



## 1041 Solar Energy Facility (1041 SEF) Procedural Guide Application Submittal Requirements

Department of Planning Services  
1402 N. 17<sup>TH</sup> Avenue, P.O. Box 758, Greeley, CO 80632  
[www.weld.gov](http://www.weld.gov) | (970) 400-6100 | Fax (970) 304-6498

*Note: A pre-application conference with the Department of Planning Services is required prior to the submittal of this application. Please submit a Pre-Application Request form.*

- \_\_\_\_\_ Application form. (See attached).
- \_\_\_\_\_ Project Narrative. (See attached instructions).
- \_\_\_\_\_ 1041 SEF Permit Map. (See attached instructions).
- \_\_\_\_\_ Projected development schedule, including:
  - \_\_\_\_\_ Estimated maximum number of employees, number of shifts and employees per shift during the construction, operation, and maintenance phases of the project.
  - \_\_\_\_\_ Specify any future phases or extensions of the 1041 SEF and relationship of the facility (if currently foreseen) to larger programs and plans.
  - \_\_\_\_\_ Specify timetable for planning (e.g., federal permits, other state permits, zoning, etc.).
  - \_\_\_\_\_ Estimated beginning and completion of construction and beginning of operation of the 1041 SEF.
  - \_\_\_\_\_ Estimated end of operation of the proposed 1041 SEF.
- \_\_\_\_\_ Hazards and emergency procedures, including:
  - \_\_\_\_\_ Describe hazards, if any, of fire, explosion and other dangers to the health, safety and welfare of employees and the general public.
  - \_\_\_\_\_ Describe hazards, if any, of environmental damage and contamination due to materials used at or activities taking place at the proposed facility.
  - \_\_\_\_\_ Describe emergency procedures to be used in the event of fire, explosion or other event which may endanger the public health, safety, and welfare.
  - \_\_\_\_\_ Describe any prevalent natural hazards that will affect or be affected by development and describe mitigating measures to be taken to reduce danger due to such natural hazards.
- \_\_\_\_\_ Surface Drainage Analysis. A preliminary drainage report shall be provided for review by Weld County Development Review pursuant to the requirements of Chapter 8 Article XI of this Code. Prior to applying for a Grading Permit, a final drainage report stamped and signed by a Professional Engineer registered in the State of Colorado is required. Soils shall be planted to and maintained in perennial vegetation to prevent erosion, manage runoff, and build soil. Ground-mounted solar collector systems shall be exempt from impervious surface calculations if the soil under the collectors is not compacted and maintained in vegetation. (See attached instructions).
- \_\_\_\_\_ Dust and Weed Mitigation Plan. The Dust Mitigation Plan shall be provided at the time of 1041 SEF application submittal, which includes a description of those methods by which dust emanating from the proposed 1041 SEF and the weeds growing upon the Impacted Area will be mitigated.
- \_\_\_\_\_ Floodplain Impact Statement, if applicable. If any FEMA designated Special Flood Hazard Areas (SFHA) exist on the property, detail potential, adverse impacts related to the associated floodplain. Documentation of the historical flooding activity should be included. A Floodplain Development Permit (FHDP) will be required if the site is located in a SFHA.
- \_\_\_\_\_ Decommissioning-Reclamation Plan with proposed security. (See attached instructions).
- \_\_\_\_\_ Authorization form, if applicable. (See attached).
- \_\_\_\_\_ Incorporation documents if the owner is a business entity (LLC, etc.), or trust documents.
- \_\_\_\_\_ Deed identifying the surface estate ownership interest in the property and relevant lease documents.
- \_\_\_\_\_ Buffer Report, signed, of the names, addresses and parcel numbers of the surrounding property owners within 1000 feet of the improved area. The buffer report expires within 30 days from creation.

## **1041 Solar Energy Facility (1041 SEF) Procedural Guide**

### **Application Submittal Requirements, continued**

---

\_\_\_\_\_ The application fee (\$10,000). Note: Fees are non-refundable and due when the application is determined to be complete. Fees are set by the Board of County Commissioners. County Staff is not authorized to negotiate fees and cannot, under any circumstance, waive, reduce, or amend the fees set forth in the Weld County Planning Fee Schedule.

\_\_\_\_\_ Supplemental Information, as applicable. Any other information required by the Board of County Commissioners or the Planning Department and communicated to the applicant. The Board may request the applicant to provide additional information during the public hearing on the application. The applicant may be granted reasonable continuances to provide such information if the applicant so requests. Such additional information may include, but is not limited to:

\_\_\_\_\_ The relationship of the project to local land use, policies, and comprehensive plans and to policies and plans adopted or under preparation by federal, state, regional or other affected local governmental agencies.

\_\_\_\_\_ The agricultural productivity capability of the land affected by the proposal (SCS classification).

\_\_\_\_\_ How the proposed development will utilize existing easements or rights-of-way for any associated distribution or collector networks.

\_\_\_\_\_ The potential adverse effects of the proposal upon plant and animal life dependent upon the water resources in question.

\_\_\_\_\_ Recognized areas of geologic, historic, or archeological importance by local, state, or federal governments.

\_\_\_\_\_ Key locations within a half-mile radius where the facility can be viewed from and its proximity to residences, including proposed Mitigation strategy.

\_\_\_\_\_ Submission of a wildlife mitigation plan, if applicable.

\_\_\_\_\_ Transportation construction impacts. A haul route map & agreement to mitigate construction traffic impacts to the area surrounding the proposed 1041 SEF may be required.

1. Describe what impacts construction of the project will have upon transportation patterns in the area intended to be served or affected by the proposal.
2. Describe the potential construction impact on roads within the County.
3. Identify improvements required to roads within the County to serve the project adequately.

\_\_\_\_\_ Less damaging alternatives:

1. If the Planning Department determines that the nature or extent of the proposal involves the potential for environmental damage or warrants examination of specific, less environmentally damaging alternatives, the Planning Department may request that the Board require the applicant evaluate and present information on such alternatives as part of the application.
2. Required information on alternatives may include, but shall not necessarily be limited to, information on the environmental impacts and cost-effectiveness of the alternatives in relationship to the proposal presented.
3. Presentation of design alternatives concerning access, visual mitigation, architectural controls and so forth.

\*\*\*\*\*

# **1041 Solar Energy Facility (1041 SEF) Procedural Guide Code Requirements**

---

## **Overview**

It is the applicant's responsibility to meet the application requirements outlined in the Weld County Code. No application shall be assigned a case number to be reviewed until all required items on the submittal checklist have been completed and submitted to the Department of Planning Services.

The Department of Planning Services is responsible for reviewing and processing the application in accordance with Section 21-7-330 of the Weld County Code. The planner will post one or more notification signs on the property and mail notice to owners of property listed in the affidavit of surface owners and affidavit of mineral owners.

The Board of County Commissioners will consider the application in accordance with Section 21-7-350 of the Weld County Code.

The applicant should attend all hearings scheduled for consideration of the application in order to present the proposal and answer any questions. The applicant is also encouraged to communicate with the planner assigned to process and review the application once it has been submitted in order to keep up to date with any developments pertaining to the application.

It is also recommended that the applicant contact owners of property within at least 1000 feet of the subject property and along the haul route regarding the proposed use prior to applying. Do not attempt to contact the Planning Commission or Board of County Commissioners about your project.

Staff are available to assist the applicants through this process. For questions, please visit the Department of Planning Services at 1402 N. 17th Avenue, Greeley, Colorado or call us at (970) 400-6100.

## **APPLICABILITY**

### **Per Section 21-7-30 of the Weld County Code:**

These 1041 SEF Regulations shall apply to site selection, construction, and operation of 1041 SEF's to be located in all zone districts within the unincorporated territory of the County.

No 1041 SEF Permit shall be required for existing approved USR SEF's as of the effective date of this Article VI. However, if changes are submitted to the Weld County Planning Department which would materially expand the Improved Area beyond one-hundred sixty (160) acres in the Near/Urban Area as shown on Appendix 21-B, or more than three-hundred twenty (320) acres in the Ag/Rural Area as shown on Appendix 21-B, this exemption will not apply. No 1041 SEF shall be required for:

- A. Routine Solar Facility operations and maintenance including, but not limited to, normal repairs and maintenance, like kind replacement of equipment, or compliance with State or Federal orders or regulations.
- B. Surface disturbance that does not increase the Improved Area by more than ten (10) percent of the original footprint.

# 1041 Solar Energy Facility (1041 SEF) Procedural Guide

## Code Requirements, continued

---

### Definitions

#### **Per Section 21-1-90 of the Weld County Code:**

*Designation* : Only that legal procedure specified by Section 24-65.1-401 et seq., C.R.S., and specified in this Article as carried out by the Board of County Commissioners.

*Development* : Any construction or activity which changes the basic character or the use of the land upon which the construction or activity occurs.

#### **Per Section 21-6-10 of the Weld County Code:**

In addition to the terms defined in Section 21-1-90 of this Code, the following terms specific to the designation of site selection and construction of 1041 Solar Energy Facilities (as major facilities of a public utility) shall be construed to have the meanings set forth as follows:

*Abandonment*: means to give up, discontinue, or withdraw from. Any 1041 Solar Energy Facility that ceases to produce energy on a continuous basis for twelve (12) months will be considered abandoned.

*Decommissioning/Reclamation Plan*: means a document that details the planned shutdown of a 1041 Solar Energy Facility from operation or use; removal of all equipment, cables, foundations, and other infrastructure; and reclamation of the site to its original condition, including return of topsoils, if necessary.

*Fence*: means a continuous barrier extending from the surface of the ground to a uniform height of not less than six (6) feet from the ground at any given point, consisting of chain link or, if specified, of an impervious material.

*Improved area*: means the area containing the 1041 SEF.

*Mitigation*: means to avoid adverse impacts to public health, safety, environment, and wildlife resources, including cumulative impacts where practicable:

1. Avoiding an impact by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting or consolidating the extent, degree or magnitude of the action or its implementation.
3. Reducing or eliminating the impact over time by preservation and maintenance operations.
4. Compensating for impacts by replacing or providing suitable biological and/or physical conditions; and by replacing or providing suitable public services and facilities, where applicable.
5. Compliance with reasonable conditions and development standards.

*Public utility*: means an entity defined in C.R.S. § 40-1-103.

*Security*: means an irrevocable standby letter of credit, bond, or alternative form of financial security in an amount sufficient to fund the estimated decommissioning and reclamation costs required pursuant to this Code.

*Site selection*: means the process for determining the location of 1041 SEF or the expansion of existing 1041 SEF.

*Solar array*: means an active solar energy system that converts sunlight into electricity using either thermal or photovoltaic methods. Such a system has multiple solar collectors, wiring, racking, and might include other appurtenant structures and/or facilities.

*Solar collector or solar panel*: means a device that converts sunlight into electricity using either thermal or photovoltaic methods.

*Solar energy facility [SEF]*: means a commercial facility whose primary purpose is to supply electricity and consists of one or more solar arrays and other accessory structures, equipment, including substations, switchyards, battery storage, electrical infrastructure, generators, transmission lines, communications infrastructure, and other appurtenant structures and/or facilities. A 1041 SEF is only allowed by permit, pursuant to this Article VI, and shall have an Improved Area of more than one-hundred sixty (160) acres in the Near/Urban Area as shown on Appendix 21-B, or more than three-hundred twenty (320) acres in the Ag/Rural Area as shown on Appendix 21-B

## **1041 Solar Energy Facility (1041 SEF) Procedural Guide**

### **Code Requirements, continued**

---

#### **Development Standards**

##### **Per Section 21-7-340 of the Weld County Code.**

- A. 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.
- B. Glare. 1041 SEF shall be designed, located, or placed 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.
- C. Setbacks. The Improved Area of the 1041 SEF shall conform to the setback requirements of the underlying zone. Additionally, the improved area must be at least five hundred (500) feet from existing residential buildings and residential lots of a platted subdivision or planned unit development. The residential setback requirement may be reduced if appropriate screening through landscape or an opaque fence is installed, or upon submittal to Weld County of a waiver or informed consent signed by the residence owner agreeing to the lesser setback. If landscaping or opaque fencing is substituted for setback, a landscaping plan or fencing plan shall first be submitted to and approved by the Department of Planning Services.
- D. Dust mitigation. The operators of the 1041 SEF shall continuously employ the practices for control of fugitive dust detailed in their dust mitigation plan submitted as required by Section 21-7-330.B.13 of this Code.
- E. Underground cables. All electrical cables on the improved area 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).
- F. Fencing. The 1041 SEF shall be enclosed with a security fence as approved pursuant to a fencing plan submitted to the Department of Planning Services. Appropriate signage shall be placed upon such fencing that warns the public of the high voltage therein.
- G. Stormwater management. The Operator of the 1041 SEF shall submit a drainage report to comply with required Storm Drainage Criteria pursuant to Chapter 8, Article XI of this Code. Additional requirements for Municipal Separate Storm Sewer System (MS4) areas may be applicable pursuant to Chapter 8, Article IX of this Code. Pursuant to Sec. 21-7-330.B.12 of this Code, Ground-mounted solar collector systems shall be exempt from impervious surface calculations if the soil under the collectors is not compacted and maintained in vegetation.
- H. Access permit. Prior to construction of the 1041 SEF, the applicant shall apply for and obtain an approved Access Permit, pursuant to the provisions of Article XIV of Chapter 8 of this Code.

#### **Criteria for Approval of Denial**

##### **Per Sections 21-7-350 of the Weld County Code, the applicant shall demonstrate:**

- 1. The health, safety, and welfare of the citizens of the County will be protected and served.
- 2. The natural and socio-economic environment of the County will be protected or enhanced.
- 3. All reasonable alternatives to the proposed action, including use of existing rights-of-way and joint use of rights-of-way wherever uses are compatible, have been adequately presented.
- 4. The proposed action is compatible with and represents the best interests of the people of the County and represents a fair and reasonable utilization of resources in the impact area.
- 5. A satisfactory program to mitigate and minimize adverse impacts has been presented, including decommissioning and reclamation.
- 6. The nature and location or expansion of the facility complies with all applicable provisions of the master plan of this County and service areas, and other applicable regional, metropolitan, state, and national plans.
- 7. The nature and location or expansion of the facility does not unduly or unreasonably impact existing community services, nor will not create an expansion of the demand for government services beyond the reasonable capacity of the community or region to provide such services, as determined by the Board of County Commissioners.
- 8. The nature and location of the facility or expansion will not unduly interfere with existing easements, rights-of-way, other utilities, canals, mineral claims, or roads.
- 9. Adequate utilities exist or shall be developed to service the site, as necessary.
- 10. The nature and location for expansion of the facility will not unduly interfere with any significant wildlife habitat or adversely affect any endangered wildlife species, unique natural resource, or historic landmark within the impact area.

# **1041 Solar Energy Facility (1041 SEF) Procedural Guide**

## **Code Requirements, continued**

---

### **Criteria for Approval or Denial, continued**

11. The geological and topographic features of the site are adequate for all construction, clearing, grading, drainage, vegetation and other needs of the facility construction or expansion.
12. The existing water quality of affected state waters will not be degraded below state and federal standards or established baseline levels.
13. The proposed project will not have a significantly adverse net effect on the capacities or functioning of streams, lakes and reservoirs in the impact area.
14. The benefits of the proposed developments over the life of the project outweigh the temporary losses of any natural resources or reduction of productivity of agricultural lands as a result of the proposed development.
15. The applicant has obtained or will obtain all property rights, permits and approvals necessary for the proposed project, including surface, mineral access rights and easements for drainage, utilities, access, etc. If the applicant has not obtained all necessary property rights, permits and approvals, the Board may, at its discretion, grant the permit conditioned upon completion of the acquisition of such rights prior to issuance of a building permit by the County.
16. The proposed project will not present an unreasonable risk of exposure to or release of toxic or hazardous substances within the impact area.

### **Violation and Enforcement**

#### **Per Section 21-7-400 of the Weld County Code.**

Any person, firm, corporation, or other entity who maintains or operates or who controls the maintenance of a 1041 SEF in violation of this article shall be guilty of a misdemeanor and subject to prosecution, and if convicted, shall be punished by a fine not to exceed \$50.00 or by imprisonment not to exceed 30 days, or both, in the discretion of the court. Each day that said 1041 SEF shall be maintained or operated in violation of this article shall constitute a separate and distinct offense.

This may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. It may be enforced by injunction and order of abatement. The County may apply for a mandatory or prohibitory injunction and order of abatement commanding the violator to correct any unlawful condition upon or cease the unlawful use of property. The County may request an order of abatement as part of a judgment in the cause any may request the court to close, demolish or remove buildings or other structures or take any other action that is necessary to bring the 1041 SEF into compliance with this article.

### **Abandonment**

#### **Per Section 21-7-410 of the Weld County Code.**

A 1041 SEF that ceases to produce energy on a continuous basis for twelve (12) months will be considered abandoned, unless the operator of the 1041 SEF or the owner of the underlying property provides substantial evidence, updated every six (6) months after initial submission of evidence, to the Planning Director or his designee of the intent to maintain and reinstate the operation of that facility. It is the responsibility of the operator of the 1041 SEF or the owner of the underlying property to accomplish required decommissioning/reclamation of the 1041 SEF.

- A. Upon determination of abandonment, the Planning Director shall notify the operator of the 1041 SEF or the owner of the underlying property that they must remove the 1041 SEF and comply with the decommissioning/reclamation requirements within 360 days of notice by the Planning Director or his designee.
- B. If the operator of the 1041 SEF or the owner of the underlying property fails to comply, the Planning Director or his designee may remove the 1041 SEF, sell any removed materials, and draw upon the financial assurance required by the Weld County Code to accomplish required decommissioning/reclamation of the 1041 SEF.

\*\*\*\*\*

*The submittal requirements and review procedures are stated in Chapter 21, Article VI of the County Code.  
The Weld County Code is available online at [www.weld.gov](http://www.weld.gov) (Useful Links > Weld County Code).*

---

## Project Narrative Requirements

Include the following in the project narrative:

- \_\_\_\_\_ Description of the existing land uses and zoning on the subject property and all adjacent properties.
- \_\_\_\_\_ Summarization of major natural and socioeconomic environmental constraints as they affect the site selection and construction of the 1041 SEF.
- \_\_\_\_\_ Summarization of the effects of the proposed site selection and construction upon the natural and socioeconomic environment of the impact area as applicable to submission requirements. Included should be an analysis of impacts upon agricultural productivity and agricultural resources and upon vested water rights.
- \_\_\_\_\_ Analysis of the effects of the proposed site selection and construction upon the physical and socioeconomic development of the impact area during the life of the project until decommissioning/reclamation.
- \_\_\_\_\_ A description of a program to minimize and mitigate adverse impacts and to maximize the positive impacts of the proposed site selection and construction.
- \_\_\_\_\_ Analysis of water pollution impacts and control alternatives.
- \_\_\_\_\_ Analysis of hydrologic, geologic, pedologic, biotic, visual and construction-related noise impacts.
- \_\_\_\_\_ Affected properties. The names and addresses of persons or entities with an interest in any real property proposed to be physically disturbed or crossed by the 1041 SEF, excluding mineral interests but including those holding mortgages, judgments, liens, easements, contract rights, rights-of-way, reservations, exceptions or other encumbrances, at least to the extent shown in the records of the County Clerk and Recorder or of which applicant has actual knowledge.
- \_\_\_\_\_ Access plan. The planned access to the project site and the means to obtain a legal right to utilize such access, including copies of any access or right-of-way agreements which have been entered into by the date of the application for such access.
- \_\_\_\_\_ Specify, where applicable:
  - \_\_\_\_\_ The voltages and lengths of transmission lines leading out of the 1041 SEF.
  - \_\_\_\_\_ Generating capacity of the 1041 SEF.
  - \_\_\_\_\_ The location, functions and sizes of battery storage or substations associated with the 1041 SEF.
  - \_\_\_\_\_ Applicable support facilities (e.g., temporary construction features, parking areas, visual mitigation, etc.) to be provided.
- \_\_\_\_\_ Development standards. Explain how the 1041 SEF complies with the following development standards for Solar Energy Facilities:
  - \_\_\_\_\_ 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.
  - \_\_\_\_\_ Glare. Concentrated solar glare from solar collectors shall not be directed toward or onto nearby properties or roadways at any time of the day.
  - \_\_\_\_\_ Setbacks. The improved area shall conform to the setback requirements of the underlying zone. Additionally, the improved area must be at least five hundred (500) feet from existing residential buildings and residential lots of a platted subdivision or planned unit development. The residential setback requirement may be reduced if appropriate screening through landscape or an opaque fence is installed, or upon submittal to Weld County of a waiver or informed consent signed by the residence owner agreeing to the lesser setback. If landscaping or opaque fencing is substituted for setback, a landscaping plan or fencing plan shall first be submitted to and approved by the Department of Planning Services.

---

### **Project Narrative Requirements, continued**

---

- \_\_\_\_\_ Dust mitigation. The operators of the 1041 SEF shall continuously employ the practices for control of fugitive dust detailed in their dust mitigation plan submitted as required by Subsection B.2., above.
  - \_\_\_\_\_ Underground cables. All electrical cables on the improved area 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).
  - \_\_\_\_\_ Fencing. The 1041 SEF shall be enclosed with a security fence as approved pursuant to a fencing plan submitted to the Department of Planning Services. Appropriate signage shall be placed upon such fencing that warns the public of the high voltage therein.
  - \_\_\_\_\_ Stormwater management. The Operator of the 1041 SEF shall submit a drainage report to comply with required Storm Drainage Criteria pursuant to Chapter 8, Article XI of this Code. Additional requirements for Municipal Separate Storm Sewer System (MS4) areas may be applicable pursuant to Chapter 8, Article IX of this Code. 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).
  - \_\_\_\_\_ Access permit. Prior to construction of the 1041 SEF, the applicant shall apply for and obtain an approved Access Permit, pursuant to the provisions of Article XIV of Chapter 8 of this Code.
  - \_\_\_\_\_ Existing irrigation systems. The nature and location or expansion of the 1041 SEF must not unreasonably interfere with any irrigation systems on or adjacent to the solar facility.
-



## 1041 SEF Permit Map Requirements

---

Submit the draft plan for preliminary approval in electronic (.pdf) format. Upon approval, a 24" x 36" map on approved reproducible material will be required along with the recording fee.

*Delineate the following:*

- \_\_\_\_\_ Case number "USRY-XXXX" on each page.
- \_\_\_\_\_ Title of project on each page.
- \_\_\_\_\_ Certification blocks on Page 1. (see next page)
- \_\_\_\_\_ Development standards.
- \_\_\_\_\_ Outline of the perimeter of the proposed improved area, date of preparation, revision box, written scale, graphic scale and north arrow for each map.
- \_\_\_\_\_ Legal description of property.

*Delineate the following within five (5) mile radius from the proposed improved area.*

- \_\_\_\_\_ All existing or approved solar facilities.
- \_\_\_\_\_ The proposed haul route showing the desired construction route to and from the 1041 SEF and the nearest County designated collector or arterial roadway or nearest highway and indicate the desired new or existing access point.

*Delineate the following within 1,000 feet of the proposed improved area:*

- \_\_\_\_\_ The general classifications and distribution of soils over the parcel under consideration. Soil classification names and agricultural capability classifications shall be noted in the legend.
- \_\_\_\_\_ Locations and names of all streets/roads, irrigation ditches, and water features.
- \_\_\_\_\_ Existing residences, existing and proposed accesses to the property, and the boundaries of any adjacent municipality.
- \_\_\_\_\_ Any other relevant information within a one-half-mile distance of the perimeter of the 1041 SEF as may be reasonably required by to meet the intent and purpose of the Weld County Code.

*Plot Plan. 1" = 100' or another suitable scale if approved by Planning Services. Delineate the following within 200 feet of the subject parcel as well as within the parcel itself.*

- \_\_\_\_\_ Outline of the perimeter of the subject parcel.
- \_\_\_\_\_ All public rights-of-way of record (including names).
- \_\_\_\_\_ All existing and proposed structures.
- \_\_\_\_\_ All utility easements or rights-of-way for telephone, gas, electric, water and sewer lines.
- \_\_\_\_\_ Adjacent property lines and respective owners' names (or show on vicinity map instead).
- \_\_\_\_\_ All hydrographic features including irrigation ditches, streams, rivers, ponds and reservoirs (including names).
- \_\_\_\_\_ Topography at two-foot contour intervals or as determined necessary by Planning.
- \_\_\_\_\_ Location of areas of moderate or severe soil limitations as defined by the Natural Resources Conservation Service or by a soil survey and study prepared by a soils engineer or scientist for the uses and associated structures proposed for the parcel.
- \_\_\_\_\_ Location and design of stormwater management devices or structures.
- \_\_\_\_\_ Complete traffic circulation and parking plan showing locations and sizes.
- \_\_\_\_\_ Location, amount, size and type of any proposed visual mitigation, including by not limited to landscaping, fencing, berms or other screening.
- \_\_\_\_\_ Location of any special flood hazard, geologic hazard, or mineral resource areas.
- \_\_\_\_\_ Any sign(s) requiring zoning approval. Distances from property lines shall be indicated.

## Certification Blocks to be added to Map

### PROPERTY OWNER'S CERTIFICATION

The undersigned property owner(s) do(es) hereby agree to the 1041 Solar Energy Facility Development Standards as described hereon this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature – [Printed Name of Property Owner]

\_\_\_\_\_  
Signature – [Printed Name of Property Owner]

### BOARD OF COUNTY COMMISSIONERS CERTIFICATION

This is to certify that the Board of County Commissioners, Weld County, Colorado, does hereby confirm and adopt this 1041 Solar Energy Facility and the Development Standards as shown and described hereon this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Chair, Board of County Commissioners

ATTEST:

Weld County Clerk to the Board

BY: \_\_\_\_\_  
Deputy Clerk to the Board

Dated: \_\_\_\_\_

## Decommissioning – Reclamation Plan Requirements

---

A Decommissioning/Reclamation Plan. A Decommissioning/Reclamation Plan shall be provided at the time of 1041 SEF application submittal which will be signed by the party responsible for decommissioning and the landowner (if different), addressing the following:

- \_\_\_\_\_ Decommissioning/reclamation shall commence within twelve (12) months after power production has permanently ceased and be completed within twelve (12) months from the start date of the decommissioning/reclamation work.
- \_\_\_\_\_ All non-utility owned equipment, conduits, structures, fencing, and foundations to a depth of at least three feet below grade shall be removed.
- \_\_\_\_\_ All fences, graveled areas and access roads shall be removed unless landowner agreement to retain is presented, in writing, in which the property owner agrees for this to remain.
- \_\_\_\_\_ Property shall be restored to a condition reasonably similar to its condition prior to development of the major facility.
- \_\_\_\_\_ The developer or owner of the 1041 SEF is responsible for the decommissioning.
- \_\_\_\_\_ Decommissioning/reclamation cost estimates, which shall be updated every five (5) years from the establishment and submittal of the Security, shall include all costs associated with the dismantlement, recycling, and safe disposal of facility components and site reclamation activities, including the following elements:
  - \_\_\_\_\_ All labor, equipment, transportation, and disposal costs associated with the removal of all facility components from the facility site;
  - \_\_\_\_\_ All costs associated with full reclamation of the facility site, including removal of non-native soils, fences, and constructed access roads;
  - \_\_\_\_\_ All costs associated with reclamation of any primary agricultural soils at the facility site to ensure each area of direct impact shall be materially similar to the condition it was before construction;
  - \_\_\_\_\_ All decommissioning/reclamation activity management, site supervision, site safety costs;
  - \_\_\_\_\_ Any other costs, including administrative costs, associated with the decommissioning and reclamation of the facility site; and
  - \_\_\_\_\_ The estimated date of submission of the Security to Weld County.
- \_\_\_\_\_ Prior to construction, an irrevocable standby letter of credit, bond, or alternate form of Security in an amount sufficient to fund the estimated decommissioning/reclamation costs required by the Weld County Code. Weld County, in its sole discretion, may approve alternative forms of Security such as, but not limited to: bonds, letters of credit, or other securities, if it finds that such alternative forms will provide an assurance of the availability of financial resources for decommissioning/reclamation that equals or exceeds that provided by the form required herein. The Security shall:
  - 1) Name the Board of County Commissioners of Weld County as the sole beneficiary of the letter of credit;
  - 2) Be issued by an A-rated financial institution based upon a rating provided by S&P, Moody's, Fitch, AM Best, or other rating agency with similar credentials;
  - 3) Include an automatic extension provision or "evergreen clause"; and
  - 4) Be "bankruptcy remote, meaning the Security will be unaffected by the bankruptcy of the 1041 SEF operator.
- \_\_\_\_\_ Access to decommissioning/reclamation fund. Weld County shall have the right to draw upon the irrevocable standby letter of credit, or other form of financial security, to pay for decommissioning in the event that the holder has not commenced decommissioning/reclamation activities within ninety (90) days of the Board of County Commissioners' order or resolution directing decommissioning/reclamation.

## 1041 Solar Energy Facility (1041 SEF) Application

Planning Department Use:	Date Received: _____
Amount \$ _____	Case # Assigned: _____
Application Received By: _____	Planner Assigned: _____

### Property Information *(Attach additional sheets if necessary.)*

Is the property currently in violation? ☐ No / ☐ Yes Violation Case Number: \_\_\_\_\_

Site Address: \_\_\_\_\_

Parcel Number: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Legal Description: \_\_\_\_\_ Section: \_\_\_\_\_, Township \_\_\_\_\_ N, Range \_\_\_\_\_ W

Zoning District: \_\_\_\_\_ Acreage: \_\_\_\_\_ Within subdivision? ☐ No / ☐ Yes Townsite? ☐ No / ☐ Yes

If yes, subdivision or townsite name: \_\_\_\_\_

Project Name \_\_\_\_\_ Property Acreage: \_\_\_\_\_ Facility Acreage: \_\_\_\_\_

Floodplain ☐ No / ☐ Yes Geological Hazard ☐ No / ☐ Yes Airport Overlay ☐ No / ☐ Yes

Existing use of the property \_\_\_\_\_

### Property Owner(s) *(Attach additional sheets if necessary.)*

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

### Applicant/Authorized Agent *(Authorization must be included if there is an Authorized Agent.)*

Name: \_\_\_\_\_

Company: \_\_\_\_\_

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

I (We) hereby depose and state under penalties of perjury that all statements, proposals, and/or plans submitted with or contained within the application are true and correct to the best of my (our) knowledge. All fee owners of the property must sign this application, or if an Authorized Agent signs, an Authorization Form signed by all fee owners must be included with the application. If the fee owner is a corporation, evidence must be included indicating the signatory has the legal authority to sign for the corporation.

_____ Signature	_____ Date	_____ Signature	_____ Date
_____ Print		_____ Print	



Departments of Planning  
Building, Development Review  
and Environmental Health  
1402 North 17<sup>TH</sup> Avenue  
P.O. Box 758  
Greeley, CO 80632

## Authorization Form

I, (We), \_\_\_\_\_, give permission to \_\_\_\_\_  
(Owner – please print) (Authorized Agent/Applicant–please print)

to apply for any **Planning, Building, Access, Grading or OWTS** permits on our behalf, for the property located  
at (address or parcel number) below:

\_\_\_\_\_

Legal Description: \_\_\_\_\_ of Section \_\_\_\_\_, Township \_\_\_\_\_ N, Range \_\_\_\_\_ W

Subdivision Name: \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Property Owners Information:

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Authorized Agent/Applicant Contact Information:

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Correspondence to be sent to: Owner \_\_\_\_\_ Authorized Agent/Applicant \_\_\_\_\_ by: Mail \_\_\_\_\_ Email \_\_\_\_\_

Additional Info: \_\_\_\_\_

\_\_\_\_\_

**I (We) hereby certify, under penalty of perjury and after carefully reading the entire contents of this document, that the information stated above is true and correct to the best of my (our) knowledge.**

\_\_\_\_\_ Date \_\_\_\_\_ \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature

Owner Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_ by  
\_\_\_\_\_.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Affidavit of Interest Owners  
Surface Estate**

---

I, the undersigned, certify that the attached list is a true and accurate list of the names, addresses, and corresponding Parcel Identification Numbers assigned by the County Assessor of the owners of property (the surface estate) within one thousand (1000) feet of the subject property(ies). This list was compiled from the records of the Weld County Assessor, or a person qualified to do the task, and shall be current as of a date no more than thirty (30) days prior to the date the application is submitted to the Department of Planning Services.

Subject Property(ies): \_\_\_\_\_

\_\_\_\_\_  
Signature Date