

**AGENDA**  
**PUEBLO COUNTY PLANNING COMMISSION**  
**Commissioners' Chambers, Pueblo County Courthouse**  
**215 West 10<sup>th</sup> Street**  
**October 22, 2013**  
**5:00 P.M.**

***(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.)***

1. Roll Call and Declaration of Quorum.
2. Approval of September 24, 2013 Minutes.
3. Chairperson's Report.
4. Director's Report:
  - (a) Acceptance of Map Amendments.
  - (b) Correspondence.
  - (c) Continuance.
    - [SPECIAL USE PERMIT NO. 1999-007](#) Amendment, Stonewall Springs Quarry, LLC (Owner), Fremont Paving & Redi-Mix, Inc. (Applicant/Operator), Environmental Alternatives, Inc., c/o Angela Bellantoni (Representative), located west of Nyberg Road, between East State Highway 96 and East U.S. Highway 50. This is an amendment of Special Use Permit No. 1999-007 which was originally approved by the Pueblo County Planning Commission on May 25, 1999. The special use permit allowed sand and gravel extraction, crushing, screening, washing, and stockpiling within 448± acres in an A-1, Agricultural Zone District with a proposal to reclaim 300 surface acres to a permanent (unlined) lake for recreation. The applicant requests an amendment to change the reclamation plan to construct lined water storage reservoirs with an approximate capacity range of 3,210-8,140 acre feet, open space, and/or wetlands as final reclamation. The property is located north of the Arkansas River and west of Nyberg Road, between East State Highway 96 and East U.S. Highway 50.

Staff requests the amendment of Special Use Permit No. 1999-007 be continued to the December 17, 2013 Planning Commission meeting.

(d) Withdrawals:

- [TEXT AMENDMENT NO. 2013-005](#), Pueblo County Department of Planning and Development (Applicant). An amendment is proposed to Title 17, Land Use, Division II. Areas and Activities of State and Local Interest (1041 Regulations) of the Pueblo County Code. Chapter 17.152, NATURAL HAZARD AREAS AND MINERAL RESOURCE AREAS, would be removed in its entirety. Additionally, various references throughout the 1041 Regulations which refer to the Colorado Land Use Commission and the Land Use Advisory Committee would be removed. The Colorado Land Use Commission and the Land Use Advisory Committee are no longer in existence.

Staff requests Text Amendment No. 2013-005 be withdrawn.

(e) Board of County Commissioners' Action.

(f) Administrative Reviews.

- [Special Use Permit No. 1999-002](#) Amended, State Land Board and GCC Rio Grande, Inc. (Owners), GCC Rio Grande, Inc. (Operator/Applicant), Adam DeVoe/Lori Baker of Brownstein, Hyatt, Farver, Schreck, LLP (Representative), 3372 Lime Road. This is an administrative review of an amended special use permit, which allows for "natural deposits, extraction, and processing" (mineral extraction and cement manufacturing) in an A-1, Agricultural (minimum 35 acre) Zone District. The property contains 6,000± acres, and is located approximately 8.7± miles south of Pueblo, east of Interstate 25.

5. Statement of Hearing Procedures by Chairperson.

6. Hearing of Cases.

**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 applicants 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 Commission 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 at the end of the **Regular Agenda**. Upon completion of the summary of the **Consent Agenda** items and the removal of any items requested for individual, full public hearing, the Commission will take action regarding the remaining items on the **Consent Agenda** in the form of a single vote.

- 1) [SPECIAL USE PERMIT NO. 2013-012](#) - New Farms Agricultural Services (Applicant)  
Pueblo County School District 70 (Owner)  
Wayne Snider (Representative)

Applicant requests approval of a special use permit to establish two uses in an A-1, Agricultural Zone District. One use is "Farm Products, Processing, Manufacture, Storage and Wholesale", and the other is "Private School." The proposal involves establishing a "Food Hub" with a commercial kitchen and cold/frozen storage facility, along with processing, storage, marketing, and distribution of agricultural products. The facility would also be used for agricultural-related workshops, meetings, and events. The facility would be located in the Pueblo County Department of Planning & Development • 719-583-6100 • E-mail: [planning@co.pueblo.co.us](mailto:planning@co.pueblo.co.us)

Excelsior Middle School building, located at the southeast corner of the intersection of Highway 50 and Asbury Lane.

**REGULAR ITEM:**

- a) [SPECIAL USE PERMIT NO. 287](#) - Charles B. and Sophia Murillo (Original Owners)  
(also known as SUP 1976-019) Charles B. and Cecelia Murillo and James and Renee C. Murillo (Current Owners)  
Department of Planning and Development (Applicant)  
Portion of Section 10, Township 21 South, Range 62 West of the 6<sup>th</sup> P.M.

Pursuant to Title 17, LAND USE, Division I. ZONING, Chapter 17.140.070 D. of the Pueblo County Code, the Department of Planning and Development is requesting the Pueblo County Planning Commission issue a Declaration of Abandonment of Special Use Permit No. 287 due to the special use permit being established but thereafter discontinued for a period of five (5) years or more. The special use permit allowed extraction and processing of rock, sand and gravel, and mobile hot mix plant in an A-1, Agricultural (minimum 40 acres at the time) Zone District. The property is located within a portion of the S½ of the NW¼ and a portion of the N½ of the SW¼ of Section 10 lying north of the northerly right-of-way line of U.S. Highway 50 and U.S. Highway 50 Bypass, Township 21 South, Range 62 West of the Sixth Principal Meridian.

- b) [TEXT AMENDMENT NO. 2013-001](#) - Pueblo County Department of Planning and Development (Applicant)

The Pueblo County Department of Planning and Development is proposing a Text Amendment to regulate telecommunication towers in the unincorporated area of Pueblo County. Specifically, this request will:

- ◆ Amend Title 17, LAND USE, Division I. ZONING, Chapter 17.12 and Chapter 17.16 of the Pueblo County Code, titled AGRICULTURAL ONE (A-1) AND TWO (A-2) DISTRICTS and AGRICULTURAL THREE (A-3) AND FOUR (A-4) DISTRICTS, respectively, to include telecommunication towers as a use-by-review in these zone district classifications and to remove the reference to Broadcasting Station, Transmitter or Tower; and
- ◆ Amend Title 17, LAND USE, Division I. ZONING, Chapter 17.120 of the Pueblo County Code, titled SUPPLEMENTARY REGULATIONS to include performance standards and submittal requirements for telecommunication towers; and
- ◆ Amend Title 17, LAND USE, Division I. ZONING, Chapter 17.04.040 of the Pueblo County Code, titled DEFINITIONS to include a specific definition for telecommunication towers and to remove the reference to Broadcasting Station, Transmitter or Tower.

- c) [TEXT AMENDMENT NO. 2013-003](#) - Pueblo County Department of Planning and Development (Applicant)

The Pueblo County Department of Planning and Development is proposing a Text Amendment to amend the Pueblo County Code, Title 16, Subdivision and Title 17, Land Use to revise the Floodplain Regulations to comply with National Flood Insurance Program (NFIP) standards.

- d) [COLORADO CANNIBIS PLANNED UNIT DEVELOPMENT NO. 2013-003](#) – Robert Lucero (Applicant/Owner)  
Gagliano Engineering, Inc.,  
c/o Joseph V. Gagliano, P.E. (Representative)  
748 East Industrial Boulevard

Applicant requests approval of Colorado Cannabis Planned Unit Development (PUD) rezoning the property from the I-2, Light Industrial Zone District to the Colorado Cannabis PUD. The Colorado Cannabis PUD is to accommodate a Medical Marijuana Center, Medical Marijuana-Infused Products Manufacturer, Medical Marijuana Contiguous Optional Premises Cultivation, Medical Marijuana Non-Contiguous Optional Premises Cultivation Operation, Marijuana Establishments (per Text Amendment No. 2013-004 if approved), Retail Liquor Store, Spa/Wellness Center, Private Club, Barber/Beauty Salon, Retail Hydroponics Sales, all the I-1, Special Industrial Zone District Uses-by-Right as currently listed, and all the I-2, Light Industrial Zone District, Uses-by-Right as currently listed.

7. Unfinished Business.
8. New Business.
9. Reports of Committees.
10. Adjournment.