

APPROVAL OF LOCATION (RECOMMEND APPROVAL)

Fuller

moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. U-22-004

COLORADO SPRINGS UTILITIES BROADBAND EXPANSION PROJECT

WHEREAS, Colorado Springs Utilities (CSU) did file an application with the El Paso County Planning and Community Development Department for an approval of location to allow for the design and construction of a fiber distribution network expansion within the boundaries of Colorado Springs Utilities; and

WHEREAS, a public hearing was held by this Commission on February 2, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. That the application was properly submitted for consideration by the Planning Commission;
2. That proper posting, publication, and public notice was provided as required by law for the hearing before the Planning Commission;
3. That the hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted, and that all interested persons and the general public were heard at that hearing;
4. That the authorization or financing of said public way, ground, space, building, structure, or utility does not fall within the province of the Board of County Commissioners;
5. That the application conforms to the El Paso County Land Development Code;
6. That the application conforms to the adopted El Paso County Master Plan;
7. That approval of the proposed application will not result in harmful environmental, service, or fiscal impacts upon El Paso County or its residents: and

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8. That for the above-stated and other reasons, the proposal is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, section 5.3.3.J, Approval of Location, Review Standards, of the Land Development Code (2022) states, "The application for a public use, structure or utility is reviewed for conformity with the submittal and processing requirements included within this Code and Procedures Manual and for conformity with the adopted Master Plan."

NOW, THEREFORE, BE IT RESOLVED that the application of Colorado Springs Utilities (CSU) for an approval of location to allow for the design and construction of a fiber distribution network expansion within the boundaries of Colorado Springs Utilities in the following described unincorporated area of El Paso County be approved:

See Appendix A

BE IT FURTHER RESOLVED that the following conditions and notations be placed upon this approval:

CONDITIONS

1. No substantial expansion, enlargement, or modification of the site development plan shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code (2022).
2. Any construction that is proposed to occur within El Paso County public right-of-way shall require review and approval of a permit for work in the right-of-way pursuant to the regulations of the El Paso County Department of Public Works.
3. Any construction that is proposed to occur outside of El Paso County public right-of-way shall require construction drawing review and administrative approval by Planning and Community Development Department prior to commencement of construction.
4. The proposed use shall comply with all requirements of the El Paso County Land Development Code (2022) and all County, State, and federal regulations except for those portions varied by this action.

NOTATIONS

1. Approval of location requests are not forwarded to the El Paso County Board of County Commissioners for consideration. Pursuant to C.R.S. § 30-28-110, the final El Paso County action occurs at the Planning Commission.

MORAES seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Brian Risley
Thomas Bailey

aye / no / abstain / absent
aye / no / abstain / absent

Tim Trowbridge	aye / no / abstain / absent
Becky Fuller	aye / no / abstain / absent
Sarah Brittain Jack	aye / no / abstain / absent
Jay Carlson	aye / no / abstain / absent
Eric Moraes	aye / no / abstain / absent
Joshua Patterson	aye / no / abstain / absent
Bryce Schuettpeiz	aye / no / abstain / absent
Christopher Whitney	aye / no / abstain / absent
Brandy Merriam	aye / no / abstain / absent

The Resolution was adopted by a vote of 6 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 2nd day of February 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: Brian Risley
Brian Risley, Chair

DATED: February 2, 2023



Colorado Springs Utilities

It's how we're all connected

APPENDIX A

Colorado Springs Utilities Fiber Network Build-out VICINITY MAP



