



AMENDMENT TO TEXT OF UDC FOR PROCEDURAL PROCESS WITHIN ARTICLE 5 ADMINISTRATION AND ENFORCEMENT OF THE UNIFIED DEVELOPMENT CODE

Planning Commission March 11, 2026

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CITY CODE of COLORADO SPRINGS, COLORADO

2001

Code current through:

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Quick Facts

Impact

City-wide

Initiating Entity

City Planning Department

Applicable Code

City Code Sections 7.5.415;
7.5.515; 7.5.524; 7.5.525;
7.5.526; 7.5.527; and 7.5.704

Project Summary

An Amendment to UDC Text application proposed by the City of Colorado Springs Planning Department. The application proposes procedural changes to several application types within Article 5, *Administration and Enforcement*, of the Unified Development Code (UDC). The proposed ordinance clarifies appeal opportunities when a decision-making body makes a recommendation to City Council, proposes changes to procedural requirements for a Development Plan associated with a Conditional Use application, corrects the decision options for Planning Commission's action on Zoning Map Amendment applications, and various review and approval procedures for Administrative Adjustments, Non-Use Variances and Use Variance applications. (See Attachment 1 – Administration and Enforcement Ordinance Update)

File Number	Application Type	Decision Type
CODE-26-0002	UDC Text Amendment	Legislative

Background

History

The update to City Code Chapter 7 under the ReTool project aimed to simplify application processes and reinforce City Council's decision-making authority. With any code re-write as robust as the ReTool project there are inevitable errors, omissions and shortcomings that are found through implementation. Since implementation of the new UDC in June of 2023, City Planning staff, in collaboration with agency partners and community stakeholders, have been documenting and identifying provisions of the UDC that require further attention or correction. In 2025, City Planning staff initiated a phased code update ("scrub") project that will recommend updates to the UDC to address identified imperfections. In certain instances, including this one, independent updates are being processed by City Planning staff to address provisions with pressing problems.

Applicable Code

The subject Amendment to UDC Text application was initiated by the City of Colorado Springs Planning Department at the request of the City Administration and City Council. This application was processed after the implementation date (June 5, 2023) of the City's Unified Development Code. All subsequent references within this report that are made to "the Code", "UDC" and related sections are references to the Unified Development Code. Per UDC Section 7.5.702 Amendment to UDC Text, this section establishes standards and provides a mechanism for the City to review and decide on an application to amend the text of this UDC.

Project Timeline

City Planning Commission	March 11, 2026
City Council	April 2026
Implementation	May 2026 (tentative)

Amendment to UDC Text

Summary of Application

This Amendment to UDC Text proposes several adjustments to multiple application types within Article 5 *Administration and Enforcement* of the City Code. The procedural changes are intended to clarify appeal opportunities when a decision-making body makes a recommendation to City Council, proposes changes to procedural requirements for a Development Plan associated with a Conditional Use application, corrects the decision options for the Planning Commission regarding Zoning Map Amendment applications, and various review and approval procedures for Administrative Adjustments, Non-Use Variances and Use Variance applications. These changes are reflected in Attachment 1 – Administration and Enforcement Ordinance Update.

Ordinance Changes

The proposed ordinance, aspects of which are discussed below in greater detail, add and change language in City Code Section 7.5.415 *Appeals*; Section 7.5.515 *Development Plan*; Section 7.5.524 *Administrative Adjustment*, Section 7.5.525 *Development Standards Adjustment*, Section 7.5.526 *Non-Use Variances*, Section 7.5.527 *Use Variances* and Section 7.5.704 *Zoning Map Amendments (Rezoning)*. (See Attachment 1 – Administration and Enforcement Ordinance Update)

The convention for changes within the proposed ordinance is indicated by the following rules: added language is **BOLD** and language to be removed from city code is indicated by a ~~STRIKETHROUGH~~.

Appeal Procedures: While the provisions with the UDC regarding appeals remained largely untouched through the ReTool project, certain provisions of City Code Section 7.5.415 *Appeals* were adjusted to reflect decision-making changes made elsewhere in the UDC. Following implementation, it was determined that further clarification was needed in the code to affirm that recommendations to City Council made by other decision-making bodies, such as Planning Commission, FBZ Review Board or Historic Preservation Board, are not appealable.

Development Plan Application Requirement for Conditional Use: The ReTool project sought to align code and procedures to make applications easier with more predictable outcomes. Hence, in most cases, Development Plans are reviewed administratively and not decided by other City decision-making bodies (e.g. Planning Commission and FBZ Review Board, etc.), unless the administrative decision is referred. A full Development Plan is often unnecessary to evaluate whether a proposed land use is conditionally approvable, given the unique operating characteristics outlined in the Conditional Use criteria. Requiring a full Development Plan can add unnecessary expense and delays for applications that could otherwise undergo a straightforward review. To address this, the proposed ordinance provides clarifying language within City Code to separate Conditional Use and Development Plan applications from an approval sequencing perspective, while still allowing them to run concurrently or referred when needed. This change promotes a more flexible and efficient decision-making process, aligning with previous efforts to streamline and add predictability to the development environment.

Variations and Adjustment Processes: The proposed ordinance sets forth updates to the review and approval procedures for the Administrative Adjustment, Development Standards Adjustment, Non-Use Variance and Use Variance application types in the UDC. The previous Chapter 7 afforded opportunities to seek relief for any numerical standard through Administrative Adjustment and Nonuse Variance applications and had clear post-decision parameters; however, many of these parameters were not carried forward under the UDC. To promote greater flexibility and development efficiency, it is proposed to expand the applicability parameters for these application types to allow applicants to seek relief from numerical use-specific standards. Similarly, the current post-decision parameters in the UDC fail to account for eventualities where adjustments or variances didn't require the approval of a Development Plan application or set a clear period of expiration. As proposed, the post-decision parameters for the application types within Section 7.5.524 *Administrative Adjustment*, Section 7.5.525 *Development Standards Adjustment*, Section 7.5.526 *Non-Use Variances*, Section 7.5.527 *Use Variances* have been expanded to provide clarity and flexibility to these procedural processes.

Zoning Map Amendment Process: This ordinance update also revisits the review and approval sequence to reaffirm City Council's full decision-making authority. Under the previous Chapter 7, the Planning Commission provided recommendations to City Council on all zoning change (now Zoning Map Amendments) applications. However, the current UDC allows a Planning Commission denial of the Zoning Map Amendment application to terminate an application, which is more restrictive and contrary to ReTool's intent. Under the current process, if the Planning Commission recommends denial, the applicant must appeal the action decision to City Council, meeting both rezoning and appeal criteria—an unnecessarily restrictive step. To resolve this, City Planning staff recommend clarifying UDC language to ensure advisory body recommendations do not limit City Council's authority and to clearly define subsequent action paths.

Application Review Criteria

UCD Section 7.5.702 Amendments to UDC Text

An application for an Amendment to UDC Text shall be subject to the following criteria for approval:

1. *The Colorado Springs Comprehensive Plan and other plans adopted by City Council.*

The current Colorado Springs Comprehensive Plan (herein "PlanCOS") places significant emphasis on ensuring a strong local economy and high living standards. Provided that development applications may add to the valuable assets in the overall community, this Amendment to UDC Text complies with the Colorado Springs Comprehensive Plan (herein "PlanCOS") and other plans adopted by City Council by creating a more clear and streamlined regulatory space for development.

2. *The current conditions and character of current structures and uses in each zone district.*

The proposed code changes do not affect individual zone districts or the current built environment.

3. *The most desirable use of land in each zone district.*

The proposed ordinance does not affect land use decisions or the desirability of specific uses in individual zone districts. It does, however, establish predictability for the application procedures and process parameters for the entitlements covered by this ordinance.

4. *The conservation of sensitive environmental features.*

The criteria by which each application is reviewed in relation to environmental features is not changing with the updates proposed in the ordinance.

5. *Promotion of responsible development and growth.*

The City recognizes the importance of responsible development and growth. By providing clearer processes and tying applications to impacts, the ordinance supports responsible development and contributes to the City's long-term wellbeing and economic vitality.

Statement of Compliance

CODE-26-0002

After evaluating the UDC Text Amendment application for the Administration and Enforcement Ordinance, staff finds that the application meets the approval criteria as set forth under City Code Section 7.5.702.D *Approval Considerations*.