



## BOARD OF COUNTY COMMISSIONERS

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

**THURSDAY, NOVEMBER 9, 2023  
9:00 A.M.**

**PUEBLO COUNTY COURTHOUSE  
COMMISSIONERS' CHAMBERS  
215 WEST 10<sup>TH</sup> STREET**

### LAND USE AGENDA

**NOTICE:** The public may provide comments by 5:00 p.m., on Tuesday, November 7, 2023, to the Department of Planning and Development or via email to [planning@pueblounty.us](mailto: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 October 18, 2023.
- Approve Agenda of November 9, 2023.

#### **9:04 A.M. SPECIAL ISSUES OF PUBLIC INTEREST**

1. Proclamation – “Veterans Day” acknowledgement to the Veterans and Active-Duty Employees of Pueblo County. **(6 minutes)**

#### **9:10 A.M. BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS**

- 1) MAP AMENDMENT Donald H. Martin (Owner/Applicant)  
CASE NO.: MA-23-10 Sam Spicola (Representative)  
(IF REMOVED, **PUBLIC HEARING**) 3114 McCormick Avenue

The Owner/Applicant is requesting a map amendment to rezone a 2.64±-acre parcel from an A-2, Agricultural (minimum 5-acre) zone district to an A-4, Agricultural (minimum ½-acre) zone district. The purpose of this request is to rezone to an appropriate zone district for the eventual subdivision of this parcel. **(1 minute)**

- 2) **PUBLIC HEARING**  
HOUSE BILL 1041 PERMIT  
CASE NO.: SLI-23-4  
(IF REMOVED, **PUBLIC HEARING**)
- Rob Cooper, Representative for RMS 335, LLC (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 December 14, 2023 Board of County Commissioners' hearing to allow the applicant to submit requested changes.*

- 3) **PUBLIC HEARING**  
HOUSE BILL 1041 PERMIT  
CASE NO.: SLI-23-6  
(IF REMOVED, **PUBLIC HEARING**)
- Mick Baird, Representative for Salsa Solar, LLC (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 December 14, 2023 Board of County Commissioners' hearing to allow the applicant to submit requested changes.*

**9:13 A.M. BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS**

- 1) **PUBLIC HEARING**  
HOUSE BILL 1041 PERMIT  
CASE NO.: SLI-23-2
- Rob Cooper, Representative for RMS335, LLC (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. **(30 minutes)**

2. **PUBLIC MEETING**

RESOLUTION - David M. Percival  
VZ 2018-065 3485 Canyon Heights Road

A Resolution Directing the County Attorney to Institute Legal Action to Enforce the Pueblo County Code Against the Property Legally Described as Lot 45, Rev 3, Red Creek Ranch Phase II, Contg 40A, 6-22-67, Formerly 27-000-01-017, Pueblo County, Colorado. **(5 minutes)**

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

**9:48 A.M. ZONING BOARD OF APPEALS' REGULAR ITEMS**

1) ZONING VARIANCE Maximiliana Leigh Thompson (Owner/Applicant)  
CASE NO.: ZV-23-3 1623 Pecos Street

Owner/Applicant requests a zoning variance to allow a residence twelve (12) feet wide instead of the minimum twenty (20) feet wide required by the definition of "Residence" in Section 17.04.040 Definitions of the Pueblo County Code on a nonconforming parcel of record in the R-2, Single-Family Zone District. The property is 2,919 square feet in area and is located on the west side of Pecos Street approximately 450 feet south of Tampico Street in the Salt Creek area. **(30 minutes)**

**10:18 A.M. CITIZEN COMMENTS (limited to 3 minutes per speaker, total of 7 speakers)**

**10:39 A.M. COMMISSIONERS' COMMENTS (5 minutes)**

**10:44 A.M. ADJOURN**

The next regular BOCC Land Use Meeting will be held on **December 14, 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 **December 14, 2023**. The meeting will be held at 9:00 a.m., in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10<sup>th</sup> 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.)***