



**REGULAR MEETING OF THE  
 ARAPAHOE COUNTY PLANNING COMMISSION  
 TUESDAY, JUNE 21, 2016 @ 6:30 P.M.**

**REGULAR ITEMS**

<b>ITEM 1:</b>	<b>CASE NO. U16-001, ARAPAHOE COUNTY LAND BOARD [SOLAR FACILITY] / USE BY SPECIAL REVIEW (USR)</b>		
<b>LOCATION:</b>	E Quincy Ave, 2.8 miles west of Watkins Road	<b>VOTE:</b>	
<b>ACREAGE:</b>	18 ac.	6	<b>IN FAVOR</b>
<b>EXISTING ZONING:</b>	A-1	1	<b>OPPOSED</b>
<b>PROPOSED USE:</b>	Solar Garden	0	<b>ABSENT</b>
<b>APPLICANT:</b>	Clean Energy Collective	0	<b>ABSTAIN</b>
<b>CASE MANAGERS:</b>	Planner, Bill Skinner; Engineer, Spencer M. Smith		
<b>REQUEST:</b>	Approval of a USR	<input type="checkbox"/> <b>CONTINUED TO:</b>	
<b>MOTION SUMMARY:</b>	Recommended approval with staff findings and changes in conditions, BOCC action required.	<b>Date:</b> _____	

**STUDY SESSION AGENDA ITEMS**

<b>ITEM 1</b>	<b>DISCUSSIONS RE: COMP PLAN AND BYLAWS</b>	<b>DIRECTION/ACTION</b>
<b>CASE MANAGER:</b>	Jan Yeckes, Planning Division Manager, Jayson Reynolds, Current Planning Program Manager, and Julio Iturreria, Long Range Planning	INFORMATIONAL
<b>REQUEST:</b>	Discussions concerning: <ul style="list-style-type: none"> <li>• Comp Plan follow-up</li> <li>• PC Bylaws</li> </ul>	

**ANNOUNCEMENTS:**

- The next regular Planning Commission meeting is scheduled for July 5, 2016.
- Planning Commission agendas, Board of County Commissioner agendas, and other important Arapahoe County information may be viewed online at [www.arapahoe.gov](http://www.arapahoe.gov) or you may contact the Planning Division at 720-874-6650.

**PLANNING COMMISSION MEMBERS:**

<b>Mark Brummel - Present</b>	<b>Richard Rader - Present</b>	<b>Paul Rosenberg, Chair - Present</b>
<b>Diane Chaffin - Present</b>	<b>Jane Rieck - Present</b>	<b>Richard Sall - Present</b>
<b>Brian Weiss, Chair Pro-Tem - Present</b>		

*Arapahoe County is committed to making its public meetings accessible to persons with disabilities. Please contact the Planning Division at 720-874-6650 or 720-874-6574 TDD, at least three (3) days prior to a meeting, should you require special accommodations.*





**Site Location Photo**

**ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:**

The zoning in this area is generally A-1 (Agricultural 1) zone. The Aurora reservoir, owned by the City of Aurora, is on the property east of this site.

**PROPOSAL:**

The applicant, Clean Energy Collective, with authorization from the property owner, State Land Board, are requesting approval for a Use by Special Review (USR) for a 2 Megawatt community owner solar photovoltaic power plant consisting of approximately 18,120 solar collection panels on approximately 18 acres.

**RECOMMENDATIONS AND FINDINGS:**

Staff: Staff recommends that the Use by Special Review application be APPROVED, subject to the findings and conditions of approval outlined herein.

**DISCUSSION AND FINDINGS:**

Staff review of this application included a comparison of the application to policies and goals outlined in the Comprehensive Plan, a review of pertinent zoning regulations and background activity, site visits, and an analysis of referral comments.

**1. The Comprehensive Plan**

The Arapahoe County Comprehensive Plan categorizes this site as a “Rural.” Solar power generating facility is not specifically cited as a preferred for the rural parts of the Comp Plan. However, these facilities are quiet, require no water input, generate no pollution or waste, and perform best in a location with no tall obstructions that may block the sun. Given these characteristics, this solar facility appears to fit well into the rural parts of the Comprehensive Plan.

The proposed USR is also directly, or indirectly aligned with the following County Comprehensive Plan Policies and Goals:

Policy PFS 1.6 - Consider Power Energy Needs to Support Growth and Development of the Region

GOAL NCR 4 - Meet Environmental Standards for Air Quality

Policy NCR 4.1 - Improve Air Quality

**Use by Special Review:**

Submittal Requirements:

The applicant has complied with all of the submittal requirements outlined in the USR provisions of the Land Development Code, Sections 13-903 and 13-904.

**3. Referral Comments from outside agencies**

Comments received during the referral process are as follows:

ARAPAHOE COUNTY PWD ENGINEERING	Comments have been addressed, any minor outstanding issues will be resolved prior to mylar
ARAPAHOE COUNTY PWD MAPPING	Comments have been addressed
ARAPAHOE COUNTY PWD PLANNING	Comments have been addressed
ARAPAHOE COUNTY PWD WEED CONTROL	No response
ARAPAHOE COUNTY SHERIFF	No response
ARAPAHOE COUNTY ZONING	No response

URBAN DRAINAGE	No response
TRI COUNTY HEALTH DEPARTMENT	Supports the concept, provides direction for onsite process
AURORA PLANNING	No response
WEST ARAPAHOE CONSERVATION DISTRICT	No response
CDOT-DEPT. OF TRANSPORTATION/ STATE OF CO-REGION ONE	No objections
XCEL ENERGY - PSCO	Concerns are stating regarding conflicts with the adjacent Xcel powerline ROW. Staff will seek to resolve this matter prior.
SEMSWA-SE METRO STORMWATER AUTHORITY	Comments have been addressed, any minor outstanding issues will be resolved prior to mylar
COLORADO PARKS AND WILDLIFE	No response
STATE LAND BOARD - STATE OF COLORADO	A positive assessment supporting the proposal

### **Approval Criteria**

The Use by Special Review (USR) approval criteria for a Minor Electrical, Natural Gas, and Petroleum-Derivative Facilities of a Private Company shall comply with all of the regular approval criteria for a USR in the Land Development Code, Section 13-900, as well as the criteria set forth in the 1041 Regulations, Part V, Sections A and C, along with Appendix A. All of these criteria shall be used in determining whether such Use by Special Review should be approved.

#### 1. Ordinance Review and Additional Background Information

Section 13.901 of the Land Development Code, Use by Special Review, of the zoning regulations states that the, "Use By Special Review" process and procedure.... Provides (for) Board of County Commissioner review and approval of certain uses, which, although permitted within specific zoning districts, may contradict the purpose of these Regulations..... providing for the public peace, health, safety and welfare."

- a. Recognize the limitations of existing and planned infrastructure, by thoroughly examining the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.

*Permanent water and sewer capability is not necessary for this project. Temporary wastewater facilities will be provided during construction.*

- b. Assure compatibility between the proposed development, surrounding land uses, and the natural environment.

*The proposed solar farm is generally compatible with the surrounding agricultural uses. There are potential impacts to wildlife and wildlife habitat. These impacts on wildlife and wildlife habitat are likely to be minimal. A condition of approval will address this issue by requiring compliance with the Colorado Department of Parks and Wildlife regulations.*

*The surrounding lands are owned by the State Land Board, which has been involved in, and continues to support the proposal.*

- c. Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, school, park, and libraries.

*The need for public services appear is minimal. Demand for schools, parks, and libraries will not be generated by the proposed solar garden. Emergency medical services may be needed, mostly during the construction phase. The Sheriff's Department had no comments.*

- d. Enhance convenience for the present and future residents of Arapahoe County by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.

*This project enhances convenience for present and future residents by providing renewable electric energy to the XCEL grid.*

- e. Ensure that public health and safety is adequately protected against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.

*Most natural and man-made hazards appear to be unlikely; public health and safety appear to be adequately protected.*

- f. Provide for accessibility within the proposed development, and between the development and existing adjacent uses. Adequate on-site interior traffic circulation, public transit, pedestrian avenues, parking and thoroughfare connections are all factors to be examined when determining the accessibility of a site.

*Accessibility will be directly from Quincy Avenue. The applicant will need to obtain an access permit from the County Public Works and Development Department.*

- g. Minimize disruption to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.

*Disruption to the existing physiographic features resulting from the proposed solar garden site will be minimized by minimal surface grading and good design and construction practices. There are no lakes or streams on the proposed site.*

- h. Ensure that the amenities provided adequately enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions such as, the preservation of mountain views, the creation of landscaped open areas, and the establishment of recreational activities.

*The solar garden will have some visual impact, but it should not significantly disrupt mountain views. This position is supported by the State Land Board's assessment (see attached letter)*

- i. Enhance the usable open spaces in Arapahoe County, and provide sufficient unobstructed open space and recreational area to accommodate a project's residents and employees.

*Open space is not applicable to this project.*

## 2. Additional Approval Criteria

In addition to the regular approval criteria for a USR found in Section 13-901 of the Land Development Code, the criteria set forth in Part V, Sections A and C, along with Appendix A in the 1041 Regulations are used to determine if the Use by Special Review should be approved.

A permit may be approved if the proposed activity complies with the following general criteria and any additional applicable criteria in Section V. C. In determining whether the proposed activity complies with the criteria, the Planning Commission and Board of County Commissioners may take into consideration, the construction, operation and cumulative impacts of the proposed activity.

### A. General Approval Criteria [See applicant's response to approval criteria]

1. *Documentation that prior to site disturbance associated with the Proposed Project, the applicant can and will obtain all necessary property rights, permits and approvals. The Board may, at its discretion, defer making a final decision on the application until outstanding property rights, permits and approvals are obtained.*

Response: Clean Energy Collective will obtain all necessary property rights, permits and approvals before any site disturbance occurs for the proposed project.

2. *The Proposed Project considers the relevant provisions of the regional water quality plans.*

Response: The subject property is located within the Coal Creek drainage basin. Care will be taken during the construction phase to minimize impact to regional water quality. Erosion control waddles will be used to control on-site surface drainage. Since the facility is unmanned, there will be very little impact to regional water quality.

3. *(Only Applicable to Major Permit Review) The applicant has the necessary expertise and financial capability to develop and operate the Proposed Project consistent with all requirements and conditions.*

Response: N/A, this is not a Major Permit Review.

4. *(Only Applicable to Major Permit Review) The Proposed Project is technically and financially feasible.*

Response: N/A, this is not a Major Permit Review.

5. *The Proposed Project is not subject to significant risk from natural hazards.*

Response: The subject property does not have any naturally-occurring hazardous site conditions. There is a slight potential that the Proposed Project could be damaged from a tornado. Should that occur, the facility will be covered by Clean Energy Collective's property insurance and will be rebuilt.

6. *The Proposed Project is in general conformity with the applicable comprehensive plans.*

Response: The Lowry Bombing Range is designated as a "Planning Reserve Area" in the Arapahoe County Comprehensive Plan. The Lowry property is considered a Stewardship Trust of the State Land Board and is designated to receive special stewardship attention. These lands are protected from sale or development unless four of the five Land Board members vote to take them out of the trust. The State Land Board has conducted one public hearing to determine if the proposed community-owned solar facility is a suitable use in the "Planning Reserve Area". A second hearing is to be held to review the proposed project further. From comments made at the first hearing before the State Land Board, it is anticipated that the Board will approve the use for a community owned solar facility. Results of that hearing will be reported to Arapahoe County as soon as the State Land Board reviews the proposed project. The Planning Reserve designation ensures that the land is "... held vacant to accommodate possible future uses and allows for joint planning and coordination". The Comprehensive Plan mandates that detailed planning must take place to determine how infrastructure and community facilities and services are provided if development occurs. The Comprehensive Plan further requires that consideration be given to how the natural resources are to be conserved and managed, while allowing for sustainable development. The proposed community-owned solar facility is a good interim use for the subject property that allows the

State Land Board to meet its mandate of generating revenue to support education, while allowing future land use planning of the overall Planning Reserve Area.

7. *The Proposed Project will not have a significant adverse effect on the capability of local government to provide services or exceed the capacity of service delivery systems.*

Response: During the construction period there will be minimal impact on local government to provide services. The construction period will last approximately eight (8) weeks. During the construction period, there will be a slight increase in local traffic on East Quincy Avenue. Materials for the facility will be delivered via a flat-bed tractor/trailer. Once the materials are delivered to the site, the crew will use standard pick-ups while on-site to move materials around the site. Any services required of the local government as a result of the construction of this project will be very minimal. Since the Proposed Project is an unmanned facility, there will be very limited impact to local governmental services. There will be no impact on water/sanitary sewer services. There will be no significant impact to roads or transportation systems. Emergency services will not be adversely impacted by the proposed project.

8. *(Only Applicable to Major Permit Review) The Proposed Project will not create an undue financial burden on existing or future residents of the County.*

Response: N/A, the Proposed Project is not a Major Permit Review.

9. *(Only Applicable to Major Permit Review) The Proposed Project will not significantly degrade any substantial sector of the local economy.*

Response: N/A, the Proposed Project is not a Major Permit Review.

10. *The Proposed Project will not unduly degrade the quality or quantity of recreational opportunities and experiences.*

Response: The "Arapahoe County Fairgrounds & Regional Park Recommended Master Plan" is the open space plan for the immediate area in the vicinity of the Proposed Project. A proposed regional trail is planned to be constructed along East Quincy Avenue from the Arapahoe County Fairgrounds to the "Pronghorn Natural Area", immediately west of the Proposed Project site. Additionally, there are two proposed regional trails shown on the map that run in a north/south direction to the east and west of the Proposed Project location. The location of the Proposed Project will not impact the three proposed regional trails to be expanded in the immediate area. The Proposed Project will not unduly degrade the quality or quantity of recreation opportunities or experiences.

11. *The planning, design and operation of the Proposed Project will reflect principals of resource conservation, energy efficiency and recycling or reuse.*

Response: Solar energy, by its very nature as a renewable energy source, will conserve more traditional resources that are typically used for energy production. The Proposed Project will be very energy efficient and help reduce the emissions and greenhouse gases that are produced by more traditional energy sources. Any residual construction materials will be steel from the racking or cabling for interconnecting the array. These excess materials will be reused on another site or recycled at a proper facility. There may be some cardboard shipping containers that will also be recycled. Clean Energy Collective is committed to resource conservation, energy efficiency, and recycling of materials.

12. *The Proposed Project will not significantly degrade the environment. Appendix "A" includes the considerations that will be used to determine whether there will be significant degradation of the environment. For purposes of this section, the term environment shall include:*

- a. Air quality.*
- b. Visual quality.*
- c. Surface water quality.*
- d. Groundwater quality.*
- e. Wetlands, flood plains, streambed meander limits, recharge areas, and riparian areas.*
- f. Terrestrial and aquatic plant life.*
- g. Soils and geologic conditions.*

Response: Solar energy does not degrade the environment, as it is defined above. Other than dust during the construction phase and fumes from trucks used during construction, there will be limited impact on air quality. The Proposed Project will have some visual impact, as any development would. The Proposed Project is to be setback approximately 400 feet from the East Quincy Avenue right-of-way and the large setback should help reduce the visual impact of the Proposed Project from the East Quincy Avenue view corridor. The three existing overhead transmission lines have already made a significant impact to the visual quality in the immediate vicinity. The Proposed Project will not impact area surface water or groundwater quality. No wetlands or riparian areas will be impacted by the Proposed Project. Terrestrial life will be minimally impacted and there is no aquatic plant life on the Proposed Project site. There are prairie dogs on the subject property. As a result, there may also be Burrowing Owls present that use the prairie dog burrows as nesting areas. Clean Energy Collective is committed to working with the prairie dogs and relocating prairie dogs within our lease area. We will work with Prairie Preserves to close burrows and relocate prairie dogs to burrows outside the lease area. No prairie dogs will be killed or injured as a result of this Proposed Project. A consultant will be hired to determine the presence of Burrowing Owls. Typically, surveys for Burrowing Owls are conducted from March 15th to October 31st. Per Colorado Division of Wildlife standards {"*Recommended Survey Protocol and Actions to Protect Nesting Burrowing Owls*"}, the surveys will be conducted during the morning and evening hours (1/2 hour before sunrise, until 2 hours after sunrise, and 2 hours before

sunset, until X hour after sunset). Should it be determined that Burrowing Owls are present, per Colorado Division of Wildlife standards, the burrows will be marked and all construction activity will remain a minimum of 150 feet from the active burrow. Construction crews will be educated on the importance of maintaining this 150 feet minimum buffer during the construction phase.

*13. The Proposed Project will not cause a nuisance.*

Response: The Proposed Project will not cause a nuisance since there are no noises, fumes, or vibrations caused by solar installations. During the construction phase, there may be a slight increase in dust and noise, however, these conditions will not cause a nuisance. Should fugitive dust become an issue during the construction phase, a water truck will be brought on-site to add moisture to the soil and eliminate the majority of the dust. There may be limited glare at certain times of the day, however, non-reflective glass will be used for the panels and a tracker system is being proposed and glare should be very minimal.

*14. The Proposed Project will not significantly degrade areas of paleontological, historic, or archaeological importance.*

Response: Western Environment reviewed the Colorado Historical Society's database and found no record of historical sites associated with the property. The project site is located within the former Lowry Bombing and Gunnery Range (FLBGR) which functioned as an important research and training ground for the U.S. Armed Forces. According to sources at the State Land Board, The subject property has had infra-red scanning done on two (2) separate occasions and has been determined to be free of unexploded ordinance. Since there are no known paleontological, historic, or archaeological sites within the lease area, there will be no impact from the proposed project.

Should any artifacts be found during the construction phase, the proper authorities will be notified.

*15. The Proposed Project will not result in unreasonable risk of releases of hazardous materials. In making this determination as to such risk, the Board's consideration shall include:*

- a. Plans for compliance with federal and State handling, storage, disposal and transportation requirements.*
- b. Use of waste minimization techniques.*
- c. Adequacy of spill prevention and response plans.*

Response: There will be no hazardous materials associated with the installation or operation of the Proposed Project. There will be no fuels or hydraulic fluid stored on the site. Any fuels or hydraulic fluids needed will be brought to the site with a standard pick-up truck. Should there be a spill of fuels or hydraulic fuel, all

contaminated soils will be removed and taken to an appropriate facility for dealing with such waste.

16. *(Only Applicable to Major Permit Review) The benefits accruing to the County and its citizens from the proposed activity outweigh the losses of opportunities to develop such resources.*

Response: N/A, the Proposed Project is not a Major Permit Review. The citizens and businesses in Arapahoe County, located within Xcel Energy's service area who elect to participate in the facility, will be able to offset some of their electric service with clean, renewable power.

17. *The Proposed Project is the best alternative available based on consideration of need, existing technology, costs, impact and these regulations.*

Response: The community-owned solar concept allows residents of Arapahoe County to have a portion of their energy needs produced by clean, renewable energy. The technology used is state of the art and is currently one of the best alternatives to traditional energy production with fossil fuels.

18. *The Proposed Project will not unduly degrade the quality of agricultural activities.*

Response: The subject property and 1,100 additional acres are currently under lease for cattle grazing to one rancher. Clean Energy Collective has had a meeting with the rancher and the State Land Board District Manager to discuss the Proposed Project. The rancher has agreed that the +/- 14 acres proposed for the solar facility will not impact his cattle operation. If approved by Arapahoe County, the rancher intends to relocate any cattle grazing on the solar lease parcel to other pastures under his control. There are no crops being cultivated on the solar lease parcel.

19. *Cultural Resources. The Proposed Project will not significantly interfere with the preservation of cultural resources, including historical structures and sites, agricultural resources, the rural lifestyle and the opportunity for solitude in the natural environment.*

Response: There are no known cultural resources of record or historic structures on the subject property. The Proposed Project will fit well with the rural lifestyle because it is unmanned and does not produce noise, fumes, or vibration. Other than the visual impact, the Proposed Project will not negatively impact the solitude in the natural environment.

20. *Land Use. The Proposed Project will not cause significant degradation of land use patterns in the area around the Proposed Project.*

Response: The surrounding land use is primarily open land and agricultural grazing. The Proposed Project will cause minimal degradation of land use patterns, but not

cause a significant degradation of land use patterns in the area. This portion of Arapahoe County is fairly rural and will probably not see significant growth for the foreseeable future. The proposed solar facility is projected to be in operation for twenty (20) years. After the twenty year lease term, if no lease extensions are granted, the facility will be removed and the land will return to its original condition. Based on past experience with the State Land Board, it is highly unlikely there will be an extension to the existing lease.

*21. Compliance with Regulations & Fees. The applicant has complied with all applicable provisions of these regulations and has paid all applicable fees.*

Response: Clean Energy Collective has attempted to address all applicable provisions of the Arapahoe County provisions. All fees will be paid when the formal application is delivered to Arapahoe County. It should be noted that House Bill 11-1199, State of Colorado, limits the amount for permit and plan review fees that jurisdictions and counties can charge to \$1,000.00 for non-residential solar applications.

The applicant's responses to the criteria listed above are thorough and well considered. It is the staff's determination that the applicant has complied with the applicable criteria, and that this application will be forwarded to the Planning Commission and Board of County Commissioners for consideration.

### **III. STAFF FINDINGS: USE BY SPECIAL REVIEW**

Staff has visited the site and reviewed the plans, supporting documentation and referral comments, as well as citizen input in response to this application. Based upon review of the Comprehensive Plan, development regulations, and analysis of referral comments, our findings include:

1. The proposed Use by Special Review application is in conformance with the Arapahoe County Comprehensive Plan, in that it provides for development of public facilities and services within the "Rural" Land Use Area.
2. The proposed Use by Special Review application appears to be consistent with the Use by Special Review Section of the Arapahoe County Land Development Code.
3. This application appears to meet all of the approval criteria for this Use by Special Review, provided all of the conditions of approval are met.
4. If the Proposed Project is discovered to impact any cultural and historic resources, the applicant will minimize the impact to any areas of paleontological, historic, or archaeological importance.

6. If the Proposed Project is discovered to impact any Federal and State Threatened and Endangered Species or State Species of Concern within the area of the solar garden, the applicant will mitigate and minimize any impact to these species.

**IV. RECOMMENDATION FOR USE BY SPECIAL REVIEW:**

Considering the findings and other information provided herein, staff recommends approval of Case Number U16-001, Arapahoe State Land Board (solar garden), Use by Special Review, subject to the condition listed in the draft motion for approval.

(draft motions are provided on the following page)

## **DRAFT MOTIONS:**

### **Recommend Conditional Approval:**

(This motion is consistent with the staff recommendation): In the case of U16-001, Arapahoe State Land Board Solar Garden, Use by Special Review, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings 1 through 3, including all plans and attachments as set forth in the staff report dated June 13, 2016 and recommend this case favorably to the Board of County Commissioners subject to the following conditions of approval:

1. The applicant will modify the plans as requested by the Public Works & Development Department, prior to the signing of the mylars and before the commencement of any construction activities relating to this project.
  2. The applicant will strive to avoid any areas of paleontological, historic, or archaeological importance. If avoidance is not possible, further testing will be conducted, with landowner's permission, to determine the site's eligibility for historic status and a treatment plan will be developed that will be followed to protect eligible sites. The applicant will notify the County of any plans or activities to deal with historic, paleontological or archaeological sites that cannot be avoided by the construction of the solar garden.
  3. The applicant will strive to avoid any Federal and/or State Threatened and Endangered Species, as well as State Species of Concern, if found to exist in areas where the solar garden will be constructed. If any Federal and/or State Threatened and Endangered Species or any State Species of Concern is found to exist in areas where the solar garden will be constructed, then the applicant will collaborate with Colorado Parks and Wildlife and Arapahoe County to mitigate and minimize any potential impact to these species.
1. The applicant will provide the County with a noxious weed control plan for the site prior to construction.

### **Recommend Denial:**

(This motion is not consistent with the staff recommendation): In the case of U16-001, Arapahoe State Land Board Solar Garden, Use by Special Review, the Planning Commission have read the staff report dated June 13, 2016 and received testimony at the public hearing. Based on the information presented and considered during a public hearing, recommend denial to the Board of County Commissioners based on the following findings:

- a. State new findings as part of the motion.
- b. ...

### **Continue to Date Certain:**

In the case of U16-001, Arapahoe State Land Board Solar Garden, Use by Special Review, I move to continue the hearing to [date], 6:30 p.m., to obtain additional information and to further consider the information presented.

**Attachments**

Application, Engineering Staff Report, Referral Comments, Exhibits



**Public Works and Development**

6924 S. Lima Street  
 Centennial, Colorado 80112  
 Phone: 720-874-6650  
[www.arapahoe.gov](http://www.arapahoe.gov)

**Land Development Application**

Form must be complete

Land Development Application materials received after 2pm shall be date stamped received the following working day.

APPLICANT/REPRESENTATIVE:	ADDRESS:  PHONE: _____ FAX: _____ EMAIL: _____	SIGNATURE:  NAME:  TITLE:
OWNER(S) OF RECORD:	ADDRESS:  PHONE: _____ FAX: _____ EMAIL: _____	SIGNATURE:  NAME:  TITLE:
ENGINEERING FIRM:	ADDRESS:  PHONE: _____ FAX: _____ EMAIL: _____	CONTACT PERSON:

Pre-Submittal Case Number: \_\_\_\_\_ Pre-Submittal Planner: \_\_\_\_\_ Pre-Submittal Engineer: \_\_\_\_\_

Parcel ID no. (AIN no.): \_\_\_\_\_  
 Parcel Address or Cross Streets: \_\_\_\_\_  
 Subdivision Name & Filing No.: \_\_\_\_\_

Related Case Numbers:  
 (Preliminary/Final Development Plan, Rezoning, and / or Plat ) \_\_\_\_\_

	EXISTING	PROPOSED
Zoning:		
Case/Project/Subdivision Name:		
Site Area (Acres):		
Floor Area Ratio (FAR):		
Density (Dwelling Units/Acre):		
Building Square Footage:		
Disturbed Area (Acres):		

**CASE TYPE (Administrative Case types are shaded in Gray)**

<input type="checkbox"/> Preliminary Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Location & Extent or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Administrative Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Master Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Rezoning - Conventional	<input type="checkbox"/> Administrative Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Final Plat
<input type="checkbox"/> Final Development Plan or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Land Development Code Amendment	<input type="checkbox"/> Technical Amendment to _____ (PDP, FDP, etc.)	<input type="checkbox"/> Minor Subdivision
<input type="checkbox"/> Planned Sign Program or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Use by Special Review or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Commercial Mobile Radio Service (CMRS/cellular antennas)	<input type="checkbox"/> Subdivision Exemption
<input type="checkbox"/> Vacation of Right of Way/Easement/Plat	<input type="checkbox"/> Use by Special Review – Oil and Gas	<input type="checkbox"/> Plat Correction	<input type="checkbox"/> Replat (Major)
<input type="checkbox"/> 1041 – Areas & Activities of State Interest – Use by Special Review <input type="checkbox"/>	<input type="checkbox"/> Special District Title 30 <input type="checkbox"/> Title 32 <input type="checkbox"/>	<input type="checkbox"/> Administrative Oil & Gas Use by Special Review (AOGUSR)	<input type="checkbox"/> Administrative Replat
<input type="checkbox"/> Comprehensive Plan	<input type="checkbox"/> Rural Cluster	<input type="checkbox"/> Street Name Change	<input type="checkbox"/> _____

**THIS SECTION FOR OFFICE USE ONLY**

Case No: \_\_\_\_\_ Planning Manager: \_\_\_\_\_ Engineering Manager: \_\_\_\_\_

Planning Fee: Y N \$ \_\_\_\_\_ Engineering Fee: Y N \$ \_\_\_\_\_ TCHD Fee?  \$ \_\_\_\_\_

This application shall be submitted with all applicable application fees. Submittal of this application does not establish a vested property right in accordance with C.R.S. 24-68-105(1). Processing and review of this application may require the submittal of additional information, subsequent reviews, and/or meetings, as outlined in the Arapahoe County Land Development Code.

Letter of Intent  
State Land Board Parcel – Arapahoe County  
 January, 2016

Clean Energy Collective, in conjunction with the State Land Board (the property owner), is proposing a 2 MW community-owned solar facility, in unincorporated Arapahoe County. The project will be located on the south side of East Quincy Avenue, just east of South Robertsdale Way and is identified as Parcel ID Number: 031585414, in the Arapahoe County Assessor’s records. The property is zoned Agricultural One (A-1), and will require a “Use by Special Review” process and a “1041 Activities of State Interest” permit. Clean Energy Collective will lease the eighteen (18) acre parcel from the State Land Board for a period of twenty (20) years.

The proposed facility will incorporate a motorized tracking system which allows the panels to move and track with the sun throughout the day (please see illustration below). There will be approximately 18,120 panels and three (3) inverters which converts the DC power generated from the sun to AC power before it is uploaded into the Xcel Energy grid. The solar panels will be supported by a metal racking system, with an overall height of under eight (8) feet. Clean Energy Collective will own, operate, and maintain the system for the lease term. The panels within the solar garden will be sold to businesses and residents within Arapahoe County and surrounding counties who wish to offset their utility bill with clean, renewable power.



TRACKER SYSTEM



The Clean Energy Collective is a new idea in power generation. A member-owned cooperative venture that builds and operates centralized clean power-generation facilities at the community level.

go ahead. power up.

The inverter will be housed in a wooden-frame structure to protect the equipment from the elements. The inverter shed structure will be approximately ten (10) feet in height and covers approximately 240 square feet (please see the photo below of the inverter shed).



Proposed Inverter Shed

Access to the proposed facility will be via a proposed new access, eighteen feet (18') in width, off East Quincy Avenue. The proposed access location was selected to align with an existing driveway on the north side of East Quincy Avenue. The proposed access requires an access permit from Arapahoe County. The proposed access will be designed and built to meet all Arapahoe County spacing and design criteria and standards.

The proposed facility will take approximately 8 weeks to construct. Once the construction phase is completed, the site will be visited 1-2 per year for routine maintenance. The maintenance vehicle is a standard size pick-up truck.



The Clean Energy Collective is a new idea in power generation. A member-owned cooperative venture that builds and operates centralized clean power-generation facilities at the community level.

go ahead. power up.

The proposed facility is to be unmanned except during the construction phase. There will be no sanitary sewerage usage, however, during construction a san-o-let will be placed on site and will remain on site until construction is completed. Water is not typically required for our facilities. There are no odors, noises, or heat associated with solar facilities. There are no chemicals associated with the proposed facility.

Fencing will be placed around the perimeter of the entire facility, in accordance with electrical code for power generation facilities. An eight foot (8') tall chain-link fence will be installed as shown on the site plan and in the photo below. If desired by Arapahoe County, an alternate game fencing solution can be incorporated.



Typical Fencing on Perimeter of Lease Area



Alternate Game Fencing on Perimeter of Lease Area

Completeness Statement:

"I hereby affirm that this application meets the requirements of the Arapahoe County Zoning Regulations or includes proper requests for variance, waiver or exception from provisions that it does not meet. I understand that if it does not meet these Regulation's requirements or if proper requests for variance, waiver or exception are not included, this application may be rejected and the Board of County Commissioner's hearing dates may be postponed."

  
 Richard L. Miller, AICP



The Clean Energy Collective is a new idea in power generation. A member-owned cooperative venture that builds and operates centralized clean power-generation facilities at the community level.

# Planning Commission Summary Report

**Date:** June 10, 2016 *SMS*  
**To:** Arapahoe County Planning Commission  
**Through:** Bill Skinner  
Planning Division, Case Planner  
**Through:** Chuck Haskins, PE  
Engineering Services Division, Manager  
**From:** Spencer M. Smith, PE  
Engineering Services Division, Case Engineer

**Case name:** U16-001 – Arapahoe State Land Board Solar Plant USR

## **Purpose and Recommendation**

The purpose of this report is to communicate the Engineering Staff findings, comments, and recommendations regarding the land use application identified above.

## **Engineering Staff has reviewed the land use application and has the following findings:**

1. The site will access E. Quincy Ave. at a proposed access at the northwest corner of the site, across from an existing private access. A Street Cut and Right-of-Way Use Permit will need to be obtained for the prior to construction.
2. The applicant will need to coordinate design of their proposed access road with the Intermountain REA and Public Service Company, whose ROW's that they will cross.
3. The existing ROW on E. Quincy Ave. along this project frontage is 110'. The ultimate ROW width for E. Quincy Ave. in this area is 144' per the County's 2035 Transportation Plan.
4. The applicant will require waivers from the stormwater detention and water quality requirement of the County's Stormwater Management Manual. Engineering Services Division is in support of granting both waivers, as we have done on similar projects.

## **Engineering Staff is recommending the land use application(s) favorably subject to the following conditions:**

1. Applicant addresses all Arapahoe County Engineering Services Division and SEMSWA comments.
2. Applicant obtains all necessary approvals from the local Fire District and permits (Street Cut and Right-of-Way Use and GESC) from the County.

Cc: Case File: U16-001



Right of Way & Permits

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.571.3306**  
Facsimile: 303. 571.3524  
donna.l.george@xcelenergy.com

May 3, 2016

Arapahoe County Public Works and Development  
6924 South Lima Street  
Centennial, CO 80112

Attn: Bill Skinner

**Re: Solar Garden at the State Land Board, Case # U16-001**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has determined **there is a possible conflict** with the above captioned project. Public Service Company has an existing electric transmission line and associated land rights as shown within this property. Any activity including grading, proposed landscaping, erosion control or similar activities involving our existing right-of-way will require Public Service Company approval. Encroachments across Public Service Company's easements must be reviewed for safety standards, operational and maintenance clearances, liability issues, and acknowledged with a Public Service Company License Agreement to be executed with the property owner. **PSCo is requesting that, prior to any final approval of the development plan, it is the responsibility of the property owner/developer/contractor to contact Mike Diehl, Siting and Land Rights Manager at (303) 571-7260** to have this project assigned to a Land Rights Agent for development plan review and execution of a License Agreement.

Should the project require any new gas or electric service, the property owner/developer/contractor must contact the **Builder's Call Line at <https://xcelenergy.force.com/FastApp> (Register so you can track your application) or 1-800-628-2121** to complete the application process. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center, at 1-800-922-1987** to have all utilities located prior to any construction.

Should you have any questions with this referral response, please contact me at 303-571-3306.

Donna George  
Contract Right of Way Referral Processor  
Public Service Company of Colorado

## REFERRAL REQUEST

From: Page Bolin, Renewable Energy Program Manager  
Date: January 21, 2016  
Re: Clean Energy Collective - Solar Garden Production Lease - Arapahoe County

PLEASE RESPOND BY: February 22, 2016

Board Meeting Date: March 9-10, 2016

Summary: The State Land Board has received a request for a Solar Garden Production Lease from Clean Energy Collective for a two (2) MW facility, located in Arapahoe County. We are requesting your input on this application. Attached to this form is a vicinity map (with trust land outlined in RED) as well as site map identifying the layout of the array on state lands. The applicant will be required to file and gain appropriate local approval of a land use application and the approval granted by the local jurisdiction will become part of the lease should it be approved by the Board.

Application Type: Solar Garden Production Lease

Proposed Lease Term: 20 Years

Applicant: Clean Energy Collective

Property Legal: **Arapahoe County:**

**Section: 10 Township: 5S Range: 65W 6<sup>th</sup> PM**

**(A portion of the NW4NW4)**

**(SEE ATTACHED MAPS)**

**Requested Acres: 14 +/-**

1. **Is there any reason why this parcel should not be offered for lease? \_\_\_Y \_\_\_X N**  
**If No please explain**

This parcel should only be offered for lease only if all recommendations are followed in the included CORE Habitat Assessment.

2. **Are special local land use approvals required for this use? \_\_\_X\_ Y \_\_\_ N**  
**If Yes, please explain**

Arapahoe County Open Spaces does not require any special land use approval for the proposed project. However, Arapahoe County Public Works: Planning Division is currently reviewing a land use application for the proposed solar garden. The application (case #U16-001) requires public hearings at Planning Commission and the Board of County Commissioners.

1127 Sherman Street, Suite 300, Denver, CO 80203-2206 P 303.866.3454 F 303.866.3152  
[www.colorado.gov/trustlands](http://www.colorado.gov/trustlands)

3. Are there any land use or other environmental considerations that would make this use incompatible on this site? \_\_\_\_\_Y  N If Yes, please explain

The CORE Habitat Assessment indicated that presence of Black-tailed Prairie Dog, Burrowing Owl, and Ferruginous Hawk are likely to occur in the project area.

4. Are there specific Best Management Practices required to mitigate or protect species or habitat on this site that could be impacted by this use? If yes, please briefly describe and attach any documentation required

The CORE Habitat study provides project specific recommendations to minimize impacts to sensitive habitat populations identified in question 3. Arapahoe County Open Spaces recommends following all of the recommendations on page 7 of the CORE Habitat Assessment.

5. Other Comments, Concerns or Suggestions?

Name: Roger Harvey

Title: Open Space Planning Administrator

Organization/Agency: Arapahoe County Open Spaces

Email: [rharvey@arapahoe.gov](mailto:rharvey@arapahoe.gov)

Phone: 720-874-6554

-END OF MEMORANDUM

## Findings for Lowry Solar Garden Proposal

1. The Colorado State Land Board (SLB) encourages renewable energy uses on SLB property. The SLB considers “Sourcing renewable energy technologies, users and participants on trust lands represents good stewardship practices.”
  - a. There is a similar solar garden project on SLB land that serves DIA directly north in Adams County
2. The submittal documents include a Habitat Assessment from CORE consultants and includes
  - a. A “desktop review” of internet research
  - b. Wildlife Findings: Black-tailed Prairie Dog, Burrowing Owl, and Ferruginous Hawk have all been observed on the site and the project is anticipated the potentially to impact this species.
    - i. Core recommendations on page 7 should be followed to mitigate concerns about sensitive wildlife.
  - c. Wetlands & Floodplain:
    - i. The Core Habitat Assessment states that “Spatial data did not indicate presence of potentially jurisdictional wetlands or WOUS within the Project area.
    - ii. Also The Core Habitat Assessment states that “The project area does not fall within Zone-A floodplains.
3. Views identified by the Lowry Range Property Site Analysis should not be affected by the project.
4. The project is located in the “Water Resource Area” identified by the Lowry Range Future Use map.
5. The site does not appear to in a sensitive Avian area identified by the Avian Monitoring on Colorado State Land Board’s Lowry Range: 2012 Final Report

**Conclusions:** The Lowry Range Sub-Area Plan does address the State Land Board’s “Sustainable Development Model” that places a particular emphasis on efficient use of water resources and energy. The Referral Request includes a comprehensive Habitat Assessment conducted by CORE consultants. This Habitat Assessment identifies possible threats to wildlife and provides specific recommendations to mitigate threats to wildlife. The SLB encourages renewable energy use on its properties and a very similar solar garden is locates on SLB property directly north in Adams County that serves DIA.

Bill,

I have reviewed the proposed Solar Garden facility located on the State Land Board property, east of Aurora Reservoir, adjacent to E. Quincy Avenue and have no objections. This should have minimal impact to any State Highways in the area.

Thank you for the opportunity to review this referral.

**Steve Loeffler**  
Permits Unit



P 303.757.9891 | F 303.757.9886  
2000 S Holly Street, Denver, CO 80222  
[steven.loeffler@state.co.us](mailto:steven.loeffler@state.co.us) | [www.codot.gov](http://www.codot.gov) | [www.cotrip.org](http://www.cotrip.org)



May 9, 2016

Bill Skinner  
Arapahoe County Public Works  
6924 S. Lima Street  
Centennial, CO 80112

RE: Solar Garden at State Land Board, U16-001  
TCHD Case No. 3880

Dear Mr. Skinner:

Thank you for the opportunity to review and comment on the Use by Special Review for a solar garden. Tri-County Health Department (TCHD) staff reviewed the application for compliance with applicable environmental and public health regulations

### **Renewable Energy**

Alternative energy supplies generally do not contribute to air and water pollution and can have a positive impact on the environment. TCHD commends the applicant for bringing forward a proposal that promotes the use of renewable energy.

### **Wastewater Service for Construction Trailers**

The applicant states in the narrative that san-o-lets will be used for the time of construction. TCHD has no objection to the use of portable toilets during the construction phase, provided the units are properly cleaned and maintained. While TCHD cannot require the use of hand sinks, we recommend that the applicant provide those for the workers as it will reduce the potential for the transmission of disease.

### **Solid Waste**

Rodents, such as mice and rats, carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, or saliva, or through rodent bites. As rodents are attracted to trash, TCHD strongly recommends that all trash dumpsters on site during construction are equipped with a closeable lid and with regular collection and disposal at an approved landfill.

Please feel free to contact me at 720-200-1580 or [vrichard@tchd.org](mailto:vrichard@tchd.org) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be "V. Richardson", with a horizontal line extending to the right.

Vanessa Richardson  
Environmental Health Specialist II

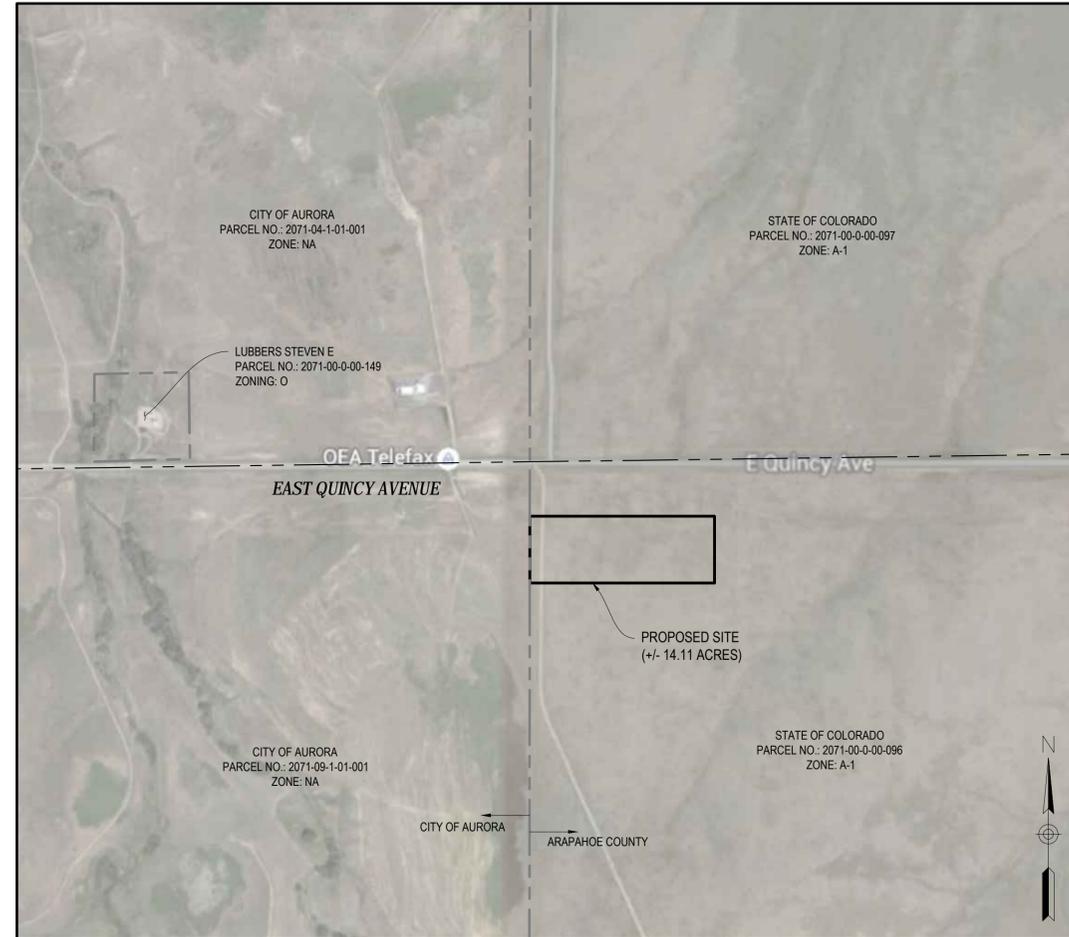
CC: Sheila Lynch, Steven Chevalier, TCHD

# ARAPAHOE STATE LAND BOARD USE BY SPECIAL REVIEW

A PORTION THE NORTHWEST ¼ OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO



**VICINITY MAP**  
SCALE 1" = 600'



**OVERALL SITE AREA**  
SCALE 1" = 600'

## SITE DATA

PROJECT AREA: ±14.11 ACRES  
MODULE: QTY. 18180, FIRST SOLAR FS-4110-2

SHEET #	SHEET TITLE	DESCRIPTION
1	CVR	COVER SHEET
2	SP	SITE PLAN
3	DTL	DETAIL SHEET
4	DTL	DETAIL SHEET

## BOARD OF COUNTY COMMISSIONERS APPROVAL

APPROVED BY THE ARAPAHOE COUNTY BOARD OF COMMISSIONERS,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20 \_\_\_\_.

CHAIR: \_\_\_\_\_

ATTEST: \_\_\_\_\_

## PLANNING COMMISSION RECOMMENDATION

RECOMMENDED BY THE ARAPAHOE COUNTY PLANNING COMMISSION,  
THIS \_\_\_\_ DAY OF \_\_\_\_\_ A.D., 20 \_\_\_\_.

CHAIR: \_\_\_\_\_

## CERTIFICATE OF OWNERSHIP

I \_\_\_\_\_ HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT  
OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED  
HEREIN, KNOWN AS ARAPAHOE STATE LAND BOARD, CASE NO: U16-001

OWNER OF RECORD OR AUTHORIZED AGENT

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 2016 BY \_\_\_\_\_  
(NAME)

AS \_\_\_\_\_ OF \_\_\_\_\_ AN AUTHORIZED SIGNATORY.  
(TITLE)

BY \_\_\_\_\_ WITNESS MY HAND AND SEAL

\_\_\_\_\_  
(NOTARY PUBLIC) MY COMMISSION EXPIRES \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

## STANDARD NOTES:

THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDER(S) OF THE USE BY SPECIAL REVIEW KNOWN AS THE ARAPAHOE STATE LAND BOARD, THEIR RESPECTIVE SUCCESSORS, HEIRS AND/OR ASSIGNS AGREE TO THE FOLLOWING NOTES:

### EMERGENCY ACCESS NOTE

EMERGENCY ACCESS IS GRANTED HERewith OVER AND ACROSS ALL AREAS FOR POLICE, FIRE AND EMERGENCY VEHICLES.

### DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS, AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNERS ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF ANY AND ALL DRIVES, PARKING AREAS, AND EASEMENTS, I.E. CROSS-ACCESS EASEMENTS, DRAINAGE EASEMENTS, ETC.

### LANDSCAPE MAINTENANCE

THE OWNERS OF THIS PLAN OR PLAT, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, THE ADJACENT PROPERTY OWNER(S), HOMEOWNER'S ASSOCIATION OR OTHER ENTITY OTHER THAN ARAPAHOE COUNTY IS RESPONSIBLE FOR MAINTENANCE AND UPKEEP OF PERIMETER FENCING, LANDSCAPED AREAS AND SIDEWALKS BETWEEN THE FENCE LINE/PROPERTY LINE AND ANY PAVED ROADWAYS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME OTHER ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL OTHER OPEN SPACE AREAS ASSOCIATED WITH THIS DEVELOPMENT.

### SIGHT TRIANGLE MAINTENANCE

THE OWNERS OF PRIVATE PROPERTY CONTAINING A TRAFFIC SIGHT TRIANGLE ARE PROHIBITED FROM ERECTING OR GROWING ANY OBSTRUCTIONS OVER THREE FEET IN HEIGHT ABOVE THE ELEVATION OF THE LOWEST POINT ON THE CROWN OF THE ADJACENT ROADWAY WITHIN SAID TRIANGLE.

### PUBLIC IMPROVEMENTS NOTE

AFTER USE BY SPECIAL REVIEW APPROVAL, ISSUANCE OF INDIVIDUAL BUILDING PERMITS WILL BE SUBJECT TO THE FOLLOWING STIPULATIONS AND/OR CONDITIONS PRECEDENT, WHICH OWNER AGREES TO IN CONJUNCTION WITH APPROVAL OF THE USE BY SPECIAL REVIEW. SUCH BUILDING PERMITS WILL BE ISSUED ONLY AFTER THE OWNERS GUARANTEE PUBLIC IMPROVEMENTS IN A FORM ACCEPTABLE TO THE BOARD OF COUNTY COMMISSIONERS PURSUANT TO STATE STATUTE.

### DRAINAGE MAINTENANCE

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL DRAINAGE FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENT. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO MAINTAINING THE SPECIFIED STORM WATER DETENTION/RETENTION VOLUMES, MAINTAINING OUTLET STRUCTURES, FLOW RESTRICTION DEVICES AND FACILITIES NEEDED TO CONVEY FLOW TO SAID BASINS. ARAPAHOE COUNTY SHALL HAVE THE RIGHT TO ENTER PROPERTIES TO INSPECT SAID FACILITIES AT ANY TIME. IF THESE FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

### DRAINAGE LIABILITY

IT IS THE POLICY OF ARAPAHOE COUNTY THAT IT DOES NOT AND WILL NOT ASSUME LIABILITY FOR THE DRAINAGE FACILITIES DESIGNED AND/OR CERTIFIED BY ENERTIA CONSULTING GROUP. ARAPAHOE COUNTY REVIEWS DRAINAGE PLANS PURSUANT TO COLORADO REVISED STATUTES TITLE 30, ARTICLE 28, BUT CANNOT, ON BEHALF OF CLEAN ENERGY COLLECTIVE, LLC, GUARANTEE THAT FINAL DRAINAGE DESIGN REVIEW WILL ABSOLVE A COLORADO LIMITED LIABILITY COMPANY AND/OR THEIR SUCCESSORS AND/OR ASSIGNS OF FUTURE LIABILITY FOR IMPROPER DESIGN. IT IS THE POLICY OF ARAPAHOE COUNTY THAT APPROVAL OF THE FINAL PLAT AND/OR FINAL DEVELOPMENT PLAN DOES NOT IMPLY APPROVAL OF ENERTIA CONSULTING GROUP'S DRAINAGE DESIGN.

### STORMWATER MAINTENANCE

THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL PERMANENT BEST MANAGEMENT PRACTICES (BMP'S) AND STORMWATER FACILITIES INSTALLED PURSUANT TO THE SUBDIVISION AGREEMENTS AND THE OPERATIONS AND MAINTENANCE (O AND M) GUIDE IN THE CASE OF PERMANENT BMP'S. REQUIREMENTS INCLUDE, BUT ARE NOT LIMITED TO, MAINTAINING THE SPECIFIED BMP'S CONTAINED IN THE O AND M MANUAL RECORDED AT RECEPTION NUMBER N/A, AND THE STORMWATER FACILITIES SHOWN IN THE APPROVED PHASE III DRAINAGE REPORT AND SHOWN ON THE APPROVED CONSTRUCTION DRAWINGS.

THE OWNERS OF THIS SUBDIVISION, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, OR SOME ENTITY OTHER THAN ARAPAHOE COUNTY, AGREE TO THE RESPONSIBILITY OF MAINTAINING ALL PERMANENT BMP'S AND/OR STORMWATER FACILITIES ASSOCIATED WITH THIS DEVELOPMENT. IF THE PERMANENT BMP'S AND STORMWATER FACILITIES ARE NOT PROPERLY MAINTAINED, THE COUNTY MAY PROVIDE NECESSARY MAINTENANCE AND ASSESS THE MAINTENANCE COST TO THE OWNER OF THE PROPERTY.

## APPLICANT

QUINCY SOLAR GARDEN LLC  
1441 18TH STREET, SUITE 400  
DENVER, COLORADO 80202  
CONTACT: LUKE RICKARD  
(970) 819-2252

## ENGINEER

ENERTIA CONSULTING GROUP, LLC  
1529 MARKET STREET, SUITE 200  
DENVER, COLORADO 80202  
CONTACT: SEAN O'HEARN, PE, PG  
(303) 473-3131

## LEGAL DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARING FOR THIS DESCRIPTION ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING ASSUMED TO BEAR S 00°03'49" E, FROM THE NORTHWEST CORNER OF SAID SECTION 10, BEING A 3 1/2" ALUMINUM CAP STAMPED "PLS 23527", TO THE WEST QUARTER CORNER OF SAID SECTION 10, BEING A 2 1/2" BRASS CAP STAMPED "RLS 434", WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10, THENCE S 00°03'49" E, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, A DISTANCE OF 410.30 FEET TO A POINT ON THE SOUTH LINE OF RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER'S OFFICE AND THE POINT OF BEGINNING:

THENCE N 89°22'13" E, ALONG SAID SOUTH LINE, A DISTANCE OF 1316.70 FEET;  
THENCE S 00°37'47" E, A DISTANCE OF 466.00 FEET;  
THENCE S 89°22'13" W, A DISTANCE OF 1321.30 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10;  
THENCE N 00°03'49" W, ALONG SAID WEST LINE, A DISTANCE OF 466.02 FEET TO THE POINT OF BEGINNING.

NO.	DATE	DSGN	JUC	DR	JUC	CHK	JSO	APVD	JSO

1529 MARKET STREET, SUITE 200  
DENVER, COLORADO 80202

146 WEST BOYLSTON DRIVE  
WORCESTER, MA 01606

ARAPAHOE STATE LAND BOARD  
ARAPAHOE COUNTY, COLORADO

COVER SHEET

VERIFY SCALE  
BAR IS ONE INCH ON  
ORIGINAL DRAWING.  
0 \_\_\_\_\_ SCALE

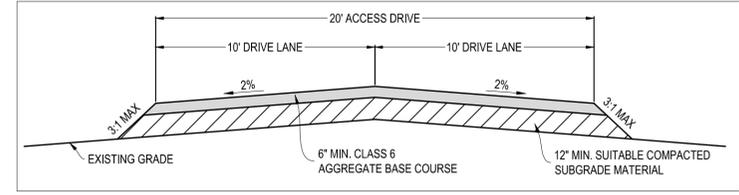
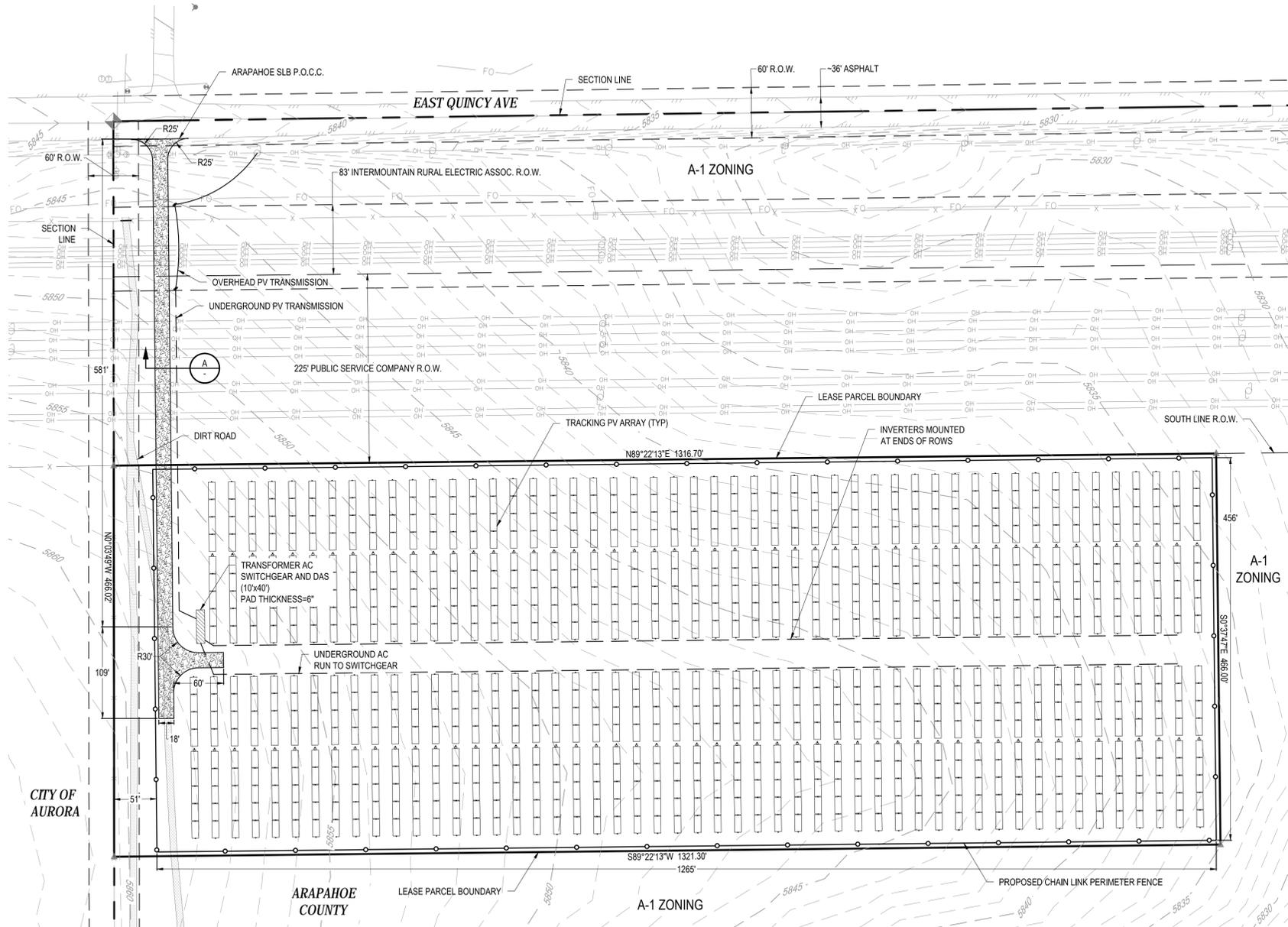
DATE	APRIL 1, 2016
FILE	1-CVR
DWG	CVR
SHEET	1 OF 4



RELEASE OF DOCUMENTS: THIS DOCUMENT AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF ENERTIA CONSULTING GROUP AND IS NOT TO BE USED, IN WHOLE OR IN PART, FOR ANY OTHER PROJECT WITHOUT THE WRITTEN AUTHORIZATION OF ENERTIA CONSULTING GROUP.

# ARAPAHOE STATE LAND BOARD USE BY SPECIAL REVIEW

A PORTION THE NORTHWEST ¼ OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO



**A** TYPICAL ACCESS DRIVE SECTION  
NTS

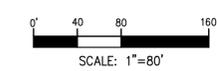
Project Summary	
System Size (kW-DC)	2000 KW DC-STC
System Size (kW-AC)	1734 KW AC
Tilt	60°/60°
Azimuth	180°
Module	Qty. 18180, FIRST SOLAR FS-4110-2
Inverter 1	Qty. 1, SMA 30000TL-US
Inverter 2	Qty. 71, SMA 24000TL-US
Racking System	NEXTRACKER (101) 4X5X9 TABLES
Max. Array Height	11' at 60°
Max. Inverter Height	6'

### OTHER SPECIFIC NOTES

- GENERATION FACILITY LAYOUT IS CONCEPTUAL AT THIS TIME. FINAL EQUIPMENT SELECTION AND LOCATIONS, INCLUDING PV ARRAYS, INVERTERS, TRANSFORMERS, AND INTERCONNECTION EQUIPMENT MAY BE SUBJECT TO CHANGE DUE TO DESIGN OR UTILITY INTERCONNECTION REQUIREMENTS OR OTHER FACTORS. FINAL LOCATIONS FOR EQUIPMENT AND ALL OTHER FACILITY COMPONENTS MAY BE ANYWHERE WITHIN THE SOLAR SITING ENVELOPE AS DELINEATED BY THE SETBACK LINE.
- TREES ARE NOT OBSERVED WITHIN THE PV ARRAY AREAS. IF NECESSARY, TREES AND SHRUBS ARE TO BE REMOVED TO ALLOW FOR THE INSTALLATION OF THE ARRAYS AND TO ELIMINATE SHADING.
- ENERTIA CONSULTING GROUP, LLC ASSUMES NO RESPONSIBILITY FOR UTILITY LOCATIONS. THE UTILITIES SHOWN ON THIS DRAWING HAVE BEEN LOCATED BASED ON THE ALTA SURVEY. IT IS THE CONTRACTORS RESPONSIBILITY TO FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.
- EXACT ALIGNMENT OF THE UTILITY INTERCONNECTION LINE IS UNKNOWN AT THIS TIME. THE LINE MAY BE ABOVE OR BELOW GROUND DEPENDING ON THE UTILITY DESIGN REQUIREMENTS.
- THE SURFACE OF THE SITE SHALL BE NATIVE GRASS UNLESS OTHERWISE NOTED.
- THERE WILL BE NO SITE GRADING OTHER THAN WHAT IS REQUIRED TO INSTALL THE ACCESS DRIVE AND THE CONCRETE EQUIPMENT PADS.
- THE BENCHMARK IS A 3-1/2" ALLOY DISK SET IN A 10"x10" CONCRETE BASE, STAMPED "HILL USE 1960". TO REACH THE BENCHMARK GO EAST FOR 1 MILE FROM THE INTERSECTION OF SOUTH WATKINS ROAD AND QUINCY TO A SIDE ROAD TO THE SOUTH. GO SOUTH ON SAID SIDE ROAD FOR 2.1 MILES TO THE BENCHMARK. BENCHMARK IS LOCATED ON THE EAST SIDE OF SAID ROAD.
- PROPERTY SET BACKS:
  - FRONT: 100'
  - SIDE: 50'
  - REAR: 50'

### LEGEND

--- SECTION LINE	▲ FOUND SECTION CORNER, AS NOTED
- - - ROW LINE	▲ SET #5 REBAR W/ YELLOW PLASTIC CAP, STAMPED "PLS 38151"
--- LEASE PARCEL BOUNDARY	⊕ SIGN, AS NOTED
--- EXISTING ASPHALT	○ UTILITY POLE
--- EXISTING MINOR CONTOUR	⊕ GUY WIRE
--- EXISTING MAJOR CONTOUR	⊕ TELEPHONE RISER
--- SETBACK LINE	⊕ TELEPHONE MANHOLE
--- PROPOSED CHAIN LINK PERIMETER FENCE	⊕ FIRE HYDRANT
--- PV ARRAY	⊕ WATER VALVE
--- PROPOSED ACCESS DRIVE (TYPICAL)	--- OH OVERHEAD UTILITY LINE
	--- FO UNDERGROUND FIBER OPTIC
	--- G UNDERGROUND GAS UTILITY MARKING
	--- W UNDERGROUND WATER UTILITY MARKING
	--- X FENCE, AS NOTED



NO.	DATE	DSGN	JUC	DR	JUC	CHK	JSO	APVD	JSO

**ENERTIA**  
CONSULTING GROUP  
1529 MARKET STREET, SUITE 200  
DENVER, COLORADO 80202

**Clean Energy COLLECTIVE**  
Community-owned Solar  
146 WEST BOYLSTON DRIVE  
WORCESTER, MA 01606

ARAPAHOE STATE LAND BOARD  
ARAPAHOE COUNTY, COLORADO

SITE PLAN

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING.

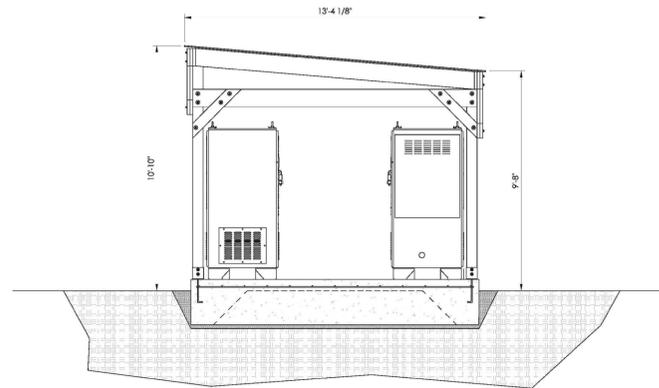
DATE	APRIL 1, 2016
FILE	2-SP
DWG	SP
SHEET	2 OF 4



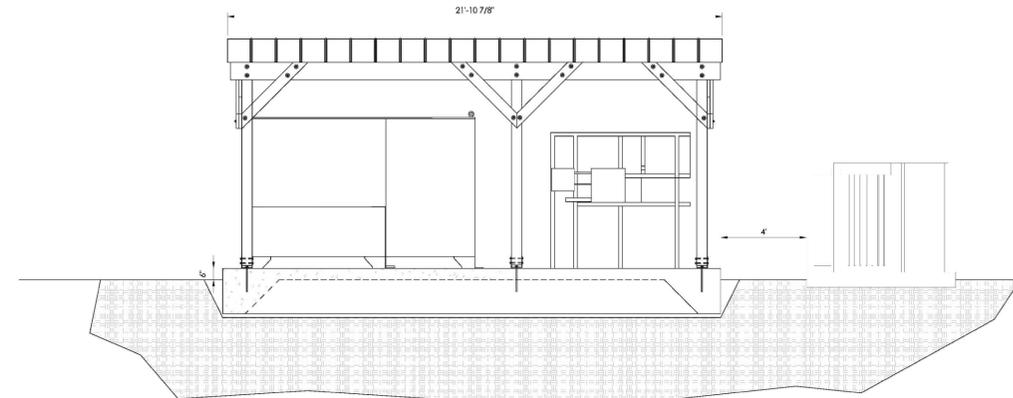
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# ARAPAHOE STATE LAND BOARD USE BY SPECIAL REVIEW

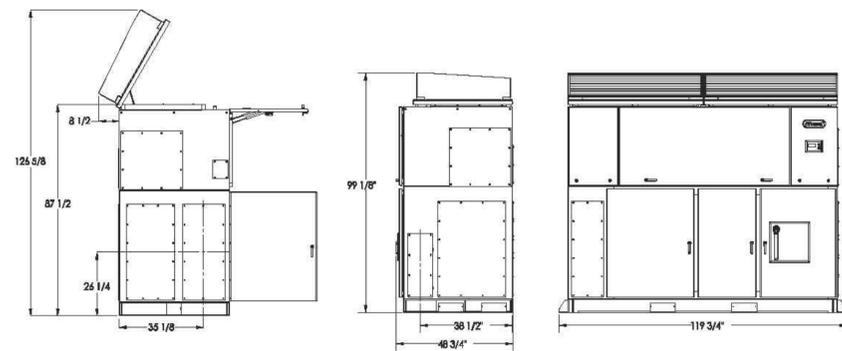
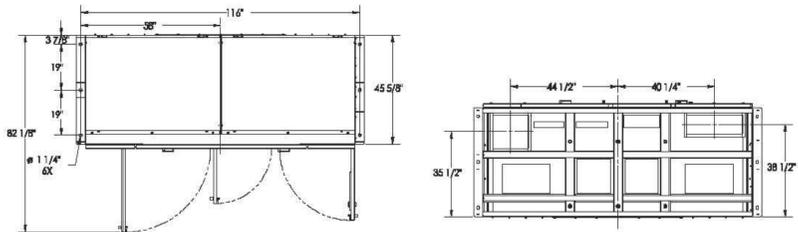
A PORTION THE NORTHWEST ¼ OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO



**EQUIPMENT PAD SOUTH ELEVATION**  
SCALE: 1/2" = 1'-0"

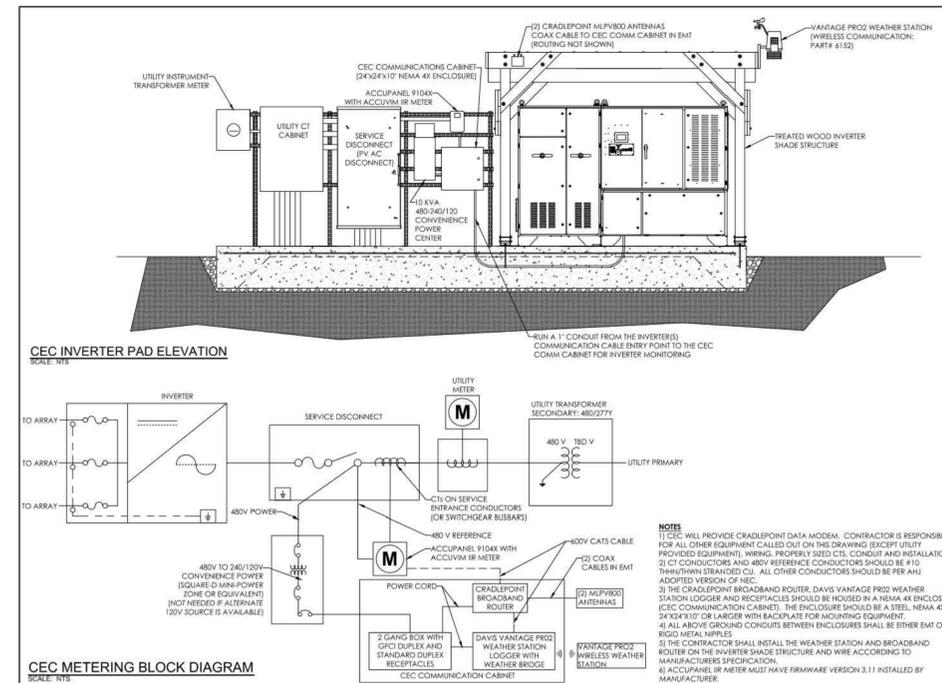


**EQUIPMENT PAD EAST ELEVATION**  
SCALE: 1/2" = 1'-0"



**TYPICAL INVERTER PAD PLAN AND ELEVATION**

NOT TO SCALE



NO.	DATE	DR	JJC	CHK	JSO	APVD	JSO

**ENERTIA CONSULTING GROUP**  
1529 MARKET STREET, SUITE 200  
DENVER, COLORADO 80202

**Clean Energy COLLECTIVE**  
Community-owned Solar  
146 WEST BOYLSTON DRIVE  
WORCESTER, MA 01606

ARAPAHOE STATE LAND BOARD  
ARAPAHOE COUNTY, COLORADO

DETAIL SHEET

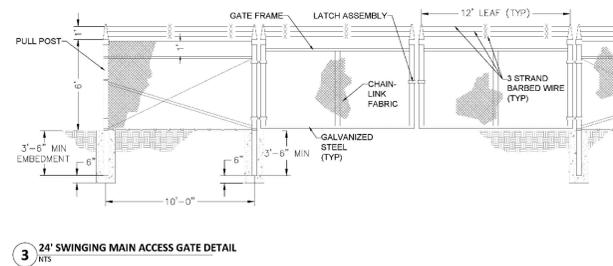
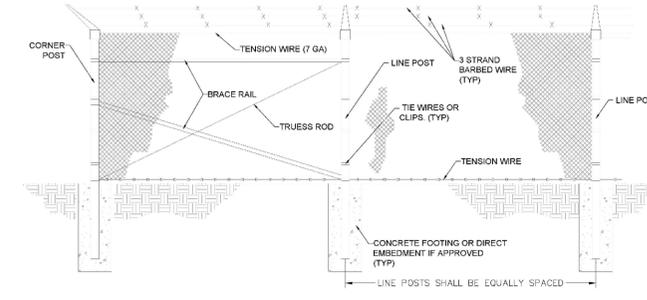
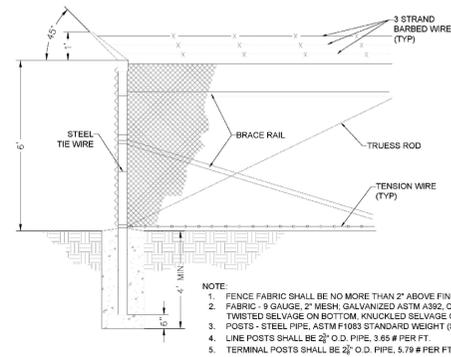
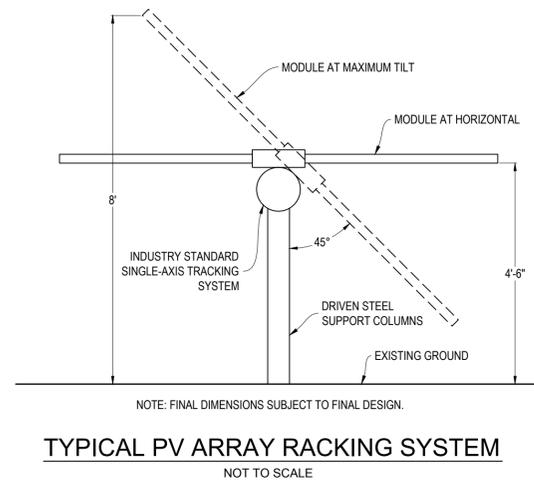
VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING.

DATE	APRIL 1, 2016
FILE	3-DTL
DWG	DTL
SHEET	3 OF 4



# ARAPAHOE STATE LAND BOARD USE BY SPECIAL REVIEW

A PORTION THE NORTHWEST ¼ OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
COUNTY OF ARAPAHOE, STATE OF COLORADO



NO.	DATE	DSGN	JJC	DR	JJC	CHK	JSO	APVD	JSO

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ARAPAHOE STATE LAND BOARD  
ARAPAHOE COUNTY, COLORADO

DETAIL SHEET

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING.  
0 [ ] SCALE

DATE	APRIL 1, 2016
FILE	3-DTL
DWG	DTL
SHEET	4 OF 4



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Arapahoe County Planning Commission  
Public Hearing

Case Number: U16-001

June 21st, 2016

Use By Special Review & 1041 Permit

2 MW Community-Owned Solar Power  
Generation Facility

Arapahoe 3 – Clean Energy Collective



*member owned. nature operated*

# About Clean Energy Collective

- ❑ Clean Energy Collective (CEC) was founded in 2009
- ❑ CEC provides **easy access** to locally produced solar energy
- ❑ We pioneered country's first "community-owned solar arrays"
- ❑ 60 producing solar power systems online or under development, >36 MW of power – More than any other community-owned solar developer
- ❑ Currently serving customers of 22 utilities in 11 states
- ❑ This will be our 1st solar facility in Arapahoe County (2 in the City of Aurora)



➤ **Inc. Magazine:** – ranked #194 on the Inc. 500's "Fastest Growing Private Companies" in 2014



➤ **Winner:** The Solar Foundation's 2014 "Industry Advancement Award"

➤ **Winner:** Solar Power Generation USA's 2014 Award for "Most Innovative U.S. Solar Company"



➤ **Winner:** Denver Business Journal's 2013 "Top 10 Business Newsmakers"

➤ Colorado Solar Energy Industries Association's 2013 "Sunny Award"

➤ **Winner:** Solar Power Generation USA's 2013 Award for "Best Solar Collaboration"



➤ **Winner:** Denver Business Journal's 2013 "Who's Who in Energy – Denver"

➤ **Winner:** Solar Energy Industries Association's 2012 "National Photovoltaic Project of Distinction"



➤ **Winner:** ColoradoBiz Magazine's 2012 "Top Companies to Watch"

➤ **Winner:** Climate Change Business Journal's "Business Achievement Award" for 2011



➤ **Winner:** U.S. Department of Energy's 2011 Award for "National Innovative Green Power Program of the Year"

➤ **Winner:** Rocky Mountain Land Use Institute's 2011 "Land Use Entrepreneurs Award"



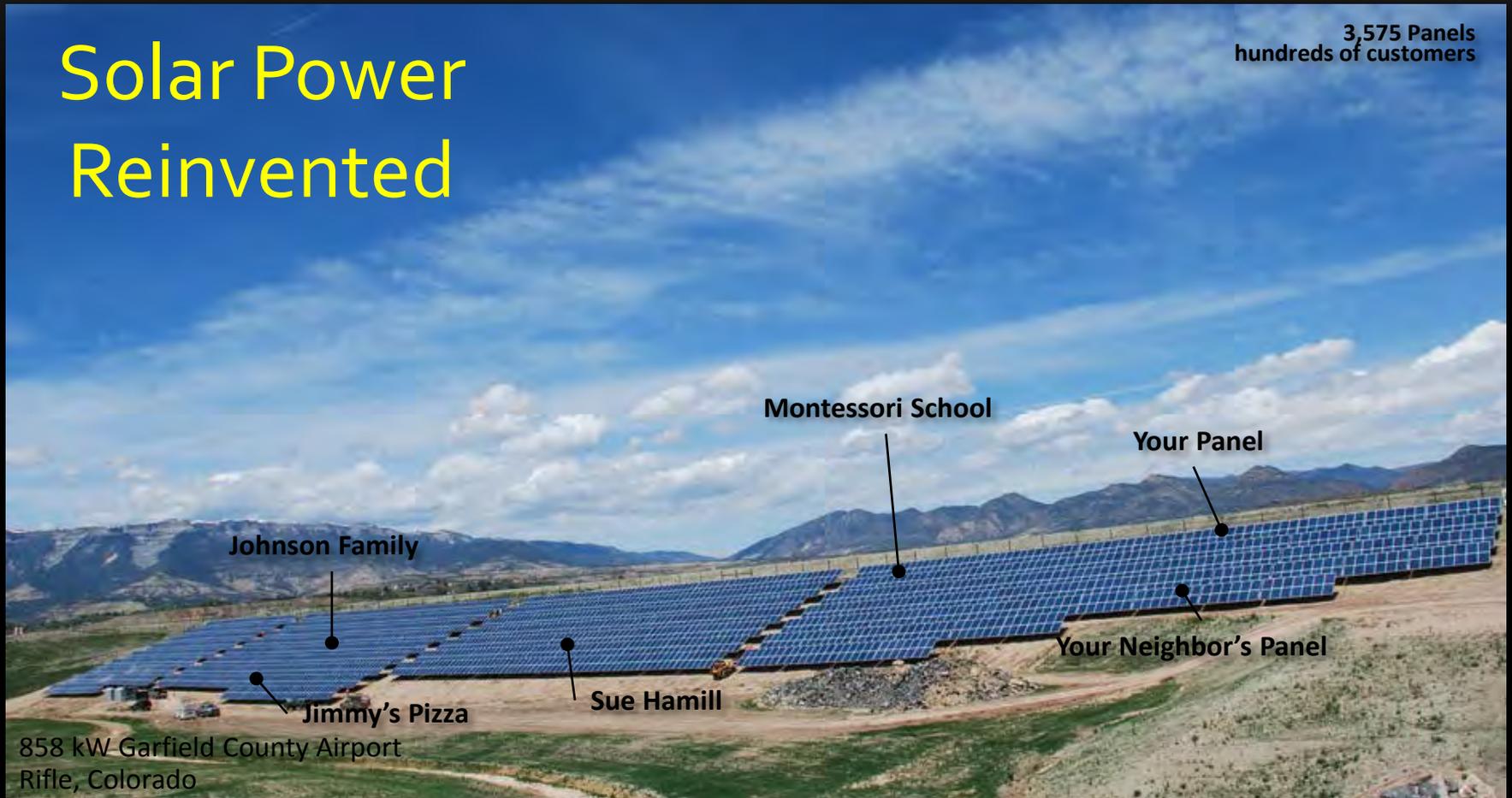
➤ **Institute for Local Self-Reliance** – ranked the top U.S. community solar solution



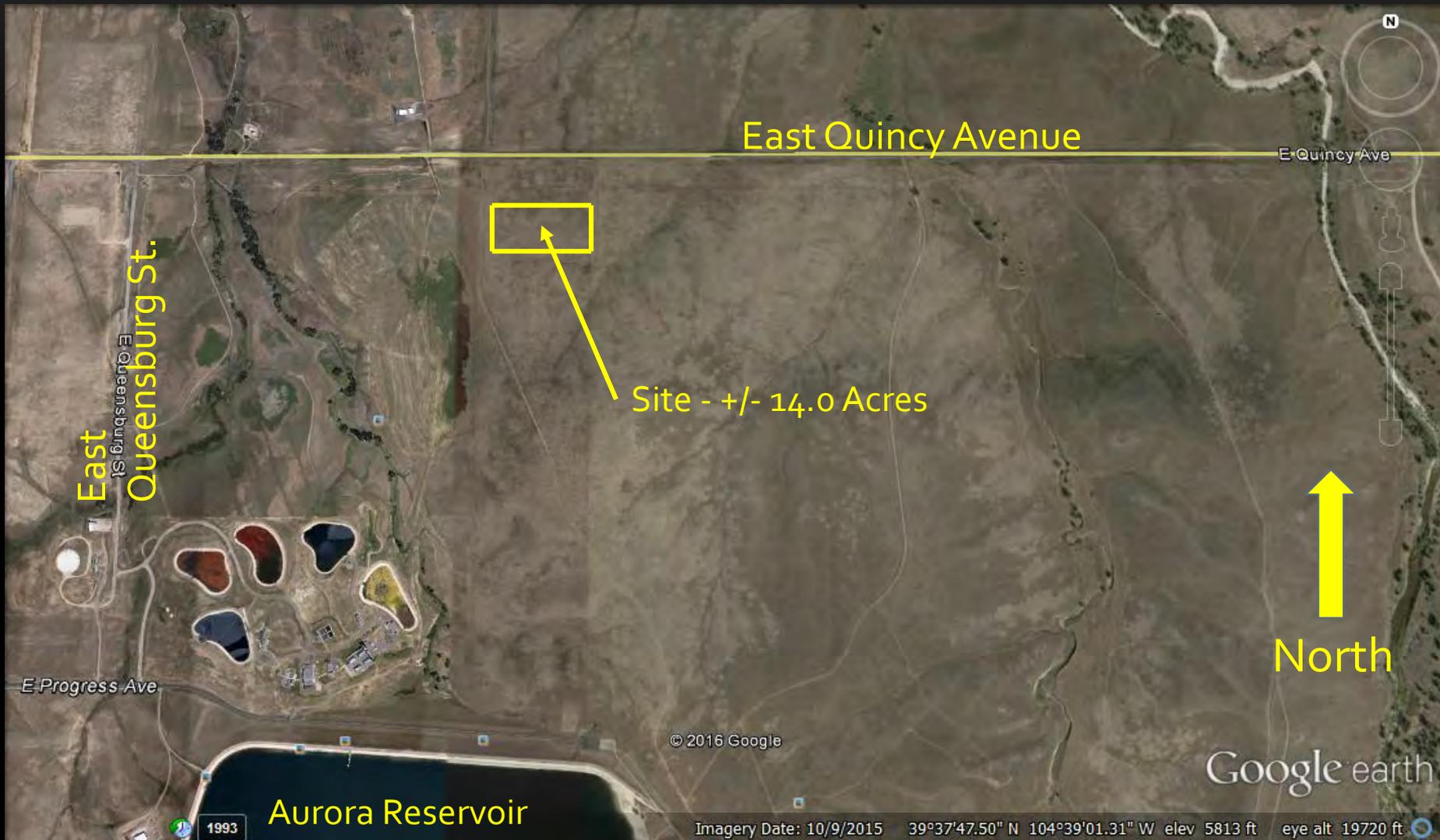
# Community Solar With Clean Energy Collective

## Solar Power Reinvented

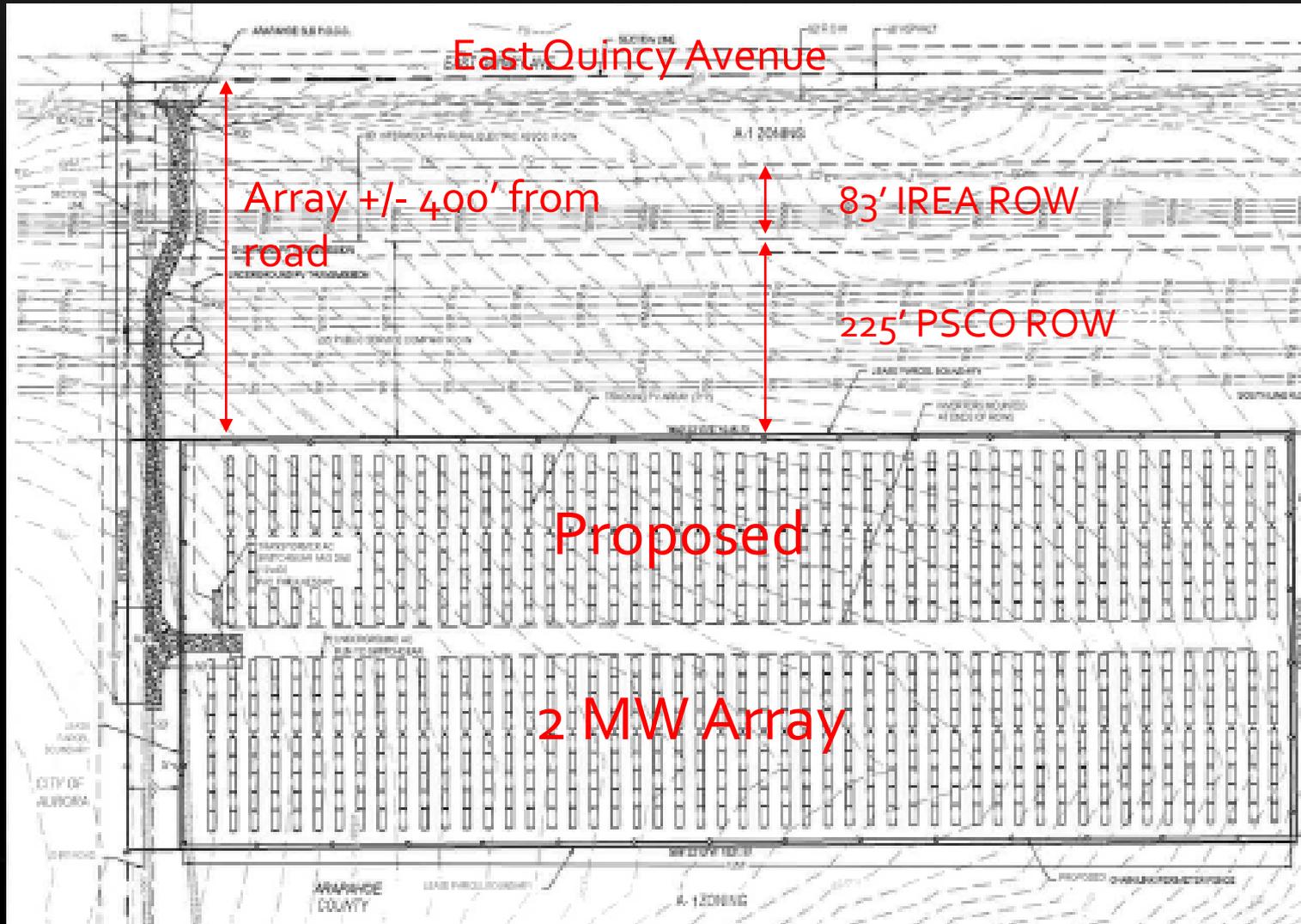
3,575 Panels  
hundreds of customers



# Vicinity Map – Arapahoe 3 – Clean Energy Collective



# PROPOSED ARAPAHOE<sub>3</sub> SOLAR ARRAY



# VIEW FROM NORTH SIDE OF EAST QUINCY AVENUE – LOOKING SOUTH TO SITE



# VIEW OF SITE – LOOKING EAST



# INVERTER SHED



# GAME FENCE



# Thank You



*member owned. nature operated.*





ARAPAHOE COUNTY  
COLORADO'S FIRST

**REGULAR MEETING OF THE ARAPAHOE COUNTY PLANNING COMMISSION  
TUESDAY, JUNE 21, 2016 AT 6:30 P.M.  
COLORADO STATE UNIVERSITY EXTENSION OFFICE - EAST MEETING ROOM  
6934 S LIMA ST, CENTENNIAL CO 80112**

**CASE NO. U16-001, ARAPAHOE COUNTY LAND BOARD [SOLAR FACILITY] / USE BY SPECIAL REVIEW (USR)**

No.	NAME	ADDRESS	Are you IN FAVOR of approval or OPPOSED?	Do you wish to address the Board on this matter? Yes or No?
1				
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