



RESOLUTION NO. 23-219

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO

STATE OF COLORADO

**APPROVAL OF AMENDMENT TO THE LAND DEVELOPMENT CODE
LDC-23-002 CARPORTS**

WHEREAS, the Planning and Community Development Department of El Paso County requests approval of Amendments to Chapters 1 and 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 May 18, 2023, 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 June 20, 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, 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 amendments 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 Amendments are in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.**

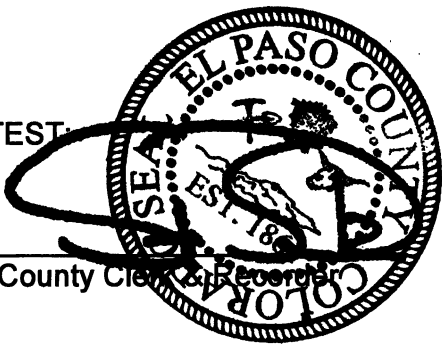
NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the amendment(s) to Chapters 1 and 5 of the El Paso County Land Development Code, including other conforming amendments throughout the Code, as represented on the attached Exhibit "A" by underlining (additions) 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 20th day of June 2023 at Colorado Springs, Colorado.

ATTEST:

By: _____
County Clerk & Recorder



BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

By: Camie Brenna
Chair

- Carports shall be made of wood and/or coated metal to prevent corrosion and shall be compatible in color with the body or trim of the primary structure. Roofing materials such as asphalt, clay, and slate are allowed.
- Carports shall not be made of non-durable or flexible materials, including but not limited to, canvas, plastic, polyester, or other tent-like materials.

E. Compliance with the Building Code Required. Carports shall comply with all applicable provisions of the Pikes Peak Regional Building Code.

F. Other Applicable Standards. Carports shall meet all other applicable standards in this Code for accessory use structures unless specifically modified by this Section.

Table 5-4 Density and Dimensional Standards for Agricultural, Residential, and Special Purpose Districts

- Footnote 11: The side yard setback for an accessory structure shall be 10 feet, unless the structure is at least 60 feet from the front property line or nearest road right of way, where a 5 foot setback is allowed. In no instance shall an accessory structure be closer to the front property line than the principal structure (excluding carports).

5.4.3. (E) Projection into Setbacks.

(1) Projections in Residential Zoning Districts. For property located in residential zoning districts (including a residential PUD), containing a minimum required lot size of ½ acre or less:

- ~~An open-sided temporary One carport, metal or canvas, which is not classified as a structure under the Building Code, may extend into the required front yard setback to a point 15 feet of no less than five (5) feet from the property line as long as any site visibility is maintained, and into the side and/or rear yard setback. Adequate sight distance at all driveway access points shall not be obstructed by the installation of a carport. No portion shall project into a pedestrian or equestrian walkway, a private or public right of way, or any utility or drainage easement unless written permission of the agency or agencies having jurisdiction over the easement has been obtained. except with the permission the agency or agencies having jurisdiction over the easement. Approval of a residential site plan is required prior to placement or construction of a carport.~~

Carports shall comply with clear zone requirements in Section 2.3.2 and Table 2-7 of the ECM.