

El Paso County, Colorado

LAND DEVELOPMENT CODE

ISSUES IDENTIFICATION and ANNOTATED OUTLINE

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EPCLDC

EL PASO COUNTY
LAND DEVELOPMENT CODE

PUBLIC DRAFT

August 2024

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1. EXECUTIVE SUMMARY

A. ABOUT THE PROJECT

The El Paso County Land Development Code (LDC) update is the County's first significant overall code update since 2007. It is intended to help El Paso County modernize the current code standards and establish regulations for the next few decades of growth. The updated LDC will be focused on guiding new development that aligns with County preferences and priorities and supporting the implementation of the 2021 County Master Plan.

The key goals of the project are to:

- Modernize the LDC using a community-based process, regulating what matters to the community without overregulating
- Create tailored standards for development that help implement regulatory best practices, the Master Plan, and the County's development policies
- Establish development procedures that result in predictable processes and offer flexibility for unique circumstances
- Make the LDC more simple, user-friendly, searchable, and easy to understand

The Land Development Code Update project is scheduled to run between May 2024 and April 2026, with multiple community review and comment opportunities over the course of the project.

B. LDC ASSESSMENT PRIORITY RECOMMENDATIONS

The purpose of the LDC Issues Identification and Annotated Outline (LDC Assessment) is to highlight key issues to be updated in the LDC

rewrite for initial community discussion and to help establish a roadmap for the project drafting phases. The following ten priority recommendations summarize the key issues identified in this assessment. These are supplemented by additional recommendations and/or further detail later in this assessment.

- B.1.** Provide El Paso County with regulatory options that shape modern development patterns, help create a range of housing choices, and balance a push for urbanization with conservation of open spaces and production agriculture.
- B.2.** Use the zoning district lineup and development standards to support the implementation of the place types identified in the Master Plan.
- B.3.** Update and reorganize the use tables for easier use and future interpretation of new uses.
- B.4.** Establish a framework for applying development standards relative to the context of the site (e.g., urban, suburban, and rural).
- B.5.** Explore alternatives to broad waivers of standards with menus of standard options and guided adjustments to development standards.
- B.6.** Ensure compliance with state and federal law.
- B.7.** Incorporate the internal Procedures Manual for development review procedures but keep submittal requirements in an Administrative Manual.

- B.8.** Standardize review procedures to the extent possible to improve user-friendliness and predictability.
- B.9.** Add process-specific flow charts to increase user-friendliness.
- B.10.** Ensure all key terms are defined, reflect common practice, consistent throughout the LDC, and comply with state and federal law.

C. NEXT STEPS

The County will collect feedback on this document from elected and appointed officials, the LDC Working Group, stakeholders, and the greater El Paso County community.

Potential issues and solutions raised during the review of this assessment will be noted and considered during the drafting process.

This LDC Assessment will not be edited following community outreach. Instead, feedback will be provided as an addendum posted to the project website. Comment will be open for a month following public posting of the LDC Assessment.

Additional in-person public meetings may be scheduled as necessary to focus on broad issues or specific topics based on initial feedback to this issues assessment.

D. WEBSITE INFORMATION

The County has established a project website that will serve as the online home base for the project and will host project materials and drafts for review and download, surveys for public feedback, and up-to-date project schedules.

Please visit: <https://www.elpasocountyldc.com>

2. INTRODUCTION

A. PROJECT OVERVIEW

El Paso County has initiated an effort to overhaul its Land Development Code (LDC) so that the County's zoning and subdivision regulations support and implement Your El Paso Master Plan (adopted May 2021) and its separate elements, the El Paso County Strategic Plan, the El Paso County Parks Master Plan, the El Paso County Water Master Plan, and the County's land development policies. The project is being led by the El Paso County Planning and Community Development Department and supported by the consultant team at Clarion Associates.

B. CURRENT LAND DEVELOPMENT CODE

The most recent comprehensive update of the El Paso County LDC was in 2006. The LDC has been updated on an as-needed basis since then, and currently includes the following regulations:

- Zoning regulations, including zoning district and use standards
- Subdivision regulations, including design standards and improvement requirements
- Development standards for parking, landscaping, outdoor lighting, and signs
- Environmental standards for air quality, drainage and floodplain, fire protection and wildfire mitigation, forestry, grading and erosion control, wetlands, and wildlife
- Service plans for Special Districts
- Administrative guidance
- Definitions

The LDC is supported by a set of external documents and standards, including:

- LDC Procedures Manual
- EDARP – Electronic Development Application Review Program
- El Paso Engineering Criteria Manual
- El Paso County Drainage Criteria Manual
- Code enforcement ordinances (18-01, 18-02, and 18-03)
- El Paso County Board of Health Regulations
- Landscaping and Planting Manual

C. ISSUES ASSESSMENT APPROACH AND CONTEXT

The purpose of this LDC Assessment is to establish a framework for the LDC update. The Assessment is focused on: (1) preliminary issue spotting, (2) identifying potential regulatory approaches to address the issues identified; and (3) creating an organizational framework to ensure that the code drafting process is comprehensive.

The Assessment will not be revised following community input on the issues and options presented; instead, detailed drafting approaches and responses to community-based suggestions will be incorporated into the LDC drafting process and reflected in the follow-up discussion with each draft of the LDC. Community input will be welcome throughout the project and will be requested as part of the project drafting milestones.

D. PROJECT SCHEDULE

The overall project schedule is anticipated to run from May 2024 through April 2026.



COMMUNITY ENGAGEMENT

-  STAKEHOLDER/COMMUNITY MEETING
-  ADOPTION HEARING

3. GUIDING PLANS AND POLICIES

El Paso County has adopted several plans and policy documents that provide guidance for community growth and change over time. Guiding plans and policies establish a framework for future growth, development, and investment in infrastructure and services, but often require the County, or other agencies and partners, to implement that framework. Updates to the LDC are one of the ways that plans and policy documents are implemented.

Typically, planning processes entail broad opportunities for community engagement, higher levels of involvement, and adoption processes that require support from elected and appointed officials that are responsive to community sentiment. As a result, the following policy guidance from El Paso County's adopted plans is one factor that informs the assessment of the LDC.

A. YOUR EL PASO MASTER PLAN

The Your El Paso Master Plan was adopted in 2021 and establishes policy guidance and a framework for future growth and development in El Paso County. Relevant core principles and goals include:

- Manage growth and development to ensure a variety of compatible land uses that preserve all character areas of the County.
- Preserve and develop neighborhoods with a mix of housing types.
- Connect all areas of the County with a safe and efficient multimodal transportation system.
- Continue to coordinate with local and regional agencies to provide well

managed, high quality community facilities and services.

- Foster effective working relationships with military installations to support planning efforts and mutual success.
- Prioritize and protect the County's natural environment.
- Support efforts to reduce, respond, and react to natural and manmade hazards across the County.

B. WATER MASTER PLAN

The El Paso County *Water Master Plan* was adopted in 2019 to help the County plan for the use and distribution of water as the county grows. Relevant goals and policies include:

- Encourage the locating of new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.
- Promote water conscious developments through improved land-use policies.
- Discourage individual wells for new subdivisions with 2.5 acre or smaller average lot sizes, especially in the near-surface aquifers, when there is a reasonable opportunity to connect to an existing central system, alternatively, or construct a new central water supply system when the economies of scale to do so can be achieved.
- Require adequate water availability for proposed development.
- Provide flexibility in landscaping design to accommodate attractive development with reduced water requirements.

- Accommodate the reuse of reclaimed water for irrigation.
- Consider allowing development of higher residential densities to ensure water infrastructure is used efficiently and does not result in cost burdens to the County and taxpayers.

C. EL PASO COUNTY PARKS MASTER PLAN

The El Paso County Parks Master Plan was adopted in 2022 to guide the efficient development, management, and maintenance of parks, trails, and open space in the county.

Relevant goals and policies include:

- Provide a coordinated and connected system of parks, trails, and open space that is equitably distributed based on population and serves the needs of county residents.
- Balance passive/active use of county parks and open space and determine what is most appropriate for individual sites based on community need and master planning processes.
- Prioritize taking care of and maximizing current parks over acquiring new assets to better serve El Paso County residents.
- Update trail standards and improve maintenance of existing trails.
- Work collaboratively with other governmental agencies, private organizations and trail advocacy groups to create a continuous, connected system of regional trails.

- Prioritize and locate trail connections using criteria and proposed actions items identified in this master planning process.
- Protect and enhance El Paso County's legacy of unique natural features and areas and cultural resources, working in collaboration with others to conserve high priority open space areas in the county.
- Acknowledge the importance of parks and open space in El Paso County by providing adequate funding to develop, operate, and maintain these resources at a level commensurate with their importance.

D. EL PASO COUNTY MAJOR TRANSPORTATION CORRIDORS PLAN

The El Paso County Major Transportation Corridors Plan was adopted in 2024 to establish a plan for improvements to major transportation routes in the County, which requires consideration of growth and development trends. Relevant goals and policies include:

- Ensure sidewalks and facilities meet the Americans with Disabilities Act (ADA) requirements.
- Reduce motor vehicle speeds by utilizing other traffic calming strategies such as narrower lanes, adding roundabouts, reducing the number of traffic lanes, planting trees, and implementing roadway reconfiguration.

4. CURRENT LAND DEVELOPMENT CODE ANALYSIS

A. OVERVIEW

The contents of a land development code are organized generally by function. **Zoning districts** identify geographic areas that have similar regulations. **Use standards** identify the uses allowed in the zoning districts and any regulations that are specific to those uses. For example, an outdoor music venue may not be allowed in residential zoning districts and may have use-specific standards about the required number of trash disposal locations. **Development standards** are categories of regulation that are applicable to different types of development or zoning districts, such as parking, landscaping, or outdoor lighting. The outdoor music venue example above would be subject to both parking and outdoor lighting standards. **Administration and procedure** regulations describe how an applicant makes a development request to El Paso County. And finally, **definitions and measurements** provide LDC-relevant term definitions and instructions for how to perform common measurements.

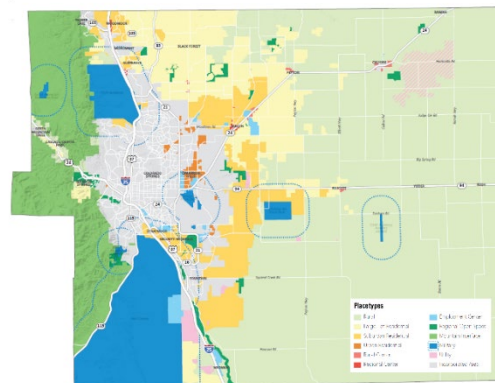
B. ZONING DISTRICTS

SUMMARY

Zoning districts are regulations applied to defined geographic areas. Each district has a unique set of standards for how property can be developed that includes limitations on lot size, building placement, and the height of structures. Zoning districts are classified into base districts, applied as the “base” regulations on a property; overlay districts, applied as an overlay to base districts to

adjust a specific group of standards; and special districts, typically related to a specific use such as airport or wind or solar energy generation.

Your El Paso Master Plan defines future land use and development using a place-based approach that defines 11 distinct “placetypes.” The placetypes classify specific areas based on defining character, scale, form and function.



Revisions to the districts should be considered to help the County allow and guide both present and future development types. The general goal of district revisions will be to broaden El Paso County’s zoning toolbox so that appropriate development may be built by-right and help advance the goals and vision of the County while reflecting changes over time. Revisions may include “retiring” unnecessary districts and adjusting current district standards as appropriate. Also, some new districts may be introduced even if they are not immediately applied to the zoning map but could be applied as part of a future development pattern.

Initial analysis of overall use of the current zone districts shows that the Agriculture – 35

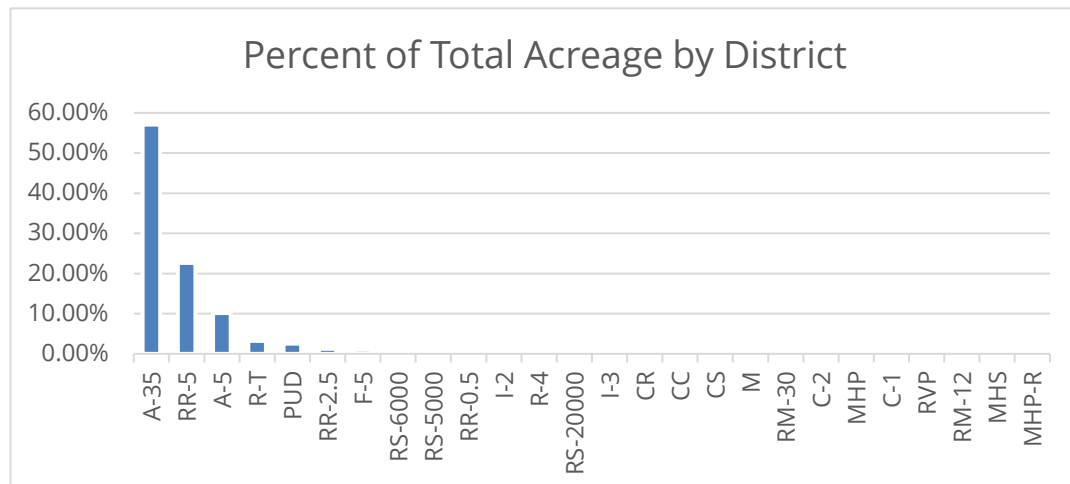
acres (A-35), Residential Rural (RR-5) and Agriculture – 5 acres (A-5) are the most commonly applied on the zoning map representing almost 90 percent of the County’s land area.

Current Zoning Districts	Percent of Total Acreage
A-35	57.09%
RR-5	22.64%
A-5	10.16%
R-T	3.24%
PUD	2.55%
RR-2.5	1.26%
F-5	1.03%
RS-6000	0.35%
RS-5000	0.32%
RR-0.5	0.29%
I-2	0.23%
R-4	0.19%
RS-20000	0.16%
I-3	0.12%
CR, CC, CS, M, RM-30, C-2, MHP, C-1, RVP, RM-12, MHS, MHP-R	< .1%

During the initial stages of LDC drafting, the consultant team will help the County explore why existing districts are not being more widely used and identify changes to the zoning district line up that could be beneficial.

RECOMMENDATIONS

- B.1.** Adjust the zoning district lineup and development standards to support the implementation of current and emerging development patterns, such as mixed residential and mixed-use, and create a range of implementation options for the Master Plan placetypes. (Chapter 3, Chapter 4)
- B.2.** Incorporate zoning districts and standards that support the City/County annexation policy. (Chapter 3)
- B.3.** Identify and eliminate existing nonconformities through LDC changes where possible to encourage continued property investment. Correct issues created by maintaining obsolete districts. (Chapter 3, Chapter 5)
- B.4.** Consolidate density and dimensional standards alongside other district-specific standards. Move from use standards to the zoning districts chapter. (§5.4)



B.5. Consolidate information for each zoning district and include cross-references to other relevant standards. Eliminate duplicative information (e.g., §3.3). (Chapter 3, §5.4)

B.7. Review overlay districts for conversion to use or dimensional standards. (Chapter 4)

B.6. Consolidate special purpose and overlay zoning districts with other zoning districts in a single chapter. (Chapter 4)

To better delineate the multiple types and scales of development in El Paso County, we will explore updating the zoning district line-up to adjust or create zoning districts that better meet modern development patterns and County preferences. Some initial changes we will consider include the following:

Development Pattern/ Placetype	Current Districts	Zoning District Preliminary Considerations
Rural	F-5: Forestry and Recreation	Carry forward
	A-35: Agricultural	Carry forward
	A-5: Agricultural	Carry forward
Rural Center	CC: Community Commercial	RMXC: Rural Mixed-Use Center
Large-Lot	RR-5: Residential Rural	Consolidate and carry forward
	RR-2.5: Residential Rural	
Suburban	RR-0.5: Residential Rural	Consolidate and carry forward
	RS-20000: Residential Suburban	
	RS-6000: Residential Suburban	
	RS-5000: Residential Suburban	Consolidate and carry forward
	CC: Community Commercial	SMXC: Suburban Mixed-Use Center
Urban Residential	RM-12: Residential Multi-Dwelling	Carry forward
	RM-30: Residential Multi-Dwelling	Carry forward
	(new)	NMX: Neighborhood Mixed-Use
Regional Center	(new)	UMXC: Urban Mixed-Use Corridor
	CR: Commercial Regional	UMXR: Urban Mixed-Use Regional
Employment Center	CS: Commercial Services	Carry forward
	I-2: Limited Industrial	Carry forward

Development Pattern/ Placetype	Current Districts	Zoning District Preliminary Considerations
	I-3: Heavy Industrial	Carry forward
Regional Open Space	N/A	Create a new Open Space (OS) district for existing and future open spaces to be preserved
Mountain Interface	R-T: Residential-Topographic	Explore consolidation with new Large Lot district

Planned Unit Development (PUD)

- B.8.** Review and simplify the range of requirements applied to PUDs in the existing Code to ensure they align with current County priorities including, but not limited to architectural guidelines, mix and intensity of land uses, approval of density, and common open space requirements. (§4.2.6.F)
- B.9.** Require specific community amenities (e.g., housing, conservation design) in exchange for PUD approval. (§4.2.6)
- B.10.** Ensure a link between PUDs and base zoning districts. A PUD functions as an overlay district and can be applied to different types of development countywide. Ensuring that the base of the PUD is built on current zoning districts helps fill in the gaps for PUD interpretation 20 years from now. (§4.2.6.B)
- B.11.** Review, simplify, and clarify the list of thresholds that distinguish minor and major PUD amendments (currently located in the Procedures Manual). (§4.2.6.H)

C. USE STANDARDS

SUMMARY

Use standards establish the land uses allowed within each zoning district. Uses are classified based on their “role” on a lot: principal use, accessory use, or temporary use. The uses are further categorized by the type of review required: (1) allowed by-right, (2) potentially allowed through special use review, or (3) prohibited, no review. (Current Table 5-1, Principal Uses)

The LDC update allows the County to revisit how uses are defined, categorized, and regulated to reflect contemporary best practices and technological advancements. One of the bigger best practice changes a community can make to speed up and reduce the cost of development approvals is to reduce the number of uses that required special use review. Often, the special use review process can be replaced with well-drafted use-specific standards that allow for administrative (staff) approval while opening up County agendas for other work.

This section recommends several improvements to the County’s use regulations including modernizing the uses listed, simplifying similar uses, improving standards, and making organizational updates to make use standards more user-friendly.

RECOMMENDATIONS

- C.1.** Identify opportunities to expand the range of uses that can be permitted to provide increased flexibility, including allowing a wider variety of housing types and price points. (§5.1)
- C.2.** Provide targeted flexibility in use permissions to reflect state and federal law (e.g., ADA, RLUPA, FHA, etc.) and best practices (e.g., APA) with special attention to uses that address disability, assembly, and housing. (§5.1)
- C.3.** Update and reorganize the use tables to consolidate similar uses and group uses into well-defined categories (residential, civic, commercial, industrial, agricultural) instead of listing uses alphabetically. (§5.1)
- C.4.** Review and update listed uses, use-specific standards, and definitions to ensure consistent terminology and that standards are clear and easy to interpret and enforce. (§1.15, §5.2)
- C.5.** Review all current uses that require special use approval (or are not permitted) and determine whether impacts could instead be addressed with use-specific standards. (§5.1, §5.2)
- C.6.** Review all use-specific standards to ensure they are clear, enforceable, and focused on issues that matter to the community (and nothing more). (§5.2)
- C.7.** Revisit permissions and standards related to keeping animals, including standards for kennels and minimum acreages for the keeping of horses and livestock in residential districts. (§5.2)
- C.8.** Establish a clear administrative process for the interpretation of new and unlisted uses to replace the administrative variance process that makes it hard for neighbors to understand what could be built near them and creates unpredictable processes for developers. (§5.3)
- C.9.** Relocate use-specific standards that overlap with a proposed development

standards chapter (e.g., parking, landscaping) to the corresponding section. (§5.2)

- C.10.** Consolidate standards for nonconformities and relief provisions. (§5.5, §5.6)
- C.11.** Explore approaches to manufactured housing that reflect community goals for housing affordability and contemporary construction methods. (§4.2.2, Chapter 5)
- C.12.** Review and update standards for Commercial Mobile Radio Service (CMRS) facilities and other wireless telecommunications uses to reflect best practices and ensure compliance with FCC regulations. (§5.2.19)
- C.13.** Ensure alignment of state-regulated uses (e.g., daycare centers, accessory living quarters/accessory dwelling units, occupancy) to reflect state legislation and staff challenges to enforcement. (§5.2.1)
- C.14.** Clarify conflicting processes and decision-making responsibility for accessory living quarters when proposed as a special use to provide clarity and flexibility. (§5.2, §5.3.2)
- C.15.** Refine approach to home occupations to reduce barriers to small, home-based businesses while minimizing neighborhood impacts. (§5.2.29)

D. DEVELOPMENT STANDARDS

SUMMARY

The term “development standards” refers to the various regulations adopted by El Paso County that affect the quality of development—from protection of environmentally sensitive areas (e.g., fire protection and wildfire mitigation regulations); to design of the site (e.g., how much parking and landscaping buffering are required); to building design and site features (e.g., signs, lighting). The requirements of development standards can change over time based on improved technical best practices (such as wildfire), changes in community preferences (accommodating more bicyclists), and changes in the scale or intensity of development (such as moving from suburban to urban).

Currently, El Paso County has a range of development standards adopted over the years that are often applied to all areas of the County, regardless of the geographic or land use and development context.

It is unclear, based on the way the LDC is currently organized and drafted, where and for which types of development each set of standards applies.



The current LDC also includes numerous opportunities for applicants to request

adjustments, alternatives, or waivers of development standards. Though the ability to adjust standards can be a method of allowing flexibility for development, an excess amount of flexibility can result in unpredictable development and inconsistent administration of the standards. A key goal for updating the development standards is finding a better balance between setting clear expectations for applicants and allowing for modifications of the standards where appropriate and necessary.

The recommendations below introduce some considerations for updates to the development standards, including options for tailoring requirements based on context.

RECOMMENDATIONS

General Considerations

D.1. Review the current development standards for gaps, omissions, conflicts, and alignment with County policies and practices. (Chapter 6)

D.2. Establish a framework for applying development standards relative to the context of the site (e.g., urban, suburban, and rural) (example from another county). (Chapter 6)

Table 4-1: Development Standards Applicability by Character Area: Generally

✓ = Standards apply Blank Cell = Standards do not apply

Section	Conservation & Agriculture	Rural	Mixed Center	Urban/GMA
4.3, Adequate Public Facilities	✓	✓	✓	✓
4.4, Environmental Resource Standards	✓	✓	✓	✓
4.5, Connectivity and Circulation			✓	✓
4.6, Off-Street Parking and Loading	✓	✓	✓	✓
4.7, Landscaping	✓	✓	✓	✓
4.8, Adjacency and Buffering Standards	✓	✓	✓	✓
4.9, Site and Building Standards in Urban Areas				✓
4.10, Exterior Lighting	✓	✓	✓	✓
4.11, Air Quality	✓	✓	✓	✓
4.12, Water Quality	✓	✓	✓	✓

D.3. Limit the staff burden created by open-ended waiver requests. Explore

alternatives to broad waivers of standards with either menus of optional standards or a predictable process that allows applicants to request specific adjustments. Determine which requirements should not be able to be adjusted. (Chapter 6)

D.4. When drafting regulations near incorporated portions of the county, align standards with the municipalities to help ensure high-quality development and a smooth transition to municipal zoning if an annexation were to occur. (Chapter 6)

Table 5.1
Applicability Thresholds for External Additions

Section	Residential	Mixed-Use and Nonresidential
5.3, Grading and Drainage	All development; see 5.3.B	
5.4, Access, Connectivity, and Circulation	All development; see 5.4.B	
5.5, Off-Street Parking and Loading	15 percent increase in gross floor area; 25 percent for non-primary uses; or any expansion that requires a Conditional Use Permit; see 5.5.B	
5.6, Landscaping, Buffering, and Screening	25 percent increase in gross floor area; change of use requiring an increase in required parking by 25 percent or more; or any expansion that requires a Conditional Use Permit; see 5.6.B	
5.7, Site and Building Design	Varies; see 5.7.B	
5.8, Exterior Lighting	50 percent increase in gross floor area for single-family, or 25 percent for other residential use; or if cumulative cost of addition is greater than 25 percent of valuation of building, as determined by Director; see 5.8.B	25 percent increase in gross floor area, or if cumulative cost of addition is greater than 25 percent of valuation of building, as determined by Director; see 5.8.B
5.9, Public Art	Expansion of a multifamily building by 10 dwelling units or more; see 5.9.B	Increase by 2,500 square feet gross floor area; see 5.9.B

Landscaping, Buffering, and Screening

D.5. Consolidate the standards for fences, walls, hedges and landscaping into one Landscaping, Buffering, and Screening chapter, including standards embedded within use-specific standards. (§5.2, §6.2.1, §6.2.2)

D.6. Relocate methods of measurement (e.g., fence height) to the Measurements and Definitions chapter. (§6.2.1)

D.7. Ensure key terms and measures are clearly defined, easier to interpret and enforce (e.g., opaque fence), and include graphics where possible. (§6.2)

- D.8.** Replace general standards (e.g., limiting obstructions to the view of vehicle operators, development perimeter fencing, tree protection) with defined, measurable standards. (§6.2.1.C.2)
- D.9.** Clarify when a landscaping plan is required to be submitted and what type of landscaping should be shown for different application types. (§6.2.2.A)
- D.10.** Draft a range of minimum landscaping requirements based on context, such as urban or rural context. (§6.2.2.A)
- D.11.** Provide clear decision-making criteria for Director-approved alternatives. (§6.2.2.A.4)
- D.12.** Consolidate technical information (e.g., plant lists and material standards) to an administrative manual where they can be more easily updated as technology and best practices change. (§6.2.2)
- D.13.** Incorporate landscaping standards that reflect areas of the county with limited water and update requirements to support implementation of the Water Plan and ensure compliance with state guidance. (§6.2.2)
- D.14.** Update buffering standards to provide options for narrower buffer strips and alternative land-efficient buffering in urban areas where parcels are smaller. (§6.2.2.D)
- D.15.** Determine if the County wants to continue regulating for a minimum number of parking spaces based on land use (some communities decide to leave that up to the market or propose a maximum number of spaces where there are concerns about impacts on water and air quality). (§6.2.5)
- D.16.** If the County determines that minimum parking requirements are necessary, reduce the current base standards to give developers more design flexibility, reduce costs, and allow space to be used more efficiently. Ensure requirements are tied to enforceable metrics. (§6.2.5.D)
- D.17.** Adjust context-sensitive parking requirements (minimum parking, surface materials, bicycle parking, etc.) to ensure standards reflect the different districts, placetypes, or services that impact parking usage. (§6.2.5.C)
- D.18.** Expand opportunities for flexible approaches to meeting minimum parking requirements. (§6.2.5.D)
- D.19.** Review accessible parking, electric vehicle charging, and bicycle facility standards to comply with state and federal law and best practices. (§6.2.5)
- D.20.** Review loading, stacking, and drive-through standards to ensure safety and reduce impacts on adjacent uses. (§6.2.5.E, §6.2.5.G)
- D.21.** Discuss relocating design standards to an administrative manual. (§6.2.5.D.2)

Environmental

Parking

- D.22.** Relocate procedural and submittal requirements related to Air Quality Plans, Drainage Plans, Wildland Fire and Hazard Mitigation Plan, and Forestry Management Plans to the Administration and Procedures chapter or into an Administrative Manual outside of the Land Development Code. (§6.3.1)
- D.23.** Consider how water is handled on-site through stormwater best management practices that could include low impact

development design such as minimizing impervious areas to reduce runoff such as vegetated buffers or swales, retention or detention basins, and permeable pavements. (§6.3.2, §6.3.5)

space dedication, environmental considerations, etc. and define applicability, standards, and decision-making criteria for modification or flexibility (Chapter 7, Chapter 8)

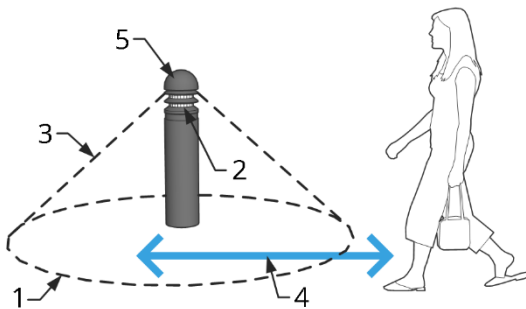
D.24. Define “qualified professional” and clarify when applicant proof of compliance is required. (§6.3)

D.29. Incentivize the use of conservation subdivisions that protect valuable natural and historic features while allowing suitable development to occur. (§8.4)

Outdoor Lighting

D.25. Integrate additional lighting type and efficiency standards (e.g., maximum energy consumed, light sources, and correlated color temperature). (§6.2.3.B)

D.26. Establish specific standards for other lighting types, similar to canopy lighting, including parking lot lighting and pedestrian-scaled lighting ensure all areas of a site are well-lit for public safety purposes while still protecting the night sky. (§6.2.3.B)



Example of pedestrian-scale lighting standards

Subdivision

D.27. Clarify applicability of infrastructure standards to both subdivision and general development standards. (Chapter 6, Chapter 8)

D.28. Establish thresholds for standards, including private roads, common open

E. ADMINISTRATION AND PROCEDURES

SUMMARY

The Administration and Procedures chapter contains both legal and planning information that is pertinent to both frequent LDC users and community members trying to understand zoning or subdivision for a specific project. This chapter identifies the roles and responsibilities of different decision-making bodies in the planning process and establishes review and approval procedures for a variety of development applications.

The majority of the procedural content typically found within the Code currently exists in the staff's internal Procedures Manual. Though the Procedures Manual is adopted by reference with the Code, it is more efficient and user-friendly for that information to be located within the LDC, consistently organized, and simplified. Both applicants and staff can benefit from straightforward procedures that result in more predictable development outcomes

RECOMMENDATIONS

- E.1.** Incorporate details from the internal Procedures Manual for each specific procedure including purpose, applicability process, criteria for approval, and public notice and hearing requirements if applicable. The submittal requirements should remain outside of the LDC in an Administrative Manual to allow for modifications to those requirements without the need for a formal LDC amendment. (Chapter 2)
- E.2.** Standardize review procedures to the extent possible to improve user-

friendliness and consistency. Create a summary table that indicates:

- The various types of procedures
- The steps involved in evaluation and approval
- Final decision-making authority for each (Chapter 2)

Application Type	UDC Reference	Pre-Application Activities		Review & Decision-Making Bodies			
		Pre-application conference	Neighborhood Meeting	Staff/Referral Agencies	Planning and Zoning Commission	City Council	Board of Adjustment
Ordinance and Plan Amendments							
Comprehensive plan amendment	6.6.1	✓	◊	R	R*	D*	
Zoning map amendment (rezoning)	6.6.2	✓	◊	R	R*	D*	
Zoning map amendment to planned development (PD)	Preliminary 6.6.3	✓	◊	R	R*	D*	
	Final 6.6.3	✓		R	R*	D*	
Zoning text amendment	6.6.4	◊	◊	R	R*	D*	
Annexation ⁶⁸	6.6.5	✓		R	R	D*	
Development Permits and Approvals							
Site plan, minor	6.4.1	✓		D			A*
Site plan, major	6.4.1	✓	◊	R	D*		A*
Special use permit	6.4.2	✓	◊	R	R*	D*	

- E.3.** Review the timing, location, and format of meetings to ensure accessibility for everyone in the community (e.g., people with disabilities or people that work during typical meeting times). (Chapter 2)
- E.4.** Explore expanding public notice provisions to require notice for both nonresidential and residential tenants (in addition to property owners) and updating notice procedures to reach more participants. (Chapter 2)

Specific Procedures

- E.5.** Add process-specific flow charts to increase user-friendliness. (Chapter 2)



- E.6.** Review the procedural steps, required hearings, and reviewing bodies for each specific procedure to better understand how much time and process is required for each type of application and streamline wherever possible. (Chapter 2)
- E.7.** Clarify the intended role and limitations for all procedures, such as administrative determinations, to ensure consistent and appropriate use by staff and applicants in keeping with the County's legal authority. (Chapter 2)
- E.8.** Examine each specific procedure to identify problem areas that cause confusion or result in applications getting stalled. (Chapter 2)
- E.9.** Explore combining subdivision procedures in the same section as all other procedures. (§7.2)
- E.10.** Consider updating administrative adjustment, modification, and waiver processes to reflect new, built-in flexibility and redefined opportunities for relief that are more predictable. (§2.2.1.i, §4.2.6.F.2.h, §5.3.2, §5.3.4, §5.5.1)
- F.4.** Review and update standards, procedures, and definitions for Activities of State Interest (1041), including the definition of "Transmission Line." (Chapter 1, Appendix B)
- compliant with HB24-1007 and focused on the structure instead of the people that reside there. (§1.15)

F. MEASUREMENTS AND DEFINITIONS

- F.1.** Ensure all key terms are defined, reflect common practice, are consistent throughout the LDC, and comply with state and federal law. (§1.15)
- F.2.** Establish a method for determining the definition of undefined terms (e.g., APA Planner's Dictionary, the Complete Illustrated Book of Development Definitions). (§1.15)
- F.3.** Replace the definition of "Family" with a definition of "Household" that is

G. LDC ORGANIZATION AND HOUSEKEEPING

SUMMARY

The LDC will function as the community's resource to all things related to development within the County; a logically structured document will ensure that users can find the information they need with ease. A well-organized structure includes considerations such as: condensing similar information into one section, visually breaking up information with page breaks, text size, and spacing, and utilizing charts, graphs, and illustrations to simply information and design requirements.

RECOMMENDATIONS

G.1. Establish a clear and consistent organization that treats the LDC as a reference document, grouping like content and providing linked cross-references to additional requirements.

G.2. Review all sections for drafting completeness and clarity, eliminate conflicting requirements, fill regulatory gaps.

G.3. Separate procedures from substantive regulations and make both easier to locate in an overall table of contents. (Chapter 2)

G.4. Format zoning districts in a one- or two-page layout that includes purpose, dimensions, district-specific standards, and cross-references to other relevant sections. (Chapter 3)

G.5. Collect all development standards that exist within definitions and consolidate them in the relevant chapter. (§1.15)

Chapter 30.02 Zoning Districts
 30.02.10 RM32: Residential Multi-Family 32
 A Purpose

30.02.10 RM32: RESIDENTIAL MULTI-FAMILY 32

A. Purpose
 The RM32 district is established to accommodate a diverse array of high-density, residential development in multi-family structures. This district is intended to support walkability, transit-use, and serve as a transition between high-density residential areas and commercial, mixed-use, and nonresidential areas.

B. Standards

LOT		OTHER STANDARDS	
Lot area, min.	7,000 sf	Overlay Districts	§30.02.26
Density, max.	32 units/acre	Measurement/Exceptions	§30.02.25
SETBACK (MIN. FT.)		PRIMARY / ACCESSORY	Use Regulations
A Front	20		Chapter 30.03
B Side Interior	20		Development Standards Chapter 30.04
			Residential Adjacency §30.04.06
C Side Street	20		
Back	20 / 5		
Building separation	10 / 6		
HEIGHT (MAX. FT.)			
D Structure height	50		
OPEN SPACE			
	100 sf/unit		

Figure 30.02-10: RM32 District Standards Illustration

Table 30: Unified Development Code
May 2023 20

Example layout of a Zoning District page, using tables and graphics to simplify information

Chapter 30.03 Use Regulations
 30.03.03 Summary Table of Allowed Uses
 F Classification of New and Unlisted Uses

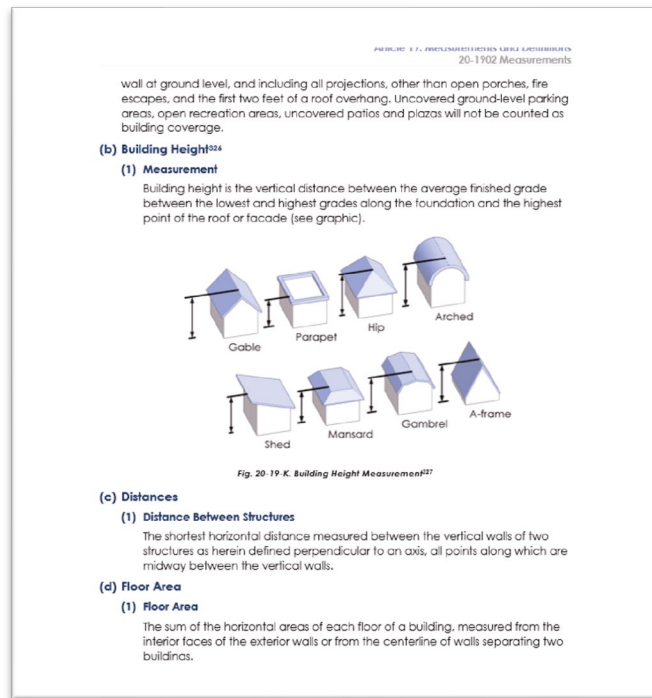
Table 30.03-1: Summary Table of Allowed Uses

P = PERMITTED C = PERMITTED WITH CONDITIONS S = SPECIAL USE A = ACCESSORY USE T = TEMPORARY USE BLANK = PROHIBITED

Districts	RS50	RS40	RS20	RS10	RS5.2	RS3.3	RS2	RM1B	RM32	RM20	CN	CP	CS	CC	CU	CK	IP	IL	IH	AG	OS	PF	
AGRICULTURE AND ANIMAL-RELATED USES																							
Animal Care Project	C	C	C	C	C							S	S	P	P	P	P	P					C
Animal Hospital	S	S																					
Apiary	C	C	C																				C
Aquaculture	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Aviary	C	C	C	C	C	C																	C
Community Garden	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Exotic/Wild Animals	S	S	S	S	S	S	S	S	S	S	S	S	S	S	C		S	S	S	S	S	S	S
Farm or Garden	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Guest Ranch	S	S																					S
Hogs and Pigs	C	C																					C
Household Pet	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Kennel											C	C	C	C	C	C	C	C					C
Livestock, Large	C	C	C	C	C																		C
Livestock, Medium	C	C	C	C	C																		C
Livestock, Small	C	C	C	C	C																		C
Plant Nursery												S	P	S	S	S	S	P	P				P
Stable	S	S	S																				C
Stable, Residential	C	C	C																				C
CIVIC AND INSTITUTIONAL USES																							
Group Assembly																							
Banquet Facility													S	C	C	C	S	S					
Cemetery	S	S	S	S	S	S	S	S	S	S	S	S	S	S	C	C	S	C	C				S
Convention Facility													S	S	S	S	S	S	S				S
Crematory	S	S	S	S	S	S	S	S	S	S	S	S	S	S	C	C	C	C	C	C	C	C	P
Daycare	S	S	S	S	S	S	S	S	S	S	S	C	C	C	C	C	S	S	S	S	S	S	S
Food Pantry	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	S	S	S	S	S	S
Funeral Home	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S	S	S	S	P	P	S	S
Museum	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	S	S	S	S
Place of Worship	S	S	S	S	S	S	S	S	S	S	S	S	S	C	C	C	C	S	S	S	S	S	
Union Hall												S	P	P	P	P	P	P	P				S
Educational Facilities																							

Example of a simplified Use Table that shows which uses are allowed by right, and by permit, in each Zoning District

- G.6.** Update definitions and relocate regulatory content to the appropriate section; avoid regulating in the definitions. (§1.15)
- G.7.** Establish a section for commonly used measurements. (§1.15)
- G.8.** Move some content to a lower hierarchy in the LDC organization to help separate general requirements and specific details.
- G.9.** Add tables and graphics to simplify large amounts of text information.
- G.10.** Delete standards that are addressed in other codes or manuals.
- G.11.** Relocate code administration information to a separate document (for example, required ADA accessibility notes on site development plans).
- G.12.** Ensure that all regulations are written in plain English, without the use of jargon or highly sophisticated language.



Section devoted to defining common measurements mentioned throughout the code

5. ANNOTATED OUTLINE

This section provides a crosswalk table showing where new and current LDC provisions will be incorporated in the updated LDC.

REORGANIZED LDC		CURRENT LDC	
Sec.	Title	Sec.	Title
Ch. 1	General Provisions	Ch. 1	Introductory Provisions
1.1	Title	1.1	Official Title
1.2	Authority	1.2, 1.5	Authority, Right-to-Farm
1.3	Purpose	1.3, 1.4	Applicability, Purpose
1.4	Compliance Required	1.9, 1.13	Other Regulations, Building Permits
1.5	Conflicting Provisions	1.9	Other Regulations
1.6	Transitional Provisions	1.10	Transitional Provisions
1.7	Severability	1.11	Severability
Ch. 2	Zoning District General Standards	Ch. 3	General Zoning Districts
2.1	Zoning Districts Established	3.1	Establishment of Zoning Districts
2.2	Official Zoning Map	1.8	Zoning Map
2.3	Adjustments and Exceptions	1.12	Amendments
		3.2	Zoning District Purposes
		3.3	Uses and Standards
Ch. 3	Residential Districts	See discussion in Section B, Zoning Districts (pg. 11)	
Ch. 4	Mixed-Use Districts		
Ch. 5	Commercial Districts		
Ch. 6	Industrial Districts		
Ch. 7	Agricultural Districts		
Ch. 8	Overlay Districts		
Ch. 9	Special Districts		
Ch. 10	Planned Unit Development		
Ch. 11	Uses and Use-Specific Standards		
11.1	Use Table(s)		
11.2	Use-Specific Standards	4.2	Special Purpose Districts
		4.2.6	Planned Unit Development District
Ch. 12	Suburban and Urban Area Development	Ch. 5	Use and Dimensional Standards
12.1	Site Layout Standards	5.1	Use Tables, Table 5-1, Table 5-2
12.2	Mobility and Connectivity	5.2, 6.2.7, 6.2.8	Use-Specific Development Standards, Operational Standards, Maintenance Plans
		--	--
		6.2.5	Parking, Loading, and Maneuvering Standards

REORGANIZED LDC		CURRENT LDC	
Sec.	Title	Sec.	Title
12.3	Parking, Loading, and Access	6.2.5	Parking, Loading, and Maneuvering Standards
12.4	Landscaping, Buffering, and Screening	6.2.1, 6.2.2	Fences, Walls, and Hedges; Landscape Requirements
12.5	Environmental	6.3	Environmental Standards
12.6	Outdoor Lighting	6.2.3	Lighting
Ch. 13	Agricultural, Rural, and Small Town Development		
13.1	Parking, Loading, and Access	6.2.5	Parking, Loading, and Maneuvering Standards
13.2	Environmental	6.3	Environmental Standards
13.3	Outdoor Lighting	6.2.3	Lighting
Ch. 14	Subdivision		
14.1	Purpose and Applicability	Ch. 7	Rules Governing Division of Land
14.2	General Standards	Ch. 7	Rules Governing Division of Land
14.3	Subdivision Design	Ch. 7, Ch. 8	Rules Governing Division of Land, Subdivision Design, Improvements, and Dedications
14.4	Conservation Subdivision	--	--
14.5	Improvements	6.2.6, Ch. 8	Pre-Subdivision Site Grading, Subdivision Design, Improvements, and Dedications
Ch. 15	Signs		
15.1	Purpose and Applicability	--	--
15.2	General Standards	--	--
15.3	Off-Premise Sign Standards	6.2.9	Signs, Off-Premise
15.4	On-Premise Sign Standards	6.2.10	Signs, On-Premise
15.5	Temporary Sign Standards	--	--
15.6	Sign Permits	--	--
Ch. 16	Procedures	Ch. 2	Administration
16.1	Purpose and Organization	2.1	General
16.2	Summary Table of Review Procedures	--	--
16.3	Common Review Procedures	--	--
16.4	Site Development Procedures	5.3; Ch. 9; Ch. 10	Standards for Review, Approval, and Administration of Uses; Special Districts; Annexation and Disconnection

REORGANIZED LDC		CURRENT LDC	
Sec.	Title	Sec.	Title
16.5	Subdivision Procedures	--	--
16.6	Code Amendment Procedures	--	--
16.7	Flexibility and Relief Procedures	5.3, 5.5	Standards for Review, Approval, and Administration of Uses; Provisions for Relief from Density and Dimensional Standards
16.8	Review and Decision-Making Bodies	2.2	Authorities
Ch. 17	1041 Regulations	Apdx. B	Guidelines and Regulations for Areas and Activities of State Interest
17.1	Purpose and Applicability	B: 1.1	Introduction and General Provisions
17.2	Matters of State Interest	B: 1.2	Designation of Matters of State Int.
17.3	1041 Permit Application and Procedures	B: 3-9	--
17.4	Administration and Enforcement	B: 2	Permit Regulations
Ch. 18	Nonconformities	--	--
		5.6	Legal Nonconformities
Ch. 19	Violations and Enforcement	Ch. 11	Enforcement
Ch. 20	Measurements and Definitions		
20.1	Interpretation	1.6, 1.7, 1.14	General Rules for Interpretation of this Code, Delegation of Authority, Rules of Construction
20.2	Measurements	1.14	Rules of Construction
20.3	Definitions	1.7, 1.15, 1.16	Delegation of Authority, Definitions of Specific Terms and Phrases, Abbreviations of Terms and Phrases

6. PUBLIC OUTREACH AND ENGAGEMENT

A. THE PUBLIC INVOLVEMENT PLAN (PIP)

Stakeholder and community input is critical to the success of the LDC process. To support this need, the project team has developed a Public Involvement Plan (PIP) that outlines a detailed strategy to:

- Solicit input from those who regularly use the LDC regarding the strengths and weaknesses of its structure, format, and organization and how it might be improved.
- Ensure the public is kept informed, understands the purpose and scope of the LDC update, their role in the decision-making process and how their input influences the LDC project.
- Listen to and acknowledge concerns and aspirations expressed by participants and collaborate with the community on ways to address them.
- Solicit input from those who may be affected by potential modernization and streamlining of the LDC, including those who may be less familiar with how zoning works.
- Inform and educate stakeholders about emerging practices in zoning regulations and procedures that may improve the

County's ability to advance community priorities.

- Make LDC concepts accessible to all.
- Provide a variety of ways for the community to provide input.

The PIP is available for public review on the project website [documents page](#) and will be used as a reference during the course of the process. Due to the nature of the LDC process, it is expected that the PIP will evolve. Therefore, meeting dates and times will be finalized at least one month in advance of each round of community and stakeholder engagement and updated on the project website [events page](#).

B. NEXT STEPS

The El Paso County Planning Commission will be presented with an overview of the LDC Assessment on August 15 and the Board of County Commissioners will have a similar presentation on August 22. Public input opportunities will be scheduled for early September.