

## RESOLUTION 6-2025

**A RESOLUTION OF THE MONTEZUMA COUNTY BOARD OF COUNTY COMMISSIONERS ENACTING A MORATORIUM OF ACCEPTANCE OF NEW APPLICATIONS FOR UTILITY-SCALE SOLAR POWER GENERATION IN MONTEZUMA COUNTY, COLORADO FOR SIX MONTHS OR UNTIL APPROPRIATE STANDARDS ARE INCORPORATED INTO THE MONTEZUMA COUNTY LAND USE CODE, WHICHEVER COMES FIRST.**

**WHEREAS**, pursuant to C.R.S. § 29-20-104, the Montezuma County Board of County Commissioners (hereinafter: "Board") has the authority to plan for, and regulate the use of, land within its jurisdiction including but not limited to:

1. Regulating development and activities in hazardous areas;
2. Protecting lands from activities which would cause immediate or foreseeable material danger to significant wildlife habitat and would endanger a wildlife species;
3. Providing for phased development of services and facilities;
4. Regulating the use of land on the basis of the impact of the use on the community or surrounding areas; and
5. Otherwise planning for and regulating the use of land so as to provide planned and orderly use of land and protection of the environment in a manner consistent with constitutional rights.

**WHEREAS**, pursuant to C.R.S. § 30-28-121, the Board may promulgate temporary regulations not to exceed six months, by resolution and without a public hearing, prohibiting or regulating in any part of or all of the unincorporated territory of the county, structures used or to be used for any business, residential, industrial or commercial purpose;

**WHEREAS**, the industry definition of "utility-scale" solar power generation is greater than one (1) megawatt of production capacity;

**WHEREAS**, the Board desires to establish appropriate conditions, standards, and specifications for utility-scale solar power generation prior to any further submittals of applications for such facilities in the unincorporated parts of the County; and

**WHEREAS**, following a public hearing on this issue held on April 8, 2025 the Board does hereby find and determine that such a temporary moratorium on acceptance of

utility-scale solar power generation application is necessary to preserve and protect the public health, safety and welfare of the citizens of Montezuma County;

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MONTEZUMA, STATE OF COLORADO THAT:**

1. Effective immediately upon the adoption of this Resolution, the Montezuma County Planning Department is prohibited from accepting applications for utility-scale solar power generation facilities for a period of six months from the effective date of this resolution (expiring October 15, 2025), or until appropriate definitions, standards and conditions can be considered by the Planning Commission for adoption into the Montezuma County Land Use Code, whichever comes first, or unless further renewed or amended by separate action.
2. The Planning and Zoning Department is requested to address solar power generation facilities in the context of a renewable energy master plan and/or appropriate revisions to the Montezuma County Land Use Code.
3. The moratorium adopted herein does not apply to utility-scale solar applications that have been submitted prior to the Board's consideration of this temporary moratorium at the public meeting on April 8, 2025; or to solar panels or other renewable energy components that are installed on private residential or commercial structures for use within the residential or commercial structure, or those which do not meet the definition of "utility-scale" power generation.

Approved and adopted this 15 day of April, 2025.

BOARD OF COUNTY COMMISSIONERS,  
MONTEZUMA COUNTY, COLORADO

Kim Percell

County Clerk and Recorder  
Montezuma County, Colorado



Jim Candelaria  
Jim Candelaria

Kent Lindsay  
Kent Lindsay

Gerald Koppenhafer  
Gerald Koppenhafer