



BOARD OF COUNTY COMMISSIONERS

Terry A. Hart, District 1
Garrison M. Ortiz, District 2
Chris Wiseman, District 3

THURSDAY, FEBRUARY 14, 2019

9:00 A.M.

COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURTHOUSE
215 WEST 10TH STREET

MEMORANDUM TO LAND USE AGENDA

(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 at least two days in advance of the meeting.)

9:00 A.M. CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve the Land Use Minutes from January 9, 2019 (***previously approved by Board on January 22, 2019***)
- Approve Agenda of February 14, 2019

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. [HOUSE BILL 1041 PERMIT NO. 1041 2018-001](#) - Morning Light Solar Facility, EDF
(IF REMOVED, **PUBLIC HEARING**) Renewable Energy, Inc. (Applicant)
R. Lewis Fillmore (Owner)
Clarks, Inc. (Owner)
SWCA Environmental Consultants, c/o
Cody MacDonald (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 ground-mounted solar energy facility on approximately 3,156 acres in the Boone area. The facility project is called Morning Light Solar Project. **(5 minutes)**

**(Continued by the Board at its November 7, 2018 public hearing. The applicant is requesting the item be continued to the Board's May 9, 2019 public hearing)*

2. [MAP AMENDMENT NO. 2018-008](#) - John P. and Tagna J. Waldschmidt
(IF REMOVED, **PUBLIC HEARING**) (Owners/Applicants)
c/o BH2 Land Surveying LLC (Representative)
Tracts 9 and 10, St. Charles Creek Estates, Rye



The owners are requesting a map amendment to rezone a 0.17± acre portion of Tracts 9 and 10, St. Charles Creek Estates (being proposed Parcel A, Lot Line Rearrangement No. 2018-004) from an A-3, Agricultural (minimum 1 acre) Zone District to an A-4, Agricultural (minimum ½ acre) Zone District designation in order to bring the new parcel proposed through the rearrangement process into one (1) uniform zone district. The property is located north of Colorado State Highway No. 165 on the east side of vacated Zoeller Road in the Rye/San Isabel area of Western Pueblo County. **(5 minutes)**

9:25 A.M. ZONING BOARD OF APPEALS' CONSENT ITEMS (NO ITEMS)

9:25 A.M. BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS

1. **PUBLIC HEARING**
[MAP AMENDMENT NO. 2018-004](#) - Josh Peterson, LAVERNCLAUS, LLC (Applicant)
LAVERNCLAUS, LLC (Owner)
DK Horn Engineering & Design, Inc., c/o Darlene Horn
(Representative)
1215 Santa Fe Drive



Applicant requests a map amendment to rezone Parcel B of Lot Line Rearrangement No. 98-03 containing 3.49 acres from an A-3, Agricultural (minimum 1 acre) Zone District to an I-2, Light

Industrial Zone District to accommodate marijuana operations allowed as uses by right in the I-2 Zone District. The property is located on the east side of Colorado State Highway 227, north of Santa Fe Drive/Highway U.S. 50. **(10 minutes)**

**(Continued by the Board at its January 9, 2019 public hearing.)*

2. PUBLIC HEARING

[MAP AMENDMENT NO. 2018-005](#) -



Josh Peterson, LAVERNCLAUS, LLC (Applicant)
LAVERNCLAUS, LLC (Owner)
DK Horn Engineering & Design, Inc., c/o Darlene Horn
(Representative)

Applicant requests a map amendment to rezone Parcel A of Lot Line Rearrangement No. 98-03 containing 23.19 acres from an I-2, Light Industrial Zone District to an A-2, Agricultural (minimum 5 acres) Zone District to accommodate a marijuana cultivation operation allowed as a use by right in the A-2 Zone District. The property is located on the east side of Colorado State Highway 227, north of Santa Fe Drive/Highway U.S. 50. **(10 minutes)**

**(Continued by the Board at its January 9, 2019 public hearing.)*

9:45 A.M. ZONING BOARD OF APPEALS' REGULAR ITEMS (NO ITEMS)

9:45 A.M. DISCUSSION

1. [1041 2017-001](#) One-Year Status Update, SPower Development Company, LLC. **(15 minutes)**
2. [SDC Permitting](#) (Irene Kornelly, Kornelly and Associates) **(15 minutes)**

10:15 A.M. ADJOURN

The next BOCC Land Use Meeting will be held on **March 14, 2019 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 **March 14, 2019.**