

4498944 Pages: 1 of 1
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Carly Kopas Clerk and Recorder Weld County, CO

PROPERTY OWNER'S CERTIFICATION
The undersigned major property owner(s) do hereby agree to the Site Specific Development Plan and Use by Special Review Development Standards as described hereon this 22 day of May, 2019.
Stephen Mum
Stephen Mum on behalf of Quokka Investments Colorado L.L.C.

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 thereon this 4PM day of June, 2019.
Phil Chial
Chair, Weld County Planning Commission

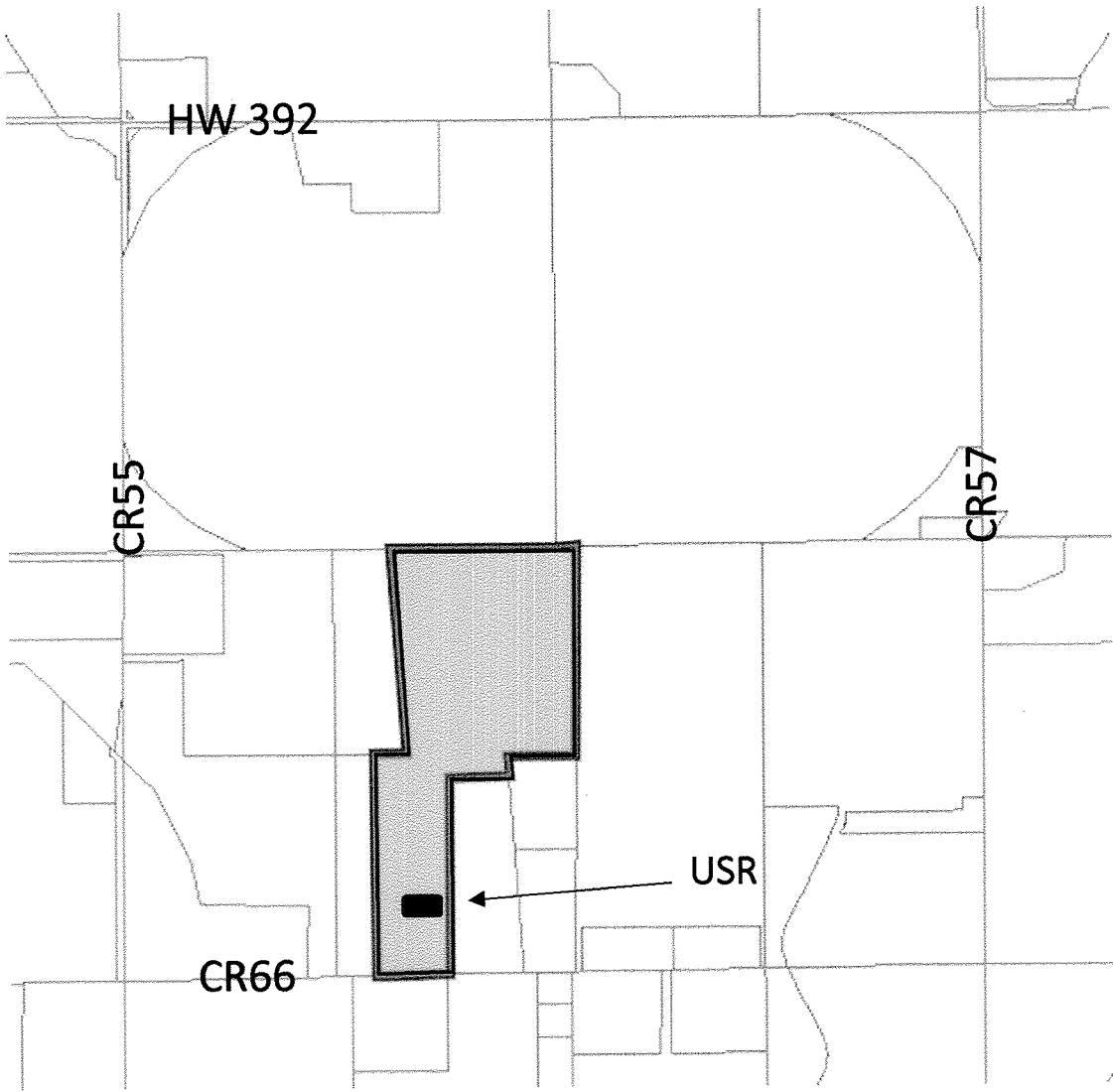
BOARD OF COUNTY COMMISSIONERS CERTIFICATION
This is to certify that the Board of County Commissioners, Weld County, Colorado, does hereby confirm and adopt this Site Specific Development Plan and Use by Special Review and Development Standards as show and described hereon this 12th day of June, 2019.
Bartene Rukmeyer
Chair, Board of County Commissioners

ATTEST: Arthur G. Whisk
Weld County Clerk to the Board
BY: Bethany Ford Dated: 6-12-2019
Deputy Clerk to the Board



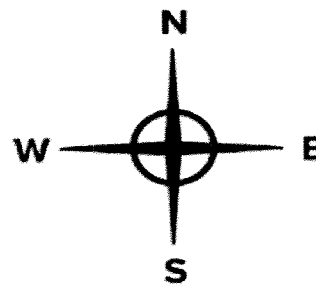
1. A Site Specific Development Plan and Use by Special Review Permit, USR19-0001, is for a Use Permitted as a Use by Right, Accessory Use, or Use by Special Review in the Commercial or Industrial Zone Districts (land remediation business including a shop, office trailer, truck and equipment storage) provided that the property is not a lot in an approved recorded subdivision plat or part of a map or plan filed prior to adoption of any regulations controlling subdivisions in the A (Agricultural) Zone District.
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 are 7:00 a.m. – 5:00 p.m., Monday – Friday.
4. The commercial operation shall be limited to 1.5 acres of the property.
5. The number of on-site, full-time employees shall be no more than two (2), as stated by the applicant.
6. The number of drivers accessing the site shall be no more than ten (10) per day, as stated by the applicant.
7. The number of commercial trucks parking on the site shall be limited to ten (10), as stated by the applicant.
8. The parking area on the site shall be maintained.
9. There shall be no outdoor storage of materials or equipment.
10. There shall be no fuel storage on the site related to the USR activity.
11. There shall be no lake brakes used on the property.
12. 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.
13. The landscaping and screening on the site shall be maintained in accordance with the approved Landscape and Screening Plan and Section 23-2-240.A.10 of the Weld County Code.
14. 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.
15. All liquid and solid wastes (as defined in the Solid Wastes Disposal Sites and Facilities Act, C.R.S. §30-20-100.5) shall be stored and removed for final disposal in a manner that protects against surface and groundwater contamination.
16. 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.
17. 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.
18. Fugitive dust should attempt to be confined on the property. Uses on the property should comply with the Colorado Air Quality Commission's Air Quality Regulations.
19. Soils shall not be stored on the site.
20. Adequate drinking, hand washing, and toilet facilities shall be provided for employees, at all times. For employees or contractors on site for less than two (2) consecutive hours a day, and two (2) or less full-time employees on site, 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 from existing residential properties.
21. Any septic system located on the property must comply with all provisions of the Weld County Code, pertaining to On-site Wastewater Treatment Systems. A permanent, adequate water supply shall be provided for drinking and sanitary purposes.
22. The operation shall comply with all applicable rules and regulations of state and federal agencies and the Weld County Code.
23. The property owner or operator shall be responsible for controlling noxious weeds on the site, pursuant to Chapter 15, Article I and II, of the Weld County Code.
24. The access to the site shall be maintained to mitigate any impacts to the public road, including damages and/or off-site tracking.
25. There shall be no parking or staging of vehicles on public roads. On-site parking shall be utilized.
26. Any work that may occupy and/or encroach upon any County rights-of-way or easement shall acquire an approved Right-of-Way Use Permit prior to commencement.
27. The property owner shall comply with all requirements provided in the executed Improvements Agreement.
28. The Improvements Agreement for this site may be reviewed on an annual basis, which may include a site visit and possible updates.
29. The historical flow patterns and runoff amounts on the site will be maintained.
30. Building permits may be required, per Section 29-3-10 of the Weld County Code. Currently, the following have been adopted by Weld County: 2018 International Codes, 2006 International Energy Code, and 2017 National Electrical Code. A Building Permit Application must be completed and two (2) complete sets of engineered plans bearing the wet stamp of a Colorado registered architect or engineer must be submitted for review. A Geotechnical Engineering Report performed by a Colorado registered engineer shall be required or an Open Hole Inspection.
31. The property owner or operator shall be responsible for complying with the Design and Operation Standards of Chapter 23 of the Weld County Code.
32. 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.
33. 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.
34. 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.
35. 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 person moving into these areas must recognize the various impacts associated with this development. Often times, 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.
36. The Weld County Right to Farm Statement, as it appears in Section 22-2-20.J.2 of the Weld County Code, shall be placed on the map and recognized at all times.

Weld County 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 recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of 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 be gone forever.
Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions 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 pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing 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 miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3-5-102, C.R.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 employs methods or practices that are commonly or reasonably associated with agricultural production.
Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.
Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses 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. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.
People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood. (Weld County Code Ordinance 2002-6; Weld County Code Ordinance 2008-13)



VICINITY MAP
SCALE: 1:2000

0 0.1 0.2mi

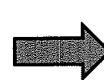


MAP KEY

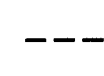
 Road Base

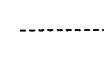
 Proposed Trees

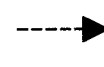
 Proposed downcast shielded lighting

 Drainage flow direction

 Property line

 Existing fence

 Right of way

 Traffic flow

Soil Type: 51 Otero sandy loam, 1 to 3 percent slopes
Map Scale: 1" = 50'

