



# MEMORANDUM

TO: PRE19-0033; Case File, pre-application  
DATE: February 14, 2019  
FROM: Kris Ranslem, Planning Technician  
SUBJECT: Pre-Application Meeting prior to submitting  
USR for landscaping business

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**Attendees:**

Tim Carver, Applicant  
Chris Gathman, Planning  
Mike McRoberts, Public Works  
Kris Ranslem, Planning  
Jose Gonzalez, Building

On Thursday, February 14, 2019 an informal discussion took place at the Greeley Administrative Offices Conference Room regarding a proposed landscaping business. (The legal description is W2NW4 Section 16, T7N, R66W of the 6<sup>th</sup> P.M.)

**Background Information:**

The applicant is using the property for a landscape construction business. The building is divided between office space, heated shop and dry storage area. There is outdoor storage of equipment, vehicle storage and landscape materials (trees, shrubs, topsoil, mulch, rock pallets of stone, etc.)

The site is currently permitted under USR-617 for a 250 head hog farm.

**Building Department**

The applicant will need to submit a "Change of Use" permit to change the use from Agricultural use to Commercial/Warehouse use. "As Built" compliance reports shall be submitted with the building permit application. This will require an engineer to inspect the building to make sure the building is safe, and a license electrical and licensed plumber contractor to make sure the electrical and plumbing is safe. A floor plan of the building shall be submitted to review the layout of the building.

Commercial Building and Electrical permits will be required, for any new construction, production equipment tanks or alteration, or addition to any building on the property per Section 29-3-10 of the Weld County Code. Currently the following has been adopted by Weld County: 2018 International Residential Code, 2018 International Building Code, 2018 International Mechanical Code, 2018 International Plumbing Code, 2018 International Fuel Gas Code, 2006 International Energy Conservation Code, and 2017 National Electrical Code.

A complete code analysis prepared by a registered design professional is required and shall be submitted with all Commercial Building Permit Applications to Weld County.

A Fire District Notification letter shall be submitted to the Fire District with jurisdiction for review and comments and submitted with Commercial Permit application to Weld County.

Building Department Staff strongly recommends a pre-application building permit submittal meeting, and, or a pre-construction meeting with Building Department staff for an overview of permit requirements. Please call 970-400-6100 and ask for a Plans Examiner.

Building permit requirements can be found on the website link below:

[https://www.weldgov.com/departments/building/building\\_permit/construction\\_handouts\\_more\\_information/](https://www.weldgov.com/departments/building/building_permit/construction_handouts_more_information/)

### **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 Environmental Health 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 COMMERCIALLY 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 29 is a paved road and is designated on the Weld County Functional Classification Map (Code Ordinance 2017-01) as an arterial road, which requires 140 feet of right-of-way. The applicant shall delineate and label on the site map or plat the future and existing right-of-way (along with the documents creating the 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.

Per Chapter 12, Article 4, Section 12-4-30.B, a Weld County Right-of-Way Use Permit is required for any project that will be occupying, constructing or excavating facilities within, and/or encroaching upon, any County

rights-of-way or easement. Right-of-Way Use Permit instructions and application can be found at <https://www.weldgov.com/departments/publicworks/permits/>.

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.

This site has an existing, permitted access on CR 29. No new access is being proposed with this application.

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. The applicant has relocated the access gate to meet this requirement.

The County Road 29 Access Control Plan has been developed to address access onto County Road 29 between State Highway 392 and County Road 100.

More information about Weld County's access control plans can be located at: [https://www.weldgov.com/departments/public\\_works/access\\_control\\_plans](https://www.weldgov.com/departments/public_works/access_control_plans)

Due to the commercial use of the site, tracking control is required at the access(es). Acceptable tracking control devices include double cattle guards or 300 feet of asphalt or concrete pavement. Contact Public Works for tracking control options.

Based on the traffic information submitted with the application materials, the applicant is only required to submit a traffic narrative as detailed below.

#### 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 will require a Road Maintenance Agreement.

Improvements/Road Maintenance Agreement: An example agreement is available at: [https://www.weldgov.com/UserFiles/Servers/Server\\_6/File/Departments/Public%20Works/DevelopmentReview/sprusr.pdf](https://www.weldgov.com/UserFiles/Servers/Server_6/File/Departments/Public%20Works/DevelopmentReview/sprusr.pdf). It will detail the approved haul route(s), outline when offsite improvements will be triggered, and include a maintenance agreement for the haul routes. Possible mitigations included in the road maintenance agreement may include but are not limited to: dust control, specified haul routes, damage repairs, and future improvement triggers.

Per Chapter 20, Article I, Section 20-1-90, any person commencing development may apply for credit against impact fees otherwise due, up to but not exceeding the full obligation for impact fees proposed to be paid pursuant to the provisions of this Chapter, for any contributions, construction or dedication of land accepted or received by the county for capital improvements of the same type as are eligible for expenditure of the impact fees. In order to receive the impact fee credit, a Front-End Contribution Agreement must be in place prior to approval of any land use case.

#### DRAINAGE REQUIREMENTS:

The storm drainage criteria is located at:

[https://library.municode.com/co/weld\\_county/codes/charter\\_and\\_county\\_code?nodet=CH23ZO\\_ARTXIIS\\_TDRCR](https://library.municode.com/co/weld_county/codes/charter_and_county_code?nodet=CH23ZO_ARTXIIS_TDRCR)

A list of professional engineering consultants is available if you need help finding an engineer to assist you with your project at the following link:

[https://www.weldgov.com/UserFiles/Servers/Server\\_6/File/Departments/Public%20Works/DevelopmentReview/List%20of%20Professional%20Engineering%20Firms.pdf](https://www.weldgov.com/UserFiles/Servers/Server_6/File/Departments/Public%20Works/DevelopmentReview/List%20of%20Professional%20Engineering%20Firms.pdf)

This area IS within a Non-Urbanizing Drainage Area: Non-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, 10-year storm falling on the undeveloped site.

Detention pond summarized in a drainage report is required unless the project falls under an exception to stormwater detention requirements per code section 23-12-30 F.1. To avoid holding up case processing, a minimum of either a preliminary drainage report or a drainage narrative with exception as shown below must be submitted with the completeness review submittal information.

Detention Pond Requirements:

1. A Drainage Report and Detention Pond Design shall be completed by a Colorado Licensed Professional Engineer and adhere to the drainage related sections of the Weld County Code. The Drainage Report must include a Certification of Compliance, stamped and signed by the PE, which can be found on the engineering website. A general Drainage Report Guidance Checklist is available on the engineering website. A Preliminary Drainage Report or a qualifying exception and Drainage Narrative shown below must be submitted for review at the time of the application.

OR

2. 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.

A Weld County Grading Permit will be required if disturbing more than 1 acre. Grading Permits are issued after the planning process is complete (map recorded). An Early Release Request Form may be entertained only after the applicant, Public Works, and the Planning Department have reviewed the referral and surrounding property owner comments and the case has been heard by the Board of County Commissioners. The Early Release Request may or may not be granted depending on referral comments and surrounding property owner concerns. Contact an Engineering Development Review representative from the Public Works Department for more information. Application Fees: 1-5 Acres/ \$50, 5.1 - 20 Acres/\$100, 20.1 Acres or Greater/\$200 + \$1 per acre over 20.

A Construction Stormwater Permit is also required with the State for disturbing more than 1 acre. Contact: Colorado Department of Public Health and Environment, Water Quality Control Division, Permit Support Staff at 303-692-3517.

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 the access type (Agriculture, Residential, Commercial/Industrial, or Oil and Gas)
- 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

Public Works Contact List

Access Permits Tiffnee Wertemberger [twertenberger@weldgov.com](mailto:twertenberger@weldgov.com) 970-400-3718

Improvements Agreements Tisa Juanicorena [tjuanicorena@weldgov.com](mailto:tjuanicorena@weldgov.com) 970-400-3778

Right-of-Way Permits Amy Mutchie [amutchie@weldgov.com](mailto:amutchie@weldgov.com) 970-400-3764  
Development Review  
Hayley Balzano [hbalzano@weldgov.com](mailto:hbalzano@weldgov.com) 970-400-3738  
Evan Pinkham [epinkham@weldgov.com](mailto:epinkham@weldgov.com) 970-400-3727  
Mike McRoberts [mmcroberts@weldgov.com](mailto:mmcroberts@weldgov.com) 970-400-3798

### **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 Coordinated Planning Agreements (CPA) with the Towns of Ault and Severance. The Planning Director will contact the Town Managers to give notice of this pre-application meeting. Staff advised the applicants to contact Ault 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.

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 Chris Gathman at 970-400-3537 or [cgathman@weldgov.com](mailto:cgathman@weldgov.com)

The applicant may be eligible for the Small Business Incentive Program (SBIP). 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 Tom Parko at 970-400-3572, for further direction.

Staff advised the applicant that they will send a probable cause letter with a deadline of March 1, 2019 to submit the updated application materials.

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.