

ADOPTION OF YOUR EL PASO MASTER PLAN AS THE MASTER PLAN FOR EL PASO COUNTY, COLORADO

Commissioner Bailey moved that the following Resolution be adopted:

**BEFORE THE PLANNING COMMISSION**

**OF THE COUNTY OF EL PASO**

**STATE OF COLORADO**

**RESOLUTION NO. MP-21-001**

**WHEREAS**, the El Paso County Planning and Community Development Department ("PCD") requests approval of Your El Paso Master Plan by adoption as the Master Plan for El Paso County within the unincorporated area of El Paso County, Colorado; and

**WHEREAS**, § 30-28-108, C.R.S., provides that a county planning commission may adopt, amend, extend, or add to the County Master Plan; and

**WHEREAS**, pursuant to § 30-28-106(3)(a), C.R.S., Your El Paso Master Plan includes accompanying maps, plats, charts, and descriptive and explanatory matter, to show the county recommendations for the development of the territory covered by the plan, and includes the necessary elements; and

**WHEREAS**, PCD engaged in a lengthy and extensive process to develop this Master Plan for El Paso County in conjunction with its consultant, Houseal-Lavigne, with input from the Board of County Commissioners (BoCC), appointed Master Plan Advisory Committee (MPAC), and the public via surveys, comments, announcements, advertisements, public meetings, public comments, work sessions, agency reviews, and report items to the Planning Commission (PC) and BoCC; and

**WHEREAS**, this Master Plan would supersede, replace, and delete the outdated El Paso County Policy Plan (1998), the small areas plans (1977-2008), and the sketch plans which amended the master plan (1982-86); and

**WHEREAS**, pursuant to § 30-28-106 IV(C), C.R.S., this plan and the Water Master Plan as a Topical Element include goals and policies related to the Colorado Water Plan, specifically those related to water conservation; and

**WHEREAS**, pursuant to § 29-20-105.6, C.R.S., notification to and review of comments from those military installations identified by statute occurred in compliance with the law; and

**WHEREAS**, pursuant to § 30-28-106(3)(b), C.R.S., the opportunity to the review the Master Plan was provided to assure that the master plan of a county or region which includes mass transportation shall be coordinated with that of any adjacent county, region, or other political subdivision, as the case may be, to eliminate conflicts or inconsistencies and to assure the compatibility of such plans and their implementation pursuant to this section and sections §30-11-101 , §30-25-202 , and §30-26-301 C.R.S.; and

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El Paso County, CO

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**WHEREAS**, pursuant to § 30-28-106(3)(c), C.R.S., this Master Plan includes the previously approved master plan for the extraction of commercial mineral deposits pursuant to section 34-1-304, C.R.S, which remains unchanged as a topical element of the master plan; and

**WHEREAS**, pursuant to § 30-28-106(3)(d), C.R.S., this Master Plan includes plans for the development of drainage basins in all or portions of the County in support of the subdivision regulations of El Paso County that require the payment of drainage fees, as provided in section 30-28-133(11), which remains unchanged as a topical element of the master plan; and

**WHEREAS**, pursuant to § 30-28-106(5), C.R.S., this Master Plan contains a recreational and tourism uses element pursuant to which the County indicates how it intends to provide for the recreational and tourism needs of residents of the county and visitors to the county; and

**WHEREAS**, additional local plans and elements were consulted and identified in conjunction with developing this Master Plan; and

**WHEREAS**, the PCD has attempted to coordinate this plan with all municipalities in the County through meetings or review requests, and has specifically coordinated this effort with the City of Colorado Springs and all of the local military installations; and

**WHEREAS**, the Planning Commission acknowledges that the proposed Your El Paso Master Plan (PCD File No. MP-21-001) has been thoroughly evaluated and presented; and

**WHEREAS**, pursuant to § 30-28-106(1), C.R.S., public hearings were held by this Planning Commission on May 5, 2021 and May 26, 2021; and

**WHEREAS**, based on the evidence, testimony, exhibits, study of the master plan for the unincorporated area of the County, comments of members of the El Paso County Planning Commission, comments of the PCD, comments of public officials and agencies, and comments from all interested parties, this Commission finds as follows:

1. That proper posting, publication, and public notice were provided as required by law for the hearings of the Planning Commission; specifically, legal notice for the hearings was published in the El Paso County & Fountain Valley Advertiser & News on April 21, 2021 and on the PCD's website.
2. That the hearings before the Planning Commission were extensive and complete, that all pertinent facts, matters, and issues were submitted and reviewed, and that all interested parties were given an opportunity to be heard at those hearings.
3. That all data, surveys, analyses, studies, plans, designs, maps, and descriptive matter as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning requirements of El Paso County.
4. That Your El Paso Master Plan shall be the Master Plan for El Paso County.
5. That for the above-stated and other reasons, the proposal is in the best interests 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 hereby approves and adopts Your El Paso Master Plan as the Master Plan for El Paso County, specifically including the maps and descriptive matter that constitute Your El Paso Master Plan contained in PCD File No. MP-21-001, which is incorporated herein by this reference as if fully set forth herein.

**BE IT FURTHER RESOLVED** that, pursuant to § 30-28-109, C.R.S., the El Paso County Planning Commission hereby certifies to the Board of County Commissioners and to the planning commissions of all municipalities located within El Paso County a copy of Your El Paso Master Plan for El Paso County, specifically including the maps and descriptive matter that constitute the Master Plan as contained in PCD File No. MP-21-001.

**BE IT FURTHER RESOLVED** that the El Paso County Planning Commission hereby directs the Secretary of the Planning Commission to record the action taken by the Planning Commission and affix their signature to said map and descriptive matter pursuant to § 30-28-108, C.R.S.

**BE IT FURTHER RESOLVED** that the intent of the Planning Commission in approving and adopting Your El Paso Master Plan as the Master Plan for El Paso County is that this shall be used as an advisory document. To the extent Your El Paso Master Plan may be subsequently referenced in the County's subdivision and/or zoning regulations, those references shall neither construe nor render Your El Paso Master Plan to be a binding, regulatory document, nor shall such references overcome the intent that Your El Paso Master Plan is advisory and that the Planning Commission and Board of County Commissioners shall maintain their considerable discretion in deciding how to apply the Master Plan in their land use decisions.

**BE IT FURTHER RESOLVED** that this Master Plan supersedes, replaces, and deletes the previously adopted El Paso County Policy Plan (1998).

**BE IT FURTHER RESOLVED** that this Master Plan supersedes, replaces, and deletes all versions of the previously adopted Small Area Plans: (1) Woodmen Valley Land Use Plan (1977); (2) Ute Pass Comprehensive Plan (1982); (3) Highway 94 Comprehensive Plan (2003); (4) Black Forest Preservation Plan Update (1987); (5) South Central Comprehensive Plan (1988); (6) Ellicott Valley Comprehensive Plan (1989); (7) Southwestern (Highway 115) Comprehensive Plan (1990); (8) Falcon/ Peyton Comprehensive Plan (2008); (9) Midland/Fountain Creek Parkway Corridor Plan (1989); and (10) Tri-Lakes Comprehensive Plan (1999).

**BE IT FURTHER RESOLVED** that this Master Plan supersedes, replaces, and deletes all of the previously adopted sketch plans which amended the master plan because those plans have a zoning or development approval implemented to comply with those plans, including: (1) Arrowwood IV (1982) MP-82-001; (2) Palmer Park Business Center (1982) MP-82-005; (3) Constitution Hills (1983) MP-83-003; (4) Trend Development (Northcrest 2) (1983) MP-83-005; (5) High Meadow Lakes (Forest Lakes) (1984) MP-83-011; (6) Paint Brush Hills (1984) MP-84-003; (7) Loft (Revision) (1984) MP-84-005; (8) Constitution Hills North (Revision) (1984) MP-84-006; (9) Stratton Landing (1984) MP-84-015; (10) Bradley Ranch (Revised) (1984) MP-84-018; (11) The Trails (1984) MP-84-019; (12) Gleneagle (1985) MP-84-020; (13) Marksheffel Centre (1985) MP-84-022; (14) Charter I Center (1985) MP-84-024; (15) Space Age Technological Centre (1985) MP-85-001; (16) Eastside Industrial Park (1985) MP-85-003; (17) Interchange Investment (Revised) (1985) MP-85-008; (18) Constitution Hills (Revised) (1985) MP-85-009;

(19) Colorado Centre (Revised) (1985) MP-85-011; (20) Heather Hills (1986) MP-86-002; and (21) Gleneagle - Shoppes at the Glen (1994) MP-94-001.

**BE IT FURTHER RESOLVED** that all of the following topical elements of the Master Plan remain in place and are a part of this plan and are not affected by this action: (1) Master Plan for the Extraction of Commercial Mineral Deposits (1996); (2) Major Transportation Corridors Plan (2016); (3) El Paso County Wildlife Habitat Maps and Descriptors (1996); (4) Municipal Airport Part 150 Noise Study (2006); (5) Meadow Lake Airport Part 77 Study (1990); (6) El Paso County Parks Master Plan (2013); and (7) El Paso County Water Master Plan (2018).

**BE IT FURTHER RESOLVED** that all of the previously adopted drainage basin master plans remain in place and are a part of this plan and are not affected by this action including, but not limited to: (1) Drainage Basin Master Plan (1984); (2) Windmill Gulch Master Drainage Plan (1985); (3) Black Squirrel Creek Drainage Basin Planning Study (1989); (4) Drainage Basin Delineation and Naming Study (1986); (5) Middle Tributary Drainage Basin Planning Study (1987); (6) Monument Branch Drainage Basin Planning Study (1987); (7) Little Johnson/ Security Drainage Basin Planning Study (1988); (8) Pine Creek Drainage Basin Planning Study (1988); (9) Updated Drainage Basin Identification and Fee Estimation (1988); (10) Black Forest Drainage Basin Planning Study (1989); (11) Big Johnson Drainage Basin Planning Study (1991); (12) Windmill Gulch Drainage Basin Planning Study (1991); (13) Fishers Canyon Drainage Basin Planning Study (1991); (14) Big Johnson/ Crews Gulch Drainage Basin Planning Study (1991); (15) Cottonwood Creek Drainage Basin Planning Study (1992); (16) Dirty Woman Creek and Crystal Creek Drainage Basin Planning Study (1993); (17) Sand Creek Drainage Basin Planning Study (1996); Haegler Ranch Drainage Basin Planning Study (2013).

**BE IT FURTHER RESOLVED** that the following conditions and notations shall be placed upon this approval:

#### **CONDITIONS**

1. Section 30-28-109, C.R.S., requires the Planning Commission to certify a copy of the Master Plan, or any adopted part or amendment thereof or addition thereto, to the Board of County Commissioners and to the Planning Commission of all municipalities in the County. The Planning Commission's action to amend the Master Plan shall not be considered final until such documents are certified by the Chairman of the County Planning Commission and distributed as required by law.

2. Upon adoption by the El Paso County Planning Commission, the effect of this document is adoption of Your El Paso Master Plan as the Master Plan for El Paso County, which replaces the previous Policy Plan, Small Area Plans, and Sketch Plans, while retaining the Topical Elements and the Drainage Basin Plans. If there are any conflicts with this Plan and the Topical Elements, this Plan controls except where the topical element identifies otherwise.

#### **NOTATIONS**

1. Certification of the documents to the municipalities within the County pursuant to Condition No. 1 above and the Colorado Office of Smart Growth is determined to be satisfied upon transmittal of summary information and maps along with a clear description of the locations where the complete documents are available for inspection, along with an offer to provide a

given municipality a complete copy of the documents if requested. The transmittal may be in the form of a digital copy.

2. By approving Your El Paso Master Plan, the Planning Commission authorizes PCD and the County Attorney's Office to make minor editorial and formatting changes in conjunction with the final approval by the Planning Commission and for the publication process. These modifications may include pagination, correction of typographical errors, form and style edits, clarifications, insertion of photographs, insertion of references and/or corrections to factual information, or inclusion of comments and modifications consistent with and associated with the Planning Commission hearings. In no case will substantive changes be made to the text without reconsideration or amendment by the Planning Commission.

**Commissioner Lucia-Treese** seconded the adoption of the foregoing Resolution. The adoption of this plan shall be by resolution as carried by the affirmative votes of a majority of the entire membership of the commission.

The roll having been called, the vote was as follows:

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Trowbridge	aye
Commissioner Lucia-Treese	aye
Commissioner Fuller	aye
Commissioner Brittain Jack	aye
Commissioner Carlson	aye
Commissioner Moraes	aye

The Resolution was adopted by a unanimous vote of 8 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 26<sup>th</sup> day of May, 2021 at Colorado Springs, Colorado

**EL PASO COUNTY PLANNING COMMISSION**

By: 

**Brian Risley, Chair**

**ATTEST:**

By: 

**Tracey Garcia, Secretary**