



Legislation Details (With Text)

File #: CPC CA 16-00115 **Version:** 3 **Name:**
Type: Planning Case **Status:** Mayor's Office
File created: 10/3/2016 **In control:** City Council
On agenda: 1/24/2017 **Final action:** 1/24/2017

Title: Ordinance No. 17-2 Amending Section 201 (Definitions Enumerated) of Part 2 (Definitions of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications); Section 1205 (Nonconforming Lots) of Part 12 (Nonconforming Development) of Article 5 (Administration and Procedures), and Multiple Sections of Article 7 (Subdivision Regulations) All within Chapter 7 (Planning, Development and Building of the Code of The City of Colorado Springs 2001, as Amended, Pertaining to Waiver of Replat (Legislative)

Presenter:
Meggan Herington, LUR/DRE Planning Manager, Planning and Community Development
Peter Wysocki, Director of Planning and Community Development

Sponsors:

Indexes:

Code sections:

Attachments: 1. WaiverReplatOrdinanceFinal, 2. Ordinance 17-2

Date	Ver.	Action By	Action	Result
1/24/2017	2	City Council	finally passed	Pass
1/10/2017	2	City Council	approved on first reading	Pass
12/13/2016	1	Council Work Session	referred	
10/20/2016	1	Planning Commission	referred	Pass

Ordinance No. 17-2 Amending Section 201 (Definitions Enumerated) of Part 2 (Definitions of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications); Section 1205 (Nonconforming Lots) of Part 12 (Nonconforming Development) of Article 5 (Administration and Procedures), and Multiple Sections of Article 7 (Subdivision Regulations) All within Chapter 7 (Planning, Development and Building of the Code of The City of Colorado Springs 2001, as Amended, Pertaining to Waiver of Replat (Legislative)

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Summary:

This amendment proposes to update multiple sections of City Code supporting changes to the definition of lot of record and updates to when a waiver of replat is required and exemptions to that

process.

Previous Council Action:

Council was briefed on this item at their work session on December 13, 2016. On January 10, 2017, City Council approved this item on first reading with a unanimous vote.

Background:

One impetus for this recommended Code change has been the City's Infill Steering Committee and the Infill Supplement to the Comprehensive Plan along with an associated Infill Action Plan (IAP). Both documents have been adopted by City Council. Staff has also been reviewing the issues for a number of years and looking for ways to streamline the overall process.

There are a number of changes incorporated into this Code amendment. Those clean-up of outdated text and substantive changes including updating the definition of a lot of record and changes to requirements and exemptions related to the waiver of replat process.

Due to the technical nature of the changes please reference the attached staff report which outlines the details of each change.

Financial Implications:

N/A

Board/Commission Recommendation:

On October 10, 2016, the City Planning Commission voted 9:0 to support the proposed changes with a motion by Commissioner Shonkwiler and seconded by Commissioner Walkowski.

For a detailed record of the discussion, please see the attached staff report and minutes from the October 10th meeting.

Stakeholder Process:

Standard notification is not utilized for legislative code changes, as the proposed application affects all City residents and property owners. However, adequate public outreach and input was achieved principally through the City's Code Scrub Committee ("Committee"). This topic and proposed change have been discussed at several Committee meetings in late 2015 and early 2016. The Committee includes staff of Planning & Development Department and City Attorney's Office as well as community members representing stakeholder interests including Council of Neighbors and Organizations (CONO), Housing and Building Association (HBA), Regional Business Alliance (RBA), Commissioner Shonkwiler, architects, engineers, and planning consultants. The process ultimately relies on staff putting forward and carrying forward the code changes with Committee input, and the opportunity for the individual Committee members and other stakeholders to continue to represent their perspectives throughout the process.

Alternatives:

1. Uphold the action of the City Planning Commission;
2. Modify the decision of the City Planning Commission;
3. Reverse the action of the City Planning Commission; or
4. Refer the matter back to the City Planning Commission for further consideration

Proposed Motion:

Approve an ordinance amending Section 201 (Definitions Enumerated) of Part 2 (Definitions of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications); Section 1205 (Nonconforming Lots) of Part 12 (Nonconforming Development) of Article 5 (Administration and Procedures), and Multiple Sections of Article 7 (Subdivision Regulations) All within Chapter 7 (Planning, Development and Building of the Code of The City of Colorado Springs 2001, as Amended.

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