

Land Use Plan Waiver per section 7.5.514.B.3

7.5.514: LAND USE PLAN:

A. Purpose: A Land Use Plan is used to review the impact of the proposed land uses on surrounding development early in the project planning process. Land Use Plans contain an outline of a proposed zone district or project that shows land uses, development intensities and densities, access points, green space or public open space systems, and areas that should be preserved or protected.

B. Applicability:

1. General: A Land Use Plan is required in connection with the following types of applications and shall be approved before or simultaneously with the following types of applications:

- a. An application to annex land into the City.
- b. An application to establish or change the boundaries of any zone district, unless specifically waived pursuant to Subsection 3 below.

2. Expiration and Modification of Previously Approved Plans: A Master Plan or Concept Plan approved prior to the Effective Date shall not expire unless the Master or Concept Plan includes an expiration date. Modifications to adopted Master Plans or Concept Plans may be processed pursuant to Section 7.5.516 (Modification of Approved Applications).

3. Waiver by Manager and Land Use Statement:

a. The Manager may waive the requirement for approval of a Land Use Plan if the Manager determines that requiring approval of a Land Use Plan would not serve the purposes of this Section or the UDC because:

- (1) The land area under review is less than ten (10) acres and is planned to be developed in a single phase;
- (2) The land is contained in and subject to a previously approved Master or Concept Plan;
- (3) The land is included in a Development Plan application;
- (4) The land area is part of an established surrounding development pattern;
- (5) The proposed zoning pattern for the land aligns with adjacent existing zoning or development; and/or
- (6) Major infrastructure or urban services for the land including but not limited to access points and roadway systems, have already been established and are not proposed to be changed.

b. An applicant requesting a Land Use Plan waiver shall submit a Land Use Statement demonstrating that the application complies with the criteria for a waiver outlined in Subsection a above. The Manager's decision on the Land Use Statement shall be in writing and may not be appealed.

In response to a conversation with Austin Cooper on January 15, 2026, applicant is requesting a Waiver by the Manager. The land area under review is less than ten acres (5.24 acres) and is already established as a Public Facility. Colorado Springs Utilities "UTILITIES" has continuously operated water storage infrastructure on the property since the 1960's, with the most recent approval by the City of Colorado Springs in 2002 for a modification of the water storage facilities. The current application for rezoning is in response to Development Plan application (DEPN-25-0165 12/18/2025) comments of January 6, 2026, such application is pending City approval. The land subject to rezoning is integrated as part of the surrounding

development pattern and provides critical human infrastructure (water) to the neighbors and overall benefit to the City of Colorado Springs water utility customers. The proposed zoning pattern for the land aligns with existing zoning and existing development on site. Changes to the existing roads, access, and roadway systems are not part of this rezoning request, as indicated previously, the rezoning is to ensure only the Public Facilities (PF) zoning designation [as well as the Hillside overlay (HS)] are credited to the platted parcel moving forward. The intent of this application is to establish a single and most accurate zoning designation for the property which is and has been used as a public facility for decades. Applicant sincerely appreciates waiver from drafting a Land Use Plan to accompany this application.