

ROUTT COUNTY PLANNING COMMISSION
FINAL MINUTES
September 14, 2023

The special meeting of the Routt County Planning Commission was called to order at 6:00 p.m. with the following members present: Chairman Steve Warnke and Commissioners Brian Kelly, Bill Norris, Linda Miller, Andrew Benjamin, Pete Wood, and Greg Jaeger. Commissioners Ren Martyn, Paul Weese, and Jim DeFrancia were absent. Board of County Commissioners Tim Corrigan and Tim Redmond were present, as was County Manager Jay Harrington. Planning Director Kristy Winser and staff planners Alan Golidch and Michael Fitz also attended. Sarah Katherman prepared the minutes.

PUBLIC COMMENT

There was no public comment.

**JOINT HEARING WITH THE BOARD OF COUNTY COMMISSIONERS -
DEVELOPMENT CODE UPDATE AND CONSIDERATION OF ADOPTION OF
MODULE #1**

These minutes are limited to the discussion of the presentation; they do not include a summary of the presentation itself.

Ms. Winser reviewed the agenda for the meeting and the documents provided. Ms. Jessica Garrow of Design Workshop reviewed the project scope and process. She noted that a comment had been received recommending pulling the following language from the Master Plan and adding it to the Purpose section of the Unified Development Code (UDC): "Provide public spaces for recreation in order to maintain recreational opportunities and the quality of life for the citizens of Routt County." County Commissioner Corrigan offered that this was a departure from former policy. Ms. Winser stated that the standards related to this statement would be considered in later sections of the code.

There was no discussion of the Agencies section.

Ms. Garrow discussed the areas of the Solar Energy section that had been changed in response to comments received since the document was last reviewed.

Noting the severity of last spring's flooding, Commissioner Kelly asked if the waterbody setback was sufficient for solar development. Mr. Goldich stated that the Waterbody Setback Regulations would be reviewed and updated in a later module of the code. Once adopted, the updated Waterbody Setback will apply to all development, including solar. Mr. Fitz noted that Waterbody Setbacks are different from floodplain regulations. Solar development would be required to comply with both.

Regarding the industry comments that the timing for reclamation bonding be pushed to after the project is complete, Ms. Garrow said that Design Workshop recommends requiring the bonding at the time of building permit to protect against the possibility of started but unfinished projects. She said that this recommendation applies to all types of development. County Commissioner Corrigan stated that he had discussed this issue with Mike Krueger of the Colorado Solar and Storage Association, who offered that the risk to the County of delaying the bonding until a facility was operational was minimal due to the value of the equipment being installed. County Commissioner Redmond asked who would own the equipment if a project were left uncompleted. Chairman Warnke asked what the reclamation bonding amount would be relative to the cost of the entire project. Commissioner Miller suggested splitting the required timing of the bonding half upfront at the issuance of the building permit and half when the project becomes operational. Ms. Winser stated that the upfront bonding is the industry standard. She noted that the Planning Department anticipates solar developers to submit applications soon. She offered that with the rolling adoption of the regulations, the recommended timing could be amended with the final adoption if it is shown to be problematic. Ms. Winser stated that research could be conducted to determine the average cost of reclamation bonding in relation to the overall cost of a project. There was consensus to retain the recommended language.

Mr. Goldich reviewed the process for determining road improvements need to solar installations, which is the same as that which applies to oil and gas development. There was a discussion of the anticipated impacts on the County roads by the vehicles associated with solar farm construction and installation in comparison with the impact of oil and gas development.

Ms. Garrow reviewed the redline edits suggested by staff. There was discussion of the language related to revegetation to allow flexibility to suit the landowner and the proposed future use.

There was no public comment.

Regarding workforce housing, Ms. Winser stated that this issue would be discussed in a larger context in future modules. The requirement for a housing plan is specific to the solar development chapter. Commissioner Benjamin suggested that this requirement should be applied to other industries as well. He added that specific metrics for housing should be included, rather than allowing an open-ended plan. Ms. Garrow noted that while this requirement is fairly loose, it does allow the County discretion to tell a developer if their housing plan is adequate or not.

County Commissioner Corrigan stated that industrial scale solar development is going to have negative impacts on wildlife, which is likely to be a flashpoint in the community. Ms. Garrow confirmed that CPW does not have veto power over these projects; Planning Commission and the Board will be the decision making

bodies. Developers will be required to work with CPW. Ms. Winser added that staff worked closely with CPW in developing the proposed regulations. Mr. Goldich offered that the post-development surveys would provide lessons to be applied to future projects. He noted that the industry is so new that the available data on impacts is minimal. Ms. Winser added that the referral comments and recommendations from CPW on individual applications would be site-specific.

MOTION - Planning Commission

Commissioner Benjamin moved to recommend approval of Module 1 of the new Unified Development Code, as presented on September 14, 2023. The sections in Module 1 include the Introduction, Agencies, and Solar.

Commissioner Kelly seconded the motion. **The motion carried unanimously.**

MOTION - Board of County Commissioners

County Commissioner Corrigan moved to approve Module 1 of the new Unified Development Code, as presented on September 14, 2023. The sections in Module 1 include the Introduction, Agencies, and Solar, as presented.

County Commissioner Redmond seconded the motion. **The motion carried unanimously.**

MOTION - Board of County Commissioners

County Commissioner Corrigan moved to authorize the Chair's signature on the resolution adopting Module 1 of the Unified Development Code.

County Commissioner Redmond seconded the motion. **The motion carried unanimously.**

County Commissioner Corrigan acknowledged the work of Planning staff and the Design Workshop team, as well as Planning Commission.

INTRODUCTION TO MODULE 2

Ms. Timmons introduced the topic areas for Module 2: Procedures, Development Standards, Land Uses, Zone Districts and PUDs. She reviewed the community outreach and Technical Working Group. She provided a high-level review of the comments received so far from the Community Workshop and Technical Working Group.

Administrator's Report

Ms. Winser reviewed the upcoming agendas.

The meeting was adjourned at 7:45 p.m.