

CONDITIONAL USE PERMIT

CASE #CUP23-0001

WHEREAS, the City Council of the City of Commerce City, Colorado, having considered the report of the Director of Community Development, having adopted the findings and recommendations of the Planning Commission, and having conducted a public hearing regarding the Case #CUP23-0001, has determined that the requirements of Section 21-3230 of the Land Development Code are satisfied in this case, subject to the conditions contained herein;

WHEREAS, the City Council desires to approve certain conditional uses pursuant to the Land Development Code as set forth herein for Rocky Mountain Recycling Inc. (“Applicant”), only for its operations on the property described as set forth in Exhibit A (“Property”), more commonly known as 6425 Brighton Blvd., parcel identification number 182306310002.

NOW THEREFORE, the conditional use permit applied for in Case #CUP23-0001 is hereby approved as follows:

1. CONDITIONALLY APPROVED USES: The Applicant is permitted to conduct the following land uses at the Property, subject to the compliance with the conditions contained herein and any other applicable laws and regulations:

Recycling Facility

2. CONDITIONS: The following conditions shall apply to the conduct of the uses authorized by this conditional use permit:

- A. The hours of operation shall be limited to be between 6:00 a.m. and 10:00 p.m., with no operation of large machinery or movement of heavy materials after 9:00 p.m.
- B. Screening of at least six feet in height shall be installed along the Brighton Blvd frontage.

3. NON-COMPLIANCE: Failure to comply with the above conditions shall constitute basis for revocation by the City of Commerce City, after public hearing, of the Conditional Use Permit, it being expressly determined by the City Council that the Conditional Use Permit granted by the City of Commerce City in Case #CUP23-0001 is not proper in the absence of compliance with the conditions and requirements herein contained. In the alternative, the City may proceed with legal action for injunctive relief to enforce the conditions herein imposed or issue a summons and complaint in the Commerce City municipal court for violation of the aforesaid conditions, and in the event a summons and complaint is issued in the Commerce City municipal court, and upon finding a violation of the condition set forth in this Conditional Use Permit, the municipal court may impose any penalty authorized by the Land Development Code. The remedies herein provided for shall be considered cumulative and not mutually exclusive.

Effective this 1st Day of April, 2024.

CITY OF COMMERCE CITY, COLORADO

Steven Douglas, Mayor

ATTEST

Dylan A. Gibson, City Clerk

Exhibit A
(Legal Description)
Case #CUP23-0001

SUB:ALLIED SUBDIVISION FILING NO 1 DESC: LOT 2 EXC PARC AND TOG WITH
PARCEL DESC AS BEG AT THE SW4 COR OF SD SEC 6 TH N 72D 40M E 1133/70 FT TO
THE MOST ELY COR OF SD LOT 2 AND THE POB TH ALG THE BDRY OF LOT 2 TH FOL
2 COURSES N 83D 47M W 195/38 FT TH N 22D 20M E 2/24 FT TH S 83D 35M E 195/30 FT
TH S 25D 44M W 1/60 FT TO THE POB