

To be considered all comments should be submitted in writing and received by the project planner Sean Norris sean.norris@mesacounty.us or Mesa County Planning Division at P.O. Box 20,000 Dept. 5022, Grand Junction, CO 81502.

Amendment to Section 6.02 Use Specific Standards

CC. Utility, Production

1. Applicability

- a. The following standards shall apply to all new energy production facilities to regulate the development and surface impacts that these facilities may have on the public health, safety, and welfare for any of the following:
 - (1) Private energy facilities, with the following exception;
 - (a) Roof mounted systems;
 - (b) Facilities with a rated capacity of less than 100 kW, occupying no more than one half (.5) acre of land that will be used to produce electricity to on-site uses.
 - (2) Community solar garden; and
 - (3) Energy generation/production facility.
- b. Any facility that exceeds the definition of a private energy facility or community solar garden shall be processed as an energy generation/production facility.

2. Submittal Requirements

a. Narrative

The applicant will provide a narrative describing the proposed facility including but not limited to; general description of the proposal, the height and location of equipment and ancillary structures, health and safety, decommissioning, traffic analysis, construction schedule, type and location of interconnection, rated capacity,

b. Site plan

The site plan map shall be provided in a legible format and shall include but not be limited to the location and arrangement of screening, fencing, existing and proposed structures, equipment, roadways and access points, wildlife corridors, floodplain, easements, existing utilities, and connection to the electrical grid.

c. Setbacks

- (1) All structures must meet minimum street, side, and rear setback requirements for the zone district in which the proposed facility is to be located.
- (2) One quarter (1/4) mile from a designated Scenic By-way.
- (3) A minimum of two hundred (200) feet from any residential occupied structure.

d. Grading plan

e. Elevations

f. Traffic Study

g. Fire Prevention and Safety Procedures

- (1) The relevant Fire Protection District's adopted standards, based on current fire code, shall apply unless.
- (2) A fire break or other facility perimeter design acceptable to the fire district shall be required to reduce or eliminate the interface risk from wildfire.

- (3) Locked gates shall be installed every 300 feet on the inside of the perimeter fencing.
- (4) A vegetation management plan shall describe the operator's methods to maintain vegetation inside the facility to a minimum level, which may include treatment, mowing, agrivoltaics or other methods of fuel reduction.

h. Visual Mitigation

Reasonable efforts to mitigate visual impacts of an energy generation/production facility will be detailed in the project narrative. Visual impact mitigation may include opaque fencing, screening, berming, use of existing or planted vegetation of landscaping.

- (1) Solar System equipment shall be no higher than fifteen (15) feet at the solar panel mounting point. The height of the interconnection equipment may exceed 15 feet. Solar System Facilities within 50 feet of a property line of a property containing a residential occupied structure shall be designed with some form of visual mitigation, to include but not be limited to, opaque fencing, berming, or landscaping.

i. Wildlife, Wetlands, Riparian Areas and Stream Channel Measures

- (1) The Operator shall address the recommendations of Colorado Parks & Wildlife (CPW) that address any site-specific site conditions. The Applicant shall avoid constructing in CPW-mapped High Priority Habitats (HPH) to the maximum extent possible.
- (2) Operator shall inspect the interior of the facility at least once weekly, to potentially free any trapped animals.

j. Decommissioning Plan

At the time of application, Operator shall include a decommissioning plan for the facility which will include detailed plans for management and removal of equipment, mounting systems, above and underground utilities, equipment and facilities as follows:

- (1) Within six (6) months of ceasing operations, the operator shall complete decommissioning of the facility which will include removal of all aboveground and belowground equipment and structures and removal of any access roads and fire breaks.
- (2) Any equipment that cannot be recycled shall be properly disposed in accordance with all State and Federal regulations.
- (3) The site shall be revegetated in compliance with the property owner's specifications.

(c)

k. Insurance

The owner/operator shall provide proof of general liability insurance with commercially reasonable amounts of coverage for the permitted facility. Facility owners/operators shall maintain such insurance in place through all times the facility is in operation.

l. Referral

Once a complete application has been submitted, County staff will refer the application for review to appropriate review agencies which may include; law enforcement, state and federal agencies, local municipalities, fire districts utility providers and others as may be deemed appropriate.

3. Approval Criteria

In evaluating the proposal, the request shall comply with any conditions of approval and all applicable requirements of this LDC, including, but not limited to:

- a. The health, safety and welfare of the citizens of this jurisdiction will be protected and served;

- b. The facility will not adversely impact the physical, economic, or social environment, except as permitted in Chapter 6 Use Regulations as applicable. 6.
- c. When an adverse impact is expected to occur, reasonable modifications and programs and other reasonable mitigating actions will be implemented and maintained to minimize the degree of adversity of the impact;
- d. There exists a need, or a reasonably foreseeable need, for the facility as proposed;
- e. Adequate resources (e.g., schools, utilities, roads) exist, or will exist, for the construction and efficient operation of the facility;

Amendment to Section 12.01 General

Fire Protection District: A Fire Protection District within Mesa County is defined as one which has been recognized by resolution as per C.R.S 32-1-102 (2022) by the BoCC.

Residential Occupied Structure: See Building, Principle see also Dwelling Unit.

Amendment to Section 12.04 Institutional And Civic Use Categories

K. Utilities, Production

1. Characteristics

A facility designed and operated for the generation, and distribution of electricity which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource for the primary purpose of selling electricity generated to the electric power grid.

2. Accessory Uses

Accessory uses may include parking and control, monitoring, data or transmission equipment.

3. Exceptions

- a. Does not apply to on-site generation equipment when such use is an accessory use as described in Section 6.02 A of this LCD.
- b. Transmission lines, power plants, substations, and pipelines.
- c. Utility production facilities with no occupied structures or full-time on-site employees are exempt from the requirements for potable water required in Section 8.09.

Additions to Section 12.01 Definitions

Energy Generation/Production Facility. A facility designed to generate electricity by the conversion of natural resources such as light, natural gas, or water with a rated capacity of more than two (2) Megawatts and/or occupying more than five (5) acres of land.

Private Energy Facility. A residential or business-scale energy conversion facility designed to generate electricity by the conversion of natural resources such as light, natural gas, biomass or water with a rated capacity of two (2) Megawatts or less, occupying no more than five (5) acres of land, that produces electricity to on-site uses.

Community Solar Garden: A solar power generating facility designed to produce electricity with a maximum rated capacity of five (5) Megawatts or less and meets the definition contained within C.R.S 40-2-127. A community solar garden does not include battery storage equipment.

TABLE Error! No text of specified style in document.-1: USE TABLE

Principal Uses Allowed

Use Category (Section)	Specific Use Type	Rural	Urban Residential												Nonresidential						Mack Overlay Districts		Mixed Use Districts			Gateway Overlay District		Site Specific Standards		
		AFT/AF35	RSFR	URR	RSFE	RSF-1	RSF-2	RSF-4	RMF-5	RMF-8	RMF-12	RMF-16	RMF-24	R-O	B-1	B-2	C-1	C-2	I-1	I-2	TIER #1	TIER #2	MU-OTC	MUR	MUC	Area A	Area B			
	All Others	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
Utility, Production	<u>Community Solar Garden</u>	A																												6.02
	<u>Private Energy System</u>	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	6.02
	<u>Energy Generation/Production Facility</u>	C																												6.02