

**RESOLUTION NO. 19- 450****EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF COLORADO****APPROVAL OF AMENDMENT TO THE LAND DEVELOPMENT CODE (LDC-19-008) SHIPPING CONTAINER AMENDMENTS**

WHEREAS, the Planning and Community Development Department of El Paso County requests approval of Amendment(s) to Chapter 5 of the Land Development Code as herein described, including other conforming amendments throughout the Code;

WHEREAS, a public hearing was held by the El Paso County Planning Commission on December 3, 2019, upon which date the Planning Commission did by formal resolution recommend approval of the proposed amendments, and

WHEREAS, a public hearing was held by this Board on December 10, 2019; 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, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The proposed amendment(s) to the El Paso County Land Development Code Choose an item. properly submitted for consideration by the Planning Commission.
2. Proper publication and public notice were provided as required by law for the hearing before the Planning Commission.
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons were heard at that hearing.
4. All data, surveys, analyses, and studies, as are required by the State of Colorado and El Paso County have been submitted, reviewed, and were received into evidence and found to meet the intent of the Introductory Provisions of the Land Development Code.

5. For the above-stated and other reasons, the proposed Amendment(s) 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 the El Paso County Board of County Commissioners hereby approves the amendment(s) to Chapter 5 of the El Paso County Land Development Code, including other conforming amendments throughout the Code, as represented on the attached Exhibit "A" by underlining (additions) and strike-through (deletions):

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 10th day of December, 2019, at Colorado Springs, Colorado.

ATTEST

By: Charles A. Bowerman
County Clerk & Recorder

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

By: 
Chair

EXHIBIT A

See attached Amendments.

SHIPPING CONTAINERS

Shipping Container- A large metal container, typically made of aluminum or steel, designed and built to store and/or ship materials. The term shall include, but is not necessarily limited to, intermodal containers, shipping containers, conex boxes, and cargo containers. The term shall not include semi-truck trailers, mobile or manufactured homes, mobile office trailers, or modular office buildings.

Shipping Container, Temporary- Shipping containers used for storing or shipping of personal property in association with the act of moving and/or property improvement for a maximum of thirty (30) consecutive days during a one year period.

5.2.48. Shipping Containers

(A) Applicability. The following standards shall apply to all shipping containers, including those which have ~~been permitted as an accessory structure per the Building Code~~ received a building permit as an accessory structure. The following standards shall not apply to parcels from which the shipping containers are sold and/or rented as an approved use or may be otherwise categorized as outside storage.

(B) Shipping Containers in Residential, Forestry, and Agricultural Zoning Districts

(1) Visibility. All shipping containers, other than those placed within the A-35 zoning district, shall be:

- Painted to be compatible with surrounding buildings and structures; and/or
- Screened from public view by one or more of the following: a seven foot solid opaque fence, evergreen trees or shrubbery which will reach a minimum of seven feet in height at maturity, or similar screening method.– Temporary screening methods such as tarps, mesh, chain-link fencing with slats, or other similar non-permanent methods shall not be permitted in place of a solid opaque fence.

~~and~~ **(2) Dimensional Standards.** Shipping containers are subject to the applicable zoning district setback requirements, except when located within the A-35 zoning district. Shipping containers may not be stacked.

(3) Compliance with the Building Code. A building permit may be required, as determined by the Pikes Peak Regional Building Department, prior to the placement of any shipping container.

(4) Base Required. All shipping containers shall be placed on a suitable level base, as determined by the PCD Director, to help ensure stability and safety.

(C) Shipping Containers in Commercial and Industrial Zoning Districts

~~-(1B) Screening and Setback Requirements- Visibility.~~ All shipping containers shall be screened from public view meet the outside storage standards in Chapter 5 and, –except when located within the A-35 Zoning District. All shipping containers shall be painted to reduce visibility and to be compatible with surrounding buildings and structures in the area.

~~(2C) Color-Shipping~~**Dimensional Standards.** Shipping containers are subject to the applicable zoning district setback requirements. Shipping containers may not be stacked. All shipping containers shall be painted to reduce visibility and to be compatible with surrounding buildings, structures, and existing uses in the area, except for when located within the A-35 Zoning District.

~~(3D) Building Permit Required. A building permit, is required, shall be obtained prior to the placement of a shipping container larger than 200 square feet, except when located in the A-35 Zoning District.~~ **Compliance with the Building Code.** A building permit may be required, as determined by the Pikes Peak Regional Building Department, prior to the placement of any shipping container.

(4) Base Required. All shipping containers shall be placed on a suitable level base, as determined by the PCD Director, to help ensure stability and safety.

5.2.49 Shipping Containers, Temporary

(A) Duration. Temporary use of a shipping container may not exceed 30 consecutive days during a one year period unless the PCD Director has approved an extension of time.

(B) Location. Temporary shipping containers must be located on the same property for which it is utilized.