

RESOLUTION NO. _____, SERIES OF 2024

**RESOLUTION DESIGNATING MATTERS OF STATE INTEREST AND
ADOPTING GUIDELINES AND REGULATIONS FOR THE COUNTY
ADMINISTRATION OF CERTAIN ACTIVITIES OF STATE INTEREST**

WHEREAS, pursuant to §24-65.1-101 et. seq., local governments are encouraged to designate areas and activities of state interest and after such designation, administer such areas and activities of state interest and promulgate guidelines for the administration thereof; and

WHEREAS, the Board has determined that it is appropriate to designate certain matters of state interest, taking into consideration the intensity of current and foreseeable development pressures, and applicable guidelines for designation issued by the applicable state agencies; and

WHEREAS, the Board held a public hearing on November 26, 2024, after providing public notice in accordance with §24-65.1-404, C.R.S., at which time the Board heard public comments and input; and

WHEREAS, the State of Colorado has identified various activities of state interest that a local government may designate including:

- a. Site selection and construction of major new domestic water and sewage treatment systems and major extension of existing domestic water and sewage treatment systems;
- b. Site selection and construction of major facilities of a public utility;
- c. Efficient utilization of municipal and industrial water projects; and

WHEREAS, the Board has determined that designation of the activities set forth herein is appropriate to ensure:

- a. New domestic water and sewage treatment systems are constructed in areas which will result in the proper utilization of existing treatment plants and the orderly development of domestic water and sewage treatment systems of adjacent communities;
- b. Major extensions of domestic water and sewage treatment systems are permitted in those areas in which the anticipated growth and development that may occur as a result of such extension can be accommodated within the financial and environmental capacity of the area to sustain such growth and development;
- c. Where feasible, major facilities of public utilities are located so as to prevent significant deterioration or degradation of air and water quality in the state and to avoid direct conflict with adopted local government, regional, and state master plans;

- d. Municipal and industrial water projects emphasize the most efficient use of water, including, to the extent permissible under existing law, the recycling and reuse of water. Urban development, population densities, and site layout and design of storm water and sanitation systems will be accomplished in a manner that will prevent the pollution of aquifer recharge areas.

WHEREAS, the Board has considered the proposed guidelines and regulations and finds that adoption of the same is essential:

- a. To promote the health, safety and general welfare of the citizens of, and to protect the environment of, Fremont County.
- b. To protect the beauty of the landscape and natural scenic characteristics, to conserve natural and cultural resources including to preserve historical assets and resources, to protect and enhance wildlife habitat, air and water quality, and to conserve natural resources.
- c. To promote safe, efficient and economic use of public resources in developing and providing needed community and area wide infrastructure, facilities and services in a manner that will not overload facilities of existing government service providers.
- d. To ensure that new development will pay for itself to the maximum extent practicable, and to ensure that present residents of Fremont County will not have to subsidize new development through increased cost of public services and/or degradation of the quality of life.
- e. To plan for and regulate the site selection, construction, expansion, and operation of matters of state interest to facilitate the planned and orderly use of land in accordance with their character and adaptability and as recommended by the Fremont County Master Plan.
- f. To regulate the use of land on the basis of the financial and environmental impact thereof on the community or surrounding areas within the development area and source development area.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF FREMONT:

- A. In accordance with § 24-65.1-401, C.R.S., the Board hereby designates the following matters of state interest, thereby allowing the adoption of regulations for the administration of such matters of state interest:
 1. Site selection and construction of major new domestic water and sewage treatment systems and major extension of existing domestic water and sewage treatment systems;
 2. Site selection and construction of major facilities of a public utility;

3. Efficient utilization of municipal and industrial water projects.

- B. In conjunction with this designation and in accordance with §24-65.1-402, C.R.S., the Board hereby approves and adopts the “GUIDELINES AND REGULATIONS FOR MATTERS OF STATE INTEREST (Also known as “1041 Regulations”), dated December 10, 2024, a copy of which is attached hereto and incorporated herein by reference.
- C. Said Guidelines and Regulations shall be effective on January 1, 2025 and shall continue in full force and effect until modified by formal action of the Board of County Commissioners in accordance with law.
- D. The current moratorium shall continue until these Guidelines and Regulations become effective and shall automatically expire when the Guidelines and Regulations take effect.

Commissioner _____ moved adoption of the foregoing Resolution, seconded by
Commissioner _____ and approved by roll call vote as follows:

Debbie Bell	Aye	Nay	Absent	Abstain
Kevin J. Grantham	Aye	Nay	Absent	Abstain
Dwayne McFall	Aye	Nay	Absent	Abstain

Date: _____

BOARD OF COUNTY COMMISSIONERS
OF FREMONT COUNTY

ATTEST:

By: _____
Chairman

By: _____
Clerk to the Board