

1. Planning Commission Work Session Agenda (Joint Session With City Council) 03/12/2019

Documents:

[2019-03-12 CPC WORK SESSION.PDF](#)

2. Planning Commission Work Session Packet (Joint Session With City Council) 03/12/2019

Documents:

[CPC-PACKET-03122019 \(WORK SESSION\).PDF](#)



**CITY OF MANITOU SPRINGS
PLANNING COMMISSION
WORK SESSION MEETING AGENDA
Joint Session with City Council
Tuesday, MARCH 12, 2019, 6:00 pm**



I. CALL TO ORDER

II. DISCUSSION

ITEM 1. Planning For Hazards – Update on Proposed Approach for Third Draft Subdivision and Zoning Codes (60 Minutes)

III. ADJOURNMENT

Commissioners:

Mike Casey (Term exp. 12/31/2019)
Alan Delwiche, *Chair* (Term exp. 12/31/2018)
Jeanne Vrobel, *Vice Chair* (Term exp. 12/31/2020)
Julia Simmons (Term exp. 12/31/2020)
Julie Wolfe (Term exp. 12/31/2021)
Whitney Lewis (Term exp. 12/31/2021)
Tip Ragan, Alternate (Term exp. 12/31/2021)
One Regular Member Needed
Two Alternate Members Needed

City Council Liaison: Robert Todd

Staff: Kimberly Johnson, Planning Director
Michelle Anthony, Senior Planner
Karen Berchtold, Senior Planner
Dylan Becker, Planner I

The City of Manitou Springs does not discriminate on the basis of disability in the admission to, access to, or operations of programs, services or activities. Reasonable accommodation will be provided to ensure equal access to all. Individuals who would like to request auxiliary aids or services should contact ADA Coordinator Donna Kast at (719) 685-2554 or dkast@comsgov.com to discuss specific needs. Please provide a minimum of 3-5 day's advance notice.



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**CITY OF MANITOU SPRINGS
MEMORANDUM**

DATE: March 6, 2018

TO: City Council and Planning Commission

FROM: Karen Berchtold, AICP

SUBJECT: March 12, 2018 Work Session – *Planning for Hazards Project: Update on Proposed Approach for Third Draft Subdivision and Zoning Codes*

Background

The purpose of the *Planning for Hazards Pilot Project (P4H)* is to assist Colorado communities to update land development codes to reduce natural hazard risk. This program is sponsored by the Colorado Department of Local Affairs (DOLA) and provides technical assistance, including code-drafting support from Clarion Associates. At this meeting, the project team will present an overview of changes we propose for the upcoming third draft code updates to Title 16, Subdivision and Title 18, Zoning. We are seeking your feedback on these changes.

By participating in this project, we will activate a *Plan Manitou* Land Use goal: “**Minimize** risks to property, infrastructure, and lives from natural hazards and disaster” and implement five supporting actions.

Project timeline to present:

May 2017: Working Group meeting #1: Kickoff Meeting
July 2017: Working Group #2: Prioritization and selection of land use tools
November 2017: Working Group #3, Presentation to City Council (CC) - Planning Commission (PC)
Assessment Memo outlining project approach, summary recommendations, and analysis of current Subdivision and Zoning codes
Jan.-April 2018: Wildland Urban Interface Map Steering Committee meetings
April 2018: Working Group #4, presentation to PC-CC, first draft code updates
May 2018: Presentation to joint CC-PC
August 2018: Presentation to joint CC-PC
Sept. 2018: Clarion completed second draft code updates
Jan-Feb. 2019: Staff compiles and provides feedback on second draft to project team

Between May and November 2018, Barb Cole and Mike Davenport served as Interim Planning Directors. Barb favored expanding the project to incorporate additional code changes and accomplished only a portion of that work. To incorporate and complete the additional changes proposed by Barb would require significant additional drafting and outside consultant support. In late November, Kim Johnson joined the City as Planning Director and decided to focus on completing the project consistent with the original scope of work. Subsequently, DOLA staff informed us the grant and technical support are extended through June 2019.

What we heard

Between April and September, Planning staff obtained valuable feedback on the project. We have strived to address this feedback, and summarized the main themes below:

- Need more clarity on how requirements apply to individual development applications
- Need to consider how requirements work for smaller developers and projects
- What are the benefits and costs to the community and to individual property owners?
- Want flexibility for applicants to select a specialist; concern about multiple reports the applicant must pay for
- Folks don't want to be told they can't plant things
- Consider advisory approaches
- The community is concerned about housing cost and affordability
- Retain some flexibility and choice for homeowners to select landscaping materials and retain valued plants and trees
- Would like to see more creative approaches specific to Manitou

Subdivision and Zoning Changes: Third Draft

In September 2018, Clarion Associates provided second draft updates to Title 16, Subdivision (<http://bit.ly/PFHsubdiv2>) and Title 18, Zoning (<http://bit.ly/PFH zoning2>). However, the new Planning Director generated rejuvenated discussion and review of the project. This feedback, as well as past feedback from the community, Working Group, departments, and stakeholders, led to significant revisions to the third draft that are now underway. The key changes proposed in the third draft are summarized below:

Title 16 – Subdivision

The two previous drafts proposed new approval criteria to consider natural hazard risk-reduction and mitigation, as well as improved standards and submittal requirements for subdivision applications, especially in relation to wildfire risk based on comments from the Fire Department. At this time, minimal changes are expected to earlier drafts of Title 16. Planning staff are considering undertaking a more comprehensive rewrite of the subdivision regulations as a separate effort in the near future.

Title 18 – Zoning

The two previous drafts introduced a new Chapter 18.10 – Sensitive Lands Protection, which addressed hazard mitigation requirements for flood, geologic hazards, and wildfire. Although there will be some revision and tweaks to other sections of this title in the third draft, most of the substantive edits will be in this new Chapter 18.10, as follows:

- **Clarify the applicability of the mitigation standards.** The applicability of the hazard mitigation standards in Chapter 18.10 will be clarified and be tied to other permitting thresholds (such as building permits and property improvement permits). Applicability of the standards will also be clarified to address which standards (flood, geologic, wildfire) apply to which types of applications.
- **Remove the site-specific assessment tool.** This tool was introduced in the first draft to allow discretionary review of a specific location to better understand the hazard conditions prior to determining mitigation requirements. Upon further discussion, this was determined to be potentially cumbersome, unpredictable, and difficult to administer. In addition, site assessments are specifically addressed in the geologic hazard and wildfire sections.

- **Remove the maximum limits of disturbance requirements.** Limiting disturbed areas allows the City to ensure protection of hazardous areas during development; however, it was determined that these maximum limits went too far, and are better addressed through the City’s current grading, drainage, and erosion control practices.
- **Rethink the approach to geologic hazards evaluation.** A new approach to evaluating geologic hazards is proposed based on months of research and coordination with subject matter experts, including the Colorado Geological Survey (CGS), City of Colorado Springs staff, and professional geologists. Staff and the project team carefully weighed and considered this input. The new system would retain the requirement for a full geologic hazards plan and report, as is currently required by the City, for some types of applications (e.g., major development plans, major subdivisions, slopes exceeding 17 percent), but would allow for a reduced version of that type of study where warranted based on a site evaluation, background research, and a letter from a geological engineer. Parallel to these changes, staff is working on more detailed submittal requirements for both types of reports and studies so that applicants have a clear understanding of what will be required for compliance.
- **Revise wildfire mitigation standards.** Staff is currently working with the Fire Department to determine the best approach for applying and administering wildfire standards, especially to clarify which department will review for compliance (Fire or Planning) and the authority for modifications to the standards.
- **Clarify relationship to mapping.** The third draft will remove references to some maps such as the wildfire risk map, since the entire City is considered to be within the Wildland-Urban Interface (WUI). References to geologic hazard maps will be retained for informational purposes only, since conditions change over time.

Community Engagement

Previous community engagement activity for the project included: community surveys, open house, project webpage, email notifications, outreach to development community, and updates to the Colorado Springs Housing & Building Alliance Land Use Committee (HBA LUC). In this final phase, we will implement these activities:

- Regular email notifications, including links to presentations and third draft code updates
- Outreach to developers/architects/builders and the Colorado Springs HAB LUC
- Article in the Pikes Peak Bulletin
- Updates to the Housing Advisory Board
- Community Open House in April

We are open to other community engagement ideas that we can implement within the project schedule.

Project Schedule

We prepared a project schedule that will enable us to complete the project by June 2019 and meet the DOLA grant deadline:

- March 12: Working Group #5, CC-PC work session
- April 3: Release third draft code changes
- April 18: Community Open House
- April 24: Public comments due on third draft
- May 1: Release adoption draft (tentative)
- May 8: Planning Commission public hearing (tentative)

May 14: City Council work session (tentative)
May 21: City Council, first reading (tentative)
June 4: City Council, public hearing and second reading (tentative)

Next Steps

Following this work session, Staff will compile comments and provide feedback to the project team for the third draft. We will seek public comment on the third draft and incorporate any subsequent changes in an adoption draft. We would be happy to meet individually with Council members or Planning Commissioners to discuss this project.