



EL PASO COUNTY

COLORADO

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PLANNING & COMMUNITY DEVELOPMENT

**TO: El Paso County Planning Commission
Thomas Bailey, Chair**

FROM: Meggan Herington, AICP, Executive Director

**RE: Project File Number: LDC236 - Land Development Code Amendment
Amendments to the El Paso County Land Development Code Chapter 6, General
Development Standards, Article 2, Development Standards for Ancillary Facilities
and Activities, Section 10, Signs, On-Premise, related to standards for temporary
signs in residential, commercial, and industrial zone districts.**

Commissioner District: All

Planning Commission Hearing Date	01/04/2024
Board of County Commissioners Hearing Date	01/25/2024

EXECUTIVE SUMMARY

A request by the El Paso County Planning and Community Development Department to amend Chapter 6 of the El Paso County Land Development Code. The purpose of the amendment is to update the language pertaining to temporary, on-premise signs.

A. BACKGROUND

The El Paso County Land Development Code is routinely amended to respond to current land use trends, recurring issues, changes in legislation, and/or errors/oversights. The Planning and Community Development Department maintains a running list of necessary and recommended revisions to the Code as issues arise. El Paso County is a statutory County, which requires the County regulations to align with those rules and regulations included within the Colorado Revised Statutes (C.R.S.). Colorado Revised Statutes, in most instances, is flexible enough to allow each jurisdiction the ability to customize its rules and regulations in ways that best suit the needs of the local community as well as those challenges present in each community.

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The Planning and Community Development Department (PCD) has evaluated the County allowances for temporary signage to ensure opportunities for the placement of temporary signs on properties in all zone districts.

PCD receives few complaints about temporary signage. The complaints received are typically about signs that have blown away or lack of maintenance. A recent complaint was received for off-premise commercial advertising as temporary signage in a residential zone. Off-premise advertising is a separate land use category not permitted on residential properties. This Code change does not impact the definitions of on-premise and off-premise signage.

The updated language focuses on allowing signage temporarily if it is kept in good repair and firmly affixed to the ground. The only size restriction is a maximum sign height of 7 feet. Any structure over 7 feet tall typically requires a building permit through the Pikes Peak Regional Building Department. As this amendment specifies allowances for temporary signs, a building permit would not be part of the process.

B. REQUEST

The amendment will modify multiple sections of the El Paso County Land Development Code (2022) as described below:

- Adding language clarifying that “Temporary Signs” are signs erected for a limited time and that they are exempt from the requirement to obtain a sign permit.
- Deleting the language that considers flags and flagpoles as signage that must meet sign standards.
- Deleting “Residential Sign”
- Deleting “Temporary Sign in Developing Residential Areas”
- Deleting “Temporary Sign in Developing Areas”
- Adding criteria for “Temporary Signs” allowed in all zone districts.

The criteria for placement of a temporary sign are below. These criteria apply to all zone districts. In commercial zone districts, number 8 is worded to focus on developing commercial centers.

1. Do not require a permit.
2. Shall not exceed 7 feet in height.
3. Shall be constructed of cloth, canvas, vinyl, paper, plywood, fabric, plastic, and be of sufficient weight and durability to withstand wind gusts, storms, etc.

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4. Shall be securely affixed to the ground with posts and not affixed to a building, structure, or vehicle.
5. Temporary signs shall be removed or replaced when deteriorated, torn, or weathered to a point that they can no longer be read.
6. Any sign which is structurally unsafe, unsafely installed, or otherwise hazardous to physical safety shall be removed.
7. Shall be displayed no more than 12 consecutive months.
8. Temporary signs in developing residential communities shall be removed when the residential community is built out.

C. MASTER PLAN ANALYSIS

The County's Land Development Code governs the use and development of property and provides a legal framework for implementing the Master Plan's recommendations. The purpose of the County's Land Development Code is to preserve and improve the public health, safety, and general welfare of the citizens and businesses of El Paso County, and to:

- o Implement the Master Plan and related elements.
- o Promote predictability, consistency, and efficiency in the land development process for residents, neighborhoods, businesses, agricultural and development interests.
- o Ensure appropriate opportunities for participation and involvement in the development process by all affected parties.
- o Be fair to all by ensuring due consideration is given to protecting private property rights, the rights of individuals, and the rights of the community as a whole.
- o Guide the future growth and development of the County in accordance with the Master Plan.

More specifically, the Master Plan identifies the need for periodic amendments to El Paso County's Land Development Code as stated below:

Code Amendments and Updates

Your El Paso Master Plan establishes the overall vision for the character and intensity of land use and development throughout the County as well as the policies and goals related to infrastructure, transportation, facilities and services, the natural environment, and much more. To ensure the Land Development Code remains an effective tool for Master Plan implementation it should be reviewed and amended as necessary, particularly the zoning and development standards, to ensure consistency and alignment with the principles, goals, and recommendations of the Master Plan.

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D. APPLICABLE RESOLUTIONS

See Attached Resolution.

E. STATUS OF MAJOR ISSUES

There are no major issues.

F. RECOMMENDED CONDITIONS AND NOTATIONS

No conditions or notations.

G. PUBLIC COMMENT AND NOTICE

The proposed Code amendments are posted to the Planning and Community Development Department’s website for public comment and were presented informally to the Planning Commission on December 7, 2023 agenda.

A summary of the proposed Code amendments and the date of the Board of County Commissioner hearing will be published in Gazette News pursuant to Colorado Revised Statute § 30-28-116.

H. ATTACHMENTS

Exhibit “A” Sign Code Redline

Sign Code Clean Version

Planning Commission Draft Resolution



6.2.10. Signs, On-Premise

(A) General Provisions.

- (4) **Exemptions.** The following signs are exempt from the requirement to obtain a sign permit provided the sign complies with the restrictions and performance standards identified. The following signs shall further conform to the site distance requirements in Chapter 2 of the ECM, and the signs shall be located entirely on private property unless otherwise provided.
- (a) **Government Signs.** Government signs, including signs erected by the County or other governmental entities for government purposes, or signs that are otherwise required by law.
 - (b) **Indoor Signs.** Signs located entirely inside the premises of a building or enclosed space.
 - (c) **Vehicle Signs.** Signs on a vehicle using a roadway.
 - (d) **Traffic Control Device Signs.** Traffic control signs necessary to help ensure safe vehicular travel.
 - (e) **Utility Signs.** Signs of utilities indicating danger and service or safety information are exempt from the requirements of this Section
 - (f) **Bus Bench and Shelter Signs.** Bus bench and shelter signs located within public right-of-way or public improvement easement are exempt from the requirements of this section provided the location of the bus bench or shelter has been approved either by the El Paso County Department of Public Works or via a County contract for transit services.

(g) **Temporary Signs.** Signs erected for a limited time.

(D) Regulations by Zoning District.

- (1) **Agricultural, Forestry, and Residential Zoning Districts.** The following sign allowances and standards shall apply in agricultural, forestry, and residential zoning districts including recreational vehicle and mobile home zoning districts, residential PUD zoning districts, and within the residential areas of mixed use PUD zoning districts.

~~(d) **Flagpoles and Flags.** Flags are considered signs and shall meet all standards for signs except as otherwise provided for by this Section.~~

~~(i) **Area of Flag Limited.** The area of the flag shall not exceed 40 square feet or 2 square feet of sign for each linear foot of building wall area the flag is adjacent or closest to, whichever is less. The allowable area of freestanding signage shall be reduced by the size of the flag.~~

~~(ii) **Intrusion into Setback Area.** A flagpole may be located within the setback area provided it is located within 10 feet of a building and is not within a utility, drainage, or access easement.~~

~~(iii) **Height of Flagpole.** No flagpole shall exceed 20 feet in height if located within a setback area or the maximum height for the zoning district if located outside the setback area.~~

~~(iv) **Sign Permits.** A flag or flagpole located on property in a residential, forestry, or agricultural zone district shall not require approval of a sign permit but shall still meet the area, setback, and height limitations listed above.~~

~~(e) **Residential Signs.** 2 signs not to exceed 6 square feet and 8 feet in height are permitted in all Forestry, Agricultural, and Residential zoning districts.~~

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development is substantially built out as determined by the PCD Director. The signs shall be removed within 10 days of expiration. The signs shall not be lit or illuminated. The aggregate maximum sign area for all temporary signs in residential developments shall not exceed 256 square feet per builder. Temporary signs in developing single family residential areas are prohibited if they do not meet the criteria and limitations below:

- ~~Principal Entry Sign: 2 signs not to exceed 32 square feet in sign area and 12 feet in height are allowed per entry and shall be setback a minimum of 10 feet from all property lines.~~
- ~~Model Home: 1 sign, not to exceed 16 square feet in sign area and 8 feet in height, is allowed per entry and shall be setback a minimum of 5 feet from all property lines.~~

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- Any sign which is structurally unsafe, unsafely installed, or otherwise hazardous to physical safety shall be removed.
- Shall be displayed no more than 12 consecutive months.
- Temporary signs in developing residential communities shall be removed when the residential community is built out.

- (2) **Commercial and Industrial Zoning Districts.** The following sign allowances and standards shall apply in commercial and industrial zoning districts, commercial PUD zoning districts, industrial PUD zoning districts, and in the commercial and industrial areas of a mixed use PUD zoning district.

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AMENDMENT TO THE LAND DEVELOPMENT CODE (Recommend Approval)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. LDC236

EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT
TEMPORARY SIGNS

WHEREAS, the Planning and Community Development Department of El Paso County requests approval of Amendment(s) as represented on attached Exhibit "A":

WHEREAS, a public hearing was held by this Commission on Thursday, January 4, 2024; 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 recieved 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 describe above of the El Paso County Land Development Code, including other conforming amendments as represented on the attached Exhibit "A" by underlining (additions) and strike-through (deletions):

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.

AND BE IT FURTHER RESOLVED that the Commission recommends that the Board of County Commissioners direct the Executive Director of Planning and Community Development to develop procedures as required by state law for public notice of and the submission of written comments on applications for administrative plat approval and for the appeal of administrative plat approval or denial to the Board of County Commissioners.

_____ seconded the adoption of the foregoing Resolution.

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

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent

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

DONE THIS 4th day of January 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Thomas Bailey, Chair

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