COLORADO SPRINGS PLANNING

Land Use Review

Unified Development Code Review Criteria

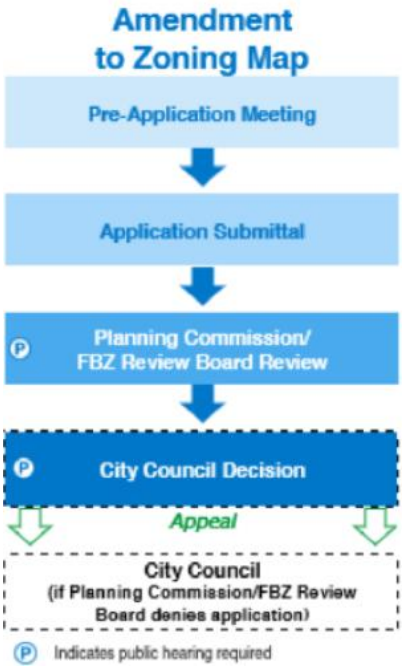
7.5.704: ZONING MAP AMENDMENT (REZONING)

Review Criteria

A. Purpose: The purpose of this Section is to establish standards and provide a mechanism for the City to review and decide on an application to rezone property within the City's jurisdiction, where the City has determined that rezoning of those areas is appropriate.

B. Applicability: This Section 7.5.703 applies to all applications to create or change the boundaries of a zone district on the zoning map, whether initiated by the City or by a private property owner.

C. Amendment to Zoning Map Process:



1. General:

a. A FBZ regulating plan may prov ide for alternate review procedures for proposed amendments of zoning map designations within the FBZ district.

b. For an HP-O district, the standards in Subsection 7.2.501.B (Standards for Designation of Areas for Zoning Overlay) shall apply.

2. Planning Commission, FBZ Review Board, or Historic Preservation Board Review:

a. The Planning Commission or, if specified in an applicable FBZ regulating plan, an FBZ Review Board, or, if applicable, Historic Preservation Board shall review the application and make a decision based on the approval criteria in Subsection D below. The Commission or FBZ Review Board may recommend approval, approval with conditions or modifications, or decide not to make a recommendation on the proposed application, or may deny the application.

b. The Planning Commission, FBZ Review Board, or Historic Preservation Board may recommend, and the City Council may require, the modification of requirements of any zone district so that the property under consideration may be developed in a reasonable manner and without detriment to the public welfare and interest.

c. If a Development Plan is required with the zoning map amendment application, the Planning Commission or, if applicable, an FBZ Review Board or Historic Preservation Board shall review and decide upon the Development Plan application based on the standards and criteria in Section 7.5.515 (Development Plan)concurrent with its review of the proposed zoning map amendment application.

d. If the application is for an HP-O district designation, in addition to the conditions allowed in Section 7.5.410 (Conditions on Approvals), the Historic Preservation Board may recommend one (1) or more of the following conditions:

(1) Reduction of front, side, and rear yard setbacks to conform to neighborhood standards;

(2) Waiver for building height limitations to conform to neighborhood standards;

(3) Allowance of vehicles to back across property lines for parking spaces accessed from an alley as long as the vehicles are visible from both directions in the alley;

(4) Allowance for one hundred (100) percent of all required off street parking spaces as compact spaces;

(5) Allowance for tandem parking spaces;

(6) Allowance for off-site parking spaces that are within three hundred (300) feet of the historic resource; and

(7) If relief allowed under Subsections (1) through (6) above is insufficient to preserve the historic resource, a reduction of up to fifty (50) percent of the minimum number of off-street parking spaces required by Part 7.4.10 (Parking and Loading) may be recommended.

e. If the application is for creation of an ADS-O district, the procedures, standards, and limitations applicable to the creation of the text of the ADS-O district in Section 7.5.702 (Amendment to UDC Text) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.

f. The Planning Commission or, if applicable, an FBZ Review Board or Historic Preservation Board recommends approval of the application or makes no recommendation, the Planning Commission, FBZ Review Board, or Historic Preservation Board shall forward its recommendation to City Council for decision in accord with Subsection 3 below.

g. If Planning Commission or, if applicable, an FBZ Review Board or Historic Preservation Board denies the application, the applicant may appeal the decision to City Council pursuant to Section 7.5.416 (Appeals).

3. City Council Decision: The City Council shall review the application and the recommendation from the Planning Committee, FBZ Review Board, or Historic Preservation Board and make a decision based on the approval criteria in Subsection D below.

D. Approval Criteria: An application for an amendment to the zoning map shall be subject the following criteria for approval:

1. The proposed rezoning is consistent with the goals and policies of the Colorado Springs Comprehensive Plan, with other plans and policies adopted by the City Council; and with the purpose statement of the proposed zone district(s).

2. The rezoning will not be detrimental to the public interest, health, safety, convenience, or general welfare.

3. The location of the lands in the zoning map area being amended are appropriate for the purposes of the proposed zone district(s).

4. If the application proposes to rezone a small area of land, the application demonstrates that the size, scale, height density, and multimodal traffic impacts of the proposed rezoning are compatible with surrounding development or can be made compatible with surrounding development through approval conditions.

5. If the application proposes to rezone a relatively small area of land, the application demonstrates that the change in zoning will not create significant dislocations of tenants or occupants of the property, or that any impacts are outweighed by other public benefits or progress toward other Colorado Springs Comprehensive Plan goals that would be achieved by approval of the application.

6. If a Land Use Plan or amendment to a Land Use Plan accompanies the application, the Land Use Plan or amendment complies with the applicable criteria inSubsection7.5.514C.3 (Land Use Plan Criteria).

7. The application is consistent with any approved Concept Plans in the area for which the map is being amended or includes or is accompanied by a provision that approved Concept Plans that have been classified as implemented do not have to be amended in order to be considered consistent with an amended zoning map.

8. If the application is for creation of an ADS-O district, the approval criteria applicable to the creation of the text of the ADS-O district in Section 7.2.607.D.4 (Decision) shall also apply to consideration of the zoning map amendment required to create or amend the boundaries of the ADS-O district.

9. If rezoning to a PDZ district, the proposed PDZ district provides significant community amenities or other benefits, as determined by the Manager, that promote the achievement of Colorado Springs Comprehensive Plan goals and would not otherwise be required of the applicant under this UDC or other City or governmental regulations.

10. Complies with the additional standards of the base zone district where the property is located (see Article 7.2 (Zone Districts)) or in an overlay district that applies to the property (see Part 7.2.6 (Overlay Districts)). (Ord. 23-03)