



2. The proposal meets the criteria for approval in the Elbert County Zoning Regulations.
3. The Elbert County Subdivision Regulations are not applicable to this project.
4. The proposed land uses are compatible with existing and allowable land uses in the surrounding area particularly the agricultural uses of properties within and near the project area.
5. The proposed land uses will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

10-17-0004 IREA EASTERN RELIABILITY UPGRADE 1041 PERMIT

1. The proposal in general conformance with the Elbert County Master Plan.
2. The proposal meets the criteria for approval of a permit application for site selection and construction of a major facility of a public utility per the Elbert County Guidelines and Regulations for Areas and Activities of State Interest.
3. The proposed land uses are compatible with existing and allowable land uses in the surrounding area.
4. The proposed land uses will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

WHEREAS, on March 20, 2018 the Planning Commission held a public hearing on these applications. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 6 to 1 (SU-17-0002) and a vote of 6 to 1 (10-17-0004) the Planning Commission is forwarding their recommendations to the Board of County Commissioners for their consideration.

WHEREAS, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise.

BE IT THEREFORE RESOLVED, the Board of County Commissioners does hereby approve SU-17-0002 IREA EASTERN RELIABILITY UPGRADE SPECIAL USE REVIEW with conditions of approval to include:

1. The Special Use will not become effective until a 1041 Permit for Site Selection and Construction of a Major Facility of a Public Utility is approved and any documents related to the approval are recorded.
2. The Special Use will not become effective until all fees are paid, conditions of approval are met, and documents recorded.

3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.
4. The project owner shall execute a Master Road Use Agreement with Elbert County prior to the issuance of building permits and said Master Road Use Agreement shall include measures to mitigate fugitive dust during construction.
5. The project owner shall obtain access permits for each access point from private access roads to Elbert County Roads and State Highways, as the case may be.
6. The project owner shall obtain Floodplain Development Permits from Elbert County prior to any construction or disturbance within the 100-year floodplain.
7. The project owner shall obtain property rights on the land necessary for the proposed project prior to recording the Special Use Site Plan Exhibit.
8. The project owner shall execute a tree mitigation agreement with Elbert County prior to the issuance of building permits.
9. The project owner shall comply with any United States Army Corp of Engineers wetlands jurisdictional standards.
10. The project owner shall provide Elbert County with a legal description of the project's right of way prepared by a Professional Land Surveyor licensed in the State of Colorado and said legal description shall be placed on the Special Use Site Plan Exhibit prior to recordation.
11. The applicant shall submit two copies of the final Special Use Site Plan Exhibit on mylar in accordance with the Elbert County Zoning Regulations to be recorded in the records of the Elbert County Clerk and Recorder.

AND BE IT FURTHER RESOLVED, the Board of County Commissioners does hereby approve **10-17-0004 IREA EASTERN RELIABILITY UPGRADE 1041 PERMIT** with conditions of approval to include:

1. The 1041 Permit will not become effective until all fees are paid, conditions of approval are met, and County required documents are recorded.
2. Recordation of all appropriate documentation in Condition 1 above is to occur within 180 days after the Board of County Commissioners' decision.
3. Approval of the IREA Eastern Reliability Upgrade Special Use Review SU-17-0002

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:



Christopher Richardson AVE
CHRISTOPHER RICHARDSON

recused
DANNY WILLCOX

Grant Thayer Aye.
GRANT THAYER



ATTEST: DALLAS SCHROEDER
Deputy COUNTY-CLERK to BOCC

BY: *Rachel A Buchanan*
Deputy Clerk to the Board