



Legislation Details (With Text)

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Title: An Ordinance amending Section 1503 (Grading Plans) of Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended pertaining to single family and duplex grading plan exemption.

(Legislative)

Presenter:
Peter Wysocki, Director of Planning and Community Development
Meggan Herington, Assistant Planning Director
Steve Rossoll, Public Works Department

Sponsors:

Indexes: Code Amendment

Code sections:

Attachments: 1. Ordinance\_HillsideGradingExemption, 2. CPC Staff Report\_Hillside SF Grading-SR edits, 3. FIGURE 1\_Full Code Language, 4. FIGURE 2\_Ordinance\_Final\_HillsideRES\_Exemption

Table with 5 columns: Date, Ver., Action By, Action, Result. Rows include dates 7/9/2018 and 6/21/2018 with actions like 'postponed indefinitely' and 'referred'.

An Ordinance amending Section 1503 (Grading Plans) of Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended pertaining to single family and duplex grading plan exemption.

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Summary:

This amendment proposes to update Section 1503 (Grading Plans) of Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended to allow an exemption of the grading and erosion control plan requirement with submittal of a hillside

site plan/lot grading plan for a single family residential structure or duplex development on a single lot.

The full ordinance is attached and the summary is provided in the Background section of the City Planning Commission staff report.

**Previous Council Action:**

Council has not previously taken action on this Code amendment.

**Background:**

City Code Chapter 7, Article 7, Part 1503.E (7.7.1503.E) has long been interpreted in conjunction with the Hillside criteria in Chapter 7, Article 3, Part 504 (7.3.504). As such, the broad language in Section 7.7.1503E stating that a grading plan is required for “Any grading or other disturbance of land in an area zoned hillside area overlay zone...” was superseded by the requirements of the hillside site plan/lot grading plan defined in Section 7.3.504.H. The hillside site plan requirement to include grading and drainage was thought to be an acceptable document to meet the intent of Chapter 7, Article 7, Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans).

However, in December 2017 the opinion of City Engineering changed and the strict interpretation of 7.7.1503E was enforced. This meant that each building permit within the Hillside Overlay Zone required a hillside site plan/lot grading plan, processed through the Development Review Enterprise and City Engineering, AND a grading plan defined in 7.7.1503E processed separately through City Engineering.

Additional detail and staff analysis of the need for this amendment is provided in the attached City Planning Commission staff report. The staff report also includes figures that illustrate how the new language will fit into the existing Code language.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

At its June 21, 2018 meeting, the City Planning Commission unanimously voted to recommend approval of the ordinance to the City Council. Hearing minutes are attached.

**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”). That committee consists of representatives from the Council of Neighborhood Organizations (CONO), Housing and Building Association (HBA), Chamber and EDC as well as other local developers, builders, engineers and architects. In addition, city engineering staff shared the proposal directly with the HBA for direct input from its sub-committee members. All of the input received has been positive with all stakeholders in support of the amendment.

**Alternatives:**

1. Approve this ordinance amendment;
2. Deny this ordinance amendment;
3. Refer the matter back to the City Planning Commission for further consideration.

**Proposed Motion:**

Adopt an ordinance amending Section 1503 (Grading Plans) of Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended pertaining to single family and duplex grading plan exemption.

**Summary of Ordinance Language**

An Ordinance Amending Section 1503 (Grading Plans) of Part 15 (Grading Plans and Erosion and Stormwater Quality Control Plans) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended pertaining to single family and duplex grading plan exemption.