



Land Use

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September 2, 2009

Boulder County Parks & Open Space
Attn: Therese Glowacki
5201 St. Vrain Road
Longmont, CO 80305

Dear Applicant:

This letter certifies that a hearing of the Board of County Commissioners, County of Boulder, State of Colorado, was duly called and held on August 4, 2009, in consideration of the following request:

**Docket LU-09-0010: BOULDER COUNTY Forestry Processing and Sort Yard
Limited Impact Special Review**

Request: A Limited Impact Special Review for a Forestry Processing and Sort Yard.
Location: At 291 Ridge Road, north of and adjacent to Ridge Road approximately 0.15 miles east of Highway 72 (Peak to Peak Highway) in the SE1/4 of Section 12, Township 1S, Range 73W.
Zoning: Forestry (F)
Applicant: Therese Glowacki, Boulder County Parks and Open Space

The Board of County Commissioners has determined that the request is CONDITIONALLY APPROVED, subject to the terms in the attached resolution.

Your approval may have included certain conditions that must be met. Please contact the planner who processed your docket for more information on any requirements that will need to be met.

If you have any additional questions, please feel free to contact me at (303) 441-3930 or via email at hhippely@bouldercounty.org

Sincerely,

Hannah Hippely, AICP, Planner II
Planning Division

RESOLUTION 2009-113

A RESOLUTION APPROVING BOULDER COUNTY LAND USE DOCKET #LU-09-0010 ("BOULDER COUNTY FORESTRY PROCESSING AND SORT YARD LIMITED IMPACT SPECIAL REVIEW"): A REQUEST FOR A LIMITED IMPACT SPECIAL USE REVIEW FOR A FORESTRY PROCESSING AND SORT YARD, ON PROPERTY LOCATED AT 291 RIDGE ROAD, NORTH OF AND ADJACENT TO RIDGE ROAD, APPROXIMATELY 0.15 MILE EAST OF HIGHWAY 72 (PEAK TO PEAK HIGHWAY), IN THE SE 1/4 OF SECTION 12, TOWNSHIP 1S, RANGE 73W, UNINCORPORATED BOULDER COUNTY

WHEREAS, the Boulder County Parks and Open Space Department ("Applicant") has requested approval for a limited impact special use permit pursuant to Article 4 of the Boulder County Land Use Code ("the Land Use Code"), for a Forestry Processing and Sort Yard under Article 4-504.B. of the Land Use Code, on the property which is located as generally described in the caption to this Resolution, above ("the Subject Property"), in the Forestry Zoning District in unincorporated Boulder County; and

WHEREAS, due to the current Mountain Pine Beetle epidemic, there is a growing need in Boulder County for a facility to sort and process woody biomass that is being removed from forested landscapes, and that is not suitable for processing by sawmills (and/or the small- diameter sawmills are too far away to transport the material to); and

WHEREAS, additionally, beetle-infested trees require certain disposal methods to help reduce the spread of the beetles; and

WHEREAS, in an effort to aid landowners in their forest management efforts, Boulder County has purchased an air curtain burner ("ACB") to process woody biomass materials that, once removed from a property, are otherwise difficult for residents to effectively handle; and

WHEREAS, the Subject Property proposed for the ACB and its associated activities is a 36.32-acre parcel owned by Boulder County, and the Applicant indicates that a maximum of five acres of this parcel may be cleared for the proposed use (with the initial size of the clearing expected to be approximately 2.5 acres, though if demand requires a larger clearing for the facility, the Applicant would like the ability to expand the clearing to up to five acres); and

WHEREAS, access to the facility will be from Ridge Road, with internal one-way circulation routes to be created for small and large trucks, and drop-off areas to be designated beside the internal roads; and

WHEREAS, the eastern portion of the clearing on the Subject Property is where the sorting and processing activities will take place, and where the ACB, dumpster, kiln, and portable pond will be located, as shown on the submitted site plan; and

WHEREAS, the ash resulting from the incineration of disposed wood in the ACB will be stored in the dumpster until it is removed, and the Applicant expects that much of this ash will be reused by local recyclers/landscapers as a soil amendment; and

WHEREAS, the kiln will allow beetle-infested wood to be heat treated and sanitized so that it may be reused as firewood; and

WHEREAS, chippers, grinders, and debarkers will also be used on the site, as they are needed to process wood in instances when the volume of wood being dropped off at the yard exceeds the ACB's capability to process material, or when the ACB is not able to be used (the ACB will be the primary method for treating slash and beetle infested wood, but chipping and/or grinding may also be used when there is a demand for the resulting biomass product); and

WHEREAS, the Mountain Pine Beetle flight period is from approximately July 15 to September 15th, and the proposed facility will not be accepting wood infested with Mountain Pine Beetles during this time; moreover, all the Mountain Pine Beetle infested wood dropped off at the site prior to July 15th will be sanitized before beetle flight time begins; and

WHEREAS, Ips beetle infested wood will still be accepted and processed at the site during the Mountain Pine Beetle flight time, as the application materials note that pheromone traps used at the Meeker Park sort yard have been successful in preventing the spread of the Ips Beetle to the surrounding forests; and

WHEREAS, the Applicant proposes that the facility operate from April through November, six days (Monday to Saturday) per week, from 7:30 a.m. to 6:00 p.m., and that within this time span the facility will be open to the public for eight hours; and

WHEREAS, a minimum of one employee will staff the facility, and a temporary shelter/office for the staff may be provided (identified on the submitted site plan as a shed); and

WHEREAS, once the facility is no longer needed, the Applicant will remove the structures and reclaim the site by revegetating the disturbed areas; and

WHEREAS, the above-described request was processed and reviewed as Boulder County Land Use Docket #LU-09-0010 ("the Docket"), all as further described in the Boulder County Land Use

Department Planning Staff's Memorandum and written recommendation to the Boulder County Board of County Commissioners ("the Board") dated August 4, 2009, with its attachments ("the Staff Recommendation"); and

WHEREAS, on August 4, 2009, the Board held a duly-noticed public hearing on the Docket ("the Public Hearing"), at which time the Board considered the Staff Recommendation, and also considered the documents and testimony presented by the County Land Use Department Planning Staff, representatives of the Applicant, and several members of the public, all as further reflected on the official record of the Public Hearing; and

WHEREAS, based on the Public Hearing, the Board finds that the Docket meets the criteria for special use approval set forth in Article 4 of the Land Use Code, and therefore approves the request in the Docket, subject to the conditions stated below.

NOW, THEREFORE, BE IT RESOLVED that the Docket is hereby approved, subject to the following conditions:

1. The Applicant shall obtain the necessary grading and building permits from the County Land Use Department prior to the commencement of any construction activities.
2. Prior to the issuance of a grading permit, the Applicant shall submit a copy of the Stormwater Discharge Permit and stormwater management plan to the County Land Use and Transportation Departments.
3. The proposed driveway and access shall conform to Section 4.5 and Standard Drawings 5, 12, 14, and 15 of the Boulder County Road Standards and Specifications.
4. At the end of the first operational season, the Applicant shall provide the County Land Use and Transportation Departments with a report detailing the total trips to and from the Subject Property/site, as well as turning movement counts at the access. The data shall be collected each week on the three busiest consecutive days of the week. This information will be reviewed to determine if additional road and/or site changes are necessary. Any recommended road or site changes shall be made prior to operation of the facility the following season.
5. During the second and third year of operation, the Applicant shall collect daily data on the number of vehicles accessing the Subject Property/site. This information shall be provided to the County Land Use Department at the end of each seasonal operating period.

6. As estimated, the sound levels generated at the facility are acceptable; however, a sound level meter shall be used to measure, at each Subject Property line, the noise level generated at the facility while the loudest machinery is in use. This information shall be submitted with the application materials at the three- year review (see Condition #13, below).
7. Site restoration, revegetation, and weed management shall occur as outlined in the application materials to ensure that the facility does not have a long term negative impact on the land.
8. Pheromone traps shall be used at the Proposed Processing and Sort Yard to prevent the Ips Beetle from impacting the adjacent forests.
9. The Applicant shall install a portable pond of approximately 3,000 gallons as required by the County Wildfire Mitigation Coordinator.
10. The proposed fencing shall be installed prior to the facility commencing operations.
11. All woody biomass collected at the facility shall be removed from the Subject Property at the end of each operational season, by the last day of November.
12. The Applicant shall be subject to the terms, conditions, and commitments of record in the official Docket file, including but not limited to the maintenance of tree screening, the use of the ember screen during windy conditions, and adherence to proposed months and daily hours of operation.
13. This facility is approved for operation for three years from the opening date. Prior to any use of the facility beyond these three years, the facility shall be reviewed and approved through the Limited Impact Special Review process, to determine if the Special Use criteria in the Land Use Code continue to be met, and if the facility continues to be needed by the community.

A motion to approve the Docket on the basis stated above, was made by Commissioner Pearlman, seconded by Commissioner Domenico, and passed by a 2-0 vote, with Commissioner Toor being excused.

1st *September*
ADOPTED this ~~18th~~ day of ~~August~~, 2009, nunc pro tunc the 4th day of August, 2009.

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**BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY:**

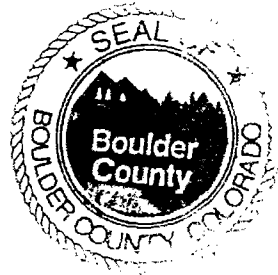
Ben Pearlman

Ben Pearlman, Chair

Cindy Domenico

Cindy Domenico, Vice Chair

Will Toor, Commissioner



ATTEST:

Wanda Taylor

Clerk to the Board