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El Paso County, CO  
  
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RESOLUTION NO. 15-503 AMENDED

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EL PASO, STATE OF COLORADO

RESOLUTION TO AMEND THE EL PASO COUNTY LAND DEVELOPMENT CODE IN RESPONSE TO PROPOSED CHANGES TO THE PIKES PEAK REGIONAL BUILDING CODE (LDC-15-003)

WHEREAS, the El Paso County Development Services Department did file a request for approval of Amendments to Chapter 1 Definitions; Chapter 4.2.6 PUD, Chapter 5.2.1(E) Accessory Use and Structure Standards; Table 5-2 Accessory; Chapter 6.2 Development Standards for Ancillary Facilities (LDC-15-003) Land Development Code as herein described; as well as conforming amendments throughout the Code to implement changes to the Pikes Peak Regional Building Code;

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 17, 2015 upon which date the Planning Commission did by formal resolution recommend approval of the subject amendments; and

WHEREAS, a public hearing was held by this Board on December 15, 2015; and

WHEREAS, based on the evidence, testimony, exhibits, recommendations of the El Paso County Planning Commission, comments of the El Paso County Development Services Department, comments of public officials and agencies, and comments from all interested parties, this Board finds as follows:

1. That proper publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners of El Paso County, Colorado.
2. That the hearings before the Planning Commission and the Board were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at those hearings.
3. That all data, surveys, analyses, and studies, as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet the intent of the General Provisions of the El Paso County Land Development Code.
4. That the proposal shall hereby amend the Land Development Code for El Paso County.
5. That for the above-stated and other reasons, the proposed Amendments are in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado, hereby Amends the El Paso County Land Development Code, more particularly described in Exhibit A, which is attached hereto and incorporated by reference, as well as conforming amendments through the Code;

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BE IT FURTHER RESOLVED that, in the case of any inconsistency with these amendments and any previous Zoning Regulations, these revisions shall prevail;

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 15th day of December, 2015 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

By:



By:

Amy Gattuso  
Chair

Exhibit A

**1.15. DEFINITIONS OF SPECIFIC TERMS AND PHRASES**

**Structure**

Anything constructed or erected, the use of which requires more or less permanent location on the ground or attachment of something having a permanent location on the ground. The term shall include "building" as defined herein, but not include fences or walls 7 6 feet in height or less, retaining walls less than 4 feet in height, or poles, lines, cables or other transmission or distribution facilities of public utilities.

**4.2.6. PUD, Planned Unit Development District  
Common Open Space**

**(e) Allowed Uses within Open Space**

Unless otherwise specified within the PUD development plan or development guide, the allowed land uses in areas designated as open space, conservation, preservation or other similar term are limited to the following:

- Perimeter fence with a maximum height of 7 6 feet;

**5.2.1. Accessory Use and Structure Standards, General**

**(E) Building Permit Required**

Any accessory structure exceeding 200 420 square feet shall obtain a building permit. All accessory structures shall comply with the Building Code, except in the A-35 District.

**6.2. DEVELOPMENT STANDARDS FOR ANCILLARY FACILITIES AND ACTIVITIES**

**6.2.1. Fences, Walls, and Hedges**

**(D) Height and Location Standards**

The following requirements are applicable to all fences and walls except agricultural fences:

**(1) Building Permit Required for Fences and Walls Over 7 6 feet in Height**

A fence or wall over 7 6 feet in height requires a building permit from the Building Department.

**(2) Fences and Walls 6 Feet In Height Considered Accessory Structure**

A fence or wall over 7 6 feet in height is considered an accessory structure, and shall meet the accessory structure setback requirements of this Code. If no accessory structure setbacks are established by this Code, the principal structure setbacks are applicable.

**(F) Specific Fence Standards for Non-Residential Uses**

The following requirements are applicable to fences associated with non-residential uses:

**(1) 7 6 Feet High Fences Allowed**

Fences not exceeding 7 6 feet in height may be placed anywhere on the lot or parcel except no fence, wall or hedge shall exceed 30 inches in height when located within a sight distance triangle or as otherwise limited by Chapter 2 of the ECM.

**(G) Retaining Wall Standards**

**(3) Retaining Walls 7 6 Feet High Considered Accessory Structure**

A retaining wall over 7 6 feet in height is considered an accessory structure and shall meet the accessory structure setback requirements. If no accessory structure setbacks are established by this Code, the principal structure setbacks are applicable.

Add requirement to submit a Site Plan for Residential Accessory Structures and Agriculture Accessory Structures in Table 5-2, referencing Note 9

Change Note 9 on Table 5-2 to read

A site plan is only required for accessory structures greater than 200 ~~120~~ square feet in area, however setback compliance is required for all structures.

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