



## Development Team Review Comments

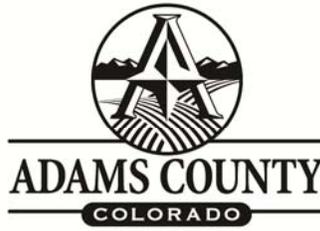
The following comments have been provided by reviewers of your land use application. At this time, a resubmittal of your application is required before this case is ready to be scheduled for public hearing.

To prepare your resubmittal, you will be expected to provide:

- A response to each comment with a description of the revisions and the page of the response on the site plan;
- Any revised plans or renderings; and
- A list identifying any additional changes made to the original submission other than those required by staff.

Resubmittal documents must be provided in person to the One-Stop Customer Service Center of the Community and Economic Development Department. The following items will be expected by our One-Stop Customer Service Center:

- One paper copy of all new materials
  - Paper copies shall not exceed 11"x17" (exception shall be made only for construction drawings or engineering plan review)
  - All paper copies shall be accompanied by the attached Resubmittal Form
- One digital copy of all new materials
  - All digital materials shall be in a single PDF document
  - The single PDF document shall be bookmarked
  - If a Subdivision Improvements Agreement, Legal Description, or Development Agreement is required, then an additional Microsoft Word version of these documents shall also be provided



## Re-submittal Form

Case Name/ Number: \_\_\_\_\_

Case Manager: \_\_\_\_\_

### Re-submitted Items:

- Development Plan/ Site Plan
- Plat
- Parking/ Landscape Plan
- Engineering Documents
- Subdivision Improvements Agreement
- Other: \_\_\_\_\_

**\* All re-submittals must have this cover sheet and a cover letter addressing review comments.**

**Please note the re-submittal review period is 21 days.**

The cover letter must include the following information:

- Restate each comment that requires a response
- Provide a response below the comment with a description of the revisions
- Identify any additional changes made to the original document

For County Use Only:

Date Accepted:

Staff (accepting intake):

Resubmittal Active: ~~Addressing, Building Safety, Neighborhood Services,~~

Engineering, ~~Environmental, Parks, Planner, ROW, SIA - Finance, SIA - Attorney~~



## **Development Review Team Comments**

**Date:** 11/16/2021

**Project Number:** RCU2021-00029

**Project Name:** Hernandez Vehicle Storage Conditional Use Permit

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**Commenting Division:** Environmental Analyst Review

**Name of Reviewer:** Charlotte Hampson

**Date:** 11/16/2021

**Email:**

**Complete**

ENV1. Property is located within the Airport Height Overlay. Per Section 3-33-04-01 of the Adams County Development Standards, applicants requesting conditional uses must complete an Federal Aviation Administration (FAA) aeronautical study on obstructions to determine if the proposal could be hazard to air navigation. The applicant must contact the FAA to determine if an obstruction study is required for the conditional use being proposed.

ENV2. Information should be provided regarding the surface of parking area, if any repairs or maintenance will occur on vehicles being stored. All nuisance mitigation requirements must be followed including noise, lighting, and dust control.

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**Commenting Division:** Planner Review

**Name of Reviewer:** Ella Gleason

**Date:** 11/16/2021

**Email:**

**Resubmittal Required**

PLN01: Please provide a written description explaining why these vehicles need to be stored at this site and what the primary use of the property will be. This property is zoned A-3 and is used for agricultural purposes. Are you planning to run a business from this site? Some industrial uses are allowed in the A-3 zone district with a conditional use permit. Outdoor storage as a primary use would not be permitted.

PLN02: Applicant must provide a higher quality site plan that can be presented by staff to the Planning Commission and the Board of County Commissioners during public hearings in order to show the proposed location of the stored/parked vehicles. Please include:

- Property lines
- Marked parking area for vehicles
- Distance of parking area to property lines
- Any landscaping, additional structures, or fencing that will be used to screen vehicles from the adjacent residence

PLN03: Applicant must describe how many vehicles over 7,000 G.V.W. they are proposing to store on the property, what types of vehicles they are proposing to store on the property, and what type of parking surface those vehicles would be parked and stored on. Staff recommends a hard parking surface.

PLN04: Will all vehicles stored on site be operable? Storing inoperable vehicles regardless of weight is not allowed unless they have a properly displayed and valid State Motor Vehicle Registration Certificate.

PLN05: How often will vehicles be leaving and returning to the property? Will these vehicles need to idle in the morning or evening? If so, please provide times for when the vehicles will be idling.

PLN06: In order to prepare an application that has the best chance possible of receiving approval, applicant must propose mitigation measures for storing and parking large vehicles on their property. It is important that the applicant demonstrates that those large vehicles would not represent a public nuisance for the surrounding area if the Conditional Use Permit request is approved. These mitigation measures should be proposed and designed in order to prevent view of the vehicles from the public right-of-way. Staff recommends a combination of screen fencing, landscaping (such as new trees around the storage area), or a new accessory structure such as a shed that the vehicles could be stored and parked within.

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**Commenting Division:** Neighborhood Services Review

**Name of Reviewer:** Ella Gleason

**Date:** 11/16/2021

**Email:**

**Complete**

There is an OPEN violation at this location. From a code compliance officer: "On 8/31/21 I observed 4 semi trailers, 2 semi tractors over 7000 lbs, 2 box trailers, 1 flatbed trailer, and 2 pickups stored at this property. (4-03-03-02-14(1,3)). There is not a Change-in-Use Permit or a Conditional Use Permit issued to this property for the Outside Storage or the trucking business (4-02-01). The structures built on the west end of the property are greater than 200 sq ft and have been built without permits (1-05-09-01, 4-03-01-03)."

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**Commenting Division:** Development Engineering Review

**Name of Reviewer:** Eden Steele

**Date:** 11/10/2021

**Email:**

**Resubmittal Required**

ENG1: What surface material will the trucks be parked on? Applicant must submit a letter assessing impacts to onsite imperviousness due to the addition of parking areas. If the total weighted increase in imperviousness (Gravel= 40% impervious, Asphalt/concrete = 100% impervious) exceeds 3,000SF, additional analysis may be required.

ENG2: No truck maintenance, such as oil changes, shall occur outdoors without some form of stormwater quality treatment/mitigation measures.

ENG3: The applicant is required to submit a trip generation analysis, signed and stamped by a licensed professional engineer in the State of Colorado. Depending on the vehicle trips generated by the use, additional analysis may be required.

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**Commenting Division:** ROW Review

**Name of Reviewer:** David Dittmer

**Date:** 11/01/2021

**Email:**

**Complete**

## Ella Gleason

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**From:** Kerry Gress  
**Sent:** Friday, October 15, 2021 8:53 AM  
**To:** Ella Gleason  
**Subject:** RCU2021-00029

Good Morning, Ella

I need to make a comment about the request being made for this property. The applicant is requesting to "Park and store large vehicles over 7000 lbs GVW in an agriculture zoned district"  
I have an open case on this property that sparked the application for this CUP.

In May 2021, Code Compliance received a complaint about a "business being run out of the "barn" and the noise the idling vehicles make. I researched the permits on this property and found that the large "barn" was permitted in 2018, however, it was noted on Staff Comments that the "barn" would not be used for Commercial or Industrial uses or Living quarters...

On 7/16/21 I received a call from Heather Warren (Baker Law Firm 303-862-4564) who explained that "this owner hauls produce and uses this building to hold produce before shipping.. He and employees deliver produce to AZ weekly".

I don't believe that this property owner will be using the "barn" to only park and store vehicles.

My Code case is still open and is now in the County Attorney's office. There are other violations on the property besides operating without a CUP, including obtaining building permits for structures on the west end of the property and for having too many vehicles, trailer, etc stored on this property.



### Kerry Gress

Code Compliance Office II, *Community Safety and Well-Being*  
ADAMS COUNTY, COLORADO  
4430 S. Adams County Parkway  
Brighton, CO 80601-1234

720.523.6832 | [kgress@adcogov.org](mailto:kgress@adcogov.org) [adcogov.org](http://adcogov.org)

**In person meetings require an appointment. Please call to schedule.**

**Please note: Adams County has transitioned to a four-day operational schedule with county buildings being closed on Mondays.**

My/Division/Code/AMO/ETC hours of operations are: M-F 8:00 a.m. – 4:30 P.M.

For information regarding our department and services please [visit us online](#) or email us at [CSWB@adcogov.org](mailto:CSWB@adcogov.org)

To report a pet-animal complaint please contact the Adams County Communications Center (ADCOM) at 303.288.1535

To report a code compliance issues please report your concern [online through SeeClickFix](#), by contacting Code Compliance at 720-523-6800 or by sending an email to [CSWB@adcogov.org](mailto:CSWB@adcogov.org)

## Ella Gleason

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**From:** Rick Reigenborn  
**Sent:** Thursday, October 14, 2021 1:40 PM  
**To:** Ella Gleason  
**Subject:** RE: Request for Comments RCU2021-00029 Hernandez Vehicle Storage Conditional Use Permit

The Sheriff's Office doesn't oppose this request.



**Richard A. Reigenborn**  
Sheriff  
**Adams County Sheriff's Office**  
4430 S. Adams County Parkway,  
1st Floor, Suite W5400  
Brighton, CO 80601  
303-655-3218 | [RReigenborn@adcogov.org](mailto:RReigenborn@adcogov.org)

*Character • Integrity • Transparency*

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**From:** Ella Gleason  
**Sent:** Thursday, October 14, 2021 11:26 AM  
**To:** Ella Gleason <[EGleason@adcogov.org](mailto:EGleason@adcogov.org)>  
**Subject:** Request for Comments RCU2021-00029 Hernandez Vehicle Storage Conditional Use Permit

Case Name: Hernandez Vehicle Storage Conditional Use Permit  
Case Number: RCU2021-00029

October 14, 2021

The Adams County Planning Commission is requesting comments on the following application: Conditional Use Permit to park and store large vehicles in excess of 7,000 pounds gross vehicle weight in an agricultural zone district. The Assessor's Parcel Number is 0156720400002.

Owner Information: Raul Hernandez 14640 E 50th Pl Denver, CO 80239

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by Tuesday, November 9, 2021 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to [EGleason@adcogov.org](mailto:EGleason@adcogov.org).

Once comments have been received and the staff report written, the staff report may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at [www.adcogov.org/planning/currentcases](http://www.adcogov.org/planning/currentcases).

Thank you for your review of this case.



**Ella Gleason**

Planner I, *Community & Economic Development*

ADAMS COUNTY, COLORADO

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

Brighton, CO 80601

O: 720.523.6923 | [EGleason@adcogov.org](mailto:EGleason@adcogov.org) | [www.adcogov.org](http://www.adcogov.org)

*Adams County operating hours: Tuesday through Friday, 7 a.m. to 5:30 p.m. (Closed on Mondays)*

## Ella Gleason

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**From:** Bednarcik, Elizabeth <ebednarcik@brightonfire.org>  
**Sent:** Thursday, October 28, 2021 8:23 AM  
**To:** Ella Gleason  
**Subject:** RE: Request for Comments RCU2021-00029 Hernandez Vehicle Storage Conditional Use Permit

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

Ella,

Brighton Fire has no comments on this project.

Thanks,

Elizabeth



**Elizabeth Bednarcik**

Division Chief of Prevention | Fire Marshal  
Brighton Fire Rescue District  
Brighton, Colorado  
720.951.5951  
[www.brightonfire.org](http://www.brightonfire.org)

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**From:** Ella Gleason <EGleason@adcogov.org>  
**Sent:** Thursday, October 14, 2021 11:26 AM  
**To:** Ella Gleason <EGleason@adcogov.org>  
**Subject:** Request for Comments RCU2021-00029 Hernandez Vehicle Storage Conditional Use Permit

Case Name: Hernandez Vehicle Storage Conditional Use Permit  
Case Number: RCU2021-00029

October 14, 2021

The Adams County Planning Commission is requesting comments on the following application: Conditional Use Permit to park and store large vehicles in excess of 7,000 pounds gross vehicle weight in an agricultural zone district. The Assessor's Parcel Number is 0156720400002.

Owner Information: Raul Hernandez 14640 E 50th PI Denver, CO 80239

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by Tuesday, November 9, 2021 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to [EGleason@adcogov.org](mailto:EGleason@adcogov.org).

**Ella Gleason**

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**From:** Loeffler - CDOT, Steven <steven.loeffler@state.co.us>  
**Sent:** Monday, November 8, 2021 3:22 PM  
**To:** Ella Gleason  
**Subject:** Re: Request for Comments RCU2021-00029 Hernandez Vehicle Storage Conditional Use Permit

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

Ella,

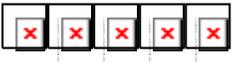
I have reviewed the referral for Hernandez Vehicle Storage Conditional Use Permit and the application to park and store large vehicles in excess of 7,000 pounds gross vehicle weight in an agricultural zone district, located at 13895 Powhatan Road, and have no objections. This property is off of the state highway system.

Thank you for the opportunity to review this referral.

**Steve Loeffler**  
Permits Unit- Region 1



P 303.757.9891 | F 303.757.9053  
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204  
[steven.loeffler@state.co.us](mailto:steven.loeffler@state.co.us) | [www.codot.gov](http://www.codot.gov) | [www.cotrip.org](http://www.cotrip.org)



On Thu, Oct 14, 2021 at 11:29 AM Ella Gleason <[EGleason@adcogov.org](mailto:EGleason@adcogov.org)> wrote:

Case Name: Hernandez Vehicle Storage Conditional Use Permit

Case Number: RCU2021-00029

October 14, 2021

The Adams County Planning Commission is requesting comments on the following application: Conditional Use Permit to park and store large vehicles in excess of 7,000 pounds gross vehicle

weight in an agricultural zone district. The Assessor's Parcel Number is 0156720400002.



Thank you for contacting the Colorado Department of Public Health and Environment (CDPHE). Please note that the following requirements and recommendations apply to many but not all projects referred by local governments. Also, they are not intended to be an exhaustive list and it is ultimately the responsibility of the applicant to comply with all applicable rules and regulations. CDPHE's failure to respond to a referral should not be construed as a favorable response.

### **Hazardous and Solid Waste**

The applicant must comply with all applicable hazardous and solid waste rules and regulations.

Hazardous waste regulations are available here:  
<https://www.colorado.gov/pacific/cdphe/hwregs>.

Solid waste regulations are available here:  
<https://www.colorado.gov/pacific/cdphe/swregs>.

Applicable requirements may include, but are not limited to, properly characterizing all wastes generated from this project and ensuring they are properly managed and disposed of in accordance with Colorado's solid and hazardous waste regulations.

If this proposed project processes, reclaims, sorts, or recycles recyclable materials generated from industrial operations (including, but not limited to construction and demolition debris and other recyclable materials), then it must register as an industrial recycling facility in accordance with Section 8 of the Colorado Solid Waste Regulations. The industrial recycling registration form is available here:

<https://www.colorado.gov/pacific/cdphe/sw-recycling-forms-apps>.

If you have any questions regarding hazardous and/or solid waste, please contact CDPHE's Hazardous Materials and Waste Management Division (HMWMD) by emailing [comments.hmwm@state.co.us](mailto:comments.hmwm@state.co.us) or calling 303-692-3320.

### **Water Quality**

The applicant must comply with all applicable water quality rules and regulations. The Water Quality Control Division (WQCD) administers regulatory programs that are generally designed to help protect both Colorado's natural water bodies (the clean water program) and built drinking water systems. Applicants must comply with all applicable water quality rules and regulations relating to both clean water and drinking water. All water quality regulations are available here:

<https://cdphe.colorado.gov/water-quality-control-commission-regulations>.



## Clean Water Requirements

### Stormwater

Applicable clean water requirements may include, but are not limited to, obtaining a stormwater discharge permit if construction activities disturb one acre or more of land or if they are part of a larger common plan of development that will disturb one or more acres of land. In determining the area of construction disturbance, WQCD looks at the entire plan, including disturbances associated with utilities, pipelines or roads constructed to serve the facility.

Please use the Colorado Environmental Online Services (CEOS) to apply for new construction stormwater discharge permits, modify or terminate existing permits and change permit contacts.

For CEOS support please see the following WQCD website:

<https://cdphe.colorado.gov/cor400000-stormwater-discharge>

or contact:

Email: [cdphe\\_ceos\\_support@state.co.us](mailto:cdphe_ceos_support@state.co.us) or [cdphe\\_wqcd\\_permits@state.co.us](mailto:cdphe_wqcd_permits@state.co.us)

CEOS Phone: 303-691-7919

Permits Phone: 303-692-3517

### Domestic Wastewater

Some projects with wastewater collection may have domestic wastewater treatment works (i.e., treatment plant, interceptor sewer, or lift station) with a design capacity to receive greater than 2,000 gallons per day (gpd) and are subject to state-wide site location, design, and permitting requirements implemented by the Water Quality Control Division. State review and approval of the site location application and design is required by the Colorado Water Quality Control Act (Act), Section 25-8-702, C.R.S. which states in part that:

*“No person shall commence the construction of any domestic wastewater treatment works or the enlargement of the capacity of an existing domestic wastewater treatment works, unless the site location and the design for the construction or expansion have been approved by the division.”*

State review may also be necessary for projects with multiple on-site wastewater treatment systems (OWTS) on a single property, unless the OWTS meet the requirements of division’s “Site Application Policy 6: Multiple On-Site Wastewater Treatment Systems” (Policy 6).

If applicable, the project would need to meet all applicable regulatory requirements including, but not limited to, site location and design review, discharge permitting, having a certified operator; and routine monitoring and reporting. For questions regarding domestic wastewater regulation applicability or other assistance and resources, visit these websites:

<https://cdphe.colorado.gov/design>

<https://cdphe.colorado.gov/clean-water-permitting-sectors>



## Drinking Water Requirements

The definition of a public water system is self-implementing. It is the responsibility of all water systems in Colorado to assess whether their system is a public water system and to comply with the regulations accordingly. There is not a notification process whereby a system only becomes a public water system if the Department notifies that system. A system becomes subject to regulation as a public water system at the point the system begins operating a system meeting the definition of a public water system under Regulation 11.

Some projects may also need to address drinking water regulations if the proposed project meets the definition of a “Public Water System” per the Colorado Primary Drinking Water Regulations (Regulation 11):

*A Public Water System means a system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves an average of at least 25 individuals daily at least 60 days per year. A public water system is either a community water system or a non-community water system. Such term does not include any special irrigation district. Such term includes:*

*(a) Any collection, treatment, storage, and distribution facilities under control of the supplier of such system and used primarily in connection with such system.*

*(b) Any collection or pretreatment storage facilities not under such control, which are used primarily in connection with such system.*

If applicable, the project would need to meet all applicable requirements of Regulation 11 including, but not limited to, design review and approval; technical, managerial and financial review and approval; having a certified operator; and routine monitoring and reporting. If it is determined that your facility meets the definition of a public water system please submit a drinking water inventory update form to the department. For questions regarding drinking water regulation applicability or other assistance and resources, visit these websites:

<https://cdphe.colorado.gov/drinking-water>

<https://cdphe.colorado.gov/dwtrain>

If you have any other questions regarding either clean or drinking water quality, please contact CDPHE’s WQCD by emailing [cdphe.commentswqcd@state.co.us](mailto:cdphe.commentswqcd@state.co.us) or calling 303-692-3500.

## Air Quality

The applicant must comply with all relevant state and federal air quality rules and regulations. Air quality regulations are available here:

<https://www.colorado.gov/pacific/cdphe/aqcc-regs>.



## Air Pollutant Emissions Notices (APENs) and Permits

Applicable requirements may include, but are not limited to, reporting emissions to the Air Pollution Control Division (APCD) by completing an APEN. An APEN is a two in one form for reporting air emissions and obtaining an air permit, if a permit will be required. While only businesses that exceed the Air Quality Control Commission (AQCC) reporting thresholds are required to report their emissions, all businesses - regardless of emission amount - must always comply with applicable AQCC regulations.

In general, an APEN is required when uncontrolled actual emissions for an emission point or group of emission points exceed the following defined emission thresholds:

Table 1 APEN Thresholds		
Pollutant Category	UNCONTROLLED ACTUAL EMISSIONS	
	Attainment Area	Non-attainment Area
Criteria Pollutant	2 tons per year	1 ton per year
Lead	100 pounds per year	100 pounds per year
Non-Criteria Pollutant	250 pounds per year	250 pounds per year

Uncontrolled actual emissions do not take into account any pollution control equipment that may exist. A map of the Denver Metropolitan Ozone Non-attainment area can be found on the following website: [http://www.colorado.gov/airquality/ss\\_map\\_wm.aspx](http://www.colorado.gov/airquality/ss_map_wm.aspx).

In addition to these reporting thresholds, a Land Development APEN (Form APCD-223) may be required for land development. Under Colorado air quality regulations, land development refers to all land clearing activities, including but not limited to land preparation such as excavating or grading, for residential, commercial or industrial development. Land development activities release fugitive dust, a pollutant regulation by APCD. Small land development activities are not subject to the same reporting and permitting requirements as large land activities. Specifically, land development activities that are less than 25 contiguous acres and less than 6 months in duration do not need to report air emissions to APCD.

It is important to note that even if a permit is not required, fugitive dust control measures included the Land Development APEN Form APCD-223 must be followed at the site. Fugitive dust control techniques commonly included in the plan are included in the table below.

Control Options for Unpaved Roadways	
Watering	Use of chemical stabilizer
Paving	Controlling vehicle speed
Graveling	
Control Options for Mud and Dirt Carry-Out Onto Paved Surfaces	
Gravel entry ways	Washing vehicle wheels
Covering the load	Not overfilling trucks
Control Options for Disturbed Areas	



Watering	Application of a chemical stabilizer
Revegetation	Controlling vehicle speed
Compaction	Furrowing the soil
Wind Breaks	Minimizing the areas of disturbance
	Synthetic or Natural Cover for Slopes

Additional information on APENs and air permits can be found on the following website: <https://www.colorado.gov/pacific/cdphe/air/do-you-need-an-apen>. This site explains the process to obtain APENs and air quality permits, as well as information on calculating emissions, exemptions, and additional requirements. You may also view AQCC Regulation Number 3 at <https://www.colorado.gov/pacific/cdphe/aqcc-regs> for the complete regulatory language.

If you have any questions regarding Colorado’s APEN or air permitting requirements or are unsure whether your business operations emit air pollutants, please call the Small Business Assistance Program (SBAP) at 303- 692-3175 or 303-692-3148.

### **Asbestos and Lead-Based Paint**

In Colorado there are regulations regarding the appropriate removal and handling of asbestos and lead-based paint as part of a demolition, renovation, or remodeling project. These regulations are presented in AQCC Number 8 (asbestos) and Number 19 (lead-based paint) which can be found on the following website: <https://www.colorado.gov/cdphe/aqcc-regs>.

These regulations may require the use of, or inspection by, companies or individuals that are certified to inspect or remove these hazards **prior to renovation or demolition**. APCD must also be notified of abatement or demolition activities prior to beginning any work in the case of asbestos. For additional guidance on these regulations and lists of certified companies and individuals please visit the following website for asbestos: <https://www.colorado.gov/cdphe/categories/services-and-information/environment/asbestos> and the following website for lead-based paint: <https://www.colorado.gov/pacific/cdphe/categories/services-and-information/lead>.

If you have any questions about Colorado’s asbestos and lead-based paint regulations or are unsure whether you are subject to them please call the Indoor Environment Program at 303-692-3100.

If you have more general questions about air quality, please contact CDPHE’s APCD by emailing [cdphe.commentsapcd@state.co.us](mailto:cdphe.commentsapcd@state.co.us) or calling 303-692-3100.

### **Health Equity and Environmental Justice**

CDPHE is dedicated to promoting and protecting the health and environment for all Coloradans. As part of those efforts, we strive to achieve health equity and environmental justice.



HEALTH EQUITY is when all people, regardless of who they are or what they believe, have the opportunity to attain their full health potential. Achieving health equity requires valuing all people equally with focused and ongoing efforts to address inequalities.

ENVIRONMENTAL JUSTICE is the fair treatment and meaningful involvement of all people regardless of race, color, national origin or income. With respect to the development, implementation and enforcement of environmental laws, regulations and policies.

The Environmental Justice Act (HB21-1266) builds upon these efforts by declaring a statewide policy to advance environmental justice, defining disproportionately impacted community, creating an Environmental Justice task Force, Environmental Justice Ombudsperson, and Environmental Justice Advisory Board and directing the Air Quality Control Commission to promulgate certain rules. The Act's definition of disproportionately impacted communities includes low-income communities, communities of color, and housing cost-burdened communities. CDPHE's [Climate Equity Data Viewer](#) can be used to identify census block groups that meet those three criteria.

CDPHE notes that certain projects have potential to impact vulnerable minority and low-income communities. It is our strong recommendation that your organization consider the potential for disproportionate environmental and health impacts on specific communities within the project scope and take action to mitigate and minimize those impacts. This includes interfacing directly with the communities in the project area to better understand community perspectives on the project and receive feedback on how it may impact them during development and construction as well as after completion. We have included some general resources for your reference.

Resources:

[CDPHE's Health Equity Resources](#)

[CDPHE's "Sweet" Tools to Advance Equity](#)

[EPA's Environmental Justice and NEPA Resources](#)



# MEMMO

**To:** Ella Gleason, Planner I

**From:** Omar Yusuf, City Planner

**Subject:** Hernandez Vehicle Storage Conditional Use Permit

**Date:** November 9, 2021

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To the Adams County Planning Commission:

Thank you for allowing Commerce City to comment on the Conditional Use Permit to park and store large vehicles in excess of 7,000 pounds gross vehicle weight in an agriculture zone district 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



## Ella Gleason

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**From:** Clayton Woodruff <Clayton.Woodruff@RTD-Denver.com>  
**Sent:** Wednesday, November 3, 2021 7:22 AM  
**To:** Ella Gleason  
**Subject:** RE: Request for Comments RCU2021-00029 Hernandez Vehicle Storage Conditional Use Permit

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

Ella,

The RTD has no comment on this project

Thanks,



**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)

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**From:** Ella Gleason <EGleason@adcogov.org>  
**Sent:** Thursday, October 14, 2021 11:26 AM  
**To:** Ella Gleason <EGleason@adcogov.org>  
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The Adams County Planning Commission is requesting comments on the following application: Conditional Use Permit to park and store large vehicles in excess of 7,000 pounds gross vehicle weight in an agricultural zone district. The Assessor's Parcel Number is 0156720400002.

Owner Information: Raul Hernandez 14640 E 50th Pl Denver, CO 80239

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by Tuesday, November 9, 2021 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to [EGleason@adcogov.org](mailto:EGleason@adcogov.org).

Once comments have been received and the staff report written, the staff report may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at [www.adcogov.org/planning/currentcases](http://www.adcogov.org/planning/currentcases).

Thank you for your review of this case.



November 4, 2021

Ella Gleason  
Adams County Community and Economic Development  
4430 South Adams County Parkway, Suite W2000A  
Brighton, CO 80601

RE: Hernandez Vehicle Storage, RCU2021-00029  
TCHD Case No. 7314

Dear Ms. Gleason,

Thank you for the opportunity to review and comment on the Conditional Use Permit for storage of large vehicles in excess of 7000 pounds gross vehicle weight at 13895 Powhaton Road. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

**Parking in Disturbance of Onsite Wastewater Treatment System (OWTS)**

Parking, driving, or heavy foot traffic on a leach field will compact the ground, shortening the life of the OWTS, and may collapse the system leading to costly damage. It does not appear that there are any permitted buildings on the site, or that an OWTS exists on the site. In order to protect any future OWTS from destruction, TCHD encourages the County to include a condition that such parking is allowed only as long as the site remains vacant of occupied buildings.

**Pollution Prevention**

Parked vehicles are at risk for leaking fluids such as fuels, antifreeze, brake fluids, and cleaning agents which may be harmful to people, pollute the soil on the site, or be discharged into nearby water sources. For the safety of site workers and the public, we recommend that the applicant adopt any of the following practices:

1. Park vehicles on a solid surface rather than dirt or gravel, or place drip trays under vehicles to collect fluids.
2. Collect and recycle waste petroleum-based fluids from vehicles, including used oil, transmission and brake fluids
3. Collect and recycle waste coolants from radiators
4. Use absorbents to clean up fluid leaks and spills.

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5. Waste petroleum-based fluids and coolants should each be collected and placed in Department of Transportation (DOT) approved waste receptacles. These fluids should be recycled whenever possible.
6. Absorbents, rags, etc., used to clean up spills should also be placed in approved DOT receptacles and disposed of in accordance with applicable federal, state and local waste regulations.

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,

A handwritten signature in cursive script, appearing to read 'K Boyer', followed by a horizontal line.

Kathy Boyer, REHS  
Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, TCHD



Your Touchstone Energy® Cooperative 

November 5, 2021

Community & Economic Development Department  
4430 South Adams County Parkway  
1<sup>st</sup> Floor, Suite W2000  
Brighton, CO 80601-8204

Re: Hernandez Vehicle Storage Conditional Use Permit - RCU2021-00029

Dear Ella Gleason:

On behalf of United Power, Inc., thank you for inviting us to review and comment on the Hernandez Vehicle Storage. After review of the information, United Power has no concerns or objection to the proposed Conditional Use Permit - RCU2021-00029; contingent upon United Power's ability to maintain all existing rights, facilities/equipment, and existing easements. This request should not hinder our ability for future expansion, including all present and any future accommodations for electrical distribution.

Please note, the property owner/developer/contractor must submit an application along with CAD data for new electric service via <https://www.unitedpower.com/construction>. United Power would like to work with these persons early in the construction process on getting an electric design prepared so that we can request any additional easements needed and hopefully have those easements dedicated on the plat rather than obtaining separate document(s). Obtaining easements via a separate document can be time consuming and could cause delays.

***As a Reminder:*** No permanent structures are acceptable within the dry utility easement(s); such as, window wells, wing walls, retaining walls, basement walls, roof overhang, anything affixed to the house like decks, etc. United Power considers any structure that impedes the access, maintenance, and safety of our facilities a permanent structure. No exceptions will be allowed, and any encroachments could result in penalties.

Service will be provided according to the rules, regulations, and policies in effect by United Power at the time service is requested. We look forward to safely and efficiently providing reliable electric power and outstanding service.

Thank you,

*Amber Mendoza*

Amber Mendoza, RWA  
ROW Agent  
720.249.9315 | [platreferral@unitedpower.com](mailto:platreferral@unitedpower.com)