

ADOPTION OF THE WATER MASTER PLAN FOR EL PASO COUNTY, COLORADO

Commissioner Curry moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. MP-18-001

WHEREAS, El Paso County Planning and Community Development Department (“PCD”) requests approval of the Water Master Plan by adoption as an amendment to, and element of, the El Paso County Master Plan, within the designated area of the unincorporated area of El Paso County, Colorado; and

WHEREAS, § 30-28-108, C.R.S., provides that a county planning commission may adopt, amend, extend, or add to the County Master Plan; and

WHEREAS, PCD engaged in a lengthy process to develop this long range water plan for El Paso County in conjunction with its consultant, Forsgren Associates, Inc., with input from the Steering Committee and the public via comments, a survey, and a public open house; and

WHEREAS, pursuant to § 30-28-106(1), C.R.S., public hearings were held by this Planning Commission on December 4, 2018 and December 18, 2018; and

WHEREAS, the Planning Commission acknowledges that the proposed MP-18-001—Adoption of a Water Master Plan as an Element of the County Master Plan, has been thoroughly presented; and

WHEREAS, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the County, comments of the El Paso County Planning Commission, comments of the PCD, comments of public officials and agencies, and comments from all interested parties, this Commission finds as follows:

1. That proper posting, publication and public notice were provided as required by law for the hearings of the Planning Commission; specifically, legal notice for the hearings was published in the El Paso County & Fountain Valley Advertiser & News on November 21, 2018, and on the PCD’s website.
2. That the hearings before the Planning Commission were extensive and complete, that all pertinent facts, matters and issues were submitted and reviewed, and that all interested parties were given an opportunity to be heard at those hearings.
3. That all data, surveys, analyses, studies, plans, designs, maps, and descriptive matter as are required by the State of Colorado and El Paso County have been submitted, reviewed and found to meet all sound planning requirements of El Paso County.
4. That the Water Master Plan shall amend the Master Plan for El Paso County.

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

WHEREAS, § 30-28-109, C.R.S., requires the Planning Commission to certify a copy of the Amendment to the Master Plan to the Board of County Commissioners and to the planning commissions of all municipalities within the County.

NOW, THEREFORE, BE IT RESOLVED that the El Paso County Planning Commission hereby approves and adopts the Water Master Plan as an amendment to the Master Plan for El Paso County, specifically including the maps and descriptive matter that constitute the Water Master Plan contained in PCD File No. MP-18-001, which is incorporated herein by this reference as if fully set forth herein.

BE IT FURTHER RESOLVED, that pursuant to § 30-28-109, C.R.S., the El Paso County Planning Commission hereby certifies to the Board of County Commissioners and to the planning commissions of all municipalities located within El Paso County a copy of the Water Master Plan for El Paso County, specifically including the maps and descriptive matter that constitute the Water Master Plan, contained in PCD File No. MP-18-001.

BE IT FURTHER RESOLVED, that the El Paso County Planning Commission hereby directs the Secretary of the Planning Commission to record the action taken by the Planning Commission and affix their signature to said map and descriptive matter pursuant to § 30-28-108, C.R.S.

BE IT FURTHER RESOLVED, that the intent of the Planning Commission in approving and adopting this Water Master Plan as an amendment to the Master Plan for El Paso County is that the Water Master Plan is an advisory document. To the extent the Water Master Plan may be subsequently referenced in the County's subdivision and/or zoning regulations, those references shall neither construe nor render the Water Master Plan to be a binding, regulatory document, nor shall such references overcome the intent that the Water Master Plan is advisory, and that the Planning Commission and Board of County Commissioners shall maintain its considerable discretion in deciding how to apply the Water Master Plan in its land use decisions.

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

CONDITIONS

1. Section 30-28-109, C.R.S., requires the Planning Commission to certify a copy of the Master Plan, or any adopted part or amendment thereof or addition thereto, to the Board of County Commissioners and to the Planning Commission of all municipalities in the County. The Planning Commission's action to amend the Master Plan shall not be considered final until such documents are certified by the Chairman of the County Planning Commission and distributed as required by law.
2. Upon adoption by the El Paso County Planning Commission, the effect of this document is to supersede any conflicting recommendations of the Policy Plan or Small Area Plans.

NOTATIONS

1. Certification of the documents to the municipalities within the County pursuant to Condition No. 1 above is determined to be satisfied upon transmittal of summary information and maps along with a clear description of the locations where the complete documents are available for inspection, along with an offer to provide a given municipality a complete copy of the documents if requested. The transmittal may be in the form of a digital copy.

2. By approving the Water Master Plan,, the Planning Commission authorizes PCD and the County Attorney's Office to make minor editorial and formatting changes in conjunction with the final publication process. These modifications may include pagination, correction of typographical errors, form and style edits, clarifications, insertion of photographs, insertion of references and/or corrections to factual information, or inclusion of comments and modifications consistent with, and associated with, the Planning Commission hearings. In no case will substantive changes be made to the text without reconsideration or amendment by the Planning Commission.

Commissioner Egbert seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Creely	aye
Commissioner Curry	aye
Commissioner Dillon	aye
Commissioner Lucia-Treese	aye
Commissioner Bailey	aye
Commissioner Friedman	aye

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

DONE THIS 18th day of December, 2018 at Colorado Springs, Colorado

EL PASO COUNTY PLANNING COMMISSION

By: 

Jim Egbert, Chair

ATTEST:

By: 

Tracey Garcia, Secretary