



# MEMORANDUM

TO: PRE18-032; Case File, pre-application  
DATE: February 9, 2018  
FROM: Kris Ranslem, Planning Technician  
SUBJECT: Pre-Application Meeting prior to submitting  
USR for Landscape Business

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**Attendees:**

Carter Sekerak, Applicant  
Steve Winter, Landowner  
Kim Ogle, Planning  
Hayley Balzano, Public Works  
Thomas Potter, Building  
Kris Ranslem, Planning  
Bethany Pascoe, Zoning Compliance

On Friday, February 9, 2018 an informal discussion took place at the Greeley Administrative Offices Conference Room regarding the operation of a landscape business. (The legal description is Lot A RE-2206; Part of NW4 Section 15, T6N, R67W of the 6<sup>th</sup> P.M.; Situs Address is 4861 Hwy 60)

**Background Information:**

The applicant is proposing to operate a landscape business on site. There will be some outdoor storage of landscape material on site. Additionally, the applicant operates a snow removal business in the winter. The landowner lives on site.

Hours of operation will be 8 am to 5 pm Monday through Friday and Saturdays 8 am to Noon. There will be 2 full-time employees and up to 12 seasonal employees.

An existing 30x60 steel building is used for equipment storage. The applicant indicated that there may be a floor drain in the existing building.

**Building Department**

Building Permits will be required, per Section 29-3-10 of the Weld County Code. Currently the following has been adopted by Weld County: 2012 International Codes; 2006 International Energy Code; 2014 National Electrical Code. Effective April 2018, Weld County will adopt the 2017 National Electrical Code. A building permit application must be completed and two 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 or an open-hole inspection report performed by a registered State of Colorado engineer may be required for new structures and or additions.

Change of Use Building Permits will be required. Floor Plans will need to be included with the Building Permit. Staff provided an As Built Construction Form. The buildings will need to have an electrical and mechanical sign off for the buildings. Weld County Building Inspection Staff will perform a final life and safety inspection to ensure it complies with the Weld County Code.

A Fire District Notification letter may be required and shall be submitted with Commercial Permit applications.

All building permit requirements can be found on the Weld County web-site: [www.weldgov.com/departments/building/building\\_permit/permit\\_applications/](http://www.weldgov.com/departments/building/building_permit/permit_applications/).

### **Health Department**

Staff was unavailable; however please contact Lauren Light at 970-400-2211 for further direction.

Waste handling: Waste materials shall be handled, stored, and disposed in a manner that controls blowing debris, and other potential nuisance conditions. The applicant shall operate in accordance with Chapter 14, Article 1 of the Weld County Code.

Please answer the following if applicable; indicate if there will be washing of vehicles or equipment, fuel storage, maintenance of vehicles or equipment, floor drains in shop, air emissions permit.

Onsite dust: 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.

Sewage disposal information: Include in application how sewage disposal will be accommodated. If using a septic system provide a copy of the septic permit. Either utilize the County website [www.co.weld.co.us/maps/propertyportal/](http://www.co.weld.co.us/maps/propertyportal/) or call (970-304-6415) or stop by EH front counter and request a copy.

Potable water information: Include in application how potable water will be provided. Provide a will serve letter or water bill from the water district or provide a copy of well permit.

Portable toilets and Bottled water can be used for employees and customers per policy below:

#### **TO DEFINE WHEN PORTABLE TOILETS AND COMMERCIALY BOTTLED WATER ARE ALLOWED**

Purpose: To define when portable toilets and commercially bottled water are allowed.

Policy: Bottled water from a commercial source is allowed in the following circumstances:

1. Temporary or seasonal uses that are utilized 6 months or less per year (for example recreational facilities, firework stands, farmers markets)
2. Gravel mines
3. 10 or less customers or visitors per day

And/or one of the following:

4. 2 or less full time (40 hour week) employees located on site
5. 4 or less part time (20 hour week) employees located on site
6. Employees or contractors that are on site for less than 2 consecutive hours a day

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### **Public Works**

County Road 70 is a paved road and is designated on the Weld County Functional Classification Map (Code Ordinance 2017-01) as a(n) collector road, which requires 80 feet of right-of-way. The applicant shall delineate on the site map or plat the future and existing right-of-way and the physical location of the road. If the right-of-way cannot be verified it shall be dedicated. Pursuant to the definition of setback in the Weld County Code, Chapter 23, Article III, Section 23-3-50, the required setback is measured from the future right-of-way line. Be aware that physical roadways may not be centered in the right-of-way. This road is maintained by Weld County.

Weld County will not replace overlapping easements located within existing right-of-way or pay to relocate existing utilities within the County right-of-way.

An access permit application will be required with building permits. The site has at least three existing accesses. The western two accesses do not meet current spacing requirements. Public Works requests that these be reconfigured or closed to meet current spacing requirements (listed below). Closure shall be completed by the stipulated date on the access permit. Closure and reclamation activities may include, but are not limited to, reestablishing the profile of the burrow ditch, removing any gates in the fencing adjacent to the maintained right-of-way, and attempting to reseed the affected area located in the right-of-way with natural vegetation to the satisfaction of the Department of Public Works.

Commercial accesses are to be 24-36' in width and have 60' turning radii.

Table 12A.2 Minimum Access Spacing Criteria (Feet)

Access Element	Arterial	Collector	Local
Distance between intersections			
Signalized	2,640	N/A	N/A
Unsignalized	1,320	1,320	330
Distance between accesses and intersections	660	660	330
Distance between access points	660	330	150
Distance between access points in subdivisions	660	330	75

Per Chapter 12, Article 5, Section 12-5-30, an Access Permit is required for access to Weld County maintained roadways. We strongly encourage you to discuss your access with Public Works prior to laying out your site plan to ensure the approved accesses are compatible with your layout.

For new accesses and/or change of use of an existing access, the fee and photos are required (photo looking left and right along roadway from the access point and looking in to and out of the access point). These photos are used to evaluate the safety of the access location. Access permit instructions and application can be found at [https://www.weldgov.com/departments/public\\_works/permits/](https://www.weldgov.com/departments/public_works/permits/). Chapter 6, Sections 6.3, 6.4 and 6.5 of the Weld County Engineering and Construction Criteria offer access design guidance, which can be accessed at: [https://www.weldgov.com/departments/public\\_works/engineering/](https://www.weldgov.com/departments/public_works/engineering/).

Appendix 12-A of the county code can also be referenced. Existing access points with change of use or new access points may or may not be granted. Questions pertaining to access permits or access design shall be directed to the Public Works Department. Application Fee: temporary \$75, single residential \$75, small commercial \$75, industrial \$150, field \$0, large commercial \$150, subdivision \$150. This can be accessed at: [https://www.weldgov.com/departments/public\\_works/engineering/](https://www.weldgov.com/departments/public_works/engineering/).

Per Chapter 12, Appendix 12A.4.1 of the Weld County Code, an access approach that is gated shall be designed so that the longest vehicle (including trailers) using the access can completely clear the traveled way when the gate is closed. In no event, shall the distance from the gate to the edge of the traveled surface be less than 35 feet.

Based upon the traffic counts indicated by the applicant and owner, the following tracking control is what will be required:

20 to 50 passenger vehicle round trips/day or less than 4 truck round trips/day:

- Access onto paved roads includes 100 feet of road base or recycled asphalt.

Based upon proposed employees and trips (12 employees, 4 trips per employee per day), the applicant is required to include a traffic narrative in their application.

Traffic Narrative:

1. Describe how many roundtrips/day are expected for each vehicle type: Passenger Cars/Pickups, Tandem Trucks, Semi-Truck/Trailer/RV (Roundtrip = 1 trip in and 1 trip out of site)
2. Describe the expected travel routes or haul routes for site traffic.
3. Describe the travel distribution along the routes (e.g. 50% of traffic will come from the north, 20% from the south, 30% from the east, etc.)
4. Describe the time of day that you expect the highest traffic volumes.

Public Works will review the narrative and advise the applicant if more information or an engineered traffic

study is required.

Public Works may require an Improvements Agreement for road maintenance. The applicant will be required to provide collateral for the improvements agreement.

Weld County has recently adopted a new stormwater drainage code located under Chapter 23, Article 12 Storm Drainage Criteria.

This area IS within an Urbanizing Drainage Area: Urbanizing Drainage Areas generally require detention of runoff from the 1-hour, 100-year, storm falling on the developed site and release of the detained water at the historic runoff rate of the 1-hour, 5-year storm falling on the undeveloped site.

At this time the applicant is proposing keeping the site as is, at this time. This qualifies for a Drainage Narrative. If the applicant decides to change the site, a drainage report and detention pond design may be required. Possible exceptions are highlighted below. Please contact Public Works with questions.

1. Drainage Narrative requirements with exception from detention pond.

The Drainage Narrative must describe at a minimum:

- i. Which exception is being applied for and include supporting documentation
- ii. Where the water originates if it flows onto the property from an offsite source
- iii. Where it flows to as it leaves the property
- iv. The direction of flow across the property
- v. If there have been previous drainage problems with the property

DRAINAGE CODE REQUIREMENTS (informational only):

Section 23-12-30. Drainage Policy. F. Exceptions.

Exceptions to stormwater detention shall not jeopardize the public health, safety, and welfare of public and private property and shall be limited to the following:

No stormwater detention will be required for sites that meet any of the following conditions. Requirements of the Municipal Separate Storm Sewer System (MS4) areas remain applicable.

1. Use by Right or Accessory Use in the A (Agricultural) Zone District.
2. Zoning Permits in the A (Agricultural) Zone District.
3. A second dwelling permit in the A (Agricultural) Zone District.
4. Towers including, but not limited to, cell, wind, and telecommunication towers.
5. Pipelines or transmission lines.
6. Gravel pits if the stormwater drains into the gravel pit.
7. Residential developments where all the following conditions exist:
  - i. Nine (9) lots or fewer.
  - ii. The average lot size is equal to, or greater than, three (3) acres per lot.
  - iii. Downstream roadway criteria are not exceeded.
  - iv. The total post-development imperviousness for the rural residential development does not exceed ten percent (10%), assuming that all internal roads and driveways are paved, or will eventually be paved.

**8. Development of sites where the change of use does not increase the imperviousness of the site.**

9. URBANIZING areas where the total project stormwater runoff of less than, or equal to, 5 cubic feet per second (cfs) for the 1-hour, 100-year, storm event.

10. NON-URBANIZING areas where the total project stormwater runoff of less than, or equal to, 10 cfs for the 1-hour, 100-year, storm event.

11. Parcels with total area less than, or equal to, a 1.0 gross acre.

12. Individual parcel with an unobstructed flow path and no other parcel(s) between the Federal Emergency Management Administration (FEMA) regulatory floodplain channel and the project.

13. A parcel greater than 1 gross acre and less than, or equal to, 5 gross acres in size is allowed a onetime exception for a new 1,000 sq ft building or equivalent imperviousness.

14. A parcel greater than 5 gross acres in size is allowed a onetime exception for a new 2,000 sq ft building or equivalent imperviousness.

15. Concentrated Animal Feeding Operation (CAFO), Animal Feeding Operations (AFO) and Housed Commercial Swine Feeding Operation (HCSFO) which are covered and approved by the Colorado Discharge Permit System (CDPS) regulations. Portions of the site not included or covered by the CDPS permit, shall comply with the Weld County Drainage Code requirements.

16. Approved by a variance. – See Section 23-12-150 Stormwater Drainage Criteria Variances

The applicants will be required to maintain the historic drainage flows and run-off amounts that exist from the property.

The applicant is not proposing disturbing over an acre on the site. Any grading may be for maintenance of existing drives.

This site IS NOT in a Geologic Hazard Area.

This site IS NOT in a FEMA regulatory floodplain.

A Site Plan will be required identifying the following (if applicable):

- Show and label location of existing road, existing road right-of-way, future road right-of-way, and easements
- Show and label location of the access(es) and label with access permit number
- Show and label the access turning radii (Residential – 25' Commercial – 60')
- Show and label the approved tracking control
- Show and label location of drainage related features i.e. detention pond(s), ditches, etc... Detention ponds shall be labeled as "No Build/Storage Area" and include design volume
- Show and label the drainage flow arrows showing how the stormwater flows across the property
- Show and label the parking and traffic circulation flow arrows showing how the traffic moves around the property

Please contact the following staff regarding the following Public Works issues:

Access Permits: Morgan Gabbert [mgabbert@weldgov.com](mailto:mgabbert@weldgov.com) 970-400-3778

Improvements Agreements: Evan Pinkham [epinkham@weldgov.com](mailto:epinkham@weldgov.com) 970-400-3727

Traffic Studies: Dawn Anderson [dranderson@weldgov.com](mailto:dranderson@weldgov.com) 970-400-3736

MS4 Areas: Lyndsay Holbrook [lhobrook@weldgov.com](mailto:lhobrook@weldgov.com) 970-400-3788

Right-of-Way Permits: Amy Joseph [ajoseph@weldgov.com](mailto:ajoseph@weldgov.com) 970-400-3764

Drainage: Hayley Balzano [hbalzano@weldgov.com](mailto:hbalzano@weldgov.com) 970-400-3738

### **Planning Department**

Additional fees may be included with the Building Permit such as Road Impact, County Facilities and Drainage fees. Please refer to the handout provided.

Screening of the parking area or outdoor storage may be required from any adjacent landowners or public rights-of-way.

Weld County has a Coordinated Planning Agreement (CPA) with the Towns of Windsor and Severance. The Planning Director will contact the Town Managers to give notice of this pre-application meeting. Staff advised the applicants to contact Windsor and Severance regarding possible land use permitting including possible

annexation.

Please identify any proposed lighting or signs on the Site Plan. Lighting needs to be downcast and shielded. A 16sf sign is allowed in the Agricultural Zone District; however, if there are potentially any additional or larger signs please include those in the application.

The site is currently in violation (ZCV17-00371) for not having the necessary land use permits before operating a commercial business. Therefore, staff provided a consent agreement for the applicant to sign and adhere to deadlines to avoid investigation fees and/or court proceedings. An application for 7-Day Review will need to be submitted by March 16, 2018. A full and complete application must be submitted by March 27, 2018. Alternatively, the business and all associated storage and/or operations shall be removed by March 27, 2018.

Because the site is in violation, the applicant is required to notice all property owners within 500 feet and conduct a neighborhood meeting. Additionally, the applicant shall submit a record of attendees and a written summary of the meeting to the Department of Planning Services along with the USR application.

Staff urged the applicant to contact staff for any questions:

Planner On Call available Monday through Friday 7:30 a.m. to 4:30 p.m. or contact Kim Ogle at 970-400-3549 or [kogle@weldgov.com](mailto:kogle@weldgov.com)

The applicant may be eligible for the Small Business Incentive Program (SBIP). Staff provided information regarding the program. Please visit [https://www.weldgov.com/departments/planning\\_and\\_zoning/small\\_business\\_incentive\\_program/](https://www.weldgov.com/departments/planning_and_zoning/small_business_incentive_program/) or contact Michelle Martin at 970-400-3571 or Tom Parko at 970-400-3572, for further direction.

Staff explained the USR process. The applicant shall submit 1 packet for a 7-day completeness review. After the 7-day completeness review the applicant will be informed of what items are still required to make the application complete. Staff requested that the applicant submit the remaining material in electronic form. Upon submittal of a completed application it will be sent out for referral for 28 days. The applicant will then meet with their Planner to discuss the referrals and address as many of the referrals as possible. At that meeting the Planning Commission hearing will be scheduled. The Board of County Commissioners hearing typically follows approximately 3 weeks after the Planning Commission hearing.

*The above notes are provided as a courtesy to the applicant. While we strive to help identify as many potential issues upfront during the pre-application meeting we cannot anticipate every issue that may come up during the formal application process. The information contained herein has been placed on file with the Department of Planning Services. The pre-application is valid for a period of one (1) year from the date of pre-application. If a formal application is not received following the time period specified herein the Planning Department reserves the right to require a new pre-application meeting. Please note that all land use, building and impact fees are subject to change throughout this time period.*

End memorandum.