

# Geological Hazards Ordinance

**Amendment to City Code  
Chapter 7, Article 4, Part 5  
City Council Work Session  
February 27, 2017**

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Development Director**



# Background



- Originally adopted in 1996
- Subsequent amendments, most recent in 2011
- All qualifying projects located west of I-25 are subject to the ordinance

# When Required?



- Expansive soils and expansive rock;
- Unstable or potentially unstable slopes;
- Landslide areas or potential landslide areas;
- Debris flow and debris fans;
- Rockfall;
- Subsidence and abandoned mining activity;
- Shallow water tables;
- Groundwater springs;
- Flood prone areas;
- Collapsible soils;
- Faults;
- Landfills and areas of uncontrolled and undocumented fill; and
- Steeply dipping bedrock.

# Applicability



Required with submittal of:

- New or updated master plans
- Rezoning, if required by director
- Preliminary plats
- Final plats
- Development plans
- Required with applications west of I-25

# Exemptions and Waivers



- Projects east of I-25 are exempt, unless certain geologic hazards are known
- Waivers may be granted administratively for projects west of I-25 if prior and relevant study has been prepared, or if the site is not in a hazard area

# Proposed Changes



## 7.4.502: APPLICABILITY:

A. A geologic hazard study shall be required in conjunction with the City's review of the following type of land development proposals unless otherwise exempted or waived:

6. Public improvement construction drawings.

B. The Manager may request a site-specific geologic hazard study in conjunction with a building permit for a new, reconstruction or an expansion of the building footprint of more than 50% of a single-family or duplex building where no previous geologic hazard study has been reviewed by the City as part of the master plan, zone change, development plan, preliminary plat or final plat.

# Proposed Changes



## 7.4.503: EXEMPTIONS AND WAIVERS:

A. [exempted east of I-25 unless:]

1. Land lying within the hillside area (HS) overlay zone or the streamside (SS) overlay zone or with a 100-year floodplain or any Potential Landslide Susceptibility and Mine Subsidence map published by the Colorado Geological Survey.

2...

3...

4...

5. Other geological hazards which pose a risk to the proposed project, other than seismicity, radiation (radon), ~~expansive~~/compressible soils, shallow water table or springs, slight to ~~moderately~~ expansive soils or expansive bedrock which can be mitigated with standard foundation design/construction practices.

# Proposed Changes



## 7.4.504: PREPARATION OF GEOLOGIC STUDIES AND REPORT GUIDELINES:

In accord with applicable professional and legal standards, Geologic hazard studies shall be prepared by, or under the direction of, a professional geologist as defined by Colorado Revised Statutes section 34-1-201(3) or by a qualified Professional (geotechnical) Engineer licensed by the Colorado State Board of Registration for Professional Engineers and Professional Land Surveyors and subject to Board Policy Statement 50.2, "Engineering in Natural Hazards Areas." Geologic hazard studies shall be signed by the professional geologist and/or by the Professional (geotechnical) Engineer who prepared or certified the study. The detailed guidelines, criteria, policies and requirements for preparation, submittal and review of a geologic hazard study are found in the City Engineering Criteria Manual/Subdivision Policy Manual.



# Proposed Changes



## 7.4.505: SCOPE OF STUDY:

Analyze the potential negative impacts the geologic hazards will have upon the proposed project;~~and~~

3. ~~Suggest~~ Provide mitigation techniques, which will ~~minimize~~ reduce to acceptable standards the risk posed to the development by any identified geologic hazards;

4. Analyze potential impacts the proposed project will have on surrounding properties or public facilities related to existing geologic hazards;  
and

5. Provide recommendations to be incorporated into the proposed project which mitigate significant potential impacts to surrounding properties or public facilities.

# Proposed Changes



- **7.4.506: REVIEW OF GEOLOGIC HAZARD STUDIES:**

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- A. Geologic Hazard Studies: Geologic hazard studies will be reviewed by staff in conjunction with the City's normal review of the land development proposal. If the review by the City determines that the study submitted is incomplete or fails to comply with the guidelines set forth in this section, the study may be rejected and a new or supplemental study may be required. The City's review shall determine whether the findings, conclusions and recommendations of the geological hazard study have been incorporated into the design of the development plan, subdivision plat, drainage plan, grading plan, ~~and~~ street construction documents and other public improvement construction drawings. ~~If the review by the City determines that the study submitted is incomplete or fails to comply with the guidelines set forth in this section, the study may be rejected and a new or supplemental study may be required.~~ In cases where significant geologic hazards are identified, appropriate mitigation measures shall be required in conjunction with the approval of the project. Said mitigation measures shall include, but not be limited to:

# Proposed Changes



## 7.4.506: REVIEW OF GEOLOGIC HAZARD STUDIES:

D. Recommendations of the geologic hazard study shall be incorporated, as applicable, into the approval of a master plan, concept plan, development plan, public improvement construction drawings, and building construction plans.

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E. At the discretion of the Manager, and concurrent with other City reviews, a copy of a final geologic hazard study and its related master plan, concept plan, development plan, preliminary plat, final plat or residential site plan may be provided for review to Colorado Geological Survey, or an independent professional geologist, or a qualified geotechnical engineer, with an anticipated response to the City within fourteen (14) days. If the City does not receive a response to the final geologic hazard study review within fourteen (14) days of submission, the City shall have the authority to process any approvals or denials of the associated plan or plat.

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# Proposed Changes



## 7.4.506: REVIEW OF GEOLOGIC HAZARD STUDIES:

F. For any *single-family or duplex* land development proposal subject to a geologic hazard study, the applicant shall submit to the Manager an Improvement Location Certificate prior to the issuance of a Certificate of Occupancy by the Regional Building Official. The Improvement Location Certificate shall be prepared pursuant to the requirements set forth in section 38-51-108 of the Colorado Revised Statutes. The Regional Building Official shall not issue a Certificate of Occupancy until the Manager reviews the Improvement Location Certificate for conformance with the City approved land development proposal and site plan.

# Proposed Changes



## 7.4.507: DISCLOSURE STATEMENT:

The following disclosure statement shall be placed upon each subdivision plat and development plan, which is subject to a geologic hazard study:

*This property is subject to the findings summary and conclusions of a Geologic Hazard Report prepared by \_\_\_\_\_ dated \_\_\_\_\_, **which identified the following specific geologic hazard on the property:**\_\_\_\_\_. A copy of said report has been placed within file # \_\_\_\_\_ or within the subdivision file \_\_\_\_\_ of the City of Colorado Springs Planning and Development Team. Contact the Planning and Development Team, 30 South Nevada Avenue, Suite 105, Colorado Springs, CO, if you would like to review said report.*

## Stakeholder Process

- Working group established by Councilors Knight and Strand
- Several meetings held since last fall
- Regional Building Department
- Homeowners in landslides areas



## Planning Commission Recommendation:

### Denial of the Ordinance

1. The proposed changes are not necessary and a need for the changes has not been documented; and,
2. The proposed changes would result in more impediments and barriers to redevelopment and infill of properties west of Interstate 25.

### Next Steps:

- City Council 1<sup>st</sup> reading March 14, 2017
- City Council 2<sup>nd</sup> reading March 28, 2017
- Or...postpone for further analysis and discussion