

AMENDMENT TO THE LAND DEVELOPMENT CODE (Recommend Approval)

Trowbridge moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. LDC-23-001

PERSONAL GREENHOUSES

WHEREAS, the Planning and Community Development Department of El Paso County requests approval of Amendment(s) as described below:

- Amending Table 5-1 and Table 5-2 to rename Agricultural Structure to Agricultural Structure Exemption from the Building Code;
- Amending Table 5-2 to subject personal greenhouses to specific use standards;
- Amending Table 5-2 to add Footnote No. 8 to personal greenhouses to clarify that a site plan is only required for accessory structures greater than 200 square feet in area, however setback compliance is required for all structures;
- Amending Table 5-2 to allow agricultural structure exemptions from the Building Code in Residential Suburban zoning districts RS-20000, RS-6000, and RS-5000;
- Amending Chapter 5 to include specific use standards for personal greenhouses; and
- Amending Chapter 5, Section 5.2.45 Residential Accessory Structures and Uses to rename Private Greenhouse to Personal Greenhouse.

WHEREAS, a public hearing was held by this Commission on Thursday, May 18, 2023; 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, and comments by the Planning Commission members during the hearing, this Commission finds as follows:

1. The proposed amendment(s) to the El Paso County Land Development Code were 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 that the El Paso County Planning Commission recommends approval of the proposed amendment(s) as described above of the El Paso County Land Development Code, including other conforming amendments throughout the Code as presented at the public hearing held by this Commission on Thursday, May 18, 2023.

AND BE IT FURTHER RESOLVED that, in the case of any inconsistency with these amendment(s) and any previous Zoning Regulations, these revision(s) shall prevail.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

Whitney seconded the adoption of the foregoing Resolution.

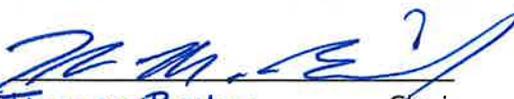
The roll having been called, the vote was as follows (circle one)

Thomas Bailey	<u>aye</u> / no / abstain / absent
Sarah Brittain Jack	aye / no / abstain / <u>absent</u>
Jay Carlson	<u>aye</u> / no / abstain / absent
Becky Fuller	<u>aye</u> / no / abstain / absent
Brandy Merriam	aye / no / abstain / <u>absent</u>
Eric Moraes	<u>aye</u> / no / abstain / absent
Kara Offner	<u>aye</u> / no / abstain / absent
Joshua Patterson	aye / no / abstain / <u>absent</u>
Bryce Schuettpeiz	aye / no / abstain / <u>absent</u>
Tim Trowbridge	<u>aye</u> / no / abstain / absent
Christopher Whitney	<u>aye</u> / no / abstain / absent

The Resolution was adopted by a vote of 7 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 18th day of May 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By:   
Thomas Bailey, Chair

DATED: May 18, 2023