



Legislation Details (With Text)

File #: 22-020 **Version:** 3 **Name:**
Type: Ordinance **Status:** Mayor's Office
File created: 12/10/2021 **In control:** City Council
On agenda: 2/8/2022 **Final action:** 2/8/2022
Title: Ordinance No. 22-07 amending Section 112 (Sitting or Lying in Commercial Districts) of Article 2 (Offenses Affecting Public Safety) of Chapter 9 (Public Offenses) of the City Code

Presenter:
Commander John Koch, Colorado Springs Police Department
Anne Turner, Assistant City Attorney - Litigation/Employment

Sponsors:

Indexes:

Code sections:

Attachments: 1. PAACommercialDistrictORD-2021-12-30, 2. Ordinance Letter - Switchbacks & Weidner, 3. Ordinance Letter - Downtown Partnership, 4. Ordinance Letter - O'Neill Group, 5. Ordinance Letter - Norwood Group, 6. Ordinance Letter - Danny Mientka, 7. 2022 Pedestrian Access Act (01-18-2022), 8. Signed Ordinance 22 07

Date	Ver.	Action By	Action	Result
2/8/2022	2	City Council	finally passed	Pass
1/25/2022	1	City Council	approved on first reading	Pass
1/25/2022	1	City Council	postpone to a date certain	Fail
1/10/2022	1	Council Work Session	referred	

Ordinance No. 22-07 amending Section 112 (Sitting or Lying in Commercial Districts) of Article 2 (Offenses Affecting Public Safety) of Chapter 9 (Public Offenses) of the City Code

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Summary:

The proposed amendment would expand the geographic boundaries of the ordinance that prohibits sitting or lying down in commercial districts to newly developed areas of the city, helping ensure the public rights of way are accessible to pedestrians, recreationists, and vehicles in such areas.

Background:

City Code § 9.2.112 prohibits people from sitting, lying, reclining or kneeling on streets, sidewalks, trails, and other structures in the right-of-way during certain times of day in defined areas of downtown Colorado Springs and Old Colorado City. Its purpose is to maintain public rights-of-way for their designed purpose as thoroughfares for pedestrian, recreational and vehicular travel in areas with concentrations of civic, commercial, historic, residential and/or recreational properties that attract a large number of people.

The Downtown Commercial District subject to the ordinance is currently defined as the area within St. Vrain Street on the north, Cimarron Street on the south, Wahsatch Avenue on the east, and Interstate Highway 25 on the west.

The proposed amendment generally would expand the northern boundary to E. Cache La Poudre Street and the southern boundary to W. Cheyenne Road. The boundaries of the proposed amendment are depicted in a map contained within the proposed ordinance.

Business owners, residents and visitors have complained about people engaging in the prohibited conduct in the proposed expanded areas. New developments in central Colorado Springs, including Robson Arena, the U.S. Olympic & Paralympic Museum, Weidner Field and the South Nevada corridor, have brought an increase in pedestrian, recreational, and vehicular traffic to these areas. Police call for service data shows high volumes of calls reporting conduct that gives rise to sitting, lying, reclining or kneeling in the public right-of-way in these areas. Adoption of the ordinance would increase safety and promote economic vitality in these highly frequented areas of the city. Additionally, the amendment proposes to rename the “Downtown Commercial District” to the “Central Commercial District,” to reflect the proposed geographic expansions outside of the area traditionally referred to as “downtown” Colorado Springs.

Previous Council Action:

On February 9, 2016, City Council adopted Ordinance No. 16-13, creating City Code § 9.2.112, which prohibits sitting, lying, reclining or kneeling on streets, sidewalks, trails, and other structures in the right-of-way during certain times of day in the Downtown and Old Colorado City Commercial Districts.

Financial Implications:

The Police Department does not anticipate any significant additional costs for enforcement of the amended ordinance, as the enforcement will primarily be the responsibility of the Homeless Outreach Team and Downtown Area Response Teams.

City Council Appointed Board/Commission/Committee Recommendation:

N/A

Stakeholder Process:

City staff and CSPD personnel met with developers in the affected areas, including representatives from Weidner Field and Draper Commons (Toby Gannett). Support was gained from these developers for the proposed ordinance amendment.

Susan Edmondson from the Downtown Partnership did not support the proposed ordinance amendment because the proposed boundary expansion does not go far enough: it does not include an urban area undergoing meaningful growth and activity extending east along Pikes Peak Ave and around Catalyst Campus. Ms. Edmonson recommended that the amended ordinance include areas east of Wahsatch Avenue.

The O'Neill Group (Catalyst Campus) is supportive of the proposed ordinance but requested consideration of further expansion of the eastern boundary to include the Shook's Run Corridor from Kiowa Street to Costilla Street.

Alternatives:

City Council can adopt the proposed ordinance as presented, amend the proposed ordinance, or decline to adopt the proposed ordinance.

Proposed Motion:

Move approval of the ordinance amending Section 112 of Article 2 of Chapter 9 of the Code of the City of Colorado Springs 2001, as Amended, Pertaining to Commercial Districts.

An Ordinance Amending City Code Pertaining To Pedestrian Access to the Public Sidewalks and Rights-of-Way in Commercial Districts.