

From: [Dane Kornasiewicz](#)
To: [Audem Gonzales](#)
Cc: [Cassidy Orr](#)
Subject: Spring Hill Development Comments
Date: Tuesday, November 30, 2021 9:54:58 AM
Attachments: [Planning Committee Letter - Existing Homeowners.docx](#)

Hello Ms. Gonzales,

Please see the attached letter outlining the primary concerns and potential mitigations as noted by a collection of full-time homeowners located on the North boundary of the Spring Hill planned development. We intend to join the planning committee meeting on Wednesday, December 1, 2021, but wanted to pass this along to the committee ahead of time. Please let me know if you have any questions or clarifications.

Thanks,
Dane

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Members of the Planning Committee,

We represent a collection of existing, full-time homeowners located in Northern Erie, who have concerns with the current plat allocations and impact considerations for the Spring Hill Development complex. We have expressed these concerns in detail to the development company overseeing the project, E5X Management based in Centennial, but the responses from the company seemed to indicate that no significant alterations would be made to the existing plan. As such, we find it necessary to reach out directly to your committee to express our grievances, as well as to identify potential mitigating actions which would, in part, alleviate the impacts of this large-scale development on the existing Erie residents bordering the complex property.

The following details each of our primary concerns, all of which have been conveyed to the developers, and include specific references to certain sections of the current plat map (included with point identifications for reference in Appendix A). For each topic, we have identified the primary impacted regions as well as offered our suggestions for actions in pursuit of potential compromise.

Green/Open Space Allocation

Our first and arguably most fervent complaint with the current Spring Hill development plan, is the poor allocation of open space (also referred to as a green belt) to help separate the existing homeowners from the intended housing additions. The current plan, which the developers have stated adheres to the minimum distance spacing requirements for a low-density residential plat, was determined without input from the existing homeowners, and displays little in terms of strategy to help mitigate the significant impact of the high-density section of the development from the existing single family, rural homes already in existence. There is ample green space available on the nearly 300-acre parcel, but in what we must assume was an oversight, the developers have chosen a layout which allocates the open space in such a way as to back up against non-inhabited farmland.

The land on which the Spring Hill Development is planned was, until 2014, zoned as agricultural land and has been used for the cultivation of alfalfa hay and other similar horticultural pursuits with similar farmland requirements since then. That year it seems, the zoning designation was changed to low-density residential to help support the growing Erie town limits. While the background for this decision exists only as conjecture at this point, it is unlikely that the re-zoning would have been approved without consideration of the Town of Erie comprehensive vision statement and historical commission purpose. These emphasize the preservation of the natural environment in which the town resides, the historical purpose to which land has been used, and the promotion of good, compatible architectural design of future housing and structural development. The current Spring Hill layout plan, consisting of congested single-family plots and with clustered townhouses and duplexes making up the entire Northern portion, look as though they were designed by someone with no familiarity with the town and with little effort to enhance or make compatible any of the building layouts with the existing, rural homes.

Compromise: With understanding that the modified, low-density residential zoning allows for housing developments to bring in non-traditional, higher density style homes when the plotted land is sufficiently large, we ask only that an appropriate buffer of 300ft minimum is allotted between existing, inhabited property lines and any construction on the Spring Hill Development Site to allow us to continue our preferred, homestead focused lifestyles. The modified development plat map (Appendix A, figure 2) has been updated with a demarcated buffer area showing roughly what this allocation would

likely look like. In most cases, the Spring Hill Development plan already adheres to this minimum allocation, but there are several regions that need to be shifted to provide a sufficient buffer (highlighted with Red Circles for clarity).

Traffic Build-up: Lack of Existing Infrastructure

Our second major point of contestation is in relation to the significant traffic issues that this new development plan will have on County Road 3 and Highway 52. The infrastructure that is in existence currently, particularly on Highway 52, is already afflicted with significant traffic delays along the section of road where the Spring Hill Annex would exit. Current residents already wait 5-10 minutes for a gap in traffic when headed West in the morning and East in the evening on Highway 52. This development plans to add 608+ units, and assuming a rough average of two cars per day and 2 trips per day, that's more than 2400 daily enter/exit demands at a minimum for an underdeveloped area of infrastructure. For those who have traveled along Highway 52 or any of the county roads during times of congestion, it is evident that such a sudden influx of additional vehicles will push these delays even further and will ultimately result in a significant increase in accidents in the region.

In response to this concern, the developers noted a proposed CDOT project plan to increase the vehicle capacity of State Highway 52 (see [CO 52 Planning and Environmental Linkages \(PEL\) & Access Control Plan \(ACP\) — Colorado Department of Transportation \(codot.gov\)](#)). This project, however, is still in the preliminary planning stage and had a broad focus on improving congestion on a 41+ mile section of highway. There is no associated consideration of the localized impact of such a significant increase in daily round trips. Additionally, there is no published final timeline for this project. As such, it's potential as mitigation for existing travel problems should be excluded in favor of a detailed, localized study.

Compromise: The Spring Hill development team needs to invest significantly in traffic mitigation efforts along the stretch of Highway 52 between County Road 3 and County Line Road and, once the infrastructure changes are identified, they should work with CDOT to conduct an intensive traffic audit to ensure safe driving conditions in all seasons. If the resulting traffic survey concludes that upgrades to the road still cannot support the influx of expected vehicles, then the Spring Hill Development should reduce the number of units, most likely by reduction of the quantity of high-density housing in favor of single-family dwellings.

Light Pollution

As part of large-scale housing developments, there is an inherent increase in the amount of light pollution stemming from the internal and external fixtures supporting the various complexes. Direct evidence of the negative impact that these lights have if not appropriately controlled exists in the street lighting installed near to residences at the County Road 3 entrance of the Morgan Hill development in Northern Erie. Many of those who live in Northern Erie moved from more densely populated suburbs and cities with the intent of getting away from lights that never switch off at night. We value quiet, dark fields and mountain silhouettes and a non-managed lighting plan would be a nuisance.

Compromise: The Spring Hill development team needs to conduct a detailed lighting study with the project planner. The amount of street lighting should be reduced to the minimum required, and should be avoided entirely in sections of the development that do not expect to see foot traffic (for example the Northern section leading to State Highway 52, which has no pedestrian development).

Property Compatibility and Security Concerns – Type of Housing to be Installed

A fair portion of the available development acreage has been allocated to single family homes (418 of the 632 planned units) on the South side of the development, however the remaining 214 properties, all of which are on the North side of the development, are intended to be a mix of Townhomes and Duplexes. As previously noted, most existing residences surrounding this planned development are single family homes located on the Northern half of the plot. The addition of high-density duplexes and townhouses is entirely incompatible with the existing home style. When this point was raised to the development company, they stated that the sole reason for utilizing duplex and townhouses in this portion of the development in place of single-family homes was due to water table constraints on the northern most properties which would prevent recessed basements. We have several issues with this response which are summarized in the following:

- a. Each of the existing single-family homes bordering the northern section of the planned development have basements and cellars. The 100-year floodplain map for the region cuts across the North Western-most corner of the plot but does not impact any of the proposed housing areas (See Appendix A, Figure 3).
- b. High-density housing collections, such as clustered townhouses and duplexes, tend to exacerbate many of the other issues accompanying housing developments (i.e. litter, traffic, lighting, noise, etc.).
- c. High-density units are more likely to be rented out rather than supporting full-time residents. This leads to tenants with little long-term stake in the cleanliness or safety of the community.

High-density housing requires a higher number of people to live in close proximity to one another and subsequently increases the demand for resources and amenities. Additionally, because there is not as well defined of a property boundary for this type of housing, the likelihood for trespassing increases. Without physical demarcations or barriers separating existing properties from this vast development, current owners are concerned that new or temporary tenants will come onto our land uninvited.

Compromise: Ideally, the development plan would be modified to include single family homes in place of the duplex and townhouse allocations. Barring this (assuming there are legitimate restrictions driving this type of housing necessity), we would ask that the development company take steps to decrease the likelihood of intentional or unintentional trespassing. This could take the form of a solid fence placed at the property boundary and maintained regularly by the development or by restrictions on renting of the properties within the development.

Waste and Recycling

This concern can be summarized in short by the adage of ‘more people equals more trash’. This area is particularly windy and we would expect that the development plan includes sufficient enclosed trash facilities to ensure that any and all waste can fit within the receptacles, regardless of the demand. This is particularly vital in the high-density housing sections of the proposed plan.

Compromise: For the high-density housing sections, we would suggest allocation of at least one large receptacle per every ten units with twice weekly servicing. If, as we note is our hope in earlier sections of this letter, the development plan is altered to include only single-family homes, then a weekly trash collection is a necessity.

Existing Business Impact

In addition to having an impact on existing long-term residents, the close proximity of the high-density collections is expected to negatively effect at least one pre-existing business. Under the terms outlined in USR21-0002, the property at 620 State Highway 52 was granted rights to a dog training facility for the purposes of commercial business. The permitting for this facility was attained under the assumption of direct proximity to low-density or agricultural land and not to high-density housing collections. Not only will this likely lead to an increase in the amount of dog and client excitation (and subsequent barking) but will also have an impact on the long-term relationship of any homeowners or tenants in the Spring Hill complex with the business owners. Additional details for this concern will be discussed in a separate letter (to be sent directly by the owner of the business), but at the time this was discussed with the development company representative, he had no suggestions for mitigation.

Compromise: Similar to other concerns voiced earlier in this letter, the most likely resolution to this concern is for the Development plan to be altered to allow for an increased buffer zone between the dog training facility and the nearest Spring Hill housing unit. A noise study was conducted by the business owner during the permitting process for the dock and we would suggest that a similar study was conducted by the Development team to determine a minimum allowable distance for noise mitigation in congruence.

Ultimately, we understand that as Erie continues to grow, housing developments like the Spring Hill complex are necessary to support the increasing population. As full-time homeowners, we are preparing ourselves for the inevitable lifestyle impacts that accompany such changes and are more than willing to have an open conversation to discuss the most effective means compromise. However, we feel that to this point, the Spring Hill development plan has focused solely on how to expand its own benefits and has not adequately accounted for its impending affect on the surrounding area. As such, we hope that the members of the committee with require sufficient evidence that the developers of this complex have addressed these and other noted concerns before granting them a zoning change or allowance to proceed.

Thank you for your time,

Dane Kornasiewicz and the Residents Bordering the Spring Hill Complex

APPENDIX A

Figure 1 – Unmodified Plat Map



Figure 2 – Modified Plat Map – Green Space Allocation



Figure 3 – 100-year Floodplain Proximity to the Spring Hill Development



From: [Christopher Johnson](#)
To: [Audem Gonzales](#)
Cc: [Brittany Barton](#)
Subject: Spring Hills Pubic Hearing - Resident Concerns
Date: Wednesday, December 1, 2021 9:38:12 AM

Hello City of Erie Planning,

My name is Chris Johnson and I own the property at 752 State Highway 52, Erie and are a part of the collection of homeowners that have significant concerns over the Spring Hills development project and are fully supportive of the Planning Committee letter sent in by Dane Kornasiewicz. We have spent our life savings on our 3 acre ~\$2 Million dollar property to live in the rural Erie community so we can enjoy space, safety, hobbies (car racing and shooting) on our property, but to still be close to a great community.

Unfortunately, we can't make the meeting tonight due to a work conflict, so we wanted to express our concerns here in addition to the letter from Dane.

1. No notices have been given to any other hearings or details to be able to voice concerns before this hearing today. It feels that the current properties haven't been taken into consideration.
2. As stated in Dane's email, the type of low income/high density townhomes/duplexes are placed right on our existing property lines and only meet the minimum (as stated by the builder) of 100ft. In addition, our property is at a lower elevation to the new buildings and creates a large security risk for our assets and children. There is no buffer or fence to provide existing residence's security or privacy.
3. Lack of infrastructure. The traffic on Hwy 52 already makes it almost impossible to turn in/out of our private residence given it's only a 2 lane highway and no turn lanes. Our mailbox is also on the other side of 52 making it very dangerous just to check our mail. With the building plan, this just adds significantly more people and cars without addressing the infrastructure first.
4. In addition to the above and Dane's email from the collection of homeowners, the current plan, types of homes, and approach will significantly impact our home values. This again makes it feel like no considerations have been taken into account from the current Erie homeowners and how this will impact them personally and professionally.
5. Activities that come with space and living in unincorporated Weld County. We build racecars in our detached shop (again goes back to the security concerns) that are very loud. We moved to a rural area to ensure we're not a nuisance to neighbors but can still enjoy this hobby/business. Also, we have a shooting range on our property that wouldn't be usable safely with the proposed plans.

Please let us know if you have any questions or if you would like a tour of our property so you can see the proposed impacts first hand.

Thank you!
Chris and Brittany Johnson

From: [Cassidy Orr](#)
To: [Audem Gonzales](#)
Subject: Comments for Spring Hill Development
Date: Wednesday, December 1, 2021 12:12:37 PM
Attachments: [Planning Committee - Cassidy Nicole Orr.docx](#)
[SurveyMap_062221.pdf](#)

Hello Mr.Gonzales,

I have attached a letter below outlining my concerns as a business owner about the Spring Hill Development proposal.

Please confirm when you receive this email. I would like it included in the discussion tonight.

Thanks,
Cassidy

Members of the Erie Planning Committee,

I am writing to express my concerns with the current building placement and proximity to the Northern border of the Spring Hill development plan. I live at 620 State Highway 52, Erie, CO 80516 and I am particularly worried that the current development plat places a complex of high-density housing units close to my permitted Dog Training Facility. This facility, which is permitted by the Weld County planning committee under USR21-0002, was granted these rights after a rigorous permitting investigation which evaluated the noise impact on surrounding properties, the expected increase in entry and exits through our main drive to State Highway 52, as well as lighting and quiet hour limitations. The current Spring Hill development layout changes a significant number of the assumptions made during this process, and after initial discussion with development representatives, it does not seem that they have conducted sufficient due diligence to mitigate these changes and the direct impact it will have both on their housing units and my business.

The foremost concern I have relates to the anticipated noise complaints expected due to the proximity of the high-density units to my facility's primary structure. To provide some background, my training facility is a dock diving and rehab facility for casual and working line dogs. This consists of a 40' dock which the canines use to jump into a 45' pool for energy expenditure and competition. As part of the permitting process for this construction, we contracted an independent engineering company to conduct a noise study to determine the minimum setback from existing properties to ensure minimal impact. This company identified a setback of 25' from our property border based on the low-density residential zoning qualification of the land behind our property and we have established this as the edge of the dock and pool envelope. At the time, the town of Erie Planning Committee recommended a setback of 300' from the rear boundary rather than the 25' as analyzed in the noise study. At the time, there was no reason given for this recommendation, and upon investigation by a Weld county inspector and by the engineer conducting the noise study, it was determined that moving the dock and pool back 300' would in fact have a significant noise impact on our existing, full-time resident neighbors (the survey map of the property is included as an attachment to this letter for clarification). Because there is currently nothing but open countryside on the property behind our property, the Weld advisory and planning committee recommended we stick to the 25' setback as dictated by the noise study, and we have done so. It is now clear that the 300' setback recommendation was made in anticipation of this development and it seems that, since we were not able to move the dock back on to the North, that the 300' buffer should be instituted on the Development buildings instead, particularly because they have more than sufficient room to the South of the high-density complex in question to shift the complex footprint. Not to require them to do this when the impact to their other buildings is negligible is a clear double standard.

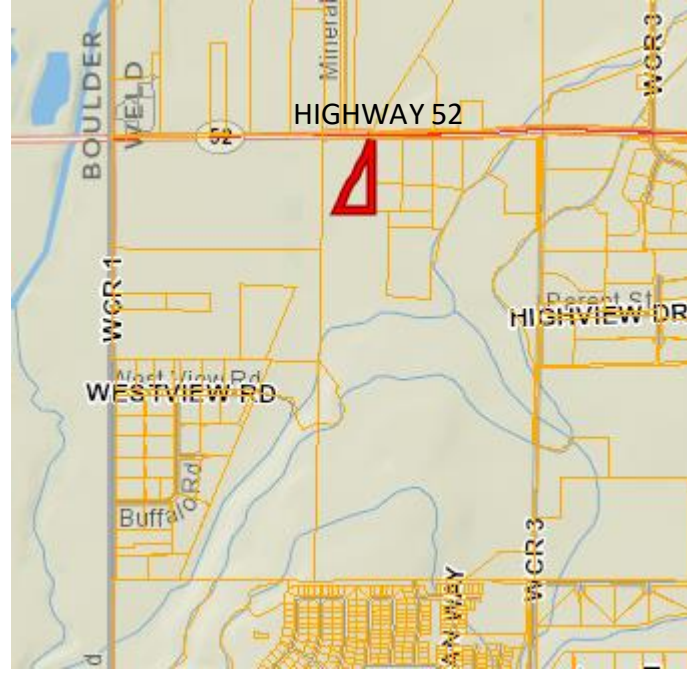
My second pressing concern has to do with the anticipated traffic impact that an additional 600+ units will have on the accessibility to my property and business. During permitting, we completed a traffic study in congruence with CDOT, and were approved access to State Highway 52 per permit #421017. When we spoke with the developers of the Spring Hill complex, they directed us to an Access Control Plan proposal (<https://www.codot.gov/projects/co52-pel-acp>) that is currently in review by CDOT. Not only is this proposal not yet finalized nor guaranteed funding, but it refers to improvements to a 41.6 mile stretch of highway with no focus on the 1 mile stretch of highway between County Line Road and County Road 3 associated with this development and with my business. The Spring Hill Development has done nothing to show that the additional entrance and exit traffic will not cause

severely detrimental impact to the highway in both the East and Westbound directions and as such, granting them this change in zoning with no requirement associated with improvements would be impractical and irresponsible.

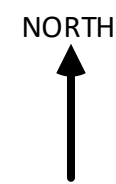
I am happy to work in congruence with the developers of Spring Hill to come to a general compromise, but to this point, all design work has been done without consult of the affected neighbors and full-time residents in the area. The current buffer allocated by the development team between their buildings and the properties of the full-time residents to the North, East, and West of the planned development indicates a severe omission in concern and should be remedied prior to any alteration of zoning status. I hope that you will consider my and my neighbors concerns in advance of your judgement prior to the meeting this evening.

Thank you for your time and consideration,

Cassidy Nicole Orr



Vicinity Map
1 inch = 0.2 miles



USR21-0002

SITE ADDRESS: 620 HIGHWAY 52, ERIE, CO 80516
 PARCEL NUMBER: 1467-06-1-00-049
 LEGAL DESCRIPTION: PT NE4 6-1-68 WEST PARCEL SUBDIVISION EXEMPT SE-962
 ZONING DISTRICT: AG
 ACREAGE: 3.87

- NOTES:**
1. BOARD RESOLUTION STATES: APPROVE SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW PERMIT USR21-0002 FOR A COMMERCIAL RECREATIONAL FACILITY INCLUDING ANIMAL TRAINING WHERE MAXIMUM NUMBER OF ANIMAL UNITS PERMITTED IN SECTION 23-3-7-D IS EXCEEDED OR TRAFFIC TO AND FROM THE FACILITY EXCEEDS 40 DAILY TRIPS (DOCK DIVING FACILITY FOR DOGS) IN THE A (AGRICULTURAL) ZONE DISTRICT - DANE AND WELLS TOMASSINI/CSC CO. CASEY COR.
 2. SUBDIVISION EXEMPTION, SE 962 BEING PART OF THE NE1/4 OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M. WELD COUNTY, CO
 3. REFER TO SPECIAL REVIEW PERMIT USR21-0002 FOR DEVELOPMENT STANDARDS OUTLINED FOR APPROVAL OF THE USE BY SPECIAL REVIEW PERMIT FOR THIS PROPERTY
 4. MAP SCALE IS EQUIVALENT TO 1 INCH = 40 FT
 5. RIGHT OF WAY ACCESS PERMIT NO. 421017 GRANTED ON 9/25/2021. PERMIT DETAILS ARE CAPTURED IN THE AC_421017_SHS2_MP7_782RT DOCUMENT. FOR QUESTIONS, CONTACT ALLYSON MATTSOON AT (970)350-2148

BOARD OF COUNTY COMMISSIONERS CERTIFICATION

THIS IS TO CERTIFY THAT THE BOARD OF COUNTY COMMISSIONERS, WELD COUNTY, COLORADO DOES HEREBY CONFIRM AND ADOPT THIS SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW AND DEVELOPMENT STANDARDS AS SHOWN AND DESCRIBED HEREON THIS _____ DAY OF _____

CHAIR, BOARD OF COUNTY COMMISSIONERS
 ATTEST:
 WELD COUNTY CLERK TO THE BOARD
 BY _____
 DEPUTY CLERK TO THE BOARD DATED _____

PLANNING COMMISSION CERTIFICATION

THIS IS TO CERTIFY THAT THE WELD COUNTY PLANNING COMMISSION HAS CERTIFIED AND DOES HEREBY RECOMMEND TO THE BOARD OF COUNTY COMMISSIONERS, WELD COUNTY, COLORADO, FOR ITS CONFIRMATION, APPROVAL, AND ADOPTION THIS SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW AS SHOWN AND DESCRIBED HEREON THIS _____ DAY OF _____

CHAIR, WELD COUNTY PLANNING COMMISSION

PROPERTY OWNERS CERTIFICATION

THE UNDERSIGNED MAJOR PROPERTY OWNER(S) DO HEREBY AGREE TO THE SITE SPECIFIC DEVELOPMENT PLAN AND USE BY SPECIAL REVIEW AS SHOWN AND DESCRIBED HEREON THIS _____ DAY OF _____

SIGNATURE: _____
 SIGNATURE: _____

RIGHT TO FARM STATEMENT

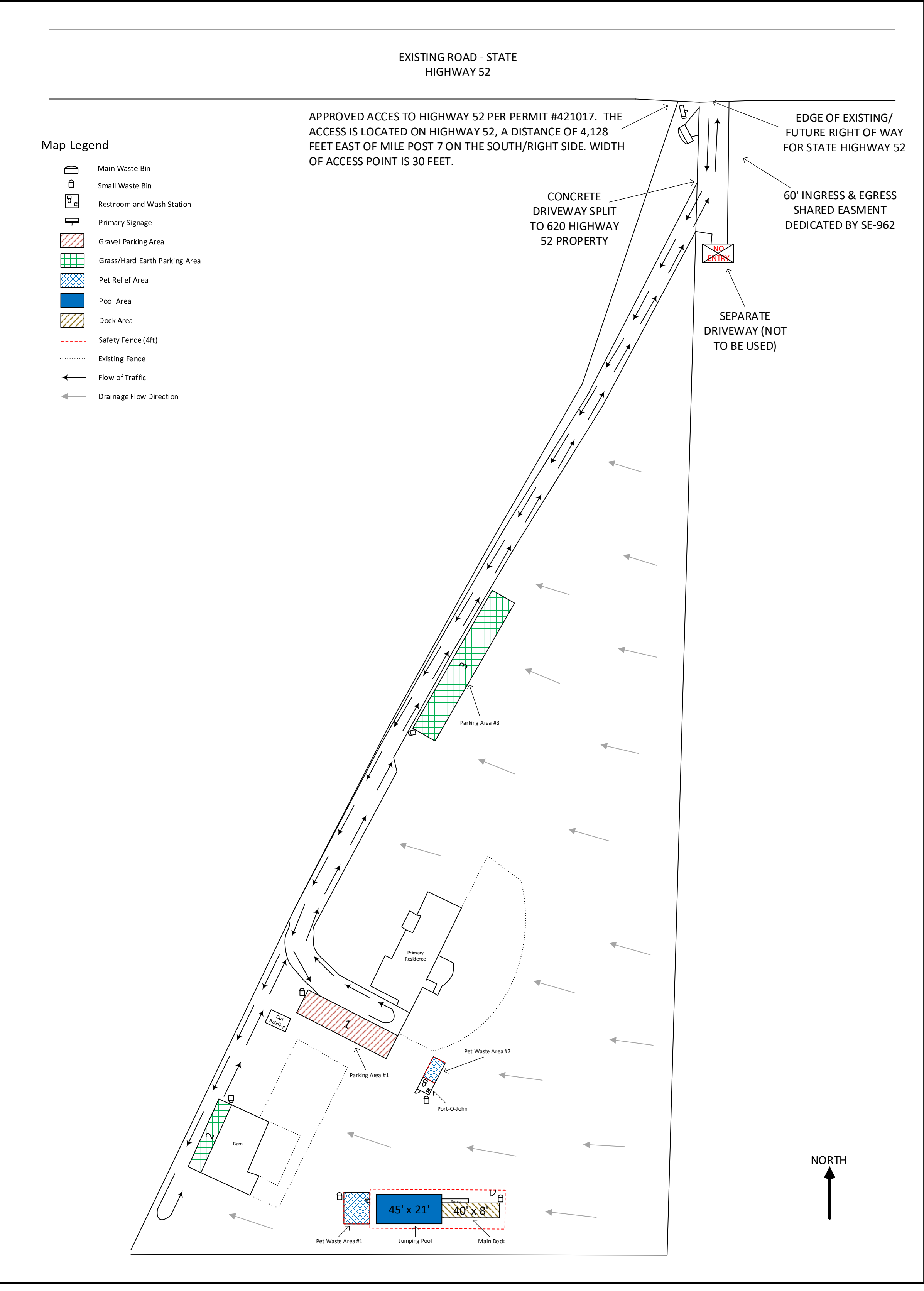
WELD COUNTY IS ONE OF THE MOST PRODUCTIVE AGRICULTURAL COUNTIES IN THE UNITED STATES, TYPICALLY RANKING IN THE TOP TEN COUNTIES IN THE COUNTRY IN TOTAL MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD. THE RURAL AREAS OF WELD COUNTY MAY BE OPEN AND SPACIOUS, BUT THEY ARE INTENSIVELY USED FOR AGRICULTURE. PERSONS MOVING INTO A RURAL AREA MUST EXPECT AND ACCEPT THAT THERE ARE DRAWBACKS INCLUDING CONFLICTS WITH LOW-STANDING AGRICULTURAL PRACTICES AND A LOWER LEVEL OF SERVICES THAN IN TOWNS ALONG WITH THE DRAWBACKS COME THE INCENTIVES WHICH ATTRACT URBAN DWELLERS TO RURAL AREAS. OPEN FIELDS, SPACIOUSNESS, WINDY CLARITY OR CITY NOISE AND CONGESTION, AND THE RURAL ATMOSPHERE AND WAY OF LIFE, WITHOUT NEIGHBORING FARMS, THOSE FEATURES WHICH ATTRACT URBAN DWELLERS TO RURAL WELD COUNTY WOULD QUICKLY DISAPPEAR FOREVER.

AGRICULTURAL USERS OF THE LAND SHOULD NOT BE EXPECTED TO CHANGE THEIR LONG-ESTABLISHED AGRICULTURAL PRACTICES TO ACCOMMODATE THE INTRUSION OF URBAN USERS INTO A RURAL AREA. WELL-RUN AGRICULTURAL ACTIVITIES WILL GENERATE OFF-SITE IMPACTS, INCLUDING NOISE FROM TRACTORS AND EQUIPMENT, SLOW-MOVING FARM VEHICLES ON RURAL ROADS, DUST FROM ANIMAL FEEDS, FIELD WORK, HARVEST, AND GRAVEL ROADS, ODOR FROM ANIMAL CONFINEMENT, SLUDGE, AND MANURE, SMOKE FROM DIESEL BURNING, FUEL AND MOTOR OILS, HUNTING AND TRAPPING ACTIVITIES, SHOOTING SPOTS, LEGAL HUNTING OF NUISANCE WILDLIFE, AND THE USE OF PESTICIDES AND FERTILIZERS IN THE FIELDS, INCLUDING THE USE OF AERIAL SPRAYING. IT IS COMMON PRACTICE FOR AGRICULTURAL PRODUCERS TO UTILIZE AN ACCUMULATION OF AGRICULTURAL MACHINERY AND SUPPLIES TO ASSIST IN THEIR AGRICULTURAL OPERATIONS. A CONCENTRATION OF AGRICULTURAL MACHINERY AND SUPPLIES OFTEN PRODUCES A VISUAL OBSCURITY BETWEEN RURAL AND URBAN AREAS OF THE COUNTY. SECTION 35-3-102, C.A.S., PROVIDES THAT AN AGRICULTURAL OPERATION SHALL NOT BE FOUND TO BE A PUBLIC OR PRIVATE NUISANCE IF THE AGRICULTURAL OPERATION ALLEGED TO BE A NUISANCE EMPLOYERS METHODS OR PRACTICES THAT ARE COMMONLY AND REASONABLY ASSOCIATED WITH AGRICULTURAL PRODUCTION.

WATER HAS BEEN AND CONTINUES TO BE THE LIFELINE FOR THE AGRICULTURAL COMMUNITY. IT IS UNREALISTIC TO ASSUME THAT TOILETS AND RESEPTORS MAY BE MOVED TO THE "WAT" OR RESIDENTIAL DEVELOPMENT, WHEN MOVING TO THE COUNTY. PROPERTY OWNERS AND RESIDENTS MUST REALIZE THEY CANNOT TAKE WATER FROM IRIGATION DITCHES, LAKES, OR OTHER STRUCTURES UNLESS THEY HAVE AN APPROPRIATE RIGHT TO THE WATER.

WELD COUNTY COVERS A LAND AREA OF APPROXIMATELY 4,000 SQUARE MILES IN SIZE (TWICE THE SIZE OF THE STATE OF DELAWARE) WITH MORE THAN 1,700 MILES OF STATE AND COUNTY ROADS. OUTSIDE OF MANICHAETTES, THE SHEER MAGNITUDE OF THE AREA TO BE SERVED BY THESE AVAILABLE RESOURCES, LAW ENFORCEMENT BASED ON RESPONSE TO COMPLAINTS MORE THAN ON PATROLS OF THE COUNTY, AND THE DISTANCES WHICH MUST BE TRAVELED MAY DELAY ALL EMERGENCY RESPONSES, INCLUDING LAW ENFORCEMENT, AMBULANCE, AND FIRE PROTECTION USUALLY PROVIDED BY VOLUNTEERS WHO MUST LEAVE THEIR JOBS AND FAMILIES TO RESPOND TO EMERGENCIES. COUNTY GRAVEL ROADS, NO MATTER HOW OFTEN THEY ARE GRADED, WILL NOT PROVIDE THE SAME KIND OF SURFACE EXPECTED FROM A PAVED ROAD. SNOW REMOVAL PRIORITIES MEAN THAT ROADS FROM SUBDIVISIONS TO ARTISANS MAY NOT BE CLEARED FOR SEVERAL DAYS AFTER A MAJOR SNOW STORM. SERVICES IN RURAL AREAS, IN MANY CASES, WILL NOT BE EQUIVALENT TO MUNICIPAL SERVICES. RURAL DWELLERS MUST, IF NECESSARY, BE MORE SELF-SUFFICIENT THAN URBAN DWELLERS.

PEOPLE ARE EXPOSED TO DIFFERENT HAZARDS IN THE COUNTRY THAN IN AN URBAN OR SUBURBAN SETTING. FARM EQUIPMENT AND OIL-FIELD EQUIPMENT, POND AND IRRIGATION CHANNELS, ELECTRICAL POWER FOR PUMPS AND CENTER PIVOT OPERATORS, HIGH-SPEED TRAFFIC, LAND BARK, PUNCTURE WOUNDS, TERRITORIAL FARM DOGS AND LIVESTOCK, AND OPEN BURNING PRESENT REAL THREATS. CONTROLLING COLORADO ACTIVITIES IS IMPARTIAL, NOT ONLY FOR THEIR SAFETY, BUT ALSO FOR THE PROTECTION OF THE FARMER'S LIVELIHOOD.



- SITE SPECIFIC DEVELOPMENT PLAN
 USE BY SPECIAL REVIEW PERMIT
 DEVELOPMENT STANDARDS
 USR21-0002**
1. A Site Specific Development Plan and Use by Special Review Permit, USR21-0002, is for a Commercial Recreational Facility including animal training where maximum number of animal units permitted in Section 23-3-7-D is exceeded or traffic to and from the facility exceeds 60 daily trips (dock diving facility for dogs) in the A (Agricultural) Zone District, subject to the Development Standards stated herein.
 2. Approval of this plan may create a vested property right pursuant to Section 23-8-10 of the Weld County Code.
 3. The hours of operation for private bookings are from 9:00 a.m. to 7:00 p.m., Monday through Friday, on an annual basis from April 15th to October 15th.
 4. Dock Diving Competitions will occur one (1) weekend a month on an annual basis from April 15th to October 15th. Competition hours shall be between the hours of 9:00 a.m. to 5:00 p.m.
 5. The parking area on the site shall be maintained.
 6. All signs shall adhere to Chapter 23, Article IV, Division 2 and Appendices 23-C, 23-D and 23-E of the Weld County Code.
 7. The property owner or operator shall be responsible for controlling noxious weeds on the site, pursuant to Chapter 15, Articles I and II, of the Weld County Code.
 8. The access to the site shall be maintained to mitigate any impacts to the public road, including damages and/or off-site tracking.
 9. There shall be no parking or staging of vehicles on public roads. On-site parking shall be utilized.
 10. The historical flow patterns and runoff amounts on the site will be maintained.
 11. All liquid and solid wastes (as defined in the Solid Wastes Disposal Sites and Facilities Act, C.R.S. §30-20-100.5, as amended) shall be stored and removed for final disposal in a manner that protects against surface and groundwater contamination.
 12. No permanent disposal of wastes shall be permitted at this site. This is not meant to include those wastes specifically excluded from the definition of a solid waste in the Solid Wastes Disposal Sites and Facilities Act, C.R.S. §30-20-100.5.
 13. Waste materials shall be handled, stored, and disposed of in a manner that controls fugitive dust, fugitive particulate emissions, blowing debris, and other potential nuisance conditions. The applicant shall operate in accordance with Chapter 14, Article I of the Weld County Code, and the accepted Waste Handling Plan and Nuisance Abatement Plan.
 14. Fugitive dust shall attempt to be confined on the property. Uses on the property should comply with the Colorado Air Quality Commission's Air Quality Regulations and the accepted Dust Abatement Plan.
 15. Adequate drinking, hand washing, and toilet facilities shall be provided for employees and patrons of the facility, at all times. A permanent, adequate water supply shall be provided for drinking and sanitary purposes.
 16. For temporary uses that are utilized for a time period of six (6) months or less, portable toilets and bottled water are acceptable. Records of maintenance and proper disposal for portable toilets shall be retained on a quarterly basis and available for review by the Weld County Department of Public Health and Environment. Portable toilets shall be serviced by a cleaner licensed in Weld County, contain hand sanitizers and be screened from public view.
 17. Any On-site Wastewater Treatment System (OWTS) located on the property must comply with all provisions of the Weld County Code, pertaining to OWTS.
 18. The facility shall adhere to the maximum permissible noise levels allowed in the Residential Zone as delineated in C.R.S. §25-12-103. The facility shall operate in accordance with the accepted noise report.
 19. The operation shall comply with all applicable rules and regulations of the state and federal agencies and the Weld County Code.
 20. Sources of light shall be shielded so that light rays will not shine directly onto adjacent properties where such would cause a nuisance or interfere with the use on the adjacent properties in accordance with the plan. Neither the direct, nor reflected, light from any light source may create a traffic hazard to operators of motor vehicles on public or private streets. No colored lights may be used which may be confused with, or construed as, traffic control devices.
 21. Building Permits shall be required for any new construction or set up manufactured structure, per Section 29-3-10 of the Weld County Code. A Building Permit application must be completed and submitted. Buildings and structures shall conform to the requirements of the various codes adopted at the time of permit application. Currently, the following have been adopted by Weld County: 2018 International Building Codes, 2006 International Energy Code, 2017 National Electrical Code, and Chapter 29 of the Weld County Code. A Plan review shall be approved, and a permit must be issued prior to the start of construction.
 22. The property owner or operator shall be responsible for complying with the Design and Operation Standards of Chapter 23 of the Weld County Code.
 23. Necessary personnel from the Weld County Departments of Planning Services, Public Works, and Public Health and Environment shall be granted access onto the property at any reasonable time in order to ensure the activities carried out on the property comply with the Conditions of Approval and Development Standards stated herein and all applicable Weld County regulations.
 24. The Use by Special Review area shall be limited to the plans shown hereon and governed by the foregoing standards and all applicable Weld County regulations. Substantial changes from the plans or Development Standards, as shown or stated, shall require the approval of an amendment of the Permit by the Weld County Board of County Commissioners before such changes from the plans or Development Standards are permitted. Any other changes shall be filed in the office of the Department of Planning Services.
 25. The property owner or operator shall be responsible for complying with all of the foregoing Development Standards. Noncompliance with any of the foregoing Development Standards may be reason for revocation of the Permit by the Board of County Commissioners.
 26. Construction or Use pursuant to approval of a Use by Special Review Permit shall be commenced within three (3) years from the date of approval, unless otherwise specified by the Board of County Commissioners when issuing the original Permit, or the Permit shall be vacated. The Director of the Department of Planning Services may grant an extension of time, for good cause shown, upon a written request by the landowner.
 27. A Use by Special Review Permit shall terminate when the use is discontinued for a period of three (3) consecutive years, the use of the land changes, or the time period established by the Board of County Commissioners through the approval process expires. The landowner may notify the Department of Planning Services of a termination of the use, or Planning Services staff may observe that the use has been terminated. When either the Department of Planning Services is notified by the landowner, or when the Department of Planning Services observes that the use may have been terminated, the Planner shall send certified written notice to the landowner asking that the landowner request to vacate the Use by Special Review Permit.
 28. RIGHT TO EXTRACT MINERAL RESOURCES STATEMENT: Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under Title 34, of the Colorado Revised Statutes, minerals are vital resources because (a) the state's commercial mineral deposits are essential to the state's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state. Mineral resource locations are widespread throughout the County and people moving into these areas must recognize the various impacts associated with this development. Oftentimes, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.
 29. The Weld County Right to Farm Statement, as it appears in Section 22-2-30.A.4.a of the Weld County Code, shall be placed on the map and recognized at all times.