



Request for Comments

Case Name: Sand Creek Farms Renewal

Case Number: RCU2025-00002

January 28, 2025

The Adams County Planning Commission is requesting comments on the following application:
A Conditional Use Permit to continue sand extraction in the A-3, Agricultural zone district.
This request is located at 6405 Calhoun Byers Rd. The Assessor's Parcel Number 0181103400002.

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 **02/18/2025** 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 DDeBoskey@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates 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/current-land-use-cases.

Si usted tiene preguntas, por favor escribanos un correo electrónico a cedespanol@adcogov.org para asistencia en español. Por favor incluya su dirección o número de caso para poder ayudarle mejor.

Thank you for your review of this case.

David DeBoskey
Planner II

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**RENEW CONDITIONAL USE PERMIT
EXPLANATION OF REQUEST
SAND CREEK FARMS, BYERS, CO
Updated January 9, 2025**

This request is to extend the time for a gravel mining operation under a Conditional Use Permit (CUP), Case No. RCU2014-00030, Sand Creek Farms. The site is located approximately 7 miles north of Byers, Colorado at 6405 Calhoun Byers Road, Byers, CO. The primary access to the site is off of Calhoun Byers Road off of Highway 36. The site is located in the SE ¼ of Section 3, T3S, R61W of the 6th P.M., Adams County, Colorado. The Adams County Parcel number is #0181103400003 and is in an A-3 zoning. The site is approximately 52 acres. West Bijou Creek is generally located on the eastern portion of the site. Sand has been mined by Jones Fine Sand, the previous operator of the facility.

Mining has been permitted at this site since at least 1992, with the mining permit M-1992-038. The mining site maintains a minimum of 25 feet setback from all property lines and a 100-foot setback from E 64th Avenue. Excavation has generally proceeded from the south to the north. The site has no water wells, septic or sewer service available, and a porta-let will be on site for use by employees.

No retail sales are conducted on the site and there is no blasting or processing. This is a dry mine site where extraction equipment is utilized to load trucks for transportation and delivery off-site. Mining has typically been done in the upper 30 feet, and groundwater is known to be approximately 65 feet below ground surface. Future mining may be deeper and will follow the constraints established in the mine permit. Mining is done in the 100-year floodplain of West Bijou Creek and a floodplain use permit application with Adams County is being submitted concurrently. The existing vegetation is a mix of a few willow and cottonwood trees and native grasses.

Typical past use of the site had approximately 300 to 400 trips per year, or approximately 30 trucks trips per month. The primary haul route has been south on Calhoun Byers Road to Hwy 36 and I-70. Additional hauling may be done to the north if a suitable roadway is available.

The previous CUP application allowed for importation of inert fill to recontour and reclaim the site. The inert fill is needed on-site to bring grades up to pre-mining elevations. The only inert materials that will be received are those that can be received in accordance with Section 2-02-08-07-04 of the Adams County Zoning Regulations for Conditional Use Permits. No solid waste will be accepted. The imported inert fill will be from jobs controlled by the applicant and will not come from outside sources. A separate CUP application is being submitted for this activity.

This application is a request to extend the CUP for an additional 10 years. The mining permit is current with the Colorado Division of Reclamation Mining and Safety (DRMS). The mining operation conforms to all requirements of Section 11.340 of the Zoning Regulations.

EXPLANATION OF REQUEST – Renewal of CUP Sand Creek Farms, Byers, CO

A final drainage report and a stormwater management plan has been completed by EME Solutions, Inc, John Jankousky, PE and are included with this permit application. The site is located outside the MS4 Permit area, so an Adams County Stormwater Quality Permit is not required. A Stormwater Discharge Permit has been obtained from CDPHE for the mining activities. The drainage is retained in West Bijou Creek in the mining pit.

A neighborhood meeting was held and all neighbors within the required radius were sent a notice. The list of notices sent and the notice itself is attached to this application. No one objected to the mining activities or were concerned with a permit renewal. Other information concerning the neighborhood meeting is attached to this application.

Mining will be conducted in a similar manner to what was done previously. Groundwater is reportedly encountered at a depth of 65 feet below ground surface (bgs) and the mined depth is planned to be no more than 50 feet bgs. Groundwater in nearby wells should not be impacted by the mining activities because the groundwater is not being used, exposed, or diverted by pumping or cutoff barriers. Sand is dry mined with earthwork equipment, excavator, dozer, or front-end loader and placed into trucks for transport to construction project sites. There is no blasting or retail sales occurring on the mine site. Excavation and loading of the sand is the only activity planned on the mine site. Minor maintenance of greasing and fueling equipment is the only type of servicing to be done on the mine site. All routine or major maintenance will be done off-site at the applicant's trucking yard or a fleet service center.

Loaded transport trucks will use the major haul route on Calhoun Byers Road south to US Highway 36 then west to Interstate 70. The haul route is paved except for a 1.5-mile section of Calhoun Byers Road from the entrance to the mine site. A barbed wire fence surrounding the mine site and a gate is at the entrance on 64th Avenue. There are approximately two rural residential structures west on 64th Avenue where it dead ends.

The property is in an A-3 agricultural zoned district and there are a few rural residential neighbors. Agricultural uses are found in the area in a five mile radius. Byers is the nearest community located approximately 7 miles to the south.

The mine has continued to meet the appropriate engineering standards and will comply with all applicable Adams County engineering regulations. The installation and maintenance of Erosion and Sediment Control Best Management Practices (BMPs) in accordance with the Drainage Plan submitted with the application will be completed. A traffic study has been conducted and the applicant will work to meet the recommendations of the study.

A contract from a porta-let contractor will be provided by the applicant prior to implementing full scale mining operations. Although the property is in the Natural Resource Conservation Overlay (NRCO), wildlife has not known to be impacted by the mining activities. As this site has been operating under a permit approved by Adams County, and the site has previously been disturbed, we believe it to be exempt per Section 4-14-02-03-03. One oil and gas well is located within 200 feet of the mining site. Oil and gas well investigation was completed by reviewing historical aerial photography, and though other public records including the ECMC. Since there

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is no development planned, there is no particular hazard associated with the one plugged abandoned oil and gas exploration well.

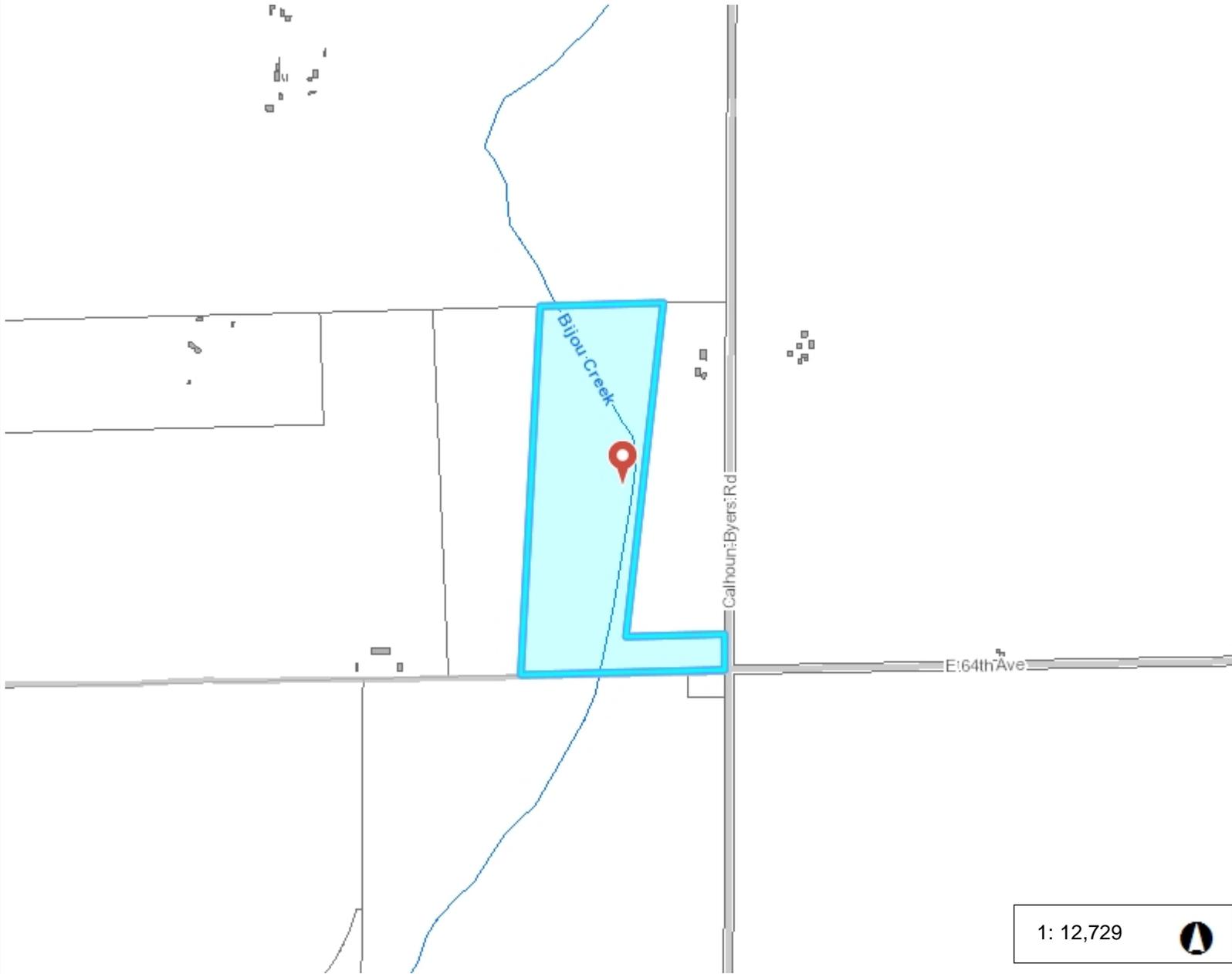
The applicant will comply with all environmental regulations and best management practices. Engine idling will be kept to a minimum and remain in compliance with State Vehicle and Traffic Idling Standards. Noise levels will not exceed public nuisance standards, and the applicant will consider modifying equipment to mitigate concerns. Mitigation may include alternative backup alarms, vegetative barriers, setbacks, sound walls, operational practices or other similar methods. Trash will be properly controlled by each individual on site, and by providing a receptacle as needed with regular disposal. A commercial disposal company will be employed if necessary. Water will be available for dust mitigation as needed. A wind gauge will be installed with data-logging capabilities.

The height of the fence is lower than all equipment proposed to be used on site and lower than vehicles used to access the site. Typically, chain-link fencing, 72 inches or higher, surround gravel operations. Outdoor storage or stockpile height will not exceed 72 inches (6 feet) elevation at the boundary fence. Equipment will be stored outside on site. Storage containers may be used for onsite locked storage and/or personal warming or cooling rooms.

The existing Conditional Use Permit for the mine site is set to expire on January 27, 2025. The applicant requests a 10-year renewal term.

CONCLUSION

The project is compatible with the Adams County Comprehensive Plan after mining, agricultural uses will be available to surface landowners. The Conditional Use is compatible with the surrounding area, is harmonious with the character of the neighborhood, and not detrimental to the immediate area or the future development of the area. The mine site is not detrimental to the health, safety, or welfare of the inhabitants of the area or Adams County.



Legend

- Highways**
 - Interstate
 - Highway
 - Tollway
- Streets**
 - Streets
 - Ramp
- Building
- County Parks and Open Space
- Small Lakes
- Major Lakes
- Rivers**
 - Canal
 - Ditch
 - Primary Creek
 - River
 - Secondary Creek
 - Stream
- Parcels
- County Boundary

1: 12,729



0.4 0 0.20 0.4 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

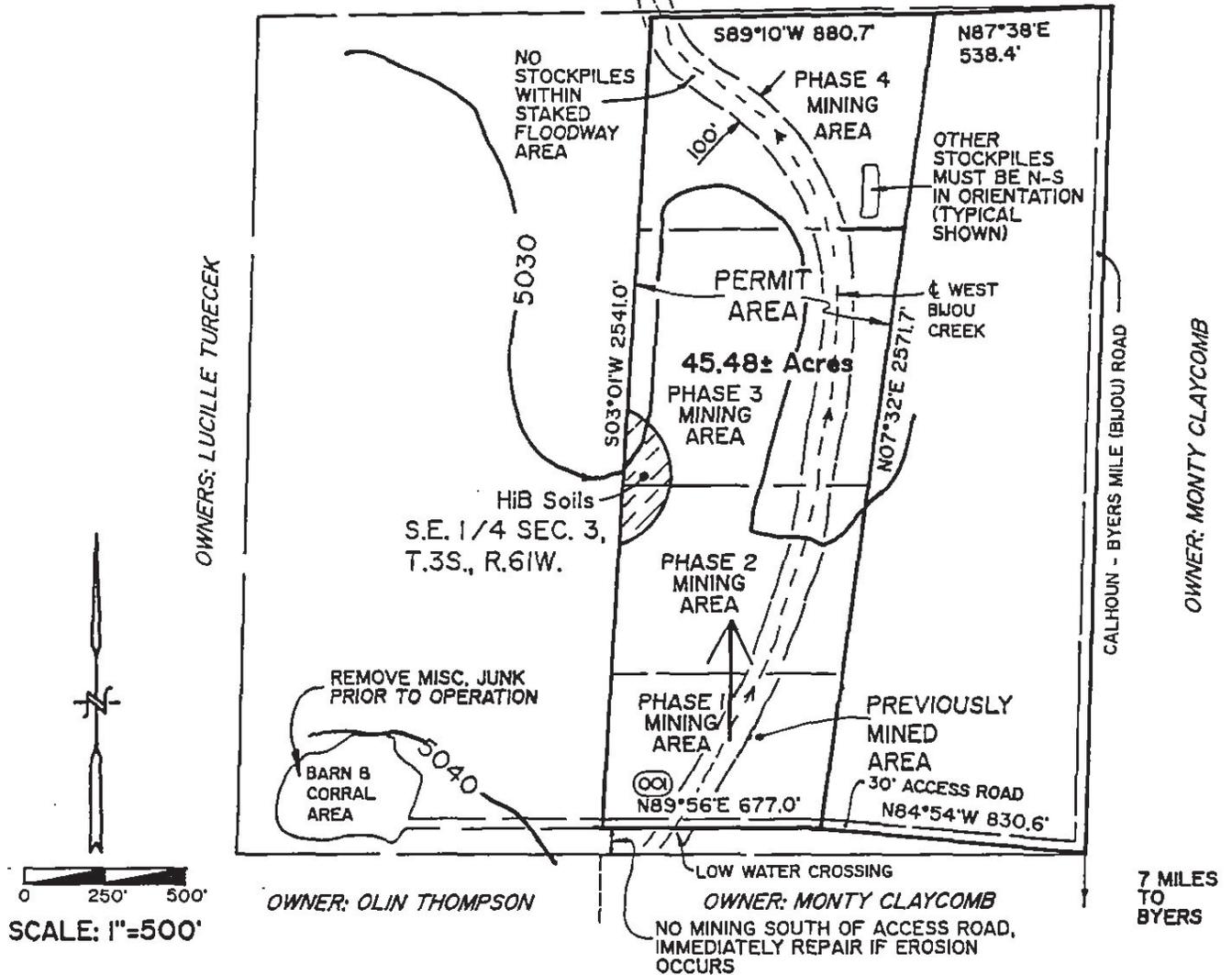
Sand Creek Farms Renewal CUP

EXHIBIT C - PRE-MINING & MINING PLAN MAP

PART OF THE S.E. 1/4 SEC. 3, T.3S., R.61W., Adams County, CO.

REVISED 7/92 TO INCLUDE COUNTY REQUIREMENTS

OWNER: THOMAS JOHNSON



ALL PROPERTY WITHIN AREA ABOVE OWNED BY SANDCREEK FARMS, INC.

ALL SOILS IN PERMIT AREA - SANDY ALLUVIAL LAND EXCEPT FOR 4 TO 5 AC. HiB

VEGETATIVE COVER - SPARSE (in Bank areas) TO NONE (in Creek Bed 100'±)

WATER INFORMATION - EXCEPT BRIEFLY, AFTER SEVERE UPSTREAM SUMMER STORM EVENTS, CREEK BED IS DRY

→ DIRECTION OF MINING

TYPICAL WASHING - SEDIMENTATION POND

1. 200'X400'X6' DEEP. MAX. CAPACITY 800,000± GALLONS
2. SHALL BE LOCATED OUTSIDE FLOODWAY AREA.
3. ONLY ONE POND SHALL BE OPERATING AT ANY ONE TIME, BUT MAY BE MOVED WITH PHASES.
4. SAMPLING POINT (OO) - APPROXIMATE LOCATION INITIAL DISCHARGE POINT (SETTLING POND) NO SURFACE DISCHARGE

