

11-7-2024

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Re: 2<sup>nd</sup> Referral  
21506 W 56<sup>th</sup> Ave  
Case No. 23-137296RZ

This letter serves as your second referral response for the Rezoning case for the Golden Mine (21506 W 56<sup>th</sup> Ave) and a request for additional materials needed as a part of the process. Listed below is a summary of the comments received by Planning and Zoning Staff and the pertinent issues that must be addressed in a 3<sup>rd</sup> referral.

There are additional public comments received by staff during the 2<sup>nd</sup> referral process. Those comments along with the 1<sup>st</sup> referral comments are located in the [Case Folder](#) under “Correspondence” and “Citizen Comments”. Responses to citizen comments are not required, but it is strongly encouraged.

Staff did not receive comments from Colorado Parks & Wildlife and US Fish and Wildlife although they were contacted as part of the 2<sup>nd</sup> referral process. It is strongly encouraged that the applicant reaches out to those agencies due to wildlife concerns brought up by CPW associated with the DRMS permit process and concerns brought up by neighboring residents. Additionally, it does not appear that a Wildlife and vegetation study as listed in Zoning Resolution Section 29.D.2.f and detailed in Land Development Regulation Section 28 has been completed.

The Colorado Division of Reclamation expressed that they would not be providing comments since it is not standard practice for them to comment on local zoning issues.

The Colorado State Land Board did not provide comments but stated that they will ensure that their position is included in the applicant’s future submittal.

### **Key Issues to Address**

#### Official Development Plan (ODP)

- See Redlined document for comments that need to be resolved.
- The organization and formatting of the Written Restrictions is not standard. Highly recommend the applicant look at ODP examples to better format and organize this document. ODP examples can be found with the responses for 2<sup>nd</sup> referral.
- References to access and access locations must be removed from the written restrictions.
- A very narrow buffer area proposed on south and southeast ends of the property. The County has concerns about this buffer area being insufficient for the proposed mining activity, especially blasting. Buffering should be fulfilled on the subject parcel, not by adjacent parcels that could change over time. How does the applicant propose to address negative impacts with such a narrow buffer?

#### Blasting Plan

- See Redlined document for comments that need to be resolved.
- A map of permitted wells in the area is provided in the response comments folder. Please contact DWR for further info.

## MEPP

- See Redlined document for comments that need to be resolved.
- Overall, Staff is concerned with the low suitability score of 67 out of 100.

## Traffic Analysis

- A Colorado licensed traffic engineer must state the 2021 Traffic Analysis is still up to date. The applicant's response is insufficient.

## Wildlife

- The applicant stated they last surveyed the subject property for bats, eagles, and other wildlife in 2021. Due to the outdated info of the 2021 survey and the format and information not meeting requirements, the County requires a Wildlife and vegetations study per Zoning Resolution Section 29 and detailed in Section 28 of the Land Development Regulation.
- The applicant also stated they will conduct a wildlife survey prior to each mining campaign. It is recommended to add that to the ODP. Will info from those surveys be publicly available?

## Jefferson County Geologist

- Please respond to the Jeffco Geologist comments dated 9-16-2024.

## Jefferson County Long Range Planning

- Please respond to Jeffco Long Range comments dated 9-16-2024.

## Jefferson County Deputy County Manager

- Please respond to the Deputy County Manager comments dated 9-12-2024.
  - Per the ODP redlines, it is not recommended by County Planning & Zoning to delineate an access point(s) via the ODP.
  - Per the ODP redlines, there is no County noise abatement policy for mining activity. There is County regulation that references CRS Section 25-12-103, which includes maximum permissible noise levels for industrial uses.

## Fairmount Fire District

- "We would like more information on the access to the site, an emergency plan in the case of an accident, permitting to allow for blasting, storage, and handling of explosives. This is not an all-inclusive list we may have other questions or requirements depending on response." - Fairmount Fire Protection District comments.
- We recommend the applicant reaches out to Fairmount Fire District to resolve the District's concerns.

## Jefferson County Historical Commission

- Please respond to the JCHC letter of recommendations dated 9-16-2024.
- Will you be incorporating any of the recommendations into the ODP?

## City of Golden

- Please respond to City of Golden comments dated 10-1-2024.
  - Per the ODP redlines, it is not recommended by County Planning & Zoning to delineate an access point(s) via the ODP.
  - Per the ODP redlines by County Planning & Zoning, the proposed Junction development should not be included on the ODP since it is not the subject property of this Rezoning application.
  - Per the ODP redlines by County Planning & Zoning, the zoning of adjacent properties should not be on the ODP since those properties are not the subject property of this Rezoning application.
  - Per the ODP redlines by County Planning & Zoning, specific equipment details are unnecessary in the ODP. Screening of said equipment is important for the ODP.

**Updated documents required for 3rd referral:**

1. Revised ODP
2. Revised MEPP
3. Revised Blasting Plan
4. Updated Traffic Analysis response
5. Wildlife and vegetation Study
6. Response to Jefferson County Geologist
7. Response to Jefferson County Long Range Planning
8. Response to Jefferson County Deputy County Manager
9. Response to Fairmount Fire Protection District
10. Response to Jefferson County Historical Commission
11. Response to City of Golden

**Fees**

There is a \$500 resubmittal fee for 3<sup>rd</sup> referral as stated in the Planning & Zoning [fee sheet](#). The initial fee covered two referrals.

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Please feel free to contact me with any questions. **The County does request a meeting with the applicant and property owner before submitting for a 3<sup>rd</sup> referral.**

Thank you,

Sara Kohles, Planner III  
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Notice: PLEASE RETURN ALL REVISION PRINTS ELECTRONICALLY TO PLANNING & ZONING The applicant shall submit electronically a revised application in response to referral comments within 180 calendar days after referral comments are provided to the applicant. The Director of Planning & Zoning or his appointed designee may extend this 180-day maximum response deadline for an additional 180 days if, in his opinion, the delay in response is beyond the applicant's control. If there is no response within the 180-day period and an extension has not been granted by the Director of Planning & Zoning or his appointed designee, the application will be considered withdrawn. The applicant will then have to submit a new application.