

**TOWN OF SILVER CLIFF
PLANNING COMMISSION
January 17, 2024, AT 5:00 P.M.
SILVER CLIFF TOWN HALL**

Google Meet joining info
Video call link: <https://meet.google.com/yek-zkdz-eym>
Or dial: (US) +1 315-758-1031 PIN: 756 110 806#

AGENDA

Call to Order

Pledge of Allegiance

Roll Call

Recognition of Visitors

1. Approval of the minutes from November 15th, 2023
2. New Business
 - a) Open Seat- Letters of Interest/Interview
 - b) Community Solar Garden Interest
3. Old Business
 - a) Rezoning Committee update
 - b) Round Mountain Water and Sewer update
 - c) Short Term Rental Brief Update
3. Open discussion on other issues to come before the Planning Commission.
4. Public Comments: (3-minute time limit): Town of Silver Cliff's citizens or business owners to address the Planning Committee and request to be on a future agenda.
5. Adjourn

**TOWN OF SILVER CLIFF
PLANNING COMMISSION REGULAR MEETING
November 15, 2023**

Meeting called to order by Larry Weber at the Town of Silver Cliff's Planning Commission regular meeting at the Town Hall 612 E. Main Street, at 5:01 p.m.

Pledge of Allegiance was said.

PRESENT: Larry Weber Chairman, Dave Schneider Co-Chair, Steve Lasswell, Deb Diemer, Mayor Wenzel, Trustee Jordan Benson (online), Roger Camper Building/Zoning Official, Isaac Selden Building and Zoning Official

ABSENT: Mayor Pro-Tem Lisa Nolan, Michael Rohrdaugh

STAFF PRESENT: Brittany VanDeusen Deputy Town Clerk

STAFF ABSENT: None

VISITORS: Jerry Peterson – Rezoning Committee (online), three other visitors joined on Google Meet

1. APPROVAL OF MINUTES

October 18, 2023 Minutes-

Motion by Steve Lasswell to approve the October 18th, 2023 minutes as presented, seconded by Dave Schneider. Motion passed unanimously.

2. NEW BUSINESS

a) Racine Boy Survey-

- i. Colorado Land surveyors out of Pueblo West came and surveyed the Racine Boy Property. We needed to know the property boundaries so we could assess the value of the land. Roger also had them survey in an easement through the Racine, Colegate's property, for a road to the RMWSD property. RMWSD also wanted to get an easement surveyed for a 2 inch water tap to the Colegate's property as well, so it's all recorded on the same plat.

b) Tony white- Lot Line Alley Vacation-

- i. Tony White has applied for an alley vacation, Public Street Vacation, and an Interior Lot Line Vacation for his property on blk 65. The only discussion was regarding the future potential for Wood St. to continue to Hwy 96, however CDOT will not allow for that. Wood St. will stop at Summit and not proceed to the highway. Dave made the motion to approve the alley vacation of Tony white's property on block 65, and to take the request onto the Board of Trustee's for their approval. Deb Deimer seconded the motion and it passed unanimously.

c) Willie and Shawna Williams Alley Vacation Application-

- i. The Williams submitted an application for the vacation of Interior Lot Lines, as well as an alley vacation. This is pertaining to their lot on block 76, the alley N on Emery is being asked to be vacated and the lot lines dividing lots 9-18 to be vacated. There wasn't discussion or issues presented. Steve Lasswell made the motion to approve this application and to send it to the Board of Trustees for their approval, and then legal counsel to turn it into an ordinance. Deb Deimer seconded the motion and it passed unanimously.

3. Old Business

a) Rezoning Committee-

- a. Jerry Peterson joined the call on Google Meet and gave a update. He said the rezoning committee met on Oct 26th. They didn't have much to report other than their interest in the

parking lot happenings at Tony's Pizza, which Larry gave a brief overview of the decisions made during the Parking Lot workshop that took place an hour ago. Jerry said that the rezoning committee probably won't be meeting again till April unless issues arise that require them to meet sooner. Buck made a point to thank Jerry and the rest of the rezoning committee on all their hard work on the Green Pit Road Access project. Their work has been appreciated in trying to get heavy truck traffic off the residential streets. They are trying to work with Silver Cliff Land and Cattle on developing a route for a road to travel from HWY 96 to the pit, outside of the residential area. The Green Pit and Black Pit are projecting 102 trucks a day coming and going out of those pits 5 days a week. The town and Mayor have been receiving complaints from citizens regarding the condition of roads, as well as, jake brake noise as early as 4 a.m. The noise is addressed in our Ordinances and it will start being enforced. Right now, we are waiting for Silver Cliff Land and Cattle to draw up a plan on what they would propose for a road from the Green Pit to the Hwy.

b) Round Mountain Water and Sewer update-

- a. Dave Schneider announced that RMWSD will be holding a public meeting on 11/16 at 2 pm there at their office. This public meeting will be addressing several issues such as fee rate increases and tap increases.

c) Short Term Rental-

- a. Dan Slator, the attorney, has finished the ordinance and it went through the first reading at the board of trustee meeting on November 7th. It will be presented at a public hearing on Dec 5th.

d) Tony's Pizza Parking Lot-

- a. Tony's Pizza is looking to turn their lot on Blk 6, Lots 26-29 into an actual parking lot. The code says he is allowed to have this parking lot in a residential issue. The only problem that needed to be worked out was the complaints from adjoining property owners. We held a workshop at 4 pm earlier today to discuss this with the owner of Tonys Pizza, Johnny Winton and neighbors Mary Behrendt and Nancy Taylor. A solution was formed from a drawing illustrating the lot as 100' wide and 100' long. This was divided into 10 spaces each 10' wide to accommodate trucks and trailers. Traffic would be driving in from the North and exiting to the South on Ohio Street. To appease the neighbors, it was decided to have a 10' buffer on the west side of the lot, that will be lined with rocks or poles. The following 10' section of the west side of the lot will be used for employee parking. It was made known that additional lighting is not necessary. Johnny will be responsible to add gravel to the lot and to paint lines. We will post signage instructing traffic to flow one way into the lot, and out on Ohio only to go left. We will post no parking signage on Ohio in front of residents' houses instructing that no trucks and trailers can park there. Dave made the motion to accept this plan, and to present it to the Board of Trustees. Steve seconded the motion and it passed unanimously.

4. Open discussion on other issues to come before the Planning Commission-

- a. Isaac stated that he is excited to come onto the planning commission board and is looking forward to working with everyone.
- b. Roger told the board that this was his last meeting before retirement.
- c. Buck mentioned that there is a resignation that needs accepted, however we have not received a formal resignation. Mike Rohrbaugh has not submitted his resignation but resigned verbally. Buck asked the board if they had anyone in mind to take his spot.

Steve Lasswell made the motion to adjourn the meeting at 5:31 pm, Deb Deimer seconded the motion and it passed unanimously.

Larry Weber, Chairman

Brittany VanDeusen, Deputy Town Clerk

DRAFT



Brittany VanDeusen <deputyclerk@silvercliffco.com>

Fwd: SILVERCLIFF PLANNING COMMISSION

1 message

Isaac Selden <bzofficial@silvercliffco.com>
To: Ileen Squire <townclerk@silvercliffco.com>, Brittany VanDeusen <deputyclerk@silvercliffco.com>

Wed, Dec 13, 2023 at 8:48 AM

Letter of intent for Donald Cook

----- Forwarded message -----

From: DONALD COOK <dccycle@msn.com>
Date: Tue, Dec 12, 2023 at 11:47 AM
Subject: SILVERCLIFF PLANNING COMMISSION
To: bzofficial@silvercliffco.com <bzofficial@silvercliffco.com>

SILVERCLIFF PLANNING COMMISSION

My name is Don Cook, and I am interested in the position of the Silvercliff Planning Commission. I have lived in Silvercliff for almost two years. I moved from Ft. Lupton , Colorado and love it here very much. I spent a lot of time here when I was a child on the Vickerman ranch which I have family still living there.

I spent most of my working years at Coors Brewing Company for thirty-seven years, as a production specialist.

I have always been very involved in my living community as being part of HOA. After losing my wife to ALZHEIMER'S disease in 2013 I moved from Arvada to Federal Heights, Colorado. There I started a neighborhood watch program with the local police department and fire department. I worked with the city council to have speed limit signs installed, which I did myself, and the police officers to enforce speeding. The townhome community was very new and had nothing there as to enforcement of any laws. I also started security to enforce measures for the townhome community.

Silvercliff has a lot to offer everyone and I think that I can help with any improvements that are needed for many years.

I recently was married on October 5 of this year and my very lovely wife Lele and I plan to be living here for many years to come.

Thank you,

Don W. Cook

325 East Main Street Unit 16
P.O Box 388
Silvercliff, Colorado
81252
(303)941-5737

Sent from my iPad

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Isaac Selden
Building and Zoning Official
Silver Cliff Colorado
Cell: 719-371-8215
Office: 719-783-3034

Sec. 23-4-1030. - Solar energy facility.

- A. The staff, Planning Commission and Board of County Commissioners shall consider the following criteria in making their determination in approving or denying a permit for a Solar Energy Facility (SEF) addition to those criteria enumerated in Chapter 23, Article II, Division 4.
- B. Submittal Requirements and Standards. The following submittals and standards are required:
 1. **Surface Drainage Analysis.** At the time of SEF application submittal, a preliminary drainage report shall be provided for review by the Weld County Department of Public Works pursuant to the requirements of Chapter 8, Article XI of this Code. Prior to applying for a Grading Permit, a final drainage report **stamped and signed by a Professional Engineer** registered in the State of Colorado is required. Soils shall be planted to and maintained in perennial vegetation to prevent erosion, manage runoff and build soil. Ground-mounted solar collector systems shall be exempt from impervious surface calculations if the soil under the collectors is designated hydrologic A or B soil groups by the Natural Resources Conservation Service (NRCS).
 2. **Dust and Weed Mitigation Plan.** The Dust Mitigation Plan shall be provided at the time of SEF application submittal, which includes a description of those methods by which dust emanating from the proposed SEF and the weeds growing upon the Impacted Area will be mitigated.
 3. **Floodplain Mapping.** On the map of the base area, or another appropriate map, indicate any floodplain associated with the proposal. Documentation of the historical flooding activity should be included. Detail potential, adverse impacts related to the associated floodplain. (Note: **If the SEF location is located within a Special Flood Hazard Area identified by maps officially adopted by Weld County, a Flood Hazard Development Permit (FHDP) is required prior to a building permit.** The FHDP is issued by the Weld County Department of Planning Services pursuant to Article XI of this Chapter.)
 4. **A Decommissioning/Reclamation Plan.** A Decommissioning/Reclamation Plan shall be provided at the time of SEF application submittal which will be signed by the party responsible for decommissioning and the landowner (if different), addressing the following:
 - a. Decommissioning/reclamation shall commence **within twelve (12) months** after power production has permanently ceased and be completed within twelve (12) months from the start date of the decommissioning/reclamation work.
 - b. All non-utility owned equipment, conduits, structures, fencing, and foundations to a depth of at least three (3) feet below grade shall be **removed.**

- c. All fences, graveled areas and access roads shall be removed unless landowner agreement to retain is presented, in writing, in which the property owner agrees for this to remain.
- d. Property shall be restored to a condition reasonably similar to its condition prior to development of the SEF.
- e. The developer or owner of the SEF is responsible for the decommissioning.
- f. Decommissioning/reclamation cost estimates, which shall be updated every five (5) years from the establishment and submittal of the Security, shall include all costs associated with the dismantlement, recycling, and safe disposal of facility components and site reclamation activities, including the following elements:
 - i. All labor, equipment, transportation, and disposal costs associated with the removal of all facility components from the facility site;
 - ii. All costs associated with full reclamation of the facility site, including removal of non-native soils, fences, and constructed access roads;
 - iii. All costs associated with reclamation of any primary agricultural soils at the facility site to ensure each area of direct impact shall be materially similar to the condition it was before construction;
 - iv. All decommissioning/reclamation activity management, site supervision, site safety costs;
 - v. Any other costs, including administrative costs, associated with the decommissioning and reclamation of the facility site; and
 - vi. The estimated date of submission of the Security to Weld County.
- g. Prior to construction, an irrevocable standby letter of credit, bond, or alternate form of Security in an amount sufficient to fund the estimated decommissioning/reclamation costs required by this Code. The Security shall:
 - i. Name the Board of County Commissioners of Weld County as the sole beneficiary of the letter of credit;
 - ii. Be issued by an A-rated financial institution based upon a rating provided by S&P, Moody's, Fitch, AM Best, or other rating agency with similar credentials;
 - iii. Include an automatic extension provision or "evergreen clause"; and
 - iv. Be "bankruptcy remote," meaning the Security will be unaffected by the bankruptcy of the SEF operator.

Weld County, in its sole discretion, may approve alternative forms of Security such as, but not limited to: bonds, letters of credit, or other securities, if it finds that such alternative forms will provide an assurance of the availability of financial resources for

decommissioning/reclamation that equals or exceeds that provided by the form required herein.

- h. Access to decommissioning/reclamation fund. Weld County shall have the right to draw upon the irrevocable standby letter of credit, or other form of financial security, to pay for decommissioning in the event that the holder has not commenced decommissioning/reclamation activities within ninety (90) days of the Board of County Commissioners' order or resolution directing decommissioning/reclamation.

5. Statement of Transportation Construction Impacts.

- a. Describe what impacts construction of the project will have upon transportation patterns in the area intended to be served or affected by the proposal.
- b. Describe the potential construction impact on roads within the County.
- c. Identify improvements required to any roads within the County in order to serve the project adequately.

A haul route map and agreement to mitigate construction traffic impacts to the area surrounding the proposed SEF may be required.

C. Development standards for a SEF.

1. Height limitation. Ground-mounted solar collectors shall not exceed twenty-five (25) feet in height, measured from the highest grade below each solar panel to the highest extent of the solar panel rotation.
2. Glare. A SEF shall be designed, located or placed so that concentrated solar glare from its solar collectors will not be directed toward or onto nearby properties or roadways at any time of the day.
3. Setbacks. The Improved Area of the SEF shall conform to the setback requirements of the underlying zone. Additionally, the improved area must be at least five hundred (500) feet from existing residential buildings and residential lots of a platted subdivision or planned unit development. The residential setback requirement may be reduced if appropriate screening through landscape or an opaque fence is installed, or upon submittal to Weld County of a waiver or informed consent signed by the residence owner agreeing to the lesser setback. If landscaping or opaque fencing is substituted for setback, a landscaping plan or fencing plan shall first be submitted to and approved by the Department of Planning Services.
4. Dust mitigation. The operators of the SEF shall continuously employ the practices for control of fugitive dust detailed in their dust mitigation plan submitted as required by Subsection B.2., above.
- 5.

Underground cables. All electrical cables on the improved area shall be buried, except for direct current string wires that connect between solar collectors, direct current collection circuits between rows of solar arrays that are no more than four (4) feet above grade crossings, substations, switchyards, and circuit voltages greater than 34.5 kilovolts (where necessary).

6. Fencing. The SEF shall be enclosed with a security fence as approved pursuant to a fencing plan submitted to the Department of Planning Services. Appropriate signage shall be placed upon such fencing that warns the public of the high voltage therein.

7. Stormwater management. The Operator of the SEF shall submit a drainage report to comply with required Storm Drainage Criteria pursuant to Chapter 8, Article XI of this Code. Additional requirements for Municipal Separate Storm Sewer System (MS4) areas may be applicable pursuant to Chapter 8, Article IX of this Code. Ground-mounted solar collector systems shall be exempt from impervious surface calculations if the soil under the collectors is designated hydrologic A or B soil groups by the Natural Resources Conservation Service (NRCS).

8. Access permit. Prior to construction of the SEF, the applicant shall apply for and obtain an approved Access Permit from the Weld County Department of Public Works, pursuant to the provisions of Article XIV of Chapter 8 of this Code.

9. Existing irrigation systems. The nature and location or expansion of the SEF must not unreasonably interfere with any irrigation systems on or adjacent to the solar facility.

D. The SEF applicant must show that all reasonable alternatives to the proposed location have been adequately assessed, and the proposed action is consistent with the best interests of the people of the County and represents a balanced use of resources in the affected area.

(Weld County Code Ordinance 2015-27; Weld County Code Ordinance 2019-02; Weld County Code Ordinance 2020-20.)

Community Solar Garden/ Solar Energy Facility.

Municipal Code Outline for Discussion

Submittal Requirements:

1. Surface Drainage Analysis:
 - a. Stamped and signed by Professional Engineer
 - b. _____
 - c. _____
2. Dust and Weed Mitigation Plan:
 - a. _____
 - b. _____
3. Floodplain Mapping:
 - a. _____
 - b. _____
4. Decommissioning/ Reclamation Plan
 - a. Within 12 months after power production has ceased
 - b. Everything 3 feet below grade will be removed.
 - c. All fences, gravel, and roads will be removed unless landowner agreement to retain is presented.
 - d. Property shall be restored to a condition like before the project.
 - e. Decommission cost:
 - i. Updated every five years.
 1. Labor
 2. Removal of nonnative soil
 3. Management of removal
 4. Admin cost
 - f. Form of security in an amount sufficient to fund decommission.
 - g. _____
 - h. _____
 - i. _____
5. Statement of Transportation Construction impacts
 - a. Impacts on local transportation.
 - b. Identify improvements required for any roads to project.
 - c. A haul route map with agreement to mitigate traffic.
 - d. _____
 - e. _____

6. Development Standards:

- a. Hight Limitation: _____
- b. Glare: designed so that glare will not be directed toward nearby property owners
- c. Setbacks:
 - i. Conform to qualifying zone. (A1) 25 ft side and back. 50 ft front yard
 - ii. Distance from Residential lots: _____
 - iii. Approved Fence or consent from properties inside above distance?
- d. Dust Mitigation plan
- e. Underground cables will be buried.
- f. Fencing: _____
- g. Signs: _____
- h. Stormwater Management: (see C-7 of Weld County Code)
- i. Access Permit
- j. Existing irrigation

7. Zone Restrictions:

- a. A-1: _____
- b. B-1: _____
- c. R-3: _____