

City of Colorado Springs

Planning Commission

Meeting Minutes – Excerpt

Wednesday, May 14, 2025

8.B. 25-187 – Public Art Ordinance

An Ordinance amending Chapter 7 (Unified Development Code (UDC)) of the Code of the City of Colorado Springs 2001, as amended, pertaining to public art. (Legislative)

Located in All Council District

Presenter:

Daniel Sexton, DRE Planning Manager, Planning Department

Michael Montgomery, Deputy City Council Administrator

Kevin Walker, Planning Director, Planning Department

Daniel Sexton, Planning Manager, presented the Public Art Ordinance. Mr. Sexton said last year there was a request from City Council to move the Public Art Commission away from a City Council appointed body and nest it underneath the office of the Mayor, therefore an Ordinance was adopted to dissolve Publil Art Commission.

Mr. Sexton mentioned some changes to the code were striking sections that reference the Public Art Commission and the Master Plan, as the last one had criteria standards; still allowing some flexibility for developers for their entitlement package. A set of new criteria has been proposed to be considered by the advisory capacity of Planning Commission and for final action by the City Council. These changes include material review, safe installation and visibility by the public.

Mr. Sexton said that staff will have the text ready for City Council review if the Commission recommends approval and the change will take immediate implementation after approval by the Council. The Ordinance is compliant with the approval criteria.

Commissioner Questions

Commissioner Casey said that this is not City commissioned art, but developers that add art. Mr. Sexton said yes. Commissioner Casey asked if applicants have to get materials engineering study or how would staff access the 10-year period. Mr. Sexton said this was an addition that was included as a request from the City Attorney's office. Mr. Sexton said that they are looking for an installation that will not degrade as fast and that is acceptable as an offset.

Caitlin Moldenhauer, City Attorney said they would except a reasonable explanation that the materials being used would last 10 years. Commissioner Casey asked if a developer has art on their property, do they need permission for it to be public art. Mr. Sexton said it does not need to be approved and provided an example of the Humpty Dumpty art.

Commissioner Hensler said this is being taken out of Council and putting it back into a departmental structure. Mr. Sexton that has already occurred.

Commissioner Cecil asked Mr. Sexton to explain the different public art on private property versus public art on public property and how the ordinance would affect it. Mr. Sexton said this would not have a role on the downtown art installations or other on public property that the City owns and manages. The proposed change has the works of art that were purchased and maintained by the developer and would be considered as an offset to a deviation to a standard that is otherwise required by the code. Commissioner Cecil asked if the installations on public property were reviewed by the committee prior to the dissolution of the public art commission. Michael Montgomery, Deputy City Council Administrator said the public art commission was only reviewing was donations to the City's collection. Commissioner Cecil said the ordinance has to go because there is no longer a commission, however when it comes to issues speech in times of tense times, having an open, transparent public process to ensure the integrity of the space and the rights of expression that would conform with PlanCOS making it a unique, vibrant community is critical . Commissioner Cecil said when it comes to how we communicate culture and values with one another, it would be wise to consider a public input process, rather than make it administrative. Mr. Montgomery said there is a public process in the ordinance as it goes to the Planning Commission and City Council. Commissioner Cecil said about art in the public right of way. Mr. Montgomery said the Mayor's office is looking at forming a Mayoral committee to meet that requirement.

Commissioner Casey said the highlighted changes shows the removal of public art and changed it to artwork, but kept public art in paragraph A and C, and it would be clearer if those were changed to artwork. Trevor Gloss, City Attorney office said they made the change as public art is a defined term in the UDC.

Motion by Commissioner Casey, seconded by Commissioner Sipilovic, to recommend approval to City Council the adoption of an Ordinance amending Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, as related to public art.

The motion passed on a vote of 7-0-2.

Aye: 6 - Vice Chair Foos, Commissioner Hensler, Commissioner Cecil, Commissioner Robbins, Commissioner Sipilovic, Commissioner Casey and Commissioner Gigiano

Absent: 2 - Commissioner Rickett, Chair Slattery, Alternate Benenati and Alternate Case