



7.4.203: EXCEPTIONS AND ENCROACHMENTS

Review Criteria

A. Setback Exceptions: Every part of a required setback shall be unobstructed from ground level to the sky, except as shown in Table 7.4.2-E, but none of the listed exceptions shall authorize the encroachment of any development or structure across property lines or into a public right-of-way.

Table 7.4.2-E Authorized Exceptions to Setback Requirements	
Type of Exception	Extent of Exception
Table 7.4.2-E Authorized Exceptions to Setback Requirements	
Type of Exception	Extent of Exception
Accessory structures or uses that are less than 200 square feet and less than 8 feet in height	Anywhere in rear yard and/or side yard but not into a recorded easement, unless the City has granted an easement encroachment.
Accessory structures or uses that are 200 square feet or larger	May not encroach into any setback required by Section 7.4.201 (General Dimensional Standards) except as required by Subsection 7.3.304A.1 (Required Setbacks).
Architectural features (cornice, eaves, belt course, sill canopy, or other similar features, not including a bay window or vertical projection)	Up to 30 inches but not closer than 2 feet to any property line.
Bay windows, window wells, and vertical projections from side wall plane	Permitted, but not closer than 2 feet from any property line.
Chimneys	Permitted up to 2 feet
Fences or walls	Permitted within a required setback if 7 feet or less in height rearward of front building façade, or 4 feet or less in height forward of front building façade, but not within a Site Distance Line, and does not block access to utility meter equipment.
Fire escape and stairway	Permitted, but not closer than 2 feet from any property line.
Flagpoles	Up to 3 permitted in front yard setback.
Little libraries or mailboxes	Permitted in street facing front or side yard, provided the base area of structure does not exceed 2 square feet.
Motor vehicle parking or storage	Permitted subject to all applicable requirements of this UDC, including without limitation restrictions on parking, circulation easements, landscaping, buffering, and screening.



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Parking lot light pole	Except where adjacent to R-E, R-1 9, R-1 6, R-2, or R-Flex Low zone districts.
Recreational vehicle parking or storage	Must comply with Section 9.6.504 (Junk, Inoperable, Unlicensed, and Recreational Vehicles) of the City Code.
Stoops 20 square feet or less	Permitted in any front or side setback.
Uncovered decks and patios, which do not exceed 18 inches in height measured from the finished floor to any adjacent point of the existing grade	Permitted, but limited to 50% of each required side yard or rear yard area.

B. Height Exceptions:

1. No building or structure or part of a building or structure shall exceed the maximum building height within any zone district as shown in Tables 7.4.2-A through D, unless authorized in Table 7.4.2-F below or elsewhere in this UDC.
2. Building features that extend beyond the maximum building height pursuant to Table 7.4.2-F shall be designed or screened to minimize visibility from the R-E, R-1 9, R-1 6, R-2, and R-Flex Low zone districts, and from any portion of a PDZ district developed or designated for attached or detached single-family or two-family dwelling structures. Screening may not extend taller than the permitted exception to the maximum building height.



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Table 7.4.2-F Authorized Exceptions to Height Requirements	
Structure, Feature, or Use	Maximum Height and Conditions
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Structure, Feature, or Use	Maximum Height and Conditions
Antennas used for reception of television, multi-channel video programming and radio such as OTARD antennas, television broadcast band antennas, and broadcast radio antennas	As determined by the Manager as necessary to comply with Federal Communications Commission regulations and guidance, provided that the height of the antenna structure may not exceed the distance of the antenna structure from the nearest property line to the base of the structure.
Chimneys, flues, vents, cupolas with a footprint of 36 square feet or less, parapet walls, and other similar features	May exceed the maximum height of the applicable zone district by 5 feet. Additional requirements and separations may be required if located within the WUI-O district.
Flagpoles	Maximum height of 45 feet or the height allowed in the zone district, whichever is greater.
Mechanical equipment such as vents, cooling towers, elevators and mechanical penthouses, and accessory water tanks	May exceed the maximum height of the applicable zone district by 5 feet.
Religious institution spires and towers and satellite dishes	May exceed the maximum height of the applicable zone district, provided the largest horizontal cross-section of the spire or tower does not exceed 5 percent of the footprint of the primary structure from which it rises.
Solar collector, accessory	In all Mixed-Use and Industrial zone districts, may exceed the maximum height of the applicable zone district by 5 feet. In all residential districts, may exceed the maximum height of the applicable zone district by 18 inches. For attached or detached single-family and two-family dwellings: 18 inches. For multifamily development, permitted nonresidential development in residential districts, and in Mixed-Use and Industrial zone districts, 5 feet.
Television or CB radio antennas and lightning protection systems	Excepted from all height limitations
Wireless Communication Facilities (WCF)	See Subsection 7.3.303H.1 (Wireless Communication Facility)

(Ord. 23-03)