

RESOLUTION 57-2020

It was moved by Commissioner Laybourn and duly seconded by Commissioner Willeke to adopt the following resolution; to wit

WHEREAS, an application for Use By Special Review for an underground crude oil/condensate pipe line within unincorporated Washington County was received from Colorado Liberty Pipeline LLC (Liberty) on January 16th, 2020 (Case Number SP20-01) ; and

WHEREAS, subsequently notice of a hearing before the Washington County Planning Commission was published in both County legal publications pursuant to County requirements that require a 14 day published notice to advise the public of the proposal; and

WHEREAS, the County received proof of publications affidavits confirming that the hearing had been properly published for notice to the public at large; and

WHEREAS, at their regularly scheduled meeting on February 17th, 2020 the Planning Commission received evidence and testimony from the applicant and others regarding the proposed pipeline; and

WHEREAS, the Washington County Planning Commission recommended such use favorably at this meeting as well as approving the location and extent of said project pursuant to C.R.S. 30-28-110; and

WHEREAS, the Board has considered this Use by Special Review application on this date and reviewed the recommendations of the Planning Commission and has determined to take the following action.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of Washington County as follows:

FINDINGS

The Board makes the following findings:

1. The published notice was properly published at least 14 days prior to the actual Planning Commission hearing advising the general public of this matter pursuant to County requirements and therefore the Planning Commission had proper jurisdiction to proceed with the application hearing.

2. The Board hereby accepts the recommendations of the Planning Commission of approving this project with the following stipulations which applicant is deemed to accept by submitting the final Mylar for execution by the County.

DECISION

1. That the Use by Special Review Permit is approved subject to the following stipulations and or conditions precedent.

a. that although the County has approved the corridor for this project, it will be necessary for the applicant to obtain the private rights of way for this project from the individual landowners **prior** to construction of the pipeline.

b. any deviation of the corridor as presented to the Planning Commission must be resubmitted for further consideration by Washington County.

c. That the final Mylar be revised to show Townships, Ranges and County Roads.

2. That the Clerk to the Board is hereby directed to advise the applicant of the action taken by the Board on this date.

The foregoing Resolution was presented at a regular meeting of the Washington County Commissioners held on the 10th day of March 2020 by Commissioner Laybourn who moved its adoption. The motion was seconded by Commissioner Willeke and on roll call vote, all votes being yes, the resolution was adopted.

Attest: Annie Kent

Rory N. Wells
Chairman

Richard T. Willeke
Commissioner

Sean Ann Laybourn
Commissioner