



# Town of Johnstown

## PLANNING & ZONING COMMISSION AGENDA MEMORANDUM

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<b>DESCRIPTION:</b>	<b>Dove Solar Outline Development Plan</b>
<b>PROJECT NO:</b>	ANX22-0003
<b>LOCATION:</b>	South of WCR 46.5 and the Little Thompson Reservoir, west of WCR 19
<b>APPLICANT:</b>	SunSolar (Applicant) / Archbishop of Denver (Owner)
<b>STAFF:</b>	Kim Meyer, Planning & Development Director
<b>HEARING DATE:</b>	February 15, 2023

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### ATTACHMENTS

- 1- Vicinity Map
- 2- Outline Development Plan

### PROJECT SUMMARY

The Applicant requests the approval of an Outline Development Plan (ODP) for approximately 82.6 acres of land being considered for annexation to the Town of Johnstown, as the Archdiocese Annexation Nos. 1 and 2. (Attachment 2) Zoning proposed for the site includes approximately half the acreage as H-A, Holding Agriculture, for ongoing agricultural uses; and the other half as PUD-MU, Planned Unit Development Mixed Use. This ODP would apply to the PUD zone district of that property and permit the development of a 30± acre solar field.

The ODP permits only an Agricultural Area, and the Solar Use Area as an interim (20-40 years) use prior to future development that may occur on-site. Rezoning and subdivision, as well as extensive engineering would be required in the future to accommodate additional uses and development.

### PROPERTY BACKGROUND

The property is located south of Weld County Rd (WCR) 46.5 and west of WCR 19. The subject property is presently zoned A - Agricultural in unincorporated Weld County and is being used as farm land. It is bordered to the north by the Hillsborough/Little Thompson Reservoir, to the west by incorporated areas of Johnstown, with the rest being adjacent to unincorporated Weld County and adjacent to the Milliken Growth Management Boundary. (Attachment 1)

### SURROUNDING ZONING & LAND USE

North:	A – Agricultural (Weld County), Hillsborough/Little Thompson Reservoir
South:	A – Agricultural (Weld County)
East:	A – Agricultural (Weld County)
West:	PUD (Johnstown) with Oil & Gas Well Pads

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## **LAND USE HISTORY**

Historically, this property has been used for farming and continues as that use today.

## **OIL & GAS**

COGCC (Oil & Gas) online maps show existing abandoned and plugged and abandoned wells on-site. These sites are also shown on the Annexation and Zoning maps.

## **IRRIGATION DITCHES**

The Hillsborough/Little Thompson Reservoir, owned and managed by the Extension (Hillsborough) Ditch Company, is partially located on the northwest corner of this property. These are some emergent wetlands along the banks of that water body, identified by the Colorado Wetland Inventory as part of the Colorado Natural Heritage Program.

(<https://csurams.maps.arcgis.com/apps/webappviewer/index.html?id=a8e43760cb934a5084e89e46922580cc>)

The reservoir and surrounding areas of interest are located in the H-A zoning district area and will be undisturbed by the proposed solar use on the PUD-MU zoned area.

## **FLOODPLAIN**

The subject property is not located in any floodplain area.

## **PUBLIC NOTICE & AGENCY REFERRALS**

Notice for the Planning & Zoning Commission hearing was published in the local paper of widest circulation, the Johnstown Breeze, on Thursday, January 26, 2023. This notice provided the date, time, and location of the Planning and Zoning Commission hearing, as well as a description of the project. Notices were mailed to all property owners within 500 feet of the property in question. This notice included a map of the project area.

This project was referred to the Johnstown Review Committee as well as Weld County, Milliken, the Weld RE-5J School District, Little Thompson Water, Xcel and TDS.

## **NEIGHBORHOOD MEETING**

No neighborhood meeting was held for this ODP project.

## **PROJECT DESCRIPTION & ANALYSIS**

As noted in the summary above the proposed Dove Solar Outline Development Plan allows for continued ag use, as well as the development of an “interim” solar facility. Current solar contracts with Xcel have been offered as 20-year terms with potential to extend.

As proposed in the accompanying USR (Use by Special Review) for the solar facility, the facility would encompass about 30 acres of land, and be sited to accommodate the oil and gas facility that is in the process of being plugged and abandoned. The use would utilize the existing access to WCR 19 that has been used previously to access the oil and gas site.

No other uses are proposed with this ODP. The uses included within the ODP would not create the need for any utility, transportation, or other public services.

This area of the Johnstown Growth Management Area is indicated for Low or Very Low Intensity and Density types of development. The continuation of agricultural uses into the future, as well as the use of

the area for very low intensity energy resource development are in alignment with this designation and intention. Staff has no outstanding concerns related to this proposed Dove Solar ODP.

### **RECOMMENDED PLANNING AND ZONING COMMISSION FINDINGS AND MOTIONS**

Staff recommends that the Planning and Zoning Commission send a recommendation for Approval to Town Council for the Dove Solar Outline Development Plan based upon the following findings:

1. The proposed uses are in alignment with the Future Land Use Plan within the Area Johnstown Comprehensive Plan.
2. The proposed uses do not require significant public services to be provided by the Town or other public entities.
3. The proposed uses have the ability to be designed to meet all Town codes, regulations and requirements for that type of development.
4. The proposed uses provide an interim use to property that may prove suitable for a different type of development in the future.

#### **Recommended Motion: Motion to Approve**

Based on the application materials received, analysis and presentations at this hearing, and findings noted in this staff memorandum, I move that the Planning & Zoning Commission recommend Approval to the Town Council for the Dove Solar Outline Development Plan.

#### **Motion to Recommend Denial**

I move that the Commission recommend to the Town Council Denial of the Dove Solar Outline Development Plan.