel J. & Cindy Lisco, Regional Transportation District, Cullen Elizabeth, Indian Road Partners Ltd, Loveland Ready Mix Concrete Inc., Hugh & Lee Ann McGinty Revocable Trust, Valmont Community United Presbyterian Church, State of Colorado, Western Disposal, Inc., Hogan Keeter LLC, Gail Bishop, Lisa Elaine Holmquest, Steve Dunn & Lynn Rodenhizer, Veronica Ibarra, Butte Blacksmith LLC, John R Botterill Jr & Jan M Houck, Valmont Properties LLC, Harley I Jr & Joy E Keeter , Benjamin C & Mary Kay Keeter. The proposal is in the Agricultural (A), General Industrial (GI), Light Industrial (LI), Manufactured Home (MH), Rural Residential (RR), Suburban Residential (SR) Zoning Districts, at 4045 and 4049 N. 75th St. (146313300002), 3893 N. 75th St. (146313300005, 146314000030), 6936 Jay Rd. (146314000040), 0 RR (146322009001), 5823 Valmont Rd. (146322300003), 0 Valmont Rd. (146322300015), 6005 Valmont Rd. (146322400011), 5973 and 3131 Indian Rd. (146322400014), 3180 61st St. (146322400021), 3152 Indian Rd. (146322400028), 3262 N. 61st St. (146322400032, 146322400033), 0 Valmont Dr. (146323000001), 6405 Valmont Rd. (146323000006), 3897 N. 75th St. (146324000008), 0 N. 75th St. (146324000009), & 5880 Butte Mill Rd. (146327000003), 6017 Valmont Rd. (146322400012), 6025 Valmont Rd. (146322400013), 5987 Valmont Rd. (146322400029), 6033 Valmont Rd. (146322400034), 6095

Valmont Rd (146322400038), 6327 Valmont Rd. (146323000017), 6379 Valmont Rd (146323000030), 6379 Valmont Rd. (146323000031), and 6423 Valmont Rd. (146323000032), near the intersection of Stazio Drive and Valmont Road continuing northeast to approximately 1,500 feet south of the intersection of Jay Road and Carter Trail, in Sections 13, 14, 22, 23, 24, and 27, Township 1N, Range 70W.

Docket V-20-0002: Ryan Vacation
Request to vacate a portion of the Eastview Drive platted right-of-way. The application is submitted by Daniel P. Ryan. The proposal is in the Estate Residential (ER) zoning district at 1375 Eastview Drive, Lot 45 Crestmoor, located on the north end of Eastview Drive, approximately 250 feet from its intersection with Crestmoor Drive, in Section 35, Township 1N, Range 70W.

Docket V-20-0003: Walter Vacation
Request to vacate the Hill Street right-of-way east of Lot 5, Block 9 and west of Grove Street, submitted by Robert Dale and Lynne Yvonne Walter. The proposed project is in the Historic (H) zoning district, at 350 Gold Run Street, 351 & 391 Grove Street, and Parcel No. 145912009001, located south of Gold Run Street and on the west side of Grove Street, Lots 1-5, Block 9 and Lot 1, Block 17 of the Gold Hill Townsite in Section 12, Township 1N, Range 72W.

Docket BCCP-20-0001: Geologic Hazard Mapping-Related Amendments
The Community Planning & Permitting Department is updating the Geology Element of the BCCP to incorporate improved geologic hazard and constraint mapping that represents the best available data on a range of geologic hazard features present in the county. The mapping was prepared with grant funds following the 2013 extreme rain event. That event changed the landscape, making some areas more susceptible to geologic hazards, and it increased awareness of the importance of understanding the geologic hazards and constraints present in the county. The proposed geologic hazard and constraint mapping will help ensure that properties are developed in a manner that addresses those risks. Minor revisions to the Geology Element of the BCCP also include updates to the definitions and policy sections of the element and a new guidelines table and map for providing further guidance when reviewing development on properties with potential geologic hazards. Final revisions to the Geology Element incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively.

Docket BCCP-20-0002: Document Template Conversion-Related Amendments
The Community Planning & Permitting Department has converted the Boulder County Comprehensive Plan to a new graphic template to update the look and feel of the document and provide design consistency. Along with the graphics refresh, amendments to the document Introduction and overall organization are proposed. Final revisions to BCCP-20-0002 incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively.

Due to COVID-19 response, most Boulder County office locations are closed through May 31.
Detailed information regarding these items are available online at www.boco.org/cpp.

Published: May 6, 2020-- Daily Times-Call

PUBLIC HEARING
BOULDER COUNTY, COLORADO
PLANNING COMMISSION

DATE: May 20, 2020
TIME: 1:30 p.m.

PLEASE NOTE: Due to COVID-19 concerns, this hearing will be held virtually. Information regarding how to participate will be available on the Planning Commission webpage in advance of the hearing (www.boco.org/PC).

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

Information regarding how to participate in this virtual meeting will be available on the Planning Commission webpage in advance of the hearing (approximately May 13) at www.boco.org/PC. There will be opportunity to provide public comment remotely on the subject dockets during the respective virtual Public Hearing portions for each item. If you have comments regarding any of these items, you may mail comments to the Community Planning & Permitting Department (PO Box 471, Boulder, CO 80306) or email to planner@bouldercounty.org. Please include the docket number of the subject item in your communication. Call 303-441-3930 or email planner@bouldercounty.org for more information.

Docket SI-18-0003: City of Boulder - Boulder Interceptor Sewer Relocation
Areas and Activities of State Interest (1041) review for the relocation and replacement of the City of Boulder sewer interceptor line. The project includes replacing an existing 42-inch diameter concrete pipe with a 54- to 66-inch pipe to increase capacity and to relocate the line to an area less susceptible to flood damage and erosion. The application is submitted by Cole Sigmon, City of Boulder. Potentially affected property owners include: City of Boulder, County of Boulder, Daniel J. & Cindy Lisco, Regional Transportation District, Cullen Elizabeth, Indian Road Partners Ltd, Loveland Ready Mix Concrete Inc., Hugh & Lee Ann McGinty Revocable Trust, Valmont Community United Presbyterian Church, State of Colorado, Western Disposal, Inc., Hogan Keeter LLC, Gail Bishop, Lisa Elaine Holmquest, Steve Dunn & Lynn Rodenhizer, Veronica Ibarra, Butte Blacksmith LLC, John R Botterill Jr & Jan M Houck, Valmont Properties LLC, Harley I Jr & Joy E Keeter , Benjamin C & Mary Kay Keeter. The proposal is in the Agricultural (A), General Industrial (GI), Light Industrial (LI), Manufactured Home (MH), Rural Residential (RR), Suburban Residential (SR) Zoning Districts, at 4045 and 4049 N. 75th St. (146313300002), 3893 N. 75th St. (146313300005, 146314000030), 6936 Jay Rd. (146314000040), 0 RR (146322009001), 5823 Valmont Rd. (146322300003), 0 Valmont Rd. (146322300015), 6005 Valmont Rd. (146322400011), 5973 and 3131 Indian Rd. (146322400014), 3180 61st St. (146322400021), 3152 Indian Rd. (146322400028), 3262 N. 61st St. (146322400032, 146322400033), 0 Valmont Dr. (146323000001), 6405 Valmont Rd. (146323000006), 3897 N. 75th St. (146324000008), 0 N. 75th St. (146324000009), & 5880 Butte Mill Rd. (146327000003), 6017 Valmont Rd. (146322400012), 6025 Valmont Rd. (146322400013), 5987 Valmont Rd. (146322400029), 6033 Valmont Rd. (146322400034), 6095 Valmont Rd (146322400038), 6327 Valmont Rd. (146323000017), 6379 Valmont Rd (146323000030), 6379 Valmont Rd. (146323000031), and 6423 Valmont Rd. (146323000032), near the intersection of Stazio Drive and Valmont Road continuing northeast to approximately 1,500 feet south of the intersection of Jay Road and Carter Trail, in Sections 13, 14, 22, 23, 24, and 27, Township 1N, Range 70W.

Docket V-20-0002: Ryan Vacation
Request to vacate a portion of the Eastview Drive platted right-of-way. The application is submitted by Daniel P. Ryan. The proposal is in the Estate Residential (ER) zoning district at 1375 Eastview Drive, Lot 45 Crestmoor, located on the north end of Eastview Drive, approximately 250 feet from its intersection with Crestmoor Drive, in Section 35, Township 1N, Range 70W.

Docket V-20-0003: Walter Vacation
Request to vacate the Hill Street right-of-way east of Lot 5, Block 9 and west of Grove Street, submitted by Robert Dale and Lynne Yvonne Walter. The proposed project is in the Historic (H) zoning district, at 350 Gold Run Street, 351 & 391 Grove Street, and Parcel No. 145912009001, located south of Gold Run Street and on the west side of Grove Street, Lots 1-5, Block 9 and Lot 1, Block 17 of the Gold Hill Townsite in Section 12, Township 1N, Range 72W.

Docket BCCP-20-0001: Geologic Hazard Mapping-Related Amendments
The Community Planning & Permitting Department is updating the Geology Element of the BCCP to incorporate improved geologic hazard and constraint mapping that represents the best available data on a range of geologic hazard features present in the county. The mapping was prepared with grant funds following the 2013 extreme rain event. That event changed the landscape, making some areas more susceptible to geologic hazards, and it increased awareness of the importance of understanding the geologic hazards and constraints present in the county. The proposed geologic hazard and constraint mapping will help ensure that properties are developed in a manner that addresses those risks. Minor revisions to the Geology Element of the BCCP also include updates to the definitions and policy sections of the element and a new guidelines table and map for providing further guidance when reviewing development on properties with potential geologic hazards. Final revisions to the Geology Element incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively.

Docket BCCP-20-0002: Document Template Conversion-Related Amendments
The Community Planning & Permitting Department has converted the Boulder County Comprehensive Plan to a new graphic template to update the look and feel of the document and provide design consistency. Along with the graphics refresh, amendments to the document introduction and overall organization are proposed. Final revisions to BCCP-20-0002 incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively.

Due to COVID-19 response, most Boulder County office locations are closed through May 31. **Detailed information regarding these items are available online at www.boco.org/cpp.**
Published: Longmont Times Call May 6, 2020--1703940

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Boulder
State of Colorado

The undersigned, Lisa Schmidt, 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 6, 2020

Lisa Schmidt
Signature

Subscribed and sworn to me before me this 7th day of May, 2020.

Melissa L Najera
Notary Public

MELISSA L NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064049936
MY COMMISSION EXPIRES DECEMBER 11, 2022

(SEAL)

Account:	1050753
Ad Number:	1703940
Fee:	$117.74

1.3

MEETING OF THE PLANNING COMMISSION
BOULDER COUNTY, WEDNESDAY, MAY 20, 2020
{Approved June 17, 2020}

The Planning Commission of Boulder County held a regular afternoon session virtually via Microsoft Teams.

Call to Order
The meeting was called to order at 1:32 p.m. by Chair Lieschen Gargano.

Roll Call

Members Present:	Vice-Chair Ann Goldfarb Daniel Hilton Chair Lieschen Gargano Mark Bloomfield Sam Fitch Second Vice-Chair Sam Libby Melanie Nieske
Members Excused:	Gavin McMillan Todd Quigley

Approval of Minutes/Miscellaneous Business
Approval of meeting minutes from April 15, 2020.

MOTION: Sam Libby MOVED that the Boulder County Planning Commission APPROVE the meeting minutes from April 15, 2020.

SECOND: Mark Bloomfield

VOTE: Motion PASSED {7:0}

Staff Updates
No staff updates were provided.

Items

1. **Docket SI-18-0003: City of Boulder - Boulder Interceptor Sewer Relocation**
   Public Hearing
   Sean Gambrel, Planner II, presented the application for Cole Sigmon, City of Boulder, Areas and Activities of State Interest (1041) review for the relocation and replacement of the City of Boulder sewer interceptor line. The project includes replacing an existing 42- inch diameter concrete pipe with a 54- to 66-inch pipe to increase capacity and to relocate the line to an area less susceptible to flood damage and erosion. The proposed pipeline is in the Agricultural (A), General Industrial (GI), Light Industrial (LI), Manufactured Home (MH), Rural Residential (RR), Suburban Residential (SR) Zoning Districts, at 4045 and 4049 N. 75th St. (146313300002), 3893 N. 75th St. (146313300005, 146314000030), 6936 Jay Rd. (146314000040), 0 RR (146322009001), 5823 Valmont Rd. (146322300003), 0 Valmont Rd. (146322300015), 6005 Valmont Rd. (146322400011), 5973 and 3131 Indian Rd. (146322400014), 3180 61st St. (146322400021), 3152 Indian Rd. (146322400028), 3262 N.

61st St. (146322400032, 146322400033), 0 Valmont Dr. (146323000001), 6405 Valmont Rd. (146323000006), 3897 N. 75th St. (146324000008), 0 N. 75th St. (146324000009), & 5880 Butte Mill Rd. (146327000003), 6017 Valmont Rd. (146322400012), 6025 Valmont Rd. (146322400013), 5987 Valmont Rd. (146322400029), 6033 Valmont Rd. (146322400034), 6095 Valmont Rd (146322400038), 6327 Valmont Rd. (146323000017), 6379 Valmont Rd (146323000030), 6379 Valmont Rd. (146323000031), and 6423 Valmont Rd. (146323000032), near the intersection of Stazio Drive and Valmont Road continuing northeast to approximately 1,500 feet south of the intersection of Jay Road and Carter Trail, in Sections 13, 14, 22, 23, 24, and 27, Township 1N, Range 70W.

PUBLIC HEARING OPENED

SPEAKERS: None.

PUBLIC HEARING CLOSED

MOTION: Mark Bloomfield MOVED that Planning Commission CONDITIONALLY APPROVE and recommend that the Board of County Commissioners CONDITIONALLY APPROVE <u>Docket SI-18-0003: City of Boulder - Boulder Interceptor Sewer Relocation</u> subject to the conditions listed in the staff report.

SECOND: Ann Goldfarb

CONDITIONS OF APPROVAL:

1. The Applicant shall be subject to the terms, conditions, and commitments of record in the file for Docket SI-18-0003: City of Boulder Sewer Interceptor Relocation.

2. Prior to any construction activities or the issuance of any permits, the applicant shall obtain and submit to the Community Planning & Permitting Department for review and approval all permissions and easements or other property rights necessary for the proposal, including crossing agreements.

3. All phases of construction shall be done in compliance with applicable federal, state, and local statues and regulations, including these conditions of approval. All required permits shall be obtained prior to construction (as related to each stage of construction) including, without limitation: a County Floodplain Development Permit, a County Utility Construction Permit, a County Stormwater Quality Permit, and Colorado Department of Public Health and Environment Stormwater Discharge and Dewatering Permits. A Notice of Intent to Construct Dewatering Wells must be filed with the Colorado Department of Water Resources. Prior to any construction activities, the applicant shall obtain all necessary federal, state, and local permits and comply with the conditions of these permits throughout the life of the project, as applicable.

4. The applicant must provide accommodations for bicycle and pedestrian traffic at the South Boulder Creek Bridge bikeway underpass during construction.

5. A staging plan shall be provided as part of the final project design proposal.

6. Final Plans must show the following:

a. Boulder County and RTD ROW;

b. all existing utilities in the Boulder County rights-of-way;

c. the proposed gravel maintenance road;

d. construction notes reflecting that work in the Boulder County ROW conforms to the Boulder County Multimodal Transportation Standards; and

e. all overhead and underground electric and gas facilities in the vicinity of the project.

7. The design of the proposed gravel maintenance road must comply with the Boulder County Multimodal Transportation Standards (“the Standards”) for parcel access, specifically Article 5.5 (Parcel Access Design Standards) and relevant Standard Drawings.

8. Upon completion of the project, as-built plans must be submitted for all construction work within County ROW.

9. Construction drawings at 60% and 90% completion must be submitted to the Engineering Development Review team prior to submittal of required permit applications. Requests for additional information may result from staff reviews of the 60% and 90% plans.

10. A Boulder County Utility Construction Permit (UCP) is required for any work done in the County ROW. Where work occurs in the roadway, trench patching with a 2" full width overlay of the entire roadway is required for the entirety of the project alignment. Any exceptions to this requirement will be specified in the Utility Construction Permit.

11. Oversize/Overweight Permit: Heavy equipment traffic will be subject to any and all weight limit restrictions along adjacent roadways and applicant will be responsible for repair of the adjacent roads should there be any damage, as identified by the County Engineer.

12. Because the area of disturbance is greater than 1 acre, and within 100 feet of South Boulder Creek, a Boulder County Stormwater Quality Permit (SWQP) is required. The SWQP must be obtained prior to any work beginning on this project.

13. An Access Permit is required for all accesses to and from County ROW.

14. The applicant shall obtain such access easements as are needed to access the construction area; copies of access easements must be submitted to the Community Planning & Permitting Department prior to issuance of the UCP. Depending on the final design, additional permits may be required.

15. Work hours may not extend beyond 9:00 AM to 4:00 PM (3:30 PM during the school year) unless explicitly approved by the County Engineer. At all times the road must be passable for local traffic and emergency vehicles and the road must be re-opened to night traffic prior to the conclusion of each workday.

16. Any access blockage or closure to private driveways must be opened by the end of the work day.

17. A Traffic Control Plan (TCP), completed by a Certified Traffic Control Supervisor, must be submitted to Engineering Development Review prior to issuance of the UCP.

a. The TCP must include flaggers and/or other traffic control measures to be used during construction and haul operations within County ROW or that will impact County ROW.

b. Locations and types of warning signs along the roads shall be shown.

c. A map of all haul routes must be submitted with the TCP.

18. A Transportation Management Plan (TMP) must be prepared by the applicant and submitted to the Engineering Development Review team prior to submittal of required permit applications that includes the areas of the project that will access County ROW. (A TMP Template is attached for guidance)

a. The TMP must include a construction schedule and it must identify potential impacts and provide mitigation strategies for the following:

i. bicycle, pedestrian and vehicular traffic

ii. private access (including residential and business accesses)

iii. Planned County transportation projects that have the potential to be impacted

by construction of the sewer interceptor line including:

a. 61st Street culvert replacement over Four Mile Canyon Creek

b. 61st Overlay - Jay to Valmont

c. 61st / Valmont Intersection safety improvements

d. RTD Rail Trail - 55th to 75th

19. Day-time road closures should be avoided where possible, and the applicant will be required to provide emergency vehicle and residential access to adjacent properties at all times. At no time will night-time road closures be allowed. The roadway must be opened for

general use outside of the hours of operation noted above. Construction documents must note what method(s) the applicant intends to use to maintain an open roadways, which must be approved by the County Engineer.

20. A preconstruction meeting with County Public Works and Community Planning and Permitting Engineering Review staff is required prior to the commencement of construction activities. At this meeting, the hours of work, access points, snow removal in the construction zone, traffic management and traffic control and construction and inspection schedules will be discussed.

21. With the county's consent, the applicant shall submit a notice of intent to the State Engineer's Office in accordance with the state's Rules 6.1.3.1, 6.1.3.2, and 6.1.3.3 for dam safety and dam construction. Additionally, Rule 11 of the dam safety regulations applies to any modification, alteration and or repair of non-jurisdictional dams.

22. Within the Walden Ponds property, the alignment should be constructed as close to the trail as possible to reduce those construction impacts to the marsh area. However, retention of the mature cottonwood trees in the area near the south boundary of the water treatment plant, north of the spillway and in the vicinity of the spillway shall also be a priority.

23. The Interceptor pipeline shall not impact, interrupt, or block the high flow/overflow connecting Bass Pond to Cottonwood Marsh. It is imperative that construction not result in damage or failure of the retaining basins for Bass Pond or Sawhill Pond #4 that would cause catastrophic flooding and permanent damage to those wetlands or the areas they would flood.

24. If installation of the proposed interceptor changes the grade in any location in Walden Ponds, the applicant shall provide topographic plans of the changes and comply with all requested impact mitigation measures requested by Parks & Open Space.

25. Within the Walden Ponds Property, all damaged and affected trails must be repaired to their pre-disturbance condition.

26. The Interceptor pipeline and its construction shall not disrupt the ditch connection from Boulder Creek into Duck Pond.

27. The applicant shall work with Boulder County Parks and Open Space (POS) staff to determine appropriate easement widths and construction zones as the project design becomes more refined. POS staff shall review and approve final construction plans for the section through county open space.

28. The applicant shall limit and mitigate the project's impact to environmental resources, shall restore the surface to preconstruction conditions, and shall minimize impacts to recreation facilities.

29. Subsequent design, engineering and construction plans (e.g. for 50% and 95% project completion) for the section of the project in the Walden Ponds Open Space must be submitted for review and approval by POS prior to permit issuances. Final plans shall include, but not be limited to, a staging plan, temporary and permanent erosion control plans, a storm water management plan, and a fugitive dust control plan.

30. All phases of construction shall be done in compliance with applicable federal, state, and local statues and regulations, including fulfilling all legal obligations to identify, protect, and reestablish public and private survey markers and monuments that exist within proximity to the construction area, and these conditions of approval. Prior to any construction-related activity associated with any individual phase of pipeline construction, the applicant shall meet with POS personnel to ensure all the necessary conditions related to each phase of construction have been completed and all permits have been obtained.

31. Prior to entering Parks & Open Space property, the applicant shall compensate Parks & Open Space for the fair market value of any real property being taken from county open space, including any temporary easements, permanent easements, or deeded land. In particular, the applicant shall:

a. Provide Parks & Open Space with a formal notice of intent to acquire pursuant to C.R.S. §

38-1-121. The notice of intent to acquire shall contain detailed information on the interests applicant intends to acquire on a parcel-specific basis that shows existing easement lengths and widths, as well as new temporary and/or permanent easements or deed land needed and their respective lengths/widths.

b. Agree to property-specific conditions that Parks & Open Space may require to minimize damage, produce prompt reclamation, and restore open space property to its pre- activity condition.

c. Compensate the county for the full fair market value of its interest in the land, even if the county holds less than a full fee interest in the real property being taken.

32. Prior to any construction activities, the applicant must obtain federal Endangered Species Act clearances for threatened and endangered species along the entire length of the pipeline (including, but not limited to Preble's meadow jumping mouse and Ute ladies' tresses orchid). Any necessary field surveys should follow USFWS protocols as to timing windows.

33. The U.S. Army Corps of Engineers shall be consulted to ensure that construction of the project is in compliance with applicable federal regulations. Wetland delineations, defined and required by the US Army Corps of Engineers, may be needed on some properties; such delineations shall be completed in the proper season.

34. The applicant shall review Colorado SB 40 (regarding wildlife certification from Colorado Parks and Wildlife when an agency of the state plans construction in any stream or its bank or tributaries) and ensure that certification requirements are being met as applicable.

35. The applicant shall use cutoff trenches and cutoff walls wherever the pipeline will cross under or near any water, such as any irrigation ditch, stream, river, wetland, pond or other water body.

36. The applicant shall plan construction schedules around sensitive times for critical wildlife habitats on open space lands. Construction work should only occur at Walden Ponds between mid-October and mid-March.

37. The applicant shall follow specific POS requirements for restoring county open space. POS staff will provide specific requirements for county open space when the applicant's site specific planning is underway. Specific requirements may include, but may not necessarily be limited to, seed mix requirements appropriate for restoring the affected properties. The applicant shall obtain POS approval for reclamation and restoration procedures prior to construction. Reclamation will be inspected by the POS staff for proper procedure and final approval.

38. POS will monitor and oversee the applicant's maintenance and weed control activities following reclamation and restoration. The applicant shall pay POS for damages if restoration fails or if reclamation work does not restore the affected properties to their original condition within a period of time acceptable to POS, in its sole discretion.

39. All trails and open space areas that are closed due to construction shall be clearly identified with signs so that open space visitors and trail users may bypass construction activity.

40. Where county trails are impacted by this project, the trails shall be repaired and reconstructed to county standards as specified by POS.

41. The project design needs to incorporate the as-built conditions of the flood repair project between Bass and Cottonwood Ponds including the new service spillway, the existing outlet structure, the buried and active Xcel energy line, and the associated vertical separation of native surcharge. Specifically:

a. The project must provide for dedicated, direct runoff flow routing since spatially varied flood flows traveled through the previously breached location.

b. The project must protect against seepage, since the hydrostatic elevation difference between Bass Pond and Cottonwood Marsh Pond is eight feet.

c. Consider pipe encasement with ASTM C33 coarse sand to prohibit hydraulic flow path

around the pipe annulus.

d. Consider installing a clay cutoff wall upstream of sewer line and backed by ASTM C33 fine sand downstream of cutoff wall to mitigate preferential flow path and fine sediment transport.

e. Embankment rundowns shall be protected against erosive velocities.

f. Establish communication with the SEO and the Xcel Energy engineering department for modification approval to the spillway feature.

42. Pre-construction wildlife, vegetation, wetland, and weed surveys should be conducted in the spring to early fall. No surveys should be conducted during the dormant season (i.e., late fall to early spring). 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 subsequently be established and maintained.

43. The removal of large, mature trees should be avoided on POS lands, and any trees removed in construction must be replaced at a ratio of three-to-one. A tree removal and replacement plan should be provided with the 90% construction drawings.

44. The applicant shall prepare for POS review and approval an access plan for the continued public and department use of Walden Ponds facilities, trails, and lands during the construction phase of the project.

45. The applicant shall conduct a pre-construction meeting with POS staff prior to the commencement of activities on county open space.

46. Limits of permanent and temporary easements on Parks & Open Space lands shall be delineated in the field with orange construction fencing during construction to restrict the amount of disturbance outside the project boundaries. If impacts do occur outside the limits of the permanent and temporary easements, the applicant will be responsible for all costs and activities associated with the reclamation and revegetation of the site to the satisfaction of POS. The applicant shall remove orange construction fencing once final project acceptance is approved by POS.

47. 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.

48. The application materials describe the plan for preventing the spread of noxious weed species. The applicant should 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.

49. The presence of Regal fritillaries, Simius roadside skippers, Colorado blues, Brazilian freetailed bats and Eastern red bats along the alignment shall be surveyed during an appropriate season prior to construction. Wood duck nests shall also be surveyed prior to construction.

50. The project is located within the Floodplain Overlay (FO) District. An Individual Floodplain Development Permit (FDP) is required. Removal of any sewer lines within the FO District will also require an Individual Floodplain Development Permit. The FDP application must contain plans certified by a Professional Engineer (PE), and must depict the project in relation to both the Boulder County and FEMA effective floodplains, must address scour potential and include design considerations to minimize scour where the New Interceptor Sewer and those portions of the Existing Interceptor Sewer to be reinforced will cross waterways, and must depict all proposed staging areas. Staging areas must be located outside of the regulatory Floodway and located outside of the Flood Fringe if possible. Additional information will be required if staging must be located in the Flood Fringe. The FDP application must also include a 'no rise' letter certified by a Colorado-registered PE stating that the project will not cause any rise in regulatory base (1% annual chance) water surface elevations. If a P.E. cannot certify a no-

rise condition, a hydraulic analysis in accordance with Article 4-404.2.E of the Boulder County Land Use Code and either an approved Boulder County Floodway Review or an approved Conditional Letter of Map Revision from FEMA must be submitted.

51. Roads shall remain open to the maximum extent practicable in order to avoid undue delay in emergency response.

52. Disruption of water to hydrants in the project area shall be kept to a minimum. All disruptions shall be immediately reported to Boulder Rural Fire District.

53. Any activity including grading, landscaping, erosion control or similar activities involving utility right-of-way will require approval. Encroachments across utility easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a license agreement.

54. A dust mitigation plan must be provided by the applicant and approved by Boulder County prior to construction.

VOTE: Motion PASSED {7:0}

2. <u>Docket V-20-0002: Ryan Vacation</u>
Public Hearing
Jean (Raini) Ott, Planner II, presented the application for Daniel P. Ryan, request to vacate a portion of the Eastview Drive platted right-of-way, increasing the lot size from 0.88 acres to approximately 0.92 acres. The proposed vacation is in the Estate Residential zoning district, at 1375 Eastview Drive, Lot 45 Crestmoor, located on the north end of Eastview Drive, approximately 250 feet from its intersection with Crestmoor Drive, in Section 35, Township 1N, Range 70W.
PUBLIC HEARING OPENED
SPEAKERS: None.

PUBLIC HEARING CLOSED

MOTION: Sam Fitch MOVED that Planning Commission CONDITIONALLY APPROVE and recommend that the Board of County Commissioners CONDITIONALLY APPROVE <u>Docket V-20-0002: Ryan Vacation</u> subject to the conditions listed in the staff report.

SECOND: Mark Bloomfield

CONDITIONS OF APPROVAL:

1. Only that portion of the platted Eastview Drive cul-de-sac shown in the application materials, approximately 1,857 square feet, is vacated.

2. 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 shall also be recorded by Community Planning & Permitting Staff with the County Clerk and Recorder's Office within this one-year timeframe. This vacation approval shall not be considered final or effective until this recordation. Finally, this vacation approval shall expire if recordation does not occur within the required one-year timeframe (unless an extension is granted).

3. The applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket V-20-0002 Ryan Vacation.

VOTE: Motion PASSED {7:0}

3. <u>Docket V-20-0003: Walter Vacation</u>
Public Hearing
Jean (Raini) Ott, Planner II, presented the application for Robert Dale and Lynne Yvonne Walter, request to vacate the Hill Street right-of-way east of Lot 5, Block 9 and west of Grove Street. The proposed vacation is in the Historic zoning district, at 350 Gold Run Street, 351 & 391 Grove Street, and Parcel No. 145912009001, located south of Gold Run Street and on the west side of Grove Street, Lots 1-5, Block 9 and Lot 1, Block 17 of the Gold Hill Townsite in Section 12, Township 1N, Range 72W.

PUBLIC HEARING OPENED
SPEAKERS: Robert Walter (applicant) spoke about the application. No members of the public spoke.

PUBLIC HEARING CLOSED

MOTION: Sam Libby MOVED that Planning Commission CONDITIONALLY APPROVE and recommend that the Board of County Commissioners CONDITIONALLY APPROVE Docket V-20-0003: Walter Vacation subject to the conditions listed in the staff report.

SECOND: Sam Fitch

CONDITIONS OF APPROVAL:

1. Prior to recordation of Resolution and deeds, a ten-foot wide utility and pedestrian easement must be established within the vacated Hill Street right-of-way, straddling the former centerline.

2. 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 shall also be recorded by Community Planning & Permitting Staff with the County Clerk and Recorder's Office within this one-year timeframe. This vacation approval shall not be considered final or effective until this recordation. Finally, this vacation approval shall expire if recordation does not occur within the required one-year timeframe (unless an extension is granted).

3. The applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket V-20-0003 Walter Vacation.

VOTE: Motion PASSED {7:0}

4. Docket BCCP-20-0001: Geologic Hazard Mapping-Related Amendments
Public Hearing
Chad Endicott, Long Range Planner, presented docket BCCP-20-0001: Geologic Hazard Mapping-Related Amendments. The Community Planning & Permitting Department is updating the Geology Element of the BCCP to incorporate improved geologic hazard and constraint mapping that represents the best available data on a range of geologic hazard features present in the county. The mapping was prepared with grant funds following the 2013 extreme rain event. That event changed the landscape, making some areas more susceptible to geologic hazards, and it increased awareness of the importance of understanding the geologic hazards and constraints present in the county. The proposed geologic hazard and constraint mapping will help ensure that properties are developed in a manner that addresses those risks. Minor revisions to the Geology Element of the BCCP also include updates to the definitions and policy sections of the element and a new guidelines table and map for providing further guidance when reviewing development on properties with potential geologic hazards. Final revisions to the Geology Element incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively. Per Planning Commission recommendation during the public hearing held on May 20, 2020, staff will continue to investigate making geologic hazard and constraint mapping layers more accessible for the public and interested parties.

PUBLIC HEARING OPENED

SPEAKERS: None.

PUBLIC HEARING CLOSED

MOTION: Dan Hilton MOVED the Planning Commission APPROVE the proposed amendments to the Boulder County Comprehensive Plan and ADOPT Docket BCCP-20-0001: Geologic Hazard Mapping-Related Amendments.

SECOND: Mark Bloomfield

VOTE: Motion PASSED {7:0}

5. **Docket BCCP-20-0002: Document Template Conversion-Related Amendments**
Public Hearing
Molly Marcucilli, Long Range Planner, presented Docket BCCP-20-0002: Document Template Conversion-Related Amendments. The Community Planning & Permitting Department has converted the BCCP document to a new graphic template to update the look and feel of the document and provide design consistency. Along with the graphics refresh, amendments to the document Introduction and overall organization are proposed. Final revisions to BCCP-20-0002 incorporate feedback obtained from public hearings held by Planning Commission and the Board of County Commissioners on February 19, 2020 and March 31, 2020 respectively. Planning Commission approved of the solutions provided by staff regarding the feedback obtained from the previous public hearings but recommended that staff shorten the BCCP document in a future update. In response to staff's request for Planning Commission to provide direction on which option to choose regarding the Countywide Goals section, Planning Commission chose Option 1.

PUBLIC HEARING OPENED

SPEAKERS: None.

PUBLIC HEARING CLOSED

MOTION: Sam Libby MOVED the Planning Commission APPROVE the proposed amendments to the Boulder County Comprehensive Plan with the recommendation to pursue Option 1 and ADOPT Docket BCCP- 20-0002: Document Template Conversion-Related Amendments.

SECOND: Mark Bloomfield

VOTE: Motion PASSED {7:0}

Adjournment
The meeting was closed at 3:50 p.m.