

CITY PLANNING COMMISSION AGENDA

STAFF:
MATTIE ALBERT GULLIXSON

FILE NO: CPC CA 18-00033

PROJECT: AMENDMENT TO CITY CODE SECTION 7.3.205L

APPLICANT: CITY OF COLORADO SPRINGS

OWNERS: N/A

PROJECT SUMMARY

1. Project Description: The proposed ordinance modifies City Code Section 7.3.205L (Additional Standards for Specific Land Uses) by revising subsection 3 with the following language that makes it explicitly illegal to operate unlicensed grows in commercial spaces: "To grow, cultivate, or process marijuana or medical marijuana unless in conformance with the requirements contained in subsections 7.2.302(C)(22), 7.3.105(P), and 7.3.2015(M)." The current section 3 will become section 4, etc.
2. Applicant's Project Statement: N/A
3. Planning and Development Team's Recommendation: Staff recommends that the Planning Commission recommends adoption of the ordinance to the City Council.

BACKGROUND

During 2017 and 2018, the Colorado Springs Fire and Police Departments have encountered an increasing number of unlicensed grows operating illegally in commercial spaces. These grows are not authorized under the catch all provision in the City's Zoning Code, section 7.2.107, which prohibits land uses that are not specifically permitted or allowed under a similar use determination. However, it is the belief of the City Administration that explicitly addressing unlicensed grows in commercial spaces will equip the Police Department, the Fire Department, and the Planning Department with an additional and more specific tool to address these unlawful grows. The measure has been discussed with the Council President's Special Marijuana Working Group, and was given general support to move forward.

STAKEHOLDER PROCESS AND INVOLVEMENT

Since this is a zoning code text amendment applicable city-wide, direct property owner notification and posting is not required.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE

1. Review Criteria/Design & Development Issues
Text amendments to the zoning code are authorized by City Code Section 7.5.602.A. There are no specific review criteria for text amendments.

2. Conformance with the City Comprehensive Plan

There are no specific policies or strategies that provide guidance related to this proposed amendment.

3. Conformance with the Area's Master Plan

N/A

STAFF RECOMMENDATION:

CPC CA 18-00033

Move to recommend adoption of an ordinance to the City Council amending Section 205 (Additional Standards for Specific Land Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zoning Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to the Cultivation of Marijuana and Medical Marijuana in Violation of the Zoning Code and Providing Remedies for the Violation Thereof, based on the finding that it complies with City Code Sections 7.5.602 and 7.5.603.