



Board of County Commissioners Land Use

Miles Lucero, District 1

Paula McPheeters, District 2

Zachary Swearingen, District 3

Thursday, June 11, 2026 at 9:00 AM

COMMISSIONERS' CHAMBERS

215 WEST 10th STREET

LAND USE MEETING AGENDA

NOTICE: The public may provide comments by 5:00 p.m., on Tuesday, June 9, 2026, via email to planning@pueblocounty.us. The hearing will be streamed live on the County's Facebook Page (<https://www.facebook.com/PuebloCounty/>); however, public comments will not be accepted from the Facebook page.

9:00 AM CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve Land Use Minutes of May 14, 2026.
- Approve Agenda of June 11, 2026.

9:04 AM PUBLIC COMMENTS

- Citizen Comments (Limited to 3 minutes per speaker, total of 7 speakers.)

9:25 AM BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS (The Chair will remove any Consent Agenda item upon request by any Commissioner or assigned staff. Items removed upon request will be considered separately by the Board immediately following the action on the remaining Consent Agenda, be continued to another meeting, or handled in a manner otherwise determined at the discretion of the Board.)

1. MAP AMENDMENT Dennis Vallejos, Vallejos Revocable Trust (Applicant)
[CASE NO.: MA-26-1](#) 8335 Zorn Dr. (APN 4836303068)
(IF REMOVED, PUBLIC HEARING)

The applicant requests a rezoning of Lot 88 Forest Hill from the A2 Medium Agriculture zone district to the A3 Small Agriculture zone district and Lot 95 Forest Hill from the A2 Medium Agriculture to the SR1 Suburban Residential Low zone district apply conforming zone districts to existing platted lots. (1 minute)

2. TEXT AMENDMENT Pueblo County Planning & Development (Applicants)
[CASE NO.: TA-26-1](#) Title 17- Unified Development Code, Various Sections
(IF REMOVED, PUBLIC HEARING)

The Pueblo County Department of Planning and Development is proposing a Text Amendment to amend regulations in Title 17 - Unified Development Code (UDC). Specifically, amendments to various sections of the UDC to correct typos, errors, and omissions. Proposed amendments will include updates to Chapter 17.02 Zone Districts, Chapter 17.03 Use Regulations, Chapter 17.04 Development Standards, Chapter 17.05 Signs, Chapter 17.06 Administration and Procedures, and Chapter 17.12 Measurements and Definitions. (1 minute)

3. SPECIAL USE PERMIT Toby & Rose Miller (Applicants)

[CASE NO.: SUP-26-2](#) 6251 State Hwy 78, (APN 1600000259)

The applicants request special use approval for a Vehicle Sales, Rental, and Leasing, Heavy use in an A1, Large Agriculture zone district.

Continued to August 13, 2026, BOCC Agenda (1 minute)*

4. ZONING VARIANCE Parker and Spaulding LLC (Applicants)

[CASE NO.: ZV-26-1](#) 8995 Old San Isabel Rd.

The applicants request a zoning variance to allow a 15' front setback for a residential accessory building in lieu of the required 25' setback.

Continued to July 9, 2026, BOCC Agenda (1 minute)

5. ZONING VARIANCE Verizon Wireless (Applicant)

[CASE NO.: ZV-26-2](#) W US Hwy 50 & Hobson Ranch Rd (APN 9700000158)

The applicants request a zoning variance to allow a 57' front setback for a 150' tall Wireless Communications Facility tower in lieu of the required 150' setback.

Continued to July 9, 2026, BOCC Agenda (1 minute)

6. SPECIAL USE PERMIT Verizon Wireless (Applicant)

[CASE NO.: SUP-26-3](#) W US Hwy 50 & Hobson Ranch Rd (APN 9700000158)

The applicant requests approval for a new freestanding 150' Wireless Communications Facility tower and associated base station equipment within a 35' x 35' lease area in an A1, Large Agriculture zone district.

Continued to July 9, 2026, BOCC Agenda (1 minute)

7. Consideration of a Resolution Approving and Ratifying the Building Board of Review Bylaws and Rules of Procedure

***(In order to allow the Planning Commission to make a recommendation to the Board at its July 15, 2026 meeting, staff requests Special Use Permit No. SUP-26-2 be continued by the Board to its August 13, 2026 public hearing.)**

9:31 AM BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS (PUBLIC HEARING)

8. SPECIAL USE PERMIT William & Norma Adamson (Applicants)

[CASE NO.: SUP-26-4](#) 1630 Cortner Rd. (APN 1318004002)

The applicants request approval for an Animal Feeding Operation (AFO) consisting of sixteen (16) feeding pens for the feeding of up to 5,000 sheep in an A1, Large Agriculture zone district. **(5 minutes)**

9. HOUSE BILL 1041 PERMIT Cara Potter (Applicant)

The applicant is requesting approval to construct, operate, and maintain a 325-megawatt (MW) utility-scale solar photovoltaic facility (422.5 MW DC) and a 165 MW / 660 MWh battery energy storage system (BESS), along with associated appurtenant facilities. The Project Area is located approximately 11 miles south of the Comanche Generating Station and west of Doyle Rd. on the Seal Cattle Ranch in Pueblo County, Colorado, on approximately 2,406 acres of privately owned land. **(10 minutes).**

9:46 AM COMMISSIONERS' COMMENTS

9:56 AM ADJOURN

The next BOCC Land Use Meeting will be held on July 9, 2026.

Planning staff reports, applications, and distributed materials are part of the Record unless successfully objected to. Additional materials may be submitted and admitted at discretion, but all accepted materials must remain with the Clerk. (This agenda is for informational purposes only and is subject to change.

Accommodations for individuals with sight or hearing impairment may be made by contacting Planning and Development at 719-583-6100.



MEMORANDUM

TO: Board of County Commissioners
Meeting Date: June 11, 2026

FROM: Joe Peoria, Lead Planner
Carmen Howard, Planning and Development Director

DATE: June 4, 2026, 2025

SUBJECT: Text Amendment No. TA-26-1
Pueblo County Planning and Development (Applicant)

PURPOSE

The Pueblo County Department of Planning and Development is proposing a Text Amendment to amend regulations in Title 17 - Unified Development Code (UDC). Specifically, amendments to various sections of the UDC to correct typos, errors, and omissions. Proposed amendments will include updates to Chapter 17.02 Zone Districts, Chapter 17.03 Use Regulations, Chapter 17.04 Development Standards, Chapter 17.05 Signs, Chapter 17.06 Administration and Procedures, and Chapter 17.12 Measurements and Definitions.

DISCUSSION

The Pueblo County UDC was adopted October 22, 2024 to unify the existing Subdivision Code (Title 16) and Land Development Code (Title 17) into one unified and user-friendly document. Since adoption of the UDC, Planning and Development staff have identified various typos, errors, and omissions as they have utilized the new code to administer the County’s zoning and subdivision regulations. As such, Pueblo County Planning and Development is proposing a bulk amendment to address these errors.

The proposed amendments are as included as Exhibit 1, noting strikethrough text (i.e., ~~text~~) indicates text to be deleted and text underline is to be added. A summary of the proposed amendments is also included in Exhibit 1.

RECOMMENDATION

Staff recommends the Board of County Commissioners APPROVE Text Amendment TA-26-1.

Attachments: Exhibit 1 Summary and Full Text of Proposed UDC Amendments

Attachment 1: Amendment Summary and Full Text of Proposed UDC Amendments

Request Summary	Proposed Changes	Section(s) Affected
Required side setbacks were inadvertently made stricter when the legacy R-1 and R-2 zone districts became SR2.	Revise required side setbacks for SR2 from 7 ½’ to 5’.	17.02.060(e)
TA-25-2 reduced the required principal building front setback for LI and HI, but did not also reduce the accessory building setback accordingly.	Revise required accessory building front setback for LI and HI from 25’ to 20’.	17.02.080(c) 17.02.080(d)
Definition for <i>Boarding or Rooming House</i> is outdated and inconsistent with current planning terminology.	Replace <i>Boarding or Rooming House</i> with <i>Single-Room Occupancy</i> and revise definition.	17.03.020(c) 14.04.020(d) 17.12.030
Data Centers are not contemplated as their own use.	Add <i>Data Center</i> as a Special Use in LI and HI, and as a use-by-right in PP; adopt definition of <i>Data Center</i> ; adopt parking standards for the new <i>Data Center</i> use.	17.03.020(c) 14.04.020(d) 17.12.030
Certain types of not-for-profit operations would be considered Animal Feeding Operations (AFOs) and require Special Use Permits, but are considered exempt for state permitting purposes.	Exempt personal use operations and youth projects (FFA, 4-H, etc.) from AFO special use permitting; adopt definition of <i>Personal Use Operation</i> .	17.03.030(b) 17.12.030
Outdoor Display and Sales standards are too strict (requiring screening, requiring items to be stored indoors at night, etc.) to allow for outdoor display of larger items such as vehicles or equipment.	Rework and loosen standards for Outdoor Display and Sales as an accessory use.	17.03.040(j)
Special Event Permits are required for events that are small enough to not need permitting and review	Raise threshold for events requiring permitting from 200 attendees to 350.	17.03.060(a)
There is a typo in the required screening standards.	Change “trash receptables” to “trash receptacles”	17.04.030(d)
Per input received from lighting professionals, the correlated color temperature requirement for outdoor lighting is too low.	Change the required CCT from 3,000 degrees Kelvin to 4,000.	17.04.050(h)
Maximum light level measurement instructions are unclear.	Add specific direction that light levels are to be measured from 20’ beyond the property line.	17.04.050(h)
Various typos and inconsistencies in the sign standards.	Fix various typos and inconsistencies.	Ch. 17.05

Required front setback for signs is too restrictive, and the Department is receiving numerous requests for setback reductions.	Change required sign setbacks from “per zone district,” usually requiring a 15-25’ front setback, to a blanket 5’ setback.	17.05.030(b) 17.05.030(c) 17.05.030(d) 17.05.070(e)
Required minimum pedestrian clearance for pole and projecting signs is unnecessarily high.	Reduce required clearance from 10’ to 8’.	17.05.030(b) 17.05.030(c) 17.05.030(d)
Temporary sign table is not intuitively organized.	Reorganize Table 17.05.7.	17.05.060(d)
Various temporary sign types are listed as requiring a permit, but the Department does not have a Temporary Sign Permit process and does not wish to implement one.	Add all Temporary Sign types into Table 17.05.7: Temporary Signs Allowed Without a Permit; remove 17.05.060(e) Temporary Signs that Require a Permit.	17.05.060(d) 17.05.060(e)
Lot Consolidation Vacation process references incorrect approval process for lot consolidations.	Remove reference to BOCC approval.	17.06.080(f)
Plat Amendment process should go right to the BOCC without need for PCPC recommendation.	Change approval process for Plat Amendments.	17.06.080(g)
Plat Vacation process should go right to the BOCC without need for PCPC recommendation.	Change approval process for Plat Vacations.	17.06.080(h)
Definition of <i>Parcel of Record</i> is incorrect.	Correct definition.	17.12.030
Wineries are not contemplated as an agricultural processing use appropriate for agricultural zones.	Revise definitions of <i>Agricultural Processing</i> , <i>Agricultural Tourism</i> , and <i>Craft Alcohol Facility</i> .	17.12.030
The definition of a Special Use is inconsistent with its approval process.	Correct definition.	17.12.030

Chapter 17.02 Zone Districts

17.02.060 Residential Zone Districts

(d) Suburban Residential, High (SR2)

Table 17.02.17: SR2 Lot and Building Standards				
SF = Square Feet FT = Feet DU = Dwelling Unit AC = Acre N/A = Not Applicable				
Lot Standards			Accessory Building Setbacks (Minimum)	
Lot Area, Minimum (per structure)	5,600 SF		Front	25 FT
Lot Width, Minimum (original lot; may be reduced for individual townhomes)	50 FT		Side	5 FT
Density, Maximum	8 DU/AC		Rear	5 FT
Principal Building Setbacks (Minimum)			Coverage (Maximum)	
A	Front	25 FT	Building Coverage	
B	Street Side, Corner Lot	7-55 FT	Building Height (Maximum)	
	Side	7-55 FT	D	All Buildings
C	Rear	15 FT		

17.02.080 Commercial and Industrial Zone Districts

(c) Light Industrial (LI)

Table 17.02.31: LI Lot and Building Standards				
SF = Square Feet FT = Feet DU = Dwelling Unit AC = Acre N/A = Not Applicable				
Lot Standards			Accessory Building Setbacks (Minimum)	
Lot Area, Minimum	20,000 SF		Front	25-20 FT
Lot Width, Minimum	100 FT		Street Side	5 FT
			Rear	5 FT
Principal Building Setbacks (Minimum)			Coverage (Maximum)	
A	Front	20 FT	Building Coverage	
B	Street Side	15 FT	Building Height (Maximum)	
C	Rear	15 FT	D	All Buildings
				60 FT

(d) Heavy Industrial (HI)

Table 17.02.32: HI Lot and Building Standards				
SF = Square Feet FT = Feet DU = Dwelling Unit AC = Acre N/A = Not Applicable				
Lot Standards			Accessory Building Setbacks (Minimum)	
Lot Area, Minimum	1 AC		Front	25-20 FT
Lot Width, Minimum	100 FT		Street Side	5 FT
			Rear	5 FT
Principal Building Setbacks (Minimum)			Coverage (Maximum)	
A	Front	20 FT	Building Coverage	
B	Street Side	15 FT	Building Height (Maximum)	
C	Rear	15 FT	D	All Buildings
				60 FT

Chapter 17.03 Use Regulations

17.03.020 Table of Allowed Uses

(c) Table of Allowed Uses

Table 17.03.1: Table of Allowed Uses																	
P = Permitted S = Special Use Permit T = Temporary Use Permit E = Mining and Extraction Permit W = Hazardous Waste Incinerator or Processor M = Zoning Compliance Review (Marijuana) H = Zoning Compliance Review (Hemp) D = Designated Activity of State and Local Interest See §17.04.020(d) for off-street parking requirements																	
Zone District	A1	A2	A3	RR	SR1	SR2	LR	HR	MN	MC	CC	LI	HI	PP	PL	CF	Use-Specific Standards
Residential Uses																	
Group Living																	
Boarding or Rooming House Single-Room Occupancy								P	P	P				P			
Industrial Uses																	
Manufacturing, Assembly, or Processing																	
Data Center												S	S	P			

17.03.030 Use-Specific Standards

(b) Agricultural Uses

(1) Animal Feeding Operation

(viii) Exemptions. The following operations are not subject to the Special Use Permit requirement for Animal Feeding Operations and are instead regulated as Agricultural Production:

(a) Personal Use Operations. Operations in which animals are confined solely for the personal or household use of the property owner or occupant, where the primary purpose is not the commercial sale of animals or animal products. Sales may occur provided they are: (1) occasional and subordinate to the primary personal use of the operation; or (2) conducted in compliance with applicable Colorado Department of Agriculture or federal exemptions for small-scale agricultural producers. A Personal Use Operation shall not include operations conducted as a commercial enterprise or primary source of income.

(b) Youth Agricultural Projects. Operations in which animals are confined in connection with a bona fide youth agricultural education activity, including but not limited to participation in 4-H, FFA, or similar programs. Animals raised under this exemption may be exhibited and sold through a sanctioned youth livestock show or auction including private sale or transfer between participants, without disqualifying the

exemption, provided such activities remain secondary to the educational purpose and the operation is not operated as a commercial enterprise. The County may request verification of participation in a qualifying youth agricultural program, such as 4-H or FFA, but shall not require verification of specific animal project enrollment.

17.03.060 Special Event Standards

- (a) A Special Event Permit is not required for the following:
- (1) Parades
 - (2) Wedding and funeral ceremonies
 - (3) Events or gatherings that attract or are intended to attract less than ~~200~~350 people ~~held on one per~~ day. ~~Multiple day events and e~~Events that include primitive camping are subject to a Special Event Permit regardless of the number of attendees.
 - (4) Personal events that do not include events where admission is paid, donations are made, and/or there is financial gain from the event.
 - (5) Election activities and political rallies
 - (6) Temporary farming and harvest related events (e.g., agritourism, farm stands, corn mazes, pumpkin patches and similar) that are held on a working farm
 - (7) Gatherings at any regularly established, permanent place of assembly provided that:
 - (i) Such place is being used for its established and normal use allowed by zoning;
 - (ii) Attendance does not exceed the maximum seating capacity or occupancy rating of the structure or place where the gathering is held; and
 - (iii) The gathering complies with all other County ordinances, resolutions, and regulations.
- (b) Special events that are not exempted under §17.06.050(e)(2)(i) shall require review and approval of a Special Event Permit as described in §17.06.050(e).

Chapter 17.04 Development Standards

17.04.020 Off-Street Parking and Loading

- (d) **Minimum Vehicle Parking Spaces Required**

Table 17.04.2: Off-Street Parking Schedule A	
DU = Dwelling Unit SF = Square feet of net floor area I.B.C. = International Building Code	
Use	Minimum Requirement
Residential Uses	
Group Living	
Boarding or Rooming House <u>Single-Room Occupancy</u>	1 per guest unit + 1 per 2 main shift employees
Industrial Uses	
Manufacturing, Assembly, or Processing	
<u>Data Center</u>	<u>Schedule C</u>
Notes: [1] Drive-through uses will also be subject to Sec. 17.04.020(k), Vehicle Stacking	

17.04.030 Screening

(d) **Required Screening**

In addition to the standards in Subsection (c) above, the following standards apply when required as part of §17.03.030, Use-Specific Standards.

(1) Outdoor storage areas and trash ~~receptables~~ receptacles shall be completely screened from view of adjacent residential properties and public rights-of-way by fences, walls, or hedges up to the maximum height allowed in the zone district.

(j) **Outdoor Display and Sales**

Accessory display and sales areas shall meet the following standards.

~~(1) Accessory outdoor display areas shall be effectively screened from view of any adjacent property zoned to allow residential uses or public right-of-way, as described in §17.04.030, Screening.~~

~~(2) The accessory outdoor display area cannot be any larger than 50 percent of the total lot area.~~

~~(3) Accessory outdoor display and sales items are displayed outdoors only when the principal use is open for business.~~

~~(14)~~ The accessory outdoor display area shall not interfere with any required parking or traffic circulation area that serves the site.

(2) Outdoor display shall be limited to inventory items offered for rental or sale.

17.04.040 Outdoor Lighting

(h) **Outdoor Lighting Design Standards**

(2) Lighting Color

All lighting should have a nominal correlated color temperature (CCT) of no greater than ~~3,000~~4,000 degrees Kelvin to the maximum extent practicable.

(3) Maximum Light Levels

Lighting plans required for new nonresidential or mixed-use development shall comply with the following limitations:

- (i) The maximum light level shall not exceed 0.1 foot-candle as a direct result of the on-site lighting measured 20 feet beyond the property line.
- (ii) Illuminated areas of the subject property (e.g., parking lots) shall not exceed an average illumination level of 1.5 foot-candles.

Chapter 17.05 Signs

17.05.030 Permanent Sign Standards by Zone District or Use Type

(a) **Maximum Total Sign Area**

Table 17.05.1: Permanent Signs - Maximum Total Sign Area by Zone District		
SF = Square Feet		
Zone District	Freestanding Signs	Attached Signs
Agricultural (A1 – A3)	64 SF per public roadway frontage	250 SF per wall where attached
Residential (RR – HR)	6 SF per public roadway frontage [1]	6 SF per wall where attached [1]
Mixed-Use and Commercial		
MN	1 SF per 1 lineal foot of building frontage	20% of total wall area <u>per wall</u> where attached
MC - CC	1.5 SF per 1 lineal foot of building frontage	30% of total wall area <u>per wall</u> where attached
Industrial LI - HI	1 SF per 1 lineal foot of building frontage	Wall area up to 5,000 SF: 5% of wall area <u>per wall where attached</u> Wall area 5,000 SF or larger: 1% of wall area <u>per wall where attached</u>
PuebloPlex PP	1 SF per 1 lineal foot of building frontage	20% of wall area where attached
PL – CF	Signs as allowed by §17.06.070(b), Special Use Permit	
Notes:		

[1] Commercial, civic, and institutional uses ~~allowed with~~ requiring a special use permit may request larger sign allowances as part of a special use approval.

(b) **Agricultural Districts or Uses**

(3) **Permitted Signs**

Table 17.05.2: Permanent Signs in Agricultural Districts							
SF = Square Feet FT = Feet Mixed-Use, Commercial, and Industrial Agricultural Districts = A1, A2, A3							
Sign Type	Max. No. Signs	Max. Sign Area per Sign (SF)	Max. Height (FT)	Min. Setback (FT) [1]	Illumination	Min. Clearance (FT)	Max. Projection (FT)
Attached Signs							
Wall Sign	n/a	25% of wall where located, up to max. 250	Top of wall where located	n/a	Internal <u>and/or</u> External	40 n/a	<u>1 ft. 3 in.</u>
Freestanding Signs							
Directional Sign	1 per each vehicle exit/entry	6	6	n/a	Internal <u>and/or</u> External	n/a	n/a
Gateway Sign [2]	1 per public entrance	48	32	Per zone district; may be reduced with Public Works approval <u>5</u>	Internal <u>and/or</u> External	14, if built across driveway	n/a
Pole Sign	1 per street frontage	64	15, including sign base	Per zone district; may be reduced with Public Works approval <u>5</u>	Internal <u>and/or</u> External	Ped: 40 Veh: 14	n/a

Notes:

[1] ~~Shall meet setbacks for accessory structures. See also §17.05.070(e)~~

[2] See also §17.05.050(a)

(c) **Residential Districts or Uses**

(3) **Permitted Signs**

Table 17. identifies the types of signs permitted in residential districts, and the regulations associated with each sign type. If a sign type is not included in Table 17.05.3 or §17.05.020(c), Exemption, it is prohibited. All signs permitted per Table 17.05.3 require a sign permit.

Table 17.05.3: Permanent Signs in Residential Districts							
SF = Square Feet FT = Feet Residential Districts = RR, SR1, SR2, LR, HR							
Zone District, Building Type, or Use	Sign Type	Permit Required	Max No. of Signs	Min. Setback (FT)	Max. Sign Area per Sign (SF)	Max. Height (FT)	Min. Clearance (FT)
Residential Structures and Uses							
RR, SR1, SR2; <u>LR, HR for Single-Family and Two-Family Dwellings</u>	4 Attached Sign	Yes	2 per property	<u>n/a</u>	6	<u>[24]</u>	<u>40</u>
LR, HR for Dwellings with 3 Units or more	2 Directional Sign	Yes	1 per driveway	<u>n/a</u>	6	6	<u>n/a</u>
	3 Attached Sign	Yes	1 per residential structure per street frontage	<u>n/a</u>	6	<u>[24]</u>	<u>40</u>
	4 Freestanding Sign	Yes	1 per street frontage	<u>5</u>	6	6	<u>n/a</u>
All, Home Occupation	5 Attached Sign	Yes	1 per property <u>home occupation</u>	<u>n/a</u>	1	<u>[24]</u>	<u>40</u>
Subdivision	8 Gateway	Yes	<u>1 per each side of entry roads</u> <u>2 per subdivision entrance</u>	<u>5</u>	32	Attached: <u>[24]</u> Freestanding: 6	<u>40</u>
Non-Residential Structures and Uses Permitted in Residential Districts [3]							
All	9 Directional Sign	<u>1 per driveway</u>	<u>21 per vehicle exit/entry</u>	<u>n/a</u>	6		<u>n/a</u>
	40 Attached Sign	Yes	1 per street frontage; max. 2 per property	<u>n/a</u>	32	Top of wall	<u>40</u>
	44 Freestanding Sign	Yes		<u>5</u>	32	<u>M: 6,</u> <u>P: 156</u>	<u>n/a</u>

Notes:

[1] See also §17.05.070(e).

[24] Top of wall where located

Table 17.05.3: Permanent Signs in Residential Districts

SF = Square Feet FT = Feet Residential Districts = RR, SR1, SR2, LR, HR

Zone District, Building Type, or Use	Sign Type	Permit Required	Max No. of Signs	Min. Setback (FT) [1]	Max. Sign Area per Sign (SF)	Max. Height (FT)	Min. Clearance (FT)
<u>[3] Commercial, civic, and institutional uses requiring a special use permit may request larger sign allowances as part of a special use approval.</u>							

(d) **Mixed-Use and Commercial Districts**

(3) **Generally Applicable Standards**

- (iii) Attached tenant signage in multitenant structures shall be allocated to each tenant unit based on the percentage of front wall area of the individual unit. ~~Tenants with side, rear, or alley entrances are permitted wall signage on the wall with their primary public entrance only.~~
- (iv) Residential structures or uses in mixed-use districts shall ~~comply with §17.05.030(b)(2)(ii); follow the standards for LR/HR zone districts in Table 17.05.3.~~

(4) **Permitted Signs**

Table 17.05.4: Permanent Signs in Mixed-Use, Commercial, and Industrial Districts

SF = Square Feet FT = Feet Mixed-Use, Commercial, and Industrial Districts = MN, MC, CC, LI, HI, PP

Sign Type	Max. No. Signs	Max. Sign Area per Sign (SF)	Max. Height (FT)	Min. Setback (FT) [1]	Illumination	Min. Clearance (FT)	Max Projection (FT)
Attached Signs							
Projecting Sign	1 per tenant	6	Top of wall where located	n/a	Internal and/or EMD [2]	Ped: 8 Veh: 14+0	6
Wall Sign	n/a	25% of wall where located, up to max. 250; Max. EMD-only sign area: 100	Top of wall where located	n/a	Internal, External, and/or EMD [2]; Max. EMD incorporated into larger static sign: 50% of total sign area	40 n/a	<u>1 ft. 3 in.</u>
Freestanding Signs							
Directional Sign	1 per each vehicle exit/entry	6	6	n/a	Internal and/or External	n/a	n/a

Table 17.05.4: Permanent Signs in Mixed-Use, Commercial, and Industrial Districts

SF = Square Feet FT =Feet Mixed-Use, Commercial, and Industrial Districts = MN, MC, CC, LI, HI, PP

Sign Type	Max. No. Signs	Max. Sign Area per Sign (SF)	Max. Height (FT)	Min. Setback (FT) [1]	Illumination	Min. Clearance (FT)	Max Projection (FT)
Freeway Interchange [3,4]	1 per parcel	300; Max. EMD-only sign area: 150	50	n/a <u>5</u>	Internal and/or EMD [2]; Max. EMD incorporated into larger static sign: 50% of total sign area	<u>Ped: 8</u> <u>Veh: 14</u> n/a	n/a
Gateway Sign [5]	2 per vehicle entry	64	6 for structure and sign, or higher as allowed by building permit	10 <u>5</u>	Internal and/or External	<u>Ped: 8</u> <u>Veh: 14</u> n/a	n/a
Pole Sign, Single or Multi-Tenant	1 per street frontage	200; Max. EMD-only sign area: 100	30	Per-zone district; may be reduced with Public Works approval <u>5</u>	Internal, External, and/or EMD [2]; Max. EMD incorporated into larger static sign: 50% of total sign area	Ped: 10 Veh: 14	n/a
Monument Sign							
Single Tenant	1 per street frontage	100	12, including sign base	Per-zone district <u>5</u>	Internal, External, and/or EMD [2];	n/a	n/a
Multiple Tenants		<u>100</u> + 10 sf per tenant; max. sign area 200; Max. EMD-only sign area: 100	12, including sign base		Max. EMD incorporated into larger static sign: 50% of total sign area	n/a	n/a

Notes:

[1] ~~Shall meet setbacks for accessory structures. See also §17.05.070(e).~~

[2] EMD signs are not allowed in MN zone districts.

[3] Only allowed on a parcel that is at least 10 acres in size with 300 feet frontage along right-of-way and located within 1,000 feet of the interchange.

[4] Shall apply with CDOT Rules Governing Outdoor Advertising where applicable.

[5] See also See also §17.05.050(a)

17.05.040 Billboards

(a) Where Allowed and Dimensions

Table 17.05.5: Regulations for the Placement of Billboards									
SF = Square Feet FT = Feet									
Zone District	Not Allowed	Uses by Review Special Use	Single Sign Face Area (Max. SF)		Total Sign Area (Max. SF)	Height (Max. FT)	Single Dimension (Max. FT)	Illum.	EMD
			Static Only or Static with up to 50% EMD	EMD only					
A1-A3		X	300	150	600	35	25	Yes	Yes
RR-HR	X								
MN- MC		X	300	150	600	35	25	Yes	Yes
CC		X	720	360	1,440	35	50	Yes	Yes
LI-HI		X	720	360	1,440	50	50	Yes	Yes
PP		X	720	360	1,440	50	50	Yes	Yes

(b) Special Use Permit Required

- (1) A request for billboard approval ~~in any Agricultural, Mixed-Use, Commercial, or Industrial district as well as for those billboards that require a special use permit in the PuebloPlex district~~ shall be made to the Board of County Commissioners through a §17.06.070(b), Special Use Permit application.

(c) Spacing

- (2) Billboards shall be located at least 300 feet from ~~the property line of~~ a residential zone district or use and shall be oriented away from the residential district or use.

17.05.050 Permanent Sign Standards

(d) Use-Specific Signs

(1) Home Occupation

One sign shall be permitted ~~on a single parcel of land~~ per permitted Home Occupation, subject to the following requirements:

- (i) ~~The property owner/tenant has completed a Home Occupation Disclosure Form~~ The sign advertises a permitted Home Occupation approved with a Home Occupation Permit; and
- (ii) The sign does not exceed a total sign area of one square foot and is mounted flat against the exterior wall of a principal or accessory structure or is located on/in a windowpane or door pane in such a manner that the sign is not illuminated or animated.

17.05.060 Temporary Sign Standards

(d) **Temporary Signs Allowed Without a Permit**

Table 17.05.7: Temporary Signs Allowed Without a Permit					
Activity, Use, or Event	Number of Signs Allowed				Duration
	Extra Large	Large	Medium	Small	
Active Real Estate Listing					
Existing Residential Developed Land	N/A	N/A	1 medium or small, but not both, per street frontage on the property listed		The sign may be placed when the real estate listing becomes active and shall be removed within 20 days of the sale or lease of the property or when the listing is deactivated.
Vacant Land	<u>1 sign (any allowable size) per street frontage on the property listed</u>				
Active Construction Permit	Larger temporary signs may be permitted according to the requirements of §17.05.060(d)(3)		1 medium or small, but not both, per property with active construction		The medium or small sign may be placed when the construction permit is issued and shall be removed within one week of final inspection or completion of the project, whichever occurs first.
Door Sign; Nonresidential Use Only (1)	1 sign, max. six square feet in area per side, per business				Door signs are allowed to be used 365 days a year, are not subject to the 30-day duration limitation for temporary signs, and shall be taken in daily at the close of business.
Election Event					
A1 and A2 Districts	Any number	Any number	Any number	Any number	Total signage in excess of the maximum amount allowed on the property during non-election

Table 17.05.7: Temporary Signs Allowed Without a Permit

Activity, Use, or Event	Number of Signs Allowed				Duration
	Extra Large	Large	Medium	Small	
<u>A3 and Residential Districts</u>	N/A	N/A	Any number	Any number	periods shall be removed within 20 days after the election event.
Nonresidential Districts	N/A	Any number	Any number	Any number	
General Temporary Sign	N/A	N/A	Any number [2]		See Sec. 17.05.060(c)(3)(v)
Sales Temporary Events					
Home Occupation Retail Sales Event [3]	N/A	N/A	1 medium or small, but not both, per property		The sign may be placed 7 days before the event and shall be removed within 24 hours of the end of the retail sales event.
Small Residential Sales Events (Estate/ Garage/Yard Sale)	N/A	N/A	N/A	1 per street frontage	The signs may be placed 1 day before the event and shall be removed immediately after the event.
Retail and Commercial Sales Events (Sidewalk Sales/Seasonal Sales Events)	N/A	1 per street frontage	1 medium or small, but not both, per participating merchant		The signs may be placed 14 days before the event and shall be removed within 48 hours of the end of the event.
<u>Noncommercial Public Event, Residential District</u>	<u>N/A</u>	<u>N/A</u>	<u>Any number [1]</u>		<u>Signs may not be placed more than 45 days prior to the event and shall be removed within five days after the event</u>
<u>Noncommercial Public Event, Nonresidential District</u>	<u>N/A</u>	<u>Any number [1]</u>			<u>Signs may not be placed more than 45 days prior to the event and shall be removed within five days after the event</u>
<u>Commercial Event, Nonresidential Zone District</u>	<u>N/A</u>	<u>Any number [1]</u>			<u>The signs may be placed for up to 30 days per calendar year per property or business in a multi-tenant center</u>
<u>Other Temporary Sign Types</u>					

Table 17.05.7: Temporary Signs Allowed Without a Permit

Activity, Use, or Event	Number of Signs Allowed				Duration
	Extra Large	Large	Medium	Small	
<u>Active Construction Permit</u>	<u>Larger temporary signs may be permitted according to the requirements of §17.05.060(d)(3)</u>	<u>1 medium or small, but not both, per property with active construction</u>	<u>The medium or small sign may be placed when the construction permit is issued and shall be removed within one week of final inspection or completion of the project, whichever occurs first.</u>		<u>Active Construction Permit</u>
<u>Sidewalk Sign, Nonresidential Use Only [2]</u>	<u>1 sign, max. six square feet in area per side, per business</u>				<u>Sidewalk signs are allowed to be used 365 days a year, are not subject to the 30-day duration limitation for temporary signs, and shall be taken in daily at the close of business.</u>

Notes:

[1] The maximum total area may be distributed across more than one sign face.

[1] Door signs shall be placed within 15 feet of the primary business entrance and shall not impede pedestrian sidewalk circulation. Door signs are not permitted for home occupations.

[2] The maximum total area of a medium temporary sign may be distributed across more than one sign face.

[3] The sign shall be located on private property no farther from the subject parcel than the nearest arterial road.

[2] Sidewalk signs shall be placed within 15 feet of the primary business entrance and shall not impede pedestrian sidewalk circulation. Sidewalk signs are not permitted for home occupations.

~~(e) Temporary Signs that Require a Permit~~

~~The placement of temporary signs allowed in this Section requires the issuance of a temporary sign permit. Each sign approved according to this Section will have a removal date identified on the permit.~~

~~(1) Noncommercial Public Event on Private Property~~

~~A noncommercial public event on private property may be permitted temporary signage as follows:~~

~~(i) Any number of signs is allowed, subject to the following maximum size standards:~~

~~a. Residential District: medium temporary sign.~~

~~b. Nonresidential District: large temporary sign.~~

~~(ii) Signs may not be placed more than 45 days prior to the event and shall be removed within five days after the event.~~

~~(2) Commercial Event on Private Property~~

~~A commercial event on private property, such as a sidewalk sale or grand opening, in a nonresidential zone district may be permitted temporary signage as follows:~~

~~(i) Permitted Sign Types~~

~~a. A banner or banners that do not cumulatively exceed 100 square feet in total sign area and that are mounted flush to a building wall.~~

~~b. Balloons and other types of lighter than air objects that have no linear dimension greater than two feet.~~

~~(ii) Conditions and Timeframe~~

~~— The temporary sign permit may specify such conditions and limitations as are deemed necessary to protect adjoining properties and the public.~~

~~— The permit may not be approved for a time period that exceeds 30 consecutive days in any calendar year for each property, or each business in a multi-tenant center.~~

~~(iii) Temporary Sign Removal~~

~~— The applicant shall remove any temporary signs on or before the expiration date of the permit.~~

~~— If a person erects any temporary signs for a commercial event without receiving a permit as described in this UDC, the person shall be ineligible to receive a temporary sign permit for the remainder of the calendar year. Applicants will be asked to verify that commercial event signage was not placed prior to the issuance of a temporary sign permit.~~

(e) Temporary Sign Removal

If a temporary sign ~~associated with a commercial event sign permit~~ remains up for longer than ~~30 days~~the duration permitted in Table 17.05.7, the sign will be considered a permanent sign, require a sign permit and all other regulations in this Section apply.

17.05.070 Measurement and Calculation

(e) **Setbacks**

The minimum required setback for signs ~~is as follows and~~ shall be measured from the closest structural component of the sign (including wheels, poles, frames, or lights) to the property line. Pole sign setbacks shall be measured from the pole at grade level to the property line. Pole sign faces above grade level may encroach over the required setback, but in no case may encroach over the public right-of-way, utility or drainage easements, or adjacent parcels.

- (1) No sign shall encroach on any sight triangle, as described in §17.04.090, Clear Sight Triangle.
- (2) No sign, including wall or projecting signs, may encroach into the public right-of-way without the approval of the Board of County Commissioners and issuance of a revocable encroachment permit, and no sign shall encroach on an adjacent parcel or lot ~~of record~~ without a written and recorded easement by the affected property owner(s).
- (3) Attached signs shall meet the setback requirements for the structure to which they are attached.
- (4) Access point and incidental signs may have a setback up to zero feet or as otherwise required by the Director.

~~(5) The setback requirements for gateway signs shall be established by the Planning Commission.~~

~~(6) Freestanding and projecting signs shall meet the setbacks required of accessory structures; except where the accessory structure setbacks are less than the following, then the following shall be the minimum setbacks:~~

<u>Table 17.05.8: Setback Requirements for Free Standing and Projecting Signs</u>	
<u>Setback</u>	<u>Minimum Setback (Feet)</u>
<u>Front</u>	<u>15</u>
<u>Side</u>	<u>5</u>
<u>Rear</u>	<u>15</u>

~~(7) Reductions from the minimum setbacks in Table 17.05.7 may be granted for pole signs with approval from the Director of Public Works or the Colorado Department of Transportation, as applicable.~~

17.05.090 Installation, Maintenance, and Abandonment

(b) **Maintenance**

(1) All signs shall be maintained in good condition at all times. All signs shall be kept neatly finished and repaired, including all parts and supports. The following specific sign maintenance standards shall apply.

Repairs, where required, shall be equal to, or better than the original sign in quality of materials and design:

(i) Sign finishes and structures shall be maintained in good condition and shall not have:

a. Any surface area covered with disfigured, cracked, ripped, faded, or peeling paint, poster paper, or other material.

b. Rusted, disfigured, peeling, faded, bent, broken, dilapidated, or deteriorated sign facings or supports, or loose appendages or struts.

(ii) All signs shall have sign facings installed, whether blank or with copy content.

(iii) Signs that are designed to be upright and level shall be installed and maintained in an upright and level position. Signs that are not upright and level shall be removed or restored to an upright and level position.

(iv) Signs shall not have weeds, trees, vines, or other vegetation growing on, or in it, or obscuring the view of the sign from the right-of-way from which it is to be viewed.

~~(v) No internally illuminated sign shall be allowed to operate with less than full illumination.~~

~~(vi)~~ Temporary signs and flags shall not be faded, tattered, or torn.

Chapter 17.06 Administration and Procedures

17.06.080 Subdivision Procedures

(f) **Lot Consolidation Vacation**

(1) Purpose

To allow the vacation of any lot consolidation that has been duly recorded and approved ~~by the Board of County Commissioners.~~

(g) **Plat Amendment**

(4) Review and Decision-Making

~~The Planning Commission shall review and recommend on, and t~~The Board of County Commissioners shall review and decide on a Plat Amendment. ~~The Planning Commission shall forward its recommendation to the Board within 30 days after the hearing is concluded.~~

(h) **Plat Vacation**

(4) Review and Decision-Making

~~The Planning Commission shall review and recommend on, and t~~The Board of County Commissioners shall review and decide on a Plat Vacation. ~~The Planning Commission shall forward its recommendation to the Board within 30 days after the hearing is concluded.~~

Chapter 17.12 Measurements and Definitions

17.12.030 Definitions

~~Boarding or Rooming House~~

~~A residential structure that is the operator's personal primary dwelling where lodging is provided, with or without meals, for compensation. A boarding house is not a bed and breakfast or short-term rental.~~

Agricultural Processing

The processing and/or packaging of agricultural products, excluding the processing of fish, meat, or game. Examples include but are not limited to the making of food or herbal products, beverages, wreaths, woolen products, cheese, wine, and candles. Agricultural processing may include the accessory sales or wholesale of agricultural products grown or produced on the site.

Agricultural Tourism

Activities conducted on a parcel with a primary agricultural production or processing use and offered to the public for the purpose of recreation, education, or active tourism related involvement in the agricultural use. These activities shall be incidental to the primary agricultural use on the site or related to natural resources present on the property. This term includes guest ranches, site tours, hayrides, corn mazes, classes related to agricultural products or skills, farm-to-table dining, and picnic and party facilities offered in conjunction with the above. ~~Agricultural tourism does not include accommodation uses or r~~Retail sales shall be incidental and limited to the sale of products grown or processed onsite.

Craft Alcohol Facility

A small brewery, winery, meadery, or distillery operated separately or in conjunction with a drinking establishment or restaurant, provided the beer, wine, mead or liquor is sold for consumption onsite or off the premises and is not sold to other drinking establishments, restaurants, or wholesalers. Accessory uses include tasting rooms at which product tasting occurs. A craft alcohol facility does not include alcoholic beverage production accessory to an agricultural production or processing use.

Data Center

A use where the primary purpose is the storage, management, processing, and/or transmission of digital data, and where the majority of the space is occupied by computers, servers, telecommunications equipment, and related supporting infrastructure. This definition does not include server rooms or information technology infrastructure that are accessory or incidental to a principal use.

Parcel of Record

~~A lot that is part of a subdivision, the plat of which was legally approved and recorded with the County Clerk and Recorder prior to the effective date of this UDC.~~

A lot or parcel demonstrated through competent evidence acceptable to the County to have been created prior to the adoption of Pueblo County subdivision regulations.

Personal Use Operation (Agricultural)

The keeping, raising, feeding, or confinement of livestock or poultry by a property owner or occupant for personal or household consumption, education, or enjoyment, where the primary purpose is not the commercial sale of animals or animal products. Sales may occur provided they are occasional and subordinate to the primary personal use of the operation or are conducted in compliance with applicable Colorado Department of Agriculture or federal exemptions for small-scale agricultural producers. A Personal Use Operation does not include operations conducted as a commercial enterprise or primary source of income.

Door-Sidewalk Sign

A ~~manual changeable copy portable temporary~~ sign typically located near the entrance of a business and intended to be seen from the street, such as menu boards, sandwich boards, or A-Frame signs. Sidewalk signs may contain manual changeable copy.

Single-Room Occupancy

A residential structure where individual lodging rooms are provided, with or without meals, for compensation, generally for an extended duration. The term includes a boarding house and a rooming house but does not include a bed and breakfast, short-term rental, or short-term lodging facilities open to public or overnight guests.

Use, Special

A use that may be permitted in a zone district upon favorable action by the ~~Planning Commission~~Board of County Commissioners.



CASE SUMMARY

TO: Pueblo County Board of County Commissioners
(Meeting Date: June 11, 2026)

FROM: Joe Peoria, Lead Planner

DATE: June 4, 2026

SUBJECT: **Map Amendment MA-26-1**
Dennis Vallejos, Vallejos Revocable Trust (Applicant and Landowner)
8335 Zorn Rd (APN 48-363-03-068)

REQUEST

The applicant requests a rezoning of Lot 88 Forest Hill from the A2 Medium Agriculture zone district to the A3 Small Agriculture zone district and Lot 95 Forest Hill from the A2 Medium Agriculture to the SR1 Suburban Residential Low zone district apply conforming zone districts to existing platted lots.

LOCATION

The subject property is located at 8335 Zorn Rd, southwest of the town of Rye. It is legally described as *Lots 88-95 inclusive, Forest Hill*, however only Lots 88 and 95 are subject to this map amendment request.

OPPOSITION

There was no known opposition at the time of this report.

PLANNING COMMISSION ACTION

The Pueblo County Planning Commission, at its meeting held on May 20, 2026, voted to forward a recommendation of APPROVAL of Map Amendment MA-26-1 to the Board of County Commissioners.

RECOMMENDATION

Staff recommends the Board of County Commissioners APPROVE Map Amendment MA-26-1 with three (3) Findings as follows:

FINDINGS

- a. Staff believes the proposed A3, Small Agriculture and SR1, Suburban Residential Low zone districts are compatible with the recommendations of the Pueblo Regional Comprehensive Plan for this property and its location; and
- b. Staff believes the rezoning of the proposed property is not expected to impact the health, safety, or general welfare of the public; and
- c. The subject property is not bounded by the City or any other municipality having land-use authority.

JP

- c: Dennis Vallejos (Applicant)*
Marci Day, Assistant Pueblo County Attorney*
Gregory George, Director, Pueblo County Department of Engineering and Public Works*
Dominga Jimenez-Garcia, Engineering Supervisor, Pueblo County Department of Engineering and Public Works*

* sent via Email and OpenGov portal only



MEMORANDUM

TO: Pueblo County Board of County Commissioners

FROM: Carmen Howard, Director, Department of Planning & Development

DATE: June 11, 2026

SUBJECT: Ratification of Board of Review Bylaws and Rules of Procedure

Background

As part of Pueblo County's assumption of building code administration and enforcement responsibilities effective January 1, 2026, the Board of County Commissioners established a Board of Review (BOR) to hear appeals and matters authorized under the adopted building, electrical, plumbing, mechanical, fuel gas, energy, and property maintenance codes.

The Board of Review has developed and approved Bylaws and Rules of Procedure to govern its organization, conduct of meetings, hearing procedures, officer responsibilities, ethical standards, and appeal processes. These procedures are intended to ensure consistency, transparency, due process, and compliance with applicable County-adopted codes.

Purpose

The purpose of this item is to request ratification by the Board of County Commissioners of the Board of Review Bylaws and Rules of Procedure as approved by the Board of Review.

Recommendation

Staff recommends that the Board of County Commissioners ratify the Board of Review Bylaws and Rules of Procedure as presented.

Fiscal Impact

There is no direct fiscal impact associated with this action.

Attachments

1. Board of Review Bylaws and Rules of Procedure

BYLAWS OF THE PUEBLO COUNTY BUILDING BOARD OF REVIEW

ARTICLE I – NAME AND AUTHORITY

1. The name of this body shall be the Pueblo County Building Board of Review (“Board of Review”).
 2. The Board is established by Resolution No. 26-106, adopted by the Board of County Commissioners of Pueblo County, Colorado, pursuant to the authority granted under C.R.S. §§ 30-28-201 et seq., and the County’s adopted Building Codes and regulations.
 3. The Board of Review replaces and supersedes the former Building, Electrical, Mechanical, and Plumbing Boards of Appeals.
-

ARTICLE II – PURPOSE AND SCOPE

1. The purpose of the Board is to ensure the fair, consistent, and efficient administration of Pueblo County’s adopted building codes and contractor licensing requirements.
 2. The Board shall:
 - Hear and decide appeals of orders, decisions, or determinations made by the Building Official.
 - Review and grant minor variances consistent with the intent of the adopted codes and life-safety standards.
 - Hear complaints or disciplinary actions involving licensed contractors or registrants.
-

ARTICLE III – MEMBERSHIP

1. The Board shall consist of five (5) members appointed by the Board of County Commissioners and six (6) alternates.
2. Members shall serve three-year staggered terms and may be reappointed for additional terms.
3. The Board shall be composed as follows:

- Two (2) members representing the electrical trade, each holding a valid master or journeyman license and actively engaged in electrical work within Pueblo County and two (2) alternates.
 - Two (2) members representing the plumbing or mechanical trades, each holding a valid master or journeyman license and actively engaged in plumbing, heating, or mechanical work within Pueblo County and two (2) alternates.
 - One (1) member representing the general construction industry, such as licensed general contractors, builders, or construction managers or engineers and two (2) alternates.
4. Alternates shall be appointed by the Board of County Commissioners and shall be individuals experienced in building construction and qualified within one or more of the categories listed in subsection (3). For each appeal or hearing, alternates shall be seated based on the subject matter of the case, such that alternates representing the applicable trade or discipline shall replace regular members from other disciplines as necessary to ensure appropriate technical expertise. Alternates shall serve in the absence, recusal, or disqualification of a regular member and, when seated, shall have the same authority, duties, and voting rights as a regular member for that matter.
 5. Members shall serve without compensation other than reimbursement for authorized expenses.
 6. Vacancies shall be filled by the Board of County Commissioners for the remainder of the unexpired term.

ARTICLE IV – OFFICERS

1. The Board shall elect from its members a Chairperson and Vice-Chairperson at its first meeting each calendar year.
2. The Chairperson shall preside at all meetings and hearings; in the absence of the Chairperson, the Vice-Chairperson shall preside.
3. The Building Official or designee shall serve as Secretary to the Board and shall:
 - Maintain the official record of all proceedings, minutes, and decisions;
 - Provide public notice and distribute meeting materials; and

- Prepare and transmit written decisions of the Board.
-

ARTICLE V – MEETINGS

1. The Board shall meet on the 3rd week of each month as needed, but no less frequently than once per year.
 2. Special meetings may be called by the Chairperson or the Building Official with at least five (5) days' notice.
 3. A majority of appointed members shall constitute a quorum.
 4. All meetings shall comply with the Colorado Open Meetings Law (C.R.S. § 24-6-401 et seq.).
 5. All meetings shall be recorded, and minutes shall be retained as public record.
-

ARTICLE VI – POWERS AND DUTIES

1. The Board shall have the following powers and duties:
 - Hear appeals of decisions, interpretations, or orders of the Building Official.
 - Grant minor variances that do not reduce life-safety or structural integrity.
 - Hear complaints and conduct disciplinary hearings regarding licensed contractors or registrants.
 - Determine the suitability of alternate materials, designs, and methods of construction or installation.
 - Make recommendations to the Building Official or the Board of County Commissioners regarding code interpretation, administration, or enforcement improvements.
 2. The Board shall **not** have authority to:
 - Waive or modify provisions of the adopted building codes;
 - Approve use variances or land-use entitlements; or
 - Contradict state or federal law.
-

ARTICLE VII – PROCEDURAL SAFEGUARDS AND DUE PROCESS

1. Pre-hearing separation: Members who participated in a licensing or enforcement decision shall not sit on the appeal of that same matter.
 2. Conflict of interest: Members shall disclose and recuse themselves from any proceeding in which they, their employer, or an immediate family member have a financial or professional interest.
 3. Alternates: Alternates shall be seated in place of any member who recuses to maintain quorum.
 4. Meeting types: The Board shall distinguish between business meetings (administrative or policy) and quasi-judicial hearings (appeals or enforcement).
 5. Ex parte communications: Members shall avoid discussing pending matters outside the formal hearing process.
 6. Record of proceedings: All hearings shall be recorded; written findings shall be issued within ten (10) days of the decision.
-

ARTICLE VIII – RULES OF PROCEDURE

1. The Board shall adopt Rules of Procedure consistent with due process, addressing:
 - Filing requirements and notice timelines;
 - Evidence, testimony, and cross-examination;
 - Recordkeeping and findings of fact;
 - Continuances and reconsiderations;
 - Appeal rights and finality of decisions.
 2. Rules of Procedure shall be reviewed periodically and approved by the Board of County Commissioners.
-

ARTICLE IX – DECISIONS AND RECORDS

1. Decisions shall be made by a **majority vote** of members present and voting.
2. Written findings and conclusions shall be signed by the Chairperson and filed with the Building Official.

3. All decisions are final administrative action, subject to judicial review as provided by law.
-

ARTICLE X – AMENDMENTS

1. These Bylaws may be amended by majority vote of the Board of Review, subject to approval by the Board of County Commissioners.
 2. Proposed amendments must be provided in writing to all members at least ten (10) days prior to the meeting at which the amendment is considered.
-

ARTICLE XI – ADOPTION

Adopted this 15 day of April, 2026, by the Pueblo County Building Board of Review, pursuant to the authority granted by the Pueblo County Board of County Commissioners, Resolution No. 26-106.

PUEBLO COUNTY BUILDING BOARD OF REVIEW

Chairperson

Vice-Chairperson

Building Official, Secretary

RULES OF PROCEDURE

PUEBLO COUNTY BUILDING BOARD OF REVIEW

Article I – Authority and Purpose

These Rules of Procedure are adopted by the Pueblo County Building Board of Review (“the Board”) pursuant to the authority granted under Resolution No. 26-106, adopted by the Board of County Commissioners of Pueblo County, and consistent with C.R.S. § 30-28-201 et seq., the Colorado Open Meetings Law (C.R.S. § 24-6-401 et seq.), and the adopted Building Codes of Pueblo County.

The purpose of these Rules is to establish fair, consistent, and transparent procedures for the conduct of business before the Board, including appeals, variances, and contractor registration hearings.

Article II – Meetings

1. Regular Meetings.

The Board shall meet on the third Wednesday of each month as needed, but no less frequently than once per year.

2. Special Meetings.

The Chairperson or Building Official may call special meetings upon at least five (5) days’ notice to all members and interested parties.

3. Quorum.

A quorum shall consist of a majority of the appointed members (three (3) members). Alternate members shall be seated to replace any regular member who is absent, recused, or disqualified. Alternates shall be selected and seated based on the subject matter of the appeal or hearing, with preference given to alternates whose professional qualifications align with the trade or discipline at issue. When seated, alternates shall count toward quorum and shall have full voting authority for that matter.

4. Open Meetings.

All meetings and hearings shall be conducted in accordance with the Colorado Open Meetings Law, and all records shall be public unless specifically exempted by law.

Article III – Officers and Staff

1. The Board shall elect from its members a Chairperson and Vice-Chairperson annually.
2. The Chairperson shall preside at all meetings and hearings, decide points of order, and ensure orderly proceedings.
3. The Vice-Chairperson shall assume these duties in the absence of the Chairperson.
4. The Building Official or their designee shall serve as Secretary, responsible for maintaining official records, providing notice of meetings, distributing materials, and preparing the record of proceedings.
5. If any member is absent for two (2) consecutive regular, or any three (3) regular or special meetings within any twelve (12) month period, the Chairperson may recommend to the Board of County Commissioners that the position be declared vacant.
6. If a voting member is unable to appear in person, an alternate may be seated.

Article IV – Filing and Notice of Appeal

1. Filing Period.

Appeals to the Board must be filed in writing within fifteen (15) calendar days of the date of the decision, order, or determination being appealed.
Appeals related to unsafe or stop-work orders must be filed within ten (10) days.
2. Form of Appeal.

An appeal shall be filed on a form provided by the Building Division and shall include:

 - The appellant’s name, contact information, and property or project address;
 - A statement identifying the decision or order being appealed;
 - A concise statement of the grounds for appeal, including the specific provisions of the Building Code in question; and
 - Any supporting documents or evidence.

3. Notice of Hearing.
Upon receipt of a complete appeal, the Secretary shall schedule the matter for the next available meeting and provide written notice to all parties not less than seven (7) days prior to the hearing.
 4. Public Notice.
A notice of hearing shall be posted in accordance with County policy and the Colorado Open Meetings Law.
 5. Stop Work Orders involving immediate life-safety hazards shall remain in effect pending appeal.
-

Article V – Conduct of Hearings

1. Nature of Proceedings.
Hearings before the Board shall be quasi-judicial in nature. All testimony shall be given under oath or affirmation, and all persons shall have the right to present evidence and cross-examine witnesses.
2. Order of Proceedings.
Unless otherwise directed by the Chairperson, hearings shall proceed in the following order:
 - a. Call to order and verification of quorum;
 - b. Introduction of the case by the Secretary;
 - c. Presentation by the Building Official or staff;
 - d. Presentation by the appellant or applicant;
 - e. Testimony from interested parties or witnesses;
 - f. Rebuttal or closing statements;
 - g. Board questions and deliberation; and
 - h. Motion, vote, and announcement of decision.
3. Rules of Evidence.
Formal rules of evidence shall not apply, but irrelevant, immaterial, or repetitious testimony may be excluded. Documentary evidence may be received in the form of copies or digital exhibits.
4. Burden of Proof.
The burden of proof shall rest upon the appellant to demonstrate that the Building Official's decision was in error, or that a proposed variance or alternate method meets or exceeds the intent of the Building Code.

5. Representation.

Parties may appear on their own behalf or be represented by legal counsel or an authorized agent.

6. Decorum.

The Chairperson shall maintain order. Disruptive individuals may be removed at the direction of the Chairperson.

Article VI – Standards of Review

1. Appeals.

The Board shall determine whether the Building Official’s decision was based on an incorrect interpretation of the code, an error of fact, or a determination not supported by substantial evidence. The Board shall have no authority to waive, amend, or otherwise modify the adopted Building Code or County amendments thereto. The Building Official may request interpretation assistance from the Board when questions arise regarding the application or interpretation of the adopted Building Code. Any formal interpretation by the Board shall occur during a duly noticed public hearing and shall become part of the official record.

2. Modifications and Alternate Methods.

The Board may approve a modification or alternate method where strict enforcement of the Building Code would result in practical difficulty provided the modification or alternate method is the minimum necessary and does not reduce life-safety, structural integrity, or accessibility.

3. Contractor Registration Hearings.

Pursuant to Resolution No. 26-106 and applicable provisions of the Pueblo County Code, the Board may hear complaints or disciplinary matters related to contractor registrations, including the affirmation, modification, or reversal of any suspension or revocation based upon evidence of repeated noncompliance, unsafe practices, or material misrepresentation.

Article VII – Decision and Record

1. Vote Required.

A majority vote of the members present shall be required to affirm, modify, or reverse a decision.

2. Findings of Fact.

The Board shall issue written findings of fact and conclusions within ten (10) days of the hearing.

3. Record.

The record shall consist of the application, staff reports, exhibits, testimony, and the written decision. The Secretary shall maintain these records as public documents in the Building Division.

4. Finality and Appeal.

The decision of the Board shall constitute final administrative action, appealable to the District Court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure.

Article VIII – Conflicts of Interest and Recusal

1. No member shall participate in any matter in which they, their employer, or an immediate family member have a financial or professional interest.
2. Members shall publicly disclose any potential conflict at the beginning of each hearing.
3. A member with a conflict shall recuse themselves, and an alternate shall be seated to maintain quorum. When a member is recused due to a conflict of interest, an alternate qualified in the same or most closely related trade or discipline shall be seated whenever practicable.

Article IX – Amendments

These Rules may be amended by a majority vote of the Board, subject to approval by the Board of County Commissioners of Pueblo County.



CASE SUMMARY

TO: Pueblo County Board of County Commissioners
(Meeting Date: June 11, 2026)

FROM: Joe Peoria, Lead Planner

DATE: June 4, 2026

SUBJECT: **Special Use Permit SUP-26-4**
William and Norma Adamson (Applicants and Landowners)
1630 Cortner Rd (APN 13-180-04-002)

REQUEST

The applicants request approval for an Animal Feeding Operation (AFO) consisting of sixteen (16) feeding pens for the feeding of up to 5,000 sheep in an A1, Large Agriculture zone district.

LOCATION

The subject property is located at 1630 Cortner Rd, off South Rd between 30th and 32nd Lanes. It is legally described as *Lot 2, Rock Hill Estates, Pueblo County, Colorado.*

PLANNING COMMISSION ACTION

The Pueblo County Planning Commission, at its meeting held on May 20, 2026, voted to forward a recommendation of APPROVAL of Special Use Permit SUP-26-4 to the Board of County Commissioners.

CORRESPONDENCE

The Department of Planning and Development received two (2) letters of opposition regarding the proposed use which are attached to the staff report.

RECOMMENDATION

Staff recommends the Board of County Commissioners **APPROVE** Special Use Permit SUP-26-4 based on staff's review of all submitted materials and the requirements for approval under the Unified Development Code (UDC) with the following conditions of approval and Directive to Staff:

CONDITIONS

1. The approval of Special Use Permit SUP-26-4 is limited to the operation of an *Animal Feeding Operation* use as portrayed in the application materials and defined by the Unified Development Code (UDC).
2. This special use permit shall not constitute an exemption from zoning or any applicable regulations. Issuance of this special use permit is subject to approval by any regulatory agency where required by regulation or statute.
3. Use of any existing feeding pens located within the required 200' property line setback shall be discontinued.
4. The applicant shall submit to the Pueblo County Department of Public Works and Engineering the following, as detailed in the comment letter dated April 21, 2026:
 - a. A Pueblo County Road Access Permit
 - b. A drainage study and report

DIRECTIVE TO STAFF: The Department of Planning and Development is directed to conduct an administrative review of the property one (1) year after the date of approval. The special use permit **MAY** lapse if the use does not commence within one (1) year of approval. A written request for an extension of the special use permit may be submitted to the Department of Planning and Development to be reviewed. The Director may, upon review, grant an extension. **THIS DIRECTIVE TO STAFF IS NOT INTENDED AS A CONDITION OF APPROVAL.**

JP

cc: William and Norma Adamson (Applicant)*
Marci Day, Assistant Pueblo County Attorney*
Gregory George, Director, Pueblo County Department of Engineering and Public Works*
Dominga Jimenez-Garcia, Engineering Supervisor, Pueblo County Department of Engineering and Public Works*
Timothy Zant, Code Compliance Manager, Pueblo County Department of Planning and Development*

* sent via email/OpenGov only



PUEBLO COUNTY

C O L O R A D O

Planning and Development Department

MEMORANDUM

TO: Pueblo Board of County Commissioners
FROM: Carmen Howard, Planning and Development Director
MEETING DATE: June 11, 2026
SUBJECT: SLI-25-1 Buffalo Bur Solar Project
Buffalo Bur Solar, LLC (Applicant)
NextEra Energy Resources, LLC (Project Developer)
Perry Brothers LLC & Garth and Leann Perry (Property Owner)

Due to the size of the application, only certain exhibits are provided with this staff report. The application materials and studies in their entirety may be accessed at the following link:

[Link to Case Documents](#)

REQUEST:

Buffalo Bur Solar, LLC, a wholly owned subsidiary of NextEra Energy Resources, LLC, requests approval of a permit pursuant to Chapter 17.07 of the Pueblo County Unified Development Code (Areas and Activities of State and Local Interest) for the site selection and construction of a major facility of a public utility (1041 Permit) for the Buffalo Bur Solar and Storage Project.

The proposed project consists of a utility-scale solar photovoltaic generating facility with a capacity of up to 540 megawatts (MW) and a co-located battery energy storage system (BESS) with a capacity of up to 1,200 MW. The facility would occupy approximately 2,548 acres of privately owned agricultural land located approximately 23 miles east-northeast of the City of Pueblo and approximately 10 miles north of Boone. The project is proposed to interconnect with the planned Xcel Energy Sandstone 345-kV CPP Substation. **(Exhibit 1 Map).**

PROJECT COMPONENTS: (Development Plan Exhibit 2)

Key project components include:

- Utility-scale solar photovoltaic array covering approximately 2,214 acres
- Photovoltaic solar modules mounted on single-axis tracking systems
- Power inverters and transformers
- Collection system and underground electrical infrastructure
- Battery Energy Storage System (BESS) with up to 1,200 MW capacity
- Project substation and interconnection facilities
- Internal access roads
- Security fencing
- Operations and maintenance facilities
- Meteorological and monitoring equipment

The project will operate as a large-scale utility solar facility and contribute renewable energy to the regional electrical grid.

PROJECT DEVELOPMENT SCHEDULE:

The applicant anticipates construction beginning in 2027 following receipt of all required approvals and permits, with commercial operation targeted during 2029. Construction activities are expected to include:

- Site preparation and grading
- Installation of access roads
- Solar array installation
- Electrical collection system construction
- Battery storage installation
- Substation and interconnection construction
- Testing and commissioning

The project is anticipated to operate for approximately 35 years, after which decommissioning and reclamation activities would occur pursuant to an approved decommissioning plan.

LOCATION:

The project is located north of State Highway 96 and east of the existing Highlands I Solar Project in northeastern Pueblo County.

The project encompasses approximately 2,548 acres and includes the following assessor parcel numbers:

- 9100000086
- 9100000087
- 9100000089

The surrounding area is characterized primarily by agricultural operations, grazing lands, existing renewable energy development, and utility infrastructure.

ZONING AND LAND USE:

The subject properties are located within the A-1 (Agricultural) zoning district.

Solar energy facilities are permitted uses within this district when approved through the County's 1041 permit process.

Surrounding land uses consist primarily of:

- Agricultural and grazing operations
- Renewable energy facilities
- Utility transmission infrastructure
- State trust lands
- Limited rural residential development

The proposed facility is classified as a Major Facility of a Public Utility and is subject to Pueblo County's 1041 review process pursuant to Chapter 17.168 of the Unified Development Code.

CONFORMANCE WITH THE PUEBLO REGIONAL DEVELOPMENT PLAN:

The Pueblo Regional Development Plan supports economic development, responsible energy production, and the expansion of utility infrastructure while balancing impacts to agricultural resources, environmental systems, and neighboring land uses.

The Buffalo Bur Project advances several Plan objectives by:

- Supporting regional and statewide energy generation needs
- Expanding renewable energy infrastructure
- Utilizing land already characterized by large agricultural holdings
- Locating adjacent to planned transmission infrastructure
- Providing construction employment and economic investment within Pueblo County

Staff finds that the proposed project generally conforms with the goals and policies of the Pueblo Regional Development Plan, subject to compliance with recommended conditions of approval.

CONSTRUCTION ACTIVITIES AND MITIGATION:

Construction activities associated with the project will include:

- Grading and site preparation
- Installation of solar panel foundations
- Construction of access roads
- Installation of electrical equipment and infrastructure
- Substation and BESS construction

Dust control, erosion control, and stormwater management practices will be implemented during construction in accordance with applicable state and County requirements.

TRANSPORTATION AND ACCESS:

The project will utilize State Highway 96 and Boone Road for construction access and material deliveries.

Agency review identified the following transportation requirements:

- A Road Use Agreement with Pueblo County shall be required prior to construction.
- Pre-construction and post-construction roadway condition surveys shall be completed.
- An access permit shall be obtained from Pueblo County for project access improvements.
- Work within County right-of-way shall require excavation permits.
- A CDOT Access Permit will be required.
- Oversize and overweight transport permits will be required where applicable.
- The Traffic Impact Study shall address the Highway 96 and Boone Road intersection and any required improvements identified through CDOT review.

STORMWATER AND DRAINAGE:

Prior to construction, the applicant shall obtain all applicable stormwater permits and

approvals, including:

- CDPHE Construction Stormwater Permit
- Pueblo County Stormwater Construction Discharge Permit
- Approved drainage report
- Approved erosion and sediment control measures

The applicant will also be required to comply with Pueblo County revegetation and stabilization requirements and provide bonding as required by County regulations.

OPERATIONS:

Once operational, the facility will require minimal on-site activity.

Operations will include:

- Routine inspections and maintenance
- Vegetation management
- Monitoring of electrical systems and BESS

Most monitoring will be conducted remotely.

ENVIRONMENTAL IMPACTS:

Land and Soils

The project site consists primarily of agricultural and rangeland areas. The applicant proposes limited grading and intends to utilize construction methods designed to minimize long-term soil disturbance.

Water Resources

Available studies indicate that impacts to jurisdictional waters and wetlands are expected to be limited and can be mitigated through avoidance measures and stormwater controls.

Air Quality

No emissions are expected during operation. Temporary dust during construction will be mitigated through standard practices.

Wildlife

Colorado Parks and Wildlife (CPW) identified wildlife movement, habitat fragmentation, fencing design, raptor nesting protections, and migration corridors as key concerns. CPW specifically recommended incorporation of at least two north-south wildlife corridors and one east-west corridor to facilitate pronghorn and mule deer movement through the project area. CPW also recommended wildlife-friendly fencing measures where feasible. In response, the applicant has committed to continued coordination with CPW and has proposed multiple wildlife movement corridors through and adjacent to the project area. The applicant has also committed to pre-construction wildlife surveys and implementation of CPW-recommended raptor protection measures. The applicant has provided an updated Development/Concept Plan as a result of CPW coordination to include additional wildlife corridors.

Visual Impacts

The project is located within a predominantly agricultural landscape characterized by large expanses of open rangeland, utility infrastructure, and existing solar development. Project studies indicate limited visibility from major transportation corridors and population centers. The applicant has incorporated setbacks and vegetation management measures intended to reduce visual impacts.

FLOODPLAIN

The Project Area is located outside of the 100-year floodplain; therefore, no floodplain development permits are required.

DECOMMISSIONING

The Applicant has submitted a preliminary Decommissioning and Reclamation Plan outlining procedures for removal of project facilities and restoration of the site following the end of the project's operational life. Solar panels, battery energy storage equipment, fencing, foundations, and associated infrastructure will be removed, and the site restored to a condition consistent with applicable Pueblo County requirements to the extent practicable.

Staff has determined that the submitted Decommissioning and Reclamation Plan does not fully address the financial assurance requirements contained within Chapter 17.168 of the Pueblo County Unified Development Code. Specifically, the Code requires financial assurance in an amount equal to one hundred fifteen percent (115%) of the estimated decommissioning and reclamation cost, without consideration of salvage value.

Therefore, prior to commencement of construction, the Applicant shall submit for review and approval by the Planning and Development Department an updated Decommissioning and Reclamation Plan that demonstrates compliance with all applicable requirements of the Pueblo County Unified Development Code. No later than thirty (30) days prior to the initial commercial operation date of the facility, the Applicant shall provide Pueblo County with an irrevocable standby letter of credit, bond, or other form of financial assurance acceptable to the County in an amount equal to one hundred fifteen percent (115%) of the approved decommissioning and reclamation cost estimate.

AGENCY COMMENTS: (Exhibit 3)

Referral comments were received from:

- Pueblo County Public Works
- Colorado Department of Transportation
- Colorado Parks and Wildlife
- Colorado Geological Survey

Comments primarily relate to:

- Roadway use and access
- Stormwater permitting
- Wildlife considerations

The applicant coordinated with Colorado Parks and Wildlife (CPW) to incorporate wildlife considerations into the project design. A commitment letter was provided to staff documenting this coordination as well as an updated development plan incorporating the corridors. All applicable comments will be addressed through conditions of approval and applicable permitting requirements or through subsequent agency permitting processes..

STAFF FINDINGS

Based on staff review of the application materials, referral agency comments, and applicable standards within Chapter 17.07 of the Pueblo County Unified Development Code, staff finds the following:

1. The proposed project constitutes a designated activity of state and local interest involving the site selection and construction of a major facility of a public utility and is

therefore subject to review through the County's 1041 permit process.

2. The project is consistent with the Pueblo Regional Development Plan, which supports the development of renewable energy facilities in locations that minimize impacts to residential areas, prime agricultural lands, and environmentally sensitive resources.
3. The project is compatible with surrounding land uses, which consist primarily of agricultural and rural land uses, and will operate as a low-intensity facility with minimal traffic, noise, or service demands.
4. Environmental impacts associated with the project are limited and can be mitigated through standard construction practices, stormwater management, and compliance with applicable state and County regulations.
5. Transportation, access, and infrastructure impacts can be adequately addressed through required permits, roadway agreements, and coordination with Pueblo County Public Works and other reviewing agencies.
6. The project will not create significant demand on public services or utilities and will operate with minimal ongoing site activity.
7. Subject to the recommended conditions of approval, the project can comply with the decommissioning and reclamation requirements of the Pueblo County Unified Development Code. The applicant shall submit a revised Decommissioning and Reclamation Plan and required financial assurance demonstrating compliance with Chapter 17.168 prior to construction and commercial operation, as applicable.

Based on these findings, staff concludes that the proposed Buffalo Bur Solar Project meets the applicable approval criteria of the Pueblo County Unified Development Code and 1041 regulations, therefore, staff recommends **APPROVAL** of SLI-25-1. Should the Pueblo County Board of County Commissioners approve this application for 1041 Permit No. SLI-25-1, staff recommends the approval be contingent on the following conditions of approval:

1. This permit shall not constitute an exemption from zoning, health, building permits, or other applicable regulations. During the term of this permit, operation shall fully comply with all applicable local regulations, as well as all applicable state and federal regulations and agencies.
2. The Buffalo Bur Solar Project construction and activity shall be according to the plans and information in the materials submitted by the Applicant for SLI-25-1. The

Applicant's application and material provided in support of this Project within the Application materials shall be strictly adhered to.

3. A construction management and mitigation plan will be required to be submitted to the Department of Planning and Development prior to the beginning of construction. A single point of contact, Project Manager, is to be identified by the applicant for communication and coordination during construction. 24-hour contact numbers shall be provided to the County should there be construction issues that need to be addressed.
4. Decommissioning and Reclamation Requirements. Prior to the commencement of construction, the Applicant shall submit for review and approval by the Planning and Development Department a revised Decommissioning and Reclamation Plan that fully complies with the requirements of Pueblo County Unified Development Code (UDC) §17.07.060, including provisions for financial assurance calculated without consideration of salvage value. At least thirty (30) days prior to the initial commercial operation date (COD) of the facility, the Applicant shall provide financial assurance in a form acceptable to Pueblo County in an amount equal to one hundred fifteen percent (115%) of the estimated cost of decommissioning and reclamation, prepared by a qualified engineer or contractor and reviewed by the Department of Planning and Development. No later than fifteen (15) years from the initial commercial operation date of the Solar Facility, and every five (5) years thereafter, updated decommissioning and reclamation cost estimates shall be submitted to the Department for review, and the amount of financial assurance shall be adjusted as necessary to maintain compliance with the UDC.
5. All fencing 7' in height and above will be required to obtain the appropriate permits from the Pueblo County Building Department. Fencing shall be monitored for buildup of tumbleweeds and other windswept debris and cleared of such as needed. Monitoring and potential clearing of tumbleweeds shall take place at least once between October 1st and November 30th of each year. Tumbleweeds shall be disposed of in a manner as to mitigate seed dispersal.
6. The Site Development Plan Application and applicable components may be required to be submitted and approved prior to submission of a Building Permit per Section 17.06.060 of the UDC to include parking, lighting and screening.
7. Construction timeline. Unless allowed by a phasing plan approved by the Board, the Solar Facility construction and operation may occur in phases consistent with the approved Development Plan. Construction shall substantially commence within three

(3) years of approval of the permit. Extensions may be granted by the Board. Permit holder shall submit annual reports to the Zoning Administrator detailing the overall status and viability of the Project. Reports are due one year after the approval of this permit and every year thereafter until the project is completed.

8. Maintenance. The Solar Facility and all associated improvements shall be continually maintained in a safe condition and kept in good repair throughout the life of the project. Any damaged, inoperable, or abandoned equipment shall be repaired, replaced, or removed in a timely manner.
9. The Applicant shall provide a Noxious Weed Management Plan. A copy of said plan shall be submitted to the Pueblo County Noxious Weed Control Coordinator and shall include a schedule for on-site inspections for the life of the project.
10. Inspections. The Applicant will allow designated County representatives or employees access to the facility for inspection purposes. The Applicant shall reimburse the County for the cost to process this permit to include the costs for obtaining an independent third-party to conduct inspections required by local and state laws and regulations.
11. During construction, the setbacks may be used for staging materials and parking. No material and equipment laydown area, construction staging area, or construction trailer shall be located within 200 feet of any property containing a residential dwelling.
12. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.
13. The Applicant shall provide to the Department of Planning and Development copies of all subsequent permit approvals by other regulatory agencies within sixty (60) days of said permit approvals being received by the Applicant.
14. Reporting Requirements:

The permit holder shall submit local worker hiring data to the Zoning Administrator at the commencement of construction and every three (3) months thereafter until the initial commercial operating date of the solar facility. Local worker and union worker hiring data shall include the following:

- A. The total number of workers employed on the project site during the reporting period.
- B. The number and percentage of total workers who are Pueblo County residents with a primary residence within Pueblo County.
- C. The number and percentage of total workers who are members of a labor union.

PUBLIC WORKS CONDITIONS OF APPROVAL

If the Board of County Commissioners chooses to approve this permit, we recommend the following be made conditions of approval:

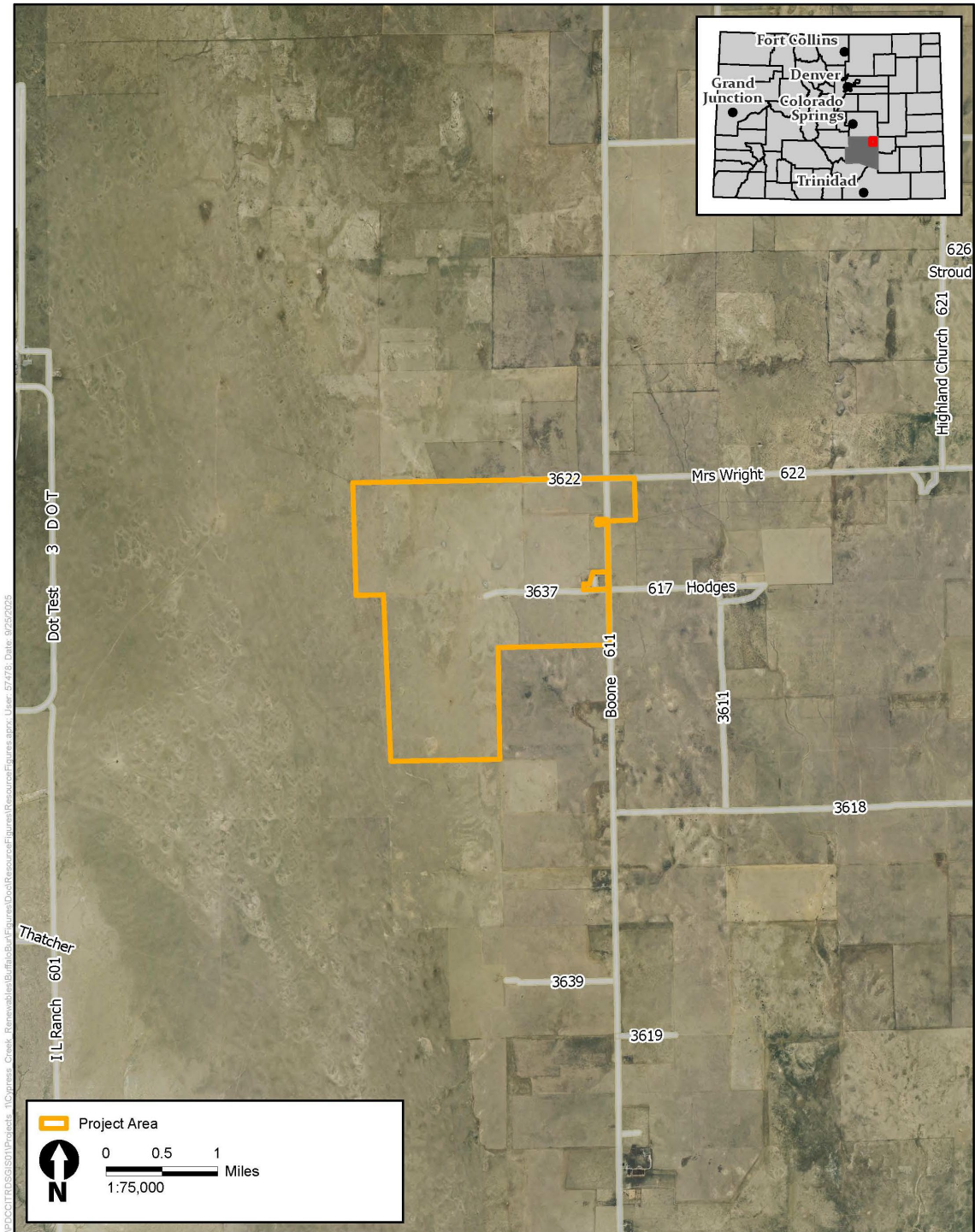
- 1. Prior to construction the Applicant shall enter into a Road Use Agreement with Pueblo County. The estimated time to negotiate the agreement is 1-2 months.
- 2. Before construction, the Applicant shall apply for the following:
 - A. An Access Permit pursuant to Chapter 12.04, Article 7 of the Pueblo County Code for all proposed access locations onto County roads. All conditions of said access permit shall be complied with before starting construction. Final approval of the access permit shall be deemed as compliance with this condition.
 - B. An Excavation Permit for any work within the County Road right-of-way. An Excavation Permit requires that the Applicant be a licensed bonded contractor and have general liability insurance.
- 3. Before construction, the Applicant shall submit to the Department of Public Works the following:
 - A. A draft final drainage report prepared by an engineer licensed in the State of Colorado for review, revision, and approval. Should the drainage report require permanent stormwater control measures (PSCM) within the project site, a drainage easement, facilities maintenance agreement, and O&M Manual shall be required.
 - B. A final grading plan, erosion and sediment control plan, and stormwater management plan.

- C. A copy of the approved stormwater permit from the Colorado Department of Public Health and Environment (CDPHE) shall be submitted to the Department of Engineering and Public Works.
 - D. A Pueblo County Stormwater Construction Discharge Permit.
4. A bond or other form of security agreeable to Pueblo County shall be posted for the revegetation and stabilization in an amount equivalent to \$3,500.00 per disturbed acre. Upon achieving final stabilization, as defined in the Colorado Department of Public Health and the Environment (CDPHE) General Permit Number COR-400000 for Stormwater Discharges Associated with Construction Activity, and subject to concurrence of the Pueblo County Department of Engineering and Public Works; the bond will be released.

Attachments:

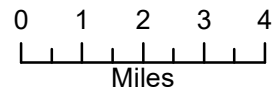
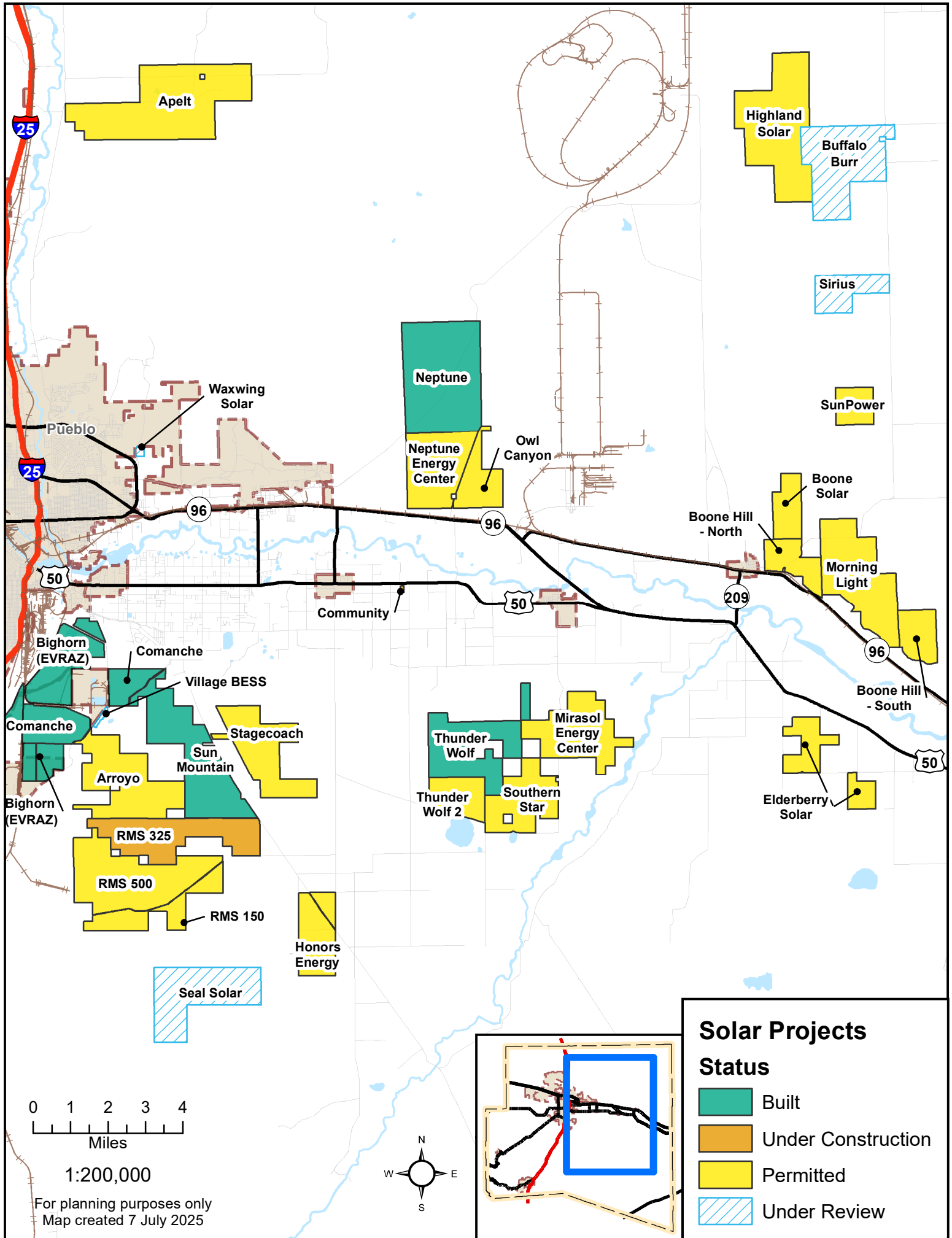
- Ex 1. Map
- Ex.2. Development Plan
- Ex 3. Agency Comments

1.8 Project Maps



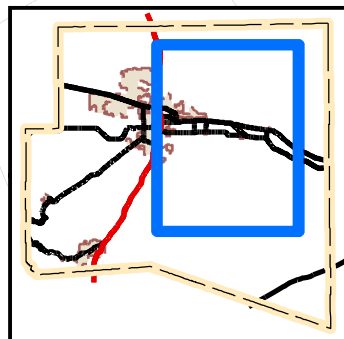
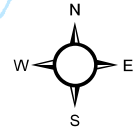
Buffalo Bur Solar, LLC Project Location Map (Aerial)
Pueblo County, CO
 Prepared for NextEra, by ICF 9/25/2025

Figure 1: Buffalo Bur Solar Project Vicinity Map



1:200,000

For planning purposes only
Map created 7 July 2025



Solar Projects


Status


- Built
- Under Construction
- Permitted
- Under Review



Public Works & Engineering Department

TO: Carmen Howard, Director
Department of Planning & Development

THRU: Dominga Jimenez-Garcia, Engineering Supervisor 
Architecture, Engineering and Sustainability

FROM: Aaron Brice EIT, Staff Engineer 

DATE: February 5, 2026

SUBJECT: SLI-25-1 Buffalo Bur Solar

ACCESS/ROAD/TRAFFIC

The Buffalo Bur project proposes a haul route utilizing Colorado State Highway 96 to Boone Road, then northbound on Boone Road to the intersection of Boone Road & Hodges Road. The access point will be immediately due west of the intersection of Boone Road and Hodges Road. Boone Road is a County maintained roadway classified as a "major collector."

Access to the facility is defined in the Buffalo Bur 1041 Permit Application Addendum document. Direct access to the site is contained within State, County, and private land within Pueblo County. NextEra Energy Resources LLC has obtained the necessary right-of-way agreement with the State Land Board and has a permanent working easement in place.

Prior to construction, the applicant shall enter into a Road Use Agreement (agreement) with Pueblo County. The agreement template has been provided to the applicant via the OpenGov system. This agreement defines the terms and conditions under which the applicant shall be permitted to utilize roads as haul routes in order to protect such roads from damage associated with the Project construction and to clarify the scope and extent of the company's obligation to repair damage to the County's Roads. **The applicant should be made aware that the agreement has an estimated time of 1-2 months to review and finalize it.**

The typical process for a Road Use Agreement is to first have the applicant supply the County with a list or schedule of anticipated construction traffic including type of vehicle and frequency of travel for each vehicle type. Next, the County or a designated

representative of the County will visually observe and record the condition of the gravel roads that will be used by the project to determine:

1. If the road is safe for construction traffic and if not, what repairs will be required to bring the roadway up to a safe level of serviceability
2. A baseline for the existing condition of the roadway to compare with the final condition of the roadway post-construction

Once construction activity has terminated, the County or a designated representative will visually observe and record conditions post construction. The difference between the pre-construction survey and post-construction survey will determine the extent of repair and rehabilitation required to satisfy the conditions of the Road Use Agreement

An access permit is required for the proposed access point immediately due west of the intersection of Boone Road & Hodges Road. All conditions of said access permits shall be complied with prior to commencing construction. Any work within the County Road right-of-way will also require an Excavation Permit from this department. An Excavation Permit requires that the applicant be a licensed bonded contractor and have general liability insurance.

STORMWATER

A stormwater permit from the Colorado Department of Public Health and Environment (CDPHE) is required as does Pueblo County requiring a Stormwater Construction Discharge Permit (SCDP).

Condition of approval is also contingent on the choice of one of two methods of the Pueblo County Acceptable Methods for Modeling Solar Panels. Method 1 calls for a higher imperviousness for paneled areas (vs existing) with an imperviousness of 80%. Method 2 treats paneled areas with the same imperviousness as existing conditions. Method 2 requires a more exhaustive procedure where the details can be found in the Pueblo County Stormwater Drainage Criteria Page.

One of the requirements of the CDPHE Stormwater Management Plan is final stabilization of the site. Final stabilization is reached when all ground surface disturbing activities at the site have been completed and uniform vegetative cover has been established with an individual plant density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed. When vegetation is used to achieve final stabilization, the 70 percent vegetation requirement applies to a uniform plant density, which means that all areas of the site that rely on a vegetative cover to achieve stabilization must be uniformly vegetated. If the applicants choose to use something other than plants to achieve final stabilization their stormwater plan needs to indicate that, and the alternate form of stabilization needs to be approved as acceptable by Department of Engineering and Public Works. **If the applicant chooses to use Method 2 the revegetation bond will need to be 100 percent of pre-disturbance.**

To ensure that the applicant takes the necessary steps to stabilize the site we recommend that a bond, similar to what Mined Land Reclamation (MLR) requires for a gravel pit, be made a condition of approval. A revegetation bond which has a cost of \$3500 per disturbed acre is sufficient for a simple reclamation. A map shall be submitted that includes estimates of the total area of the site, the area and location expected to be disturbed by clearing, excavation, grading, or other construction activities, preconstruction evaluation of existing vegetation to be disturbed, and a revegetation plan. This map will be used by the Department of Engineering and Public Works to calculate the amount of the bond.

A preliminary drainage report was submitted for the Project and has been reviewed. Prior to construction, the applicant shall submit to this department a **draft** final drainage report prepared by an engineer licensed in the State of Colorado for review, revision, and approval.

At time of submitted comment letter, it is to be noted that a **FINAL** submitted, reviewed, and approved Drainage Report normally is required prior to the start of construction. At this time for the purposes of going to board, passage is allowed but this department normally requires a Final Drainage Report. However, for the purpose of assisting applicant with meeting construction timeline, we will have condition of Final Drainage Report being submitted prior to the starting date of construction.

RECOMMENDATION

If the Board of County Commissioners chooses to approve this permit, we recommend the following be made conditions of approval:

1. Prior to construction the applicant shall enter into a Road Use Agreement with Pueblo County. The estimated time to negotiate the agreement is 1-2 months.
2. Before construction, the applicant shall apply for the following:
 - A. An Access Permit pursuant to Chapter 12.04, Article 7 of the Pueblo County Code for all proposed access locations onto County roads. All conditions of said access permit shall be complied with before starting construction. Final approval of the access permit shall be deemed as compliance with this condition.
 - B. An Excavation Permit for any work within the County Road right-of-way. An Excavation Permit requires that the applicant be a licensed bonded contractor and have general liability insurance.
3. Before construction, the applicant shall submit to the Department of Public Works the following:

- A. A draft final drainage report prepared by an engineer licensed in the State of Colorado for review, revision, and approval. Should the drainage report require permanent stormwater control measures (PSCM) within the project site, a drainage easement, facilities maintenance agreement, and O&M Manual shall be required.
 - B. A final grading plan, erosion and sediment control plan, and stormwater management plan.
 - C. A copy of the approved stormwater permit from the Colorado Department of Public Health and Environment (CDPHE) shall be submitted to the Department of Engineering and Public Works.
 - D. A Pueblo County Stormwater Construction Discharge Permit
4. A bond or other form of security agreeable to Pueblo County shall be posted for the revegetation and stabilization in an amount equivalent to \$3500.00 per disturbed acre. Upon achieving final stabilization, as defined in the Colorado Department of Public Health and the Environment (CDPHE) General Permit Number COR-400000 for Stormwater Discharges Associated with Construction Activity, and subject to concurrence of the Pueblo County Department of Engineering and Public Works; the bond will be released.



COLORADO
Parks and Wildlife
Department of Natural Resources

Southeast Region
4255 Sinton Road • Colorado Springs, CO 80907
PH: (719) 227-5200

18 February 2026

Carmen Howard, Director
Pueblo County Planning and Development
201 W 8th St., Suite 110
Pueblo, CO 81003
PH: 719.583.6100
howardca@pueblocounty.us

Re: CPW comments on the proposed Buffalo Bur Solar Project in Pueblo County

Dear Carmen Howard,

Colorado Parks and Wildlife (CPW) appreciates the opportunity to comment on the proposed Buffalo Bur Solar Array and Battery Energy Storage System (BESS) Project (Project) in Pueblo County, Colorado. CPW staff members are familiar with the location of the Project and have reviewed documents provided in the application package. In addition, the Project developer has coordinated directly with CPW. In September 2024, on behalf of the Project developer, ICF Jones & Stokes requested CPW comments on the Project (see Attachment A for CPW comments dated March 5, 2025). This letter includes a summary of CPW's statutory responsibility, understanding of the Project, general recommendations, impacts to wildlife within the Project area, and recommendations to avoid, minimize, and/or mitigate those impacts.



Laura Clellan, Acting Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Richard Reading, Chair · James 'Jay' Tutchton, Vice-Chair · Eden Vardy, Secretary · Jessica Beaulieu ·
Frances Silva Blayney · John Emerick · Tai Jacober · Dallas May · Jack Murphy · Gabriel Otero · Christopher Sichko

CPW'S STATUTORY RESPONSIBILITY

CPW has a statutory responsibility to manage all wildlife species in Colorado; as such we encourage protection for Colorado's wildlife species and habitats through responsible energy development and land use planning. Protection of core wildlife areas, quality fisheries and habitat, big game winter range and seasonal migration corridors, and raptor nesting locations are of extreme importance. CPW recommends that all proposed projects be assessed to avoid, minimize, or mitigate impacts to sensitive wildlife habitats and species. That includes species of concern as well as Federal and/or State listed species, big game wildlife (migration corridors, winter range, and parturition areas), breeding and nesting habitats for sensitive ground-nesting birds, and nests of raptors sensitive to development in order to prevent habitat loss or fragmentation. US Fish and Wildlife Service should be consulted on any Federally-listed Endangered and Threatened Species that might be present at the location.

GENERAL RECOMMENDATIONS

CPW recommends that, when selecting sites for solar development, the developer focuses on options that avoid critical wildlife habitats over the use of mitigation strategies. Habitat loss and fragmentation are significant concerns regarding solar development, so consolidation of facilities, transmission lines, and roads to the extent possible will reduce the amount of land that is disturbed and fragmented. If there are multiple developments planned for an area, CPW recommends consideration of wildlife movements at a larger scale. Developers should consider wildlife movement in site design that allows movement of wildlife through and around the site, preserving access to habitat in the vicinity of the project to the greatest extent possible. CPW further encourages developers to work with county planners to ensure that any planned or proposed corridors will be effective, wildlife movement allowances work with adjacent development, and spacing between projects is sufficient to support wildlife movements on the larger landscape. Please refer to the Colorado Parks and Wildlife Best Management Practices (BMPs) for Solar Energy Development and other guidance for developers available at the CPW Energy and Land Use website. Early consultation between CPW and developers of energy projects is critical for avoiding impacts to sensitive species, and CPW appreciates that the Project developer has communicated about plans and wildlife survey results.

UNDERSTANDING OF THE PROJECT

CPW understands that Nextera Energy Resources, LLC (Nextera) has acquired the Project from Cypress Creek Renewables, and proposes to construct a 540-megawatt (MW) solar photovoltaic energy generating facility and BESS with up to 1,200 MW capacity. The Project site is approximately 23 miles east-northeast of the city of Pueblo and 10 miles north of the town of Boone in northeastern Pueblo County, Colorado. The Project will be located on 2,750 acres of private land, zoned for agriculture, where the dominant land cover is shortgrass prairie. Project components would include a solar array composed of PV modules, pile-driven racking equipment, power inverters, transformers mounted on concrete pads, a collection system of cables, a BESS, access roads, and a substation. The Project is intended to interconnect to the proposed Sandstone 345kV XCEL CPP Substation.

POTENTIAL IMPACTS TO WILDLIFE RESOURCES

Project proponents evaluated potential impacts to wildlife and identified actions to avoid, minimize, and mitigate potential impacts to wildlife as documented in the Buffalo Bur Solar Project Wildlife Survey Report (Wildlife Survey Report), included with the Pueblo County 1041 Permit application files. Species considered in the report include two federally threatened species— the eastern black rail (*Laterallus jamaicensis*) and greenback cutthroat trout (*Oncorhynchus clarkii stomias*)—as well as the monarch butterfly (*Danaus plexippus*), a federal candidate species. CPW concurs with the report's findings that these species are unlikely to be impacted by the Project. Additionally, the Wildlife Survey Report evaluated potential impacts on CPW-designated threatened and endangered species and Colorado Natural Heritage Program (CNHP) species. These include burrowing owl (*Athene cunicularia*), state-listed as threatened, as well as several Colorado species of special concern: ferruginous hawk (*Buteo regalis*), blacktailed prairie dog (*Cynomys ludovicianus*), swift fox (*Vulpes velox*), and mountain plover (*Charadrius montanus*). The report also considered impacts to other raptors and migratory birds protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act, as well as big game species. CPW agrees with the 'Mitigation Recommendations for Wildlife Species in the Project Area' outlined in Table 5-1 of the Wildlife Survey Report and refers to the comment letter in Appendix A for additional recommendations regarding pre-construction surveys and avoidance

measures for raptor nests, migratory birds, prairie dogs, burrowing owls, mountain plovers, swift fox, and vegetation management.

Wildlife Movement Corridors

Upon examination of the Project plans provided in the permit application files, it appears that some project design recommendations were not incorporated. CPW would like to emphasize that the area receives extensive use by pronghorn and mule deer moving between sand sage habitat and drainages. With widespread solar development being planned in the area, CPW requests that the facility footprint and fence layout allow for wildlife movement through the Project, with at least two north-south wildlife movement corridors and one east-west movement corridor. Wildlife movement corridors should be wide enough to accommodate herds of big game (200-300 meters). CPW is happy to work with the county and developers to provide more detailed suggestions.

Fencing

The Project documents indicate that security fencing around the panel arrays will be six-foot chain link with three strands of barbed wire for a total height of seven feet. CPW is concerned that this fence design poses a hazard to deer that may try to jump the fence and become entangled in the barbed wire. CPW requests that the security fence be tall enough to discourage big game from jumping, at least eight feet in height, and have a smooth top with no protrusions or wire that can risk entanglement or impalement. CPW also recommends the following for fencing:

- Allow for movement of small and medium-sized wildlife by providing a six-inch gap at the bottom of the fence, or using woven wire fencing as described in the Colorado Department of Transportation Standard Plan No. M-607-4. CPW is happy to discuss this recommendation further with the developer.
- Anywhere that security fencing is not required on the site, CPW recommends the use of wildlife permeable fencing (wildlife-friendly) to allow movement of wildlife to the extent possible. The CPW document "Fencing with Wildlife in Mind" provides general suggestions for wildlife-friendly fencing.

Black-footed Ferret

There is a release site for the federally-listed endangered black-footed ferret (BFF; *Mustela nigripes*) approximately 3.5 miles from the Project. CPW has no concerns about Project impacts to BFF, but the Project developer should be aware that BFF could disperse from the reintroduction site and show up in the Project area. While BFF are protected from take, neighboring properties are covered by safe harbor agreements that limit regulatory restrictions. If Project staff observe a BFF, they should contact CPW so that the observation can be investigated and follow up steps discussed.

We appreciate Pueblo County's consideration of our comments and recommendations. As always, CPW staff members are available to work with Pueblo County or Project developers on how best to minimize development impacts to wildlife and their habitats. If you have questions or would like clarification about any of our comments, please contact Assistant Area Wildlife Manager Justin Morris at (970)-466-0501 or justin.morris@state.co.us, or Renewable Energy Liaison Victoria Poulton at (719) 661-7269 or victoria.poulton@state.co.us.

Sincerely,



Michael D. Brown

Area Wildlife Manager - Area 11

P 719.561.5303 | C 719.250.4269

600 Reservoir Road Pueblo, CO 81005

mike.brown@state.co.us

CC: Justin Morris, Assistant Area Wildlife Manager- justin.morris@state.co.us

Victoria Poulton, Renewable Energy Liaison - victoria.poulton@state.co.us

COLORADO GEOLOGICAL SURVEY

1801 Moly Road
Golden, Colorado 80401



Matthew L. Morgan
State Geologist and
Director

February 17, 2026

Carmen Howard
Pueblo County Planning and Development
howardca@pueblocounty.us

Location:
38.412, -104.1909

Subject: Buffalo Bur Utility Scale Solar SLI-25-1
Pueblo County, CO; CGS Unique No. PU-26-0003

Dear Carmen:

At your request (January 27, 2026), the Colorado Geological Survey has reviewed the Buffalo Bur Utility Scale Solar SLI-25-1 referral. I understand the applicant proposes a 540 MW solar photovoltaic electric generating facility and 1200 MW battery energy storage system (BESS) on approximately 2548 acres located north of Boone, Colorado.

The available referral documents include a Preliminary Geotechnical Report, Buffalo Bur Solar, Boone, Colorado (Rev. 2, ANS Geo, Inc., May 6, 2024).

The proposed solar facility site does not contain, nor is it exposed to, known or suspected geologic hazards or unusual geotechnical constraints that would preclude the proposed solar facility use. **CGS therefore has no objection to approval of SLI-25-1.**

ANS Geo's geotechnical report contains a valid characterization of subsurface conditions and makes appropriate *preliminary* geotechnical recommendations.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill Carlson".

Jill Carlson, C.E.G.
Engineering Geologist



COLORADO
Department of Transportation

Region 2
Traffic & Safety - Permits Unit

SH 096B (R-B)
Pueblo County

February 12, 2026

Carmen Howard, Director (howardca@pueblocounty.us)
Pueblo County Planning & Development
229 West 12th Street
Pueblo, CO 81003

RE: Buffalo Bur Solar Project in Pueblo County (SLI-25-1)

Carmen,

I am in receipt of a referral request for comments regarding Buffalo Bur Solar Project proposed to be located north of State Highway 096B, off Boone Road, and across from the new Excel Sandstone Substation in Pueblo County. The property for the development is a privately owned 2,548-acre site encompassing Assessor's Parcel Numbers 9100000086, 9100000087, 9100000089. After review of the submitted documentation, we have the following comments:

Traffic

- The project triggers a change in use of the Boone Road access to SH096B.
- The project impact to the intersection of Hwy 96 & Boone Rd is greater than 5% of intersection capacity; therefore, this intersection is required to be included in the traffic study.
- An eastbound no passing zone will be required to be striped on Hwy 96 at Boone Rd.

Update the Traffic Impact Study to include the analysis of State Highway 96 and Boone Road and resubmit for review.

Access

- Any Oversize Overweight (OS/OW) vehicles accessing State roadways will require a Colorado Oversize Overweight Permit. Information for obtaining the OS/OW permit can be obtained by utilizing the Colorado Oversize Overweight Permitting and Routing (COOPR) System.
- A CDOT Access Permit **will be required** for this development. This permit will document the required improvements and design requirements for the state highway system.

Please contact me at 719-248-0318 or teresa.guagliardo@state.co.us with any questions.

Sincerely,

Teresa Guagliardo

Teresa Guagliardo
CDOT R2 Access Manager

Cc: Mark Goebel, NextEra Energy Resources, LLC (mark.goebel@nexteraenergy.com)
Cindy Perry, Perry Brothers, LLC (Lucinda.perry@outlook.com)
Garth and LeAnn Perry (leannkperry@gmail.com)
Cara Potter, ICF Jones & Stokes (cara.potter@icf.com)
Dominga Jimenez-Garcia, Pueblo County
Lancaster / file

