

ORDINANCE

AN ORDINANCE ADOPTING A COMPREHENSIVE PLAN, KNOWN AS PLAN MANITOU, AND AMENDING TITLE 1, CHAPTER 1.4, OF THE CITY OF MANITOU SPRINGS MUNICIPAL CODE THEREFOR

WHEREAS, the City’s current comprehensive plan (also referred to as a master plan), entitled Manitou Springs Forward: A Vision & Planning Guide (MSFVPG), was approved by the City Council in 2012, as an Amendment to the Rainbow Vision 2000 Plan, via Ordinance 0812;

WHEREAS, the City Council desires to create a comprehensive plan that ensures continued development goals and plans of the City are met while incorporating sustainability and resiliency themes throughout to mitigate future hazards in the community;

WHEREAS, a review process was initiated pursuant to which a citizen advisory committee was formed to review and recommend technical reports and documents to the Planning Commission and City Council, and public input was sought at numerous meetings, including meetings of the City Council, the Planning Commission, the Historic Preservation Commission, the Open Space Advisory Board, the Parking Authority Board, the Recreation Advisory Board, and the Manitou Springs Urban Renewal Authority;

WHEREAS, additional public input was sought at numerous community meetings and outreach occurred at various community events;

WHEREAS, as a result of the outreach and meetings and the work of consulting staff, a new comprehensive plan was prepared entitled, “Plan Manitou,” a copy of which is attached hereto;

WHEREAS, the Planning Commission held a properly noticed public hearing on Plan Manitou on March 8, 2017;

WHEREAS, upon conclusion of the public hearing, pursuant to C.R.S. § 31-23-206 and Manitou Springs Municipal Code § 2.20.020, the Planning Commission recommends adoption of Plan Manitou set forth therein, and submitted this document to the City Council for final approval;

WHEREAS, the City Council held a properly noticed public hearing on March 21, 2017 to consider whether to adopt Plan Manitou as the City’s new comprehensive plan; and

WHEREAS, the City Council, upon consideration of the provisions of Plan Manitou, the recommendations provided by the Planning Commission, and upon hearing the statements of staff and the public, and upon giving due consideration to the matter, finds and determines that Plan Manitou should be adopted as the City’s comprehensive plan, pursuant to C.R.S. § 31-23-206.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Pursuant to Manitou Springs Municipal Code § 2.20.020, the City Council hereby adopts as the City's comprehensive plan, "Plan Manitou," consisting of Eleven Planning Elements, Reinvestment and Resiliency Framework (Land Use), a Short-term Action plan, and the following appendices, a copy of which is attached hereto and incorporated herein as **Exhibit A**:

- Appendix A: Long-term Action Plan
- Appendix B: Community Profiles
- Appendix E: Map Atlas
- Appendix F: Community Engagement (183 pages summarizing all community comments)

Section 2: Title 1, Chapter 1.40, of the Manitou Springs Municipal Code is hereby repealed and reenacted to read as follows:

Chapter 1.40 – COMPREHENSIVE PLAN

1.40.010 – Adoption.

The document entitled, "Plan Manitou," shall constitute the City's comprehensive plan, pursuant to C.R.S. § 31-23-206. A copy shall be available on the city's website and at the office of the city clerk. Except as specifically set forth in other provisions of the Manitou Springs Municipal Code, this document shall be advisory in nature only. This document shall be referred to as the "Manitou Springs Comprehensive Plan" or "Plan Manitou."

Section 3: Section 18.60.010 of the Manitou Springs Municipal Code, the definition of "Manitou Springs Forward Vision and Planning Guide (MSFVPG)" is hereby amended to read as follows:

"Manitou Springs Forward Vision and Planning Guide (MSFVPG)" means the document created by the citizen lead initiative, Manitou Springs Forward. The document is used in conjunction with the current Manitou Springs Comprehensive Plan as a practical guide for community decision-making and as a city government tool to support the Manitou Springs Comprehensive Plan. The document is advisory in nature and is used to augment the Manitou Springs Comprehensive Plan.

Section 4: Section 18.04.050, subsection (A), of the Manitou Springs Municipal Code and the title of Section 18.04.060 of the Manitou Springs Municipal Code are hereby amended to delete references to "Rainbow Vision," a prior comprehensive plan, and now read as follows:

18.04.050 - Purpose.

The purpose of this Code is to promote the health, safety, convenience, order, property aesthetics, environmental quality, and general welfare of the present and future inhabitants of Manitou Springs, Colorado, by:

A. Encouraging the total planning of all land tracts and parcels consistent with the goals and objectives of the City's Comprehensive Plan....

18.04.060 - Consistency with the Comprehensive Plan....

Section 5: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 5: The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 6: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community. This Ordinance shall take effect five (5) days after publication following final passage.

Passed on first reading and ordered published this 21st day of March 2017.

/s/ Donna Kast
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the April 4, 2017 City Council meeting. The meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: March 23, 2017 (in full)
City's Official Website and City Hall

Passed on second reading and adopted by City Council this 4th day of April, 2017.

/s/ Nicole Nicoletta
Mayor, Nicole Nicoletta

Attest: /s/ Donna Kast
City Clerk, Donna Kast

Ordinance Published: April 6, 2017 (in full)
City's Official Website and City Hall