

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting  
Tuesday, August 6, 2019  
El Paso County Planning and Community Development Department  
2880 International Circle, Hearing Room  
Colorado Springs, Colorado 80910

**REGULAR HEARING**

**9:00 a.m.**

**PRESENT AND VOTING: BRIAN RISLEY, JANE DILLON, JOAN LUCIA TREESE, ALLAN CREELY, GRACE BLEA-NUNEZ, AND BECKY FULLER**

**PRESENT AND NOT VOTING: SARAH BRITTAIN JACK**

**ABSENT: TOM BAILEY AND TIM TROWBRIDGE**

**STAFF PRESENT: MARK GEBHART, NINA RUIZ, MINDY MADDEN, GABE SEVIGNY, LINDSAY DARDEN, ELIZABETH NIJKAMP, JEFF RICE, AND EL PASO COUNTY ATTORNEY COLE EMMONS**

**OTHERS SPEAKING AT THE HEARING: NONE**

**Report Items**

- 1. A. Report Items -- Planning and Community Development Department – Mr. Gebhart**
  - a) The next scheduled Planning Commission meeting is for Tuesday, August 20, 2019.**
  - b) Mr. Gebhart** indicated that there are three vacancies posted for the Planning Commission.
  - c) Mr. Risley and Mr. Gebhart – Mr. Trowbridge** expressed interest in being on the Master Plan Advisory Committee. Since the last hearing, he has

removed himself from another committee; however, because he is not in attendance at today's hearing and the County Attorney recommends that the item be placed on an agenda for formal action, it will be on the next agenda.

- d) **Mr. Gebhart** gave an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting as well as a Planning and Community Development progress report of permits and projects in process.
- e) PCD Staff who have resigned are Beck Grimm in Engineering and Len Kendall in Planning. Planner I interviews have occurred, pending new hires.
- f) **Mr. Gebhart** shared that the Water Master Plan received an award through the American Planning Association for the 2019 APA Colorado Merit Award in the category of General Planning Project. **Mr. Gebhart and Mr. Dossey** will go to the APA conference in September to receive the award.
- g) The Colorado Water Congress will hold a session August 20 that Mr. Gebhart and **Mr. Will Koger** from Forsgren Associates will present our Water Master Plan.
- h) There is an upcoming "growing water smart" workshop through the Sonoran Group that will include the framework of the water legislation that Mr. Gebhart will be attending.
- i) **Ms. Mindy Madden** shared the EDARP code enforcement video and gave a brief presentation on case numbers for the year.

**B. Public Input on Items Not Listed on the Agenda -- NONE**

**2. Consent Items**

**A. Approval of the Minutes – July 16, 2019**

The minutes were approved as presented. (6-0)

**B. SF-17-021**

**RUIZ**

**FINAL PLAT  
JUDGE ORR RANCHETTES**

A request by John and Linda Jennings for approval of a final plat to create seven (7) single-family residential lots. The 40.67 acre property is zoned RR-5 (Residential Rural) and is located immediately north of Judge Orr Road and west of Stapleton Road. (Parcel No. 42330-00-035)

**Ms. Dillon** – The requirements indicate several things that need to be done in relation to the water finding. Does it require that additional conditions be added to final plat? **Mr. Emmons** – There should be an added condition (Number 13) that the applicant must comply with all the conditions of the County Attorney’s water letter.

**Ms. Blea-Nunez** – It states in Section 7 that the health department will provide an opinion on quality of water. When does that occur? **Ms. Ruiz** – The Health Department has already made a recommendation on the water quality that it is sufficient.

**Ms. Blea-Nunez** – Do we know how they monitor the 4% return rate? **Mr. Emmons** -- Return flows from non-evaporative systems provide for that. The State Engineer’s Office manages that.

**PC ACTION: CREELY MADE A MOTION/LUCIA-TREESE SECONDED TO APPROVE CONSENT ITEM #2B FOR SF-17-021 FOR JUDGE ORR RANCHETTES FINAL PLAT UTILIZING RESOLUTION PAGE 19, MORE PARTICULARLY DESCRIBED ON PAGE 19-051 WITH THIRTEEN (13) CONDITIONS AND ONE (1) NOTATION WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED. (6-0)**

**C. MS-19-002**

**SEVIGNY**

**MINOR SUBDIVISION  
LOUDERMILK MINOR SUBDIVISION**

A request by Bradley Design, LLC, for approval of a minor subdivision to create two (2) single-family residential lots. The 19.87 acre property is zoned RR-5 (Residential Rural) and is located on the west side of East Goshawk Road, approximately 0.4 miles north of Hodgen Road. (Parcel Nos. 51230-00-013 and 51230-00-014) (Commissioner District No. 1)

**Mr. Emmons** – The same added condition as the stated above should be added.

**PC ACTION: CREELY MADE A MOTION/BLEA-NUNEZ SECONDED TO APPROVE CONSENT ITEM #2C FOR MS-19-002 FOR LOUDERMILK MINOR SUBDIVISION UTILIZING RESOLUTION PAGE 19, MORE PARTICULARLY DESCRIBED ON PAGE 19-052 WITH TEN (10) CONDITIONS, ONE (1) NOTATION, AND TWO (2) WAIVERS, WITH**

A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED. (6-0)

## REGULAR ITEMS

3. LDC-19-004

RUIZ/SEVIGNY/DARDEN

### EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT MISCELLANEOUS AMENDMENTS

A request by the El Paso County Planning and Community Development Department to amend Chapters 1, 4, 5, 6, 7, 8, 10, and 11 of the El Paso County Land Development Code (2019) to remove errors and discrepancies, and modify language to resolve recurring issues. The proposed amendments, in their entirety, are on file with the El Paso County Planning and Community Development Department.

#### **Type of Hearing: Legislative**

**Ms. Ruiz** asked **Mr. Emmons** to go over the review criteria for land development code amendments.

**Ms. Ruiz, Mr. Sevigny, and Ms. Darden** gave their full presentation to the Planning Commission.

**Ms. Darden** spoke on the outdoor sales and display Code amendments.

**Ms. Dillon** – When you say accessible routes of travel and that includes sidewalks; so they cannot have items on sidewalks? **Ms. Darden** – That is correct.

**Mr. Creely** – Does the outdoor sales and display Code changes include unsightly signage? **Ms. Darden** -- Signs have a separate permitting.

**Mr. Risley** – Do you think the changes in the Code will be effective so that there isn't any gray area? **Ms. Darden** – I believe our Code does address those things that could fall into a different use area.

**Mr. Sevigny** spoke on the changes to the dimensional standards for multi-dwellings.

**Ms. Ruiz** spoke on legal non-conforming lot sizes.

**Ms. Dillon** – Do you know who would be affected by these changes and how would you notify them? **Ms. Ruiz** – We won't notify anyone, property owners won't know unless they come into our department to build on their property or if the property transfers owners. There is awareness out there with developers, appraisers, and realtors, but the standard property owner may never know that their property is legal non-conforming unless it comes up in a mortgage discussion.

**IN FAVOR: NONE**

**IN OPPOSITION: NONE**

**DISCUSSION:**

**Mr. Emmons** -- This is a legislative action as opposed to quasi-judicial. These regulations are legislative in nature because they apply across the Board.

**Mr. Creely** – I appreciate the work; you've made it very easy to understand.

**PC ACTION: CREELY MADE A MOTION/LUCIA-TREESE SECONDED TO APPROVE REGULAR ITEM #3 FOR LAND DEVELOPMENT CODE AMENDMENTS FOR MISCELLANEOUS REVISIONS UTILIZING RESOLUTION PAGE 7, MORE PARTICULARLY DESCRIBED ON PAGE 19-053 AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED. (6-0)**

**4. El Paso County Master Plan – Informational Update – No Action Needed**

**Mr. Gebhart** shared the Master Plan advertisement video with the Planning Commission and gave a brief overview of the timeline and progress of the Plan.

**Information regarding the survey and/or community meetings can be located at <https://elpaso-hlplanning.hub.arcgis.com/>**

NOTE: For information regarding the Agenda item the Planning Commission is considering, call the Planning and Community Development Department for information (719-520-6300). Visit our Web site at [www.elpasoco.com](http://www.elpasoco.com) to view the agenda and other information about El Paso County. Results of the action taken by the Planning Commission will be published following the meeting. (The name to the right of the title indicates the Project Manager/ Planner processing the request.) If the meeting goes beyond noon, the Planning Commission may take a lunch break.

**The minutes were approved as presented at the August 20, 2019 hearing.**

