

5280 Waste Solutions

RCU2016-00026

December 5, 2017

Board of County Commissioners

Community and Economic Development

Case Manager: Emily Collins



Request

- Conditional Use Permit to allow recycling facility in I-3



I-76

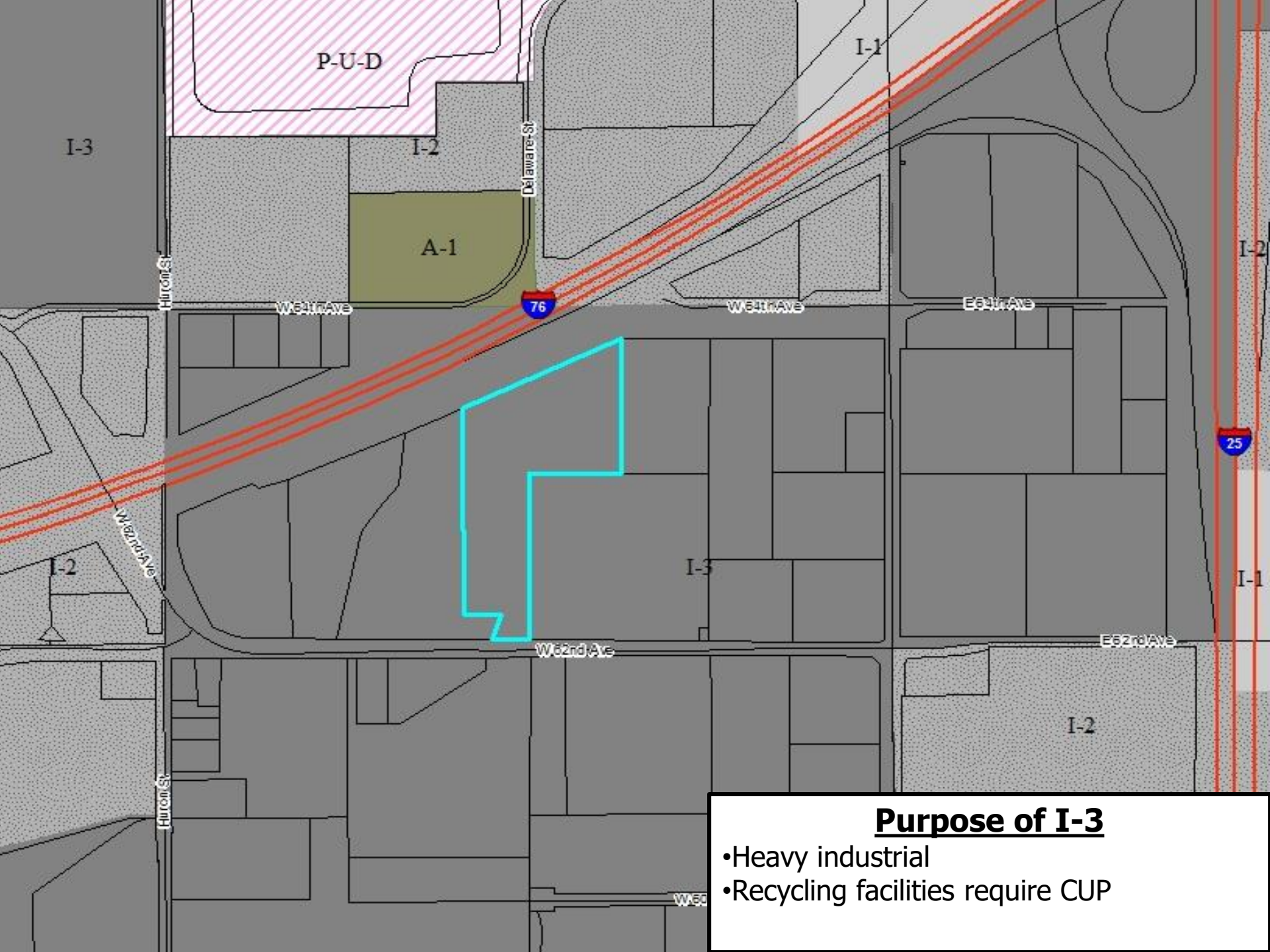
I-25

Huron St.

W. 62nd Ave.

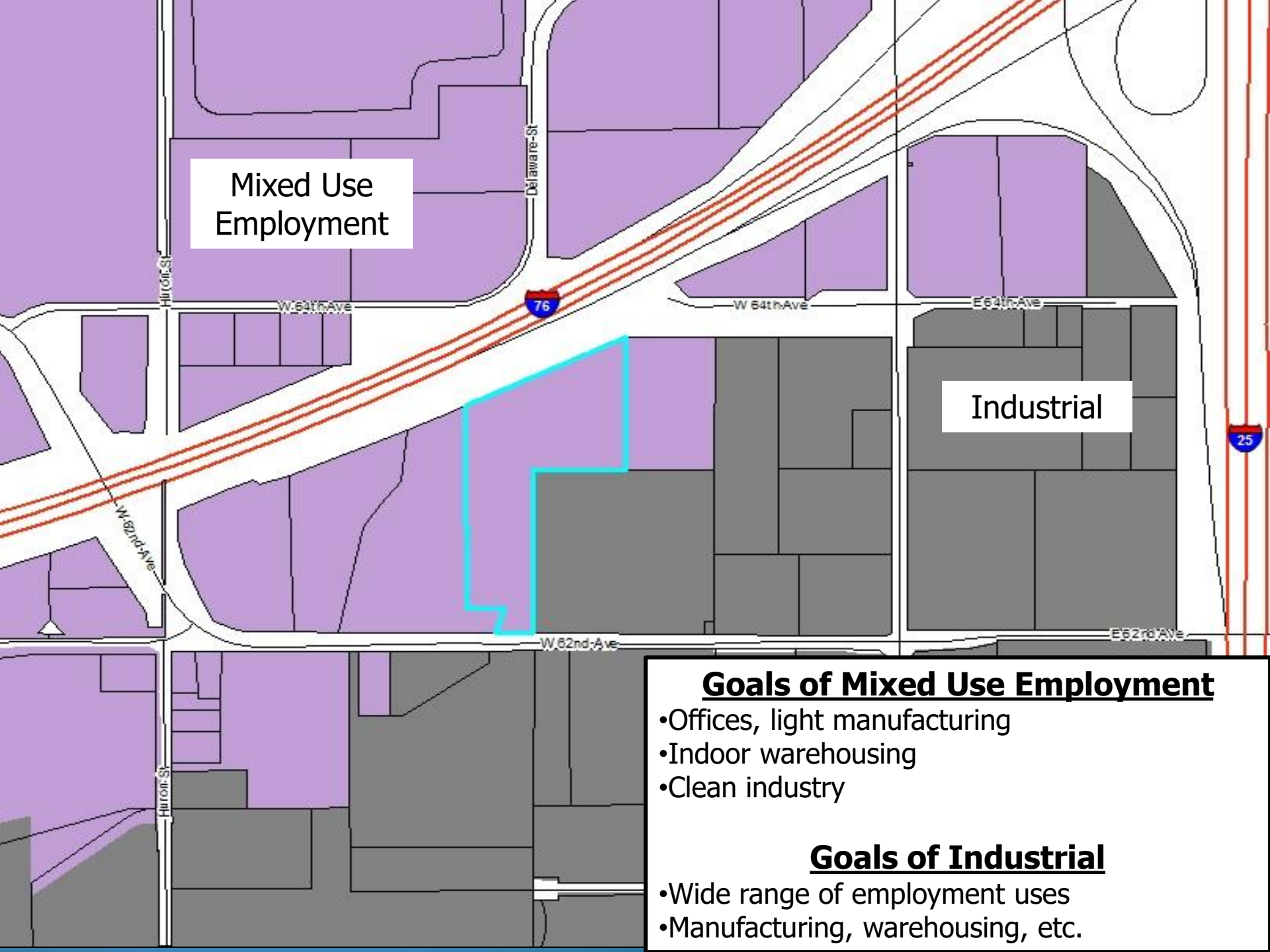
**RTD Pecos
Station**

Broadway St.



Purpose of I-3

- Heavy industrial
- Recycling facilities require CUP



Mixed Use
Employment

Industrial

Goals of Mixed Use Employment

- Offices, light manufacturing
- Indoor warehousing
- Clean industry

Goals of Industrial

- Wide range of employment uses
- Manufacturing, warehousing, etc.

Background

- Recycle construction and demolition waste:
 - Commercial construction projects
- Materials:
 - Wood, asphalt, soil, concrete, glass, metal, drywall
 - Covered containers
- Expansion:
 - New 7,000 sf building
 - Indoor sorting

Criteria for Conditional Use

Section 2-02-08-06

1. Permitted in zone district
2. Consistent with regulations
3. Comply with performance standards
4. Harmonious & compatible
5. Addressed all off-site impacts
6. Site suitable for use
7. Site plan adequate for use
8. Adequate services

Criteria for Recycling Facilities and Outdoor Storage

Section 2-02-08-07-03 and 2-02-08-07-05

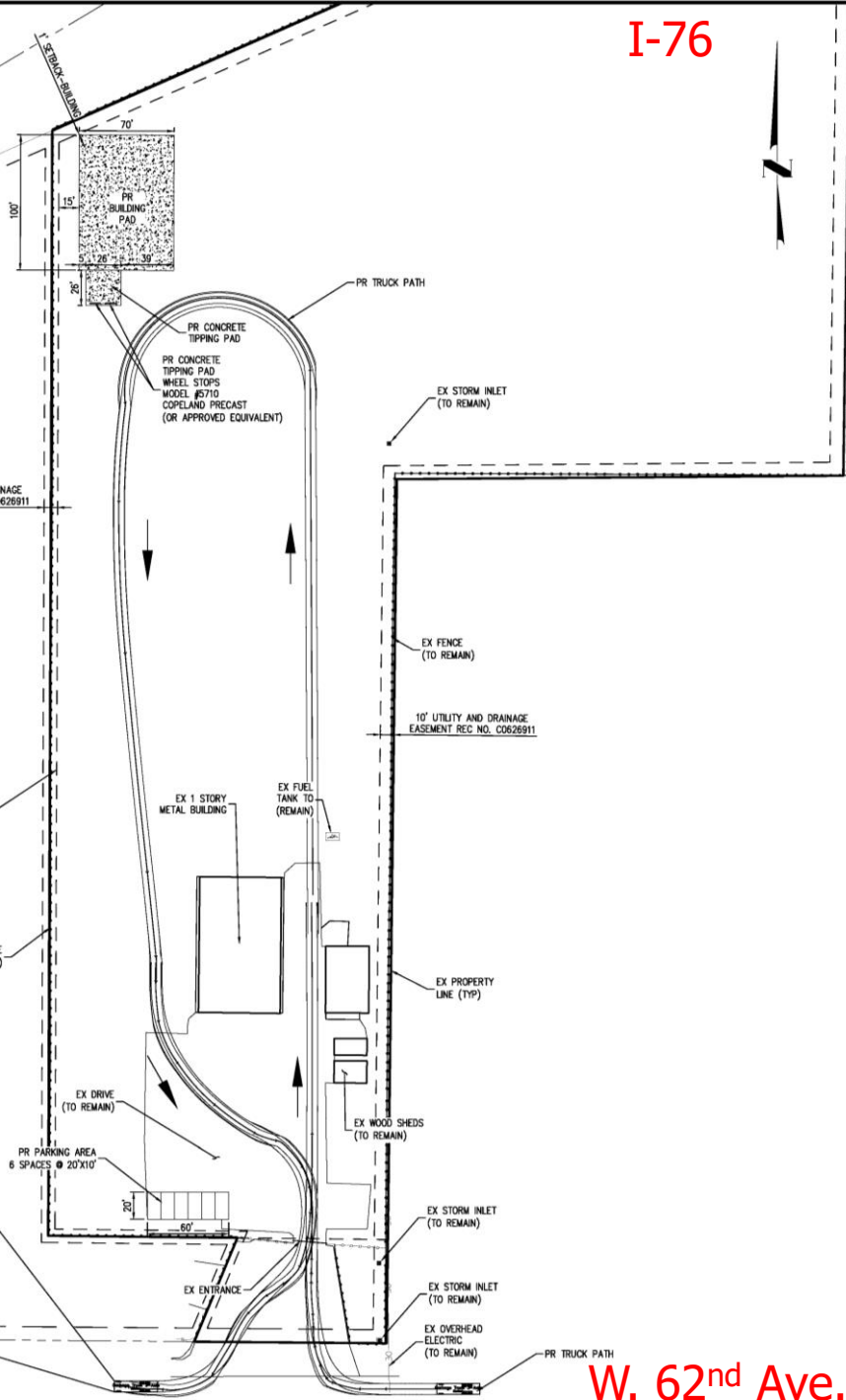
1. Demonstrate need for the facility/ storage
2. Compatible with regulations and Comprehensive Plan
3. Comply with all health standards (TCH and CDPHE)
4. No significant traffic congestion or hazards
5. Compatible with surrounding area
6. Health and welfare
7. Storage subordinate to principal use
8. Aesthetics addressed



Future
expansion
area

Office and
maintenance

I-76



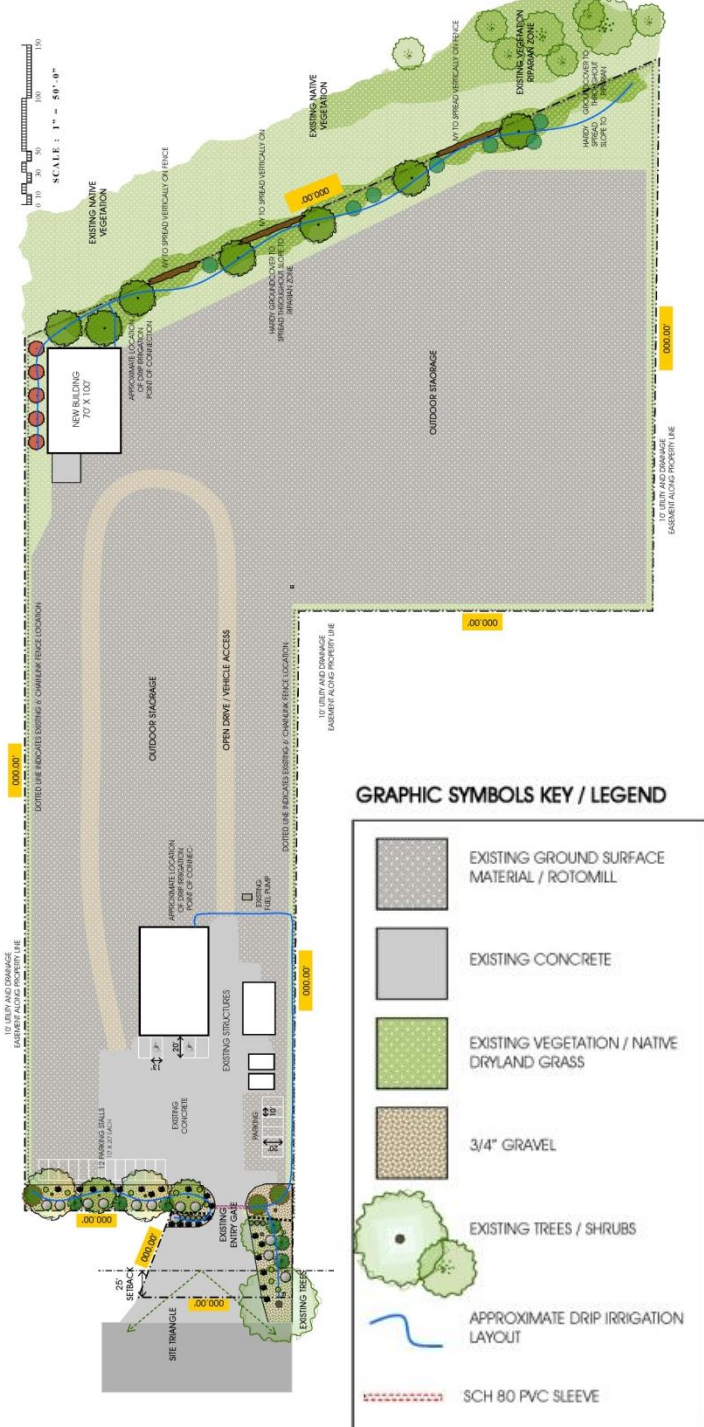
W. 62nd Ave.

Recycling Facility

- Approximately 8.7 acres
- Located in FGO
- Construction and demolition debris
- Roll-off bin storage
- Fleet truck service
- Wood, asphalt, concrete, glass, metal
 - 10 containers (covered)
- Proposed landscape and screening
- 8 ft chain link fence along W. 62nd Ave.
- Register with CDPHE
 - Submit annual reports (types and amts)
 - 75% minimum turnover rate
 - Operations plan



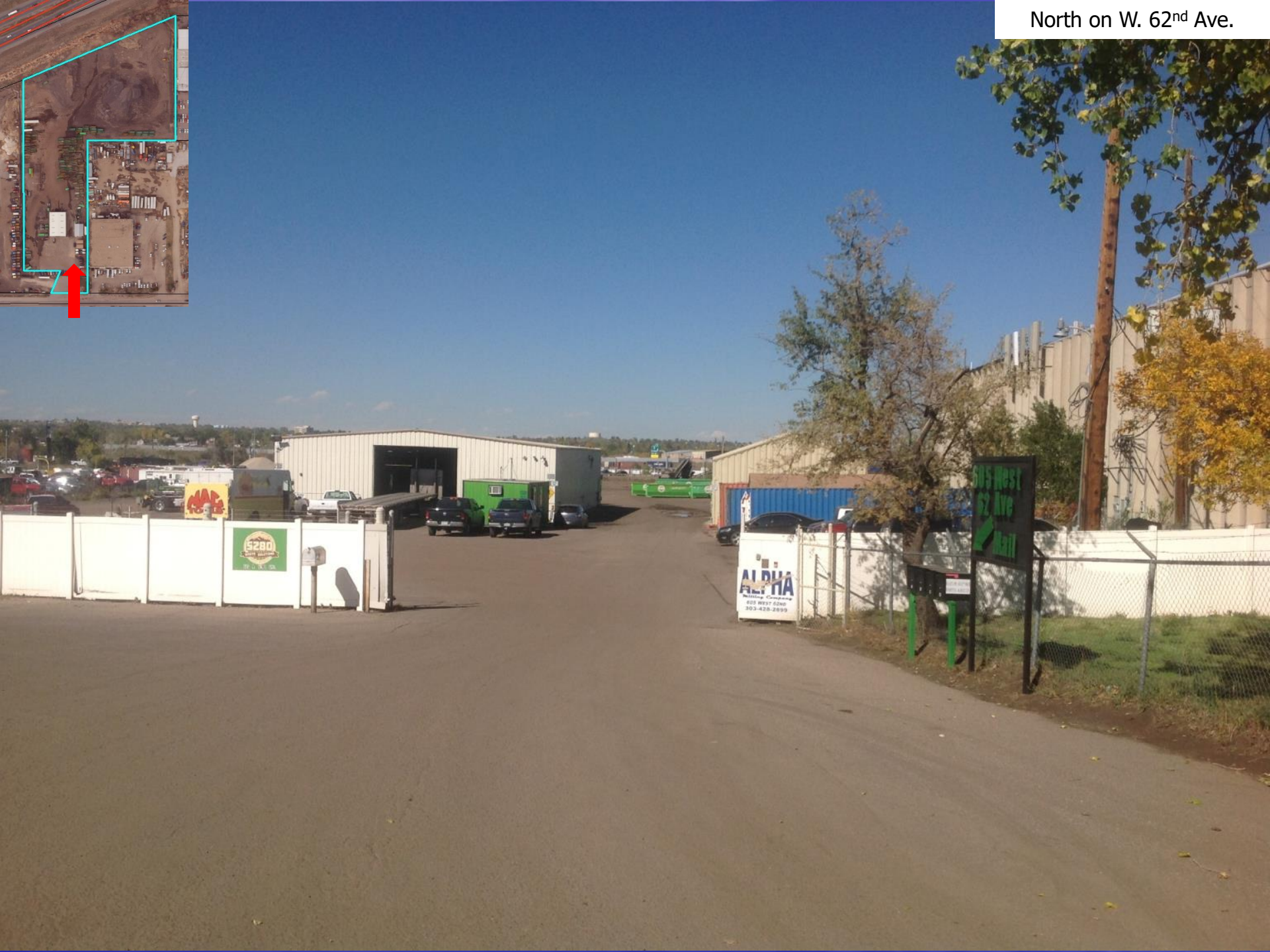
NORTH



Landscape

- 10% site ~ 37,897 sf
- Buffers along W. 62nd and I-76
- Required screen fence along I-76
- Condition of approval

North on W. 62nd Ave.



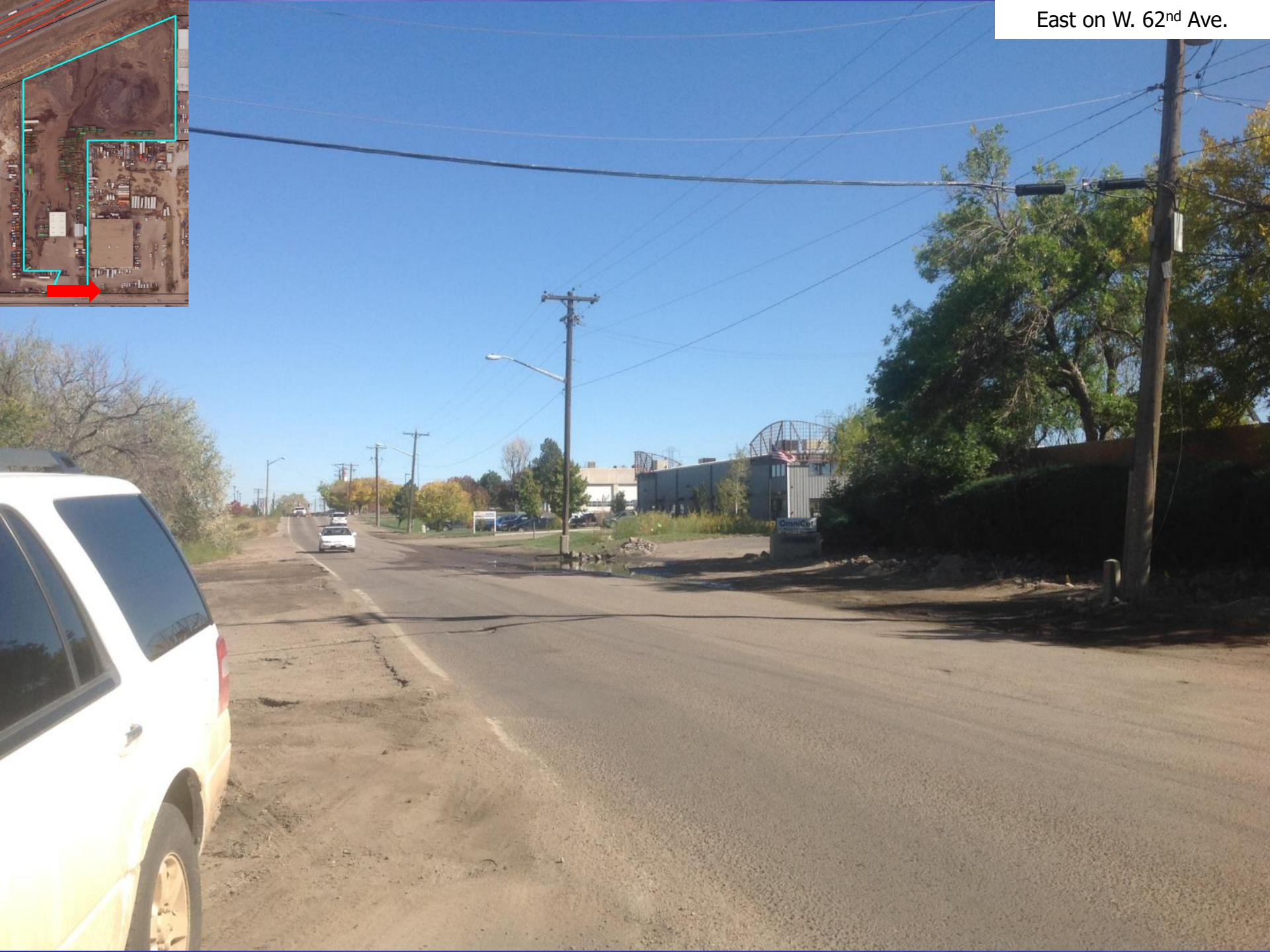
West on W. 62nd Ave.



South on W. 62nd Ave.



East on W. 62nd Ave.





Referral Comments

- No concerns:
 - Xcel, CDOT, CDPHE, Tri-County, Division of Water, UDFCD
- Development Services:
 - Design and operations plan
 - Traffic control and drainage analysis
 - Conditions of approval
- Property Owners within 800 ft:

Notifications Sent	Comments Received
27	0

Criteria for Conditional Use

Section 2-02-08-06

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PC Update

- Considered on November 9, 2017
 - Recommended approval (6-0)
- Discussion:
 - Crushing
 - Testing and sorting processes
 - Ten year approval
- Public Testimony
 - None

Recommendation

PC & Staff recommends **Approval** based on 8 Findings-of- Fact, 3 conditions precedent, 16 conditions.

Conditions Precedent

1. Prior to commencing operations, and thereafter during the active life of the facility, and for one (1) year after closure, the operator shall post and maintain a performance bond or other approved financial instrument with Adams County. The amount of said bond shall be in the amount necessary to remove materials from recycling facilities for disposal at an appropriate disposal facility. The amount of the bond shall be calculated to include removal, tipping fees, and transportation costs. Should any corrective actions be required by the County in order to protect the health, safety, and general welfare of residents as a result from failure of the operator to follow any regulations, standards, or conditions of approval, the performance bond shall be forfeited in an amount sufficient to defray the expense of said actions, including Adams County staff time expended in such corrective actions.
2. Prior to commencing operations, the applicant shall receive a "Notice to Proceed" from the Department of Community and Economic Development. Written proof that all of the conditions precedents have been satisfied shall be required prior to receiving the notice.
3. The applicant shall submit and have approved a landscaping and screening plan no later than 45 days from the date of approval of this conditional use permit. The landscape and screening plan shall contain the required frontage landscaping, as identified on the landscape plan and also consistent with the County's Development Standards. If weather conditions necessitate a delay in installation of landscaping, collateral shall be filed with the County in an amount designated by the Director of Community and Economic Development, along with a schedule of completion, and a development agreement that is consistent with Section 4-16-05 of the County's Development Standards.

Conditions of Approval

1. A building permit shall be required for any new structures as proposed in the application materials. All structures must comply with the minimum required setbacks and maximum height restrictions for the I-3 zone district.
2. The site shall maintain a clean, neat, and orderly appearance.
3. All recycled materials on site shall be stored in roll off containers with lids.
4. Stacking of roll off containers shall not be allowed.
5. Stockpiles of materials shall not be allowed.
6. Lighting shall be arranged and positioned so no direct lighting or reflection of lighting creates a nuisance or hazard to any adjoining property or right-of-way.
7. Prevention methods shall be in place to prevent the blowing of sand, dust, or debris off the boundary of the property.
8. The conditional use permit shall expire on December 5, 2027.
9. The operator shall keep records showing amounts of materials both processed and unprocessed. In addition, records containing customer lists and records showing amounts of recycled material shipped off site shall be kept.
10. The facility shall be limited only to those materials and processes described in this application and within the operations plan. Any changes to types of material or processes shall require an amended conditional use permit.
11. Storage areas for the recycling facility shall only be allowed as depicted on the site plan. Any changes to the outdoor storage area shall require review and approval by Adams County.

Conditions of Approval

12. All complaints received by the applicant concerning nuisance conditions attributable to the operation, and the resolution of those complaints, shall be conveyed to the Department of Community and Economic Development. Impacts from nuisance conditions from the operation shall be responded to and resolved immediately by the applicant. Disputes concerning nuisance conditions from the operation may be resolved by the Department of Community and Economic Development in consultation with the Adams County Community Correction Board and may be justification for a show cause hearing before the Adams County Board of County Commissioners.
13. Violations to the conditions of approval may result in a show cause hearing before the Board of County Commissioners to revoke or suspend the conditional use permit.
14. Recycled materials on the site shall only consist only of wood, asphalt, soil, concrete, glass, metal, and other building related materials.
15. Shingles are not considered a recyclable material and shall not be accepted at this facility, except in de minimis amounts as a solid waste and then properly disposed of at a permitted waste disposal site.
16. All activities on the site shall conform to the operations plan submitted with this application (see exhibit 3.3)