SPECIAL USE REVIEW & 1041 PERMIT FOR A PROPOSED SOLAR ELECTRICITY GENERATION PROJECT
SUNDANCE SOLAR LLC requests approval of:

- 1041 Permit for Site Selection & Construction of a Major Facility of a Public Utility
- Special Use Review

To construct and operate:

- Solar panels
- Transformers and inverters
- Electric substation
- Perimeter fencing
- Private access roads
SITE

Property Area: 1,050 acres

Site Improvement Area: 650 acres

Zoning: Agriculture

Land Use: Agriculture

Topography: Slight east-west incline, with an overall elevation gain of 70 feet from west to east over ~1.5 miles

Floodplain: No land within 100 year floodplain
Kiowa-Bennett Road

County Road 154
8' TALL CHAIN LINK FENCE WITH PRIVACY SLATS (TO BE LOCATED WHERE SITE IS VISIBLE FROM R.O.W.) SEE DETAIL 5 ON SHEET 8

EXISTING OVERHEAD ELECTRIC LINE (FEEDER)

COUNTY ROAD 154 R.O.W. LINES

NORTH LINE SECTION 27 (CENTER OF CR 154)

150' FRONT SETBACK FROM CR 154 CENTERLINE

SOUTH ¼ CORNER, SECTION 22

SETBACKS

Solar Panels
SITE DETAILS

SECTION 29

150' FRONT SETBACK FROM KIOWA-BENNETT ROAD CENTERLINE

PIN: 7321400259
AIN: R119752
OWNER: EHMANN LAND LP
ZONED: A

PIN: 7327200027
AIN: R105328
OWNER: E-ASSOCIATES
ZONED: A

8' TALL CHAIN LINK FENCE WITH PRIVACY SLATS (TO BE LOCATED WHERE SITE IS VISIBLE FROM R.O.W.) SEE DETAIL 5 ON SHEET 8

EXISTING PEM WETLANDS PER WETLAND DELINEATION REPORT

Solar Panels

Solar Panels

KIOWA-BENNETT ROAD R.O.W. LINES

CATTLE, LLC
VISUAL ANALYSIS
FENCE DETAIL

10' (MAX) SPACING

TENSION BAR (TYP.)

7 GAUGE COIL WIRE (ATTACH - HOG RING)

BRACE RAIL (ATTACH - RAIL TIE)

ADJUSTABLE TRUSS ROD

8' (SCH 20) LINE POST (ATTACH - LINE POST TIE)

9" X 30" FOOTING

7 GAUGE COIL WIRE TURNBUCKLE

OPAQUE FENCE SLAT (TYP.) TO BE INSTALLED WHERE SITE IS VISIBLE FROM ROW'S
FENCE LOCATION
FENCE LOCATION
### Written Restrictions

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Voluntary Neighborhood Mailing: May 30, 2017

Pre-application Meeting: June 12, 2017

Formal Application Submittal: August 29, 2017

Internal & External Review: September 7, 2017

Planning Commission: February 20, 2018

Board of County Commissioners: February 28, 2018
CO Parks and Wildlife: Fence design, wildlife buffers/corridors, weed management

Kiowa Fire: Fence and gate design, access, signs, impact fees

IREA: Substation setback, transmission line relocation

US Fish and Wildlife: Provided BMP’s

CO Division of Water Resources: No objection

Xcel: No objections

EC Health and Human Services: No objections

EC Road and Bridge: No objections, MRUA

EC Community and Development Services: Application revisions
NOTICE OF PUBLIC HEARING

Mail: To property owners within the project and within 1,320 feet of the project boundaries.

Sign: 3 locations along Kiowa-Bennett Rd and CR 154

Newspaper: Ranchland News

Email: BOCC ‘Sunshine List’
Compatible with Adjacent Land Uses: Setbacks and screening fencing

Minimal Impact to County Roads & Services: MRUA, No utility use

Public Safety: Security fencing

Economic Benefits: Impact fees, building permit fees, sales tax

Environmental Impact: Wildlife buffers, avoidance of wetlands
Consistent Elbert County Guidelines and Regulations for Areas and Activities of State Interest Section 3-307, which considers:

• Need for Project

• Alternative Evaluation

• Impacts to
  • Public Health and Safety
  • Provision of Public Services
  • Economy
  • Natural Environment
• General conformance with the Elbert County Master Plan

• Meets 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

• Compatible with existing and allowable land uses in the surrounding area
• Will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

• No objections from other governing bodies

• Community & Development Services recommend that the Planning Commission recommend that the Board of County Commissioners approve the Sundance Solar 1041 Permit application subject to the following conditions:
1. The 1041 Permit will not become effective until all fees are paid, conditions of approval are met, and County required documents are recorded; and

2. Recordation of all appropriate documentation in Condition 1 above is to occur within 180 days after the Board of County Commissioners’ approval; and

3. Approval of the Sundance Solar Special Use Review
Proposal is consistent with criteria of Elbert County Zoning Regulations Part II, Section 17, B, 7, which considers:

Consistency with
- Master Plan
- Zoning and Subdivision Regulations

Impacts to
- Public Health and Safety
- Provision of Public Services
- Natural Environment
- Economy
SUR FINDINGS AND RECOMMENDATION

- General conformance with the Elbert County Master Plan
- Meets the criteria for approval in the Elbert County Zoning Regulations
- Elbert County Subdivision Regulations are not applicable
- Compatible with existing and allowable land uses in the surrounding area
• Will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

• No objections from other governing bodies

• Community & Development Services recommend that the Planning Commission recommend that the Board of County Commissioners approve the Sundance Solar Special Use Review application subject to the following conditions:
SUR CONDITIONS OF APPROVAL

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 applicant or project owner shall execute a Master Road Use Agreement with Elbert County prior to the issuance of building permits.
5. The executed Master Road Use Agreement shall include measures to mitigate fugitive dust during construction.

6. The applicant shall obtain access permits for each access point from private access roads to Elbert County Roads and State Highways, as the case may be.

7. The applicant or project owner shall provide a vegetation management plan to the Kiowa Fire Protection District and to Elbert County CDS prior to the issuance of building permits.

8. The applicant or project owner shall relocate the existing overhead power line as requested in the January 4, 2018 letter from the Intermountain Rural Electrical Association.
9. Colorado Parks and Wildlife will be allowed to be present during the perimeter fence construction to give guidance on Best Practices to minimize wildlife impacts; and

10. If site disturbance is to occur within the times specified in the September 21, 2017 letter from Colorado Parks and Wildlife, that the project developer will perform the recommended wildlife surveys and adhere to the recommended buffer distances from any habitat found by surveys.

11. The project developer will negotiate and execute a Development Agreement with Elbert County that includes the financial obligations of the project developer to the County.
Questions?