



PLANNING AND ZONING DEPARTMENT STAFF REPORT

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| Case No: ZC 23-003 | Case Name: T-K Processing |
| Owner: | Sharon and Raymond Stoner 2000 North Street, Cañon City, CO 81212 |
| Applicant | T-K Processing 1910 North Street Cañon City, CO 81212 |
| Consultant Name | Crown Point Land Services P.O. Box 749 Cañon City, CO 81215 |
| Site Address and Schedule Number | 1906 and 1910 North Street Cañon City, CO 81212 Schedule Numbers: 99104505 and 99504104 |
| Nature of Requests | 1) Zone Change Classification #2 2) Final Development Plan 3) Special Review Use Permit |
| Zoning | Agricultural Estates |
| Total Site Area | 2.27 Acres |
| Proposed Use | Slaughterhouse (Meat Processing – Slaughtering Operation) |
| Public Meeting/Hearing Dates | Planning Commission: March 5, 2024 Board of County Commissioners: TBD |
| Report Date | February 20, 2024 |
| Planning Commission Recommendation | APPROVAL with 8 Findings of Fact and 7 contingencies |

SUMMARY OF REQUESTS

The applicant consultant, George Hall with Crown Point Land Services, on behalf of T-K Processing, is requesting to rezone 2.27 acres from Agricultural Estates to industrial. The application also includes a Final Development Plan and Special Review Use Permit to allow for a slaughterhouse (meat process-slaughtering operation) located at 1906 and 1910 North Street.

The proposed development would include a slaughterhouse operation to be contained within an existing 2,619.7 square foot building on the eastern portion of the property. A holding pen is proposed in the southeast corner of the property outside of a proposed drainage easement but within the 10-foot utility easement along the eastern boundary. Animals are to be held for a maximum of four (4) hours in the holding pen. The plans identify a 900 square foot future cooler that may or may not ever be constructed. The applicant has indicated that it is included as to the future possibilities as business may or may not require it. Additionally, a 1,159.2 square foot manufactured trailer is proposed to be used as office space and the 831.6 square foot manufactured trailer would be dedicated for watchmen’s quarters. Two (2) storage sheds are proposed to be located south of the watchmen’s quarters and behind the processing facility. There are two (2) septic tanks, a leach field, and a 1500-gallon holding tank. A total of eleven (11) parking spaces are proposed with delivery, pick up, unloading, and trailer backing areas to be surfaced with 6-inch gravel.

The west side of the property contains a manufactured home double-wide and accessory structures that are proposed to be removed within eighteen (18) months of the zone change approval to accommodate eighteen (18) parking spaces (including employee parking), the existing septic tank, leach field, and new detention pond and drainage easement. Due to the proximity of proposed parking, drive aisles, existing leach fields, holding pens, trailer backing, and unloading areas, the applicant proposed to install a state statute legal agricultural fencing placed for the safety of the easement not to be driven into.

The eastern and western portions of the property are separated by an existing 6-foot wood privacy fence with a 4-foot employee walkway to provide employees pedestrian access from the employee parking area to the slaughterhouse operation. Screening of the proposed use is provided by a combination of the existing 6-foot high wood privacy fence and installation of new 6-foot high wood privacy fencing along the eastern, southern, and a portion of the western property boundaries.

Animal by-products are produced as waste during the slaughtering and processing of domestic and wild animals. This includes (not limited to) animal hides/ hair, fats, internal organs, bone, inedible meats, and blood. The applicant submitted an Operation and Waste Plan that states the above-referenced animal byproducts will be retained in bags and marked with a green denatured ink prior to being disposed of in a waste receptacle that is rated and approved for such products (Receptacle is provided by Twin Environmental Services). All bags will be marked NOT FOR HUMAN CONSUMPTION prior to being placed in the waste receptacle. Twin Environmental will then retrieve this waste and it will be disposed of in the appropriate location of the landfill. Additionally, there will be a 1500-gallon holding tank located on the facility to handle the by-products of the slaughtering process. Pumping and cleaning of tanks would be done every 10 to 20 days, dependent on usage, and no by-products would be placed in a typical leach field. Additionally, there would be around 25 gallons per day in the holding tank from the daily cleanup of rags, aprons, and other clothes and for the cleaning and sanitation of the tools and tables. The applicant is proposing to have the holding tank equipped with a float with an alarm on it at 80% capacity and has noted the tank will be pumped at that time, and processing would be halted until pumped below the 80% mark.

T-K Processing is proposed to be open 300 days per year, 5.5 days per week. The hours of operation are between 6:00 am to 7 pm, Monday through Friday, 6:00 am to 1:00 pm on Saturday and are closed on Sunday. Additionally, the operation would be open during the wild game season after hours, on-call for animal drop-off only. A maximum of ten (10) animals per day would be processed by appointment only. There is a maximum of ten (10) customers per day that would come to the operation for delivery and 10 customers per day for pickups. A maximum of ten (10) employees will work in the operation.

The watchmen's quarters' occupancy is limited to a person(s) who either owns the primary use or is employed as a manager, maintenance person, or similar function.

BACKGROUND AND SITE CHARACTERISTICS

The subject property is zoned AE - Agricultural Estates, which allows for limited agricultural purposes with appropriate single-family residence and accessory uses and provides separation from business and industrial uses. It consists of two lots: one, with an address of 1906 North Street, is 1.01 acres, and the other, at 1910 North Street, is 1.26 acres.

The subject property has a total of eleven (11) structures with two separate existing gravel driveways off of North Street. The property at 1906 North Street has a 1,157.1 square foot manufactured home double-wide and 1,817.5 square feet of accessory structures, including a shop and sheds used for storage and other personal uses. There is an existing 6-foot high wood privacy fence that extends west from the double-wide to the west property line. Said fencing follows the western property line for approximately 50 feet. The rear portion of the lot has approximately 120 linear feet of privacy

fencing. There were code violations due to the accumulation of unregistered vehicles and junk, trash, and debris. As of October 16, 2023, said code violations were cleared.

The property at 1910 North Street has two manufactured trailers: one is 831.6 square feet and located on the northwestern portion of the lot, and the other is 1,159.2 square feet located on the eastern portion of the lot. There is also a 2,619.7 square foot shop and two sheds. Existing fencing consists of a chain link along North Street and the interior of the site, and a 6-foot privacy fence located along the east, west, and south lot lines. There are four (4) mature trees along the North Street frontage and smaller trees in the front yard of the 1,159.2 square foot trailer.

At some time in the past, the 1910 North Street parcel was a functioning meat packing business; however, the business was closed down because slaughterhouses are not an allowed use in the Agricultural Estates zone district and due to non-compliance with minimum property size requirements. Upon combining the properties and approval of the zone change and special review use permit, the owners intend to operate a meat processing – slaughtering operation.

The general slope of both of the properties is to the south–southwest. There is a large drainage ditch just outside the south property line, which provides stormwater drainage for the subject properties and adjacent lots. The subject properties (and adjacent properties) presently slope to this ditch, which appears to have been constructed to provide drainage for the immediate area.

The applicant indicated that the federal government agency that issues permits or licenses for the proposed use is the USDA as the agency inspects processing facilities.

REFERRAL RESPONSES

The application was sent on five (5) rounds of referral review to Fremont County Departments and external agencies mainly because of the failure to submit required submittal documents/plans and address review comments, lack of detailed operational characteristics, OWTS, and sanitation disposal methods, water usage, and drainage information. All Fremont County Department comments have been adequately addressed in the February 5, 2024 resubmittal, with the exceptions noted in this staff report.

REGULATORY REQUIREMENTS

Zone changes that change property to an industrial zone district are classified as Zone Change #2, wherein there are two alternative review processes for applicants: Use Designation Plan or Final Development Plan. Since the applicant is ready to develop the property and has elected to submit a Final Development Plan and forgo the Use Designation Plan process. In reviewing the proposal, the Planning Commission considers the following application requirements:

Zone Change #2 and Final Development Plan

1. Compliance with the intent and purpose of the Fremont County Zoning Resolution (FCZR).

The industrial zone district is established to provide for general industrial and manufacturing activities. The proposed slaughterhouse use is subject to the issuance of a special review use permit and must demonstrate compliance with the Fremont County Zoning Resolution, special review approval criteria, application and development requirements, parking and loading requirements, and performance standards of the Industrial zone district. The narrative below provides an analysis of compliance with the development requirements of the Industrial Zone District:

Minimum Lot Size. As noted above, the subject property consists of two lots. The applicant has submitted a request for a Vacation of the Interior Lot Line to combine the two lots into a single 2.27-acre lot. Staff finds that upon approval of the Vacation of Interior Lot Line, the property would comply with the minimum lot size requirements of

the industrial zone district as the lot would be comprised of a lot that is more than two (2) acres but less than four and one-half (4 ½) acres and serviced by public water. Staff has set forth a recommended contingency that the Vacation of Interior Lot Line must be approved and recorded by Fremont County prior to final approval of this Zone Change #2 application.

Maximum Building Height. The Existing to Stay Table includes a column that delineates the building heights of existing structures. All structures are below the 50-foot building height limitation as set forth in Section 4.17.5.2 of the FCZR.

Maximum Lot Coverage. The proposed lot coverage is 5.67 percent, which is below the maximum lot coverage limitation of sixty-five (65) percent of the Industrial zone district.

Lot Width. Both lots exceed the minimum lot width of one hundred (100) feet of the Industrial zone district. Upon approval of the Vacation of Interior Lot Line, the property would be 301.65 feet in width, thereby exceeding the minimum lot width requirement by 201.65 linear feet.

Minimum Setback Requirements. The February 5, 2024, resubmittal included a Final Development Plan that depicts the location dimensions from at least two property lines for each building and structure. Staff finds all buildings and structures comply with the minimum setback requirements of the Industrial zone district with the exception of the following:

- **Front Setback.** The 831.6 square foot manufactured home is proposed to be utilized as a watchmen’s quarters. It has a front setback of 26.4 feet, which complies with the 25-foot setback requirement of the AE zone district. Since the request is to rezone the property to Industrial, the site must comply with the industrial zone district setback requirement, which is forty (40) feet.

Through the development review process, the applicant asked staff to make the front 13.6-foot setback encroachment a waiver due to the fact it complies with the AE zoning setback as a pre-existing condition. Staff informed the applicant that there is not a waiver process for setback encroachment. The request would be a variance wherein the Board of Zoning Adjustment (B.O.Z.A.) is the decision-making body on variance applications. Alternatively, an application for a Non-Conforming Use Status might be a preferred path to provide relief. The application procedure is an administrative process through the Planning and Zoning Department. A non-conforming use is a land use that was valid or lawful when brought into existence but, as of the effective date of the Fremont County Zoning Resolution or subsequent amendments, is prohibited by or inconsistent with the requirements of the Zoning Resolution or its subsequent amendments. A Non-Conforming Use Status application form was provided to the applicant.

The applicant has indicated that when the rezoning is completed and approved then they will submit a Non-Conforming Use Status application. Staff recommends that approval of either a variance from B.O.Z.A. or a non-conforming use status application be an approval contingency of Zone Change #2. A recommended contingency is provided for the Commission’s consideration.

- **Side Setback.** There is an existing 98 square foot shed located along the eastern portion of the property that encroaches into the required ten (10) side setback. The applicant has indicated the shed will be used for cleaning and sanitizing supplies and would be relocated behind the processing building 33.6 feet from the eastern property line in accordance with the side setback requirement. Because of the use of the shed, staff recommends that the shed be relocated prior to the operation of the facility. Staff has provided a recommended approval contingency for the Commission’s consideration.

Performance Standard. The Final Development Plan depicts a freestanding sign located along the North Street frontage near the customer and watchman's quarters access. In the written response to review comments, the applicant stated that the sign will be 32 square feet (4'x 8') on a post no higher than 6 feet tall and will not be illuminated other than a solar ground light to identify the location of the driveway. The sign is labeled on the Final Development Plan with a note stating, "sign with solar ground light directed at the sign."

Per the Industrial Performance Standards, one (1) free-standing sign for each street frontage announcing the name and insignia of the company on the property is allowed but shall not exceed 32 square feet in area. Signs are allowed to be illuminated; however, said illumination shall not direct light onto any public roadway or adjoining properties. It appears the applicant intends to install a freestanding sign in conformance with the FCZR, but the dimensional specifications need to be provided on the Final Development Plan by labeling or noting the dimensions, specific type of sign, total square footage, and height. As such, staff recommends the dimensional specifications of the free-standing sign be identified by label or note on the Final Development Plan in accordance with Section 8.13.3.19 of the FCZR. A recommended contingency is provided for the Commission's consideration.

Off Street Parking and Loading. The Final Development Plan depicts the minimum required parking spaces by use in compliance with the FCZR, as illustrated in the table below.

| Use | Required Parking Spaces | Proposed Parking Spaces |
|--|-------------------------|---|
| Industrial Use (2,619.7 sf and a maximum of 10 employees): The greater of 1 space / 300 square feet of floor area or 1 space / employee on maximum shift. | 10 | 20 (Customer Parking: 8 Spaces Employee Parking: 12 Spaces) |
| Office (1,159 sf): 1 space / 200 square feet | 6 | 6 |
| Watchmen's Quarters: 2 spaces / dwelling unit | 2 | 2 |
| Accessible Spaces in accordance with the Department of Justice and the Americans with Disabilities Act Accessibility Guidelines for Facilities and Buildings | 1 | 1 |
| TOTAL PARKING SPACES | 19 | 29 |

Per Section 5.3.2 of the FCZR, surfacing for all industrial off-street parking areas shall be graded and surfaced to control dust. The driveway and parking spaces shall be asphalt or concrete unless waived by the Board. The Final Development Plan depicts the driveways, customer and employee access areas, delivery and unloading spaces, and parking spaces to be surfaced with six (6) inch gravel as the applicant is requesting a waiver from the surfacing requirements.

Throughout the development review process, staff has raised concerns about the potential of motorized traffic driving over the drainage basin, drainage easement, and leach fields, as having a gravel surface would provide no indication to customers or employees to avoid those areas. The applicant revised the Final Development Plan to include fencing around the drainage base and easement, thereby alleviating the Project Engineers' concern; however, driving and parking on the leach fields remains an issue. Paving would be better but at a significant cost because of the size of the area. The Project Engineer suggested a compromise that included requiring curb

sections on portions of the drive aisles to keep vehicles off the leach field. For example, one continuous curb around the leach field by the employee parking and an L-shaped curb on the north and east of the large leach field. Staff has provided a recommended contingency to implement the Project Engineer’s suggested compromise.

In terms of the accessible parking space, staff continues to recommend the accessible parking space be surfaced with asphalt or concrete in compliance with Section 5.4.3.2.1.2 of the FCZR and the accessible route is provided from the accessible parking to the accessible entrance as required by Section 5.4.3.2.1.1. The December 27, 2023, submittal depicted an ADA ramp that would be attached to the proposed office but did not show a connection to the accessible parking space. Planning and Zoning Department Staff noted the slope of the ADA ramp needed to be delineated along with the surfacing from the accessible parking space to the ramp. The February 5, 2024, resubmittal removed the ADA ramp with no explanation or justification for doing so and still proposes to surface the accessible space with 6-inch gravel. Planning and Zoning Department staff and the Project Engineer maintain that compliance with the parking space requirements for individuals with disabilities as set forth in the FCZR is not just a matter of convenience; it's a fundamental aspect of ensuring people with disabilities, including people in wheelchairs, elderly people, parents with strollers, and individuals with temporary injuries have equal access to public spaces and buildings. As such, staff recommends the applicant revise the Final Development to surface the accessible parking space with asphalt or concrete and depict an ADA ramp connecting the accessible parking space to the entrance of the building in compliance with ADA requirements. The applicant has requested a waiver from the ADA hard surfacing but detail compaction. Ultimately, if the surfacing of this area is an issue, they will agree to surface it.

Staff finds once all recommended contingencies are addressed, the proposal would demonstrate compliance with the intent and purpose of the Fremont County Zoning Resolution.

2. Conformance with the Fremont County Master Plan.

The Fremont County Master Plan is an advisory document required by State Statute and contains goals and objectives that are used to guide land use decisions. The subject property is located in the Urban Growth Planning District. Staff finds the proposed rezoning advances several County-wide goals and objectives, including:

Transportation. Payment of the annual roadway impact fee implements the transportation goal of maintaining a safe, functional, low-maintenance, and cost-effective County-wide transportation system by relieving the County from absorbing the cost of road repairs and maintenance stemming from increased traffic generated from the slaughterhouse use.

Urban and Rural Development: Once all recommended contingencies are addressed, the proposed rezoning and Special Review Use would result in a preferred development that controls public costs by minimizing road maintenance costs and environmental disturbance. Implementation of commercial and industrial development strategies include:

- The submittal of a Roadway Impact Analysis, an Onsite Wastewater Treatment System and Sanitation Disposal Plan, along with detailing the operational characteristics of the special review use on the Final Development Plan, offers sufficient information to assess whether the proposed use would minimally affect public water, sewer, and transportation systems.
- The industrial development includes plans to address stormwater drainage issues, including measures to protect the integrity of required drainage easements.

Economic Development: The proposed rezoning and special review use furthers economic development objectives by widening the existing economic base with development activities that provide sustainable employment opportunities with the addition of 10 new jobs to the County.

Water, Sewer, and Utility Services. The proposed development has demonstrated it has access to adequate, dependable, and cost-effective water sources and sewage disposal for the proposed use.

3. Evidence that there is a public need for the zone change.

The applicant's justification for the rezoning included the statement that the need is great for a slaughtering/processing plant to be established in the community with cost effective services being provided. Additional facilities are needed to better accommodate the demand for meat process – slaughtering operations and noted a lot of County residents are leaving Fremont County to have processing services done. They further note the property is precisely set up for a meat processing - slaughtering type of facility even though it wasn't allowed wherein it was in operation for several years before the County placed the cease and desist order on the operation. The applicant intends to rectify the non-compliant status of the facility by bringing it into compliance through this application.

Staff acknowledges the need for meat processing-slaughtering operations as they play a key role in adding value to agricultural products, meeting consumer demand, and contributing to the overall food supply chain. As evidenced by the applicant's desire to bring the slaughterhouse operation into compliance through the development review process, a public need for the zone change exists.

4. Evidence that the zone change will be a County and or neighborhood benefit in that it will tend to preserve and promote property values in the neighborhood.

The applicant notes that supply and great demand currently as most county residents are going out of town for services. It would provide up to ten (10) jobs for the community. Although no evidence was provided, the applicant asserts that there will not be any detrimental effects on property values with the approval of the zone change and all of T-K Processing values align with the Fremont County Master Plan. Further, there will be no negative impact on the County, its current citizens, and service providers with its level of cleanliness. With T-K Processing paying the annual roadway maintenance fee, the added traffic will not bare any extra expense to the citizens of Fremont County.

Staff finds additional land is needed in the proposed industrial zone district to accommodate meat processing, while the special review use permit approval process will ensure objectionable influences typically associated with these types of operations are appropriately mitigated and the site is brought into compliance with the Fremont County Zoning Resolution (FCZR).

5. Evidence that the proposed zone change and proposed use will be in harmony and compatible with the surrounding land uses and development in the area.

The subject property is surrounded by single-family residential to the east and west as those parcels are zoned Agricultural Estates. The property to the north is the Gun Club and is currently vacant. The properties to the south and southwest are substantially industrial in nature and include contractor yards, Fremont County DOT, County Road and Bridge, and self-storage facilities.

| Direction | Adjacent Zoning | Land Use |
|-----------|----------------------|---------------------------|
| North | Agricultural Living | Vacant Land |
| South | Industrial | Vacant |
| East | Agricultural Estates | Single-Family Residential |
| West | Agricultural Estates | Single-Family Residential |

The proposed zone change to industrial would be in harmony and compatible with adjacent industrial zoning to the south and southwest. The proposed slaughterhouse use may be found to be compatible with the surrounding land uses and development in the area once all objectionable influences/impacts typically associated with slaughterhouses are appropriately mitigated through the special review use permit process.

SPECIAL REVIEW USE PERMIT

The Special Review Use Permit (SRU) review process is utilized to determine if a particular use is appropriate in a particular district depending upon the location, nature of the proposed use, character of surrounding development, traffic capacities of adjacent streets, and potential environmental effects. The special review purpose is to provide review of such uses to assure that they are compatible with surrounding land uses and are not in conflict with the objectives of the Zoning Resolution. The Planning Commission may recommend approval a special review use permit provided that it is established by evidence presented to the Commission that the proposed use is in accordance with the provisions of the Fremont County Master Plan and the Zoning Resolution, and further that the following qualifications have been met.

1. The location of the proposed use is compatible and harmonious with the surrounding neighborhood.

Slaughterhouses are intensive operations linked to objectionable impacts that, if not addressed, may not be compatible or harmonious with nearby land uses. The location of the holding pens had raised concerns during the development review process because they abut the lower-intensity single family land uses to the east, encroach on a utility easement and could compromise the function of the detention pond and drainage easement.

Per Section 5.2.4 Buffering and Landscape Requirements, applicants are required to provide screening or a buffering strip, which will act as an opaque visual barrier, unless waived by the Board. Considering the concerns noted above, staff recommended a screening/buffering strip that consists of a row of trees or continuous unpierced hedge row of evergreen or shrubs of such species as will produce within three years a screen height of at least six feet and installed in conformance with the minimum planting sizes outlined the FCZR. Staff further recommended the entire buffer strip should be immediately adjacent to the east and west lot lines with consideration given to utility or drainage easements.

The applicant stated that due to the climate of the area and the over usage of valuable water, it would seem that planting shrubs and trees excreta would not be practical in the county regulation 5.2.4. While staff can understand the over usage of valuable water, the holding pen should be moved back at least 10 feet from the eastern property line (outside the utility easement) to mitigate potential conflicts with the Agricultural Estates zoned property to the east and the inability to maintain said easement with animals within it. The applicant moved the holding pens outside the drainage easement but still shows it within the 10-foot utility easement and noted that utility companies will be granted access to the utility easement upon request.

The processing building and holding pens are located to the rear of the property in the southeast corner and are visually screened from view with the existing vegetation located along North Street. Staff finds that the proposed 6-foot wood privacy fencing located on the south, east, and west property boundaries provides adequate screening of

the slaughterhouse use; however, concerns remain about the encroachment of the holding pens in the 10-foot utility easement as it could be difficult for utility providers to access or work within a holding pen.

2. The proposed use will not have a detrimental effect on property values.

The applicant maintains that the proposed slaughterhouse use will not have a detrimental effect on property values.

3. The proposed site and uses will not impair public health, welfare, prosperity, and safety by creating undesirable sanitary conditions, overburdening of utilities, or adverse environmental influences.

Sanitation. Due to the proposed business being a meat processing facility, the Building Official required information on an Onsite Wastewater Treatment System (OWTS) sanitation disposal method, and water usage.

The initial application did not contain any means of sanitation proposed with the application. The applicant has since provided an OWTS and sanitation disposal method, which included a more detailed explanation of the hoof to package water usage. The Building Official found the water usage that is summarized in the processing might be questionable but believes through strict conservation of water, from the kill to package process, the water usage numbers the applicant has provided can be acceptable. The notes on the Final Development Plan indicate the holding tank will have a float with an alarm on it at 80% capacity and the tank shall be pumped at that time, and processing will be halted until pumped below the 80% mark. The Building Official indicated that the application will need to change the high-water alarm warning to sound off at 75% of the vault, per Section 12.C.9 of the Fremont County OWTS Regulations. The use of any vault will need the approval of the Fremont County Board of Health. A recommended contingency is provided for the Commission's consideration.

Water Supply. The Park Center Water District submitted a will-serve letter subject to the developer installation and testing of a Park Center Water District-approved backflow prevention device (Reduced Pressure Zone Backflow Prevention Assembly) for the meat processing/slaughterhouse operation. The February 5, 2024, Final Development Plan includes a note that a Park Center approved backflow prevention device will be installed.

Fire Protection. The subject property is in the Cañon City Fire District. The only comment provided from the District was for the operator to add a multi-purpose fire extinguisher to each business building.

Drainage. The Fremont County Project Engineer reviewed the Drainage Report and found the Report, dated December 10, 2023, addressed all comments and concerns.

The applicant proposes to dedicate a drainage easement on the Vacation of Interior Lot Line plat to accommodate the required detention pond. Throughout the development review process, concerns were raised about the location of the holding pens and unloading areas for the holding pens being located right up against the drainage easement. The holding pens may lead to the release of contaminants and sediment from the drive and backing areas, as well as manure from the holding pens. If the berm/pond/drainage is not designed well and maintained, the Project Engineer was concerned there will just be contaminants, sediment, and mature-laden overflow of storm events into the east-west ditch south of the property. Without a fence or barrier, the drainage easement would probably get driven on and its effectiveness reduced. The same issue for the adjacent leach field. The traffic flow plan appears to have trucks and trailers back for hundreds of feet to the holding pens, but the concern is that, in practice, traffic will end up turning around on top of the drainage easement and leach field. As such, the Project Engineer added a requirement to protect the integrity of the detention pond and easement, due to the proximity of vehicles and animals, and the critical, compact spacing in the development, the applicant should install a permanent more visible fence.

The applicant has revised the Final Development Plan to include a note stating the drainage easement shall have a state statute legal agricultural fencing placed for the safety of the easement. Said fence would be a 4-strand wire fence. The Project Engineer found the proposed fencing would adequately protect the integrity of the detention pond and easement.

Utilities. The applicant has depicted all utilities on the Final Development Plan. A 10-foot utility easement is required to be dedicated along the exterior of the property as part of the Vacation of Interior Lot Line plat. The holding pens are proposed to be located within said utility easement. Planning and Zoning Department staff raised concerns about the potential animal conflicts with the easement in the event utility providers would need to access or work within the 10-foot easement. The applicant claims that, based on development, the easement would not be utilized. If anyone needed access to it, they could arrange for access but it is unlikely. As such, a note has been added to the Final Development Plan, granting access to all utility easements when requested. Utility providers will review easement dedication through the Vacation of Interior Lot Line process. If objections related to the encroachment of the holding pens on the utility easement, the holding pens would need to be relocated outside said easement.

No concerns related to the overburdening of utilities were received from utility providers, and the Building Official has no outstanding concerns related to the location of proposed and existing sanitation.

Environmental Influences. Disposal of animal carcasses and animal by-products can pose challenges for waste management. The Operation and Waste Plan was reviewed by the Fremont County Building and Environmental Health Department. All animal by-products will be disposed of by Twin Environmental.

Fremont County Weed Management issued an Integrated Weed Management Plan to address various weed species that are in the vicinity of the planning area.

Staff finds that all potential public health, welfare, prosperity, and safety impacts have been minimized and mitigated subject to conformance with recommended contingencies.

4. The site will be served by streets and roads of sufficient capacity to carry the traffic generated by the proposed use, and the proposed use will not result in undue traffic congestion or traffic hazards.

The subject property gains access via two driveways off of North Street, which is classified as a local roadway. North Street is gravel and maintained by the County. The Roadway Impact Analysis included in the November 16, 2023, resubmittal estimates the business will generate a total of 22-40 vehicle trips per day.

Fremont County Department of Transportation (DOT) reviewed the rezoning request and determined the applicant will need to pay annual roadway impact fees in accordance with the roadway worksheet, based upon information provided by the applicant in the zone change application. In the January 23, 2024, resubmittal, the applicant provided revised math for the roadway worksheet to reduce the annual fee amount.

Fremont County DOT noted that the applicant is assuming that he is only responsible for the road in front of his business address and noted there would be an 800% increase in traffic on the $\frac{3}{4}$ mile section of county-maintained road that is being created by the applicant's business. Fremont County DOT stated the department should not bear the cost of road repairs and maintenance while the applicants' business profits and will not amend the roadway worksheet.

5. The site is sufficient size to accommodate the proposed use together with yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by the Zoning Resolution.

Through the development review process, overall site circulation was a concern as drive aisle widths did not meet the minimum 24-foot requirement due to inadequate room needed to navigate unloading activities adjacent to the holding pens and protection of the detention pond, drainage easement and leach fields. The February 5, 2024, resubmittal depicts all drive aisles in conformance with FCZR, with the exception of the trailer backing area abutting the drainage easement that is 14.4 feet wide. The applicant has indicated that the trailer backing area is strictly a pull-up and back-in the area to unload. Once unloaded, the vehicle will go back out to adhere to drive aisle. Based on input from the applicant, the trailer backing area would not function as a drive aisle and the 14.4 foot width is adequate to accommodate the proposed function. Additionally, with implementation of the Project Engineer's recommendations for drainage easement protection, staff finds there would be sufficient size to accommodate the unloading of animals into the holding pens.

The site is 2.27 acres and is sufficient size to accommodate the proposed use together as required by the Zoning Resolution, subject to completion of recommended contingencies.

6. The proposed use, if it complies with all conditions on which approval is made contingent, will not adversely affect other property in the vicinity or the general health, safety, and welfare of the inhabitants of the County, and will not cause significant air, water, noise, or other pollution.

Air. Slaughterhouses typically emit air pollutants such as ammonia, particulate matter, and volatile organic compounds from animal waste. These pollutants could contribute to foul odors and air quality degradation. The applicant indicated that odor aligns with the Fremont County Master Plan by garbage pickup two times weekly by Twin Environmental Services, with extra pickup available as needed to minimize odor. All other odor-causing agents will be handled with sanitary plans in place.

Approximately thirty-two percent (32%) of the site is proposed to be surfaced with gravel, including the drive aisles, customer and employee access areas, delivery, parking, unloading, and trailer backing areas. The FCZR sets forth the requirement to surface all industrial off-street parking areas with asphalt or concrete to control dust. The Project Engineer supports the waiver from surfacing requirements because gravel would be better for stormwater drainage, as assumed in the drainage plan. If the Board does not grant the surfacing waiver request, the Project Engineer would need to check the drainage plan based on the increase in impervious area.

Water. Public water is supplied by Park Center Water District, wherein no concerns were raised about adverse effects on water supply.

Noise and Vibration. The applicant indicated that the slaughtering and processing will not create noise of vibration discernible off-site as these adverse impacts are limited due to animals being held in the holding pens for a maximum of four (4) hours. The rest of the processing is completed indoors.

Lighting and Glare. The applicant's response to review comments indicated that lighting would be placed for security reasons on buildings. The purpose of the watchmen's quarters is to supply on-site security with motion sensors for additional security. Lighting of the proposed sign is proposed to be illuminated with solar ground light directed at the sign. A note has been included on the February 5, 2024, Final Development Plan that states any lighting shall not be directed toward surrounding properties to limit any exposure of glare to surrounding properties or roadway.

SUMMARY OF STAFF ANALYSIS AND RECOMMENDATION

Based on the application, compliance with the regulatory requirements of the Fremont County Zoning Resolution, and Special Review Use Permit approval criteria, staff recommends **approval** of these requests (Zone Change #2, Final Development Plan and Special Review Use Permit) with the following contingencies:

1. The associated Vacation of Interior Lot Line must be approved and recorded by Fremont County prior to final approval of this Zone Change #2 application.
2. The applicant shall secure approval of a 13.6-foot front setback variance or a non-conforming use status application prior to final approval of this Zone Change #2 application.
3. The applicant shall relocate the 98 square foot shed in conformance with the ten (10) foot side setback requirement prior to the operation of the slaughterhouse facility.
4. Revise the Final Development Plan to include the dimensional specifications of the free-standing sign identified by label or note in accordance with Section 8.13.3.19 of the Fremont County Zoning Resolution.
5. Revise the Final Development Plan to depict curb sections on portions of the drive aisles to keep vehicles off the leach field with one continuous curb around the leach field by the employee parking and an L-shaped curb on the north and east of the large leach field.
6. Revise the Final Development Plan notes to change the high-water alarm warning to sound off at 75% capacity of the vault per Section 12.C.9 of the Fremont County OWTS Regulations.
7. Revise the Final Development to surface the accessible parking space with asphalt or concrete and depict an ADA ramp connecting the accessible parking space to the entrance of the building in compliance with ADA requirements.

RECOMMENDED FINDINGS OF FACT

Based on the analysis included in this staff report and upon compliance with all contingencies, staff finds the following:

1. The applications will comply with the intent and purpose of the Fremont County Zoning Resolution and the Fremont County Master Plan.
2. A public need for the zone change exists.
3. The Zone Change #2 will be a County benefit.
4. The location and proposed use is compatible with the surrounding land uses and development in the area.
5. The proposed site and uses would not impair public health, welfare, prosperity, and safety by creating undesirable sanitary conditions, overburdening of utilities, or adverse environmental influences.
6. The site is served by a road of sufficient capacity to carry the traffic generated by the proposed use and the use will not result in undue traffic congestion or traffic hazards.
7. The site is sufficient size to accommodate the proposed uses in conformance with the provisions required by the Zoning Resolution.
8. The proposed use, upon compliance with all contingencies, will not adversely affect property in the vicinity or the general health, safety, and welfare of inhabitants of the County and will not cause significant air, water, noise, or other pollution.

PLANNING COMMISSION RECOMMENDATION

After the conclusion of the public meeting, the Commission may recommend approval, approval with contingencies, or denial of these applications to the Board of County Commissioners.

POTENTIAL MOTIONS FOR PLANNING COMMISSION CONSIDERATION

1. The Planning Commission finds that the Zone Change #2, Final Development Plan and Special Review Use Permit applications substantially meets the criteria above and recommends **approval**.

2. The Planning Commission finds that the Zone Change #2, Final Development Plan and Special Review Use Permit applications substantially meets the criteria above and recommends **approval with the following contingencies:**

[The Commission may include any contingencies that it determines will render the application compliant with all requirements, based on all the evidence and testimony presented at the public meeting.]

3. The Planning Commission finds that the Zone Change #2, Final Development Plan and Special Review Use Permit applications do not substantially meet the criteria above and recommends **denial.**



Fremont County Department of Transportation

1170 Red Canyon Road • Cañon City, Colorado 81212
Phone: 719-276-7430 • Fax: 719-275-2120

11.27.2023

Fremont County Planning & Zoning
615 Macon Ave., Room 210
Cañon City, CO 81212

RE: ZC 23-003 T-K Processing Zone Change 2

Dear Mr. Victoria,

The FCDOT has reviewed the application and we have the following requirement:

- The applicant will need to pay annual roadway impact fees in accordance with the included roadway worksheet, based upon information provided by applicant in the zone change application.

Should you have any questions or need further assistance, feel free to contact us.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director

Gravel Road: (ONE CAR TRAVELING EVERY DAY OF YEAR(365) = ONE TON OF GRAVEL LOSS / MILE)

GRAVEL:

Conversion Factor (CDOT)

| | Car | Factor of 1 | Factor of 1 | Car | Factor of 1 | Comb.Trk | Factor of 362.3 |
|-------------------------|-----|-------------|-------------|-----|-------------|----------|-----------------|
| Tons per year: | 1 | 1 | 1 | 1 | 1 | 362.3 | 362.3 |
| Trips per day average: | 52 | 28 | 0.0 | 0.0 | 0.0 | 0.0 | #REF! |
| Miles of road: | 0.2 | 0.56 | 0 | 0 | 0 | 0 | #REF! |
| Tons requested for CUP: | 10 | 16 | 0 | 0 | 0 | 0 | #REF! |
| Life of Gravel:(years) | 4 | 4 | 4 | 4 | 4 | 4 | 4 |
| Tons per year: | 3 | 4 | 4 | 0 | 0 | 0 | #REF! |

Gravel price(2023)

| | | | | | |
|----|-------|----|-------|----|-------|
| \$ | 5.75 | \$ | 5.75 | \$ | 5.75 |
| \$ | 14.95 | \$ | 22.54 | \$ | - |
| | | | | | #REF! |

DUST SUPPRESSANT:

Road spray width:
Square Yds. Per mile(L x W / 9)

24

14080

0.75

0.3

3168

\$ 0.91

Material cost:(2023)

\$ 2,882.88

REQUEST TOTAL:

\$ 2,920.37



Fremont County Department of Transportation

1170 Red Canyon Road • Cañon City, Colorado 81212
Phone: 719-276-7430 • Fax: 719-275-2120

12.28.2023

Fremont County Planning & Zoning
615 Macon Ave., Room 210
Cañon City, CO 81212

RE: ZC 23-003 T-K Processing Zone Change 2

Dear Mr. Victoria,

The FCDOT has reviewed the application and we have the following requirement:

- The applicant will need to pay annual roadway impact fees in accordance with the included roadway worksheet, based upon information provided by applicant in the zone change application.
- The applicant is assuming that he is only responsible for the road in front of his business address. Fremont County DOT sees that there will be an 800% increase in traffic on the $\frac{3}{4}$ mile section of county maintained road that is being created by the applicants business. The DOT should not bear the cost of road repairs and maintenance while the applicants business profits. We will not amend the road worksheet.

Should you have any questions or need further assistance, feel free to contact us.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director



**FREMONT COUNTY
BUILDING AND ENVIRONMENTAL HEALTH
DEPARTMENT**

**615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO 81212
OFFICE (719) 276-7460
FAX (719) 276-7461**

TO: Planning and Zoning

ATTN: Director, Dan Victoria
Planning Coordinator, Danielle Adamic

FROM: Wyatt Sanders, Fremont County Building Official
Fremont County Environmental Health

SUBJECT: ZC 23-003 TK Processing

DATE: February 8, 2024

This department has had the opportunity to review the application once again for the TK Processing zone change located at 1910 North Street, number, ZC 23-003. The applicant has provided OWTS and sanitation disposal methods for this facility which includes a more detailed explanation of the hoof to packaging water usage. Although the water usage that is summarized in the processing might be questionable, I believe, through strict conservation of water, from the kill to package process, the water usage numbers the client has provided can be acceptable. The applicant will need to change the high-water alarm warning to sound off at 75% capacity of the vault per Section 12.C.9 of the Fremont County OWTS Regulations.

Please be advised that the use of any vault will need the approval of the Fremont County Board of Health.

[Home](#)



COLORADO
Division of Water Resources
Department of Natural Resources
Water Division 2 - Main Office

September 27, 2023

Planning Director
Fremont County Planning and Zoning
615 Macon Ave. Room 210
Canon City, Colorado 81212

RE: ZC 23-003 T.K. Processing

Dear Sir/Madam,

This is provided as a courtesy comment as this proposal does not involve a subdivision requiring comment by the State Engineer's Office pursuant to C.R.S. 30-28-101(10)(a). Therefore, pursuant to the State Engineer's March 4, 2005 memorandum to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

The submittal indicates the above-proposed Zone Change from Agricultural Estates to Industrial, and affecting the proposed Lot 1, per VILL 23-003,, situated within the NE1/4 Section 21, Township 18 South, Range 70 West of the 6th PM, Fremont County, State of Colorado, with parcels that will comprise the proposed Lot 1 being designated and more particularly described as follows:

- Fremont County Parcel ID 99104505, 1910 North St., Cañon City, Colorado 81212
- Fremont County Parcel ID 99504104, 1906 North St., Cañon City, Colorado 81212

The submission indicates this zoning change would be consistent with the expansion of industrial development and allow the applicant to conduct business upon the property.

History:

According to our records, there are no ground or surface water structures upon the subject parcels. Both parcels are within the service area of the Park Center Water District.

Compliance:

This action does not involve expanded or changed use of ground or surface water. Therefore the Division of Water Resources does not have applicable comments to provide to the county regarding the proposed action at this time.

Please reach out with questions or concerns by email to dnr_div2ground.water@state.co.us.

Sincerely,

Ivan Valles
Water Data Analyst, Division 2

ec: Christine Sednek, P.E., Water Resources Engineer, Division 2
Dan Henrichs, District 12 Water Commissioner, Division 2
GW Info Team



From: J [Bunderson](#)
Sent: Thursday, February 8, 2024 4:57 PM
To: [Carrie McCool](#)
Cc: [Dan Victoria](#); [Danielle Adamic](#)
Subject: RE: FW: ZC 23-003 T-K Processing Resubmittal

Carrie,
I have reviewed the latest resubmittal. With the addition of the fencing around the drainage basin and easement, I am not concerned with traffic encroachment onto the drainage basin and easement. I agree though that driving and parking on the leach fields is still an issue. Paving would be better for sure, but at significant cost because of the size of the area.

A compromise suggestion I have is to require curb sections on portions of the drive aisle to keep vehicles off the leach fields. For example, one continuous curb around the leach field by the employee parking and a L shaped curb on the North and East of the large leach field. The owner

Gravel would be less impervious and create less of a peak flow, so for hydrologic/hydraulic reasons I would support the waiver especially if curb or similar protection of the leach fields is required.

Also, I would think that the County would still have some recourse in the future if problems from the gravel aisle occur. I totally agree about the accessible area surfacing.
Let me know if you have any questions or concerns.
Thanks.

J K Bunderson PE - Fremont County Engineer 615 Macon Avenue, Cañon City CO 81212
Office: 719-276-7367 Mobile: 719-792-9372 j.bunderson@fremontco.com www.fremontco.com

From: Carrie McCool <carrie@mccooldevelopment.com>
Sent: Thursday, February 8, 2024 2:13 PM
To: J Bunderson <j.bunderson@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Danielle Adamic <danielle.adamic@fremontco.com>
Subject: Re: FW: ZC 23-003 T-K Processing Resubmittal

CAUTION: This sender is located outside of your organization.

Hello J,
Have you had a chance to review the Round 5 resubmittal on T-K Processing? It looks like the applicant has made significant progress with this resubmittal. Unfortunately, we issued the Round 4 comments (attached) before we heard back from you on the paving waiver. Mainly because Dan noted that the BOCC has been rather consistent with waiving the paving requirement when the adjoining street is gravel. Not supporting the waiver request makes sense to me, especially considering it would define the drive aisle and parking areas; thereby mitigating the potential of motorized traffic driving over the detention pond area and leach fields.

In terms of the accessible parking space, I continue to recommend that is surfaced with asphalt or concrete for wheelchair access. Further, the slope of the new ADA ramp needs to be delineated along with the surfacing from the accessible parking space to the ramp. It makes no sense to have an asphalt or concrete parking space but gravel from the space to the building entry.

After you finalize your review, let us know your final recommendation on the paving waiver request and whether you have any outstanding comments/concerns to be included in the Planning Commission staff report. We are scheduling the application on the March 5 agenda so it would be great to have your input by February 15. As always, happy to pop on a call if we need to discuss.
Best,

Carrie McCool, Principal
McCool Development Solutions
4383 Tennyson Street, Unit 1-D
Denver, CO 80212
Direct: 303.378.4540
www.mccooldevelopment.com

On Tue, Jan 30, 2024 at 3:21 PM J Bunderson <j.bunderson@fremontco.com> wrote:

Carrie,
Sorry for the late reply. I really don't have a good reason to support or not support the hard surfacing waiver of the parking lots and drive aisles, so if hard surfacing is required then, 'no' I don't support the waiver.

That said, if the parking lots and drive aisles are required in the end to be hard (impervious) surfaced then the drainage plan would need to be checked because those areas were all assumed to be gravel in the drainage plan. I think it would be a lot more new impervious area than the 414 square feet of the accessible space. If it stays gravel then the drainage plan is fine.

Thanks.
J

J K Bunderson PE - Fremont County Engineer 615 Macon Avenue, Cañon City CO 81212
Office: 719-276-7367 Mobile: 719-792-9372 j.bunderson@fremontco.com www.fremontco.com

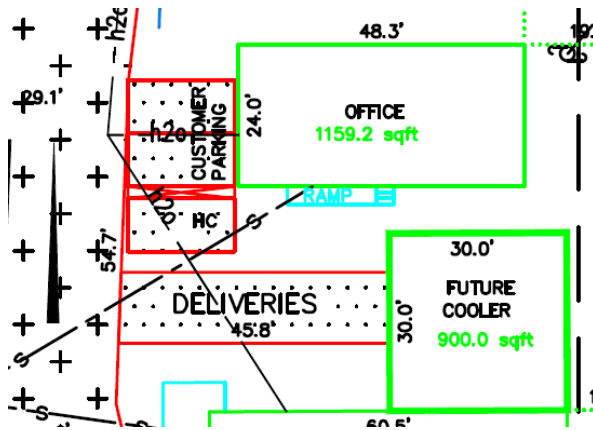
From: Carrie McCool <carrie@mccooldevelopment.com>
Sent: Tuesday, January 23, 2024 9:01 AM
To: J Bunderson <j.bunderson@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Danielle Adamic <danielle.adamic@fremontco.com>
Subject: Re: FW: ZC 23-003 T-K Processing Resubmittal

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No worries, J. We are a team.

Home

There is only 1 accessible parking spot in front of the office (see snippet below). It appears it is provided for customers and not employees. Employee parking is on the western portion of the property. They are showing 25 spaces for the proposed slaughterhouse use so the minimum number of accessible spaces required is 1. Let me know if you think an additional accessible space is needed for employees. I concur the accessible space need to be surfaced with asphalt or concrete as the ADA standards require the surface to be firm, stable, and slip resistant. They also need to have a sign with the international symbol of accessibility on it, mounted at least 60 " above the ground. I would think this could be addressed by a simple note on the plans. Let me know your thoughts.



Did you see the ramp that they added? There is no information on the plans as to the slope. Would you agree they should label it and extend the ramp to the accessible space? I had made the comment to label the accessible building entrance on the plan and reconfigure the accessible parking space on the shortest accessible route of travel to an accessible building entrance, which they did not do.

In regards to the drainage plan, could they simply update their drainage design to account for the 414 square feet of asphalt or concrete surface of the accessible space? Let me know as I can update the comments accordingly.
Thanks,

Carrie McCool, Principal
McCool Development Solutions
4383 Tennyson Street, Unit 1-D
Denver, CO 80212
Direct: 303.378.4540
www.mccooldevelopment.com

On Tue, Jan 23, 2024 at 8:25 AM J Bunderson <j.bunderson@fremontco.com> wrote:

Carrie,

Yes, I concur that the drive aisles should be 24 feet minimum. Sorry, I didn't consider that. Is there also to be 1 accessible parking spot for the employees and for customers? If so, then I think, the surfacing should be asphalt or concrete for wheel chair access.

However: The drainage plan assumed gravel parking (and aisles I believe), which is about 50% impervious but if asphalt or concrete (about 100% impervious) is required, then there will be a higher peak flow to the detention basin and possibly negatively affect the drainage design. Gravel would be better for the stormwater drainage as assumed by the drainage plan.

So...I would support the waiver from a drainage perspective, but I understand there are other concerns, accessibility possibly being one.

Please call or email to discuss.
Thanks.

J K Bunderson PE - Fremont County Engineer 615 Macon Avenue, Cañon City CO 81212
Office: 719-276-7367 Mobile: 719-792-9372 j.bunderson@fremontco.com www.fremontco.com

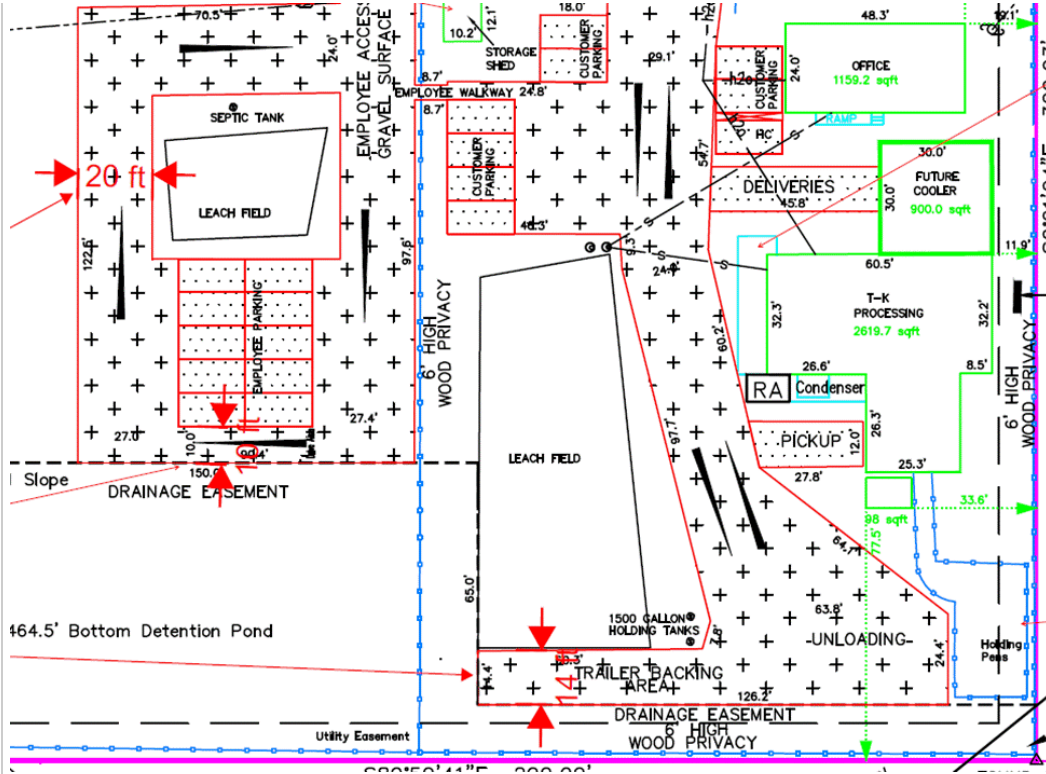
From: Carrie McCool <carrie@mccooldevelopment.com>
Sent: Monday, January 22, 2024 9:24 AM
To: J Bunderson <j.bunderson@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Danielle Adamic <danielle.adamic@fremontco.com>
Subject: Re: FW: ZC 23-003 T-K Processing Resubmittal

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Hi J,
P&Z staff is finalizing the updated D&C Letter on T-K Processing and we have a couple of questions for you.

1. We've noted that the drive aisles west of the leach field, south of the 10-space parking area, and trailer parking area do not meet the minimum drive aisle width of 24 feet (see snippet below). Would you concur that the drive aisle widths need to be increased to 24 feet in addition to the installation of a permanent more visible fence on the northern boundary of the detention pond and easement?

Home



2. Do you support a waiver from the code requirement that driveway and parking spaces shall be asphalt or concrete surface? Of course, the BOCC is the decision-maker but it would be nice to let the applicant know if County staff would recommend approval of the waiver request. Thanks in advance for your input.
Best,

Carrie McCool, Principal
 McCool Development Solutions
 4383 Tennyson Street, Unit 1-D
 Denver, CO 80212
 Direct: 303.378.4540
www.mccooldevelopment.com

On Tue, Jan 2, 2024 at 11:19 AM J Bunderson <j.bunderson@fremontco.com> wrote:

Carrie,
 Attached is an updated comment letter. Let me know if you have questions or concerns.
 Thanks.

J K Bunderson PE - Fremont County Engineer 615 Macon Avenue, Cañon City CO 81212
 Office: 719-276-7367 Mobile: 719-792-9372 j.bunderson@fremontco.com www.fremontco.com

From: Carrie McCool <carrie@mccooldevelopment.com>
Sent: Tuesday, January 2, 2024 10:16 AM
To: J Bunderson <j.bunderson@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Danielle Adamic <danielle.adamic@fremontco.com>
Subject: Re: FW: ZC 23-003 T-K Processing Resubmittal

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Thanks, J. It would be great to have you include your fencing comments in your comment letter. The applicant is wanting to get to hearing so i'm guessing we'll need your updated comment letter to craft contingencies.
 Best,

Carrie McCool, Principal
 McCool Development Solutions
 4383 Tennyson Street, Unit 1-D
 Denver, CO 80212
 Direct: 303.378.4540
www.mccooldevelopment.com

Home

On Tue, Jan 2, 2024 at 10:09 AM J Bunderson <j.bunderson@fremontco.com> wrote:

Carrie,

My response to Danielle was that electric fencing would be adequate, but of course that is only true for animals and not vehicles, and an electric fence could be removed fairly easily, defeating the intent of the drainage easement and plan. Due to the proximity to vehicles and animals to the easement and the critical and compact spacing within the development, I would like to see a more permanent fence that protects the integrity of the easement. I think a simple 4 foot high chain link would be enough.

Let me know if I should put that language in a separate memo for the record.
Thanks.

J K Bunderson PE - Fremont County Engineer 615 Macon Avenue, Cañon City CO 81212
Office: 719-276-7367 Mobile: 719-792-9372 j.bunderson@fremontco.com www.fremontco.com

From: Carrie McCool <carrie@mccooldevelopment.com>
Sent: Tuesday, January 2, 2024 9:03 AM
To: J Bunderson <j.bunderson@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Danielle Adamic <danielle.adamic@fremontco.com>
Subject: Fwd: FW: ZC 23-003 T-K Processing Resubmittal

CAUTION: This sender is located outside of your organization.

Hi J,
Happy New Year to you. Danielle sent me your comments and off the record question on T-K Processing and noted that you may be updating your comments. Joanne sent me the attached revised 12/28/23 letter but it doesn't appear to request additional fencing. Let me know if we missed it. Review comments aren't due until January 11 so there is time to update your comment letter. Just so you know, P&Z shares your concerns and made comments that the drainage easement needs to be protected from truck and trailer traffic flows as well. Additionally, you have been consistent in your comments related to concerns about animals, trailers, and employee vehicles walking, backing, and parking over the easement and pond which could compromise the function of the detention pond.

Dan,

It appears that George either revised the plans per the November 8, 2023 D&C Letter or decided to delete some staff comments that were included in the December 7, 2023 D&C Letter. I'm thinking the latter because some of the responses include objections to comments from FCDOT that were included in the 12/7/23 D&C letter, moved the holding pen outside of the drainage easement, etc., while ignoring other staff comments regarding to his request for P&Z Department to make changes to the application materials amount other things. I just started my review as our office was closed last week so I'm expecting to find other issues. I've attached the comments we issued to J can see what we sent out to the applicant.

Did we receive a resubmittal on the VILL and the Non-Conforming Use Status Application? Let me know at your first opportunity.
Best,

Carrie McCool, Principal
McCool Development Solutions
4383 Tennyson Street, Unit 1-D
Denver, CO 80212
Direct: 303.378.4540
www.mccooldevelopment.com

From: J Bunderson <j.bunderson@fremontco.com>
Sent: Thursday, December 28, 2023 10:07 AM
To: Danielle Adamic <danielle.adamic@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Joanne Kohl <joanne.kohl@fremontco.com>
Subject: RE: ZC 23-003 T-K Processing Resubmittal

Danielle,
Attached is my response. All my comments have been addressed.

I have an off the record question about maintaining the ongoing viability of the drainage easement and detention pond however. Is it in my or our purview to request internal fencing around the easement and pond? Or do we just take it as presented that it will be maintained as designed and constructed? I have visions of animals, trailers, and employee vehicles walking, backing, and parking over the easement and pond which could mess up its function. All the stormwater from this site is designed to go through the pond.

Thanks.

J K Bunderson PE - Fremont County Engineer 615 Macon Avenue, Cañon City CO 81212
Office: 719-276-7367 Mobile: 719-792-9372 j.bunderson@fremontco.com www.fremontco.com

From: Danielle Adamic <danielle.adamic@fremontco.com>
Sent: Thursday, December 28, 2023 7:33 AM
To: ZONE CHANGES <joanne@fremontco.com>; greg.langer@usda.gov
Cc: Dan Victoria <dan.victoria@fremontco.com>; Joanne Kohl <joanne.kohl@fremontco.com>
Subject: ZC 23-003 T-K Processing Resubmittal

Attached is the resubmittal for a Zone Change in Canon City. Please have all comments back by January 11th, 2024.

Danielle Adamic

Fremont County Planning Coordinator
615 Macon Ave. Room #210

Home

(719) 276-7360

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Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Inspection Checklist

Date 10/16/2023

Project Name: ZC 23-003 T-K Processing

Any Current Permits? Yes or No

VILL 23-003 T-K Processing

Any Past Permits? Yes or No

Current Violation? Yes or No

Past Violations Yes or No

VISUAL OBSERVATIONS CHECKLIST

of buildings: 9

Types: Lot 1: 2 sheds, 1 shop, 2 manufactured trailers

Lot 2: 1 Dwelling, 1 Shop, 2 Sheds

SMM on site? No

Does the site plan match site conditions? Yes

Structures Code/Zoning Compliant: Yes

Land Use Compliant: Yes

Notes/Concerns

At the time of our inspection. The code violation for JTD on lot 2 has been cleared.
The site plan shows that on lot 2 the 2 sheds and shop will be torn down, they are still in place.

No other concerns noted.

Kyle Yarberry

October 19, 2023

Mike Fowler

October 19, 2023

Home

Park Center Water District

P.O. Box 1406
Canon City, CO 81215
(719) 275-2055
Fax (719) 275-0268

Fremont County Building Department
Fremont County Administration Building
615 Macon Ave
Canon City, CO 81212

December 13, 2023

The developer of 1906/1910 North St have applied to the Park Center Water District for water service to 2 lots. The property currently owns 3 Park Center Water District domestic water taps.

The Park Center Water District hereby commits an irrevocable and permanent commitment to service the proposed 1906/1910 North St. subject to the following normal criteria:

1. The developer installs and tests a Park Center Water District approved backflow prevention device (Reduced Pressure Zone Backflow Prevention Assembly) for the Meat Processing/ Slaughterhouse Operation .

NAME OF APPLICANT: Zachary Tracy

PROPOSED LOCATION: 1906/1910 North St

Signed and Dated this 13 day of December 2023

PARK CENTER WATER DISTRICT

By: 

Home



FREMONT COUNTY
ZONE CHANGE #2
FINAL DEVELOPMENT PLAN APPLICATION
(Requires Prior Approval of ZC #2 – Use Designation Plan)

1. Project Name: T-K Processing
2. Applicant: T-K Processing Address: 1910 North Street
City: Canon City State: CO Zip Code: 81212
Telephone #: 719-371-0089 Facsimile # N/A
Email Address: TandKProcessing@gmail.com
3. Owner: Sharon and Raymond Stoner Address: 2000 North Street
City: Canon City State: CO Zip Code: 81212
Telephone #: 719-371-4401 Facsimile # N/A
Email Address: _____
4. Consultant: Crown Point Land Services Address: PO Box 749
City: Canon City State: CO Zip Code: 81212
Telephone #: 719-275-5005 Facsimile # N/A
Email Address: CROWN.LAND@OUTLOOK.COM

Please read prior to completion of this application

Property owners and other potential applicants are encouraged to meet informally or communicate with Planning and Zoning Department staff to gain familiarity with the application process prior to formal submittal of an application and to continue the communications throughout the application process. For more details on application meetings, see Section 8.3 of the Fremont County Zoning Resolution (FCZR).

The Zone Change #2 classification is for zone changes that change property to multi-family, business or industrial zone districts. (*MDR – Medium Density Residence, HDR – High Density Residence, MHP – Manufactured Home Park (Please see Section 4.10 of the FCZR for other requirements), TTP&CG – Travel Trailer Park & Campground (Please see Section 4.11 of the FCZR for other requirements), NB – Neighborhood Business, RHB – Rural Highway Business, B – Business, A – Airport, IP – Industrial Park, and I – Industrial*).

The zone change classification #2 application process provides two alternatives for applicants. The first alternative allows an applicant to obtain preliminary approval for the zone change through submittal of a Use Designation Plan, together with the appropriate fee. This is the application form for a Final Development Plan. Approval of a Use Designation Plan results in a zone change approval for the use specified in the application, without providing the detailed submittal requirements of the Final Development Plan. Use Designation Plan approval shall expire one year after approval, if an application for Final Development Plan has not been submitted. If the Final Plan is not submitted within the one year time frame, the zoning classification will revert back to the original zone classification.

No zone change (ZC) application which has been denied by the Fremont County Board of County Commissioners (Board) within the past three (3) years can be resubmitted unless there is valid new evidence or a substantial change in conditions of the original application.

Any application for ZC that has been submitted after the use requiring the ZC has been established on the property shall be subject to a penalty fee in addition to the set application fee for the ZC. The penalty fee

shall be the same amount as the initial application fee for the ZC. In effect a double application fee shall be charged at the time of submittal in such circumstances. As with all land use applications payment of associated fees does not insure approval of the application.

Any application for ZC where the intention is to house more than one (1) primary use on the property or in a single building will require that the property and or building be subdivided.

In the circumstance of a ZC application that will require a Preliminary Plan/Final Plat or Minor Subdivision application the ZC approval will not go into affect without final approval of the subdivision application.

Any application which is not complete or does not include all minimum submittal requirements will not be accepted by the Fremont County Department of Planning and Zoning (Department). Further, any application that is inadequately prepared, or is incomplete, may be subject to postponement (*until an adequate submittal is provided*) of placement on an agenda of the Fremont County Planning Commission (Commission).

The applicant shall provide **one (1) original document, four (4) copies, and an electronic copy (either CD or flash/thumb drive)** of the application and all of its attachments (*copies of deeds, contracts, leases etcetera are acceptable*) at the time of application submittal along with the application fee, set as per Resolution of the Board. Submittals shall be made to the Department no later than 3:00 pm on the submittal deadline date.

After an adequate submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and/or questions about the application and the number of revised application packets that must be supplied to the Department in order to place the application on an agenda of the Commission.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 22 would be marked - Exhibit ZC-22.1, the fifth attached document supporting the narrative provided for application item 22 would be marked - Exhibit ZC-22.5*). Exhibit numbers should be placed in the lower right hand area of the exhibit.

An additional full application fee will be charged to the applicant, as per resolution approved by the Board, if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

If the application is approved by the Board with contingencies the contingencies shall be provided to the Department within six (6) months of the approval date. If not the approval shall be deemed rescinded and the application expired. Re-submittal of the entire application, including fees, and procedural requirements, including public meetings and notices would be required.

If the application is approved by the Board requiring improvements, all such improvements must be completed at the expense of the applicant prior to recording of the ZC.

The Department, The Commission and/or The Board may require additional information at any time during the application process as may be deemed necessary in order to review the application adequately, to determine if the application is in compliance with all applicable regulations and make an informed decision with regard to recommendations, approval or disapproval of the application.

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR). In addition, consideration shall be given to the Fremont County Master

Plan (FCMP), as the Department will consider it in the review of ZC applications which could result in the need for additional information from the applicant.

For further reference the Fremont County Zoning Resolution may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/zoningresolution.pdf> and the Fremont County Subdivision Regulations (FCSR) may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/forms/subdivisionregulations.pdf> and the Fremont County Master Plan may be viewed on the Internet at <http://www.fremontco.com/planningandzoning/forms/masterplan.pdf>

1. If the owner is not the applicant, written authorization from the current property owner, specifying the extent to which the representation is authorized shall be attached marked as Exhibit ZC-5.1. An exhibit has been attached.
2. In the circumstance of corporate ownership, documentation evidencing whom is eligible to execute documents on behalf of the corporation, shall be attached to this application. Attachments for this application item shall be marked as Exhibit ZC-6.1. An exhibit has been attached.
3. What is the current zoning of the property? Agricultural Estates
4. What is the proposed zoning of the property? Industrial
5. What is the total acreage of the property? 2.27 Acres
6. What is the total acreage of the property to be rezoned? 2.27 Acres
7. What is the legal description of the proposed zone change boundary? Lot 1, T-K Processing Lot Line Adjustment (When completed)
If the legal description is long an attachment can be made marked as Exhibit ZC-11.1. An exhibit has been attached.
8. Is the boundary of the property to be rezoned the total property legally described in the current deed of record (*most recent deed of the property recorded in the Fremont County Clerk & Recorder's Office*)? Yes --- No If **no**, please explain: Boundary Line adjustment is pending county approval- Will be resubmitted once zone change is approved.
9. A copy of the current deed of record identifying the current property owner for the subject property shall accompany this application marked as Exhibit ZC-13.1. An exhibit has been attached.
10. What is the general location of the proposed ZC site? 1910 North Street. East of Red Canyon Road and West of North Orchard.
11. What is the current land use of the subject property? Residence with out buildings

NOTE: *The current land use must be incorporated into the proposed use, removed from the property or the property shall be subdivided so that each use is contained on a separate property. Please explain*

how the current land use will be addressed. Residence (watch-mens quarters), Office building, Processing facility, storage buildings and Parking.

12. What is the proposed use of the property? (*explain in detail*) Processing facility licensed by the State of Colorado to serve the community.

13. Provide the FCZR citing that allows the proposed use of the property: 4.17.2.32 & 4.17.2.24 & 4.17.2.25

14. Is the proposed land use an --- Allowed use, --- Conditional Use Permit (CUP), --- Special Review Use Permit (SRUP) or --- Temporary Use Permit (TUP) in the proposed zone district? Please explain: Processing, meat locker, meat products plant is allowed in the industrial zoned district Slaughterhouse 4.17.4.15 is allowed under SRU which is to be apart of this zone change as discussed
If the proposed use is a use allowed through the issuance of a CUP, SRUP or TUP in the proposed zone district then appropriate applications will be required to be --- submitted to coincide with this application or to be submitted as a --- contingency of approval of this application. **NOTE:** *Approval of a ZC application does not guarantee the approval of a use permit application.*

15. Is the proposed use not specifically listed in the FCZR but thought to be a similar use to an allowed use or a use allowed by permit? Yes --- No If **yes**, then an application for similar use designation in accordance with requirements of the FCZR and associated fee, shall be made prior to submittal of this application or submitted in conjunction with this application. Said application shall be attached and marked as Exhibit ZC-19.1. An exhibit has been attached.

16. A written statement of justification for the rezoning, to include references to at least one (1) of the listed conditions, also documentation should be provided to support the justification evidence. Check all boxes thought to be justification for the proposed ZC: (*supportive documentation may be attached marked as Exhibit ZC-20.1* An exhibit has been attached.)

- a. - Evidence that the property was not properly zoned when the existing zoning was imposed.
- b. - Evidence that additional land is needed in the proposed zone district.
- c. - Evidence that there has been a material change in the neighborhood that justifies the requested zone change.
- d. - Evidence that the proposed zone change will be in conformance to the current Fremont County Master Plan in relation to the area.

Please provide a justification statement specifically indicating how each of the conditions marked are applicable for this application: _____

The need is great for a slaughtering/processing plant to be established in the community with cost effective services being provided. This property is precisely set up for this type of facility even though it wasn't allowed; they operated the facility for several years before the county placed the cease and desist order on the operation. We are planning on bringing the existing non-compliant facility into compliance with this application.

17. Provide evidence that there is a public need for the proposed zone change (*supportive documentation may be attached and marked as Exhibit ZC-21.1* An exhibit has been attached.). Additional facilities needed to better accommodate the demand. A lot of county residents are leaving Fremont County to have processing services done.

18. Provide evidence that there will be a County or neighborhood benefit from the proposed zone change, in that it will tend to preserve and promote property values in the neighborhood (*supportive documentation may be attached and marked as Exhibit ZC-22.1* An exhibit has been attached).

Supply and great demand currently. Most county residents are going out of town for services. It will provide up to 10 jobs for the community. There will not be any detrimental effects on property values with the approval of the zone change. All of T-K Processing values align with the FCMP.

19. Provide a written description of buildings and uses proposed on the property to be rezoned. _____
1. Watchmens quarters 2. Office Space 3. Processing facility 4. Storage for supplies

20. Provide a written description of land uses, buildings and structures (*and their uses*) within five-hundred (500) feet of the boundary of the proposed area of change, in all directions from the subject property.

Northerly: Gun Club property- Vacant Land- Agricultural living zoned

Southerly: Vacant land- Industrial zoned

Easterly: 2 Residences bordering Agricultural estates zoning, Vacant land- AE zoned

Westerly: Residence Agricultural Estates transitioning to Industrial , SW is Fremont County ownership- Industrial Zoned.

21. Explain what effect the proposed rezoning and proposed use would have on adjacent uses. If no positive or adverse effect on adjacent uses is expected, explain why there will be no positive or adverse effect on adjacent uses.

All aspects of T-K Processing align with The Fremont County Master Plan (FCMP). With the approval of this zone change, there will be no negative impact to the County, its current citizens and service providers with its level of cleanliness. With T-K Processing paying the annual roadway maintenance fee the added traffic will not bare any extra expense to the citizens of Fremont County.

22. Provide evidence explaining how the proposed development will be in harmony and compatible with the surrounding land uses and existing development in the neighborhood of the property to be rezoned (*supportive documentation may be attached and marked as Exhibit ZC-26.1*). An exhibit has been attached).

Industrial directly south and westerly within two properties with the county road maintenance facility within eyesight.

23. The proposed site must be of sufficient size to accommodate the proposed use, its accessory uses, structures, fences, parking and loading areas, and open spaces. Address the following items:

a. What percentage of the property will be covered with structures? _____
Existing to stay structures- 5.76% lot coverage.

b. What will be the setbacks from any proposed buildings and/or structures to the site boundary?
Front (*side from which property gains access*): Watch-mens quarters-26.4', Office-131.8'

Home

Rear: Processing- 77.5' Side: Processing- 11.9', 98sqft shed- 33.6', Office- 19.1',
Side: Watch-mens quarters-148' , Storage shed-141.2' If more than one building and/or structure is proposed please make an attachment marked as Exhibit ZC-27b.1. An exhibit has been attached.

28. The project site must be served with utilities necessary to adequately accommodate the proposed use. Address the following items:

a. What utilities will be necessary to accommodate the proposed use?

MARK EACH ITEM THAT APPLIES:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Drinking water | <input checked="" type="checkbox"/> Water used in the scope of the project |
| <input checked="" type="checkbox"/> Water for sanitation purposes | <input checked="" type="checkbox"/> Water for fire protection |
| <input type="checkbox"/> Irrigation water | <input checked="" type="checkbox"/> Sewage disposal |
| <input checked="" type="checkbox"/> Trash collection | <input checked="" type="checkbox"/> Electricity |
| <input checked="" type="checkbox"/> Telephone | <input type="checkbox"/> Natural gas |
| <input type="checkbox"/> Cable television | <input checked="" type="checkbox"/> Other: <u>Propane</u> |

b. Will the proposed use require service from a public water system? Yes --- No If **yes**, will connection to the system require more than a service line type connection, at the applicant and/or owner's expense? Yes --- No If **yes**, please explain. See current statement

If water service is to be provided from a public water system, then documentation from the provider evidencing the ability to provide water and commitment to serve the project, including fire protection, shall be attached marked as Exhibit ZC-28b.1. An exhibit has been attached.

In addition, Fremont County's Colorado Division of Water Resources Information Form for Special Use, Zoning, and Other Land Use Actions shall be completed and attached, marked as Exhibit ZC-28b.2. An exhibit has been attached.

c. Is the proposed use to be serviced by an individual well? Yes --- No If **yes**, then Fremont County's Colorado Division of Water Resources Information Form for Special Use, Zoning, and Other Land Use Actions shall be completed and attached, marked as Exhibit ZC-28c.1. An exhibit has been attached.

d. Will the proposed use necessitate the conversion of agricultural water to non-agricultural uses? Yes --- No Please explain. Not Applicable

e. Will the proposed use in any way preserve agricultural water for agricultural purposes? Yes - No Please explain. Not Applicable

f. Will the proposed use require service from a public sewer system? Yes --- No If **yes**, will the connection to the system require more than a service line type connection, at the applicant and/or owner's expense? Yes --- No Please explain. Fremont County Sanitation Districts lines are not currently available. When available, T-K Processing will connect.

If sewer service is to be provided from a public sewer system, then documentation from the provider evidencing the ability to provide service and commitment to serve the project shall be attached marked as Exhibit ZC-28f.1. An exhibit has been attached.

Home

g. Will the proposed use be serviced by an onsite wastewater treatment system?

Yes --- No

If **yes**, then a percolation test and report in conjunction with a system design by a Colorado Registered Professional Engineer adequate to accommodate the proposed use shall be attached for a new system marked as Exhibit ZC-28g.1. An exhibit has been attached. If **yes**, but the intention is to use an existing system then documentation as to the system's adequacy from the Fremont County Environmental Health Office shall be attached marked as Exhibit ZC-28g.2. An exhibit has been attached.

h. Will utility services in the neighborhood (*electricity, natural gas, telephone, cable television, irrigation, trash collection*) be required to be modified in order to provide service adequate for the proposed use? Yes --- No Please explain. All are already in place.

i. Will the applicant or owner be covering all costs relating to any utility line extensions and/or upgrades to existing utility service lines required to service the proposed project and limit the utility service impact to the existing neighborhood (*electricity, natural gas, telephone, cable television, irrigation, trash collection*)? Yes --- No Please explain. No extensions or upgrades are expected

29. The project site must be serviced by all community services and facilities adequate to accommodate the proposed use. Address the following items:

a. What community services and facilities will be necessary to accommodate the proposed use?

MARK EACH ITEM THAT APPLIES:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Roadway Maintenance | <input checked="" type="checkbox"/> Fire Protection | <input checked="" type="checkbox"/> Emergency Medical Response |
| <input type="checkbox"/> Hospital | <input type="checkbox"/> Search and Rescue | <input checked="" type="checkbox"/> Law Enforcement |
| <input type="checkbox"/> Park and Recreation | <input type="checkbox"/> Schools | <input type="checkbox"/> Library |
| <input type="checkbox"/> Airport | <input type="checkbox"/> Other: _____ | |

b. Will service facilities be required to be modified from their current status in order to provide service adequate for the proposed use? Yes --- No If **yes**, provide an explanation (*be specific as to which facilities will require modification and what the modification will be*).
N/A

Will the applicant or owner be covering all costs relating to any modifications to existing services and/or service facilities required to service the proposed project and limit the impact to the existing community services and facilities within the neighborhood? Yes --- No Please explain. T-K Processing will be paying annual roadway maintenance fees.

c. Is the project site located within the boundaries of a service district? Yes --- No If **yes**, please list all districts that the site is located in. Road Maintenance (County), Law enforcement (County), Fire Protection (Canon City Fire District)

d. Is the project site near (*within a 1/4-mile radius*) the boundary of any service district(s)? Yes --- No If **yes**, please identify the service district(s). _____

Home

If **yes**, does the applicant and owners intend to annex to the service district?

Yes --- No If **no**, please explain why not: _____

e. Will the proposed project in any way promote the formation of any new service districts?

Yes --- No Please explain. _____
Already exist

f. Will the proposed use in any way promote the utilization of existing service facility improvements? Yes --- No Please explain. _____

g. Is the project site located within the boundaries of any taxing district(s)? Yes --- No If **yes**, please provide a list of all taxing districts in which the subject property is located. _____

h. Would the proposed project be considered an "in-fill" development? Yes --- No Please explain. Already exists

i. Has a fiscal impact analysis report been prepared in association with the proposed project?

Yes --- No If **yes**, the analysis report shall be attached marked as Exhibit ZC-29i.1.

An exhibit has been attached.

30. The proposed use should have a minimal effect on adjacent uses, the use and its location should be compatible and harmonious with its surrounding neighborhood, should not create undesirable sanitary conditions, should not overburden utilities, should not create adverse environmental influences, should not adversely affect wildlife, should not impact the rural character of the County and should not impair the public health, welfare, prosperity and safety. If the proposed use is anticipated to create any undesirable conditions, provide an explanation of the proposed mitigation procedures. Address the following items:

a. What are the current zone district classifications adjacent to the proposed use site?

Northerly: Agricultural Living Zone District

Southerly: Industrial Zoned District

Easterly: Agricultural Estates Zoned District

Westerly: Agricultural Estates Zoned District

b. What are the current land uses adjacent to the proposed use site?

Northerly: Gun club & Vacant Land

Southerly: Industrial Zoning & Vacant Land

Easterly: Residential

Westerly: Residential transitioning to Industrial

- c. What will be the anticipated impacts of the proposed use on the existing adjacent land uses positive and/or negative?

Northerly: Helping upkeep on surrounding roads by paying annual roadway maintenance fee.

Southerly: Helping upkeep on surrounding roads by paying annual roadway maintenance fee.

Easterly: Helping upkeep on surrounding roads by paying annual roadway maintenance fee.

Westerly: Helping upkeep on surrounding roads by paying annual roadway maintenance fee.

- d. What are the approximate distances between the structures, areas of disturbance, off-street parking areas and/or off-street loading areas that will make up the proposed use and adjacent uses?

Northerly: Vacant Land

Southerly: Vacant Land

Easterly: Residential -20-30 Feet

Westerly: Vacant land directly adjacent with residence on two properties away 250+/-.

- e. Does the proposed site location contain any lands or lie adjacent to any lands designated by the Colorado Division of Wildlife (CDOW) as critical wildlife habitat? Yes --- No If **yes**, has CDOW reviewed the scope of the proposed project? Yes --- No If **yes**, a copy of CDOW's comments shall be attached marked as Exhibit ZC-30e.1. An exhibit has been attached. If **no**, a notification to CDOW will be required.

- f. The Fremont County Right to Farm and Ranch Policy (Resolution #40, Series of 1998) will be taken into consideration during application review. Please explain how this application meets the spirit of this policy. Ranchers will use project in their normal practices.

- g. Is the proposed use to be located on or adjacent to land currently used for agriculture, forestry and/or open space land uses? Yes --- No If **yes**, what buffering measures are proposed to minimize conflicts between the proposed use and the existing adjacent land uses? 6.0' privacy fence will be used as a buffer East, South and West.

If **yes**, please explain what measures are proposed to protect crops, livestock, improvements and the normal agricultural activities from liability issues, littering, pollution and disruption in