



Community & Economic Development Department

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MEMORANDUM

To: Board of County Commissioners

From: Nana Appiah, Development Review Manager, on behalf of Chris LaRue 

Date: May 9, 2017

Subject: Request to continue Case#RCU2016-00025 Asphalt Specialties Conditional Use Permit to May 23, 2017

Background

Asphalt Specialties is requesting a conditional use permit to allow a recycling operation on a property located at 12021 Brighton Road. Currently, the property is used as an inert landfill. The Board of County Commissioners (BoCC) approved a certificate of designation (CD) on December 6, 2010 to allow approximately 500,000 cubic yards of inert material on the property. This CD will expire on December 6, 2017. The site is also the property that the BoCC considered in a show cause hearing related to the conditions of the existing CD. These show cause hearings occurred on March 14, 2017, April 4, 2017, and April 18, 2017. Most recently, the Board continued the show cause hearing until May 23, 2017 to allow for more time to monitor compliance and to allow the public to review and comment on materials submitted by the applicant.

The request for a conditional use permit (CUP) to allow recycling on the property was initially considered by the Planning Commission (PC) on February 9, 2017. However, at the request of the applicant, the Planning Commission hearing was continued to April 13, 2017. This continuance was a result of identified violations relating to the approved CD on the property and also to allow for a resolution to be reached on actions to resolve the outstanding violations through the show cause hearings. On April 13, 2017, the PC again continued hearing of the case to their May 11, 2017 meeting. The Planning Commission will hear the CUP case on May 11th and will then forward a recommendation to the BOCC on this matter.

Currently, the BoCC is scheduled to consider the conditional use permit to allow recycling on the property on May 16th. However, because there has not been a final determination on the show cause hearing for the CD on the property, and the Planning Commission hearing will only occur five days prior to the scheduled BOCC hearing, staff recommend that the BoCC continue its hearing on the CUP to May 23rd. This is also the same date scheduled to consider the show cause hearing for the CD. Staff has provided notice to surrounding property owners of this change in hearing date and made efforts to contact those who have attended prior hearings.

Recommended Action:

Staff is requesting the Board of County Commissioners continue the request case RCU2016-00025 to the Board's meeting on May 23, 2017. A full staff report shall be provided for the May 23rd hearing.