

## RESOLUTION 2023-051

### **A resolution conditionally approving Boulder County Community Planning & Permitting Docket LU-23-0010: City of Boulder Chapman Road Trailhead Improvements**

#### Recitals

A. Adam Gaylord on behalf of the City of Boulder (the “Applicant”) applied to Boulder County for Limited Impact Special Use Review under Article 4-601 of the Boulder County Land Use Code (the “Code”) for grading in excess of 500 cubic yards for work related to the construction of trailhead and pedestrian improvements along the Boulder Creek path.

B. The proposed construction project is located at 38472 and 38474 Boulder Canyon Drive, on the eastern side of its intersection with Chapman Drive, in Section 34, Township 1 North, Range 71 West, in a Forestry zoning district in unincorporated Boulder County (the “Project Area”). The proposed project includes extensive earthwork to renovate the existing Chapman Road trailhead to improve visitor safety, provide additional amenities such as trailer parking, restore portions of the existing habitat, and increase protection of natural resources.

C. The Chapman Road trailhead is located on a formerly single family homesite. After the home was damaged by the 2013 floods, the City acquired the property, removed the home, and constructed an interim trailhead to provide access to Chapman Road Trail.

D. The proposed trailhead renovation includes the reorientation of the main parking area to accommodate a trailer turn-around and designated accessible parking, installation of a pedestrian path east and south of the parking area to connect to existing trail networks, and the installation of a 70-foot prefabricated steel bridge connecting the trailhead to the existing Boulder Canyon Trail. The prefabricated bridge is located in the existing Right-of-Way (“ROW”) and has received previous review and approval through the Boulder Creek Path Extension Project, a partnership with the City of Boulder and Colorado Department of Transportation (“CDOT”). The scope of the Limited Impact Special Review is limited to the proposed grading in excess of 500 cubic yards related to the described improvements.

E. The Boulder County Comprehensive Plan identifies a wide variety of resources within 38472 and 38474 Boulder Canyon Drive. The following resources are identified within the Project Area:

- Archaeologically Sensitive Travel Routes;
- Environmental Conservation Areas;
- Riparian Areas;

- Archaeologically Sensitive Areas;
- Riparian Habitat Connectors; and
- Very High Biodiversity Significance.

F. The above-described request was processed and reviewed as Boulder County Community Planning & Permitting Docket LU-23-0010 (the “Docket”), as further described in the memorandum and written recommendation to the Board of County Commissioners (the “Board”) by Community Planning & Permitting Department planning staff dated August 1, 2023, together with its attachments (the “Staff Recommendation”). The Staff Recommendation found that the Docket could meet the criteria for approval with recommended conditions, and therefore, recommended that the Board conditionally approve the Docket.

G. At a public hearing on the Docket held on August 1, 2023 (the “Public Hearing”), as further reflected in the official record of the Public Hearing, the Board considered the Staff Recommendation, as well as documents and testimony presented by Community Planning & Permitting Department planning staff. The Board also heard testimony from Adam Gaylord and Ilene Flax on behalf of the Applicant. One member of the public spoke at the Public Hearing.

H. Based on the Public Hearing, the Board finds that the Docket meets the criteria for Limited Impact Special Use approval for earthwork and grading in excess of 500 cubic yards as set forth in Article 4-601 of the Code.

I. Therefore, the Docket can be approved, subject to the conditions stated below.

Therefore, the Board resolves:

Docket LU-23-0010 is approved on the basis and terms set forth in this Resolution, above, and subject to the following conditions:

1. The locations for the trail restoration and construction are approved as proposed in the application materials dated March 3, 2023.
2. The Applicant must obtain a Floodplain Development Permit for the entire project, the application materials must include a hydraulic model, plans submitted for permitting must display the Federal Emergency Management Agency (“FEMA”) and Boulder County 100-year floodplains, and construction staging and stockpiling areas must be reviewed and approved by Community Permitting and Planning staff. All requirements as identified in the Floodplain referral response dated May 25, 2023, must be satisfied.
3. At building or grading permit submittal, the Applicant must identify the location and design of the proposed berm for review and approval by Community Planning and

Permitting staff. Any revisions to the design must comply with the Boulder County Multimodal Transportation Standards requirements.

4. The development is subject to the requirements of the Boulder County Building Safety and Inspection Services Team and adopted County Building Codes as outlined in the referral comments dated June 2, 2023, including but not limited to, building and grading permits, plan review, and an observation report.

5. Hours of construction traffic must be limited from 8:30 AM to 3:30 PM, Monday through Friday.

6. At building or grading permit submittal, the Applicant must submit a Revegetation Plan addressing the outstanding questions included in the Parks & Open Space -Natural Resource Planner's referral response dated July 14, 2023, for Community Planning and Permitting review and approval.

7. At building or grading permit submittal, the Applicant must provide documentation demonstrating legal use of the CDOT ROW.

8. At building permit submittal for the pedestrian bridge, a traffic control plan completed by a Traffic Control Supervisor must be submitted for approval.

9. At building or grading permit submittal, plans submitted for permitting must include detail informing how the creek and groundwater will be protected from wet and curing concrete.

10. At building permit or grading permit submittal, design plans are required for retaining walls in excess of 4-feet tall, as measured from the bottom of the footing to the top of the wall, and shall be signed and sealed by a qualified Colorado-licensed Professional Engineer. The Applicant must submit calculations for any retaining walls over six feet in height.

11. At building or grading permit submittal, the Applicant must submit a drainage letter that includes calculations stamped by a Colorado-licensed professional Engineer. The drainage letter must verify that the bioswales are adequately sized to address stormwater impacts as well as compliance with section 1200 of the Boulder County Storm Drainage Criteria Manual.

12. At building or grading permit submittal, the Applicant must apply for a stormwater quality permit.

13. The Applicant shall be subject to the terms, conditions, and commitments of record and in the file for Docket LU-23-0010: City of Boulder Chapman Road Trailhead Improvements.

A motion to approve the Docket was made by Commissioner Ashley Stolzmann, seconded by Commissioner Claire Levy, and passed by a 2-0 vote. Commissioner Marta Loachamin was excused from the Public Hearing.

**ADOPTED** as a final decision of the Board on this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

**BOARD OF COUNTY COMMISSIONERS  
OF BOULDER COUNTY:**

\_\_\_\_\_  
Claire Levy, Chair

\_\_\_\_\_  
Ashley Stolzmann, Vice Chair

Excused August 1, 2023  
\_\_\_\_\_  
Marta Loachamin, Commissioner

ATTEST:

\_\_\_\_\_  
Clerk to the Board