



# EL PASO COUNTY

## COLORADO

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### PLANNING & COMMUNITY DEVELOPMENT

**TO:** El Paso County Planning Commission  
Brian Risley, Chair

**FROM:** Christian Haas, Planner I  
Lupe Packman, EI Engineer I  
Meggan Herington, AICP, Executive Director

**RE:** Project File #: U-22-004  
Project Name: Colorado Springs Utilities Fiber Network Expansion  
Parcel No.: Countywide Project

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
Colorado Springs Utilities 121 S. Tejon Street Colorado Springs, CO 80947	Colorado Springs Utilities 121 S. Tejon Street Colorado Springs, CO 80947

**Commissioner Districts: All**

<b>HEARING DATE:</b>
Planning Commission: 2/2/2023

### EXECUTIVE SUMMARY

A request by 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. The project proposal includes a 2,000-mile expansion of the existing fiber distribution network underground and overhead on existing electric distribution poles, which as designed will be contained within existing easements and public rights-of-way. Work done within these locations will include hydraulic directional drilling to supply 2" and 3" conduit needed to deploy the fiber infrastructure. Underground construction and installation will be performed via new boring and new trenching as well as utilizing existing conduit where available. Should the

2880 INTERNATIONAL CIRCLE  
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910  
PLNWEB@ELPASOCO.COM

Planning Commission approve the location and extent of the fiber optic infrastructure project, the applicant will be required to submit and receive approval of a site development plan prior to initiating construction of the proposed fiber lines and associated structure.

#### **A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION**

**Request:** A request for an approval of location to allow for new fiber optic service lines.

**Waiver(s)/Deviation(s):** There are no waivers or deviations requested with the approval of location.

**Authorization to Sign:** There are no documents associated with this application that require signing.

#### **B. APPROVAL CRITERIA**

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.”

#### **C. LOCATION**

The utility lines are proposed to be within easements and rights-of-way throughout the boundaries of Colorado Springs Utilities service territory which winds in and out of city and county jurisdictions (see attached vicinity map).

#### **D. BACKGROUND**

A request from Colorado Springs Utilities for an Approval of Location was assigned on October 31<sup>st</sup>, 2022, to initiate the expansion of CSU’s existing fiber distribution network. The project is estimated to install conduit and fiber optic lines for approximately 2,000 linear miles within designated utility easements and public rights-of-way within Colorado Springs Utilities service territory. The El Paso County Guidelines and Regulations for Areas and Activities of State Interest (aka “1041 Regulations”) do not apply to fiber optic infrastructure; therefore, a 1041 Permit is not required.

Section 1.15 of the El Paso County Land Development Code (2022) defines an “Approval of Location” as:

“[T]he process authorized by CRS §30-28-110(1) whereby the Planning Commission reviews and approves the location and extent of any road, park, public way, ground or



space, public building or structure, or public utility (whether publicly or privately owned and constructed).”

The proposed utility lines are owned and operated by Colorado Springs Utilities (CSU); therefore, the proposed development qualifies as an approval of location in accordance with the Code. An approval of location is necessary per C.R.S. 30-28-110 and Section 5.3.3 of the Code. Should the approval of location be approved, the applicant will be required to submit and receive administrative approval of a site development plan prior to initiating construction of the proposed utility lines and associated structures.

## E. ANALYSIS

### 1. Land Development Code Analysis

The request for approval of location is reviewed for conformity with the requirements of the Land Development Code and for conformity with the El Paso County Master Plan. Staff recommends that the proposed use complies with Section 5.3.3 of the Code regarding approval of location and C.R.S. 30-28-110, with the conditions and notations.

### 2. Zoning Compliance

Section 5.3.3.C of the El Paso County Land Development Code (2022) describes Applicability for the Approval of Location process as follows:

“The Planning Commission is required to review and approve construction of or plans for the construction of any road, park, or other public way, ground, or space, public building or structure, or public utility, whether publicly or privately owned prior to the construction of any facility.”

All work is planned on existing facilities, structures, and roads, with no new facilities, structures, or roads proposed per the Letter of Intent. There are no Zoning Compliance issues noted with the proposed project.

### 3. Master Plan Analysis

#### a. Your El Paso Master Plan (2021)

The scope of the project is large and covers much of Colorado Springs Utilities service territory. The project is not contained within one single placetype, key area, or area of change. However, the Your El Paso Master Plan (2021) places an emphasis on the importance of utility service availability, including the provision of broadband services and installation of fiber optics. Broadband service is sparse in the eastern portions of the County and the County recognizes the importance of improving broadband access for underserved El Paso County residents. The El



Paso County Master Plan (2021) recognizes the importance of establishing partnerships with utility service providers to improve services in El Paso County. Specifically, Chapter 8, Page 109, of the El Paso County Master Plan (2021) states:

“The County recognizes the importance of improving broadband access for underserved El Paso County residents. Real broadband service throughout the County will drive social and economic benefits for businesses, residents, and the public sectors. The creation of effective public-private partnerships will enable the County to target the use of scarce resources such as staff time and County budget to the areas in which the highest potential impact can occur.”

Broadband infrastructure is scarce in the eastern portions of the County. By improving broadband access for these areas, service providers can provide better service for their customers which can in turn help drive economic development in areas where it may not have previously been practical or feasible.

The relevant goal, objective, and specific strategy are as follows:

***Goal CF13 – Ensure adequate provision of utilities to manage growth and development.***

***Objective CF13-7 – Create public-private partnerships to extend broadband infrastructure.***

***Specific Strategy – Develop assets that align to a strategic plan and make them available through partnerships with the private sector in order to address underserved broadband areas.***

The Approval of Location process is the first step in expanding broadband infrastructure to provide service to those areas of Colorado Springs identified as underserved. Construction of fiber optic infrastructure will improve the availability of services and may help ensure that future growth and development is adequately served by utility services.

According to data included on Page 10 of the Master Plan, El Paso County is projected to increase in population by roughly 256,000 by 2050, which represents an approximate 35% increase in population from 2019. Due to the County’s rapidly



growing population and projected future growth, it is imperative to ensure that improved access to scarce resources is prioritized.

All construction is proposed to occur within designated utility easements and public rights-of-way within Colorado Springs Utilities service territory. The proposed utility project will not adversely impact the character of any areas of the County as installation of all infrastructure is proposed where utility infrastructure already exists. Future infrastructure is likely to be installed in the same manner and additional easements will not likely be necessary to support the future installations of fiber optic infrastructure.

**b. Water Master Plan Analysis**

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

***Goal 1.1** – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

***Policy 1.1.1** – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

***Goal 1.2** – Integrate water and land use planning.*

The project is proposed to be constructed throughout Colorado Springs' Utility service territory and will not be limited to a specific Planning Region identified in the El Paso County Water Master Plan (2018). However, much of the installation is proposed to be located within Regions 1, 2, 3, 4c, 5, 7, and 8. All of these Regions are expected to experience growth by 2060, with the most substantial growth expected in Regions 2 and 3. As previously stated in the above sections, improved access to broadband services will be important to help manage the projected growth in these areas as well as to provide connectivity to other areas of the County where water resources may be scarcer.

Water and wastewater services will not be necessary for expansion and integration of fiber optic infrastructure.



#### 4. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) are not applicable since the utility lines are proposed to be located within easements and rights-of-way throughout El Paso County.

Please see the Master Plan for Mineral Extraction (1996) Aggregate Resource Evaluation map included herein for a list of mineral deposits throughout El Paso County. Due to the scope of the project, and the proposed locations of the infrastructure within utility easements and public rights-of-way, a mineral rights certification was not required. The proposed utility project is proposed where existing utility infrastructure already exists and it is not likely that additional mineral deposits will be impacted.

Please see the Parks/Trails section below for information regarding The El Paso County Parks Master Plan (2022).

Please see the Transportation section below for information regarding the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

## F. PHYSICAL SITE CHARACTERISTICS

### 1. Hazards

No hazards were noted during the review of the approval of location. The utility lines are proposed to be located within easements and rights-of-way throughout portions of El Paso County within the Colorado Springs Utilities service territory. Specific line orientations and locations will be provided with the individual construction drawing review application(s) and any hazards will be identified and reviewed at that time.

### 2. Floodplain

The utility lines are proposed to be located within easements and rights-of-way throughout portions of El Paso County within the Colorado Springs Utilities service territory and may be located within several FEMA designated floodplains. Appropriate requirements will be assessed with the subsequent construction drawing review applications, if applicable. Since the utility project is proposed where existing utility infrastructure already exists, it is not likely that the floodplain will be impacted.

### 3. Drainage and Erosion

Drainage and bridge fees are not applicable to approvals of location. In addition, drainage and bridge fees do not apply to subsequently submitted construction drawing review applications.



A grading and erosion control plan and drainage report are not required with an approval of location; however, approvals of such documents will need to occur with the subsequent construction drawing review applications.

#### **4. Transportation**

This project consists primarily of construction of utility infrastructure and is not projected to cause a significant increase to traffic on County facilities or conflict with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

### **G. SERVICES**

#### **1. Water**

Water service is not necessary for the proposed utility project.

#### **2. Sanitation**

Wastewater service is not necessary for the proposed utility project.

#### **3. Emergency Services**

The project is located within several fire protection districts. The following fire protection review authorities were each sent a referral: EPC Sheriff's Department, 911 Authority - El Paso/Teller County, Bid Sandy Fire Protection District, Black Forest Fire Protection District, Broadmoor Fire Protection District, Calhan Fire Protection District, Cascade Volunteer Fire Department, Cimarron Hills Fire, Donald Wescott Fire Protection District, Edison Volunteer Fire Department, Elbert Fire Protection District, Ellicott Fire Protection District, Falcon Fire Protection District, Fountain Fire Department, GMF Chipita Park Fire Protection District, Hanover Fire Protection District, Manitou Volunteer Fire Department, Palmer Lake Volunteer Fire Department, Peyton Fire Protection District, Security Fire Protection District, Southwestern Hwy 115 Fire Protection District, Stratmoor Hills Fire Department, Tri-County Fire Protection District, Tri-Lakes-Monument Fire Protection District. To date, none of the agencies have any outstanding comments.

#### **4. Utilities**

The project will be contained within existing easements and public rights-of-way within Colorado Springs Utilities service territory.

#### **5. Parks/Trails**

Land dedication and fees in lieu of park land dedication are not required for an approval of location. The El Paso County Community Services Department, Parks and Recreation Division, was sent a referral for the approval of location and has no outstanding comments. The Parks and Recreation Division will be included as a referral agency on the future review of all construction drawings for any portions of the lines or any structures in the proximity of an El Paso County park or trail.





## 6. Schools

Land dedication or fees in lieu of school land dedication are not required for an approval of location.

## H. APPLICABLE RESOLUTIONS

See attached resolution.

## I. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

## J. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission find that the request meets the criteria for approval outlined in Section 5.3.3 of the El Paso County Land Development Code (2022), staff recommends the following conditions and notations:

### 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.





**K. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department published an advertisement for the Planning Commission hearing in the *Colorado Springs Gazette* on January 18<sup>th</sup>, 2023. Any responses received will be provided at the hearing.

**L. ATTACHMENTS**

Vicinity Map (part of Letter of Intent)

Letter of Intent

Site Plan

Draft Resolution





# Colorado Springs Utilities

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January 11, 2023

El Paso County  
Planning and Community Development Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

Re: Letter of Intent for Colorado Springs Utilities Fiber network expansion project

Dear Planning Staff,

Colorado Springs Utilities is submitting this Letter of Intent in accordance with the requirements of the El Paso County Approval of Location and Site Development Plan applications. The proposed project consists of the development and construction of a fiber distribution network expansion within the boundaries of County. The new fiber distribution network will be used to increase efficiency in the Colorado Springs Utilities system as well as serve all Colorado Springs Utilities members with broadband internet access in the near future. Additional project details are provided below.

## **Applicant**

The Applicant contact information is as follows:

### Applicant

Colorado Springs Utilities  
215 Nichols Blvd  
Colorado Springs, CO 80907  
Contact: Jason Miller  
Telephone: 719-668-3821  
Email: [jjmiller@csu.org](mailto:jjmiller@csu.org)

## **Site Location, Size and Zoning**

The proposed site of Colorado Springs Utilities Fiber network expansion project is located within the Colorado Springs Utilities service territory. Please see the Vicinity Map for location (Attachment 1).

## **Request and Justification**

The scope of the project includes the development and deployment of a fiber distribution network on existing Colorado Springs Utilities electrical poles, easements, and ROW's. Colorado Springs Utilities current fiber optic telecommunications network is configured to enable point to point communications between key operating and communication nodes within our system. This project will improve and expand that network to provide a much denser and deeper communications backbone for the Smart Grid technology necessary to bring about the technological leap forward for the next fifty years. The project will also have an immediate impact to increase the capabilities and efficiencies of Colorado Springs Utilities' entire electrical system along with in the near future the ability to provide world class broadband to all members of



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Colorado Springs Utilities service territory. This service will allow all persons the ability to utilize broadband internet for personal and professional development.

This project is estimated to provide service along ~2,000 linear miles spread throughout and across twelve (12) Fiber Hut Regions and will require construction and installation of both aerial and underground 864, 432, 288, 144, and 72 count fiber optic cables. The work to be done within many of these locations will be hydraulic directional drilling to supply 2" and 3" conduit in order to deploy the fiber infrastructure. Aerial construction and installation will be performed on electric distribution poles in the communications space. Underground construction and installation will be performed via new boring and new trenching as well as utilizing existing conduit where available.

The site plan is attached as attachment #2.

There will be no other new facilities, structures, or roads.

### **Waiver Request and Justification**

n/a

### **Elevation and Floor Plans**

n/a

### **Sign Plan**

Contractor will collaborate with Utilities' Corporate and Workforce Communications Department to determine the appropriate content and design of an outreach tool, e.g., door hangers, fliers. Contractor must provide the approved outreach tool and place them at homes and businesses within a work area 48 hours prior to commencing work.

### **Traffic Information**

Traffic information will vary day to day. All activities of the work will take place on public easement, row or roadside based off the planned design of the infrastructure required. During construction the type and location of traffic control devices used on county streets must be approved prior to any activities that may impact the public travel. Based on city Right of Way experience, most times standard traffic control plans should be sufficient for these activities.

### **Lighting Plan**

All lighting at the site will be on from dusk until dawn for the safety of employees and for security of the site.

If you have questions regarding the material included in this Letter of Intent or the application materials, please contact me at [jjmiller@csu.org](mailto:jjmiller@csu.org) or 719-668-3821

Sincerely,



Colorado Springs Utilities  
Jason J Miller  
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Project Manager

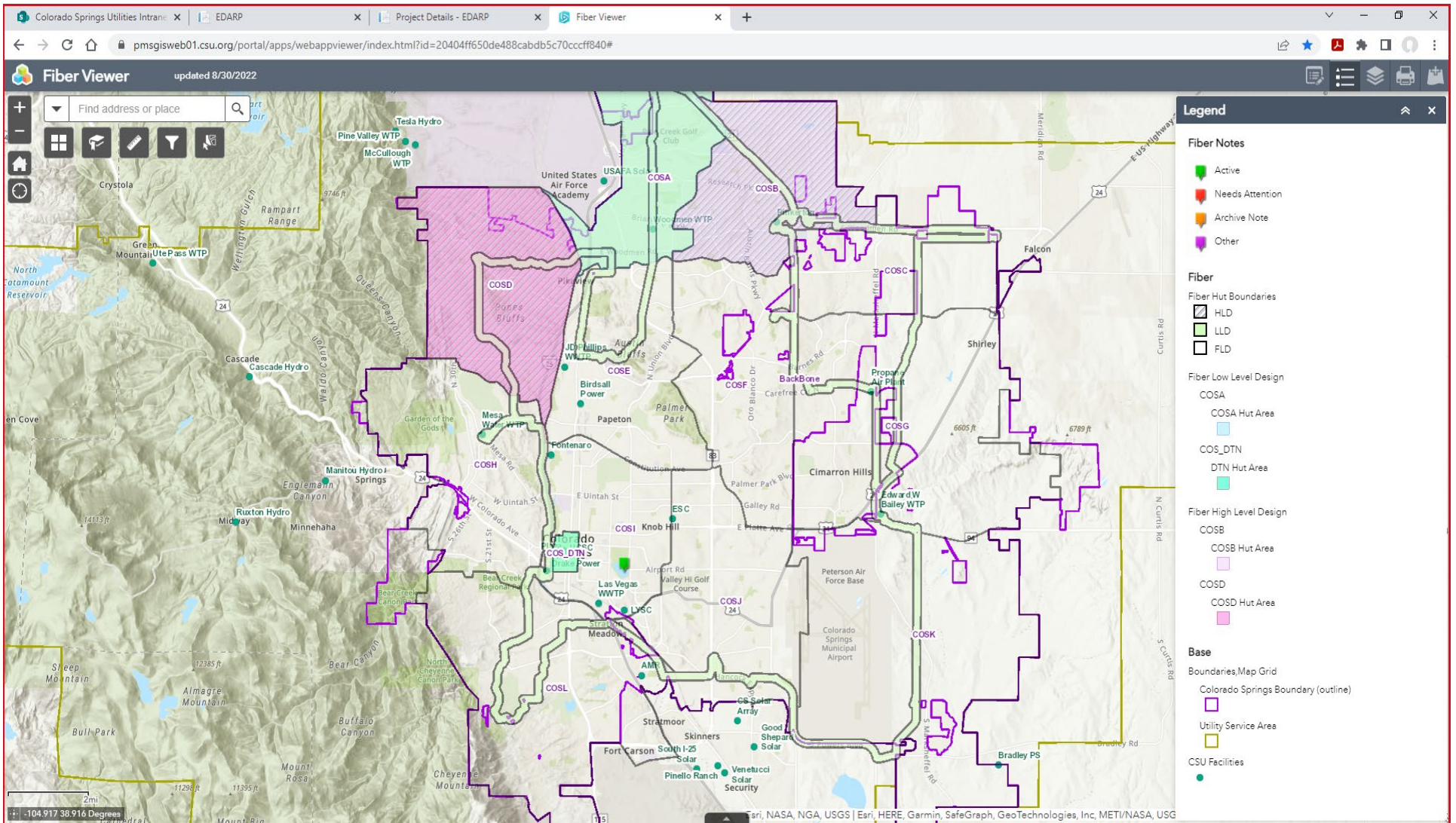
Attachments:

1. Vicinity Map
2. Site Plan Drawings



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# Colorado Springs Utilities Fiber Network Build-out VICINITY MAP



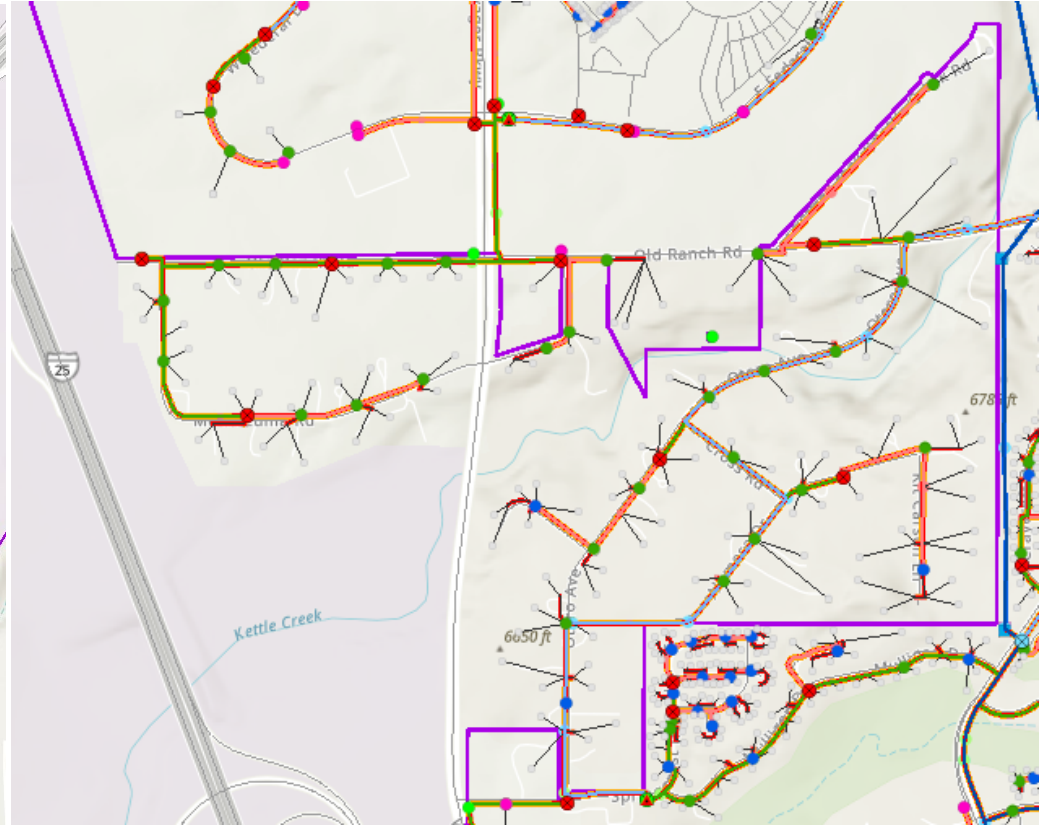
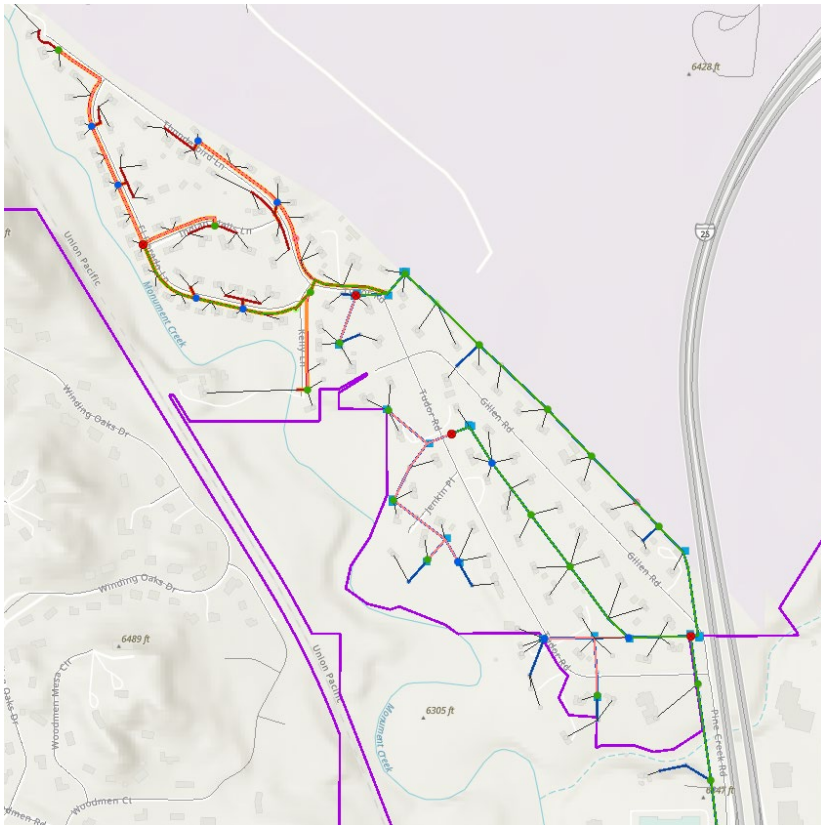




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## Colorado Springs Utilities Fiber Network Build-out

## SITE PLAN DRAWINGS



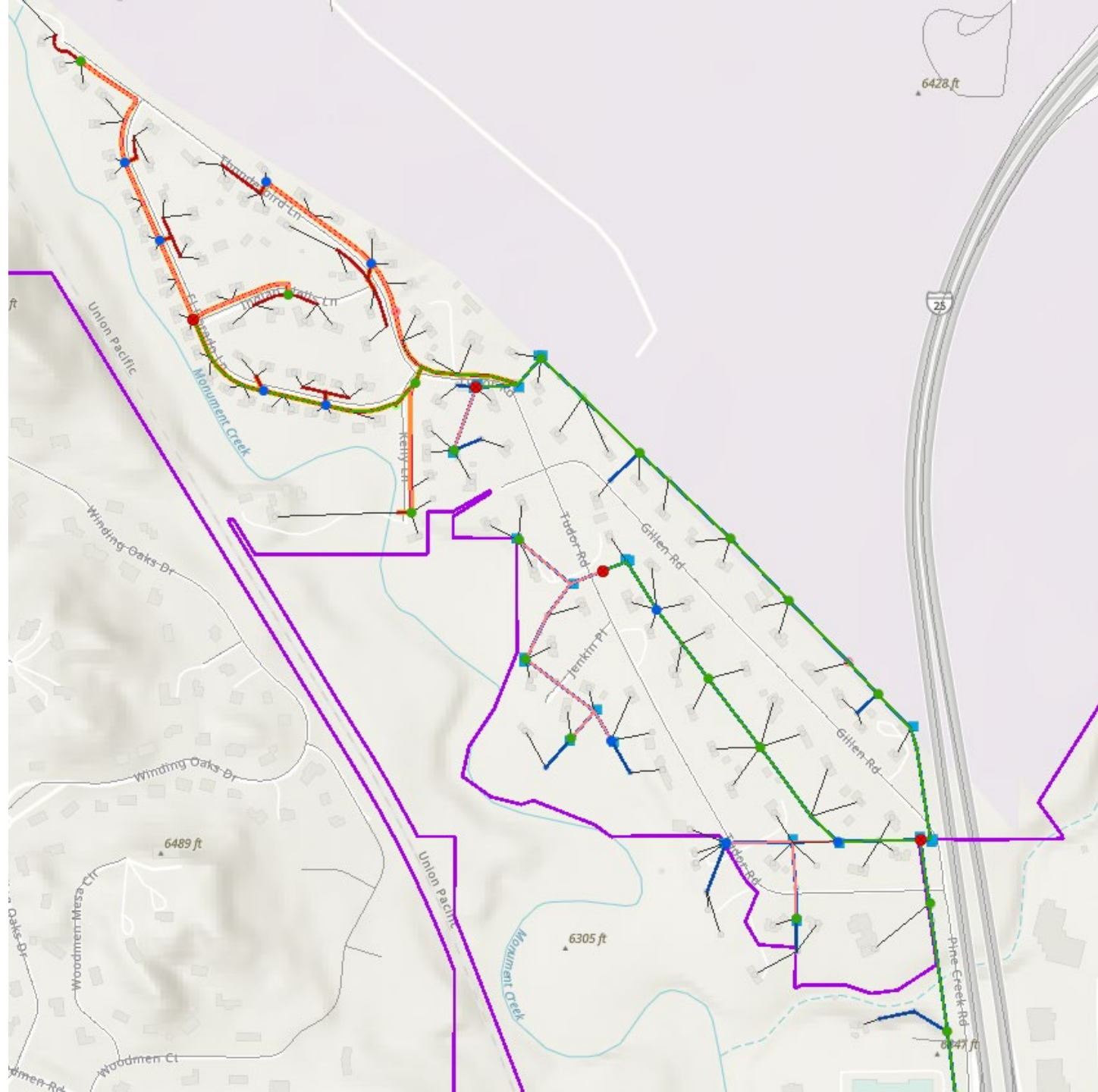
# Colorado Springs Utilities Fiber Network Expansion

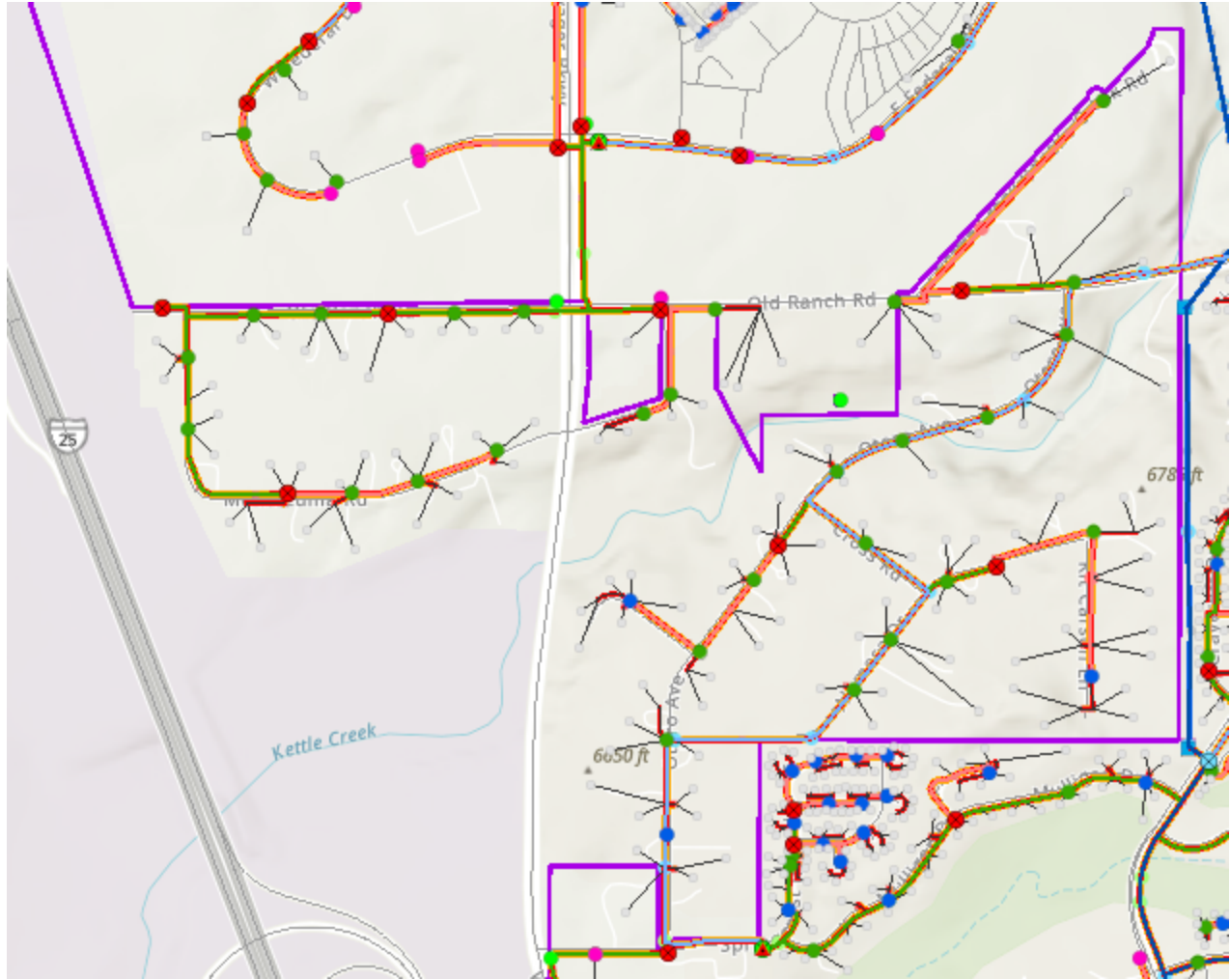
County Permitting Discussion

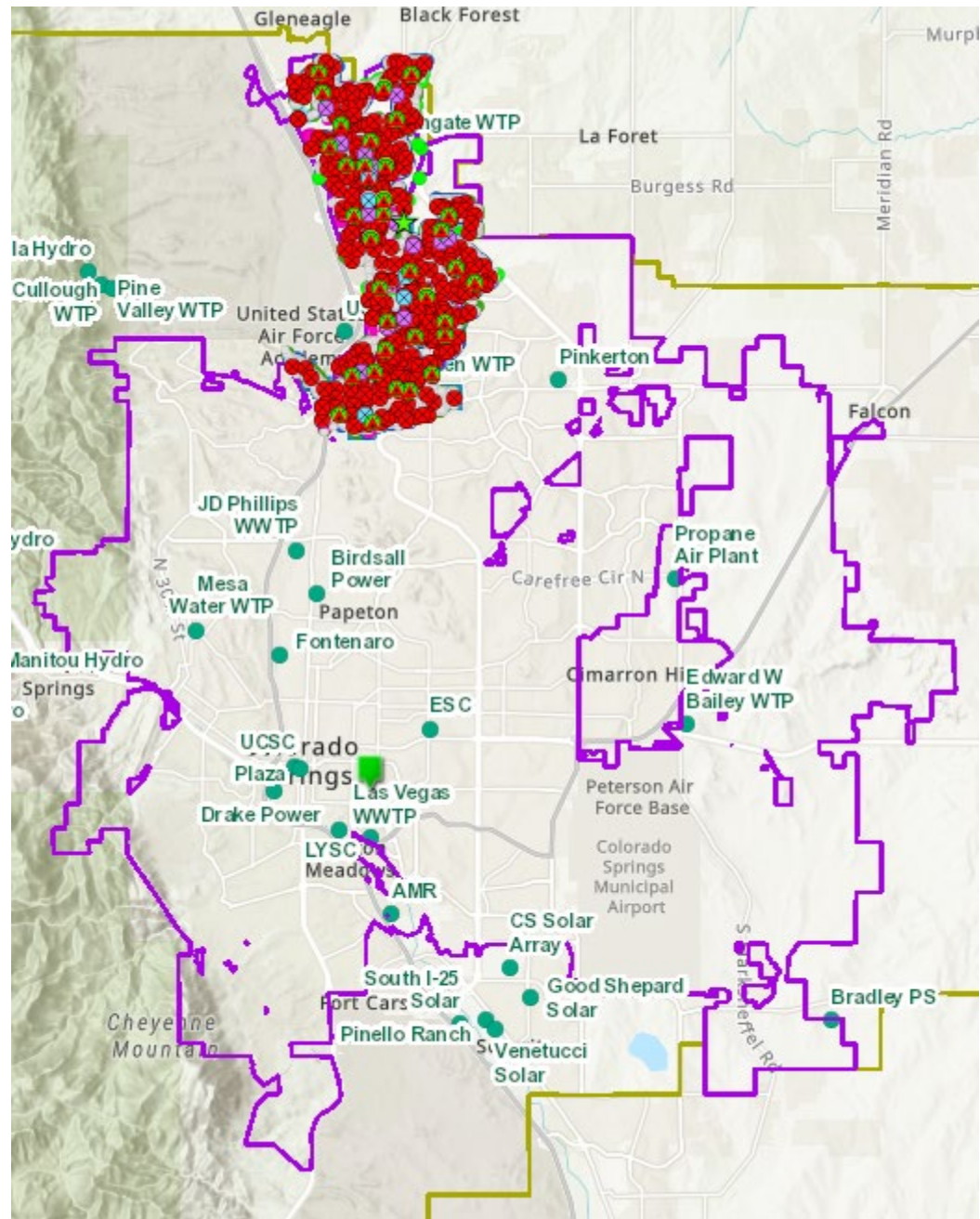
Brian Wortinger and Jason Miller

Plan Drawing examples









APPROVAL OF LOCATION (RECOMMEND APPROVAL)

\_\_\_\_\_ 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

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.

\_\_\_\_\_ seconded the adoption of the foregoing Resolution.

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

Brian Risley	aye / no / abstain / absent
Thomas Bailey	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 \_\_\_to\_\_\_ by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 2<sup>nd</sup> day of February 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: \_\_\_\_\_  
Brian Risley, Chair

DATED: February 2, 2023

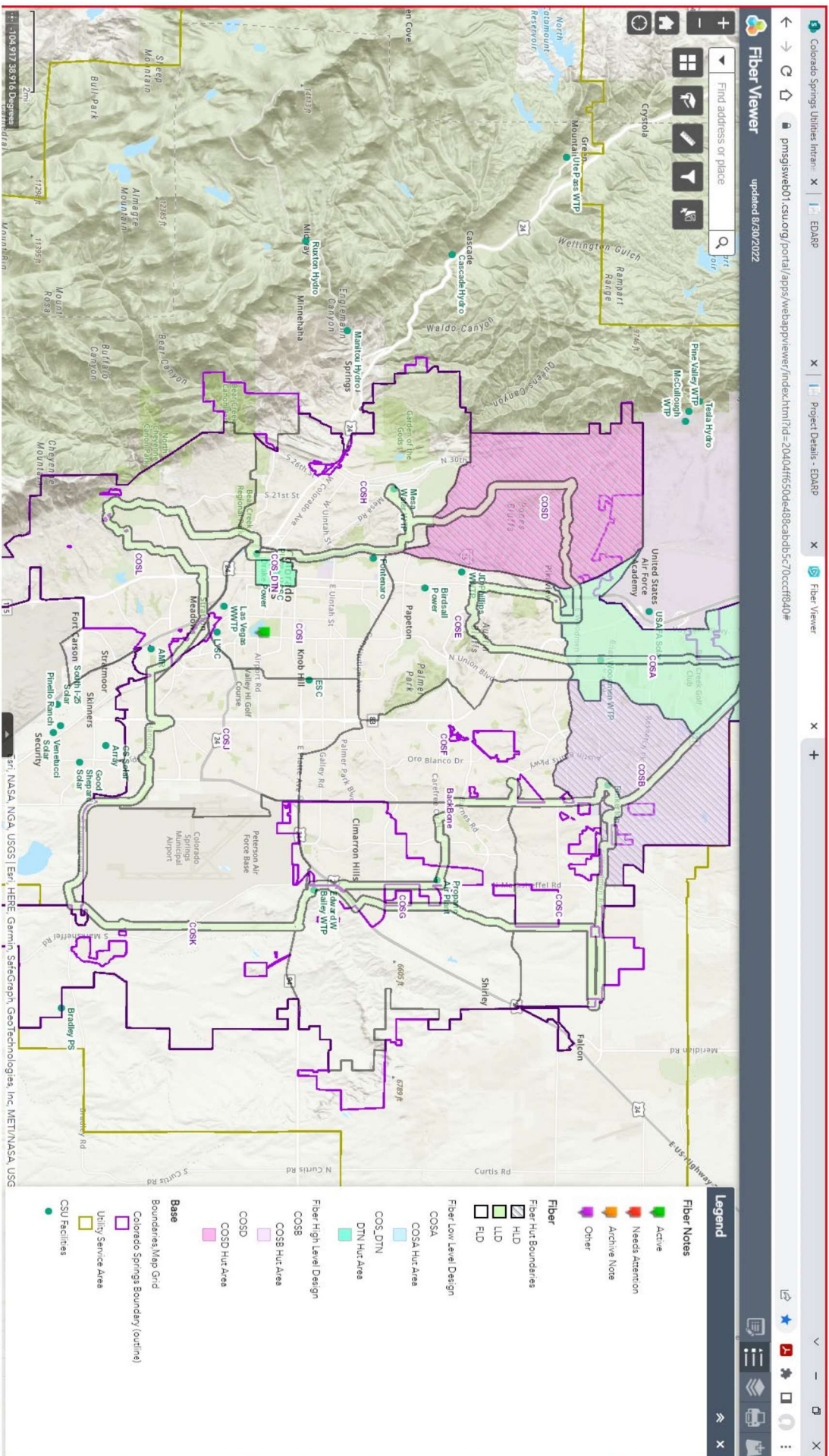




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APPENDIX A

Colorado Springs Utilities Fiber Network Build-out VICINITY MAP







Colorado Springs Utilities

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**APPENDIX A**

**Colorado Springs Utilities Fiber Network Build-out**

**SITE PLAN DRAWINGS**

