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# ADAMS COUNTY

**COLORADO**  
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**STUDY SESSION AGENDA  
WEDNESDAY  
July 20, 2022**

*ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE*

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**12:00 P.M.    ITEM:    Advancing Adams Update**

(AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE)

\*\*\*AGENDA IS SUBJECT TO CHANGE\*\*\*

# Advancing Adams: Work Session

BoCC Study Session

Community & Economic Development Department

July 20, 2022

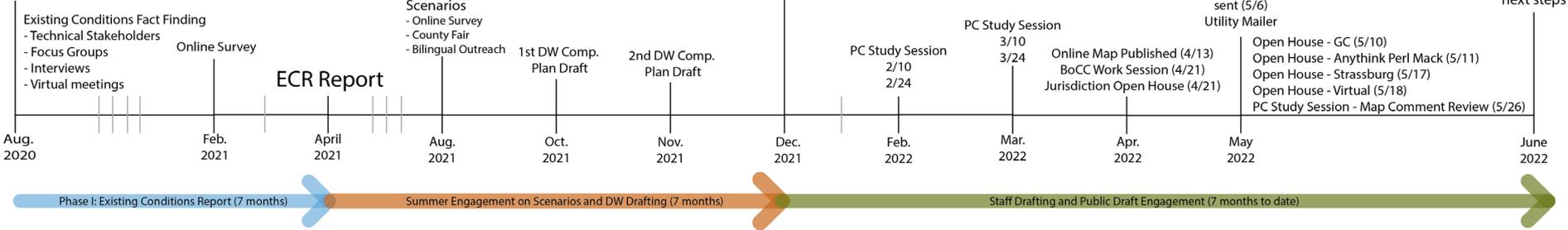
# Agenda

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- Project Timeline & Engagement Summary
- Public Map Comments
- Planning Commission Direction on Draft FLUM
- Draft FAQ
- Scenarios
- Next Steps: Development Standards Overhaul

# Project Timeline & Engagement Summary

## Advancing Adams Project Start



# Summary of Comments

Agency	Comment
Adams County Regional Economic Partnership (ACREP)	General support of policy
Arapahoe County Planning	General support of policy
City of Arvada	No comment
Town of Bennett	Specific map comments
City of Brighton	Specific map comments
City of Commerce City	No comment
City of Thornton	General support of policy
City of Westminster	Specific map comments, recommended text changes
CORE Electric Cooperative	No comment
Denver International Airport (DEN)	Some concern regarding Mixed Use Commercial and Public and Institutional categories

# Summary of Comments

Agency	Comment
Denver Water	No comment
Division of Water Resources	No comment
Regional Economic Advancement Partnership (REAP)	General support of policy
Regional Transportation District (RTD)	No comment
South Adams County Water and Sanitation District	No comment
Todd Creek Village Metropolitan District	General support of policy
Tri-County Health Department	General support of policy
Xcel Energy	No comment

# Summary of Map Changes

**FLUM Category as Percentage of Total Land Area**

General FLUM Category	2012 Percent	2022 Percent
Agriculture	81.9%	81.2%
Commercial	0.2%	0.2%
Industrial	0.8%	0.7%
Mixed Use	0.2%	0.5%
Mixed Use Commercial	4.1%	5.2%
Parks Open Space	5.6%	6.8%
Public	0.6%	0.8%
Residential Low	3.4%	3.8%
Residential Medium/High	1.6%	0.9%

Figure 2-1

**Current Zoning Compared to FLUM Category**

Future Land Use	Total Acres	Percent of Zoned Area
Agriculture Large (A-3)	592,609	90.9%
Agriculture Small (A-2)	3,356	0.5%
Commercial (C-0, C-1, C-2, C-3)	220	0.0%
Industrial Low (I-1 [50%], I-2)	1,870	0.3%
Industrial Medium (I-2 [75%], I-3)	3,701	0.6%
Institutional (PL)	346	0.1%
Misc. (AV, DIA, PUD)	23,316	3.6%
Mixed Use Commercial (C-4, C-5, I-1 [50%])	1,763	0.3%
R-1, R-2, MH (Residential Medium)	192	0.0%
Residential High (R-3, R-4)	275	0.0%
Residential Low (A-1, RE)	19,507	3.0%
Residential Medium (R-1, R-2, MH)	5,024	0.8%
Total Acres	652,177	100.0%

Figure 2-3

**Q: Why do a comprehensive plan?**

**Q: If I have a property zoned I-2 with a permitted business and the future land use is Mixed Use Commercial, what do?**

**Q: What is the difference between zoning and future land-uses?**

**Q: How can a comprehensive plan be used as a regulatory tool?**

**Q: What are next steps after adoption?**

Study Session Date	Topic Discussed	Planning Commission Guidance
February 10, 2022	Chapter 4, Natural Environment and Resources	Positive support for goals, policies, and strategies. No specific text changes suggested.
February 24, 2022	Chapter 6, Economic Development	Positive support for goals, policies, and strategies. No specific text changes suggested.
March 10, 2022	Chapter 8, Corridors and Sub Areas  Chapter 2, Future Land Use categories and Future Land Use Map	Positive support for goals, policies, and strategies. No specific text changes suggested. Overview of FLUM and corresponding categories. General support for locations. No specific map changes suggested at the meeting.
March 24, 2022	Chapter 5, Built Environment & Connections	Positive support for goals, policies, and strategies. No specific text changes suggested.
May 12, 2022	Chapter 3 Housing & Community  Chapter 7, Cultural Heritage	Positive support for goals, policies, and strategies. No specific text changes suggested.
May 26, 2022	Review of Advancing Adams Future Land Use Map and jurisdiction and public comments.	Planning commission provided feedback on specific comments made by Brighton, Westminster, and members of the public on specified properties. The guidance from Planning Commission on potential map changes are summarized on the Map Summary table.

## Comprehensive Plan Scenarios

July 20, 2022

- 1. My property is currently zoned as I-2 with a future land use of Industrial. The future land use is proposed to change to Mixed Use Commercial in Advancing Adams. I have a permitted use of RV and Boat Storage on my property, how will I be affected?**

The future land use designation of Mixed-Use Commercial would not change the zoning from Industrial-2 (I-2) nor will it change the uses that are permitted in the underlying zone district. The FLU designation would not cause the underlying zone district or uses to become legal non-conforming. The property can operate under their existing approvals and expand the operations in accordance with the development standards and regulations in place at the time of permit.

- 2. What if I want to sell my property to someone who is proposing a different use than mine, but the use is still a permitted use in I-2? Will this be permitted with the change in FLU?**

The future land use will not change the uses that are permitted in the underlying zone district. All permitted uses within the I-2 zone district could be permitted through a USE permit and/or building permits and will not be required to be in compliance with the Comprehensive Plan or future land use designation. The USE permit does not require public hearings.

- 3. What if I my use is permitted through a Conditional Use Permit (CUP)? How will my property and use be affected?**

Currently, compliance with the Comprehensive Plan is not a criterion of approval for uses that are permitted or conditionally permitted in the underlying zone district. If you were to sell your property, all permitted uses in I-2 would be eligible to apply for a USE permit and/or building permit and are not subject to compliance with the Comprehensive Plan or future land use designations.

- 4. What if I wanted to rezone my property, how will I be affected?**

If the property were to rezone, the proposed zone district would have to be compliant with the future land use designation. The Mixed Use Commercial designation is intended to serve as a land use

for areas transitioning to industrial or heavy commercial developments where activities and operations are contained within buildings. Mixed Use Commercial areas often have environmental considerations or adjacent to more intense industrial uses that do not necessarily support residential uses. Limited residential uses may be acceptable in a vertical mixed-use setting if all environmental conditions and concerns have been remediated and land-use adjacencies are mitigated. This designation supports zone district such as C-3, C-4, C-5, and I-1.

- 5. My property is zoned as I-2 with a future land use of Mixed-Use Employment. The future land use is proposed to change to Parks and Open Space in Advancing Adams. I have an approved Conditional Use Permit for Asphalt and concrete production facilities on my property, how will I be affected?**

The future land use designation will not affect approved Conditional Use Permits (CUP). The use can operate in accordance with the original approvals until the expiration date of the CUP. Once

expired, a new CUP will be required, and will be subject to meeting all of the Development Standards and Regulations at the time of application. Currently, compliance with the Comprehensive Plan is not a criterion of approval for uses that are permitted or conditionally permitted in the underlying zone district. The Board would evaluate the CUP based on the criteria established in Section 2-02-09-06 of the Adams County Development Standards and Regulations. The Planning Commission and the Board will take into account the surrounding properties and compatibility with the area will be considered.

In addition, the future land use designation of Parks and Open Space would not change the zoning from Industrial-2 (I-2) nor will it change the uses that are permitted in the underlying zone district. The FLU designation would not cause the underlying zone district or uses to become legal non-conforming.

If you were to sell your property or choose to pursue another use on your property, all permitted uses in I-2 could apply for a USE permit and/or building permit, and are not subject to compliance with the Comprehensive Plan or future land use designations. All conditionally permitted uses could be approved through a Conditional Use Permit.

**6. What if I wanted to rezone my property, how will I be affected?**

If the property were to rezone, the proposed zone district would have to be compliant with the future land use designation. The Parks and Open Space designation includes a variety of parks and open space typologies including regional parks, community parks and neighborhood parks.

**EXHIBIT 1 – Referral Comments**

- 1.1 Adams County Regional Economic Partnership (ACREP)
- 1.2 Arapahoe County Planning
- 1.3 City of Arvada
- 1.4 City of Commerce City
- 1.5 City of Thornton
- 1.6 City of Westminster
- 1.7 CORE Electric Cooperative
- 1.8 Denver International Airport (DEN)
- 1.9 Denver Water
- 1.10 Division of Water Resources
- 1.11 Regional Economic Advancement Partnership (REAP)
- 1.12 Regional Transportation District (RTD)
- 1.13 South Adams County Water and Sanitation District
- 1.14 Todd Creek Village Metropolitan District
- 1.15 Tri-County Health Department
- 1.16 Xcel Energy

## Jen Rutter

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**From:** Advancing Adams  
**Sent:** Thursday, July 7, 2022 8:42 AM  
**To:** Jen Rutter; Chase Evans; Karl Onsager; Libby Tart  
**Cc:** Jenni R. Hall  
**Subject:** FW: Comments on 2022 Advancing Adams Comprehensive Plan

FYI all...

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**From:** Lisa Hough <lisa.hough@adamscountyrep.com>  
**Sent:** Wednesday, July 6, 2022 5:49 PM  
**To:** Advancing Adams <AdvancingAdams@adcogov.org>; Jenni R. Hall <JRHall@adcogov.org>  
**Subject:** Comments on 2022 Advancing Adams Comprehensive Plan

Please be cautious: This email was sent from outside Adams County

Good afternoon – I just realized that my laptop had several emails pending in my draft folder. I apologize for this late submission of comments on the Advancing Adams Comprehensive Plan. I look forward to the final document but thought you might want to make a few clarifying comments in Chapter 6 – Economic Development.

### Chapter 6 – Economic Development

#### Page 56 – Overview

AC-REP would suggest adding partnerships with regional economic development organizations to the first sentence in paragraph three.

We would also suggest specifically adding that Adams County Regional Economic Partnership or AC-REP manages the Enterprise Zones in Adams County, another resource to encourage beneficial development in underserved areas of the County.

We would also note that regional and city-specific non-profit economic development organizations continue to play a vital role in economic development. Regionally you can look to organizations like Metro Denver EDC, Aurora EDC, Upstate Colorado, Jefferson County EDC, Boulder Economic Council, and Denver South that continue to lead business attraction and serve as business champions in their respective regions, just like AC-REP serves the Greater Adams County area. Perhaps you could include a paragraph about the importance of regionalism and working specifically with non-profit partners to achieve mutual goals?

#### Page 57 – Role of the County

AC-REP suggests adding “regional economic development partners” in the third sentence along with municipalities.

## **Page 59 – Adams County Profile**

AC-REP suggests adding “non-profit” in the last sentence as part of the economic development strategic planning.

### **Comments regarding the Goals, Policies, and Strategies**

AC-REP supports the County’s stated goals for economic development. We look forward to working with the Economic Development Division (EDD) on the separate Economic Development Strategy & Implementation Plan to explore ways to partner and support these goals. In the economic development profession, a business sometimes prefers to work directly with a non-governmental entity such as a site selector, non-profit economic development organization, or a real estate broker before discussions with the governmental division. AC-REP wants to be that conduit to attract interested prospects to the Adams County region and spark new conversations.

We look forward to developing a straightforward process for managing such relationships. In addition, AC-REP looks forward to enhancing our Development Council programming to support and develop strong marketing around the critical industries for Adams County. Working with the EDD, we can help tell the stories, make introductions and strengthen the efforts through solid partnerships.

Thank you for accepting these late comments. Please let me know if you have any questions.

Lisa



LISA HOUGH | President/CEO  
1870 W. 122nd Ave., Suite 300  
Westminster, CO 80234  
303.902-6920

[lisa.hough@adamscountyrep.com](mailto:lisa.hough@adamscountyrep.com) | [www.adamscountyrep.com](http://www.adamscountyrep.com)

SCHEDULE A MEETING WITH ME - <https://calendly.com/acrephough>



**BRYAN D. WEIMER, PWLF**  
Director

Lima Plaza  
6924 South Lima Street  
Centennial, Colorado 80112-3853  
720-874-6500  
arapahoegov.com

June 16, 2022

Jennifer Rutter, AICP  
Planning & Development Manager  
Community & Economic Development Department  
Adams County  
4430 South Adams County Parkway, Suite W2000B  
Brighton, CO 80601-8218



**RE: Comments on Advancing Adams – Comprehensive Plan**

Dear Jennifer:

Arapahoe County appreciates the opportunity to provide comments on the Advancing Adams Comprehensive Plan. Overall, I thought this is a very good Plan and it is engaging to read. Integrating and having the cross-connections between the three Advancing Adams plans is a wonderful approach and I think the Plan is successful in linking the goals, policies, and strategies in the various chapters. I particularly liked the focus on the 20-Minute Community framework. Another element I appreciated is the focus on Equity and Sustainability, including identifying that Adams County will need to plan for the future while considering changing climate. The sections on Agriculture and Cultural Heritage are comprehensive, thoughtful, and have some innovative strategies.

Arapahoe County's comments on the draft Comprehensive Plan are as follows:

- On page 99 of the draft Comprehensive Plan, policies and strategies to update the Strasburg Plan are identified as well as "Next Steps" to coordinate with Arapahoe County on a plan update. We are looking forward to working with your staff on an update to the Strasburg Plan in the future. We are starting the process to update the Byers Sub-Area Plan, which was approved by the Arapahoe County Planning Commission in 2003, and there is the possibility we will reach out to your staff if the area of interest extends into Adams County.
- We have no comments on the Future Land Use Map (FLUM). We have reviewed the Research Map to identify the changes in the land use categories for parcels north of Arapahoe County and noted the continuation of the agricultural land use categories in the eastern part of Adams County. We are familiar with the Colorado Air and Space Port Subarea Plan since we were a stakeholder involved in the planning process.
- I may have missed this, but I didn't see a population number for the unincorporated part of Adams County and growth projections for the unincorporated area. In Arapahoe County, our population in 2021 for the unincorporated area was 98,539. I believe that the unincorporated part of Adams County has generally about the same population.
- Following are some general comments on the formatting:

- The Plan requires a Table of Contents and a definitions section at the end of the document may be helpful. The “Future Land Use” chapter needs to have “Chapter 2” added to the title page so that it is consistent with the other title pages.
- I was confused by the content in the charts on pages 14-16. Are the headings over the correct columns?
- Figure 5-1: 20-Minute Community should have a legend since it is hard to interpret.
- It is difficult to read the legend and map for Figure 7-2: Cultural & historic places.

Thank you for the opportunity to comment on the draft Comprehensive Plan, and please let me know if you have any questions about my comments.

Yours truly,



Loretta Daniel, AICP  
Long Range Planning Program Manager

## Jen Rutter

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**From:** Patty McCartney <pmccartney@arvada.org>  
**Sent:** Tuesday, June 21, 2022 4:18 PM  
**To:** Libby Tart  
**Cc:** Jen Rutter; Layla Bajelan  
**Subject:** Advancing Adams - Comprehensive Plan Update Land Use Draft

Please be cautious: This email was sent from outside Adams County

Good afternoon.

Thank you for the virtual meeting to discuss and the opportunity to review the Draft Comprehensive Plan - Land Use Update for Adams County. We have no comments for the proposed draft land use plan at this time.

Please let me know if you have any questions and apologies for the delayed response.

Respectfully,

Patty McCartney  
Long Range Senior Planner  
City of Arvada, Community and Economic Development  
[pmccartney@arvada.org](mailto:pmccartney@arvada.org)  
Phone: 720.898.7456

# MEMMO

**To:** Jenn Rutter, AICP

**From:** Omar Yusuf, City Planner

**Subject:** Advancing Adams - Comprehensive Plan

**Date:** July 11, 2022

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To the Adams County Planning Commission

Thank you for allowing Commerce City to comment on the comprehensive plan amendment to adopt the Advancing Adams Comprehensive Plan that may have an impact on our jurisdiction. The city has no comments:

If you have any questions, please contact me at [oyusuf@c3gov.com](mailto:oyusuf@c3gov.com) or (303) 227-7187





City Hall  
9500 Civic Center Drive  
Thornton, Colorado 80229-4326

City Development Department  
303-538-7295  
FAX 303-538-7373  
[www.cityofthornton.net](http://www.cityofthornton.net)

May 27, 2022

Jennifer Rutter, AICP  
Adams County Community and Economic Development Department  
4430 S. Adams County Parkway, 1<sup>st</sup> Floor, Suite W2000A  
Brighton, CO 80601-8216

RE: Outside referral for Comprehensive Plan Amendment to adopt the Advancing Afams Comprehensive Plan

Ms. Rutter:

The City of Thornton's City Development staff have reviewed the proposal and have provided comments for the referral for the new comprehensive plan and have provided the following comments:

**Current Planning**

**Walt (Warren) Rivera, Planner I 303-538-7596**

a. No Comments.

**Long Range Planning**

**Thomas Dimperio, AICP 303-538-7381**

- a. Thornton has had recent inquiries regarding employment and light industrial uses in the Welby Area south of 88<sup>th</sup> Ave. This area is not within the Thornton growth boundary, but the city will communicate with the county in the event that developments in this area propose to annex to Thornton.
- b. Thornton supports the corridor planning efforts and would appreciate the opportunity to be involved in efforts related to corridors near or within Thornton, especially the Washington Street corridor.
- c. Thornton appreciates the opportunities for collaboration with the county in support of advancing planning goals as indicated by Policy BEC 1.1, Strategy ED 5.1.01 and 5.1.04, CSP 1.2 and 1.3, CSP 4.9, Strategy CH 3.1.01 and other Advancing Adams goals and strategies involving collaboration with municipalities.
- d. Thornton's Comprehensive Plan recognizes the South Platte Corridor and Riverdale Road as sensitive natural and historic features. The Plan encourages the tapering of density from Riverdale Road to the South Platte River, and the protection of each corridor's unique ecological, historic, and scenic qualities and characteristics.
- e. Thornton supports urban development locating within city boundaries.
- f. Ch. 6, p. 56 change "tenant" to "tenet"

Please feel free to contact me at 303-538-7596, or via e-mail at [Katelyn.Puga@thorntonco.gov](mailto:Katelyn.Puga@thorntonco.gov) for updates and/or questions related to this response.

Sincerely,

  
Walt (Warren) Rivera  
Planner I

cc: Grant Penland  
Warren Campbell  
Collin Wahab  
Thomas Dimperio

V:\PLANNING DIVISION\Outside Referrals\Adams County\Adams County 2022\Adams County Comprehensive Plan  
PLOS202200699

## Jen Rutter

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**From:** Spurgin, Andrew <aspurgin@CityofWestminster.us>  
**Sent:** Thursday, May 19, 2022 10:38 AM  
**To:** Jen Rutter  
**Cc:** McConnell, John  
**Subject:** RE: [EXTERNAL] Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

Please be cautious: This email was sent from outside Adams County

Jen,  
Thank you for the opportunity to comment on the proposed Advancing Adams Comprehensive Plan. With this email the City of Westminster staff notes several locations where the proposed 2022 Advancing Adams Comprehensive Plan is not consistent with the land uses identified in the current adopted [Westminster Comprehensive Plan](#) for the “Sphere of Influence” areas where the City identifies a land use in areas that may be considered for annexation at a later time, see Figure 2-4 on page 2-37 in the [Westminster Comprehensive Plan](#). We would propose the following land use map changes to ensure alignment between the City’s and County’s Plans:

- Southeast corner of 128<sup>th</sup> & ZUNI (parcel 0157333000001) should be designated Residential Medium rather than the proposed Residential Low;
- Shaw Heights residential area, multiple parcels, generally south of 92<sup>nd</sup>, west of Federal Blvd, north and east of Circle Drive, west of US-36 should be designated Residential Low rather than Residential Medium;
- Parcels along the west side of Lowell Blvd south of 68<sup>th</sup> Avenue ideally would be designated Agricultural Small Scale to align with Westminster’s identified “Area to Remain Low Density/Agriculture”, however if this is not possible then we would recommend the Residential Low designation (Parcels 0182506400002 through 0182506400005) in lieu of the Advancing Adams proposed Mixed Use designation; and
- Parcels 0182505409011 and 0182505409012 south of 70<sup>th</sup> Ave and west of Zuni should reflect the current and proposed 20-acre expansion to the Metro District park as a Parks and Open Space designation in the Plan.

The overall draft [Plan document](#) is visually engaging and well organized. A few suggested edits are noted below:

- Suggest adding a table of contents in the front part of the document;
- We would recommend adding a residential density cap to the Mixed Use designation, such as 20 units per acre (to align with Residential Medium), unless a site is located within 1/4 mile of a RTD rail stop or major RTD park and ride facility such as Wagon Road or the Sheridan P-n-R at US-36;
- Either in the Natural Resources & Environment Chapter, or by means of the separate POST Plan, recommend a policy to identify the need for additional park facilities in the Shaw Heights area through potential partnerships with Adams County, City of Westminster, Hyland Hills Parks & Rec District, and Tri-County Health and/or its successor; and
- Suggest more specific language in the Natural Resources & Environment or Built Environment Chapter relative to mitigating risk from wildfire events in light of the Marshall Fire.

Thank you for considering our feedback and good luck finishing up the Plan!

**Andrew Spurgin, AICP** | Principal Planner  
City of Westminster Community Development  
[aspurgin@cityofwestminster.us](mailto:aspurgin@cityofwestminster.us)  
303.658.2127



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**From:** Jen Rutter <JRutter@adcogov.org>  
**Sent:** Friday, May 6, 2022 4:27 PM  
**To:** Jen Rutter <JRutter@adcogov.org>  
**Subject:** [EXTERNAL] Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Attached is the request for comments for the draft Comprehensive Plan – Advancing Adams (Case #**PLN2022-00007**). The draft Plan and draft Future Land Use Map can be found at [www.AdvancingAdams.org](http://www.AdvancingAdams.org). You can also view the request for comments at <http://www.adcogov.org/planning/currentcases>.

We have entered the last public outreach phase for Advancing Adams. There will be several outreach events in various parts of the County, a virtual event, and are welcoming comments through the [online Comment Map](#). I have attached a flyer with information about upcoming Open Houses.

Comments on the draft Plan and Map are due by **Tuesday, May 31, 2022**. Please send your comments and questions to me at [jrutter@adcogov.org](mailto:jrutter@adcogov.org). Thanks in advance for your review of this case.

Thank you,  
Jen



**Jen Rutter, AICP**

Planning & Development Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | [jrutter@adcogov.org](mailto:jrutter@adcogov.org)

[www.adcogov.org](http://www.adcogov.org)

*County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.*

## Jen Rutter

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**From:** Brooks Kaufman <BKaufman@core.coop>  
**Sent:** Tuesday, May 17, 2022 2:51 PM  
**To:** Jen Rutter  
**Subject:** RE: Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

Please be cautious: This email was sent from outside Adams County

Dear Ms. Rutter

CORE Electric Cooperative has no comments.

Respectfully

**Brooks Kaufman**  
Lands and Rights of Way Manager

800.332.9540 MAIN  
720.733.5493 DIRECT  
303.912.0765 MOBILE

[www.core.coop](http://www.core.coop).



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**From:** Jen Rutter <JRutter@adcogov.org>  
**Sent:** Friday, May 6, 2022 3:36 PM  
**To:** Jen Rutter <JRutter@adcogov.org>  
**Subject:** Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

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Good afternoon,

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Thank you,  
Jen



**Jen Rutter, AICP**

Planning & Development Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | [jrutter@adcogov.org](mailto:jrutter@adcogov.org)

[www.adcogov.org](http://www.adcogov.org)

*County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.*



June 3, 2022

VIA Email (JRutter@adcogov.org)

Adams County Community & Economic Development Department  
4430 South Adams County Parkway  
1<sup>st</sup> Floor, Suite W2000B  
Brighton, CO 80601-8218

RE: Denver Comments to the Advancing Adams County Comprehensive Plan

Dear Ms. Rutter:

Thank you for the opportunity to provide comments to the Advancing Adams Comprehensive Plan (the “Plan”). We appreciate the ongoing partnership and regional collaboration. As Denver International Airport (“DEN”) and Adams County continue to grow, we are uniquely positioned for increased economic development while ensuring that Adams County residents have a high quality of life. Adams County is home to nearly 5,000 of our badged employees and over 200 certified businesses at DEN.

DEN appreciates that Adams County has specifically noted that one of its goals for the Plan is to “Avoid new residential development in areas impacted by airport-related development or within aviation easements.<sup>1</sup>” DEN continues to believe that it is critically important that the region recognize, and avoid, incompatible land uses near the airport. Those incompatible land uses include residential and other sensitive uses, such as schools<sup>2</sup>. DEN suggests that the Plan not allow for land use zoning that would allow such incompatible land uses near the airport.

In February 2021, the Federal Aviation Administration (“FAA”) released the analysis of its Neighborhood Environmental Survey (“Survey”). I am including a copy of the Survey for your convenience.<sup>3</sup> The survey was designed and undertaken by the FAA to understand the annoyance of aircraft noise for residential dwellings. While the FAA is still analyzing the Survey results, it may be helpful to consider the Survey findings when you address possible land use changes under the Plan. Generally, the Survey suggests that aircraft noise continues to be a concern for residential quality of life. Those issues seem avoidable by ensuring that incompatible residential land uses are not located near an airport.

I’ve also included an additional map for your consideration: an overlay of the DEN noise contours on the Plan’s Future Land Use Map (the “FLUM”).

Some of our specific concerns with the Plan, with respect to incompatible land uses, are as follows:

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<sup>1</sup> While we’re unsure what is meant by the term “aviation easements” in the context of the Plan, Denver would welcome to work with Adams County to clarify the intent of the goal.

<sup>2</sup> The Federal Aviation Administration (“FAA”) defines noise-sensitive land uses as housing units, schools, churches, nursing homes, hospitals, and libraries.

<sup>3</sup> Because of the file size, we are not including any of the appendices. The full report can be found at the FAA’s website: <https://www.airporttech.tc.faa.gov/Products/Airport-Safety-Papers-Publications/Airport-Safety-Detail/ArtMID/3682/ArticleID/2845/Analysis-of-NES>



- **Mixed Use Commercial (MUC):** Much of the lands around DEN have been identified in the Plan as Mixed Use Commercial (MUC). The proposed MUC land use category includes possible residential development. The Plan notes that “Limited residential uses may be acceptable in a vertical mixed-use setting if all environmental conditions and concerns have been remediated and land-use adjacencies are mitigated.” DEN suggests that rather than considering remediation and mitigation measures with respect to residential development near DEN, the Plan should affirmatively declare that residential use should simply not be allowed adjacent to DEN.
- **Public Institutional:** DEN suggests making clear in the Plan that the airport overlay applies in the area, and that sensitive land uses, such as schools, should be prohibited in areas adjacent to DEN.

Separately, DEN continues to work with Adams County with respect to updating Adams County’s zoning code to reflect the land uses for the Clear Zone as updated in the 2016 amendment to the original 1988 New Airport IGA. DEN continues to be available to help in this process.

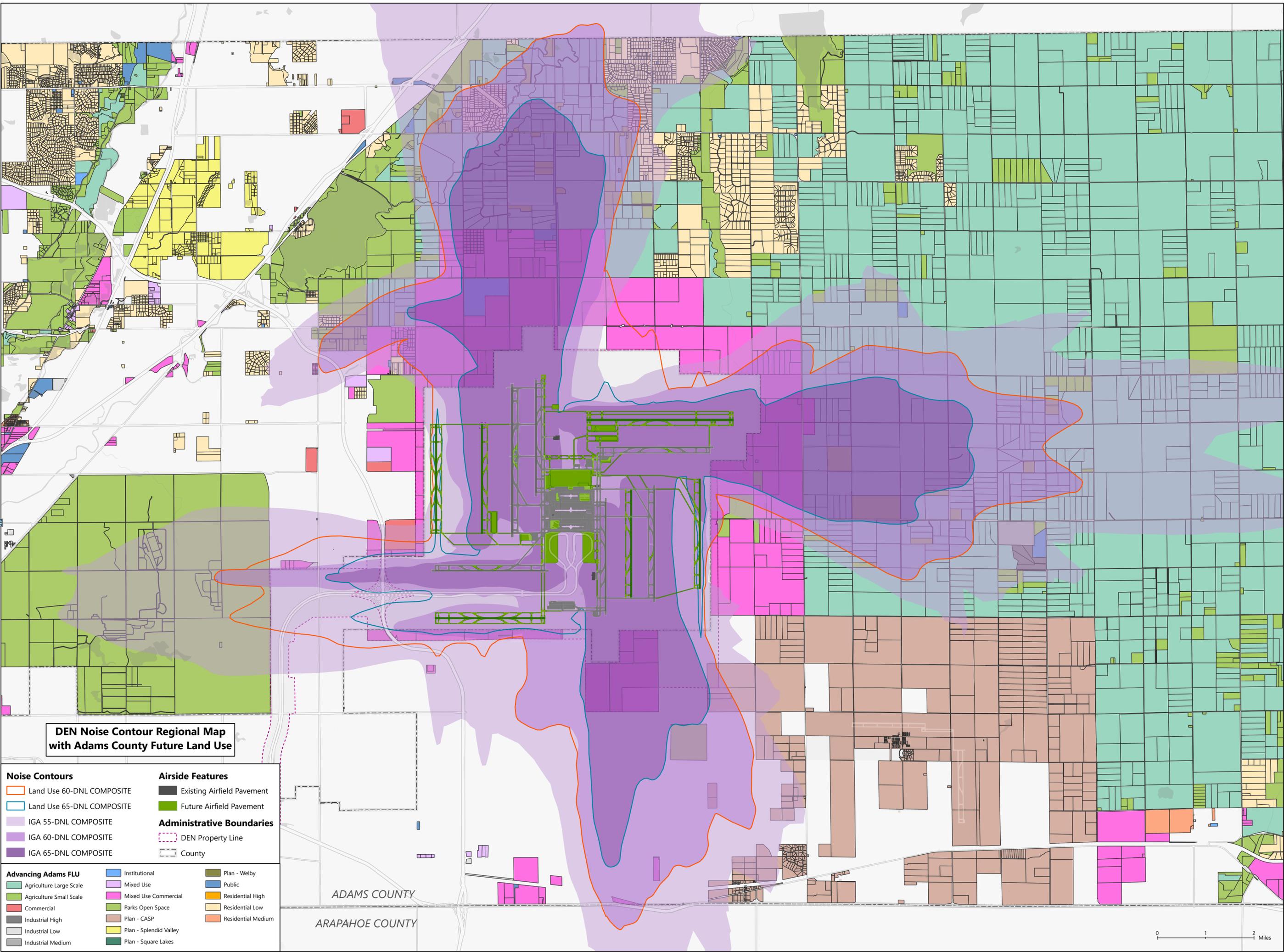
Finally, noise is an important issue for both Adams County and DEN. We believe thoughtful land use planning is the most effective way to ensure that residential encroachment and incompatible land uses are not permitted around the airport while maintaining a high quality of life for Adams County residents now and into the future. We want to collaborate with you to preserve DEN operations and maintain a high quality of life for Adams County residents.

We appreciate the ability to submit these comments. We acknowledge the ongoing work between our two jurisdictions regarding Adams County zoning. Thank you again for the opportunity and please feel free to reach out to me or my team with any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Phillip A. Washington".

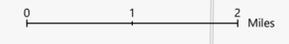
Phillip A. Washington  
Chief Executive Officer



**DEN Noise Contour Regional Map  
with Adams County Future Land Use**

<b>Noise Contours</b>		<b>Airside Features</b>	
	Land Use 60-DNL COMPOSITE		Existing Airfield Pavement
	Land Use 65-DNL COMPOSITE		Future Airfield Pavement
	IGA 55-DNL COMPOSITE	<b>Administrative Boundaries</b>	
	IGA 60-DNL COMPOSITE		DEN Property Line
	IGA 65-DNL COMPOSITE		County
<b>Advancing Adams FLU</b>			Institutional
	Agriculture Large Scale		Mixed Use
	Agriculture Small Scale		Parks Open Space
	Commercial		Plan - CASP
	Industrial High		Plan - Splendid Valley
	Industrial Low		Plan - Square Lakes
	Industrial Medium		Plan - Welby
			Public
			Residential High
			Residential Low
			Residential Medium

ADAMS COUNTY  
ARAPAHOE COUNTY



## Jen Rutter

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**From:** Naso, Kela A. <Kela.Naso@denverwater.org>  
**Sent:** Thursday, May 12, 2022 11:04 AM  
**To:** Jen Rutter  
**Subject:** RE: [EXTERNAL]: Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

You don't often get email from kela.naso@denverwater.org. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Good Morning Jen,

Denver Water doesn't have comments regarding the draft plan and draft future land use map.

Thank you,

**Kela Naso** | Engineering Specialist  
**Denver Water** | t: 303-628-6302 | c: 720-517-4486  
[denverwater.org](http://denverwater.org) | [denverwater.org/TAP](http://denverwater.org/TAP)



---

**From:** Jen Rutter <JRutter@adcogov.org>  
**Sent:** Friday, May 6, 2022 3:36 PM  
**To:** Jen Rutter <JRutter@adcogov.org>  
**Subject:** [EXTERNAL]: Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Good afternoon,

Attached is the request for comments for the draft Comprehensive Plan – Advancing Adams (Case #**PLN2022-00007**). The draft Plan and draft Future Land Use Map can be found at [www.AdvancingAdams.org](http://www.AdvancingAdams.org). You can also view the request for comments at <http://www.adcogov.org/planning/currentcases>.

We have entered the last public outreach phase for Advancing Adams. There will be several outreach events in various parts of the County, a virtual event, and are welcoming comments through the [online Comment Map](#). I have attached a flyer with information about upcoming Open Houses.

Comments on the draft Plan and Map are due by **Tuesday, May 31, 2022**. Please send your comments and questions to me at [jrutter@adcogov.org](mailto:jrutter@adcogov.org). Thanks in advance for your review of this case.

Thank you,  
Jen



**Jen Rutter, AICP**

Planning & Development Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | [jrutter@adcogov.org](mailto:jrutter@adcogov.org)

[www.adcogov.org](http://www.adcogov.org)

*County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.*

## Jen Rutter

---

**From:** Williams - DNR, Joanna <joanna.williams@state.co.us>  
**Sent:** Monday, May 9, 2022 4:03 AM  
**To:** Jen Rutter  
**Subject:** Re: Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

You don't often get email from joanna.williams@state.co.us. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Good Morning Jen,  
Our office does not have any comments draft Comprehensive Plan.  
Regards,

Joanna Williams, P.E.  
Water Resource Engineer



P 303.866.3581 x 8265  
1313 Sherman Street, Room 821, Denver, CO 80203  
[Joanna.Williams@state.co.us](mailto:Joanna.Williams@state.co.us) | [www.colorado.gov/water](http://www.colorado.gov/water)

On Fri, May 6, 2022 at 3:35 PM Jen Rutter <[JRutter@adcogov.org](mailto:JRutter@adcogov.org)> wrote:

Good afternoon,

Attached is the request for comments for the draft Comprehensive Plan – Advancing Adams (Case #**PLN2022-00007**). The draft Plan and draft Future Land Use Map can be found at [www.AdvancingAdams.org](http://www.AdvancingAdams.org). You can also view the request for comments at <http://www.adcogov.org/planning/currentcases>.

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Comments on the draft Plan and Map are due by **Tuesday, May 31, 2022**. Please send your comments and questions to me at [jrutter@adcogov.org](mailto:jrutter@adcogov.org). Thanks in advance for your review of this case.

Thank you,

Jen



**Jen Rutter, AICP**

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ADAMS COUNTY, COLORADO

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Brighton, CO 80601

o: 720.523.6841 | [jrutter@adcogov.org](mailto:jrutter@adcogov.org)

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*County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.*

COMMENTS TO  
ADVANCING ADAMS DRAFT MASTER PLAN  
by  
I-70 REGIONAL ECONOMIC ADVANCEMENT PARTNERSHIP  
JUNE 2022

Watkins

•

Bennett

•

Strasburg

•

Byers

•

Deer Trail

•

Aurora

•

Adams  
County

•

Arapahoe  
County

•

Colorado  
Air & Space  
Port

REAP wishes to commend Adams County for Advancing Adams, its comprehensive effort to chart the future of the county. It's a document whose time has come.

REAP is the economic development organization that stretches along the I-70 corridor east from Aurora. It covers Watkins, Bennett, Strasburg, Byers and Deer trail and straddles both Adam and Arapahoe County. REAP's mission is to advocate, organize, connect, network for smart growth in this water constrained region.

As such it focuses on pockets of development. It balances the agricultural traditions and land use against new residential, commercial and industrial growth spreading to the east.

The comments below address relevant chapters. They are not based on detailed analysis but on anecdotal evidence and a sense of the economic and social future of eastern Adams County.

#### Chapter 1. Future Land Use

The draft Comprehensive Plan presents county forecasts and Future Land Use Maps (FLUM) derived from 2020 census data and other growth projections. They are estimates at best. REAP senses a different forecast.

For example, county wide agricultural land use is projected to decrease slightly to 81.2% from 81.9% in 2012. That may not be enough of a decrease. Large farm owners are getting older with no next generation. Future Farmers of America membership is shrinking. Meanwhile developers and home builders are active. Bennett is approving new residential growth on Muegge Farms and Bennett Farms. This trend will continue.

Concurrently, the forecast for medium to high residential growth may also be off. It shows a significant decrease to 0.9% from 1.6% in 2012. Again, Bennett growth and highway/interchange construction dominate the landscape to accommodate new neighborhoods. This is worth watching.

#### Chapter 4: Natural Resources, Environment

REAP concurs with the county's awareness of a water constrained environment and the need to focus attention on it. Climate change and draught will be a way of life in eastern Adams County.

**NRE 2.1.01** Calls for a water analysis to measure future supply and methods of conservation. Begin this endeavor immediately. Involve Arapahoe County along with water districts in Strasburg, Byers and Deer Trail. They are all stakeholders.

#### REAP Mission Statement

Stimulate private investment in order to increase opportunities for employment, expand the tax base, broaden the economy, and generally improve the quality of life of our citizens.

This analysis should piggyback on a recent water infrastructure analysis done as part of the Watkins-Bennett Area Vision Study.

And REAP suggests separating this analysis by water supply and delivery. Western Adams County relies on existing surface water systems. The east depends on aquifers. Each will have different economic and technical factors.

REAP offers to engage in this study by facilitating interjurisdictional communications, stakeholder forums, study sessions and public input.

**NRE 2.1.02** Calls for limiting subdivision east of Denver International Airport (DEN) and north of Colorado Air and Space Port (CASP) to preserve agricultural land. This seem premature until a county-wide water analysis can be done. The county will get a better sense how to balance land uses.

**NRE 2.1.03** Envisions water conservation policies in building and development codes. The time is now to implement new technological advancements in water delivery, quality, storage, usage, recovery and drainage. This would involve educational outreach by the county to developers and home builders.

**NRE 2.1.04** Champions low water landscaping. In Colorado newly enacted HB22-1151 starts a new financial incentive program for voluntary turf replacement. Adams County could supplement that incentive to further champion low water landscaping.

## Chapter 5: Built Environmental and Connections

REAP concurs in the 20-minute commute model. How people live, work, play, shop and access services should be compact. In eastern Adams County this reduces reliance on automobiles and traffic hazards.

**BEC 1.1.05** Collaboration and coordination with other jurisdictions on information and planning seems self-evident but needs to be reinforced.

**BEC 1.1.06** The same collaboration should also apply to capital improvement projects (CIPs). Financial commitments in one county can leverage matching funds in another county and at the state or federal level. The faster pace of CIPs in eastern Adams County makes this an imperative.

**BEC 1.2.06** Again calls for a county water analysis. See **NRE 2.1.01** comments above.

**BEC 2.2.05 and BEC 2.2.10** Both promote transit hubs. REAP suggests doing more than promote. In its 10-year plan CDOT commits transit service between Limon and Denver. Capacity, frequency and scheduling are all unknowns. It would be helpful for CDOT to see that Adams County is planning transit hubs in Bennett and Strasburg. And these hubs will align with Colorado's new Greenhouse Gas (GHG) emissions reduction goals.

**BEC 3.1.10** Prioritizes the planning of green and sustainable public private projects. The best example in eastern Adams County is the potential of Electric Vehicle (EV) charging stations. New federal and state funding will spur planning in candidate communities along Colorado's interstate corridors. Forward thinking communities can plan for small retail outlets around these stations for private and commercial EV motorists who must take 20 minutes to recharge their vehicles.

### REAP Mission Statement

Stimulate private investment in order to increase opportunities for employment, expand the tax base, broaden the economy, and generally improve the quality of life of our citizens.

## Chapter 6. Economic Development.

REAP applauds Adams County for its emphasis in partnerships and community-based (pocket) economic growth. Land and water use planning must go hand in hand with economic development.

**ED 3.1.04** Supports industrial use and infrastructure investment for Colorado Air and Space Port. This is good. Aerospace growth and spin-off technology give Adams County a place in Colorado's second largest industry and a global reputation as a commercial space leader

**ED 3.1.04** Discourages development on agricultural land. Again, let the results of a county-wide water analysis and the demographic future of farm life be the guide.

**ED 4.1.06** Encourages the interjurisdictional coordination of infrastructure investment in targeted areas. This again is self-evident.

**ED 5.1.04** Suggests inter-jurisdictional collaboration related to redevelopment tools like opportunity zones (OZ) or enterprise (EZ) zones. This is good. A relevant example is an existing EZ zone in Adams County that, through current collaboration, can stretch to Byers in Arapahoe County.

## Chapter 7. Cultural Heritage

The draft plan mentions efforts by REAP to promote agricultural tourism. A 2022 REAP survey of past ag-tourism destinations, though, turned out disappointing. Only two of 33 sites replied that, after COVID, they were still in the ag tourism business. Still, REAP will continue to promote tourism but on a more targeted basis, like marketing to area military units with families.

Preserving small and large agricultural properties as a cultural asset is laudable but be aware of future demographic changes.

**CH 1.1.02** Supports agricultural tourism. Do not neglect this. It is a way to educate city residents on their food and fiber roots. Ensure that Adams County zoning allows for this kind of land use in various forms. Are gift shops allowed? Are motorized rides for children allowed?

**CH 1.1.03** Calls for preserving existing agricultural land, farms and facilities. This is still a worthy goal and objective. Better communication with the farm community is needed to gain a better understanding of where the community is demographically headed.

**CH 1.2** Suggests exploration and encouragement of innovation. This is critical especially in an increasingly water constrained environment. Colorado State University can be a good partner.

**CH 1.2.02** Envisions providing educational opportunities for best practices. Working with area high schools and Future Farmers of America to develop new curriculum will be key.

**CH 1.2.04** Explore renewable energy. Form relationships with the U.S. National Renewable Energy Lab (NREL) to research, develop and implement new technology for irrigation and energy usage.

### REAP Mission Statement

Stimulate private investment in order to increase opportunities for employment, expand the tax base, broaden the economy, and generally improve the quality of life of our citizens.

## Chapter 8. Strategic Corridors.

REAP understands that Adams County has higher priority corridors in western Adams County. But REAP cautions not to forget I-70 East. E470, Sky Ranch, CASP, four new interchanges, future transportation and logistics centers will dominate the landscape from Watkins and Bennett and beyond. Strasburg growth will soon follow. Keep that in mind.

REAP applauds the inclusion of an update to the 2002 Strasburg sub area plan. Arapahoe County is considering an update to the Byers sub area plan. Both can work together. Coordinate with it and with the water districts to update and expand the scope. Focus on integrated community-based goals and objectives called for in Advancing Adams.

### Conclusion

REAP did not comment on the associated Transportation Master Plan (TMP) or the Park, Open Space and Trail Plan (POST). Park, open space and trails, although critical in overall health and livability of the country, is a lower REAP priority. Some transportation comments were included in the above comments.

Take note. The era of EV vehicles and charging stations is fast approaching. It would be wise for Adams County to focus on it as part of built environment, economic development, strategic corridors.

Arapahoe County is considering how to prioritize plans for vehicles and charging infrastructure. Adams County should follow suit.

The community-based approach also makes great sense. The plan calls for a 20-minute commute. This all aligns with REAP approach of pockets of economic development.

Three cheers for the emphasis on collaboration and coordination with others. This is a REAP mantra. Interjurisdictional cooperation makes Advancing Adams and other plans succeed.

The biggest omission? The plan makes no mention of workforce development strategies with the four REAP regional high schools or any Adams County high school. This is key to economic development. The objective is to open student eyes to nearby jobs and careers, like at DEN, that would keep them living in eastern Adams. Best to involve school districts in your collaborations.

Thank you for the opportunity to provide these comments. REAP remains willing to make Advancing Adams a meaningful endeavor. Our sleeves are rolled up.

## Jen Rutter

---

**From:** Clayton Woodruff <Clayton.Woodruff@RTD-Denver.com>  
**Sent:** Tuesday, May 31, 2022 4:42 PM  
**To:** Jen Rutter  
**Subject:** PLN-2022-00007 - advancing Adams

Please be cautious: This email was sent from outside Adams County

The RTD has no comment



**C. Scott Woodruff**

**Engineer III**

Regional Transportation District  
1560 Broadway, Suite 700, FAS-73 | Denver, CO 80202

o 303.299.2943 | m 303-720-2025

[clayton.woodruff@rtd-denver.com](mailto:clayton.woodruff@rtd-denver.com)

**South Adams County Water & Sanitation District**

*Distribution & Collection*

10200 E 102<sup>nd</sup> Ave. · Henderson, CO 80640 · (720) 206 – 0595 · [www.sacwsd.org](http://www.sacwsd.org)



<b>Re:</b>	<b>PLN2022-00007</b>
<b>Date:</b>	<b>5/25/2022</b>
<b>Review Type:</b>	
<b>Applicant Name:</b>	Adams County
<b>Applicant Address:</b>	
<b>Project Name:</b>	<b>ADCO Community &amp; Economic Development Department</b>
<b>Project Location:</b>	County Wide
<b>Reviewer:</b>	Jeff Nelson, Development Review Supervisor

**SACWSD Rules & Regulations can be found here:**

<https://www.sacwsd.org/DocumentCenter/View/776/Rules-and-Regulations?bidId=>

**SACWSD Design & Construction Standards can be found here:**

<https://www.sacwsd.org/DocumentCenter/View/773/SACWSD-Design-Standards-and-Specifications?bidId=>

**SACWSD Service Application can be found here:**

<https://www.sacwsd.org/DocumentCenter/View/912/Development-Service-Application-2021?bidId=>

**SACWSD Developer Checklist can be found here:**

<https://www.sacwsd.org/DocumentCenter/View/774/General-DevelopmentChecklist?bidId=>

General comments to the referenced review can be found below. Any response from the applicant must be sent to SACWSD Development by emailing [Development@sacwsd.org](mailto:Development@sacwsd.org).

**General Comments:**

1. Determine whether the parcel is included in the District. If not, initiate the inclusion process and become included within the District's service area. This process typically takes between 90-180 days to complete. If the parcel is not included, offsite utility construction may be required to provide adequate fire flows to this site.
2. Identify the source and amount of water owned in order to serve the entire development as envisioned and present evidence to support ownership of adequate Equivalent Residential Units (ERUs).
3. Complete the District's service application with corresponding design plans including site, potable water, irrigation water, and wastewater utility plans, plumbing plans, and District standard details.
4. Design and construct the District's water and sewer infrastructure in accordance with current approved Design Standards and Construction Specifications.
5. Per SACWSD rules and regulations each building will be required to have individual water meters and sanitary sewer service lines.
6. Pay appropriate connection fees and pass all required inspections.

**Project Special Comments:**

No Special Comments.

If you have any questions about the comments given, please contact the SACWSD Development department at **(720) 206 – 0595** or email [Development@sacwsd.org](mailto:Development@sacwsd.org).

Sincerely,

**Jeff Nelson**

Development Review Supervisor

## Jen Rutter

---

**From:** Don Summers <don@toddcreekvillage.org>  
**Sent:** Tuesday, May 24, 2022 2:49 PM  
**To:** Jen Rutter  
**Subject:** RE: Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

Please be cautious: This email was sent from outside Adams County

Jen,  
I am commenting on behalf of Todd Creek Village Metropolitan District. We currently provide water service to approximately 2600 homes in the northern Adams county area north of E 470 between the South Platte River on the east side and Holly Street on the west side.  
After looking over the Advancing Adams web page I have to say that I came away impressed and in agreement with the overall plans and goals stated. I believe the County and its residents will benefit tremendously from this plan.  
If you would like more specific input, please let me know.  
Thank you for your efforts on this forward looking plan,

Don Summers  
General Manager  
Todd Creek Village Metropolitan District  
10450 E. 159<sup>th</sup> Ct  
Brighton, Co 80602  
720.373.7373

The information contained in this e-mail is intended only for the individuals to whom it is addressed. Its contents (including attachments) are confidential and may be privileged information. If you are not an intended recipient, you must not use, disclose, disseminate, copy or print its contents. If you receive this email in error, please notify the sender or reply by e-mail and delete or destroy this message.

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**From:** Jen Rutter <JRutter@adcogov.org>  
**Sent:** Friday, May 6, 2022 3:36 PM  
**To:** Jen Rutter <JRutter@adcogov.org>  
**Subject:** Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

Good afternoon,

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Thank you,  
Jen



**Jen Rutter, AICP**

Planning & Development Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | [jrutter@adcogov.org](mailto:jrutter@adcogov.org)

[www.adcogov.org](http://www.adcogov.org)

*County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.*



May 31, 2022

Jen Rutter  
Adams County Community and Economic Development  
4430 South Adams County Parkway, Suite W2000A  
Brighton, CO 80601

RE: Advancing Adams Comprehensive Plan, PLN2022-00007  
TCHD Case No. 7681

Dear Ms. Rutter,

Thank you for the opportunity to review and comment on the draft comprehensive plan. Tri-County Health Department (TCHD) staff has reviewed the plan for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the plan, TCHD has the following comments.

### **Attainable Housing**

#### *Chapter 3 – Community and Housing*

Finding affordable housing of good quality is a significant problem facing our communities. The Denver Metro region's population has grown and wages have stagnated, resulting in a significant shortage of affordable housing. The cost of housing is outpacing the increase in wages. Between 2012 and 2016, while the median monthly household income for residents in Adams, Arapahoe, and Douglas Counties increased by 15% to 18%, the median monthly rent increased by 26% to 30% and the median home value increased between 35% and 51%. A standard first promoted by the United States National Housing Act of 1937, and still in use today, is that households should not spend more than 30% of their income on rent or a mortgage so enough money remains to cover non-housing related needs. Because of high cost of living, renters in Adams, Arapahoe, and Douglas Counties are having to spend up to or more than half of their monthly income on rent.<sup>1</sup>

These trends make it more difficult for residents both to rent as well as to buy their own homes and build equity. This can be especially true for low income residents and communities of color who also experience a higher prevalence of substandard housing. In urban areas, this can be a result of redlining (a practice where banks refused to grant home loans in certain neighborhoods based on racial or ethnic composition) which was allowed by the Federal Housing Administration until the 1960's. Neighborhoods of color were systematically denied access to government-backed home mortgages. This and other policies affecting economic and educational opportunity had generational impacts on economic prosperity, which continue to this day.<sup>1</sup>

<sup>1</sup> Tri-county Health Department 2019-2024 Public Health Improvement Plan

Poor housing conditions are associated with a wide range of health conditions, including respiratory infections, asthma, lead poisoning, injuries, and poor mental health. The quality of housing includes structural soundness, handicap accessibility, and indoor air quality, among other characteristics. Housing can be a source of exposure to various carcinogenic air pollutants. Radon, a colorless, odorless radioactive gas that forms naturally in soil, is the second leading cause of lung cancer in the United States. Quality, affordable housing is central to individual and community wellbeing. TCHD urges local governments to reduce the burden of housing costs by prioritizing mixed income housing units. In addition to housing policy, local governments and municipalities can also take steps to ensure inclusionary zoning policies and the creation of auxiliary dwelling units.<sup>1</sup>

“Missing Middle Housing” refers to building types like duplexes, fourplexes, cottage courts, and courtyard buildings that fall in the middle of the housing spectrum between detached single-family homes and high-rise apartment buildings. They are considered missing because they have largely been illegal to build since the 1940’s. Missing middle housing can be a source of attainable housing and can promote walkability, which improves health.

TCHD supports the County’s goal of proactively addressing housing affordability, diversity, and supply through land use regulations. Specifically, TCHD encourages the County to promote “missing middle” housing options, and address affordability with partners to create housing that is attainable for residents of the County.

### **Food Production and Access**

#### *Chapter 3 – Community and Housing*

TCHD commends Adams County for the inclusion of Strategy COH 5.1.05 (page 28) “Address food deserts through targeted economic development efforts to attract grocers and retailers providing healthy food options...” and recommends that the County develop economic development strategies to both ATTRACT and RETAIN grocers and food retailers with healthy options. The retention of both existing and future food retailers with healthy food options is necessary to support the longevity of food retailers in neighborhoods that have limited healthy food options. Communities in Adams County are already feeling the effects of major grocery retailers leaving, such as along the north Federal corridor in the last three years. Any efforts to bring food retail to underserved areas must be long-term, ongoing investments in and engagement with food retailers to ensure that their presence in the community is not short-lived.

#### *Chapter 5 – Built Environment and Connections*

TCHD commends Adams County for including healthy food access as a key neighborhood development component throughout the plan and particularly as a component of the 20-minute community (page 46). Distance to food retail is one barrier to food access that can be addressed through strategies related to transportation and

housing/retail proximity. Given that the term “healthy food” is used throughout the plan, TCHD recommends that the County add a description of “healthy food” that emphasizes residents’ desire for the availability and affordability of nutritious, fresh, and culturally relevant food near where they live. It would also be helpful to describe the types of food sources (e.g., food retailers such as grocery stores, farm stands, and farmers markets, as well as community gardens and food assistance providers) that will be prioritized as locations for the distribution and sale of nutritious food.

#### *Chapter 7 – Cultural Heritage*

TCHD commends Adams County’s focus on agriculture as the “cultural heritage backbone” of the county (page 72). It is essential to highlight that agriculture is an asset to the County as well as to the Denver metro and Front Range regions, while simultaneously development pressures threaten the prime agricultural land in the county (as acknowledged in the highlights of the existing conditions report on page 7). Goal CH 1, Policy CH1.1, and the associated strategies (page 78) will be essential to the preservation of prime agricultural land. TCHD recommends that the County also look at maintaining water rights associated with the agricultural land, especially as population growth along the Front Range increases demand for the limited water supply. For Policy CH 1.2 and the associated strategies related to agricultural innovation, as well as Strategy CH 1.3.01 (page 79), TCHD recommends that County consider cross-sector partnerships (public, private, and/or nonprofit) for the expansion and strengthening of season extension, food processing, and food distribution infrastructure. Investments in these partnerships would create economic opportunities for both local producers and local food entrepreneurs, as well as increase the provision of locally produced food to local residents.

In two sections of the plan (Strategy BEC 2.2.03 on page 50 and Strategy CH 1.3.02 on page 79), the plan links food access to public health. As Adams County forms a new public health department, it is imperative to build the staff capacity to engage in collaborative, intersectional, and innovative work that links food systems and food access to housing, transportation, economic opportunities, access to healthcare, and other social determinants of health.

Please feel free to contact me at 720-200-1575 or [kboyer@tchd.org](mailto:kboyer@tchd.org) if you have any questions about TCHD’s comments.

Sincerely,



Kathy Boyer, REHS  
Land Use and Built Environment Specialist III

cc: Brian Hlavacek, TCHD



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571. 3284  
donna.l.george@xcelenergy.com

June 1, 2022

Adams County Community and Economic Development Department  
4430 South Adams County Parkway, 3<sup>rd</sup> Floor, Suite W3000  
Brighton, CO 80601

Attn: Jen Rutter

**Re: Adams County Comprehensive Plan, Case # PLN2022-00007**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the **Adams County Comprehensive Plan**. Please be advised that PSCo has these existing facilities throughout Adams County:

- high-pressure natural gas transmission
- electric transmission
- natural gas distribution
- electric distribution

Public Service Company has no objection to this comprehensive plan, contingent upon PSCo's ability to maintain all existing rights and proposal should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Donna George  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

**EXHIBIT 2 – Public Comments**

- 2.1 Albert Frei & Sons
- 2.2 Brannan Sand & Gravel
- 2.3 Brownstein
- 2.4 Comunale Properties
- 2.5 EFG Denver, LLC
- 2.6 Gibson, James
- 2.7 Hutchison Incorporated
- 2.8 Industrial Property Owners Consortium (IPOC)
- 2.9 Mann Lake Holdings
- 2.10 Molen & Associates
- 2.11 Utility Trailer Sales



35715 U.S. Hwy 40  
Bldg B, Suite 120  
Evergreen, CO 80439  
C (303) 475-4101

May 31, 2022

**Delivery Via Email: [jrutter@adcogov.org](mailto:jrutter@adcogov.org)**

Jen Rutter, AICP  
Planning & Development Manager  
Adams County, CO, Community & Economic Development  
4430 S. Adams County Parkway, 1<sup>st</sup> Floor, Ste. W2000A  
Brighton, CO 80601

***RE: Response to Request for Comments  
Draft Comprehensive Plan-Advancing Adams (Case #PLN2002-00007)***

Dear Ms. Rutter:

Please accept this letter as comments and concerns submitted on behalf of Albert Frei & Sons, Inc. and other current related real property owners (collectively, the "Freis") regarding the draft Comprehensive Plan-Advancing Adams, Case #PLN2002-0007 (the "Plan"). **Exhibit A-Property Description and Land Use** attached hereto and made a part hereof is provided to outline those properties and current owners.

Primarily, the Freis' concerns are related to the following: (1) material changes to the existing lands (see attached **Exhibit A**); (2) changes from Industrial to Residential; and (3) changes from Mixed Use to Splendid Valley Plan/Agricultural only. As proposed, the draft Plan will not only limit but takes away current property rights on existing lands owned by the Freis. To eliminate the current property rights of owners will drastically affect not only the business operations of the Freis, but also the ability for Frei residential owners to use and enjoy their property as desired.

Regarding the Frei family business operations, the Frei family has responsibly owned and operated real property in Adams County for more than 60 years with the current Frei family continuing this family legacy. The Frei family not only works in the area, but also owns residences in the area that is subject to the proposed Plan. Material changes to the Plan related to Frei-owned property would hinder continuing business operations as it would be increasingly difficult if not prohibited to apply for and obtain County conditional use permits ("CUPs") to modify or expand its business operations as desired. Should the Plan be approved as proposed related to the Frei properties, it would be difficult if not next to impossible to justify that the proposed plans are compatible and or in keeping with the Comprehensive Plan if the material changes are approved. Generally, as is, any application submitted in relation to the properties outlined in **Exhibit A** meets the foregoing threshold of being consistent or compatible with the current comprehensive plan.

As such, we hereby respectfully request that the properties outlined in **Exhibit A** remain unchanged in the proposed Plan. Should you wish to discuss this matter further, please do not hesitate to contact me directly at [brigo@albertfreiansons.com](mailto:brigo@albertfreiansons.com) or (303) 475-4101.

Very truly,

Becky J. Rigo,  
In-House Counsel,  
Albert Frei & Sons

**Exhibit A-Property Description and Land Use**

<b><u>Frei Property Description</u></b>	<b><u>Parcel ID/Acct. No.</u></b>	<b><u>Existing Land Use</u></b>	<b><u>Proposed Land Use</u></b>	<b><u>Material Change</u></b>
<b>Fernald</b>	171936402002/R0150275 182501104003/R0188188 182501102001/R0097857	Industrial ODP	Mixed Use	YES
<b>Brannan</b>	171936401004/R0150273	Industrial ODP	Mixed Use	YES
<b>Frei Associates II. Ltd, (including Mary Jane Frei &amp; Ben Frei residences)</b>	172129202001/R0077411 172129200040/R0077405 172130101001/R0202883 and R0202884 172130101002/R0202885 and R0202886 172130101003/R0202887 and R0202888 172130101004/R0202889 and R0202890 172130101005/R0202891 and R0202892 172129200054/R0201371	Industrial	Mixed Use Commercial	YES
<b>Hatchery</b>	172130301006/R0198051 172120301007/R0198052	Commercial	Industrial Low	YES [East Half]
<b>Holzer</b>	172116000011/R0075327	Industrial	Mixed Use Commercial	YES
<b>Worthing (including Thomas Frei residence)</b>	157126101001/R0178947 157126101003/R0178949 157126201001/R0178595 157136000013/R0009195 157126000018/R0009198	Residential, Agricultural	Parks & Open Space	YES
<b>Ritchey</b>	156919200001/R0202420 156919300003/R0202423	Mixed Use	Ag/Splendid Valley Plan	YES



Jessica Alizadeh  
(303) 894-4456  
jalizadeh@fwlaw.com

July 6, 2022

VIA EMAIL: JRUTTER@ADCOGOV.ORG

**Re: Brannan Sand and Gravel – Comments Regarding the Proposed Comprehensive Plan Amendments**

Dear Ms. Hall:

This firm represents Brannan Sand and Gravel Company, LLC (“Brannan”). On behalf of Brannan, thank you for the opportunity to provide preliminary comments on the proposed Future Land Use Categories (“Amendments”) to the Adams County Comprehensive Plan (“ComPlan”). As you may know, Brannan is the owner of several properties throughout Adams County. Our comments below pertain to Brannan properties in the unincorporated County that would be particularly impacted by the Amendments as drafted for the following reasons:

**I. General Concerns**

**A. General Effect of Proposed Amendments**

The County’s proposed ComPlan amendments appear to overlook the thoughtful and necessary location of industrial activities within the County. County land use regulations currently have many requirements for conformance with the ComPlan. Because of this, if the proposed amendments are approved, applications for things such as improvements to existing facilities and site plans, and to reconstruct in the event of a casualty, will become difficult and in some cases impossible for the County to approve, leading to a decrease in the actual percentage of industrial uses in the County and change to use-by-right zoning (County Development Standards and Regulations § 4-27-02).

The proposed Amendments include the reclassification of Industrial properties to three new subcategories of “Low,” “Medium,” and “High,” in addition to concentrations of I-2 and I-3 zoned property currently designated as “Industrial” in the ComPlan being proposed as “Mixed Use Commercial” and “Mixed Use.” The new Industrial Low category allows for “low impact industrial uses that primarily operate in buildings” (Future Land Use Categories page I). The new

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Mixed Use and Mixed Use Commercial categories allow for “commercial, office, multifamily residential, and institutional uses,” and for “land use for areas transitioning to industrial or heavy commercial developments where activities and operations are contained within buildings,” including “limited residential uses” (Future Land Use Categories page G and H). Mixed Use Commercial may be compatible with I-1 zoning, but Mixed Use is not compatible with any industrial zoning (Future Land Use Categories pp. G and H).

The uses envisioned for these categories run contrary to the zoning for many properties, and to long-established uses. For example, I-2 zoning allows for heavy industrial uses, including heavy construction contractors, along with light industrial uses, such as sheet metal shops and general building contractors, and light manufacturing or processing uses, such as machine shops, and moderate manufacturing and processing uses, such as cement manufacturing. I-3 zoning is intended for the heaviest of industrial uses and allows all of the uses allowed in I-2 in addition to uses such as asphalt and concrete production.

These uses are essential to the continued growth of Adams County. However, the County’s proposed ComPlan designations are not consistent with uses permitted in the zone districts they will effect. Additionally, we could find no designations of “Industrial High” in the proposed amendments, which is the new future land use designation consistent with I-3 zoning. Ultimately, this unilateral downgrading by the County of long-time industrial properties will have the effect of limiting the ability of the County to grow and provide the necessary supplies and infrastructure that the addition of new residential and mixed-use development at an affordable cost requires, in addition to threatening the sustainability of established businesses.

## **B. Properties Designated for Residential Development**

Furthermore, some property designations deserve additional thought based on location and environmental contamination, as there are Mixed Use developments proposed on or adjacent to land that cannot legally be approved for residential development. In the County’s description of the proposed Mixed Use Commercial future land use, it acknowledges that “[l]imited residential uses may be acceptable in a vertical mixed-use setting if all environmental conditions and concerns have been remediated and land-use adjacencies are mitigated” (Future Land Use Categories page H). However, the County has not acknowledged that most of these sites currently contain viable businesses, many of which are industrial. While the ComPlan may be a “visioning” document, this immediate drive toward residential uses on many industrial properties

is without basis, either by virtue of environmental issues or by other land use conflicts, and greatly undermines legally operating businesses, discussed in more detail below.

**C. Conformance with the Comprehensive Plan is Mandatory Under the Code, Which Functions as an Administrative Rezoning**

The County's proposed Amendments are problematic on their own, but also particularly in view of the mandatory nature of the ComPlan in Adams County. The County's Development Standards and Regulations ("Code") define the Comprehensive Plan as, "a plan adopted by the County or a municipality within the County that **guides** land use, growth, and development decisions" (Code § 6-02-17). Emphasis added. However, because the Code explicitly requires conformance with the ComPlan in over a dozen express provisions, the ComPlan is not advisory, but decisively regulatory. Thus, the County's intent of meeting its vision "incrementally through rezoning and public and private investments," will instead result in abrupt changes for some property owners, prohibit future improvements to their businesses, and force county staff and the Board of County Commissioners to shut down conforming businesses upon the expiration of certain permits whether or not they desire to do so (Future Land Use Categories p. D).

The Code provisions that explicitly require conformity with the ComPlan include those for certificates of designation, urban renewal plans, major and minor subdivisions, recycling facilities, and any extension of time to obtain a building permit pursuant to a conditional use permit, in addition to approvals that more naturally incorporate the ComPlan, such as ODPs, PDPs, FDPs, and PUDs (Code §§ 2-02-04-06, 2-02-10-06-01, 2-02-19-01, 2-02-19-02-05, 2-02-09-07-03, 2-02-19-03-05, 2-02-20-02-05, and 2-02-09-10). The Code additionally allows the discretion to require conformity with the ComPlan for all site-specific development plans, administrative review permits, conditional use permits, inert fill permits, and all land use approvals generally (Code §§ 1-07-03, 2-02-02-04, 2-02-09-05, 2-02-12-05:9., 4-04-02-02, 4-05-02-07, 1-01-09-01, and 1-08-02).

**D. The County Intends to Make Conformance with the Comprehensive Plan a Requirement for Site-Specific Development Plans**

In November 2021, the BOCC listened to its constituents and tabled pending Code amendments to alter the applicable provisions for I-1, I-2, and I-3 properties. However, in case number PLN2021-00012, staff forwarded for approval to the BOCC language that further incorporated the requirement of ComPlan conformity into approvals for site-specific development plans. The

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language read “[t]he use and site plan are in general conformity with the Adams County Comprehensive Plan,” and was proposed to be added to provisions for administrative review permits, conditional use permits, special use permits, and temporary use permits (Code §§ 2-02-02-05, 2-02-04-06, 2-02-09-06, 2-02-012-06, and 2-02-13-05).

Under this proposal, anyone who was entitled to apply for these permits based on their zoning would have to be denied approval when the use was not consistent with the future land use designation imposed by the County in the ComPlan, even if the requested use was consistent with the zoning. This language was ultimately removed for reintroduction at a later time, but the County’s proposed Amendments, which would drastically change the future land use for many industrial properties, would move the County substantially back in this direction. Furthermore, as the Code does in fact already contain provisions that allow the County to include conformity with the ComPlan as a condition for *any* land use approval (§§ 1-01-09-01 and 1-08-02), amendments that strip away industrial future land uses would, at a minimum, thwart any future improvement to properties whose future land use designations have changed, and lead ultimately to extinguishment of property rights, destabilization of investment in properties in the County, and the shutdown of businesses.

#### **E. Requirement to Conform to the Comprehensive Plan May Limit and Eliminate Uses by Right Without Basic Notice Requirements**

The County’s proposed Amendments significantly impact individual properties, but the County is not required to give notice to individuals. Code § 2-02-15 lists the processes for rezoning and for amending the Code and ComPlan. For all three, neighborhood meetings are optional, “unless the Director . . . determines the development proposal could have significant neighborhood impacts” (Code § 2-02-15-05:2). All three actions require a public hearing before the Planning Commission (“PC”) and Board of County Commissioners (“BOCC”) (Code § 2-02-15-05:7). For Code text amendments, notice goes only in the official county newspaper, and written notice and posting are not required (Code § 2-02-15-05:6.a.). For rezonings, publication, posting, and written notice are required (Code § 2-02-15-05:6.b.). For ComPlan amendments, the code does not set out the type of notice required, and though the County may believe it has done substantial outreach for such amendments, it has become extraordinarily apparent in recent months that it is still not reaching all of the people it needs to.

By way of example, the proposed Amendments change the County’s future land use plan to ultimately prohibit many industrial uses. When any site redevelopment or changes are needed,

the requirement of conformance with the ComPlan, which makes the future land use designation into a regulatory provision, will prohibit the continuation of the established industrial use. But the Code does not require that the County notify affected property owners. Even the requirement for a neighborhood meeting is at the discretion of the Planning Director. Meaning, staff could amend a future land use plan, hold no neighborhood meeting, and provide no notice other than a standard publication of the PC and BOCC meeting, and a future land use plan could be adopted upon a vote of the PC and BOCC. Then, when various industrial businesses seek to renew permits or improve their sites (which is essential to their continued operations and the basis of their investment-backed expectations), they would be denied because their use did not conform to the ComPlan.

**F. Proposed Amendments and Comprehensive Plan Incorporation into Code  
Remove the Element of Choice and Flexibility for Commissioners**

An example of a negative consequence of incorporation of the ComPlan into the Code is the County's urban renewal regulations, which are one of the many Code provisions that are tied to conformity with the ComPlan. Such provisions are intended to assist the BOCC in supporting and greenlighting desirable development that will also serve to "renew" an area. However, because any urban renewal plan must be "consistent with the goals and policies of the Adams County Comprehensive Plan," the flexibility that the BOCC relies upon to support approval of attractive and needed development has been eroded (Code § 2-02-10-06-01:1.). Furthermore, as outlined above, the County has the discretion to require conformity with the ComPlan for site-specific development plan approvals, with the proposal to make conformity mandatory expected to return when the County resumes its regulation amendment process. In addition to the broad impact on site-specific development plans, if the ComPlan amendments as-proposed are passed, when a wide range of desirable opportunities that are now regularly approved come along, such opportunities will now be inconsistent with the future land use, meaning that the staff cannot recommend approval and the BOCC cannot approve. Finally, making amendments to the ComPlan without input from directly impacted property owners, and caution and thoughtfulness on the part of the County regarding the true limits and repercussions of such amendments for both property owners and County objectives, further restricts the BOCC's discretion to welcome projects the County wants and needs.

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## **II. Brannan Site-Specific Concerns**

### **A. Lipan Plant, 5880 Lipan Street**

The Lipan Plant property, pictured below, is zoned I-3 with a current future land use designation of Industrial, and Brannan's batch plant, shop, and yard uses are wholly consistent with the current ComPlan designation. The site is surrounded by rail lines, not visible from adjacent rights-of-way due to the site's topography and distance from public roads, and is associated with the contaminated Broderick Wood Products site, which is under the supervision of EPA and where it is unlikely that any uses but industrial will be allowed.

Given the site conditions and conditions adjacent to the site, the County's proposed future land use designation of Industrial Low is confounding. The Lipan Plant is an industrial use in the epicenter of heavy industry. Under I-3 zoning, an asphalt plant and the outdoor storage needed for such an operation are allowed uses. Under the proposed ComPlan designation of Industrial Low, such uses are no longer consistent with the ComPlan and thus will no longer be allowed if in the future Brannan needs permits or approvals that require conformity with the ComPlan.

For example, outdoor storage is crucial to the operations of asphalt plants such as Brannan's Lipan Plant. If Brannan found that it needed to expand its operations to include outdoor storage in excess of 80% of the entire lot in order to meet the needs of construction in the metro area, it would need to obtain a conditional use permit (Code § 4-11-02-04-09:5.A.). In determining whether to approve that conditional use permit, the Board of County Commissioners may, in its conditions of approval, "attach any conditions necessary to implement the Adams County Comprehensive Plan" (Code § 2-02-09-05:9). Thus, while construction demand may call for an expansion of the use and the site is undoubtedly appropriate for such a use, with a future land use of Industrial Low, the County can freely determine that the use does not implement the ComPlan and deny the permit, giving Brannan no assurance of the sustainability of its business.

Thus, the County's proposed Amendment to Industrial Low is not the appropriate future land use designation for this property. Under the current land use Code, Brannan's industrial use at this property, its I-3 zoning, and its Industrial future land use designation all work together in this ideal location for Brannan's established use. The future land use that most appropriately reflects and supports the site, and that the County should designate through its ComPlan amendment process, is Industrial High.



**B. 62<sup>nd</sup> Asphalt Plant, 690 West 62<sup>nd</sup> Avenue**

Brannan’s property at 690 W 62<sup>nd</sup> Avenue, pictured below, houses an asphalt paving plant and is zoned I-3 with a current future land use designation of Industrial. The current asphalt plant uses are wholly consistent with the current ComPlan designation and site location. This facility is also an industrial use in the epicenter of heavy industry. Under I-3 zoning, an asphalt plant and the outdoor storage needed for such an operation are uses that are allowed by-right, but the County’s proposed future land use designation is Industrial Low. As detailed above in section II.A., with the change to a future land use of Industrial Low, the sustainability of Brannan’s established use is threatened. This is in addition to the County’s hands being tied regarding approval of uses appropriate to the site and necessary for continued operations and improvements to the site.

Thus, the County’s proposed Amendment to Industrial Low is not the appropriate future land use designation for this property. Under the current land use Code, Brannan’s industrial use at this property, its I-3 zoning, and its Industrial future land use designation all work together in this location for Brannan’s established use. The future land use that most appropriately reflects and

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supports the site, and that the County should designate through its ComPlan amendment process, is Industrial High.



**C. Ready Mix Facility, 5550 Sheridan Boulevard**

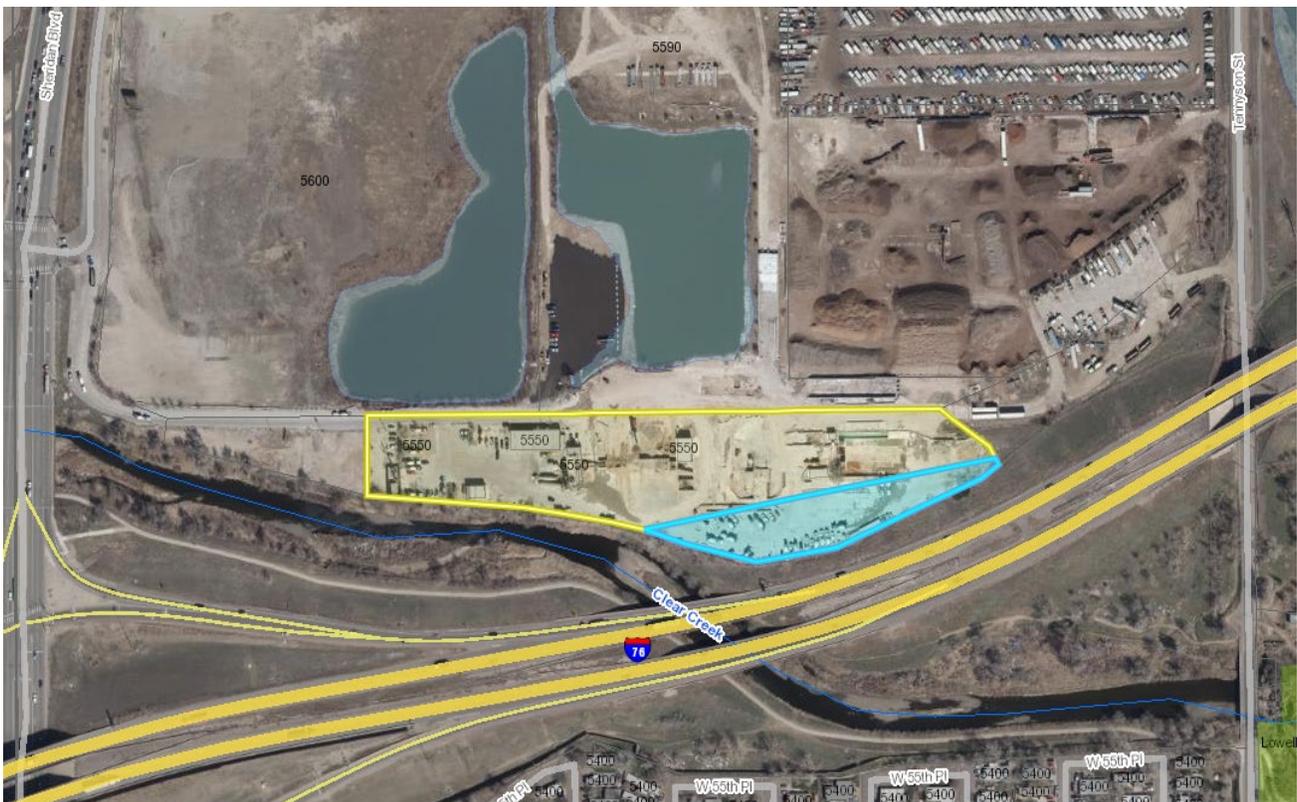
Brannan’s Ready Mix Facility properties, pictured below, are zoned I-2 and house a concrete ready mix plant operating pursuant to a conditional use permit, with a current future land use of Mixed Use Employment. While the property is adjacent to I-76 and thus appropriately sited for industrial uses, the current future land use designation of Mixed Use Employment is not supportive of Brannan’s established use. Furthermore, the proposed future land use of Parks and Open Space, as set out in the Square Lakes Subarea Plan adopted by the Planning Commission on January 13, 2022, is vastly inappropriate.

Upon investigation of the adoption and ratification hearings for the Square Lake Subarea Plan, of which Brannan was not property notified, it was determined that staff noted at hearing that this property is designated Parks and Open Space because it is “unlikely the parcel will be removed from the floodway, . . . and with the Natural Resource Conservation Overlay setbacks from Clear Creek, it would make development on this property difficult.” This property is already developed and is privately owned. Resale value of the property is determined by a future user’s ability to

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redevelop the property in conformance with the ComPlan. While a public or private purchase would be based upon market value at the time of the purchase, that value is, again, determined by available uses. Designating this property, adjacent to I-76 and with established industrial uses, as Parks and Open Space reduces future uses to *only* public outdoor recreation, resulting in a significant diminution of value akin to condemnation without due process.

As with the 62<sup>nd</sup> Plant and Lipan Plant, this property's zoning, ComPlan designation, and location all work together. The property's I-2 zoning and conditional use permit support the established use. For the reasons set out above, it is not appropriate to designate this property as Parks and Open Space. At a minimum, the future land use that the County should apply to this property through its ComPlan amendment process is Industrial Medium.





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Accordingly, we ask that you reconsider the proposed ComPlan Amendments discussed above. I welcome to opportunity to discuss any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jessica Alizadeh', is written in a cursive style.

Jessica Alizadeh

Fairfield and Woods, P.C.

May 31, 2022

## VIA ELECTRONIC MAIL

Jenn Rutter  
Adams County – Community & Economic Development  
4430 S. Adams County Parkway  
Brighton, CO 80601

RE: Adams County PLN2022-0000

Dear Ms. Rutter:

We represent several clients such as Fiore & Sons, Inc., A-One Chipseal, Iron Woman Construction & Environmental Services, and Waste Connections of Colorado, Inc., and on behalf of our clients we would like to provide some feedback on the draft Advancing Adams County Comprehensive Plan (the “**Comp Plan**”) and the draft 2022 Future Land Use Map (the “**FLUM**”), as requested by Adams County (the “**County**”). We have grouped our comments into two categories – comments on the Comp Plan and comments on the FLUM.

### Comp Plan

We commend the County on its thoughtful and thorough approach to the Comp Plan. We believe that this document will provide the County with a robust framework to guide development for many years to come. We have a few, minor comments and suggestions that we believe will contribute to the Comp Plan’s clarity and resiliency. They are as follows:

- Chapter 1: On page 6, we recommend that the statement that the Comprehensive Plan is a visionary document also include that it is “advisory.” Planning law differentiates between comprehensive plans which are advisory and those which are mandatory. All indications are that the County’s intent is that this plan is intended to be advisory, so we recommend including that term of art, for clarity.
- Chapter 2: On Page C, “Reidential” should be spelled “Residential” and “catorgoies” should be spelled “categories.”

- Chapter 2: Include language in Chapter 2 clarifying that the land uses for any property with a future land designation of one of the County's subarea plans is governed by the respective subarea plan, or that in the case of a conflict, the subarea plan governs. This clarification will prevent any confusion relating to future land uses for properties in these areas governed by a subarea plan.
- Chapter 2: Several words on the right-hand side of Page C of Chapter 2 appear to be cut off.
- Chapter 2: Page C of Chapter 2 should clearly state that the Comp Plan's future land use is not intended to force change, but rather to provide the preferred vision for the area. We recommend replacing "In this case, the FLUM sets an expectation for future conditions while the regulatory requirements set by the zoning remain" with "In this case, the FLUM sets an expectation for future conditions in specific areas, but the FLUM is not intended to require property owners to change their property's existing designation or use to match the FLUM's designation. Property owners have the express right to continue any lawfully constructed building, structure, or use." We think this language will provide comfort to existing property owners and businesses who may otherwise have concerns with this language and concept.
- Chapter 2: Page C of Chapter 2 should also expressly acknowledge existing conditions and private property rights, for the same reason as noted above. A good example is the Fort Collins Northwest Subarea Plan, which includes language in several places regarding the need to balance community needs and desires with the rights of property owners.
- Chapter 2: Uses in the Mixed Use Commercial future land use category should be permitted to have outdoor storage. This is consistent with the stated intent of areas transitioning to industrial uses, and is consistent with permitted industrial uses in the Development Standards & Regulations. The exact nature of and performance standards for outdoor storage can be governed by the forthcoming Code revisions; but the Comprehensive Plan shouldn't prohibit this use. Additionally, the Mixed Use Commercial future land use category should include I-2 as a typical zone district.
- Chapter 2: The Industrial Medium designation should include I-3 as a typical zone district to be consistent with Figure 2-3.

- Chapter 2: The standards for the Industrial Medium future land use category should permit some adjacent residential uses, so long as the industrial uses have utilized mitigation and screening/buffering techniques to avoid negative impacts on residential uses. This situation pertains in many places throughout the County. The details of required mitigation, screening/buffering or other performance standards for when industrial uses are located in proximity to residential uses can be provided in the forthcoming Code revisions.
- Chapter 2: The standards for the Industrial Medium and Industrial High future land use category should permit adjacent public uses, because those uses are for types of public infrastructure, such as railroad corridors, that would be unaffected by and can exist harmoniously in proximity to adjacent industrial uses.
- Chapter 2: The standards for the Industrial Low future use category should be revised to say “This land use category includes low impact industrial uses that primarily operate in buildings, but can also include uses that operate openly on a site. This category can be adjacent to residential use because nuisances or pollution are minimal.”
- Chapter 2: The Industrial Low designation should include I-2 as a typical zone district to be consistent with Figure 2-3.
- Chapter 2: Chapter 2 should include a sentence stating that planned unit developments may be land use adjacencies for all future land use categories, where appropriate.
- Chapter 5: Strategy BEC 3.1.01 should clarify that Industrial Medium, Industrial Low and Mixed Use Commercial uses do not constitute “hazardous areas.” The term “hazardous” has a specific legal meaning which we believe is not what is intended to be referenced here.
- Chapter 8: The description of the South Welby Area should remove “indoor” from the description of industrial uses to avoid conflict with permitted uses in the current Development Standards & Regulations.

**FLUM**

- 80 E. 62<sup>nd</sup> Avenue: If the Industrial Low designation does not include the I-2 zone district, 80 E. 62<sup>nd</sup> Avenue should be designated “Industrial Medium.” It is sandwiched between Interstate 25 and a variety of industrial uses. Additionally, it is located more than one mile away from the closest residences with no closer residential uses envisioned in the FLUM, making it highly unlikely to support successful commercial uses. Although this area may, one day, become more commercially-oriented, the FLUM ought not artificially and prematurely force such a transition. Instead, the FLUM should acknowledge the area’s current, overwhelmingly industrial character, and designate the property as “Industrial Medium.”
- 5680 Emerson Street: Similarly, 5680 Emerson Street should be designated “Industrial Medium.” As with 80 E. 62<sup>nd</sup> Avenue, the property is located more than one mile away from residential uses with no closer residential uses included in the FLUM, making it unattractive for commercial developers and users.
- The designation of “Industrial Medium” would be much more compatible with land uses in the area, and would ensure that this property continues to be occupied.
- 5550 Franklin Street: If the Industrial Medium designation does not include the I-3 zone district, 5550 Franklin Street should be designated Industrial High. This designation would ensure that higher-intensity industrial uses can be located in an appropriate area of the County where the use will have little impact on residential uses, without pushing the use to the outer limits of the County.

Thank you for the opportunity to comment on the Comp Plan and FLUM, and for your consideration. We look forward to continuing to work with the County to finalize these important documents.

Sincerely,



Carolynne C. White

Sincerely,



Caitlin S. Quander

CC [AdvancingAdams@adcogov.org](mailto:AdvancingAdams@adcogov.org)

Jenni Hall – [jrhall@adcogov.org](mailto:jrhall@adcogov.org)

May 31, 2022

Jen Rutter, AICP  
Adams County Community & Economic Development Office  
4430 South Adams County Parkway, Ste W2000A  
Brighton, CO 80601

### **COMMENTS FOR THE DRAFT COMPREHENSIVE PLAN – ADVANCING ADAMS**

Thank you for sharing with me the County’s draft of the Advancing Adams Comprehensive Plan (“Plan”) - we appreciate the County’s continual goals improving future planning to ensure a prosperous community in which to operate and live. Overall, I am in full support of the modifications being proposed. However, one item that I would like to raise as a high-level concern of the draft Plan relates around the proposed reduction of planned industrial-zoned land along the I-76 corridor and the impacts that causes to the overall market dynamics.

**Background:** Our concerns stem from industrial lots that are to be repurposed in the new Plan as Mixed-Use Commercial (“MUC”) along the I-76 corridor, a long-tenured industrial staple and hub for the greater Denver MSA. Historically, this corridor has received significant infrastructure investments from the County and developers alike that specifically allow for convenient and safe truck traffic to improve the access for industrial uses. Not only is the area designed for industrial-focused uses, but most of the existing uses are also industrial in nature. This specific location is strategic and vitally important today and for the future, as the industrial users along the corridor include meaningful truck terminals, last mile distributors and industrial service companies (all of which have some yard components) for whom it is critical to be centrally located with convenient access to I-76, I-25, and I-70 for the ability to serve their customer base of residents in and around the County and greater Denver MSA.

**Comments & Requested Changes:** In lieu of updating the general I-76 corridor to MUC, we would suggest the general area maintain its existing intended industrial uses in many of the areas of such corridor, with a combination of Industrial High (“INH”) and Industrial Medium (“INM”). However, we are cognizant that this is a main highway that runs through the County, with all visible properties being the first impression for all who drive along I-76. Therefore, we would suggest that you address the concern of first impressions with specific code requirements around development within the INH and INM zone districts as it relates to setbacks, landscaping, building frontage finishes, screening, etc.

We believe the most effective plan for the area would be focused on upgrading existing industrial sites instead of repurposing the corridor and continuing to push industrial land further away from the critical city center and freeway interchanges. This sentiment is heightened by the proposed Plan repurposing a meaningful amount of land north of the I-25 / I-70 intersection from Industrial to MUC / Public (as seen in contrasting Exhibits A and B), which only increases the I-76 corridor’s critical strategic importance for appropriately serving the region’s growing and crucial industrial needs. Pushing incremental industrial land farther outside the County would be greatly detrimental to the sector, as the opportunities would be increasingly less attractive to all potential users and thus reduce area demand and efficiencies.

Please note that we are not proposing all MUC-designated land be reverted to Industrial. We understand that many dynamics, and thus future needs, within Adams County are changing and that the Comprehensive Plan should offer appropriate flexibility to meet said needs.

As seen in Exhibit B, we have highlighted several pockets where we believe INM and INH land use categories are of particular importance given the existing use and industrial-focused road infrastructure. We would generally request industrial land uses in these locations be allowed to remain as-is, or to be redeveloped under

the same zoning requirements, to ensure that the area adequately serves a growing customer and user base in a sector that continues to see high, growing demand. More specifically, we believe additional light yard, as allowed in the I-2 zoning code, will be necessary in future redevelopments to adequately serve a growing user requirement.

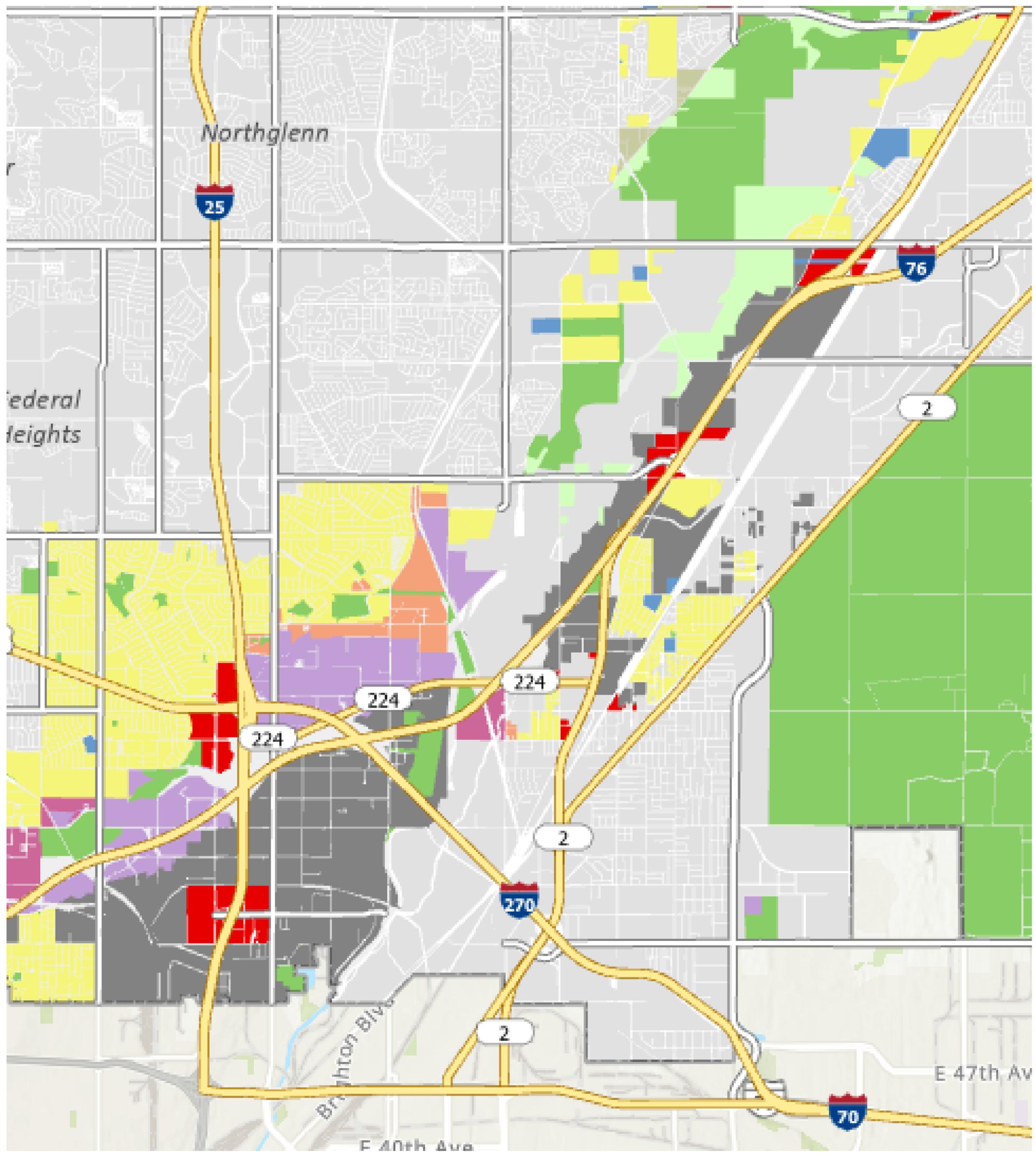
I would appreciate the opportunity to discuss at any time to assure our message is delivered in the appropriate manner, as letters can be a bit misconstrued. We are very happy with the plan and greatly appreciate you and your team's extensive and very hard work.

Sincerely,

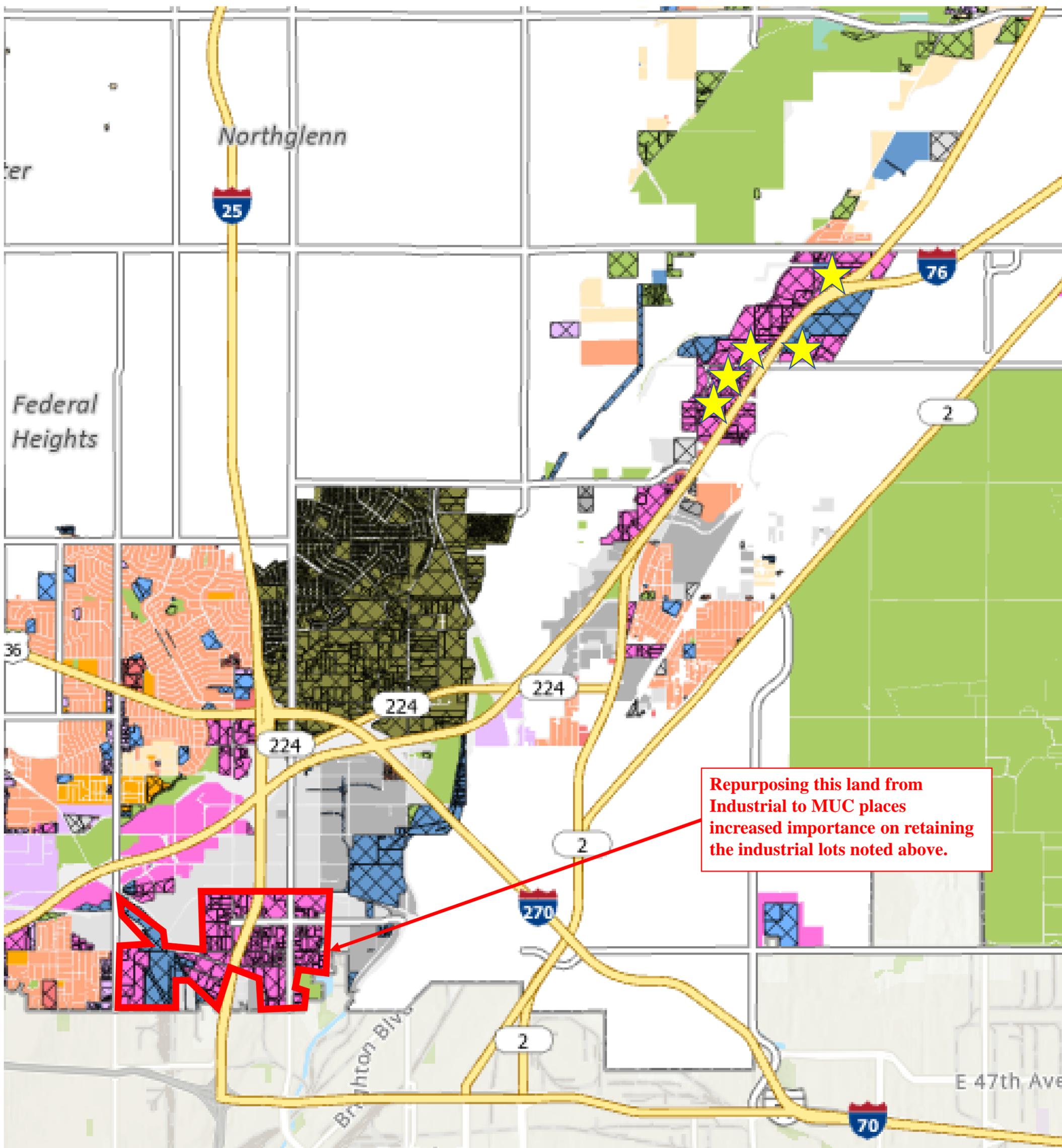
A handwritten signature in black ink, appearing to read 'J. Heiney', with a stylized flourish at the end.

Josh Heiney  
Managing Director  
Comunale Properties

# EXHIBIT A: 2012 COMPREHENSIVE PLAN – FUTURE LAND USES



# EXHIBIT B: PROPOSED 2022 COMPREHENSIVE PLAN – FUTURE LAND USES WITH OVERLAY OF COMUNALE’S PROPOSED INDUSTRIAL LOTS



★ = *Comunale's Proposed Industrial Lots*

May 26, 2022

**Via Electronic Mail to: jrutter@adcogov.org**

Jen Rutter  
Adams County  
4430 South Adams County Parkway  
Brighton, Colorado 80601

**Re: Adams County Draft Comp Plan**

Dear Jen,

Thank you for providing an opportunity to comment on the draft Comp Plan. We have two overarching comments that we ask the County to incorporate into the Comp Plan, as well as some more specific comments for consideration further below:

1. Ensure the comp plan acknowledges all existing conditions and clarifies a path forward when the comp plan vision or future land use conflicts with existing conditions that can't be changed.
2. Rather than preclude industrial in Mixed Use and preclude residential in Mixed Use Commercial, allow both uses in both designations, but adjust the language so Mixed Use leans residential and Mixed Use Commercial leans commercial.

Overall, we understand and support the goal of locating mixed-use density adjacent to rail stations. The challenge we have is that while the Comp Plan states: "a key component of the planning process is the evaluation of existing conditions," the plan itself, at least for the 2300, 2400, and 2860 W 60<sup>th</sup> Ave properties, doesn't recognize any existing conditions aside from the most recent condition, the rail.

For the properties that are 2300, 2400, and 2860 W 60<sup>th</sup> Ave. (Clear Creek Station Development, aka CCSD), located adjacent to the Clear Creek – Federal Station, the Comp Plan, in particular the Future Land Use Map, seems to ignore numerous existing conditions. The existing conditions that long pre-date the station, include:

1. being in a floodplain,
2. being in a natural resource conservation overlay,
3. being in a flammable gas overlay,
4. being a historic methane-producing landfill, and
5. being adjacent to a planned regional stormwater outfall upgrade that brings stormwater from south of the interstate and rail line all the way to Clear Creek.

Each of these conditions will have an impact on how and when the property can be redeveloped. If the goal is to facilitate development consistent with the Comp Plan, we feel it is important that the Plan recognize them and the potential implications for redevelopment. The Comp Plan as drafted doesn't prevent this site from developing, but does have implications and costs that may long delay that redevelopment. We would welcome a conversation with staff to talk through a few changes that could accelerate and enable rather than hinder that redevelopment.

- Future Land Use Map: Designates the CCSD property as Mixed Use
  - Lists the typical zone districts as C-0, C-1, C-2, R-3, R-4, MU, TOD; however, these properties are currently I2 and I3 which would otherwise map to Industrial High (INH) recognizing the current limitations of the environmental condition of the land.
  - FLUM proposed designation of MU does not allow any industrial usage

- Consider a more robust mixed use Commercial District
    - We believe there are industrial developments that could be consistent with the County’s goals for the TOD site (e.g., as an employment center, etc.) even in a mixed use setting.
    - One solution would be to designate the CCSD property Mixed Use Commercial; however, that designation would prohibit residential development, which could be viable on the property if either public financing or market conditions allow for it.
    - We recommend the County consider having the MUC designation include all of the uses in Mixed Use and add the additional more intense commercial uses. This would be consistent with other Metro Denver jurisdictions which have MU Residential and MU Commercial districts that emphasize one or the other without prohibiting either.
  - Consider a path to allow a single use when consistent with other portions of the Comp Plan or existing realities.
    - For example, a single user retail user or employment center may be a favorable outcome for this site and the County.
  
- Page 8 and 12: References a Phase 1 Existing Conditions and Opportunities Report to be included in an Appendix and states: “A key component of the planning process is the evaluation of existing conditions,”
  - The Phase I Existing Conditions Report doesn’t appear to be available - will it be shared for comment ahead of finalizing the Comp Plan?
  - Shouldn’t the Comp Plan include the existing maps and overlays the County has related to various existing conditions?
- Page 13: “While the plan is visionary and aspirational, it is grounded by capacity, fiscal considerations, conceptual feasibility, scope of a comprehensive plan, and statutory authority, amongst other considerations.”
  - As discussed above, sites such as ours with significant expensive and legal hurdles to residential and retail development are by definition fiscally challenged.
  - Acknowledging those challenges and allowing for more intense commercial uses that take into account the fiscal constraints seems consistent with the stated objectives here.
- Page 25, COH 1.1: “Adams County’s policy is to promote smart growth that concentrates higher residential densities in areas served by transit and with access to employment, education, and amenities, while limiting residential growth in areas of significant agricultural value or with environmental sensitivity.”
  - CCSD site is adjacent to transit, but it also has environmental and geotechnical challenges and sensitivities.
  - We believe the document should acknowledge in statements like this that the two objectives can be in conflict with each other and when they are, the County will take a pragmatic approach to ensure development consistent with the Plan objectives. I.e. given the choice between a TOD site without residential development and a vacant undeveloped TOD site, the county may opt for an employment center as a rationale to ensure development period.
- Page 28, COH 5.1.01: “Establish transitions in land use between residential and industrial areas to reduce exposure to air and noise pollutants”
  - CCSD site is adjacent to RTD and interstate highway, as well as adjacent to heavy industrial uses of asphalt reprocessing and numerous automotive facilities.
  - This makes it a natural fit for transitioning and potentially higher intensity commercial uses.

- Page 49, BEC 1.2.03: “Explore criteria for siting new industrial uses to mitigate the social and environmental impacts and avoid worsening historical inequities.”
  - Siting industrial (Industrial Light or Industrial Medium) at CCSD could be an opportunity to turn a site with long-standing environmental impacts into a tax-producing, job-creating benefit to the County without displacing residential or ag land, however, the FLUM as drafted precludes this. It could also be a welcomed opportunity to provide jobs immediately adjacent to transit, which is rarely seen.
  - Reference below to Strategy CSP 2.5
- Page 88, Strategy CSP 2.2: “Encourage, educate, and coordinate with property owners and stakeholders on remediation process for contaminated brownfield sites to expand development potential to realize county goals. Continue the ongoing work to understand and address brownfields along this corridor to ensure developers have a full picture of the mitigation measures needed to build on a brownfield, particularly historic landfills.”
  - We agree with this statement and would like it if the document included references to the County’s map of known brownfield sites and called out properties affected by it as candidates for this type of intervention and coordination when considering development proposals and/or rezonings consistent with the Plan.
  - For example, on a brownfield site adjacent to a transit station, as single office, retail, or light industrial building may be the most economically feasible way to achieve the larger transit objective, even if it doesn't allow for a true mix of uses.
- Page 89, Strategy CSP 2.5: “Encourage clean, light, and employee based industrial uses on industrial zoned properties to reduce environmental impacts and ensure compatibility with future development of the station area.”
  - Encouraging the development of clean modern job creating industrial development (such as the TruStile on 71st) is not compatible with station area development, and we ask the County to include it as a possible future land use for the CCSD property.

Sincerely,

CCSD Team  
Sarah, Cameron, Alex, Jon, & Ken

cc: Jenni Grafton: [jgrafton@adcogov.org](mailto:jgrafton@adcogov.org)  
Ryan Nalty: [rnalty@adcogov.org](mailto:rnalty@adcogov.org)  
Sarah Lavery: [sarah@efgdenver.com](mailto:sarah@efgdenver.com)  
Cameron Bertron: [cameron@efgdenver.com](mailto:cameron@efgdenver.com)  
Alex Moskovitz: [alex@armos.com](mailto:alex@armos.com)  
Jon Arnold: [jon@armos.com](mailto:jon@armos.com)  
Ken Arnold: [ken@armos.com](mailto:ken@armos.com)

## Jen Rutter

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**From:** James <gibsonjames56@gmail.com>  
**Sent:** Thursday, June 9, 2022 1:37 AM  
**To:** Jen Rutter  
**Subject:** Adams County Proposed Comprehensive Plan Amendment

You don't often get email from gibsonjames56@gmail.com. [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Dear Jen Rutter,

I'm very concerned about the proposed changes by Adams County.

I'm the owner of an I-2 property located at 10201 Brighton Rd, Henderson, Colorado.

I'm 70 years of age, my wife has continuing health problems resulting from Covid-19, and the rental income I receive from the I-2 property is my retirement income.

My tenants are all extremely hard working conscientious people with small family owned businesses performing essential services.

I'm also concerned about how any plan amendments would affect my property value, or if my investing in improvements could affect my property rights.

Thank you.

Best regards,

James Gibson  
Ft Gibson LLC  
520.400.5654

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Sent from Gmail Mobile



May 31, 2022

Adams County Commissioners  
4430 South Adams County Parkway  
Brighton, CO 80601

Dear Adams County Commissioners,

Thank you for the opportunity to comment on your proposed Comprehensive Plan.

By way of introduction, I am the CEO of Hutchison Inc. a third-generation family-owned business proudly entering its 70<sup>th</sup> year of business. We serve farm and ranch suppliers, as well as lumber yards. Since 1974, Commerce City has been home to corporate headquarters for the company. Over the years, the Hutchison family has expanded their business operations in Commerce City and currently employs 50 at the 28-acre site that houses corporate functions, a manufacturing plant, distribution center, and fleet maintenance facility.

In attempting to review your plan we are having trouble opening and using the interactive maps in connection with the Comprehensive Plan and therefore, we cannot identify by map the proposed plan for each property, more specifically the Hutchison property.

In addition, we are having trouble understanding the rezoning of all properties in Adams County and the effect that will have on property owners, in particular industrial property owners, in Adams County and the use of their properties.

Because of the rezoning, we are not clear on the effect the new rules will have on our business and our ability to continue to operate our business at its current location.

Please let us know if a revised proposed Comprehensive Plan becomes available for public review which has access to maps and further information on rezoning.

Thank you,

A handwritten signature in black ink that reads "Blake Hutchison".

Blake Hutchison

Chief Executive Officer Hutchison, Inc.

**Colorado Offices**

7480 Highway 85, P.O. Box 1158 • Adams City, Colorado 80022-0158  
Telephone: (303) 287-2826 • FAX: (303) 287-1075

**Iowa Offices**

940 E. Main Street, P.O. Box 358 • Manchester, Iowa 52057-1623  
Telephone: (563) 927-3820 • FAX: (563) 927-6723



[hutchison-inc.com](http://hutchison-inc.com)

## Jen Rutter

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**From:** Christine M. Francescani <CFrancescani@fwlaw.com>  
**Sent:** Tuesday, May 31, 2022 7:43 PM  
**To:** Jen Rutter  
**Subject:** RE: Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

Please be cautious: This email was sent from outside Adams County

Hi Jen,

Thank you for the opportunity to comment on the proposed comprehensive plan amendments. We are working with IPOC on a review of the proposed amendments, and while we do not have comments at this time, we do plan to participate in the amendment and public hearing process on IPOC's behalf.

Best,  
Christine



**Christine M. Francescani**  
Of Counsel  
303-894-4435  
CFrancescani@fwlaw.com | fwlaw.com  
1801 California Street, Suite 2600  
Denver, CO 80202-2645



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**From:** Jen Rutter <JRutter@adcogov.org>  
**Sent:** Friday, May 6, 2022 4:34 PM  
**To:** Jen Rutter <JRutter@adcogov.org>  
**Subject:** Request for Comments - Adams County Comprehensive Plan (PLN2022-00007)

Good afternoon,

Attached is the request for comments for the draft Comprehensive Plan – Advancing Adams (Case #**PLN2022-00007**). The draft Plan and draft Future Land Use Map can be found at [www.AdvancingAdams.org](http://www.AdvancingAdams.org). You can also view the request for comments at <http://www.adcogov.org/planning/currentcases>.

We have entered the last public outreach phase for Advancing Adams. There will be several outreach events in various parts of the County, a virtual event, and are welcoming comments through the [online Comment Map](#). I have attached a flyer with information about upcoming Open Houses.

Comments on the draft Plan and Map are due by **Tuesday, May 31, 2022**. Please send your comments and questions to me at [jrutter@adcogov.org](mailto:jrutter@adcogov.org). Thanks in advance for your review of this case.

Thank you,  
Jen



**Jen Rutter, AICP**

Planning & Development Manager, *Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 South Adams County Parkway, 1st Floor, Suite W2000A

Brighton, CO 80601

o: 720.523.6841 | [jrutter@adcogov.org](mailto:jrutter@adcogov.org)

[www.adcogov.org](http://www.adcogov.org)

*County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m.*



FOSTER GRAHAM MILSTEIN & CALISHER, LLP  
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6<sup>th</sup> Floor Denver, CO 80209  
T 303-333-9810 F 303-333-9786

DENVER – BOULDER  
fostergraham.com

March 31, 2022

***Via Electronic Mail to:*** [lbajelan@adcogov.org](mailto:lbajelan@adcogov.org)

Layla Bajelan, Senior Long Range Planner  
Community & Economic Development  
Adams County Government Center  
4430 South Adams County Parkway  
Brighton, CO 80601

***Re: Adams County Comprehensive Plan Update***

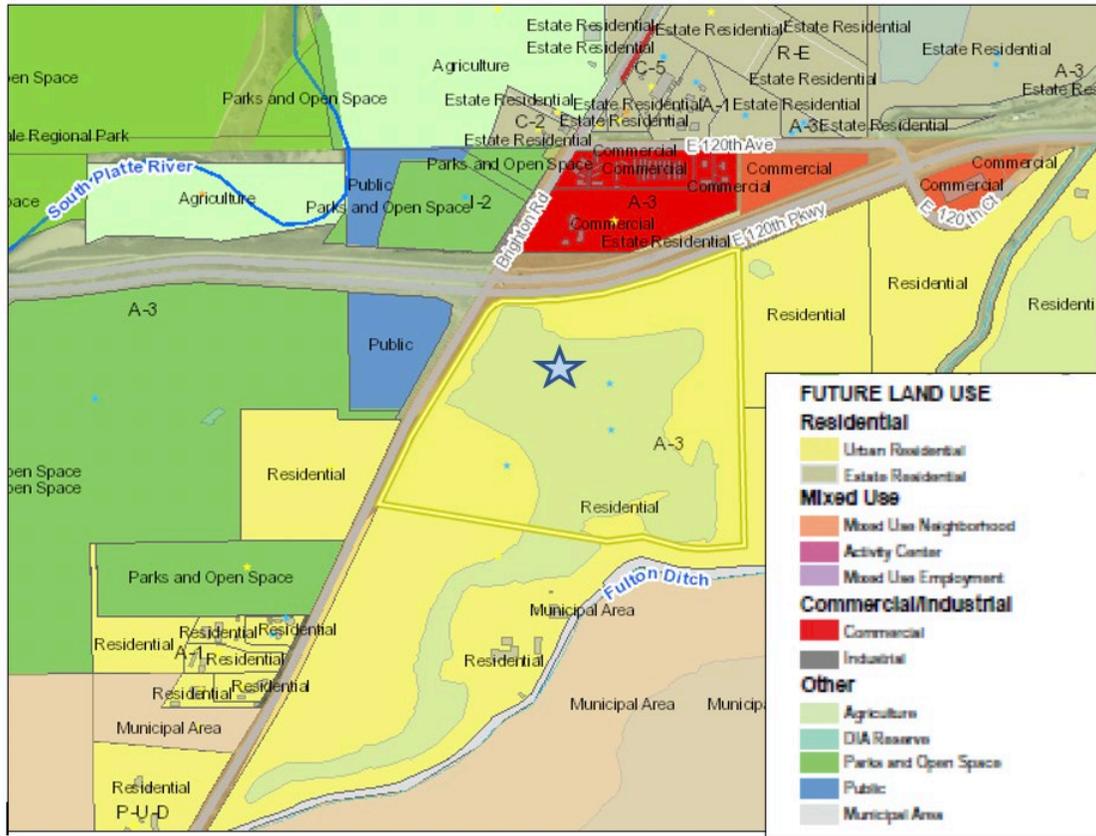
Dear Ms. Bajelan:

Foster Graham Milstein, & Calisher, LLP (“FGMC”) represents Mann Lake Holdings, LLC (“Mann Lake Holdings”) for certain real property generally located at the southeast corner of 120<sup>th</sup> Avenue and Brighton Road in Adams County, Colorado, addressed at 11910 Brighton Road (the “Property”). The Property is subject to the Adams County Development Standards and Regulations (the “Code”) and is located within the A-3 Zone District. Under the Code, the A-3 Zone District primarily allows traditional agricultural uses such as dryland or irrigated farming and one single-family residential home. Mann Lake Holdings is currently exploring several opportunities to develop the Property for a variety of flexible mixed uses which may require a rezoning of the property. Pursuant to the Code, rezoning requests must be consistent with the adopted County Comprehensive Plan (the “Plan”), which provides guidance for the criteria applicable to a property’s land use designation under the Plan’s Future Land Use categories.<sup>1</sup>

The Property is identified within the Plan’s map by the blue star on the following page.

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<sup>1</sup> Code § 2-02-15-06-02(1).



Pursuant to the Plan’s map, the Property is currently designated Urban Residential which is described as an area for single or multiple family housing, typically at urban densities of dwelling per acre or greater.<sup>2</sup> FGMC and Mann Lake Holdings understands that Adams County is currently in the process of updating the Plan such that there is potential that the Property’s Future Land Use category may change. This letter expresses Mann Lake Holdings’ position that Adams County should give positive consideration of changing the Future Land Use category of the Property to allow a variety of more flexible uses that better complement the surrounding area.

### **I. Adams County Comprehensive Plan Update**

In 2021, Adams County began the process of updating the County Comprehensive Plan with an anticipated adoption in December of 2021.<sup>3</sup> However, a December 2021 adoption did not occur and the County is still proactively considering what changes should be adopted for the Plan. On March 10, 2021, the County completed the first phase of the updating process called the Advancing Adams Comprehensive Plan Existing Conditions and Opportunities Report (the

<sup>2</sup> Adams County Comprehensive Plan, 2012, p. 97

<sup>3</sup> Advancing Adams Project Web Site, <https://www.adcogov.org/advancing-adams>

“Report”).<sup>4</sup> The Report identified and analyzed five strategic corridors of the County, to include the segment of 120<sup>th</sup> Ave. where the Property is located. The corridor functions as a transition from east to west in the County for those traveling to and from Denver International Airport. This segment of 120<sup>th</sup> Ave. is also adjacent to the Riverdale Regional Park and the Riverdale Animal Shelter. The 2018 Riverdale Regional Park Master plan identified exciting opportunities to further establish this area as a destination for nature and culture. The Report’s Existing Conditions and Analysis of this corridor identified the corridor’s importance as an intersection between municipalities: Thornton to the West and Commerce City and Brighton to the east.<sup>5</sup> Importantly, the Report provided that a key opportunity for this corridor is the fostering of partnerships with adjacent municipalities “to determine a common vision for the roadway, improve pedestrian and bicycle connections to Riverdale Regional Park and facilitate coordinated implementation.” This is important in handling the anticipated increased traffic in the area with the closure of the East 124<sup>th</sup> Avenue access to highway U.S. 85. Overall, the Report identifies this corridor as being an area for unique opportunities in wayfinding, character and image.

## **II. Change to Allow More Flexible Use**

Given, the importance of the corridor where the Property is located as a connection to adjacent municipalities and its identified ability to handle unique opportunities, it is best that the Property’s future land use designation reflect the County’s analysis of the area and therefore change from Urban Residential. Under the current Plan, the Urban Residential land use designation requires (1) adequate urban services and transportation facilities; (2) central water and sewer services; and (3) avoidance of incompatible uses in residential neighborhoods.<sup>6</sup> However, currently there is a lack of water and sewer services available to serve the Property, as well as the potential for conflicts that new residential development might create with adjacent properties and the potential for nearby oil and gas surface development. These conditions support changing the County Comprehensive Plan designation for the Property to allow more flexible uses in light of the existing and projects conditions of the surrounding area.

The Report identifies seven types of land use frameworks going forward in the City which include Natural, Rural, Suburban, Urban Edge, Urban Activity Center, Campus Districts, and Industrial.<sup>7</sup> Based on the characteristics of the Campus District, displayed in the image below, this framework best matches the Property and the surrounding corridor in which it is located.<sup>8</sup>

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<sup>4</sup> Advancing Adams Project Web Site, <https://www.adcogov.org/sites/default/files/Comprehensive-Plan-90-percent-draft.pdf>

<sup>5</sup> Report, p. 157 (2021).

<sup>6</sup> Adams County Comprehensive Plan, 2012, p. 101

<sup>7</sup> Report, p. 165 (2021).

<sup>8</sup> Report, p. 165 (2021).

<b>CAMPUS DISTRICTS</b>	
<b>DESCRIPTION</b>	Areas that serve a specific purpose, usually highly specific based on uses that could range from institutions to creative districts.
<b>LAND USES</b>	<ul style="list-style-type: none"> <li>» Residential High</li> <li>» Residential Medium</li> <li>» Commercial</li> <li>» Institutional</li> <li>» Activity Center</li> <li>» Mixed Use</li> <li>» Industrial High</li> <li>» Industrial Low</li> <li>» Parks and Open Space</li> </ul>
<b>DEVELOPMENT PATTERN</b>	Block patterns, building form, and building scale vary based on the specific use. Some campus districts will present in the form of a campus and others may appear more like an Urban Activity Center pattern.
<b>PARKS, OPEN SPACE AND TRAILS</b>	<ul style="list-style-type: none"> <li>» Open space</li> <li>» Parks</li> <li>» Trail Connections</li> </ul>
<b>MOBILITY</b>	The transportation network varies by district, typically responding to specific conditions due to land use, built form and surrounding context.

As discussed above, the corridor where the Property is located has been identified as an area suitable for unique development opportunities that further implement the vision for 120<sup>th</sup> Ave. as a regional destination for events, culture, and connections to nature. Given the Report’s references to unique opportunities and the importance of connecting to adjacent municipalities, the corridor must have the flexibility of allowing different types of land uses for development within the area. As seen above, the Campus District allows uses from residential to mixed use to industrial. This allowance of different land use types within the corridor will help the corridor better respond and complement any potential nearby developments in adjacent municipalities therefore maintaining a connection and building a cohesive vision. As Adams County is still in the process of updating the Plan, these frameworks may change. Nevertheless, to acknowledge the existing conditions of the Property and its surrounding area and to support the development of unique opportunities, it is best that the Property’s future land use designation shift to allow more flexible uses like those proposed in the Campus District framework.

### **III. Conclusion**

For the foregoing reasons, Mann Lake Holdings respectfully requests that Adams County, as it proceeds with its plans to update the County Comprehensive Plan, give positive consideration to changing the current designated future land use category of the Property. As discussed above, such change will be more consistent with the opportunities identified in the Advancing Adams Comprehensive Plan Report and allow for better more coordinated land uses along the 120th Ave. corridor. If you would like to discuss the contents of this letter further, please don't hesitate to reach out.

Sincerely,

FOSTER, GRAHAM, MILSTEIN & CALISHER LLP

A handwritten signature in black ink, appearing to read "David Wm. Foster". The signature is fluid and cursive, with the first name "David" being the most prominent.

David Wm. Foster

## Advancing Adams Comprehensive Plan Review

May 31, 2021

Mark Molen  
Molen & Associates  
2090 E 104<sup>th</sup> Ave #101  
Thornton, CO 80233

- **Overlay Zone – The Flammable Gas Overlay Zone District** was created for the purpose of establishing appropriate uses that can deal with the difficulties associated with the danger of explosive gases and land subsidence. It is more appropriate for all the properties in the FGO zone district to be zoned industrial. Industrial properties in the FGO can be used for truck parking and outside storage where land subsidence occur, and the explosive hazard can be better managed. According to a 2014 study by EPA titled *Closed Waste Sites as Community Assets: A Guide for Municipalities, Landfill Owners, and Regulators*, nearly all the successful utilizations are parks, golf courses, solar farms, or industrial reuse areas. They all make good use of property that will experience land subsidence and potential explosive hazard conditions. Personal experiences from assisting with redevelopment on former landfills has shown that design and construction is very challenging both for the developer and the regulators. Explosions have occurred within the past 20 years and differential settlement from subsidence can be seen at nearly every location. No matter what is built on the landfill dealing with the differential settlement and flammable gas is a significant concern.
- **Development on Former Landfills –** In the Denver Metro area redevelopment on a landfill has been challenging. Degradation of waste in the landfill is minimal due to the lack of moisture in the landfilled materials. The City of Denver has built a solar farm on old, landfilled property. The old County Line Road landfill in Douglas County has been utilized with outdoor athletic fields. In other cases, like the new Mile High Stadium and the River Point in Sheridan, solid waste was removed or moved so that structures could be built. It is difficult and often cost prohibitive to remove the waste. The residences at Lowery have had to deal with this and the waste pits remain and are separated from the development. Residential uses in the areas of the FGO should be prohibited. Industrial, preferably heavy industrial uses should be encouraged. Experience has shown that residences near the Berkley Village landfill has made it impossible for homeowners to remodel their homes due to the extensive regulations associated with the FGO.
- Changing any of the FGO to zoning that is not entirely industrial is a mistake and should be reconsidered. The areas specifically outlined in the FGO (3-40-02) should be industrial and not changed to Mixed Use Commercial. The industrial use in these areas is appropriate with the settlement of the land and the explosion hazards.
- **Pecos Street Transit Station –** Far too much of the area laid out for this Corridor is not suitable for the development discussed in the Comprehensive Plan. Nearly 50% of the corridor area is in the FGO district. Consider extending a transition from the transit station to the Midtown development area by means of a transit transfer to local buses, share cars or bike paths. The industrial nature of this area is historic and should remain that way. Create a pathway that is pedestrian and bike friendly that goes underneath 62<sup>nd</sup> Parkway and either along the south side of I-76 crossing beneath the freeway at the Huron Street bridge and install a pedestrian bridge

across Clear Creek to the east end of the Midtown development. Leave the industry in its place and give the transit passengers a way to get to a neighborhood friendly zone. Create another pedestrian path to the park at 64<sup>th</sup> and Vallejo Street extending on to the west side of the Midtown development. The idea of residential and vibrant pedestrian areas around the Pecos Transit Station is far too grandiose and should be reconsidered.

- Federal Boulevard Transit Station – This area is like the Pecos Transit Station and should be reconsidered. About one-quarter or more of this area is in the FGO. The corridor should be limited to Federal Blvd between 56<sup>th</sup> Avenue and 62<sup>nd</sup> Avenue, and only include a widened pedestrian path. The path would connect the areas north of 62<sup>nd</sup> and Federal and South of 56<sup>th</sup> Avenue and not include the broad area along Clear Creek. Much of the area along Clear Creek has been landfilled and has the same concerns mentioned previously.
- Industrial property is increasingly more valuable. Industrial businesses are the ones that employ Adams County residents in four of the five three largest employment sectors in Adams County, Trade, Transportation, Utility and Construction sectors. Reducing the ability of the industrial property owners to expand or even remain in their locations is a mistake. This will eliminate local jobs and make it difficult for Adams County to support the community as it should.

Specific notices in the Plan are:

Page 22 Estimated number of housing units built by decade has the dates 2000 to 2019 which is actually two decades, not one like all of the others on the list.

Page 84 Figure 8-1 – the map shows the wrong placement of 104<sup>th</sup> Avenue and 120<sup>th</sup> Avenue.

Page 61 Figure 6-2 – the County and State growth rates, average pay by industry sector shows that the increases are all in government jobs and construction. Without a thriving economy this is unsustainable in these sectors. Think about it. Adams County needs to encourage industry to keep jobs and help them with better wages with tax incentives or tax breaks. Without the common man having a “good job” how can Adams County continue to have a strong tax base?

General comments:

I have been around long enough to know the former Planning Manager’s excitement for placing the first bicycle trail in Adams County. It wasn’t that long ago. Adams County has done well over the years, thanks in large part to the industries that have had a place to do business. I’ve been friends with many who have grown their businesses from less than 10 employees to several hundred, and none are in the technical or medical sectors. This is where Adams County has had a lot of success. We should celebrate those that have made Adams County what it is today and not penalize them by forcing them to change the land where their businesses have grown. The Advancing Adams Plan reflects the opposite of what we should expect from our local government.



Jessica Alizadeh  
(303) 894-4456  
jalizadeh@fwlaw.com

July 7, 2022

VIA EMAIL: JRUTTER@ADCOGOV.ORG

**Re: Utility Trailer Sales of Colorado, LLC – Comments Regarding the Proposed Comprehensive Plan Amendments**

Dear Ms. Hall:

This firm represents Utility Trailer Sales of Colorado, LLC (“Utility Trailer Sales”), located at 9200 Brighton Road. On behalf of Utility Trailer Sales, thank you for the opportunity to provide preliminary comments on the proposed Future Land Use Categories (“Amendments”) to the Adams County Comprehensive Plan (“ComPlan”). Our comments below pertain to both general concerns about the County’s proposed amendments and to Utility Trailer Sales’ property.

**I. General Concerns**

**A. General Effect of Proposed Amendments**

The County’s proposed ComPlan amendments appear to overlook the thoughtful and necessary location of industrial activities within the County. County land use regulations currently have many requirements for conformance with the ComPlan. Because of this, if the proposed amendments are approved, applications for things such as improvements to existing facilities and site plans, and to reconstruct in the event of a casualty, will become difficult and in some cases impossible for the County to approve, leading to a decrease in the actual percentage of industrial uses in the County and change to use-by-right zoning (County Development Standards and Regulations § 4-27-02).

The proposed Amendments include the reclassification of Industrial properties to three new subcategories of “Low,” “Medium,” and “High,” in addition to concentrations of I-2 and I-3 zoned property currently designated as “Industrial” in the ComPlan being proposed as “Mixed Use Commercial” and “Mixed Use.” The new Industrial Low category allows for “low impact industrial uses that primarily operate in buildings” (Future Land Use Categories page I). The new Mixed Use and Mixed Use Commercial categories allow for “commercial, office, multifamily

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residential, and institutional uses,” and for “land use for areas transitioning to industrial or heavy commercial developments where activities and operations are contained within buildings,” including “limited residential uses” (Future Land Use Categories page G and H). Mixed Use Commercial may be compatible with I-1 zoning, but Mixed Use is not compatible with any industrial zoning (Future Land Use Categories pp. G and H).

The uses envisioned for these categories run contrary to the zoning for many properties, and to long-established uses. For example, I-2 zoning allows for heavy industrial uses, including heavy construction contractors, along with light industrial uses, such as sheet metal shops and general building contractors, and light manufacturing or processing uses, such as machine shops, and moderate manufacturing and processing uses, such as cement manufacturing. I-3 zoning is intended for the heaviest of industrial uses and allows all of the uses allowed in I-2 in addition to uses such as asphalt and concrete production.

These uses are essential to the continued growth of Adams County. However, the County’s proposed ComPlan designations are not consistent with uses permitted in the zone districts they will effect. Ultimately, this unilateral downgrading by the County of long-time industrial properties will have the effect of limiting the ability of the County to grow and provide the necessary supplies and infrastructure that the addition of new residential and mixed-use development at an affordable cost requires, in addition to threatening the sustainability of established businesses.

## **B. Properties Designated for Residential Development**

Furthermore, some property designations deserve additional thought based on location and environmental contamination, as there are Mixed Use developments proposed on or adjacent to land that cannot legally be approved for residential development. In the County’s description of the proposed Mixed Use Commercial future land use, it acknowledges that “[l]imited residential uses may be acceptable in a vertical mixed-use setting if all environmental conditions and concerns have been remediated and land-use adjacencies are mitigated” (Future Land Use Categories page H). However, the County has not acknowledged that most of these sites currently contain viable businesses, many of which are industrial. While the ComPlan may be a “visioning” document, this immediate drive toward residential uses on many industrial properties is without basis, either by virtue of environmental issues or by other land use conflicts, and greatly undermines legally operating businesses, discussed in more detail below.

**C. Conformance with the Comprehensive Plan is Mandatory Under the Code, Which Functions as an Administrative Rezoning**

The County's proposed Amendments are problematic on their own, but also particularly in view of the mandatory nature of the ComPlan in Adams County. The County's Development Standards and Regulations ("Code") define the Comprehensive Plan as, "a plan adopted by the County or a municipality within the County that **guides** land use, growth, and development decisions" (Code § 6-02-17). Emphasis added. However, because the Code explicitly requires conformance with the ComPlan in over a dozen express provisions, the ComPlan is not advisory, but decisively regulatory. Thus, the County's intent of meeting its vision "incrementally through rezoning and public and private investments," will instead result in abrupt changes for some property owners, prohibit future improvements to their businesses, and force county staff and the Board of County Commissioners to shut down conforming businesses upon the expiration of certain permits whether or not they desire to do so (Future Land Use Categories p. D).

The Code provisions that explicitly require conformity with the ComPlan include those for certificates of designation, urban renewal plans, major and minor subdivisions, recycling facilities, and any extension of time to obtain a building permit pursuant to a conditional use permit, in addition to approvals that more naturally incorporate the ComPlan, such as ODPs, PDPs, FDPs, and PUDs (Code §§ 2-02-04-06, 2-02-10-06-01, 2-02-19-01, 2-02-19-02-05, 2-02-09-07-03, 2-02-19-03-05, 2-02-20-02-05, and 2-02-09-10). The Code additionally allows the discretion to require conformity with the ComPlan for all site-specific development plans, administrative review permits, conditional use permits, inert fill permits, and all land use approvals generally (Code §§ 1-07-03, 2-02-02-04, 2-02-09-05, 2-02-12-05:9., 4-04-02-02, 4-05-02-07, 1-01-09-01, and 1-08-02).

**D. The County Intends to Make Conformance with the Comprehensive Plan a Requirement for Site-Specific Development Plans**

In November 2021, the BOCC listened to its constituents and tabled pending Code amendments to alter the applicable provisions for I-1, I-2, and I-3 properties. However, in case number PLN2021-00012, staff forwarded for approval to the BOCC language that further incorporated the requirement of ComPlan conformity into approvals for site-specific development plans. The language read "[t]he use and site plan are in general conformity with the Adams County Comprehensive Plan," and was proposed to be added to provisions for administrative review

permits, conditional use permits, special use permits, and temporary use permits (Code §§ 2-02-02-05, 2-02-04-06, 2-02-09-06, 2-02-012-06, and 2-02-13-05).

Under this proposal, anyone who was entitled to apply for these permits based on their zoning would have to be denied approval when the use was not consistent with the future land use designation imposed by the County in the ComPlan, even if the requested use was consistent with the zoning. This language was ultimately removed for reintroduction at a later time, but the County's proposed Amendments, which would drastically change the future land use for many industrial properties, would move the County substantially back in this direction. Furthermore, as the Code does in fact already contain provisions that allow the County to include conformity with the ComPlan as a condition for *any* land use approval (§§ 1-01-09-01 and 1-08-02), amendments that strip away industrial future land uses would, at a minimum, thwart any future improvement to properties whose future land use designations have changed, and lead ultimately to extinguishment of property rights, destabilization of investment in properties in the County, and the shutdown of businesses.

#### **E. Requirement to Conform to the Comprehensive Plan May Limit and Eliminate Uses by Right Without Basic Notice Requirements**

The County's proposed Amendments significantly impact individual properties, but the County is not required to give notice to individuals. Code § 2-02-15 lists the processes for rezoning and for amending the Code and ComPlan. For all three, neighborhood meetings are optional, "unless the Director . . . determines the development proposal could have significant neighborhood impacts" (Code § 2-02-15-05:2). All three actions require a public hearing before the Planning Commission ("PC") and Board of County Commissioners ("BOCC") (Code § 2-02-15-05:7). For Code text amendments, notice goes only in the official county newspaper, and written notice and posting are not required (Code § 2-02-15-05:6.a.). For rezonings, publication, posting, and written notice are required (Code § 2-02-15-05:6.b.). For ComPlan amendments, the code does not set out the type of notice required, and though the County may believe it has done substantial outreach for such amendments, it has become extraordinarily apparent in recent months that it is still not reaching all of the people it needs to.

By way of example, the proposed Amendments change the County's future land use plan to ultimately prohibit many industrial uses. When any site redevelopment or changes are needed, the requirement of conformance with the ComPlan, which makes the future land use designation into a regulatory provision, will prohibit the continuation of the established industrial use. But

the Code does not require that the County notify affected property owners. Even the requirement for a neighborhood meeting is at the discretion of the Planning Director. Meaning, staff could amend a future land use plan, hold no neighborhood meeting, and provide no notice other than a standard publication of the PC and BOCC meeting, and a future land use plan could be adopted upon a vote of the PC and BOCC. Then, when various industrial businesses seek to renew permits or improve their sites (which is essential to their continued operations and the basis of their investment-backed expectations), they would be denied because their use did not conform to the ComPlan.

#### **F. Proposed Amendments and Comprehensive Plan Incorporation into Code Remove the Element of Choice and Flexibility for Commissioners**

An example of a negative consequence of incorporation of the ComPlan into the Code is the County's urban renewal regulations, which are one of the many Code provisions that are tied to conformity with the ComPlan. Such provisions are intended to assist the BOCC in supporting and greenlighting desirable development that will also serve to "renew" an area. However, because any urban renewal plan must be "consistent with the goals and policies of the Adams County Comprehensive Plan," the flexibility that the BOCC relies upon to support approval of attractive and needed development has been eroded (Code § 2-02-10-06-01:1.). Furthermore, as outlined above, the County has the discretion to require conformity with the ComPlan for site-specific development plan approvals, with the proposal to make conformity mandatory expected to return when the County resumes its regulation amendment process. In addition to the broad impact on site-specific development plans, if the ComPlan amendments as-proposed are passed, when a wide range of desirable opportunities that are now regularly approved come along, such opportunities will now be inconsistent with the future land use, meaning that the staff cannot recommend approval and the BOCC cannot approve. Finally, making amendments to the ComPlan without input from directly impacted property owners, and caution and thoughtfulness on the part of the County regarding the true limits and repercussions of such amendments for both property owners and County objectives, further restricts the BOCC's discretion to welcome projects the County wants and needs.

#### **II. Utility Trailer Sales Site-Specific Concerns**

Utility Trailer Sales, pictured below and located at 9200 Brighton Road, Henderson, CO 80640, was established in Commerce City until 2008, when the business moved to Adams County. The business contributes an important service in the Denver Metro area, as well as serving national

and local transportation needs for food, medical supplies, building materials, fuels, and refrigerated and dry freight goods by providing truck and trailer sales, rentals, and service. Utility Trailer Sales carries 2,662 different part numbers at a value of \$1.41 million, and relies significantly on their ability to utilize outdoor storage on their property for the sustainability of their business. Utility Trailer Sales is also listed through the Department of Homeland Security as a “critical supplier designee” because of its importance to national ground transportation support services, and operated as an essential business through pandemic stay at home orders.

The property is zoned I-2 with a current future land use designation of Industrial and is located adjacent to I-76, making it particularly appropriate for industrial and outdoor storage uses. Utility Trailer Sales’ operations are consistent with the current future land use designation, but the County’s proposed future land use of Mixed Use Commercial does not support the need for this type of business in the County, and does not support the use that was established on the site in 2008, at the County’s invitation. It is very concerning that, at a minimum, the County’s proposed designation of Mixed Use Commercial sends mixed messages.





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Furthermore, if the Board of County Commissioners approves the Mixed Use Commercial future land use designation for this site, Utility Trailer Sales may ultimately be unable to make site improvements that would support their continued operations. For example, inert fill operations are required for many types of site improvements and it is not unreasonable to assume that Utility Trailer Sales may need such a permit in the future. Permits for fill operations are by temporary or special use, and the Board of Adjustment, which denies or approves such permits, may again, “attach any conditions necessary to implement the Adams County Comprehensive Plan” (Code §§ 2-02-12-05:9., 4-04-02-02, and 4-05-02-07). With a future land use designation of Mixed Use Commercial, the Board of Adjustment would have the power to simply deny the request to be able to improve the site in the guise of implementing the ComPlan (Code § 2-02-12-05:9.). Even an application for a temporary use permit for construction site fencing could be denied by the Board of Adjustment for this reason (Code § 4-05-02-04).

The County has noted in its proposed ComPlan amendments that the typical zone districts for the Industrial Medium designation are I-1 and I-2 (Future Land Use Categories, page I). Utility Trailer Sales’ property is zoned I-2, which allows Utility Trailer Sales’ use by-right. In order to avoid extinguishment of property rights and destabilization of investment in properties in the County, and to ensure Utility Trailer Sales’ continued successful operations, the future land use for this property must support the established use and should be designated Industrial Medium at a minimum.

Accordingly, we ask that you reconsider the proposed ComPlan Amendments discussed above. I welcome to opportunity to discuss any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jessica Alizadeh', is written over a light blue horizontal line.

Jessica Alizadeh  
Fairfield and Woods, P.C.

## **Comprehensive Plan FAQ:**

### **Q: Why do a comprehensive plan?**

**A:** Colorado Revised Statutes require counties with a population greater than 100,000 people to adopt a comprehensive plan. It is best practice to amend and re-adopt the plan every 10 years to align with demographics, growth projections, and county policies.

### **Q: If I have a property zoned I-2 with a permitted business and the future land use is Mixed Use Commercial, what do?**

**A:** Compliance with a comprehensive plan is not a condition of approval for Conditional Use Permits under 2-02-09-06 of the DSR.

### **Q: What is the difference between zoning and future land-uses?**

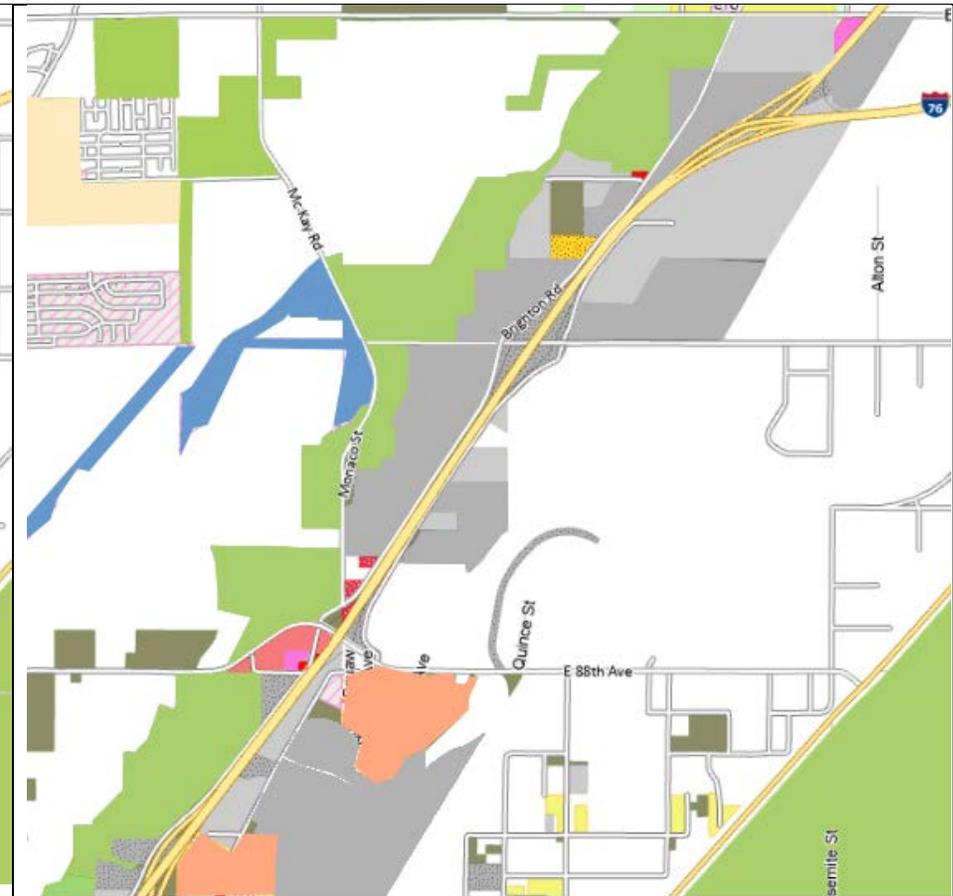
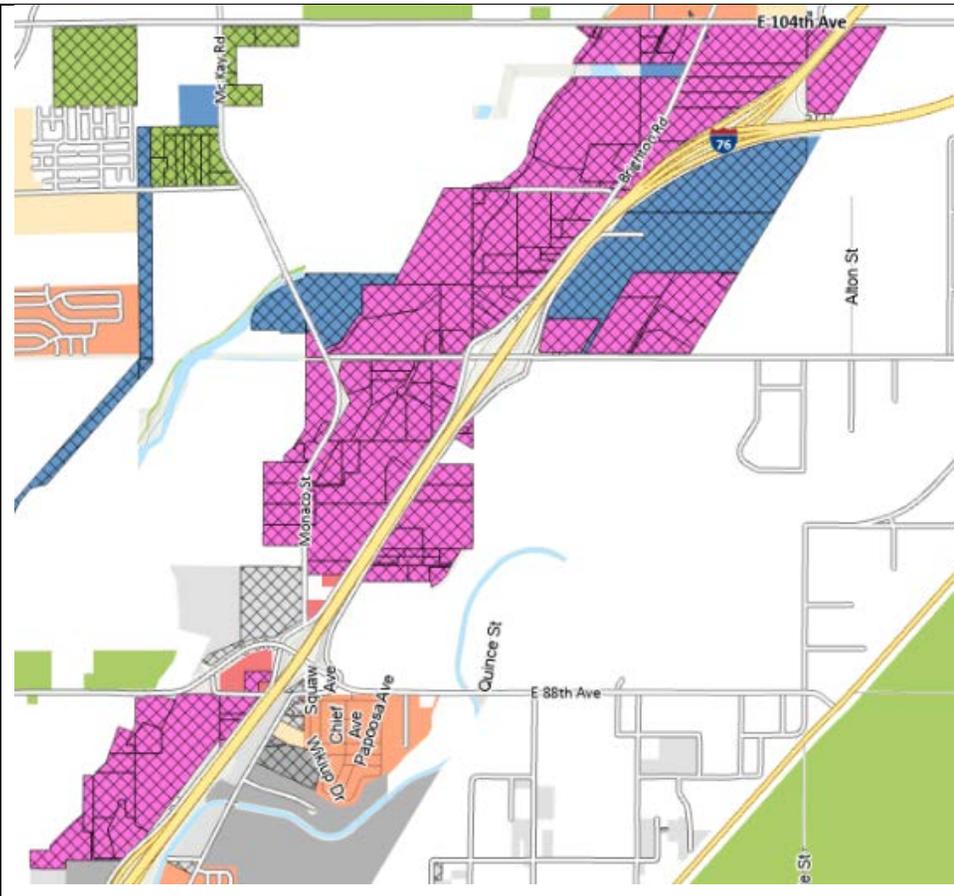
**A:** The future land use plan establishes the framework for how the county can sustain its existing population, infrastructure, and assets while accommodating the future growth and needs in the unincorporated portions of the county. The Future Land Use Map (FLUM) depicts the future land use categories in this chapter and designates their place in the county.

### **Q: How can a comprehensive plan be used as a regulatory tool?**

**A:** The Future Land Use Map is aspirational and does not change the regulatory zoning on a property. The plan may guide land-use decisions, but the vision is generally realized incrementally when property owners rezone. For instance, an industrially zoned property will remain such until the property owner rezones the property to match the vision set by the plan.

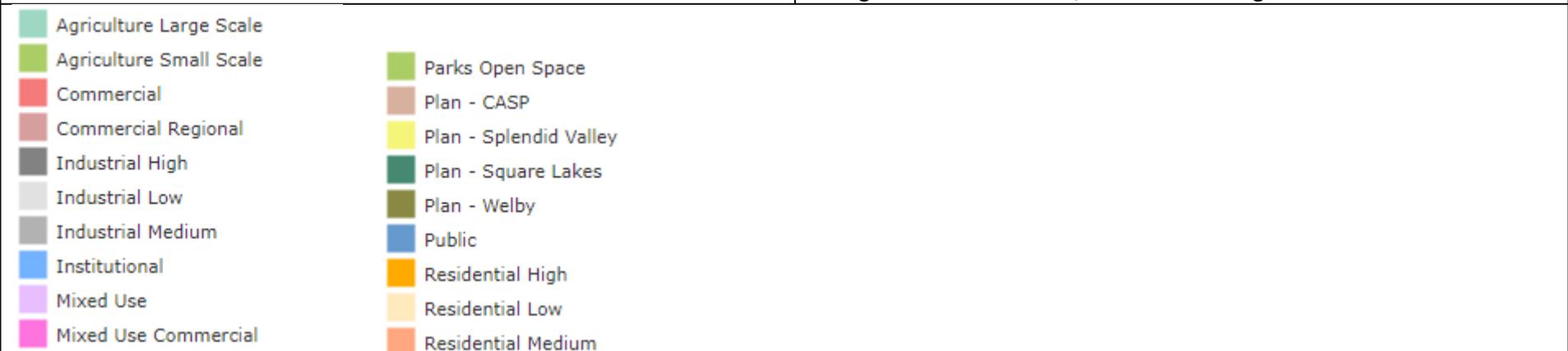
### **Q: What are next steps after adoption?**

**A:** Once the Comprehensive Plan is adopted by the Planning Commission and ratified by the Board of County Commissioners, it will become the official vision document for policy and development within unincorporated Adams County. With the new Comprehensive Plan providing a road map, staff will work on updating the County's Development Standards & Regulations, which were last overhauled in 2002, to ensure alignment with the new vision, while also streamlining processes and updating performance standards.



Draft FLUM

As recommended by Planning Commission to align with zoning I-1 changes to Industrial Low, I-2 and I-3 changes to Industrial Medium



ObjectID	Comment on the future land use	Name	Email	Suggest a future land use type	Staff Comments	General Location	Planning Commission Direction
3	Lat: 39.85351 Lon: -104.95896  This particular open space has become an unofficial homeless encampment with several RV's and even a make shift home made out of wood. It has recently become trashed and polluted.  I think a park would be perfect for this area as the nearest part in this subdivision is Rotella part. There are plenty of trees and vegetation, all that would be needed is the clean-up, pavement of walkways and installation of playground equipment.	Rolando Tello	xRolando.Tello@gmail.com	Parks Open Space	Comment noted.	Welby	General FYI
5	I am very concerned with the land use revision being considered. Outside storage is the lifeblood of our business. Our property is zoned I-2 The change in zoning regulations would condemn the use of the property and literally put us out of business.	ROXY VENDENA	rfvendegna@gmail.com	Industrial High	Comment noted. Future land uses in the Square Lake area are administered and potentially updated through the Square Lake Subarea Plan.	Square Lake	General FYI
6	As much open space as possible	Marc Volland	marcvolland71@gmail.com	Parks Open Space	Comment noted.	N/A	General FYI
10	This land just needs to stay I-2 like it has been for years. The mixed use development will just drive industrial business out. The area here are what have built Adams county.	David White	Dave@JFWtrucking.com	Industrial High	Comment noted. Future land uses in the Square Lake area are administered and potentially updated through the Square Lake Subarea Plan.	Square Lake	General FYI
11	i think the plan is well researched and thoughtful with a vision for the long-term future of Adams County.	tom green	tgreen@unitedpower.com		General comment noted	N/A	General FYI
15	Why do you bother pretending to care about what the citizens say or want. You do whatever the developers want regardless of any citizen comment.			Parks Open Space	Comment noted.	N/A	General FYI
19	Why are you not enforcing current zoning laws to go after bad actors instead of passing new laws which will hurt good actors. Why would business owners invest in there properties if it is contingent on conditional use permit?	Ryan Jones	rjones@imcotrailers.com	Industrial Medium	General comment noted. Future land uses in the Welby Subarea Plan are administered and potentially updated in that plan.	Welby	General FYI
20	Please no future schools in this area. Horrible aviation noise related issues. All of this blue hatched area. No schools please...	Andrea Christensen	achristensen2022@live.com	Mixed Use Commercial	The land use category of Public is intended for utilities rather than the Institutional category which may include schools and government buildings. The property is in the Public Category. Thank you for the comment.	Around DIA	General FYI
21	Adams County must stop its proposed redefining of outdoor storage on commercial property. To change the definition of outdoor storage would be to take away historic property rights from land owners. This is not the way to "clean up" Adams County. Use existing laws to punish bad actors do not punish all commercial property owners. Work with businesses because without them you will destroy Adams County.	Bill Paige	bp@uefinc.com	Commercial	Thank you for your comment. The county will review development regulations after the comprehensive plan.	N/A	General FYI
22	NUMEROUS YEARS OF INDUSTRIAL USE HISTORY IN THIS AREA. DEVELOPMENT OCCURRING OVER TIME OF VARYING INDUSTRIAL USES AND VERY LIMITED 1950'S RESIDENTIAL PROPERTY WITHIN. THIS AREA IS AN OLD LANDFILL WITH MOSTLY BRICK AND SAND CONTENTS. FUTURE USE SHOULD REMAIN INDUSTRIAL TO SUPPORT OTHER INDUSTRIES THROUGHOUT THE METRO AREA AND THE STATE.	DENNIS RICHEY	dennis@richeyinc.net	Industrial Medium	The current land use designation is Industrial Medium. No change to FLUM designation.	I-76 and E 78th	General FYI
24	This area should remain industrial. Surrounding area is mostly industrial. This land was designated Industrial many years ago. The previous use was a concrete landfill. The County and it's Commissioners should send invitations to their open houses and public meetings at least 1month in advance. Word can get out and people can make plans to attend. Dumping the notification on Friday late in the day and having the public meetings in 3 days is crap. This is how I would plan a meeting I hope nobody will show up for. (I believe intentional) This keeps happening , What's the rush?	Jeff Richey	jeffrichey119@protonmail.com	Industrial Medium	The current land use designation is Industrial Medium. The comment regarding public meetings will be forwarded to appropriate parties. No change to FLUM designation.	I-76 and E 78th	General FYI

25	I am the CEO of Hutchison Inc. a third-generation family-owned business proudly entering its 70th year of business. We serve farm and ranch suppliers. Since 1974, Commerce City has been home to corporate headquarters for the company. We currently employ 50 at the 28-acre site. In attempting to review your plan we are having trouble opening and using the interactive maps in connection with the Comprehensive Plan and therefore, we cannot identify by map the proposed plan for our properties. In addition, we are having trouble understanding the rezoning of all properties in Adams County and the effect that will have on property owners, in particular industrial property owners, in Adams County and the use of their properties to continue to operate our business at its current location. Please let us know if a revised proposed Comprehensive Plan becomes available for public review which has access to maps and further information on rezoning.	Blake Hutchison	bhutchison@hutchison-inc.com	Industrial Medium	Comment noted. Future land use category is currently Industrial Medium. No change.	Highway 2 and 224	General FYI
34	These new storage proposals would put us out of business. Please enforce current laws to deal with the bad actors. Why pass new laws when we can't enforce current ones. Also conditional Use permits will that are not permanent are of no use to any of us who have invested our money back in to our companies that provide services directly to Adams county and residents of Adams county.	Ryan Jones	rjones@imcotrailers.com	Industrial High	Comment noted. Staff does not support a designation of Industrial High. Location where comment is made is designated for commercial and currently zoned residential.	Cherry St and 74th	General FYI
44	See letter	Albert Frei & Sons			Properties incorrectly designated as Parks & Open Space. Staff to change designation to Residential Low in public hearing draft.	Brighton Blvd and C470	General FYI
1.1	This parcel 0172102123001 is within the Commerce City city limits. It should not be shown on the Future Land Use map.	City of Brighton			Technical correction made		General FYI
4.1	Parcels -156920000038, 156920000039, 0156920000015, 0156920000010, 0156920000011, and 0156920000012 are or will be Parks and Open Space for the City of Brighton.	City of Brighton		Parks Open Space	Properties are subject to the Splendid Valley District Plan. Future land uses are administered through that plan.	144th & Buckley Road	General FYI
5.1	Brighton objects to the change in designation from Local District Mixed Use to Agriculture for parcels 0157123000026, 0157124000015, 0157126000004, and 0157125200001. These properties are part of the gateway into the Historic Splendid Valley and Brighton and will be one of the first things travelers see past E-470 along Highway 85. These are large, very visible parcels. In addition, Second Creek runs through these lands and will eventually have a trail connection which would help connect the South Platte River Trail to the Historic Splendid Valley via the trailhead and Willow Bay property west of Brighton Road.	City of Brighton			Property is adjacent to the Splendid Valley District Plan but not within the plan boundary. Plan	136th & Brighton Road	General FYI
6.1	We are unclear as to why this property has been designated Institutional. This is a private residence. Please consider returning this to residential.	City of Brighton		Residential Low	Technical correction made		General FYI
7.1	We have current annexation applications that are not always consistent with this map. We should discuss.	Town of Bennett		Residential Medium	Comment noted. Annexation approved by Town of Bennett 7/12/2022. To be removed from AA FLUM.	Old Victory Road & Provost	General FYI
11.1	Public Institutional: DEN suggests making clear in the Plan that the airport overlay applies in the area, and that sensitive land uses, such as schools, should be prohibited in areas adjacent to DEN.	Denver International Airport		Public	Comment noted. The Public category is for utilities and does not envision schools.	Around DIA	General FYI
40	Dear Adams County planning department, I would like to suggest a future land use for this 152 acre property on County Road 4 to be made into a PUD with clustered residential or zoning to A1 with 2.5 acre lots for building houses. This property is less than 1 mile from high density residential sub divisions on 168th and Country Road 31.  Thank you for your consideration. Ravi Maroju	Ravi Maroju	ravimaroju@yahoo.com	Residential High	Comment noted. Property in Weld County.	Weld County	N/A
16	We are located on the west side of the Brighton Lateral Ditch which has a public walkway. We wish to continue to have public access to this area with the City of Brighton maintaining the ditch landscape.	David Thomas	realappdat@comcast.net	Residential Low	Area not in unincorporated Adams County and not subject to comprehensive plan. Email response sent.	N/A	N/A

17	I attempted to send a comment but the system would not allow me to do so.  The comment failed and disappeared.  Here is my second try at sending a comment This map is not particularly helpful without supporting documentation explaining the plan. No documentation was provided other than a map.  Please provide supporting information.	Melinda Mullett	Analyticsinformatix@gmail.com	Mixed Use	Area not in unincorporated Adams County and not subject to comprehensive plan. Email response sent.	N/A	N/A
18	I attempted to send a comment but the system would not allow me to do so.  The comment failed and disappeared.	Melinda Mullett	Analyticsinformatix@gmail.com	Mixed Use	Area not in unincorporated Adams County and not subject to comprehensive plan. Email response sent.	N/A	N/A
27	I have comments to submit. I don't know where I can email them.	Mark Molen	mark@molenandassociates.com	Commercial	General comment noted and email response sent.	N/A	N/A
38	Study leased farm lands' payments to the County to determine if these revenues can be a funding stream for ag education, infrastructure projects and services for regenerative ag and carbon sequestration conservation purposes. Identify and hire a land conservation consultant, e.g. Christine Quinlan, to evaluate land potential for ag and conservation outside Historic Splendid Valley parameters, especially east of I-76. Study and establish composting service policies and incentives for residential and commercial food waste become viable compost material and to keep food waste out of the landfills( reduce methane and other greenhouse gas emissions). --- [Response to staff comment] Thanks for your response. I was not sure how the difference is between small and large agriculture. If large agriculture fits zoning then I support that. My request is to keep agriculture lands from being divided and paved over for storage units, housing or warehouses.	Christy Dowling	necahs1@live.com	Agriculture Small Scale	Comment noted. Agriculture Large Scale aligns with existing A-3 zoning and desired minimum lot size of 35 acres.	North of DIA	No discussion
45	See letter	Albert Frei & Sons			Property is administered through the Splendid Valley District Plan.	Potomac & E 136th	No discussion
52	See letter	Fairfield & Woods		Industrial Medium	This property is administered through the Square Lake Sub-Area plan. No change is recommended at this time.	Square Lake	No discussion
28	Consider for Mixed Use (MU) designation to better reflect adjacent development patterns and plans; to *exclude* Industrial Uses at this location within the 64th Avenue mixed-use district.			Mixed Use	Comment noted. Staff recommends keeping Mixed Use Commercial designation.	64th & Picadilly	Not discussed yet
29	Consider for Mixed Use (MU) designation to better reflect City of Aurora comprehensive plan mixed-use commercial designation; to *exclude* Industrial Uses at this location.			Mixed Use	Comment noted. 2012 Imagine Adams designation was Industrial. Staff recommends keeping Industrial Low designation.	E 26th & Gun Club	Not discussed yet
39	Dear Adams County planning department, I would like to suggest a future land use for this 160 acer(4x40 parcels) property - 14625 Manilla Road to be made into a PUD with clustered residential or zoning to A1 with 2.5 acre lots for building housed. This property is across the Manilla road from the Cavanaugh Hills development which is zoned in the same way I beleive. Thank you for your consideration. Ravi Maroju	Ravi Maroju	ravimaroju@yahoo.com	Residential Medium	Comment noted. Staff does not recommend a change in designation at this time. The comment will be added to the public record and staff packet for Planning Commission consideration.	14625 Manilla Road	Not discussed yet
41	See letter	Albert Frei & Sons			Comment noted. Property was Activity Center in Imagine Adams Plan. Staff does not recommend a change from Mixed Use.	I-76 & Colorado Blvd	Not discussed yet
42	See attached	Albert Frei & Sons			Property was Activity Center in 2012 Imagine Adams plan. Staff does not recommend a change from Mixed Use.	I-76 & Colorado Blvd	Not discussed yet
43	See letter	Albert Frei & Sons			Property is designated for Industrial Low. Staff does not recommend a change.	62nd & Broadway	Not discussed yet
46	See letter	Brownstein Hyatt Farber Schreck, LLP		Industrial Medium	Staff does not recommend a change from Industrial Low to better transition from surrounding Mixed Use Commercial	62nd & Broadway	Not discussed yet

48	See letter	Brownstein Hyatt Farber Schreck, LLP		Industrial High	Staff does not recommend a designation of Industrial High as that category is a placeholder for uses like oil refineries. Staff recommends keeping the Industrial Medium designation.	5550 Franklin Street	Not discussed yet
51	See letter	Fairfield & Woods	jalizadeh@fwlaw.com	Industrial High	Staff does not recommend a designation of Industrial High as that is a placeholder category for uses like oil refineries. Staff recommends keeping the Industrial Low designation to better transition to adjacent Mixed Use Commercial.	62nd & Huron	Not discussed yet
3.1	An industrial designation on 0157136002001 look toward the future uses of this area and would be more appropriate as Mixed Use. The incorporated area east of here is potentially developing into a large sports complex that will host tournaments and be a travel-to destination. The Adams Crossing area to the east is proposed to be developed as a dense, mixed-use development with retail and residential uses.	City of Brighton		Mixed Use	Parcel changed to Mixed Use to match surrounding area	124th & Tucson	PC direct to change to Mixed Use
4	Agricultural uses are not viable at this location and residential uses are not likely due to the surrounding land uses and the location along a major, regional roadway and near a planned grade separated interchange at U.S. 85. The County's investment in the 120th Ave. corridor, the regional nature and high traffic volumes of 120th Ave., and the planned interchange at U.S. 85 and 120th make this property suitable for a broader range of uses. After having discussions with staff, we support the future land use designation of Mixed-Commercial at this location			Mixed Use Commercial	Comment noted. Parcel to be changed to Mixed Use per Planning Commission direction	120th & Brighton Road	PC directed to change to Mixed Use not Mixed Use Commercial
12.1	Southeast corner of 128th & ZUNI (parcel 0157333000001) should be designated Residential Medium rather than the proposed Residential Low	Westminster		Residential Medium	This property is a non-conforming A-3 property at 9.9 acres. The Westminster FLUM indicates Residential Medium is appropriate. Change will be made.	128th & Zuni	PC Directed to change to Residential Medium
2.1	This is an odd location for a park (0172102000021) in that it is immediately adjacent to a major arterial and surrounded by right-of-way on 3 sides.	City of Brighton		Residential Low	Changed to Commercial per PC input to match Imagine Adams FLUM	120th & Peoria	PC directed to commercial to match IA
14.1	Parcels along the west side of Lowell Blvd south of 68th Avenue ideally would be designated Agricultural Small Scale to align with Westminster's identified "Area to Remain Low Density/Agriculture", however if this is not possible then we would recommend the Residential Low designation (Parcels 0182506400002 through 0182506400005) in lieu of the Advancing Adams proposed Mixed Use designation	Westminster		Residential Low	The four properties in this area are currently zoned R-1-C. One is vacant while the other three have single family homes. One property with a dwelling unit is 0.95 acres while the other three are less than 0.5 acres and do not meet the lot size as indicated in the Residential Low or Agriculture Small category. Given that these properties are within the 1/2 mile radius of the Westminster light rail station, staff recommends maintaining the Mixed Use category. Otherwise, a reclassification too Residential Medium might be appropriate given the R-1-C current zoning.	68th & Federal	PC directed to keep as Mixed Use
23	Many of Brannan Sand and Gravel's properties are located in I-2 and I-3 zoning currently, and are surrounded by compatible land uses, in heavy industrial areas. All of our properties in I-2 and I-3 are listed as Industrial Low, Mixed Use, Square Lakes or Welby subarea plan in the proposed Comprehensive Plan. These changes in zoning are incompatible with current uses and will affect our properties very strongly. Nearly all of the industrial areas are zoned to a much lower category in the Comprehensive Plan. Industrial and construction properties are often not looked at positively, but are very important and necessary for Adams County, the Denver Metro, the Front Range and the entire state.	Joshua Oliver	joliver@brannan1.com	Industrial Low	Comment noted. Staff does not recommend a change from Industrial Low. Industrial Low designation establishes a better transition to the adjacent Mixed Use Commercial envisioned for the area.	56th & Pecos/ Broadway	PC directed to keep Industrial Low
50	See letter		sarah@efgdenver.com	Mixed Use Commercial	Properties were designated as Activity Center in the 2012 Imagine Adams plan. Staff does not recommend a change from Mixed Use at this time which is further supported by the Clear Creek TOD plan.	Federal & 60th	PC directed to keep mixed use

9.1	The Mixed Use Commercial area now designated southwest of Brighton Road and 124th Avenue is served by City of Brighton water utilities due to groundwater quality issues for wells in this area. As the water service provider, Brighton has concerns with the potential for mixed use development here as we have limited water resources that should be focused within City limits. If water is available for such a use, it is likely that water will be required to be dedicated to the City in order to obtain a new water tap or increase the size of an existing tap. The future change in access at the Highway 85 and 124th Avenue intersection would also make it harder for a commercial use to remain viable due to limited traffic from and access to Highway 85 in the future. We would suggest low density residential as a better long-term land use designation.	City of Brighton		Residential Low	Comment noted. No change made per Planning Commission direction.	120th & Brighton Road	PC directed to keep Mixed Use
8.1	The Mixed Use Commercial area now designated northeast of Brighton Road and 124th Avenue is served by City of Brighton water utilities due to groundwater quality issues for wells in this area. As the water service provider, Brighton has concerns with the potential for mixed use development here as we have limited water resources that should be focused within City limits. If water is available for such a use, it is likely that water will be required to be dedicated to the City in order to obtain a new water tap or increase the size of an existing tap. The future change in access at the Highway 85 and 124th Avenue intersection would also make it harder for a commercial uses to remain viable due to limited traffic from and access to Highway 85 in the future. We would suggest low density residential as a better long-term land use designation.	City of Brighton		Residential Low	Comment noted. No change made per Planning Commission direction.	124th & Brighton Road	PC directed to keep Mixed Use Commercial
26	We are a small business operating for the last 20+ years within this proposed future zoning of residential. This area has always been light/mod industrial. The companies residing in this area are the ones that have helped build Adams County (past & future). There are several multi-generational construction businesses located in this very small area. Other than light rail, this area does not include an "inclusive community" that every county is trying to achieve. I-76 runs over Tennyson St. in this area making an even more undesirable situation for residential housing. Furthermore the homeless situation that Adams County has not dealt with, makes it even more undesirable for future residential. We encourage the county to consider this and leave the area following the CURRENT zoning rules. We all maintain our properties well and are good neighbors for the current residential areas. Most of this section of Tennyson (with the exception of the trailer park) are Industrial buildings.	Jennie Young	jennie@millenniumconcrete.com	Industrial Medium	Comment noted. The Mixed Use Commercial designation does envision some industrial uses. Staff does not support a change to Industrial Medium given the adjacent residential as Mixed Use Commercial provides a better transition. As a note, the Imagine Adams FLU was Urban Residential.	Tynneson & 53rd	PC directed to keep MUC
30	The new designation for my land into Mixed Use will make this property useless for my business. this is a brand new facility we built to operate our company with outdoor storage, fleet and inventory. I will not be able to add shop space and warehouse space for future growth of my business. We boarder commercial warehouse, crestview water's building/yard that has outdoor storage and fleet. Crestview moves to "public" so they will not be forced out and we are being treated very unfair. This facility is our livelihood and we must be able to change our buildings, fleet and storage based on the current and future market in order to stay competitive. This new zoning will not allow us to operate here. We are great employers for Adams county residents, support the community and run a clean and honest operation.	Hunter Hartman	hunter@camcolorado.com	Industrial Medium	Imagine Adams designation was Residential. The Mixed Use Commercial category is more in line with P.U.D and adjacent zoning. Staff does not recommend a change from Mixed Use Commercial.	64th & Beach	PC directed to keep MUC
47	See Letter	Brownstein Hyatt Farber Schreck, LLP		Industrial Medium	Staff does not recommend a change from Mixed Use Commercial to better establish a 'Gateway Corridor' into the county and support other plan policies.	Washington & 52nd Area	PC directed to keep MUC
49	See letter	Comunale Properties	jheiney@comunaleproperties.com	Industrial Medium	Staff does not recommend a change from Mixed Use Commercial to better establish a 'Gateway Corridor' into the county and support other plan policies.	Washington & 52nd Area	PC directed to keep MUC

12	It's imperative that the county keeps Industrial zoning. We will lose so many businesses if we lose more I-Zoning.	Kyle Schmidt	kschmidt@transwest.com		Comment noted. Mixed Use Commercial does envision lighter industrial zones like I-1.	62nd & Pecos	PC directed to keep MUC around station
7	A future land use of Parks and Open Space significantly limits the potential value of a property, because the pool of potential buyers is shrunk to basically one. A property with current zoning of I-2 should not be downgraded to open space. It's frustrating to see Adams County trying to run off the industrial businesses that provide jobs to county residents. Parks and Open Space are good, but they don't pay the bills. It's also frustrating that a choice was made by the county to put commuter rail through an industrial area, and now the County wants that industrial area to go away. Industrial property owners make significant long-term investments in their land and business, which benefit Adams County through job creation, property taxes and sales taxes. At least a mixed use designation would still help maintain the value of the property, but Open Space is very limiting.			Industrial Medium	Comment noted.	Pecos & 64th	PC directed to keep Parks & Openspace
13.1	Shaw Heights residential area, multiple parcels, generally south of 92nd, west of Federal Blvd, north and east of Circle Drive, west of US-36 should be designated Residential Low rather than Residential Medium	Westminster		Residential Low	The properties in this area are zoned R-1-C and do not have the lot sizes to meet the intent of the Residential Low category. County staff does not support a reclassification to Residential Low.	92nd & Federal	PC directed to keep Residential Medium
15.1	Parcels 0182505409011 and 0182505409012 south of 70th Ave and west of Zuni should reflect the current and proposed 20-acre expansion to the Metro District park as a Parks and Open Space designation in the Plan	Westminster		Parks Open Space	The property is proposed for both residential and park uses and staff does not support with designating 0182505409011 as Parks & Open Space 0182505409013 and 0182505409012 are appropriate for Parks and Open Space Designation.	West side of Mid-Town	PC directed to make change to appropriate parcels for Parks & Open Space. Keep as residential for other.
14	I don't see the need to change this future use of this property. This parcel is bounded on the west, north and east by CDOT property. Specifically, the parcel to east of 275 is a CDOT regional detention pond that could never be developed. The north and east is CDOT right of way for the interstate. Since the parcel to the south is industrial, I see no need to propose a future use as mixed used. I suggest you keep the property's use the same as it currently is which is industrial (I-3).	Paul Snyder	psnyder@trustawc.com	Industrial High	Staff would not be supportive of a reclassification to Industrial High as that category is a placeholder for things like oil refineries or other heavy industry with lasting impacts.	I-25 & 64th	PC recommends change to Industrial Medium
9	The current land use of this area is Industrial. There are many small businesses in this area who perform essential services such as paving, tractor trailer repair, delivery truck repair, manufacturing, and construction services. There is also already significant traffic on these roads without moving this area to Mixed Use. Additionally, most of the buildings in this area are built on filled landfills or quarries and require specialty construction to reduce movement of foundations.	Drew Goodman	dgoodman@goodmancommre.com	Industrial Medium	Comment noted. Staff will seek additional direction.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
13	This property needs to remain I2 zoned as it's an industrial area and surrounded by other I-zoned properties.	Kyle Schmidt	kschmidt50@gmail.com	Industrial Medium	Comment noted. Staff will receive additional direction on that area.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
32	The current use of this parcel and the surrounding parcels is Medium Industrial. Transitioning this area to Mixed-Use Commercial would tell the small businesses located here that they are no longer welcome in the area.			Industrial Medium	Comment noted. Staff will seek additional direction.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
33	The current use of this parcel and the surrounding parcels is Medium Industrial. Transitioning this area to Mixed-Use Commercial would tell the small businesses located here that they are no longer welcome in the area.			Industrial Medium	Comment noted. Staff will seek additional direction.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
35	why are all the mixed uses where there is a difference in elevation would we be able the put and asphalt and concrete plant into one of your mixed use.	Ben Frei	bfrei@albertfreilandsons.com	Industrial High	Comment noted. Staff will receive additional direction. Staff would not support an Industrial High category, however, Industrial Low or Industrial Medium may be appropriate given the surrounding context. Industrial High is a placeholder for things like oil refineries or heavy industry with lasting impacts.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively

36	We own and operate a towing and recovery business in Adams County. We provide service to the Colorado State Patrol, Brighton Police and Broomfield Police. We store vehicles that have been in accidents, abandoned on properties- highways-etc, under investigations until insurance companies either retrieve vehicles The new changes would SEVERELY impact our business and the capability to provide our service. If we were limited on outside storage, it would cause a HUGE issue. With what is happening in todays world, many times we are at a financial loss on vehicle-- due to no insurance, abandonment of disabled vehicle and at times - campers to which the homeless has been evicted or abandoned the destroyed unit. Due to police account restrictions, code enforcement laws of certain cities, hoa's we are limited as to where we can even park our towing equipment and be able to respond with the time length of up to 30 mins.	Kim Weber	DENTOWINGSPECIALISTS@COMCAST.NET	Industrial Low	Comment noted. Staff will receive additional direction for this area.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
37	If I am correct, our business Complete Trailers LLC and Complete Trailers Service will move from Industrial which included outside storage to Commercial mixed use. We are zone I2. We have to have outside storage for our sales side. We sell trailers to Schools, Counties, States, Race car enthusiasts, Homeland security, Electrical, Pumbing, HVAC Construction, Landscape, Cement work trades, Atv, motorcycle, Concession, Military, Emergency response, Camping and many more uses. We offer full service and repair for these trailers as well and it requires outside storage until the units can be repaired. Our property has never looked as good as we maintain it. If moving to Commercial Mixed Use eliminates outside storage for units we sell similar to all Automobile dealerships, it will mean a possible loss for all employees jobs , moving if we can find anywhere to go or closing our business. Our type of business is related to Automobilesales and display not clearly trailer sales and service	Jay Costa	jay@completetrailers.com		Comment noted. Staff will seek additional clarification.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
53	See letter		gibsonjames56@gmail.com		Staff will receive additional direction on industrial designations in this area.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
54	See letter			Industrial Medium	Staff will receive additional direction on industrial properties in this area.	I-76 & Brighton Corridor	PC recommends changing FLUM to Industrial Low (I-1) and Industrial Medium (I-2, I-3) to match zoning respectively
10.1	•Mixed Use Commercial (MUC): Much of the lands around DEN have been identified in the Plan as Mixed Use Commercial (MUC); previous the DIA Reserve. The proposed MUC land use category includes possible residential development. The Plan notes that "Limited residential uses may be acceptable in a vertical mixed-use setting if all environmental conditions and concerns have been remediated and land-use adjacencies are mitigated." DEN suggests that rather than considering remediation and mitigation measures with respect to residential development near DEN, the Plan should affirmatively declare that residential use should simply not be allowed adjacent to DEN.	Denver International Airport		Mixed Use Commercial	Comment noted. Additional symbology may be added to clarify the limitation on uses.	Around DIA	PC Supportive of hash marking
31	This parcel is currently a wetland. Changing the zoning to mixed use commercial would eliminate this valuable ecological resource			Parks Open Space	Comment noted. Staff to recommend changing to Agriculture Small Scale to align with parcel size and existing zoning.	I-76 & Brighton Corridor	Recommend changing to Agg small scale
8	We'd like to be included in all communication.	Kyle Schmidt	kschmidt@transwest.com		Added to contact list.	N/A	