

COUNTY COMMISSION REQUEST FOR ACTION # 2023-209

Title: Mountain Peak Energy Storage (Plus Power) Request for Continuance of Appeal

COMMISSION MEETING DATE: November 7, 2023, at 9:00 AM

REQUESTING DEPARTMENT OR AGENCY: Planning and Zoning

CONTACT PERSON: Tim Hamilton

DEADLINE IF ANY FOR ACTION: November 7, 2023

DATE SENT COUNTY COUNSELOR: October 31, 2023

1. Request for Action

Mountain Peak Energy Storage (doing business as Plus Power) is requesting a continuance of their appeal to the Planning Commission's decision on September 26 to deny their request for establishment of a battery energy storage facility in the County. The request is to reschedule the County Commission consideration of this appeal from November 14 to a date in February, 2024.

2. Alternatives for Action

1. Approve the request for continuance of the appeal by Mountain Peak Energy Storage (Plus Power) to a date in February 2024.

2. Keep current schedule to hear the appeal on November 14, 2023.

3. Staff Recommendation

Because this request involves due process procedure, staff refrains from providing a recommendation.

County Counselor recommendation is to grant the continuance noting that the Planning Commission met on October 24th, 2023 and stated their findings for reason for denial. The appealing party should have time to review the findings and prepare for the appeal.

4. Budget Impact

County budget will not be impacted by this decision.

5. Action Taken by County Commission