PLANNING COMMISSION-

441 3rd Street, Mead
Wednesday, July 17, 2024

AGENDA

6:00 p.m.
REGULAR MEETING

In accordance with the Town's Remote Participation and Remote Meeting Policy adopted by the Board of Trustees on March 13, 2023 by Resolution No. 21-R-2023, remote participation will be allowed. The meeting link will be provided on the Town's website/designated posting place at least 24 hours prior to the meeting

https://us02web.zoom.us/webinar/register/WN_Z2aqr40JTBOoPZyNdtM0pA.

1. **Call to Order – Roll Call**
   Chairman Ryan Sword
   Chair Pro Tem Karen Peterson
   Commissioner Gerald Abshier
   Commissioner Charles Gehringer
   Commissioner Vacant
   Commissioner Alternate Chad Rademacher
   Commissioner Alternate William Jorgensen

2. **Pledge of Allegiance to the Flag**

3. **Review and Approve Agenda**

4. **Public Comment:** *3 minute time limit. Comment is for any item whether it is on the agenda or not, unless it is set for public hearing.*

5. **Approval of Minutes**
   a. Approval of June 26, 2024 Meeting Minutes

6. **Public Hearing**

   a. **Public Hearing: Renewable Energy Regulations** (continued from June 26, 2024)
      i. **Resolution 03-PC-2024** – A Resolution of the Planning Commission of the Town of Mead, Colorado Recommending Approval to the Board of Trustees of Certain Amendments to The Mead Municipal Code Establishing Development Standards for Renewable Energy Facilities

7. **Planning Commission Members' update**

8. **Adjournment**

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact the Town Clerk's Office at 970-805-4182 within 48 hours prior to the meeting in order to request such assistance.

PLANNING COMMISSION

441 3rd Street, Mead
Wednesday, June 26, 2024

MINUTES

6:00 p.m.
SPECIAL MEETING

Chairman Ryan Sword called the special meeting of the Planning Commission to order at 6:00 p.m.

1. **Call to Order – Roll Call**

PRESENT
Chairman Ryan Sword
Chair Pro Tem Karen Peterson
Commissioner Gerald Abshier
Commissioner Diana Kure

ABSENT
Commissioner Charles Gehringer - Unexcused
Commissioner Alternate Chad Rademacher - Excused
Commissioner Alternate William Jorgensen - Excused

Also Present: Community Development Director Jason Bradford; Town Planner Collin Mieras; Town Attorney Silvia Fejka via remote access; Secretary Ana Bohl; Deputy Clerk Marisol Herman; and members of the public.

2. **Pledge of Allegiance to the Flag**

All present pledged allegiance to the flag.

3. **Welcome New Planning Commission Alternate**

Community Development Director Jason Bradford gave a brief introduction to Commissioner Jorgensen who had a pre-planned absence. Commissioner Jorgensen was appointed as an alternate Commissioner by the Board of Trustees at the June 24, 2024, meeting.

4. **Review and Approve Agenda**

Motion was made by Chairman Sword, seconded by Commissioner Peterson, to approve the agenda as written. Motion carried 4-0, on a roll call vote.

5. **Public Comment:** *3 minute time limit. Comment is for any item whether it is on the agenda or not, unless it is set for public hearing.*

There was no public comment at this time.

6. **Approval of Minutes**

a. Approval of May 15, 2024, Meeting Minutes

Motion was made by Commissioner Peterson, seconded by Commissioner Abshier, to approve the minutes of the May 15th, 2024, Regular Meeting of the Planning Commission. Motion carried 4-0, on a roll call vote.

7. **Public Hearing**

a. **Public Hearing: Proposed Renewable Energy Facility Regulations**

Chairman Sword opened the public hearing at 6:08 p.m.

Community Development Director Jason Bradford presented the staff report regarding proposed Renewable Energy Facility Regulations.

The Planning Commission discussed the proposed regulations, specifically discussing the uses of land, open spaces, requirements, incentives, landscaping plan, noise concerns, decommissioning plan, agreements, setbacks, zoning uses, and other items.

Motion was made by Commissioner Peterson, seconded by Commissioner Kure, to continue the hearing to July 17th, 2024, at 6:00 p.m. at Mead Town Hall, 441 Third St. Mead, and further to direct staff to incorporate changes into the proposed renewable energy facility regulations to enable co-location of renewable energy and agricultural uses. Motion carried 4-0, on a roll call vote.

i. **Resolution 03-PC-2024** – A Resolution of the Planning Commission of the Town of Mead, Colorado, Recommending Approval to the Board of Trustees of Certain Amendments to the Mead Municipal Code Establishing Development Standards for Renewable Energy Facilities

No action was taken on Resolution No. 03-PC-2024.

8. Adjournment

Motion was made by Commissioner Kure, seconded by Commissioner Peterson, to adjourn the meeting. Motion carried 4-0, on a roll call vote.

The special meeting of the Planning Commission for June 26, 2024, was adjourned at 7:09 p.m.

_____
Ryan Sword, Chair

ATTEST:

_____
Ana Bohl, Secretary

Agenda Item Summary

MEETING DATE:	July 17, 2024
SUBJECT:	**Resolution 03-PC-2024** – A Resolution of the Planning Commission of the Town of Mead, Colorado Recommending Approval to the Board of Trustees of Certain Amendments to The Mead Municipal Code Establishing Development Standards for Renewable Energy Facilities
PRESENTED BY:	Jason Bradford, AICP, Community Development Director

SUMMARY

In response to direction from the Town of Mead Board of Trustees ("Board"), Town staff has prepared amendments to the Land Use Code, attached to this Agenda Item Summary as exhibits to Resolution No. 03-PC-2024 ("Amendments"), to establish development standards and zoning for renewable energy production facilities, such as solar and wind energy (referred to generally as "REFs" or "facilities"). The Planning Commission shall recommend approval, approval with revisions, or denial of the Amendments to the Board of Trustees in accordance with Mead Municipal Code ("MMC") Section 2-7-20(4).

Generally, the Amendments:

- Permit consumer-scale renewable energy equipment as an accessory use to a permitted principal use;
- Permit solar energy facilities as a use by right or conditional use (depending on the size and type of facility) in Light Industrial (LI) and Agricultural (AG) zone districts;
- Permit alternative power generation facilities (facilities other than solar) as conditional uses in LI and AG zone districts;
- Establish site plan application requirements for REFs, including a property maintenance plan, landscape plan, noise study, and decommissioning plan;
- Require a site plan agreement for all REFs;
- Establish specific use standards, including site and equipment maintenance requirements and setbacks;
- Establish trail dedication and fee-in-lieu requirements; and
- Establish a 20% landscaping requirement, with a possibility of reducing to 10% in the case of agricultural co-location.

OVERVIEW

Town staff has established draft zoning and development regulations and standards for REFs, in accordance with the Town Ordinance No. 1043, establishing a twelve (12) month moratorium on renewable energy facility development applications on July 31, 2023 ("Ordinance"). At the time that the Board considered the Ordinance, the Board also approved a PUD (Planned Unit Development) zone change for a large solar energy production facility called Sugar Beet Solar PUD. Because the MMC currently has no standards specifically addressing solar energy production facilities, the PUD incorporates certain standards for the facility, including setbacks, and the requirement of a development agreement and decommissioning plan. Staff incorporated many of the standards and requirements for

the Sugar Beet Solar PUD into the Amendments, as well as the Weld County Solar Energy Facility regulations (Section 23-4-1030) and regulations from other jurisdictions.

Staff presented the draft regulations to the Planning Commission at a special meeting held on June 26, 2024, and requested that the Planning Commission continue the hearing to July 17, 2024, in order to incorporate standards relating to agricultural use and REF use co-location.

PROPOSED ALTERNATIVE ENERGY FACILITY REGULATIONS

The Amendments establish definitions related to renewable energy land uses, zone districts where the land uses would be allowed, and performance standards that address the unique and specific issues that are related to these land uses. An overview of the Amendments follows.

The changes to the draft presented to Planning Commission on June 26 include the following, in addition to minor editorial changes:

- Section 16-15-10 – Definitions: The following terms were added: agricultural co-location, agrivoltaic, and improved area.

- Section 16-15-40 – Additional Site Plan Application Requirements for Renewable Energy Facilities. This section identifies the application submittal requirements for all REF applications and now requires an agricultural co-location plan for any proposed co-location, including a plan for on-going management of the co-location; proposed use, frequency, and location; and access.

- Section 16-15-50 – Site plan agreement. Operators of a proposed facility must enter into a site plan agreement at the time of site plan approval. The agreement must include any Town-approved agricultural co-location plan and lay out GID requirements if a General Improvement District will be funding any part of the co-location.

- Section 16-15-90 – Dedication of trails. This section was modified to require dedication of property for trails, rather than open space generally, as all REFs will be located either in the LI or AG zone districts, which have minimal or no open space dedication requirements.

- Section 16-15-100 – Landscaping and buffering requirements. This section was added to require 20% landscaped area for all REFs, consistent with other business/commercial and industrial uses under the Land Use Code. This requirement may be reduced to 10% in the case of Town-approved agricultural co-location. Landscaped area includes trails and buffer yards that comport with Town landscaping requirements.

REVIEW CRITERIA

The criteria by which text amendments to the Land Use Code are evaluated are set forth in Section 16-3-160 – Amendments, subsection (f), as follows:

"For the purpose of establishing and maintaining sound, stable and desirable development within the Town, the text of this Article shall not be amended except:

(1) To correct a manifest error in the text of this Article; or
(2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff; or
(3) To accommodate innovations in land use and development practices that were not contemplated at the adoption of this Article; or

(4) To further the implementation of the goals and objectives of the Town Comprehensive Plan."

STAFF ANALYSIS

Only one of the review criteria listed above must be met for proposed amendments to be approved. However, Staff believes that the proposed Amendments meet the following criteria:

(2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff

(3) To accommodate innovations in land use and development practices that were not contemplated at the adoption of this Article

(4) To further the implementation of the goals and objectives of the Town Comprehensive Plan

The Town's Comprehensive Plan does support the development of renewable energy. Specifically, the following goals/policies/strategies are listed:

Chapter Two. II *Diverse Economy*

- Strategy 2A-2. Update Mead's Land Use Code for consistency with the County's streamlined regulations for development of wind, solar and other renewable energies.

Chapter Two. VI *An Expansive Natural and Agrarian Setting*
GOAL 1: Promote the efficient management of water, energy and waste through a cohesive sustainability program that represents the values of the Mead community.
Policy 1-C: Improve energy efficiency and expand the use of renewable energy including solar power.

- Strategy 1C-1. Work with United Power and Xcel Energy to develop and promote programs and codes that encourage energy efficiency and access to renewable energy.
- Strategy 1C-2. Update the Land Use Code to streamline the permitting process for the development of renewable energy projects, similar to Weld County's recently updated regulations.

STAFF RECOMMENDATION/ACTION REQUIRED

Staff believes that the proposed revisions satisfactorily meet applicable criteria for approval as set forth in Section 16-3-160 of the Mead Municipal Code and requests that the Planning Commission recommend approval of the Amendments to the Board of Trustees by adopting the attached resolution.

Suggested Motion:

"I move approval of Resolution No. 03-PC-2024, a Resolution of the Planning Commission of the Town of Mead, Colorado Recommending Approval to the Board of Trustees of Certain Amendments to the *Mead Municipal Code* Establishing Development Standards for Renewable Energy Facilities."

ATTACHMENTS

Resolution No. 03-PC-2024
Exhibit A: Amendments to Section 16-3-40 – Use regulations
Exhibit B: Amendments to Section 16-3-60 – Accessory uses
Exhibit C: Amendments to Chapter 16, Articles (Creating New Article XV)

TOWN OF MEAD, COLORADO
PLANNING COMMISSION
RESOLUTION NO. 03-PC-2024

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF MEAD, COLORADO, RECOMMENDING APPROVAL TO THE BOARD OF TRUSTEES OF CERTAIN AMENDMENTS TO THE MEAD MUNICIPAL CODE ESTABLISHING DEVELOPMENT STANDARDS FOR RENEWABLE ENERGY FACILITIES

WHEREAS, Section 16-3-160(d) of the Town of Mead Municipal Code ("MMC") sets forth that any amendments to the text of Chapter 16 of the MMC ("Land Use Code") may be initiated by the Board of Trustees, the Planning Commission, Town Staff, or the written application of any property owner or resident of the Town, and certain of such text amendments shall be reviewed and considered by the Planning Commission, prior to consideration by the Board of Trustees for enactment by ordinance; and

WHEREAS, the Board of Trustees established a one (1) year moratorium (Ordinance No. 1043), on July 31, 2023, on development applications for renewable energy facilities until the Town establishes development standards for renewable energy facilities; and

WHEREAS, the Board of Trustees directed Town staff to draft proposed regulations in order to establish development standards for renewable energy facilities in the Town; and

WHEREAS, Town Staff has prepared amendments to Chapter 16 of the MMC, including the addition of Article XV – Development Standards for Renewable Energy Facilities, as detailed in **Exhibits A-C**, attached to this Resolution and incorporated herein ("Amendments"), to establish development standards for renewable energy facilities in the Town of Mead; and

WHEREAS, the criteria by which text amendments to the Land Use Code are evaluated are set forth in Section 16-3-160(f) of the MMC; and

WHEREAS, in accordance with applicable requirements of the MMC, the Town Clerk has caused a notice of the Planning Commission public hearing on the Amendments to be published no later than fifteen (15) days prior to the hearing in a newspaper of general circulation; and

WHEREAS, the Planning Commission conducted the duly noticed public hearing on June 26, 2024, continued to July 17, 2024, to consider the Amendments; and

WHEREAS, the MMC requires the Planning Commission to make a recommendation to the Board of Trustees to approve, conditionally approve or deny any proposed text amendment; and

WHEREAS, based upon evidence set forth in the Agenda Item Summary that was presented to the Planning Commission and other evidence offered and accepted at the public hearing, the Planning Commission has determined that the Amendments satisfy the approval criterion set forth in Sec. 16-3-160(f)(3) and (4) of the MMC and, if approved by the Board of Trustees, will assist with the accommodation of innovations in land use and development practices that were not contemplated at the adoption of the Town's existing Code, and will further the implementation of the goals and objectives of the Town's Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Commission of the Town of Mead, Colorado, that:

Section 1. Recitals incorporated. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the Planning Commission.

Section 2. Findings. The Planning Commission finds and determines that it reviewed the Amendments in accordance with the procedure set forth in Sec. 16-3-160 of the MMC and that the public hearing on the Amendments was held, conducted, and concluded in accordance with Sec. 16-3-160 of the MMC.

Section 3. Recommendation. The Planning Commission recommends that the Board of Trustees approve the Amendments.

Section 4. Effective Date. This resolution shall become effective immediately upon adoption.

INTRODUCED, READ, PASSED AND ADOPTED THIS 17TH DAY OF JULY, 2024.

ATTEST:

By: _____
Ana Bohl, Secretary

TOWN OF MEAD PLANNING COMMISSION:

By: _____
Ryan Sword, Chair

EXHIBIT A

Amendments to Mead Municipal Code
Section 16-3-40 – Use regulations.

[To begin on the next page. Additions to are shown underlined.]

Sec. 16-3-40. Use regulations.

The principal uses allowed within the Residential, Nonresidential and Agricultural zoning districts are identified in Table 3.1 of this Section.

(1) Use categories and specific uses. All of the use categories listed in the first column of Table 3.1 are defined in this code (Definitions and Terms). The first column of each of the use tables contains an abbreviated definition of the respective use category. If there is a conflict between the abbreviated definition and the full explanation contained in this code the provisions of full explanation will control. In some cases, "Specific Use Type" is listed in the second column of the table. If a Specific Use Type is listed in the table, that use type is allowed only within the districts that allow the broader use category.

(2) Allowed uses. An "A" indicates that the listed use is allowed by right within the respective zoning district. Allowed uses are subject to all other applicable standards of the land use code.

(3) Conditional uses. A "C" indicates that the listed use is allowed within the respective zoning district only after review and approval of a conditional use permit, in accordance with the review procedures in this code. Conditional uses are subject to all other applicable standards of the land use code.

(4) Prohibited uses. A blank cell (one without an "A" or "C") indicates that the listed use type is not allowed within the respective zoning district, unless it is expressly allow by other regulation of this land use code.

(5) Uses subject to specific regulations. Many uses are subject to use-specific regulations (in addition to general regulations that apply to development in general). The last column of the use table contains references to applicable use-specific standards.

Table 3.1 Principal Uses Allowed

Use Category	*Specific Use Type*	*Residential*					*Nonresidential*				*T*	*Specified Use Standard (Reference No.)*
		RSF-E	*RSF-1*	*RSF-4*	*RMF-8*	*RMF-14*	*DMU*	*HC*	*GC*	*LI*	*AG*	
RESIDENTIAL												
Household Living	Accessory dwelling unit	A	A	C			A				A	
	Duplex				A	A	C	C				
	Manufactured housing park			C	C	A	C					
	Multi-family units				A	A	A	C	C			16-3 50(14)
	Rooming/boarding house				A	A	A					
	Single-family detached (include manufactured housing)	A	A	A	A	A	C				A	
	Townhomes				A	A	A	C	C			
	All other household living			A	A	A	A	C	C			
Group Living	Assisted living facility	C	C	C	C	C	C	C	C		C	16-3-50(9)
	Large group living facility				C	C	C	C	C	C		
	Small group living facility	C	C	C	C	C	C	C	C		C	
	Treatment facility	C	C	C	C	C	C	C	C	C	C	
INSTITUTIONAL AND CIVIC												

Colleges & Vocational Schools	Colleges & universities				C	C	C	A	A	C		
	Vocational/technical/trade schools						C	A	A	A		
	All other educational institutions						C	C	C	C		
Community Service	Community activity building	A	A	A	A	A	A	A	A		C	
	All other community services	C	C	C	C	C	C	A	A	C	C	
Cultural	Museums, art galleries, libraries						A	A	A	C	C	
Day Care	Child care center, large					C	C	A	A	C		
	Child care center, small	C	C	C	C	C	C	C	A	C		
	Family child care, home	A	A	A	A	A						
Detention Facilities	Jails, honor camps, reformatories									C		Vote by Trustees
	Law enforcement rehab centers									C		Vote by Trustees
Hospital/Clinic	Medical & dental clinics					C	A	A	A	A		
	Counseling centers (nonresidential)						A	A	A	A		
	Hospital/mental hospital						C	A	C	A		
	Physical & mental rehab (residential)						C	A	C	A		
	All other						C	C	C	C		
Public Property	Cemetery	A	C	C	C	C	C	C	A	A	A	
	Golf course	A	A	C	C	A	C	C	A	A	A	
	Golf driving range	A	C	C	C	C	C	C	A	A	C	
	Parks	A	A	A	A	A	A	A	A	A	A	
	Lakes and Reservoirs	A	A	C	C	C	C	C	C	A	A	
	All other Define	A	A	A	A	A	A	A	A	A	A	
Religious Assembly	Churches, temples, synagogues & mosques	A	A	A	A	A	A	A	A	A	A	16-3 50(15)
Safety Services	Fire station, police station, all others	C	C	C	C	C	A	A	A	A	C	
Schools	Boarding school	C	C	C	C	A	A	A	A			
	Elementary schools	A	A	A	A	A	A	A	A		A	
	Secondary schools	A	A	A	A	A	A	A	A		A	
Utilities, Basic	Utility service facilities (underground)	A	A	A	A	A	A	A	A	A	A	
	All other basic utilities	C	C	C	C	C	C	C	A	A	C	
Utility Corridors	Transmission lines (aboveground)	C	C	C	C	C	C	C	C	A	C	16-3-50(5)

	Transmission lines (underground)						C	C	A	A	C	
	Utility treatment, production or service facility								C	C		
	All other	C	C	C	C	C	C	C	C	C	C	
COMMERCIAL												
Entertainment Event, Major	Indoor facilities						C	C	C	C	C	
	Outdoor facilities							C	C	C	C	
Lodging	Bed & breakfast (1—3 guest rooms)	A	A	A	A	A	A	A	A		A	16-3-50(2)
	Bed & breakfast (4—5 guest rooms)	C	C	C	C	C	A	A	A		A	
	Hotels and motels						A	A	A			
Mixed Use Building	Mixed use building						A	A	A			
Offices	General offices						C	A	A	A		
	Office with drive-through							A	A			
Parking, Commercial	Parking lots or structure						A	A	A	A		
Recreation & Entertainment, Outdoor	Amusement park							C	C	C		
	Campgrounds							A	A		A	16-3-50(4)
	Drive-in theater							C	C	C		
	Miniature golf								A	A		
	Riding academy or equestrian area										A	
	RV park									C		
	Shooting ranges										C	
	Swimming pools					A	A	A	A		A	
	Zoos							C	C		C	
	All other outdoor recreation							C	C	C	C	
Retail Sale & Services	Adult entertainment									C		Subject to site approval.
	Alcohol sales, retail						A	A	A	C		
	Alcohol sales, by the drink (primary use)						A	A	A	C		
	Animal care/boarding/sales, indoor	A						A	A	A	A	
	Animal care/boarding/sales, outdoor							C	C	C		
	Brew pub						A	A	A	C		As accessory

												to an allowed restaurant use only
	Contractors & trade shops, indoor operation & storage							A	A	A		
	Contractors & trade shops, indoor operation & outdoor storage (including heavy vehicles)								C	A	A	
	Contractors & trade shops, outdoor operation & outdoor storage							C	C	A		
	Deliver & dispatch service (vehicles on-site)							C	C	A		
	Drive-through uses							C	C	C		
	Farm implement/equipment sales & service							A	A	A	C	Site Plan Required, 16-4-100
	Farmer's market/flea market						A	A	A	A	A	Subject to Site Approval.
	Feed store								A	A	C	
	Food services, catering						A	A	A	A		
	Food services, restaurant (including alcohol sales)						A	A	A	A		
	Food services, restaurant with drive-through							C	C	C		
	Fuel sales, automotive/appliance							A	A	A		
	Fuel sales, heavy vehicle							A		A		
Retail Sale & Services, (cont'd>	General retail sales, indoor operations display & storage						A	A	A	A		
	General retail sales, outdoor operations display & storage							C	C	A		16-3 50(11) 16-3 50(16)
	Landscape material sales									A	A	

	Manufactured building sales, service & storage									A		
	Rental service, indoor display/storage							A	A	A		
	Rental service, outdoor display/storage							C	C	A		
	Repair, small appliance							A	A	A		
	Repair, large appliance								A	A		
	Personal services						A	A	A	A		
	All other retail sales & services						A	A	A	C		
Self-Service Storage	Mini-storage warehouse, self-service storage, open air storage facilities								A	A		16-3-50 (18), Site Plan Required, 16-4-100
Vehicle Repair	Auto & light truck mechanical repair							A	A	A		
	Body shop								A	A		
	Truck stop/travel plaza							C		A		
	Tire recapping & storage									A		
	All other vehicle repair								C	A		
	Car wash							C	C	A		
Vehicle Service, Limited	Gasoline service station							A	A	A		
	Quick lubrication							A	A	A		
	All other vehicle service, limited								A	A		
INDUSTRIAL												
Manufacturing & Production - Indoor Operation - Indoor Storage	Assembly									A		
	Brewery, distillery, winery (5,000 sq. ft. or less, with an on-site tasting room)						A	A	A	A	A	
	Brewery, distillery, winery (over 5,000 sq. ft. with an onsite tasting room)							A	A	A	A	
	Brewery, distillery, winery without an on-site tasting room									A		
	Hazardous materials									C		
	Food products									A		
	Manufacturing/processing									A		
Manufacturing & Production -	Assembly									A		
	Hazardous materials									C		

indoor Operation - Outdoor Storage	Food products									A		
	Manufacturing/processing									A		
Outdoor Operations & Storage	Assembly									A		
	Hazardous materials									C		
	Food products									A		
	Manufacturing/processing									A		
	All other industrial service									A		
Warehouse & Freight Movement	Indoor operation, storage & loading									A		
	Hazardous materials									C		
	Indoor operation, with outdoor loading docks									A		
	Outdoor storage or loading									A		
	Gas or petroleum storage									A		
	Sand or gravel storage									A		
	All other									A		
Waste-Related Activities	Nonhazardous waste transfer									C		
	Medical/hazardous waste transfer station									C		
	Recycling collection									A	A	
	All other waste related									A	A	
Wholesale Sales	Wholesale business (no highly flammable materials/liquids)								C	A		
	Hazardous waste									C		
	Agricultural products								A	A		
	All other wholesale uses								C	A		
OTHER												
Agricultural	Animal confinement	A								C	A	16-3-50(6)
	Beekeeping	A	A	A							A	
	Hazardous materials									C	C	
	Dairy										A	
	Confined animal feeding operation, feedlot	C									C	16-3-50(6)
	Pasture	A									A	
	All other agriculture	C									A	

Aviation or Surface Passenger Terminal	Airports/heliports										C	
	Hazardous materials										C	
	Bus/commuter stops	A	A	A	A	A	A	A	A	A	A	
	Bus/railroad depot								C	C	A	
	All other aviation or surface passenger terminal								C	C	C	
Mining	Oil and gas drilling	C	C	C	C	C	C	C	C	C	C	16-3 50(19)
	Hazardous materials										C	
	Sand or gravel extraction or processing										C	16-3 50(13)
	All other mining										C	
Telecom Facilities	Telecommunication support structures							C	C	C	C	Ch. 16, Art. IX
	Telecommunications facilities						C	C	C	C	C	Ch. 16, Art. IX
Parks, Open Space, Public Buildings, Publicly Owned Maintenance Facilities, Water And Sewer Facilities		A	A	A	A	A	A	A	A	A	A	
Renewable Energy Facilities	Alternative Power Generation Facilities									C	C	Chap. 16, Art. XV
	Solar Energy Facilities, Small									A	A	Chap. 16, Art. XV
	Solar Energy Facilities, Medium (without Battery Storage System and/or High Voltage Overhead Power Lines)									A	A	Chap. 16, Art. XV
	Solar Energy Facilities, Medium (with Battery Storage System and/or High Voltage Overhead Power Lines)									C	A	Chap. 16, Art. XV
	Solar Energy Facilities, Large									C	C	Chap. 16, Art. XV

EXHIBIT B

Amendments to Mead Municipal Code
Section 16-3-60 – Accessory uses.

[Additions to are shown underlined.]

Sec. 16-3-60. – Accessory uses.

(g) Small Renewable Energy Equipment. Consumer-scale renewable energy equipment may be an accessory use to another permitted use subject to the following additional standards, and provided it meets all other requirements for a building permit. Equipment that does not meet the limits of this section shall be considered a principal renewable energy facility use and shall be allowed only allowed as permitted in Section 16-3-40.

(1) Renewable energy equipment must be located on the same lot as the principal use in order to qualify as an accessory use. The principal use and accessory use shall utilize the same utility meter. A portion or all of the energy generated by the renewable energy equipment shall be utilized as electricity for on-site consumption.

(2) Solar and wind energy-generating equipment is subject to the following standards as an accessory use:

Solar	
Building mounted	• 8" maximum above and parallel with pitched roof* • 8" maximum off building wall • 5' maximum above flat root* • Any installation projecting more than 3' above flat roof shall be screened from ground level or adjacent property by a parapet, or other architectural screen integral to the design of the building
Ground mounted	• 6' maximum height • 10' minimum setback • Screened from adjacent property and right-of-way in the same manner as all other mechanical equipment
Wind	
Building mounted	• 4' maximum above roof (residential districts) • 8' maximum above roof (non-residential districts)
Ground mounted	• 30' max. height (residential districts) • 45' max. height (non-residential districts)

*Subject to otherwise-applicable maximum building height standards.

(3) Geothermal equipment is permissible as an accessory use to an allowed building.

EXHIBIT C

Amendments to Mead Municipal Code Chapter 16, Articles

[Article XV shown underlined as an addition to Chapter 16.]

CHAPTER 16 – Land Use Code

ARTICLE XV – Development Standards for Renewable Energy Facilities.

Sec. 16-15-10. – Definitions.

The following definitions apply for purposes of Chapter 16 of this Code.

"Agricultural use" means use of land for any of the following: apiculture; aquaculture; dairies; grazing or raising of livestock (except in feedlots); sod production; orchards; nurseries; viticulture; and cultivation, harvesting, and processing of crops.

"Agricultural co-location" means the siting of a renewable energy facility on the same property as an agricultural use, either on the same lot or contiguous lots or tracts.

"Agrivoltaic" means an agricultural co-location incorporating a SEF as the renewable energy facility.

"Alternative power generation facilities" means use of land in which alternative energies, other than solar, are produced. Alternative energies are those energy sources that are an alternative to fossil fuels, including but not limited to wind, biofuel, and hydrogen.

"Battery storage system" means an electric storage resource capable of receiving electrical energy from the power grid or alternative energy sources and storing it in batteries for later provision of electrical energy back to the power grid.

"Facility" means a renewable energy facility.

"High voltage overhead power lines" means overhead power lines that are used to transmit 110 kV or more of electricity.

"Improved area" means renewable energy infrastructure and associated buildings exclusive of access drives.

"Renewable energy facility" means small, medium, and large solar energy facilities, as well as alternative power generation facilities.

"SEF" means a small, medium, or large solar energy facility.

"SEF equipment" means solar arrays, underground collection systems, substations, battery storage systems, transmission lines, and other equipment appurtenant to the SEF.

"Solar energy facility, small" means use of land comprising not more than 5 acres with the primary purpose of providing for the collection, storage, or distribution of solar energy.

"Solar energy facility, medium" means use of land comprising more than 5 acres but less than 160 acres with the primary purpose of providing for the collection, storage, or distribution of solar energy.

"Solar energy facility, large" means use of land comprising at least 160 acres with the primary purpose of providing for the collection, storage, or distribution of solar energy.

Sec. 16-15-20. –Applicable Code provisions.

(a) Renewable energy facilities are subject to the site plan requirements of this Code, including Section 16-4-100 and this Article XV, prior to their installation and construction.
(b) If required by Section 16-3-40, a conditional use permit in accordance with Section 16-3-120 shall be obtained to establish a renewable energy facility. For any conditional use associated with a renewable energy facility, the Board may impose any reasonable conditions tied to ensuring continuing compliance with the decommissioning plan, landscape plan, property maintenance plan, or other aspects of the facility.
(c) Any other approvals required pursuant to this Code, including Article IV of Chapter 16, shall be obtained to establish a renewable energy facility.
(d) Except as otherwise provided in this Article XV, applicable standards for the underlying zone district shall apply, including but not limited to:
    1. Dimensional standards including height limitations (Section 16-3-80)
    2. Lighting (Section 16-2-250)
    3. Signage (Chapter 16, Article VII)
    4. Architectural standards (Section 16-2-190)

Sec. 16-15-30. – Best management practices.

The Board may condition approval of a site plan for a renewable energy facility on incorporation of the best management practices requested from and provided by the Colorado Division of Parks and Wildlife pursuant to Section 16-15-40(j) in accordance with state law.

Sec. 16-15-40. – Additional site plan application requirements for renewable energy facilities.

Site plan applications for renewable energy facilities shall include the following components in addition to the requirements set forth in Section 16-4-100(b)(3).

(a) Property maintenance plan. A property maintenance plan shall be provided for review, which shall include practices to control dust, weeds, stormwater runoff, and erosion control. Management of weeds by livestock grazing is encouraged.
(b) Surface drainage analysis. A drainage report shall be provided for review in accordance with the Town of Mead Design Standards and Construction Specifications. Prior to applying for a permit, a Final Drainage Report, stamped and signed by a professional engineer licensed in the State of Colorado is required. Ground-mounted solar collector systems shall be exempt from impervious surface calculations if the soil under the collectors is designated hydrologic A or B soil groups by the Natural Resources Conservation Service (NRCS). An impervious value of 25% shall be used for areas where the soil under the collectors is designated hydrologic C or D soil groups by the Natural Resources Conservation Service (NRCS). Soil under the collectors shall be maintained in vegetation and not compacted.

(c) Noise study. A noise study (decibel contour study) completed by a professional independent noise consultant, demonstrating compliance with Chapter 10, Article 13 standards for commercial property and recommending mitigation measures, as applicable, shall be provided for review. The Town may require noise mitigation measures as requirements of the site plan approval.

(d) Equipment plans. Applicant shall provide a description, plan, and drawings of any proposed high voltage overhead power lines and battery storage systems.

(e) Decommissioning plan. Applicant shall provide a decommissioning plan outlining all labor, equipment, transportation, disposal, and site reclamation activities necessary to (1) decommission the facility; (2) dismantle, recycle, and safely dispose of facility components; (3) restore the property to a condition reasonably similar to, or better than, its condition prior to development of the facility; and (4) a summary of all estimated costs associated with the decommissioning plan. Costs must include:

(1) Full reclamation of the facility site, including removal of non-native soils, fences, and constructed access roads, as well as removal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

(2) All decommissioning/reclamation activity management, site supervision, site safety costs;

(3) Administrative and any other costs associated with decommissioning and reclamation.

(f) Landscape covenant. A landscape covenant shall be included on the site plan that requires a minimum level of landscape maintenance for the duration of operation of the facility, which covenant shall be in a form acceptable to the Community Development Director and Town Attorney.

(g) Landscape plan. Trees, shrubs, and other plantings should increase aesthetic appeal while reducing glare. The Town may require fencing, berming, and/or vegetation around the perimeter of the property, around equipment and buildings, or both. Tree and vegetation selection and location shall follow xeriscape design principles that facilitate water conservation. Pollinator-friendly and native plantings are encouraged. The landscape plan shall comport with Section 16-15-100, including buffering requirements, and Section 16-2-150.

(1) Chain link security fencing at least eight (8) feet high shall enclose the facility. Appropriate signage shall be placed upon such fencing that warns the public of the high voltage therein. Alternatively, the Town may require decorative metal or cast iron fencing in accordance with Section 16-2-170.

(2) The landscape plan shall include irrigation plans as needed.

(h) Statement of transportation impacts. The application shall include a statement of transportation impacts that:

a. Describes what impacts construction of the facility will have upon transportation patterns in the area of the proposal;

b. Describes the potential construction impact on roads within the Town; and

c. Identifies improvements required to any roads in order to serve the project adequately.

A construction traffic route map and agreement to mitigate construction traffic impacts to the area surrounding the proposed facility may be required.

(i) Building Code. The application shall demonstrate compliance with all applicable provisions of the Building Code, as adopted by the Town and amended from time to time.

(j) BMPs. The application shall include for the Town's review best management practices to avoid, minimize, and mitigate wildlife impacts of renewable energy projects, requested from and provided by the Colorado Division of Parks and Wildlife pursuant to Section 29-40-404, C.R.S.

(k) Agricultural co-location plan (if co-location is proposed). An application proposing agricultural co-location in accordance with Section 16-15-100 shall detail the agricultural use(s) and their timing or frequency and location; the planned management of the agricultural use, including the responsible entity or individual; access to water; access for workers and equipment; design of renewable energy infrastructure to safely and effectively accommodate the agricultural use; and agreements or draft agreements necessary to effectuate the co-location plan. For agrivoltaic projects, the plan shall demonstrate utilization of best practices established by the National Renewable Energy Laboratory (NREL).

Sec. 16-15-50. – Site plan agreement.

Each facility operator, and owner if different from operator, shall execute a site plan agreement at the time of site plan approval that provides as follows.

(a) Prior to Town's issuance of a Certificate of Completion, the operator shall provide the Town with financial assurance sufficient to fund one hundred percent (100%) of the decommissioning/reclamation costs required by this Code. The security shall:

i. Name the Town of Mead as the sole beneficiary;
ii. Include an automatic extension provision or "evergreen clause";
iii. Be "bankruptcy remote," meaning the Security will be unaffected by the bankruptcy of the facility operator, applicant, or property owner, as applicable; and
iv. Permit the Town to draw upon the security at its sole discretion upon Town's notice to the issuer of the security, as further detailed in the site plan agreement.

In the event that the Town exercises its right to draw upon the security, the Town may either hold such funds as security for performance of the decommissioning plan or spend such funds to finish any outstanding items associated with the decommissioning plan. The security shall be an irrevocable standby letter of credit or other form of security acceptable to the Town Attorney with consideration of the entity providing the security and its credit worthiness, financial strength, credit rating, and any other related factors. The amount of security shall be updated within forty-five (45) days following Town approval of updated decommissioning costs.

(b) Decommissioning plan provided and approved by the Town in accordance with Section 16-15-40(e) above shall be incorporated as part of the site plan agreement. Decommissioning/reclamation shall commence within twelve (12) months after power production has ceased for a period of 365 consecutive days and be completed within twelve (12) months from the start date of the decommissioning/reclamation work. The owner of the property and operator of the facility are jointly and severally liable for the decommissioning. The decommissioning plan, including decommissioning/reclamation cost estimates required in accordance with Section 16-15-40(e) above, must be updated by an independent engineer, at facility operator's cost, every five (5) years, beginning with ten (10) years from the establishment and submittal of the security required by Subsection (a) above.

(c) The site plan agreement shall outline the requirements for provision of services to the property, including water, sewer, and transportation, which may include dedication requirements.

(d) At the Town's discretion, the site plan agreement may require the property owner to organize a general improvement district (GID) to generate ad valorem property tax sufficient to offset the Town's on-going park and trail maintenance costs and associated administrative costs. A GID may also be required to fund proposed agricultural co-location as permissible under state statute. If a GID is required, the applicable agreement shall set forth with particularity: the minimum level of GID funding (subject to inflationary adjustment), requirements for timing of submittal of the petition for organization of the GID, and other details related to GID formation.

(e) The site plan agreement shall incorporate the agricultural co-location plan, if co-location is proposed in accordance with Section 16-15-40(k).

Sec. 16-15-60. – Specific use standards.

(a) The following standards apply to all renewable energy facilities.

(1) Site and equipment maintenance.

(i) Except during construction, no outdoor storage of any materials and equipment, including but not limited to solar panels and support structures, not in operation will be allowed.

(ii) The facility operator shall maintain any equipment in good repair and working condition. Upon failure of any equipment, the facility operator shall cause same to be removed and disposed of in accordance with applicable laws.

(iii) The facility operator shall maintain the property in good condition, including landscaping and fencing, and free from equipment no longer in use, debris, refuse, and scrap materials. "Good condition" shall mean without damage or need of repair or cleaning, except for the effects of regular use.

(iv) Failure to maintain in accordance with this subsection shall constitute a nuisance for purposes of Chapter 7 of this Code.

(2) Operators shall continuously employ the practices for control of fugitive dust, weeds, stormwater runoff, and erosion detailed in the property maintenance plan approved as part of the site plan in accordance with Section 16-15-40(a), above.

(b) The following standards apply to solar energy facilities.

(1) Height limitation. Ground-mounted solar collectors shall not exceed twenty-five (25) feet in height, measured from the highest grade below each solar panel to the highest extent of the solar panel rotation.

(2) Glare. A SEF shall be designed and located so that concentrated solar glare from its solar collectors will not be directed toward or onto nearby properties or roadways at any time of the day.

(3) Underground cables. All electrical cables on the improved area of the facility shall be buried, except for direct current string wires that connect between solar collectors, direct current collection circuits between rows of solar arrays that are no more than four (4) feet above grade crossings, substations, switchyards, and circuit voltages greater than 34.5 kilovolts (where necessary).

Sec. 16-15-70. – Setbacks.

(a) Substations and battery storage systems shall be located at least one hundred fifty (150) feet from lot lines.

(b) The following setbacks apply to SEFs. Additional setbacks may be required to mitigate noise and visual impacts or to provide for designated road or utility corridors, as identified through the review process. Setbacks shall be measured from the edge of the solar panels and equipment. Where appropriate, landscaped berms may be used to reduce setback requirements with Board approval.

1. SEFs, Small
   - i. Front - 30 feet
   - ii. Side - 10 feet
   - iii. Side corner -30 feet
   - iv. Rear- 20 feet
   - v. Arterial or state highway - 50 feet
   - vi. Local or collector - 50 feet

2. SEFs, Medium
   - i. Front - 50 feet
   - ii. Side - 10 feet
   - iii. Side corner - 50 feet
   - iv. Rear - 20 feet
   - v. Arterial or state highway - 100 feet
   - vi. Local or collector - 50 feet

3. SEFs, Large
   - i. Front - 50 feet
   - ii. Side - 10 feet or 1 ft. per 2 ft. height, whichever is greater
   - iii. Side corner - 50 feet
   - iv. Rear - 20 feet
   - v. Arterial or state highway - 100 feet
   - vi. Local or collector - 50 feet

(c) Renewable energy facilities, except SEFs subject to subsection (b) above, shall comply with setback requirements for the applicable zone district. In addition, the improved area of the facility must be at least one hundred (100) feet from existing residential buildings and residential lots of a platted subdivision or planned unit development. The residential setback requirement may be reduced to fifty (50) feet if the setback area adjacent to the residential area includes at least a thirty (30) foot landscape buffer trees and shrubs every fifteen (15) feet.

(d) Wind turbines must be setback from lot lines, above-ground electric power lines or communication lines, on-site inhabited structures unless related to turbine use, and public roads a distance equal to 130% of the height of the turbine.

Sec. 16-15-80. – Certifications.

(a) All renewable energy facilities, including appurtenant facilities, shall be certified by a structural engineer, licensed in the state of Colorado, to be compliant with the applicable industry, state, federal, and local regulations.

(b) Electrical systems shall be certified by a master electrician, licensed in the state of Colorado, to be compliant with the applicable industry, state, federal, and local regulations.

(c) The applicant shall provide the Town with the required certifications prior to Town's issuance of Certificate of Completion in accordance with the International Building Code, as adopted and amended by the Town.

Sec. 16-15-90. – Dedication of trails.

Owners of property underlying a renewable energy facility shall dedicate property to the Town for any trails reflected in the Town's Transportation Plan, the Town's Trails and Open Space Master Plan or similar planning documents, as the same may be amended or updated from time to time. Dedication shall be by plat or by separate instrument in a form acceptable to the Town Attorney, in accordance with this section. The applicant or property owner, as applicable, shall also provide an ALTA title policy for all interest(s) conveyed to the Town, subject to approval by the Town Attorney. Dedicated property shall be free and clear of liens, taxes, and encumbrances. The Town, at applicant's or property owner's expense, as applicable, shall record all conveyances. At the election of the Town Manager, the Town may opt for a fee-in-lieu in place of dedication of land. The fee-in-lieu shall be the fair market value of the property that would otherwise be required to be dedicated in accordance with this section.

Sec. 16-15-100. – Landscaping and buffering requirements.

(a) The purpose of this Section 16-15-100 is to ensure that renewable energy facilities are adequately screened from adjacent properties and public rights-of-way and to integrate each project into the Town's rural character.
(b) Except as provided in subsection (d), all renewable energy facilities shall include at a minimum twenty (20) percent landscaped / buffer yard area in accordance with this section. Landscaping shall comply with all applicable standards in Section 16-2-150.
(c) Landscaped area includes trails dedicated in accordance with Section 16-15-90, setbacks, and buffering that meet the applicable standards in Section 16-2-150.
(d) For all renewable energy facilities with a Town-approved agricultural co-location with an agricultural use on at least fifty (50) percent of the property in the agricultural co-location plan, the landscaped area requirement shall be reduced to ten (10) percent. If at any time, the property or facility owner fails to meet the fifty (50) percent threshold, the owner may be required to submit and comply with a landscape plan incorporating twenty (20) percent landscaped area and shall submit such plan upon thirty (30) days' written notice from the Town for Town approval.
(e) The landscaping shall comport with the applicable landscape plan approved by the Town in accordance with Section 16-15-40(g), and if applicable, the approved agricultural co-location plan.

(f) Buffering may include fencing and landscaping and shall be required adjacent to rights-of-way and residential property. Additional buffering may be required at the Town's discretion. Buffering shall ensure compatibility with adjacent uses and may be required between development and adjacent natural or environmentally sensitive areas.