

RESOLUTION NO. PCPC 18- 009

THE PUEBLO COUNTY PLANNING COMMISSION (PCPC)

**A RESOLUTION DENYING SPECIAL USE PERMIT NO. 2018-005 FOR A PHOTOVOLTAIC SOLAR SYSTEM, PROJECT NAME: BH CSG 1 ON A 3.7 ACRE PARCEL IN THE A-3 ZONE DISTRICT, LOCATED IN A PORTION OF THE WEST ONE-HALF OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 64 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, PUEBLO COUNTY, COLORADO**

**WHEREAS**, the Pueblo County Planning and Development Department received an application for Special Use Permit No. 2018-005 on April 4, 2018, submitted by TCA Microgrid Energy, LLC; and

**WHEREAS**, the Special Use requested is to allow a ground mounted 500kW DC photovoltaic solar system, Project Name: BH CSG 1 consisting of approximately 1,500 solar modules mounted on single-axis tracker and accessory equipment; and

**WHEREAS**, pursuant to the Pueblo County Code, Title 17, Land Use, Chapter 17.16 AGRICULTURAL THREE (A-3) AND FOUR (A-4), A-3 Zone District, Section 17.16.030, Uses-by-Review, a Utilities as outlined in Section 17.120.130 is allowed as a use-by-review if approved by the Pueblo County Planning Commission; and

**WHEREAS**, the property is legally described as Lot 10, Block 1, Trani Estates; and

**WHEREAS**, a public hearing, preceded by proper public notice, was held by the Pueblo County Planning Commission on May 16, 2018, at which time, all those present at the hearing who desired to be heard were heard and their testimony recorded; and

**WHEREAS**, the Pueblo County Planning Commission has reviewed and taken administrative notice of the application documents, evidence presented at the hearing, and the contents of the Planning Director's file; and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of Pueblo County, Colorado, by a vote of 6 to 2 does hereby **DENY** Special Use Permit No. 2018-005 based on the following findings:

1. "Utilities as outlined in Section 17.120.130" is listed under the Pueblo County Code, Title 17, Land Use, Division I. Zoning, Chapter 17.16, Agricultural Three (A-3) and Four (A-4) Districts, Section 17.16.030, Uses-by-Review. The applicant's proposed solar facility meets the definition of "Utilities".
2. The 2002 Pueblo Regional Development Plan, most recently amended August 26, 2014, depicts the subject property to be located in an area designated as "*Special Development (Study) Area*".

The stated purpose of the A-3 Zone District is "... *designed to provide and retain certain lands for farming and gardening, and to provide for orderly low density residential development.*"

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The proposed solar facility will substantially modify the Land Use Plan or the intent, purpose, and spirit of this Title.

3. This Special Use Permit will not incorporate reasonable means to create an environment harmonious with that of the surrounding properties.
4. The Special Use Permit will adversely affect public health, safety, or welfare.

**PASSED AND ADOPTED** this 16th day of May 2018, in Pueblo County, Colorado.

**THE PLANNING COMMISSION  
OF PUEBLO COUNTY, COLORADO:**

By: \_\_\_\_\_

Kiera Hatton, Chairperson

**ATTEST:**

By: \_\_\_\_\_

Sandra M. Smith  
Recording Secretary