



Larimer County Planning Office
200 West Oak Street #3100
Fort Collins, CO 80521

RE: Review of Draft Comprehensive Master Plan

TO: Matt Lafferty, Principal Planner laffermn@co.larimer.co.us
Larimer County Planning Staff, Planning Commission, and County Commissioners

Upon review of the Larimer County Comprehensive Master Plan May 2019 draft, there are several components of this plan upon which the Colorado Stone, Sand & Gravel Association, the Colorado Asphalt Pavement Association and the Colorado Ready Mixed Concrete Association (hereinafter “the Industry”) wishes to make official public comment.

1. Improvement of General Readability and Use of Objective Criteria in the Plan.

- The Draft Plan is not user- or reader-friendly as it currently stands and should be revised to reflect straightforward goals and objectives without superfluous information or unrelated content.
- The Plan should be more specific and include tangible goals that can be achieved over a set period of time for the duration of the life of the Plan.
- The Plan must include the benefits of the mining industry to the County, as neighboring counties have included in their Master Plans.
 - Gravel pits and often-associated concrete/asphalt batch plants provide needed materials to build roads and to construct buildings. The economies of such types of uses require relatively close proximity between the source material and the market (i.e. construction location).
 - This element recognizes that some level of extractive natural resource uses will need to continue in order to sustain the well-being of the County. At the same time, such uses should be undertaken only when care is taken to protect the environment and the character of our neighborhoods.
 - The Plan must recognize the possibility of mitigation of disturbance to residential areas by using specific examples that the sand and gravel mining industry is willing and able to employ, such as traffic dispersal by using multiple truck routes.
- Under Scope and Purpose beginning on Page 4, the Plan states that it does not affect valid, existing rights and entitlements—the “Comprehensive Plan is aspirational and not intended to be a regulatory, prescriptive action plan.”

- The Industry wishes to emphasize these statements and ensure that Larimer County keeps this in mind as it moves forward with the Plan.
- A key component of revising a Comprehensive Master Plan includes moving forward while keeping principles of fairness and a respectful process for all parties involved at the forefront of the Plan updates.

2. The Plan Must Maintain Consistency.

- On Page 3 of the Draft, it states that the “Plan provides policy guidance for future development, public services, and environmental protection.”
 - A few sentences later, the Draft states, “Larimer County is in the business of safeguarding public safety, health, and welfare, ensuring that new development provides adequate services to residences; economic development; and maintaining natural resources for future generations.”
 - It would be more appropriate to state, “The Plan provides policy guidance for future land development, public services, environmental protection, and to support future economic health to sustain the community.”
 - This change is supported by the Community Snapshot on Page 8 specifically stating that “the foundation of community resiliency is the ability to be self-sustaining.”
 - The Industry of construction and mining does nothing if not support a self-sustaining and resilient Larimer County.

3. Adequate Representation of the Construction, Construction Materials, and Mining Industry, Including the Benefits of the Mining Industry.

- There was not adequate or equal representation of the construction industry, construction materials industry, or mining industry on the Advisory Committee, Stakeholder Committee, or Technical Advisory Committee. The Colorado Sand, Stone & Gravel Association, the Colorado Asphalt Pavement Association or the Colorado Ready Mixed Concrete Association specifically were not included.
 - It is unclear who was included to represent the construction industry, construction materials, mining, or industry in general, other than Gary Gerrard. This document has identified the potential for conflicts between contrasting property uses.
 - Business, industry, and mining were not represented as robustly as the other interests—such as that of residents—with the proper weight given to their importance to our County.

- In the Community Snapshot on Page 8, within the Big Issues introductory section, the Plan should acknowledge the need to provide for the roads, utilities, and other critical infrastructure that will make this possible.
- This entire network of critical infrastructure needs construction materials and industry, and the Plan cannot ignore this fact.
 - The Plan must recognize the benefits that the mining industry has in the County.
 - Larimer County should take the following position: Extractive natural resource uses, such as mining, are often viewed by the general public as an issue because of noise, dust, traffic, etc. associated with the activities. Despite these potential impacts, some of these activities are essential to the continued economic health of the County. For example, gravel pits and often-associated concrete/asphalt batch plants provide needed materials to build roads and to construct buildings. The economies of such types of uses require relatively close proximity between the source material and the market (i.e. construction location). This element recognizes that some level of extractive natural resource uses will need to continue in order to sustain the well-being of the County. At the same time, such uses should be undertaken only when care is taken to protect the environment and the character of our neighborhoods.

4. Inclusion of Conflict Mitigation Techniques Between Different Land Uses.

- There are several specific issues the Industry has identified in the Watershed and Natural Resources Snapshot portion of the Draft, beginning on Page 44.
 - The Plan includes conflicts between industrial uses such as sand and gravel mining, processing, and residential development. The Plan also acknowledges the demand for sand and gravel resources.
 - This is a perfect opportunity to acknowledge and include specific mitigation measures that can be taken to ensure these two different land uses can successfully coexist. Larimer County cannot ignore the steps that can be taken to mitigate the conflicts between industrial and residential uses—there are strategies that other counties (i.e. Adams County) have implemented to maintain vital infrastructure as well as respect residential areas.
- On Page 10, the Draft indicates that a current future land use map and existing buffer and transition requirements do not adequately address the existing conflicts between different land uses and different intensities of development.
 - This supports the Plan including other mitigation techniques, as neighboring counties have done in their Master Plans.
 - The Plan should include a policy to establish regulations for resource extraction: The County must provide for the extraction of subsurface resources in

accordance with State law, but require mitigation of undesirable impacts to the natural environment and community as well as plans for viable potential reuse of the land.

- The Plan should include a provision for unreclaimed lands, to restore and enhance lands in and around river, creek, and drainage corridors.
- The Plan should include reclamation requirements to mandate existing and future mining operations to reclaim lands during and after mining in an effort to create wildlife habitat, restore vegetation, contribute to flood storage, and provide appropriate residential, commercial, recreational, or educational development opportunities.
 - This mitigation language in order to temper conflict between land uses and allow for vital mining activities to continue.
 - Reclaimed lands can be very beneficial to the County and the Plan must recognize this. Reclaimed lands can be used for vital water storage, open space for parks and recreational use, and add overall value to the County and its vitality.

5. Accurate Depiction of Mixed Land Use Development Coupled with Resource Conservation.

- The Community Principles and Policies section of the Plan, beginning on Page 30, should include greater emphasis on the benefits that mixed land uses can provide to Larimer County.
- The Proactive Planning and Engagement section (under heading C2) needs to contain another bullet point: “Provide means to allow mixed land uses to successfully coexist to allow for industry, mining, and construction operations to support vital economic and infrastructure needs.” This goes back to recognizing mitigation techniques that ensure multiple land uses can coexist with proper techniques and precautions in place.
- Additionally, the C3 Framework Map (FM), beginning on Page 32, has major gaps in it.
 - 3.1 states that the FM illustrates a countywide vision for physical development and conservation. The current map does not include a provision for development of existing mineral or sand/gravel resources. None of these resources are identified on the FM and no reference is given to their existence or to their importance to Larimer County’s economy, community resiliency, infrastructure, or housing.
 - 3.2 states that the FM transitions residential density from urban areas, conserves connected resource areas, and identifies opportunities for non-residential uses. However, the FM and Categories should also identify where business, industry, mining, and construction material supply can be accommodated in this vision.

- 3.3 then states that future rezoning must conform to this FM. As shown, the FM eliminates future zoning to any type of industrial use. The Sand and Gravel Mining Industry implores Larimer County to reconsider this elimination and study the negative impact that zero industrial use would have to the county.

6. The Plan Must Foster a Diverse Regional Economy—including Industrial Uses.

- E1 Regional Economic Development, on Page 34 of the Plan, claims that Larimer County fosters a diverse regional economy which supports business development, retention and expansion. The policies listed below this statement are contradictory and must be reworked.
 - 1.2 addresses incentives for desired non-residential development in the Retail and Industrial FM locations. The FM has identified only one possible Industrial location west of Taft Hill Road. Additionally, this location will not accommodate needed locations for construction materials mining, production, or processing. Thus, Larimer County is essentially eliminating any future industrial uses, construction materials processing or mining with the current FM.
 - 1.4 is not inclusive, as it claims to be, because it cannot encourage all small-business development with the Framework Categories as shown. It does not allow for any small industrial development, development such as the gravel mining done by the locally owned, multi-generational Industry companies in the County.
 - 1.5 refers to criteria for Framework Categories that identify appropriate opportunities for non-residential development. Of the 9 Framework Categories, only one—Industrial—identifies mining as a preferred use and does not discourage this use. Yet, curiously, the only Industrial location identified on the FM is not located anywhere close to any of the identified gravel resources.
 - The example used as an acceptable Industrial Category use is “active sand and gravel mining,” but those locations are not called out on the Framework Map. The remaining Framework Categories do not include sand and gravel mining as a preferred use and list heavy industrial (sand and gravel mining) as a discouraged use.
 - The FM and Categories as they are currently written do not identify the appropriate opportunities that exist for sand and gravel mining, processing, or for importing these materials, stockpiling and processing.
 - 1.6 does not make sense as it is written, as there are no industrial sites identified that can be redeveloped. Larimer County should either identify specific sites or clarify what this Section truly means.

- 1.7 cannot be achieved as the FM and Framework Categories do not provide for provision of basic services needed to foster employment opportunities. Furthermore, E2 Agriculture and Innovation states that Larimer County will support secondary-income options on agricultural land through home and accessory rural options. However, this plan does not do so, as it takes away the owners' rights to harvest their minerals, sand and gravel.
- E3 Economic Health and Resiliency and the County's claim that it supports and facilitate rural economic development efforts that contribute to economic stability, wealth creation, and high-value, low-impact employment sectors should be revised.
 - This goal simply cannot be met without allowing for the supply and processing of construction materials. This needs to be addressed.

7. The Plan Must Emphasize the Importance of Preservation and Protection of the County's Mineral Resources.

- Section 6.4 of the County's 1997 Master Plan entitled "Mineral Resources" and its emphasis on the "importance of preservation and protection of the County's mineral resources from encroachment" is a statement that is all the more valid today.
 - The Industry believes this statement should be reemphasized in the new Master Plan along with an acknowledgment that Larimer County has not always lived up to this important policy. The continued encroachment of residential development near mining sites has led to many of the ongoing land use controversies and concerns voiced during this Master Plan amendment process.
 - Larimer County should rededicate itself to fostering a diverse regional economy, including industrial opportunities for local businesses to preserve and protect the important resources that are right here in this County.
 - These resources should not go to waste by allowing inappropriate residential encroachment into these naturally industrial areas. Instead, the Industry should continue to conduct sand and gravel mining operations, with the proper mitigation in place.

8. Address the Impact of Eliminating Local Mining to Bolster the Need to Maintain a Local Mining Presence with Proper Mitigation.

- The next section, Infrastructure Principles and Policies, I1 Transportation Network, does not identify how the impacts of transporting construction materials into and through Larimer County will be addressed.
 - Once local mining has ceased, large amounts of materials will need to be imported increasing large truck traffic, mileage on existing infrastructure, or some kind of rail facility needs to be developed. The I4 Energy Provision

Section states that Larimer County collaborates on gravel extraction to reduce land use conflicts while protecting environmental quality, public health, and maintaining reliable conventional and renewable energy sources. The Industry supports this statement.

- However, the inclusion of mineral, sand and gravel extraction under the Energy Provision seems misplaced. Mineral, sand, and gravel extraction should be its own section. Then, the Plan could specifically speak to buffering measures and other mitigation techniques.
- These techniques and measures will provide for successful transitioning between land uses, collaborating with the State to ensure cumulative air impacts are identified, and acknowledgment that post-reclamation uses can be beneficial to urban open space, buffering, conservation and water storage. This would also be a good place to identify the opportunity Larimer County has to support reclamation plans that provide for a future beneficial use to the County, as described above under mitigation techniques.
- Section 4.6 under the Energy Provision heading provides a good start, and a possible modification would be to reword this Section to read, “Assure responsible access to all mineral rights including sand and gravel resources by providing mitigation measures that can be taken to support mining and mineral extraction within different Framework Categories.”
- 4.7 should be modified to say “Acknowledge the impacts associated with development of mineral and sand and gravel resources and use fact based data to inform decision making that will allow continued development of these resources.”
- 4.8 should be modified as well. A possible revision is, “Collaborate with State agencies to insure proper protections are taken to insure environmental standards for air, water, noise, and reclamation, are met.”
- Finally, the Framework Map and Categories include major gaps in their provisions that must be rectified before this Draft moves forwards. There are major gaps in the Map and the nine Categories. Only one of the nine Categories—Industrial—provides for mining. However, there is only one small location on the Map that allows for Industrial; there should be a supplemental map that provides locations for mining at the very least.
 - Industrial sites for future import of materials and processing should also be identified. It is obvious that future mining will be very limited and construction materials will need to be imported either by trucking or by rail and there are no Industrial sites identified on the map to allow for this. This indicates that it is Larimer County’s intent to either not allow this use or to allow increased truck traffic to existing sites (not identified on Map) owned by local Industry companies.

- None of the other eight categories allow for mining; in fact, they discourage it. Instead of discouraging mining, at the very least the Rural, Agricultural and Ranching section should “allow with qualified mitigation for noise, air, water, and visual impacts.”
- In the Industrial Category, under Purpose and Character, the Draft states that industrial uses should be separated from residential uses, community gateways and high visibility corridors such as I-25, US 34 and 287. With all these limitations, the County has effectively left no options for Industrial to be located.

The preceding inconsistencies in the Draft Plan must be rectified before the Larimer County Comprehensive Master Plan is finalized. The members of the Industry, including the Colorado Sand, Stone & Gravel Association, the Colorado Asphalt Pavement Association, and the Colorado Ready Mixed Concrete Association respectfully submit these comments within the relevant public comment period with hope that the County will promulgate the fair and just process principles it espouses in developing its land use system moving forward.

Regards:



Todd R. Ohlheiser
Executive Director
Colorado Stone, Sand & Gravel Association
Colorado Ready Mixed Concrete Association



Tom Peterson
Executive Director
Colorado Asphalt Pavement Association

cc: John Kefalas jkefalas@larimer.org
Steve Johnson sjohnson@larimer.org
Tom Donnelly tdonnelly@larimer.org