



BOARD OF COUNTY COMMISSIONERS

Epimenio M. Griego, District 1
Daneya L. Esgar, District 2
Zachary Swearingen, District 3

THURSDAY, OCTOBER 12, 2023
9:00 A.M.

PUEBLO COUNTY COURTHOUSE
COMMISSIONERS' CHAMBERS
215 WEST 10TH STREET

REVISED LAND USE AGENDA

NOTICE: The public may provide comments by 5:00 p.m., on Tuesday, October 10, 2023, to the Department of Planning and Development or via email to planning@pueblounty.us. The hearing will be streamed live on the County's Facebook Page <https://www.facebook.com/PuebloCounty/>; however, public comments will not be accepted if provided on Facebook.

9:00 A.M. CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve Land Use Minutes of September 14, 2023.
- Approve Agenda of October 12, 2023.

9:04 A.M. BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS

- 1) [MAP AMENDMENT MA-23-9](#) John Waldschmidt (Applicant)
(IF REMOVED, **PUBLIC HEARING**) John P. Waldschmidt and Tagna J. Waldschmidt
(Owners)
Vacant Parcel North of 9611 State Highway 165 West

The Owners/Applicant are requesting a map amendment to rezone a 0.78± acre parcel of land from a A-4, Agricultural (minimum ½ acre) Zone District to an A-3, Agricultural (minimum 1 acre) Zone District. The intent of this request is to apply a consistent zone district designation to the property in order for the owners to pursue a lot line vacation with the neighboring parcel, which is currently zoned A-3. The property is located on the east side of Zoeller Road, approximately 600 feet north of its intersection with State Highway 165. **(1 minute)**

- 2) [HOUSE BILL 1041 PERMIT NO. SLI-23-2](#) Rob Cooper, Representative for RMS335, LLC
(IF REMOVED, **PUBLIC HEARING**) (AES Clean Energy) (Applicant)
J-S Farms, Inc., John Sutphin, Jr. (Owner)
Larry Sly, Project Manager, Stantec Consulting
Services, Inc. (Representative)

The applicant is requesting approval of a permit by the Pueblo Board of County Commissioners as the designated Permit Authority, for construction of a Utility Scale Solar Facility consisting of

a 325 MW photovoltaic solar energy generation facility with additional battery storage of up to 200 MW. The project will interconnect to the existing Comanche yard via a 5-mile gen-tie line, the exact location to be determined. The project is also known as RMS 325, a component of a proposed utility scale solar complex to be located off Doyle Road, southwest of the City of Pueblo. **(1 minute)**

Staff is recommending continuance to the November 9, 2023 Board of County Commissioners' hearing to allow the applicant to submit requested changes.

- 3) [HOUSE BILL 1041 PERMIT NO. SLI-23-4](#) Rob Cooper, Representative for RMS 335, LLC
(IF REMOVED, **PUBLIC HEARING**) (AES Clean Energy) (Applicant)
J-S Farms, Inc John Sutphin Jr (Owner)
David Rodenberg, Leasing Manager, Colorado
State Land Board (Owner)
Larry Sly, Project Manager, Stantec Consulting
Services Inc. (Representative)

The applicant is requesting approval of a permit by the Pueblo Board of County Commissioners as the designated Permit Authority, for construction of a Utility Scale Solar Facility consisting of a 500 MW photovoltaic solar energy generation facility with additional battery storage. The project will interconnect to the existing Comanche yard via a 5 mile gen-tie line, the exact location to be determined. The project is also known as RMS 500, a component of a proposed utility scale solar complex to be located off Doyle Road, southeast of the Comanche powerplant.
(1 minute)

Staff is recommending continuance to the November 9, 2023 Board of County Commissioners' hearing to allow the applicant to submit requested changes.

- 4) [HOUSE BILL 1041 PERMIT NO. SLI-23-6](#) Mick Baird, Representative for Salsa Solar, LLC
(IF REMOVED, **PUBLIC HEARING**) (Invenergy) (Applicant)
Various Owners (see application for list)
John Heule, Project Manager, SWCA
Environmental Consultants (Representative)

The applicant is requesting approval of a permit by the Pueblo Board of County Commissioners as the designated Permit Authority, for construction of a Utility Scale Solar Facility consisting of a 200 MW photovoltaic solar energy generation facility with additional battery storage. The project will interconnect to the existing Xcel Energy Mirasol Switchyard via a 1 mile gen-tie line. The project is also known as Southern Star Solar Project to be located south of the Town of Avondale. **(1 minute)**

Staff is recommending continuance to the November 9, 2023 Board of County Commissioners' hearing to allow the applicant to submit requested changes.

- 5) [FINAL PLAT FINL-22-2](#) Anthony and Virginia A. Andenucio
(aka [ANDENUCIO FARM](#)) (Owners/Applicants)
[SUBDIVISION FINAL 2022-002](#) Mangini & Associates, Inc., c/o Rocky Mangini
(IF REMOVED, **PUBLIC HEARING**) (Representative)
25950 Gale Road

The owners/applicants request final plat 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)**

**(The Owners/Applicants have requested the final plat be continued by the Board to its December 14, 2023 public hearing.)*

9:09 A.M. BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS

- 1) [TEXT AMENDMENT TA-23-2](#) Pueblo County Department of Planning & Development (Applicant)
Section 17.136.070 Administrative Adjustment.

The Pueblo County Department of Planning and Development is proposing a Text Amendment to amend regulations in Title 17 - LAND USE, Division I. Zoning, to add a new section to title 17, Section 17.136.070, which allows for minor administrative adjustments to dimensional standards relating to lot width, lot area, setbacks, and minimum size requirements of residences.
(10 minutes)

9:19 A.M. CITIZEN COMMENTS (limited to 3 minutes per speaker, total of 7 speakers)

9:40 A.M. COMMISSIONERS' COMMENTS (5 minutes)

9:45 A.M. ADJOURN

The next regular BOCC Land Use Meeting will be held on **November 9, 2023, 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 9, 2023**. The meeting will be held at 9:00 a.m., in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10th Street, Pueblo, Colorado.

(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.)