

ORDINANCE NO. 19-_____

AN ORDINANCE AMENDING MULTIPLE SECTIONS UNDER CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO THE CITY'S COMPREHENSIVE PLAN

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Multiple Sections under Article 1 (Comprehensive Plan Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.1.101: DEFINITIONS:

* * *

COMPREHENSIVE PLAN TASK FORCE: A ~~City Council appointed advisory~~ group comprised of **City Council** representatives **and representatives** from a broad range of community organizations that reviews the existing Comprehensive Plan and makes recommendations for change.

* * *

7.1.108: AMENDING THE PLAN ~~AND LAND USE MAP:~~

~~A.~~—It shall be the responsibility of the City to regularly convene the Comprehensive Plan Task Force to initiate proposed amendments to the text of the Comprehensive Plan. The convening of the Comprehensive Plan Task Force creates a dialogue among the members of the community concerning values, vision and land development objectives. Community dialogue is a continuing process throughout the development of the plan, and such a process is necessary so that the plan and land development decisions made under the plan reflect community values, vision and objectives. Representatives of the City staff will provide support to the Comprehensive Plan Task Force and be responsible for preparing draft revisions, which shall be forwarded to the Planning Commission for their review and recommendation to the City Council.

~~B. Amendments to the land use map will be processed using procedures established by the Community Development Department and based upon the objectives, policies and strategies in the City's Comprehensive Plan. All amendments to the map shall be adopted by ordinance.~~

Section 2. Section 605 (Review Criteria for PUD Concept Plans) of Part 6 (Planned Unit Development 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, is amended to read as follows:

7.3.605: REVIEW CRITERIA FOR PUD CONCEPT PLANS:

* * *

A. Is the proposed development pattern consistent with the Comprehensive Plan, ~~the 2020 Land Use Map~~, and all applicable elements of the Comprehensive Plan (including the intermodal transportation plan and the parks, recreation and trails master plan)?

B. Are the proposed uses consistent with ~~the primary and secondary land uses identified in the 2020 Land Use Map~~ of the Comprehensive Plan, as amended?

* * *

Section 3. Section 703 (Mixed Use Zone District Establishment) of Part 7 (Mixed Use Zone 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, is amended to read as follows:

7.3.703: MIXED USE ZONE DISTRICT ESTABLISHMENT:

A. * * *

1. * * *

a. General:

(1) Is the proposed MU concept plan consistent with the Comprehensive Plan, ~~the 2020 Land Use Map~~ and all applicable elements of the Comprehensive Plan?

* * *

C. * * *

1. * * *

a. Is the proposed development plan consistent with the Comprehensive Plan, ~~the 2020 Land Use Map~~ and all applicable elements of the Comprehensive Plan?

* * *

Section 4. Section 806 (Review Criteria for FBZ Regulating Plans) of Part 8 (Form-Based Zone District) 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, is amended to read as follows:

7.3.806: REVIEW CRITERIA FOR FBZ REGULATING PLANS:

* * *

A. Is the proposed development pattern consistent with the Comprehensive Plan, ~~the 2020 Land Use Map~~, and all applicable elements of the Comprehensive Plan (including the intermodal transportation plan and the parks, recreation and trails master plan)?

B. Is the proposed plan for building form and function and the potential for variable building uses consistent with ~~the primary and secondary land uses identified in the 2020 Land Use Map~~ of the Comprehensive Plan, as amended?

* * *

Section 5. Multiple Section of Part 1 (Purpose; Review Authorities) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.5.102: CITY COUNCIL (CC)

Regarding this Zoning Code, the City Council shall make the final decision about annexations, master plans and major master plan amendments, amendments to the Comprehensive Plan's ~~Land Use Map~~, establishment or changes of zone district boundaries, appeals of Planning Commission and City staff decisions, amendments to the text of this Zoning Code and approval of the terms and conditions of development agreements.

7.5.103: CITY PLANNING COMMISSION (PC):

A. * * *

2. * * *

- a. Annexations;
- b. Master plan and major amendments to master plans;
- c. ~~Amendments to the Comprehensive Plan's 2020 Land Use Map;~~

7.5.202: FILING APPLICATIONS:

A. Application: Applications for amendments to the Comprehensive Plan's ~~Land Use Map~~, land use approvals, amendments to approvals, Zoning Code amendments, permits, modifications of permits and other matters pertaining to this Zoning Code shall be filed with the division as appropriate, on a City application form, together with all fees, plans, maps, drawings, tables, written information and any other information required by the division. The application shall be made by the property owners or lessees, their agents, persons who have contracted to purchase the property, the City Council, Planning Commission, Historic Preservation Board, Manager of Development Services or a City department, division, section, or other appointed board.

* * *

Section 6. Multiple Sections under Part 4 (Purpose; Review Authorities) of Article 5 (Administration and Procedures) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, are amended to read as follows:

7.5.401: PURPOSE:

A master plan, as defined by the City of Colorado Springs, is designed to serve as a refinement of the Comprehensive Plan and, as such, is an early step in the land

development process. Master plans provide a guide to various issues concerning development.

~~The Comprehensive Plan includes the 2020 Land Use Map. The purpose of the 2020 Land Use Map is to provide a Citywide context for decisions regarding the development and redevelopment of various areas of the City. It is intended to give decision makers a Citywide perspective when making decisions concerning specific master plans. The map is a visual representation of the Comprehensive Plan policies and is used in conjunction with policies and strategies.~~

~~The 2020 Land Use Map shows a pattern for the City that is made up of five (5) types of places: residential, commercial, employment, regional activity centers, and open spaces and parks. These five (5) place types are further defined using the twelve (12) land use designations of the 2020 Land Use Map. Definitions for these terms are found in the City's Comprehensive Plan. This pattern is shaped and influenced by existing development patterns, opportunity areas for new development, and the character of the natural land.~~

The master plan is legislative in nature and provides advisory land use and development guidelines to be used by the Planning Commission and the City Council in their review of applications for rezoning, plats, or other land development review provided for in this Zoning Code and the Subdivision Code of this chapter. Conformance to an approved master plan will constitute a community benefit as described in the Comprehensive Plan.

This article recognizes the need for flexibility and that long term planning and consistency must be balanced with the need to amend plans as conditions change. The intent is to permit changes to a master plan that conform to contemporary standards and current codes, policies and plans. An approved master plan shall be used by the City as a guide to zoning. Subsequent steps in the development process will establish more specific plans, which shall be consistent with the adopted master plan.

7.5.403: LAND USE MASTER PLANS; WHEN REQUIRED, WAIVER OF REQUIREMENTS, AMENDMENTS AND MINOR ADJUSTMENT:

A. Master Plan Required: A land use master plan shall be required to accompany any request for annexation, unless waived as specified in this section. ~~The Comprehensive Plan 2020 Land Use Map will be used in the analysis to determine appropriate land uses in conjunction with the proposed annexation. If necessary upon the completion of annexation, the Comprehensive Plan 2020 Land Use Map may be amended to reflect the approved land use pattern. It is necessary upon the completion of the annexation and approval of the master plan that the Comprehensive Plan 2020 Land Use Map be amended by the City to reflect the approved land use and transportation system.~~

* * *

7.5.406: MASTER PLAN REQUIREMENTS AND MASTER PLAN LAND USE CLASSIFICATIONS:

* * *

~~B. Land Use Classification: The 2020 Land Use Map of the Comprehensive Plan utilizes twelve (12) land use designations that provide general direction for the appropriate location and broad inclusive categories for primary and secondary land use. The 2020 Land Use Map and Master Plan Matrix located in chapter 7 of the Comprehensive Plan matches the master plan land use categories with the land use designations in the Comprehensive Plan.~~

The more detailed land use classifications listed below improve the consistency in the review of master plans and provide a more detailed representation of location and relationships. ~~Some of the master plan land use classifications correspond to the primary uses for one or more of the land use designations on the 2020 Land Use Map. For each of these corresponding master plan land use classifications, a mix of the primary use with secondary supporting uses is allowed in accordance with the 2020 Land Use Map and the Comprehensive Plan policies.~~ The following land use classifications shall be used when indicating the various proposed land uses within the plan. Accompanying definitions are located in section 7.5.410 of this part.

1. Residential Land Use: ~~Residential land use classifications correspond to primary and secondary uses found in the low residential and general residential designations on the 2020 Land Use Map.~~ For planning purposes, the primary concern with regard to residential uses is density, expressed as the number of dwelling units per gross acre. Hence, residential land use categories are defined by density ranges. These density ranges were established after considering the density distinctions of the Park and School Fee Code, an analysis of the frequency of all the density ranges in existing master plans and conformity with residential zone districts.

2. Commercial Land Use: ~~Commercial land use classifications correspond to the primary uses found in the following 2020 Land Use Map designations: community activity center, commercial center, employment center, regional center, new/developing commercial corridors, and mature/redevelopment corridors.~~ Office and commercial uses are found throughout the City, both in individual structures, clustered in mixed use centers or in unified developments. Office uses differ from other commercial categories in their traffic generation characteristics. Offices generate the bulk of their automobile traffic during peak or "rush" hours, Monday through Friday. Other commercial uses rely more heavily on the

flow of customers throughout their hours of operation, which typically include evenings and weekends. These commercial designations conform to generally accepted standards for retail market areas.

* * *

3. Industrial Use: ~~Industrial use classifications correspond to primary uses for the employment center designation on the 2020 Land Use Map.~~ Industrial uses are those involved with manufacturing, processing, refining, wholesaling, testing, storage, transportation, communications and utilities. Common characteristics of industrial uses include relatively light traffic generation with trucks disproportionately represented; sites with large land areas relative to the number of employees; and horizontally oriented structures.

* * *

7. Public/Institutional Use: ~~Public and institutional uses correspond to the primary uses for major institutional designation on the 2020 Land Use Map.~~ Public and institutional uses are fairly narrowly defined activities that do not fit into any other classification. The majority of these uses are focused on community services, but this is not a defining characteristic. Common features include erratic traffic generation and operating hours.

7.5.408: REVIEW CRITERIA:

Master plans and major and minor amendments to approved master plans shall be reviewed for substantial conformance with the criteria listed below. Minor amendments are not subject to review criteria in subsection F of this section.

A. Comprehensive Plan: ~~The Comprehensive Plan and the 2020 Land Use Map~~ **are** ~~is~~ the context and ~~the~~ benchmark for the assessment of individual land use master plans. The proposed land use master plan or the amendment conforms to the policies and strategies of the Comprehensive Plan. ~~The proposed land use pattern is consistent with the Citywide perspective presented by the 2020 Land Use Map.~~

Section 7. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 8. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____
day of _____, 2019.

Finally passed: _____

Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:

Sarah B. Johnson, City Clerk