

RESOLUTION NO.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

DENIAL OF AN APPEAL OF ADMINISTRATIVE DETERMINATION
APP261

WHEREAS, Buc-ee's EPCO, LLC (the "Applicant") has appealed an Administrative Determination by the Planning and Community Development Department Executive Director ("Executive Director") that it is unclear if the proposed Buc-ee's use meets the definition of a "Convenience Store" as defined in Section 1.15 of the El Paso County Land Development Code and whether it is sufficiently similar to allowed uses in the C-1 zone district; and

WHEREAS, the Board of County Commissioners is vested with the power to approve or deny such appeals by virtue of Section 5.3.6 of the El Paso County Land Development Code; and

WHEREAS, the Executive Director made the Administrative Determination on July 1, 2026; and

WHEREAS, it was the determination and finding of the Executive Director that it is unclear if the proposed Buc-ee's use meets the definition of a "Convenience Store" as defined in Section 1.15 of the El Paso County Land Development Code and whether it is sufficiently similar to allowed uses in the C-1 zone district; and

WHEREAS, based on the evidence presented, the Board of County Commissioners makes the following findings:

1. Proper notice procedures have been completed by the Planning and Community Development Department.
2. The appeal was timely submitted for consideration by the Board of County Commissioners.
3. The appeal hearing before the Board of County Commissioners was extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at the hearing.

4. The use proposed by the Applicant does not meet the definition of a "Convenience Store" as set forth in the El Paso County Land Development Code.
5. The function, performance characteristics, and location requirements of the proposed Buc-ee's use is not consistent with the purpose and description of the zoning district where it is proposed.
4. The proposed Buc-ee's use is not compatible with the uses specifically allowed in the C-1 zone district, and not similar in characteristics such as traffic and parking generation, noise, glare, vibration, and dust.]

NOW, THEREFORE, BE IT RESOLVED that the appeal of an Administrative Determination by the Planning and Community Development Department Executive Director that it is unclear if Buc-ee's meets the definition of a "Convenience Store" as defined in Section 1.15 of the El Paso County Land Development Code and whether it is sufficiently similar to allowed uses in the C-1 zone district is hereby denied.

BE IT FURTHER RESOLVED that the proposed Buc-ee's use, as described by the Applicant in its appeal, is not an allowed use in the C-1 zone district.

DONE THIS 27th day of August 2026, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder