



BOARD OF COUNTY COMMISSIONERS

Epimenio Griego, District 1
Garrison M. Ortiz, District 2
Chris Wiseman, District 3

THURSDAY, OCTOBER 14, 2021
9:00 A.M.

LAND USE AGENDA

NOTICE REGARDING COVID-19 (Novel Coronavirus): Due to the lifting of capacity restrictions previously imposed by the Governor and State and local health agencies, the Pueblo County Historic Courthouse is open to the public and meetings of the Board of County Commissioners (BOCC) will be held in-person in the Commissioners' Chambers. BOCC meetings will continue to be streamed live on the County's Facebook Page <https://www.facebook.com/PuebloCounty/>, noting public comments will not be accepted from the Facebook page. The public may provide comments by 5:00 p.m., on Tuesday, October 12, 2021, to the Department of Planning and Development or via e-mail to planning@pueblounty.us.

(Notice to Readers: This agenda is for informational purposes only and is subject to change. Please be advised that this meeting is streaming live over social media. Accommodations for individuals with sight or hearing impairment may be made by contacting Patsy Cresswell at 583-0500 or TDD at 583-6550.)

9:00 A.M. CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve Land Use Minutes of September 9, 2021
- Approve Agenda of October 14, 2021

9:05 A.M. PUBLIC COMMENTS

1. Citizen Comments (**Comments limited to 5 minutes per speaker**)
2. Commissioners' Comments

(The Record: The Planning Department staff report, and the application submitted by the applicant for each agenda item and any supplemental information distributed by staff at the meeting are automatically incorporated as part of the Record unless specific objections are raised and sustained at the public hearing. Any additional materials used by the applicant or others in support of or in opposition to a particular agenda item may, at the discretion of the person or entity using the materials, be submitted for inclusion in the Record. Such materials for which a request for inclusion in the Record is made shall, at the discretion of the administrative body, be made a part of the Record. Note: Any materials including documents and/or instruments submitted for inclusion in the Record and admitted by the administrative body must be left with the Clerk.)

9:15 A.M. BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS

The Consent Agenda contains items for which staff is recommending approval and as of the publication of the agenda, there was no known opposition and the applicant(s) are in agreement with staff's recommended conditions of approval. Staff will present the Consent Agenda in a summary format. If any member of the Board of County Commissioners or a member of the audience wants to remove an item from the Consent Agenda to facilitate an individual, full public hearing regarding that item, they must request the item be removed from the Consent Agenda following the summary presentation of the Consent items. The item will be removed from the Consent Agenda and placed on the Regular Agenda at a position being at the sole discretion of the Board. Upon completion of the summary of the Consent Agenda items and the removal of any items requested for individual, full public hearing, the Board will take action regarding the remaining items on the Consent Agenda in the form of a single vote.

1. TEXT AMENDMENT NO. 2021-004 - Pueblo County Planning and Development (Applicant)
(IF REMOVED, **PUBLIC HEARING**)



The applicant proposes a Text Amendment to amend specific Chapters and/or Sections in Title 17 Land Use, Division I. Zoning of the Pueblo County Code. The purpose of this text amendment is to bring greater clarity and specificity for how the County reviews, provides guidance for siting facilities and potentially authorizes solar energy facilities. The amendments add definitions and performance standards to the Pueblo County Code. The applicable Chapters and/or Sections are as follows:

"17.04.040 Definitions, 17.90.010 Definitions, 17.120.130 Public utilities, 17.168.020 Definitions, Add new section "17.168.050. Solar Facilities" specifically addressing medium-scale and utility-scale solar facilities and ancillary battery facilities to Pueblo County Code, Title 17, Division II." . (1 minute)

***(In order to allow the Planning Commission to make a recommendation at its October 20, 2021 meeting to the Board, staff requests the Board continue the text amendment to its November 4, 2021 public hearing.)**

2. ANDENUCIO FARM SUBDIVISION - Anthony and Virginia A. Andenucio
PRELIMINARY PLAN NO. 2021-002 (Owners/Applicants)
(IF REMOVED, **PUBLIC HEARING**) c/o Mangini & Associates, Inc., Rocky Mangini
(Representative)
25950 Gale Road



The owners/applicants request preliminary plan approval to subdivide a 5.49± acre parcel into four (4) lots, varying between 1.0± acres and 1.71± acres in size, within an A-4, Agricultural (minimum ½ acre) Zone District. The lots are proposed to be accessed via a forty (40) foot private ingress-egress and public utility easement (tentatively named Nuch Lane). The property is located on the south side of Gale Road between Lanes 25 and 27 in the St. Charles Mesa area. **(1 minute)**

***(Continued by the Board at its September 9, 2021 public hearing.)**

3. [ROAD/ALLEY VACATION NO. 2021-002](#) - William J. and Deborah K. Ward (Owners/Applicants)
(IF REMOVED, **PUBLIC HEARING**) BH2 Land Surveying, LLC



c/o William S. Bechaver, PLS (Representative)
Norton Lane between Maple Drive and Oak Drive

The owners/applicants are requesting to vacate a portion of a 60-foot wide platted but unimproved roadway (Norton Lane) as platted on the recorded plat maps of Woodland Acres, Filing Nos. 1 and 2. The vacation, if approved, will incorporate the area of the vacated roadway into the adjacent properties owned by the owners/applicants: Lots 5 and 6, Block 7, Woodland Acres Filing No. 1 and Lots 1 and 35, Block 12, Woodland Acres Filing No. 2. The roadway is located between Maple Drive and Oak Drive, approximately 450 feet west of their intersection with Eldon Drive in the Rye area. **(1 minute)**

***(Continued by the Board at its September 9, 2021 public hearing.)**

4. [MAP AMENDMENT NO. 2021-015](#) – David M. Jackson as Personal Representative of the
(IF REMOVED, **PUBLIC HEARING**) Estate of Robert A. Jackson (Applicant),



c/o Pueblo County Department of Planning and
Development (Representative)
San Isabel Area, South of Colorado State Highway
No. 165 and West of Robb Road

Applicant requests a map amendment to rezone a 12.3-acre parcel from a S-1, Public Use Zone District to an A-2, Agricultural (minimum 5 acre) Zone District and rezone four parcels totaling 337.7 acres from a S-1, Public Use Zone District to an A-1, Agricultural (minimum 35 acre) Zone District. The intent of this request is to recognize the properties' private ownership, size, and potential future residential uses. The properties are located on the south side of Colorado State Highway 165 west of Robb Road in the San Isabel area of Western Pueblo County. **(1 minute)**

5. [MAP AMENDMENT NO. 2021-014](#) -
(IF REMOVED, **PUBLIC HEARING**)



Connie L. Harris (Owner/Applicant)
NorthStar Engineering & Surveying, Inc.,
c/o Jim Pioreschi, Project Manager (Representative)
2425 Lane 59

The owner/applicant is requesting a map amendment to rezone a 79.43± acre parcel from an A-1, Agricultural (minimum 35 acre) Zone District to an A-2, Agricultural (minimum 5 acre) Zone District. The property is located at the northwest corner of the intersection of Lane 59 and Elderberry Road in Eastern Pueblo County. This map amendment will be heard in conjunction with CH Subdivision Preliminary Plan No. 2021-003. **(1 minute)**

6. CH SUBDIVISION - Connie L. Harris (Owner/Applicant)
PRELIMINARY PLAN NO. 2021-003 NorthStar Engineering & Surveying, Inc.,
(IF REMOVED, **PUBLIC HEARING**) c/o Jim Prioreshi, Project Manager
(Representative)
2425 Lane 59



The owner/applicant requests preliminary plan approval to subdivide 79.43± acres into six (6) lots as follows: Lot 1 will contain 24.90± acres, Lots 2-5 are proposed with lot areas of 10.28± acres each, and Lot 6 is proposed to contain 10.72± acres. A thirty (30) foot road right-of-way dedication is proposed for both Lane 59 and Elderberry Road (containing 2.39 acres). The property is located at the northwest corner of the intersection of Lane 59 and Elderberry Road in Eastern Pueblo County. The preliminary plan is being heard in conjunction with Map Amendment No. 2021-014. **(1 minute)**

RECESS AS BOARD OF COUNTY COMMISSIONERS AND CONVENE AS ZONING BOARD OF APPEALS

9:21 A.M. ZONING BOARD OF APPEALS' CONSENT ITEMS

1. ZONING VARIANCE NO. 2021-003 - Bruce and Barbara Thompson (Owners/Applicants)
(IF REMOVED, **PUBLIC HEARING**) Cortez Construction, c/o Carla M. Barela
(Representative)
29109 Daniel Road



The owner/applicant is requesting a zoning variance from Title 17, LAND USE, Division I. ZONING, Chapter 17.16, Agricultural Three (A-3) and Four (A-4) Districts, specifically Section 17.16.050 (*Lot dimensions*) of the Pueblo County Code to recognize a parcel of land with a lot width of 130 feet in lieu of the minimum required lot width of 140 feet in the A-3, Agricultural (minimum 1 acre) Zone District. The site is located on the north side of Daniel Road approximately 260 feet east of 29th Lane in the St. Charles Mesa area. **(1 minute)**

2. ZONING VARIANCE NO. 2021-004 - Pannunzio, Inc., c/o Andrea Divelbiss (Applicant)
Pannunzio, Inc., a Colorado Corporation (Owner)
764 South Granito Vista Lane



The Applicant requests a zoning variance from Title 17, LAND USE, Division I. ZONING, Chapter 17.16, Agricultural Three (A-3) and Four (A-4) Districts, specifically Section 17.16.050 (*Lot dimensions*) of the Pueblo County Code to allow a lot width of 95.7 feet at the proposed front building setback line (40 feet) in lieu of the minimum required lot width of 140 feet in the A-3, Agricultural (minimum 1 acre) Zone District. The property is a triangularly shaped lot platted in 1969; its narrow configuration limits development within the designated buildable area and in compliance with the applicable development standards. The property contains 1.43 acres and is located on the east side of South Granito Vista Lane, approximately 530 feet north of its intersection with West Ignacio Drive South in the community of Pueblo West. **(1 minute)**

9:23 A.M. ZONING BOARD OF APPEALS' REGULAR ITEMS

1. PUBLIC MEETING

RESOLUTION

[VZ 2019-046](#)

- Fred S. Rael
1536 Baculite Mesa Road

A Resolution Directing the County Attorney to Institute Legal Action to Enforce the Pueblo County Code Against the Property Located at 1536 Baculite Mesa Road, Pueblo, Colorado (VZ No. 2019-046). **(5 minutes)**

2. PUBLIC MEETING

RESOLUTION

[VZ 2021-009](#)

- Donald E. Shumake
7512 East Pine Bluff Drive

A Resolution Directing the County Attorney to Institute Legal Action to Enforce the Pueblo County Code Against the Property Located at 7512 East Pine Bluff Drive, Pueblo, Colorado (VZ No. 2021-009). **(5 minutes)**

9:33 A.M. DISCUSSION

Status Report to Board of County Commissioners on Zoning Violations. **(10 minutes)**

9:43 A.M. ADJOURN

The next BOCC Land Use Meeting will be held on **November 4, 2021 at 9:00 A.M.**

*Any items that cannot be addressed within the allotted time will be heard at the next BOCC Land Use meeting on **November 4, 2021.**