



Land Use

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.org

BOULDER COUNTY PLANNING COMMISSION AGENDA

September 17, 2018
3:00 P.M.

Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

PUBLIC HEARING

AFTERNOON SESSION – 3:00 P.M.

1. **APPROVAL OF MINUTES/MISCELLANEOUS BUSINESS**

Approval of the *August 15, 2018* Planning Commission Minutes.

2. **STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS (IF NECESSARY)**

Informational Item - Public Testimony Will Not Be Taken

3. **Docket DC-18-0002: Solar Energy Systems Text Amendments**

Staff proposes Land Use Code text amendments related to solar energy systems. Proposed changes pertain primarily to Articles 4 (Zoning) and 18 (Definitions). Proposed changes include adding use categories for building-mounted, ground-mounted and parking canopy systems; changing review requirements for certain types of solar projects; allowing community solar garden-scale projects on designated Significant Agricultural Lands; changing from capacity-based to area-of-disturbance-based size categories for ground-mounted solar; among other changes.

Action Requested: Recommendation to BOCC.

Public Testimony Will Be Taken.

(Staff Planner: Sinead O'Dwyer)

Webpage: <https://www.bouldercounty.org/property-and-land/land-use/planning/land-use-code-update/dc-18-0002/>

ADJOURNED

Detailed information regarding these items is available for public examination on the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, Boulder, Colorado, 303-441-3930. Staff recommendation packets will be posted to the project pages approximately one week prior to the hearing.

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PUBLIC HEARING BOULDER COUNTY, COLORADO PLANNING COMMISSION

DATE: September 17, 2018
TIME: 3:00 P.M.
PLACE: Commissioners Hearing Room, Third Floor,
Boulder County Courthouse, 1325 Pearl Street

Notice is hereby given that the following public hearing will be held by the Boulder County Planning Commission at the time and place specified above. All persons interested in the following item are requested to attend such hearing and aid the Commission members in their consideration.

Docket DC-18-0002: Solar Energy Systems Text Amendments

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Detailed information regarding this item is available for public examination at the Boulder County Land Use website at www.bouldercounty.org/lu or at our office located at 2045 13th Street, corner of 13th and Spruce Street, in Boulder or by calling (303) 441-3930.

Free Parking in the City of Boulder CAGID lots is available for Planning Commission hearing participants. See staff at meeting for city parking vouchers.

Persons needing special services provided under the Americans with Disabilities Act, please contact Julia Yager, ADA Coordinator, for the Boulder County Human Resources Office at (303-441-3525) at least 48 hours before the scheduled hearing.

Published: September 3, 2018-- Daily Times-Call

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PUBLIC HEARING
BOULDER COUNTY, COLORADO
PLANNING COMMISSION

DATE: September 17, 2018
TIME: 3:00 P.M.
PLACE: Commissioners Hearing
Room, Third Floor,
Boulder County Courthouse,
1325 Pearl Street

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Published: Longmont Times-Call September 3, 2018 - 1504902

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State of Colorado

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3. The notice that is attached hereto is a true copy, published in the *Longmont Times Call* in Boulder County on the following date(s):

Sep 3, 2018



Signature

Subscribed and sworn to me before me this
5th day of September, 2018



Notary Public

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BOULDER COUNTY PLANNING COMMISSION

MINUTES

September 17, 2018

AFTERNOON SESSION – 3:00 PM

**Hearing Room, Third Floor,
County Courthouse, Boulder**
{Approved October 17, 2018}

PUBLIC HEARING

AFTERNOON SESSION – 3:00 PM

On Monday, September 17, 2018, the Boulder County Planning Commission held a regular afternoon session, convening at approximately 3:01 p.m. and adjourning at approximately 4:27 p.m.

Commissioners Present: Dan Hilton (Chair), Natalie Feinberg Lopez, Lieschen Gargano (Vice-Chair), Mark Bloomfield, Ann Goldfarb (Second Vice-Chair), Gavin McMillan, Doug Young.

Commissioners Excused: Sam Fitch

Boulder County Staff Present: Liz Cross (Assistant County Attorney), Dale Case, Sinead O’Dwyer, Anna Milner, Jose Ruano, Christy Wiseman, Nicole Wobus, Ron West (Parks and Open Space), Jeff Moline (Parks and Open Space).

Others: 0 - 3

MINUTES

MOTION: Gavin McMillan **MOVED** that the Boulder County Planning Commission **APPROVE** the Minutes from the August 15, 2018 Planning Commission Hearing as written.

SECOND: Natalie Feinberg Lopez

VOTE: Motion **PASSED** Unanimously {7 to 0}

STAFF UPDATE(S) ON PROJECTS AND/OR DEVELOPMENT REVIEW ITEMS

Nicole Wobus provided an update on a change of date for the Planning Highlights Bike Tour in honor of the American Planning Association’s National Community Planning Month. County staff has organized a bike tour in partnership with City of Longmont planning staff to highlight planning

32 successes and challenges in the Longmont area. The Planning Highlights Bike Tour will take place on
34 October 19 at 2pm, starting in Longmont’s Roosevelt Park. The tour will include a 17 mile route, as
36 well as a shorter route, and will provide an opportunity to test E-Bikes. The tour is open to members
of the public as well as Planning Commissioners and staff across the county. **Event Website Link:**
www.bit.ly/BoCoPlanningMonth.

38 **Docket DC-18-0002: Solar Energy Systems Text Amendments**
40

42 Sinead O’Dwyer, Long Range Planner, presented the proposed Land Use Code amendments
44 pertaining to solar energy systems, the reasons for the amendments, referral comments, and changes
46 since the study session. The staff report for this agenda item also provides the proposed code
amendment referral process and comments, staff research and staff recommendation. Staff
recommended that the Boulder County Planning Commission recommend to the Board of County
Commissioners APPROVAL of Docket DC-18-0002.

48 **PUBLIC HEARING OPENED**

50 **SPEAKERS:** Byron Kominek - 8102 N. 95th St

52 **PUBLIC HEARING CLOSED**

54 **SUMMARY:** The Planning Commissioners discussed the proposed amendments and particularly the
56 treatment of solar on BCCP-designated Significant Agricultural Lands, identifying a desire to balance
58 opening additional appropriate land areas in the county for solar development with preservation of
60 existing agricultural character and values. Some Planning Commission members expressed that the
62 size cap for solar energy systems on Significant Agricultural Land might not be necessary given the
64 other factors limiting solar development, including grid interconnection and limited opportunity from
66 utility companies. Comparatively, there were other concerns regarding the location and size of solar
68 development and associated impacts on agricultural lands, as well as questions around future
70 decommissioning of retired systems on Significant Agricultural Lands. It was established that these
72 items could be considered by Planning Commission through the Special Use Review criteria in 4-602,
74 as would be required for each individual project under the proposed amendments. Staff and Planning
Commission agreed that solar should not be considered on par with an industrial use as described in
the Boulder County Comprehensive Plan and Land Use Code, because the infrastructure and traffic
impacts related to solar are significantly less than traditional industrial uses. Additionally, it was
acknowledged that some agricultural uses are increasingly found to be compatible and able to
continue under and around solar development. The point was raised that “rural character” refers to
healthy and productive land. Uses of rural land may evolve over time and ultimately differ from
traditional rural uses. For instance, solar energy systems may be viewed as consistent with innovative
character type of the “American Farmer” to come up with a clever use of agricultural space in the
face of changing needs and society. There were additional concerns expressed for the potential extent
of solar development in the County and the request to revisit these regulations in a year or two to
determine the effectiveness of the regulations in achieving their intent to balance solar development
with Significant Agricultural Land preservation.

76 **MOTION:** Lieschen Gargano **MOVED** that Planning Commission recommend that
78 the Board of County Commissioners **APPROVE** the proposed Land Use
80 Code text amendments to solar-related provisions in **Docket DC-18-**
0002: Proposed Amendments to the Boulder County Land Use Code
82 **related to Solar Energy Systems** as presented in Attachment B of this
staff report.

84 **SECOND: Mark Bloomfield**

86 **VOTE: Motion PASSED Unanimously {7 to 0}**

ADJOURNED

88

Detailed information regarding these items, including maps and legal descriptions, is available for public examination at the Boulder County Land Use Department, 2045 13th St., Boulder, Colorado 303-441- 3930.