



Town of Johnstown

OUTSIDE AGENCY REFERRAL

DATE: January 5, 2020

TO: Mead Milliken Berthoud Loveland Greeley Windsor
 Larimer Co Weld Co Aims CC CDOT CPW TRPR
 Weld RE-5J TSD LTWD NC Conserv. BT Conserv. HB Ditch Co.

FROM: Darryll Wolnik, *Planner II*
dwolnik@TownofJohnstown.com

Applicant:	Cathy Mathis, TB Group, representing Johnstown LLC
Project:	<i>Purvis Farm ODP</i>
Location:	<i>Parcel #s 105906300040 and 105906000005</i>
Description:	Outline Development Plan for residential PUD
Reply by:	<i>Monday, February 1, 2021</i>

This referral is submitted for your comments due to the proximity of the project to your municipal boundaries or GMA, or it otherwise affects your agency or its mission.

If additional documentation is needed to complete a review, please email me at the address above.

NO Comments.

Comments (attach additional sheets if needed):

By: _____ Date: _____

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141



DEPARTMENT OF PLANNING SERVICES

1555 N. 17th Ave

Greeley, CO 80631

Website: www.weldgov.com

Email: jflesher@weldgov.com

Phone: (970) 400-3552

Fax: (970) 304-6498

Via email to dwolnik@townofjohnstown.com

January 18, 2021

Darryll Wolnik, Planner II
Town of Johnstown
PO Box 609
Johnstown, CO 80543

Subject: Purvis Farm ODP

Dear Darryll:

The Weld County Department of Planning Services has reviewed this proposal and submits the following comments for your consideration.

The property to the north of the subject property is shown as Kerr-McGee Gathering, but the adjacent parcel at 23574 Colorado Blvd is owned by Margaret O. Collins. This property contains a County-approved Use by Special Review for vehicle sales and repair (USR-1107).

We recommend showing the existing access onto SH 60 just east of Colorado Blvd as "To be closed and reclaimed" if that is the intent. The same would apply to the access east of 6043 SH 60.

The intersection at Ballentine Blvd appears to be slightly offset and should be aligned with the existing road to the west.

General comments:

There is no County commitment to upgrade County roads and bridges to accommodate municipal developments.

The present zoning of adjacent and surrounding unincorporated properties are predominantly Agricultural. Owners of property in the area of this proposal should be made aware that agricultural uses, even when done in a manner consistent with good agricultural practices, may generate impacts such as noise, dust, flies, odors, aerial spraying, and slow-moving equipment on County roadways. It is important for future residents to note that adjacent properties may be in unincorporated Weld County and that Weld County has adopted a Right-to-Farm Statement and a Right to Extract Mineral Resources Statement and recommends they be placed on all plats adjacent to unincorporated areas:

Right-to-Farm Statement

Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to

assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the County, property owners and residents must realize they cannot take water from irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

Weld County Right to Extract Mineral Resources Statement

Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under title 34 of the Colorado Revised Statutes, minerals are vital resources because (a) the State's commercial mineral deposits are essential to the State's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state.

Mineral resource locations are widespread throughout the County and persons moving into these areas must recognize the various impacts associated with this development. Often times, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.

Thank you for the opportunity to comment on this proposal. This response addresses general requirements, concerns, or issues and is intended to assist in your community's decision-making process regarding this land use proposal. Weld County respectfully reserves the right to make further comment on information or issues as they are discovered.

Sincerely,

Jim Flesher, AICP
Long-Range Planner
Weld County



Town of Johnstown

OUTSIDE AGENCY REFERRAL

DATE: January 5, 2020

TO: Mead Milliken Berthoud Loveland Greeley Windsor
 Larimer Co Weld Co Aims CC CDOT CPW TRPR
 Weld RE-5J TSD LTWD NC Conserv. BT Conserv. HB Ditch Co.

FROM: Darryll Wolnik, *Planner II*
dwolnik@TownofJohnstown.com

Applicant:	Cathy Mathis, TB Group, representing Johnstown LLC
Project:	<i>Purvis Farm ODP</i>
Location:	<i>Parcel #s 105906300040 and 105906000005</i>
Description:	Outline Development Plan for residential PUD
Reply by:	<i>Monday, February 1, 2021</i>

This referral is submitted for your comments due to the proximity of the project to your municipal boundaries or GMA, or it otherwise affects your agency or its mission.

If additional documentation is needed to complete a review, please email me at the address above.

NO Comments.

Comments (attach additional sheets if needed):

By: Kris Thompson, Inclusion Specialist Date: 1/6/2021
Northern Colorado Water Conservancy District

The Community That Cares

www.TownofJohnstown.com

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO | F: 970.587.0141