

RESOLUTION NO. 26-2015
OF THE MONTROSE COUNTY BOARD OF COUNTY COMMISSIONERS
CONCERNING: UNCOMPAGRE PIT 2 SPECIAL USE
(SU-15-0001)

WHEREAS, the Board of County Commissioners considered the Uncompahgre Pit 2 Special Use at their regularly scheduled meeting on August 17, 2015.

WHEREAS, the Board of County Commissioners APPROVED the Uncompahgre Pit 2 Special Use.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Montrose, State of Colorado that the Uncompahgre Pit 2 Special Use submitted by Lazy K Bar Land and Cattle Co, LLLP is hereby APPROVED with the following:

Findings of fact:

- a. The application is complete as required under the County Zoning Resolution and documents and technical reports submitted therewith present a clear picture of how uses are to be developed and arranged on the site.
- b. The site plan conforms to the district design standards.
- c. Public Health and Safety will be mitigated through regulations set forth by Montrose County and the State of Colorado.

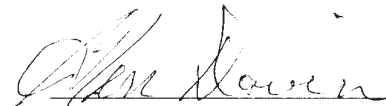
Conditions of Approval:

1. All necessary permits shall be obtained before operation begins. Copies of all applicable permits shall be submitted to the Planning and Development Department.
2. Design the sign required by DMG in a manner that will also provide information which includes the operator's name, mailing address, and phone number, hours of operation. Install the sign in a conspicuous location as required by the Montrose County Sign Code. Provide to the Planning and Development Department a photograph of the sign showing that it has been located on the site.
3. Provide sanitation facilities on site for personnel in compliance with State and County regulations.
4. Manage the mining project in compliance with the approved Montrose County Weed Management Plan.
5. The Special Use shall be conducted in conformance with Section V.C Gravel Mining Mitigation Standards of the Montrose County Zoning Resolution.
6. New and existing culverts are to be maintained in such a manner so as to allow continual flow of irrigation water, return water, wastewater and on-site and off-site runoff, without cross contamination.
7. The Special Use Permit shall adhere to all requirements of the State of Colorado Department of Public Health and Environment.
8. Traffic impact in excess of the Traffic Study shall be sufficient reason for further review of the Special Use for further mitigation of the impacts.
9. Obtain an Access Permit from Montrose County for access to T Road.


10. An Improvement and Maintenance Agreement will be required to address traffic and roadway impacts for T Road. The agreement shall be approved by the Board of County Commissioners prior to any operations on the site.
11. Prior to operations an access permit shall be obtained from the Colorado Department of Transportation for access from T Road to Highway 550.
12. The portable asphalt batch plant will be of a temporary nature only to address job specific activities. At the end of each specific job, the plant shall be removed or stored on site so as to be lower than the surrounding original grade of the property. Portions of the plant that are above the original grade shall be camouflaged or painted a sage green color or similar to match the surrounding landscape. Operation of the plant will be permitted a total of 120 days during each calendar year. A notice shall be submitted to the Planning and Development Department prior to operation to verify start date.
13. Mining operation phases shall start at phase one and follow in consecutive order thru phase 11, as outlined in Map C-2A.
14. All equipment and stockpiles (excluding the asphalt batch plant) shall not exceed the height of the original grade of the property. During the early stages of mining (one year), until base/floor of the pit is of sufficient depth, it is permissible that the equipment used to excavate the pit be allowed to exceed the height of the original grade of the property, but only by the height of that equipment over the original grade of the property.
15. The development of the facility shall be in conformance with all material representations included in the Special Use Permit Application submitted on the Application Narrative dated January 9, 2015 and revised April 7, 2015.
16. All exterior lighting shall be down directed to limit impact to the surrounding properties.
17. Portable electric generators shall be insulated to reduce noise impacts to surrounding properties. Placement and orientation of the portable electric generator maybe used in lieu of insulation. A site plan showing the location and mitigation measures used to address generator noise shall be submitted to the Planning and Development Department.
18. Back up alarms shall be of a type that reduces noise impacts.
19. All Engine Brakes used within the Special Use Permit Boundary shall have a muffler system.
20. The permit shall be subject to all requirements and conditions of the 1041 Regulations Development Permit for Lazy K Bar Land and Cattle Co., LLLP, dated March 20, 2015.
21. The permit shall be applicable only to the specific use and property for which it was issued.
22. Special Use Permit shall run with the land.
23. The Special Use Permit shall adhere to all requirements of any County, State or Federal Agency.
24. Approval of this permit does not limit the Board of County Commissions power to terminate this permit, if a finding of non-compliance with the provisions of the permit, Zoning Resolution or other laws of the County, State or Federal Government.
25. The berm adjacent to the draw on the west side of the site, north of the facility area shall remain, as a natural buffer, for noise and as a visual buffer.

APPROVED AND ACCEPTED this 17th day of August, 2015.

BOARD OF COUNTY COMMISSIONERS:


Chairman

ATTEST:


Deputy County Clerk

cc: Owner, GIS, File

