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Debra A Green  
Park County Clerk

No fee

**PARK COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS  
Resolution No. 2014-26**

**A RESOLUTION CONDITIONALLY APPROVING THE  
APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW  
OPERATION OF A TEMPORARY SEASONAL PORTABLE  
ASPHALT PLANT AND A TEMPORARY SEASONAL CONCRETE  
BATCH PLANT ON REAL PROPERTY LOCATED AT TOWNSHIP  
12 SOUTH, RANGE 74 WEST, IN THE NORTH ½ OF SECTION 18.**

WHEREAS, the Applicant, Hard Rock Paving and Redi-Mix Inc. has applied for a conditional use permit ("CUP") for the operation of a temporary seasonal portable asphalt plant and a temporary seasonal concrete batch plant on the real property described and depicted in Exhibit A hereto; and

WHEREAS, at a regularly scheduled public meeting of the Park County Board of County Commissioners ("BOCC"), preceded by the required public notice, the BOCC conducted a public hearing on the application at which it reviewed the application and all supporting documentation, the recommendations of the Planning Commission, the Planning Department, the County Attorney, and considered the testimony of the Applicant and patrons; and

WHEREAS, based on the evidence and testimony presented at the public hearing the BOCC finds and determines that compliance with the standards for approval of a Conditional Use Permit set forth in Section 5-503 of the Park County Land Use Regulations has been demonstrated by clear and convincing evidence; and

**NOW THEREFORE, BE IT RESOLVED THAT THE PARK COUNTY BOARD OF COUNTY COMMISSIONERS HEREBY APPROVES THE APPLICATION FOR A CONDITIONAL USE PERMIT FOR THE OPERATION OF A TEMPORARY SEASONAL PORTABLE ASPHALT PLANT AND A TEMPORARY SEASONAL CONCRETE BATCH PLANT ON THE REAL PROPERTY DESCRIBED ABOVE, SUBJECT TO THE FOLLOWING CONDITIONS.**

1. This Conditional Use Permit will run concurrent with the mining permit #M-1984-101.
2. Reclamation is to begin when all mining is exhausted. This CUP to operate a temporary seasonal portable asphalt plant and a temporary seasonal portable concrete batch plant will no longer be valid when reclamation begins.
3. No parking, loading or unloading of any vehicles is allowed in the County right-of-way of CR 59. Trucks shall not back onto or use CR 59 for a turnaround.

4. Trucks are not permitted to be overweight. The County may request the weight documents at any time.
5. The owner is responsible for prompt and complete removal of material spilled on CR 59.
6. A special review by the Director of Development Services is required for contracts resulting in more than 10 trucks a day. The Mining operator will submit a Special Review Memo describing awarded contracts to the Director of Development Services within 21 days of beginning any such use that requires a temporary portable asphalt plant or a temporary portable concrete batch facility to operate at the site. A development agreement signed by the BOCC is to be recorded before the operations begin. Such Special Review Memo will have the following information:
  - i. List project volumes in production tonnages of asphalt and/or concrete and truck traffic estimates per diem.
  - ii. Estimate the duration of project and list site operation hours. No operation of the asphalt plant or concrete batch plant shall occur at any time on Sundays, or County recognized weekday holidays. Monday-Saturday hours of operation are limited to the times between 7 am and 5 pm, including equipment warm-up and staging.
  - iii. A site plan for the Special Review approval shall show location of temporary portable asphalt plant or temporary portable concrete batch facility, including a 100 foot setback from the property lines, for all equipment operations.
  - iv. A copy of the relocation permit from CDPHE and expected duration of use of the portable asphalt plant and/or concrete batch plant facility for the specific project.
  - v. Provide documents showing compliance with all state and federal mining permits, including state air emission and storm water discharge permits which shall be maintained during all phases of operations.
  - vi. All operations to be conducted in compliance with noise levels described in the LURs and Noise Ordinance. Noise mitigation shall be implemented in conjunction with gravel pit, asphalt plant and concrete batch plant operations.
  - vii. There will be a maintenance agreement between Hard Rock and Park County Road & Bridge for any repairs necessary to impacted county roads after projects are completed. The maintenance agreement shall include a requirement for a route visit prior to and after each project to document current road conditions and any damage.
  - viii. Certificate of liability insurance associated with operations involving the use of a temporary portable asphalt plant or a temporary portable concrete batch facility listing Park County as an additional insured.
  - ix. The county may conduct periodic inspections of the property and reviews of the status of the development agreement to enforce the terms of the Special Review approval.
  - x. The temporary portable asphalt plant or a temporary portable concrete batch plant facility shall not be in permanent operation.

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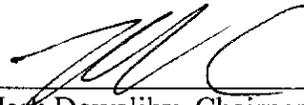
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7. The operator must comply with the current Road and Bridge Department standards applicable to each project.

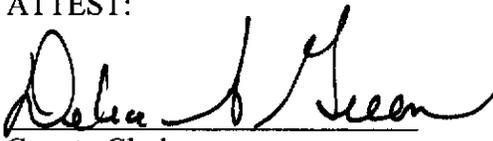
Moved, seconded, and passed this 7th day of August 2014.

**PARK COUNTY BOARD OF COUNTY COMMISSIONERS**



Mark Dowaliby, Chairperson

ATTEST:



County Clerk

