

Special Use Permit

Permit No. PL20220003

Project Name: D&D Recycling Operation

Permittee: DUKSA FAMILY, LLC

Property Owner: DUKSA FAMILY, LLC

Type of Use: Special Use Permit - General

Property Address: 40025 BAKER WAY, ROUTT, CO 80487

Legal Description: TR IN SE4SE4 SEC 4-6-85 TR IN NE4NE4
SEC 9-6-85 TOTAL 3A

Expiration Date: September 27, 2032

Conditions of Approval:

General Conditions:

1. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 4, 5, 6, and 8.
2. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
3. Any complaints or concerns that may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.
4. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
5. Permits will be assessed an Annual Fee in accordance with the Fee Schedule in Appendix B of the Routt County Zoning Regulations.
6. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.

7. All exterior lighting shall be downcast and opaquely shielded.
8. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in compliance with the County's Insurance and Surety Requirements policy then in effect. The certificate of insurance shall include all permit numbers associated with the activity and Routt County shall be named as an additional insured. Permittee shall notify the Routt County Planning Department of any claims made against the policy.
9. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.
10. Transfer of this SUP may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, transferee shall submit written consent for the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.
11. The Permittee shall prevent the establishment and spread of weeds to surrounding lands, and comply with the most current version of the Colorado Noxious Weed Act and Routt County regulations for noxious weeds.

Specific Conditions:

12. The Special Use Permit (SUP) is valid for ten years provided it is acted upon within one year of approval. If no issues have been identified, the permit may be renewed administratively for an additional 10 years. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
13. The SUP is limited to uses and facilities presented in the approved project plan, including the uses and structures listed below. Accessory structures/uses associated with this permit may be administratively approved by the Planning Director, without notice.

Recycling Uses:

- Scrap metal
- Tires
- Batteries
- Used oil and other fluids

Structures

- One office buildings
- 8' x 4.3' detached sign

14. Any additional uses or facilities that are not considered accessory to a recycling operation, including those listed below will be reviewed by Routt County Environmental Health and Planning Department staff to determine if a formal review will be required. If a formal review is required, such amendment shall be applied for in a new or amended application.

- Food waste collection for composting
 - General recycling of nonmetal household items
 - Other green processes
15. The operation shall meet or exceed accepted industry standards and Best Management Practices.
 16. Hours of operations shall be 7:00 a.m. to 7:00 p.m., 7 days per week.
 17. This permit is contingent upon the acquisition of and compliance with all applicable permits. The operation shall comply with all federal, state, and local laws. Copies of required permits or registrations shall be submitted to the Routt County Planning Department. Such permits and approvals include but are not limited to:
 - CDPHE Industrial Stormwater Permit
 - State Recycler registration (if required in the future based on current operations)
 - CDOT Access permit
 18. All annual submittals, as listed in #19 and #20 shall be submitted to the Routt County designee at annualreports@co.routt.co.us.
 19. All regular reports required by any permitting agency shall be submitted to the Routt County designee, including but not limited to the annual stormwater permit report.
 20. The permittee shall provide quarterly reporting on types and volumes of diverted waste
 21. Any required permits from the Routt County Environmental Health, Public Works, or Building Department shall be obtained and any inspections completed by August 1, 2023.
 22. The proposed stormwater controls shall be installed by August 1, 2023.
 23. A Floodplain Development Permit for the storage of materials in the floodplain shall be obtained by December 31, 2022.
 24. A screening plan shall be developed by the Permittee to mitigate the visual impacts of the operation. Such screening plan shall be approved by the Planning Director and be implemented by August 1, 2023.
 25. Prior to issuance, the six flags will need to be removed from the site.
 26. If, after inspection by the Weed Supervisor, weeds are determined to be present on-site, the following conditions will take effect. If it is determined that these conditions will take effect, a technical correction to the permit shall take place indicating that these conditions are valid.
 - Permittee shall submit an annual report prior to December 31st of each year to document all weed control measures undertaken, including herbicides used, rates of application, and total gallons of mixed herbicide solution applied.
 - Permittee shall conduct an annual inventory of weeds on site each spring including but not limited to species identification and map locations. Inventory shall be submitted to Routt County Weed Program (RCWP) supervisor within 30 days of conducting the survey.
 27. The soil type shall be taken into consideration in the design of the retention pond to ensure

that stormwater does not exfiltrate directly to the groundwater and river.

28. A soil test shall be conducted by an independent third party to determine if there has been any hydro carbon contamination, with particular focus on the southern portion of the site. Test results shall be submitted to the Planning Department. If contamination has been determined to exist, the applicant shall be required to develop a remediation plan approved by Routt County to address any contamination and ongoing testing.
29. The permittee shall enter into a Reclamation Agreement for cleanup and reclamation of the site as appropriate for the site's continued use as an industrially zoned property. Such agreement shall require surety in the amount of 150% of the cost of cleanup and reclamation of the site. Surety shall be in compliance with the Routt County Insurance and Surety policy and shall be in favor of Routt County. Items covered under this requirement include, soil testing, soil remediation, tire and trailer removal, and miscellaneous items.

Permit Issued by the Routt County Board of Commissioners:

M. Elizabeth Melton, Chair Date

ACCEPTED:

Joe Duksa, Permittee Date