

ORDINANCE

AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, AMENDING CHAPTERS 16.04, 17.04, AND 18.14, AND SECTIONS 16.04.070, 17.04.050(B)(1), 17.04.080(C)(5) REGARDING SUBMITTAL REQUIREMENTS AND PRE-APPLICATION MEETINGS.

WHEREAS, the Manitou Springs Planning Department has recommended Pre-Application Meetings be required to help ensure Applicants receive information and direction to help them submit the strongest and most complete requests possible; and

WHEREAS, the Manitou Springs Planning Department has recommended Electronic Submission of Applications and Materials be required as a cost and labor saving effort and a move toward paperless processing; and

WHEREAS, the City Council finds the proposed amendments are in the best interests of the City.

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

Section 1: Chapter 16.04 of the Manitou Springs Municipal Code regarding Subdivisions is hereby amended by the addition of a new subsection 16.04.062:

16.04.062 Pre-Application Meetings

Pre-application meetings with the Planning Staff are required before submission of any request requiring hearing before the Planning Commission or City Council unless waived by the Planning Director. Pre-application meetings shall be scheduled no less than 10 working days before the submittal deadline for the anticipated commission meeting date as shown on the annual meeting schedule as published by the Planning Department.

Section 2: Section 16.04.070 of the Manitou Springs Municipal Code regarding Subdivisions is hereby amended to read as follows:

A. Every owner of any lot, tract, or parcel of land within the incorporated city who may hereafter create a subdivision as herein defined shall submit a subdivision plat to the city in accordance with the provisions set out forthwith.

B. A property owner shall consult early and informally with the planning department to become familiar with these regulations, any major thoroughfare plan and other official plans or public improvement which might affect the area to be subdivided.

C. The City may, after it has adopted a major thoroughfare plan(s), make or cause to be made surveys for the exact location of the lines of a street or streets in any portion of such territory and make a plat of the area or district thus surveyed showing the land which it recommends be reserved for future acquisition for public streets.

D. A property owner shall cause a master plan, major subdivision, minor subdivision, or vacation plat, as required, to be prepared by a registered land surveyor and submit the same to the Planning Department in accordance with the submittal schedule and the fee schedule.

E. Applications for approval under these regulations shall be made on a form provided by the Planning Department and accompanied by the fee established by resolution of the City Council. Information as outlined

for each application type as stated in these regulations and as may be provided on the Submittal Checklist for the request shall be required by the submittal deadline on the schedule published by the Planning Department.

F. Electronic submission of the completed application form and accompanying information for administrative requests or those heard by the Planning Commission are required unless otherwise waived by the Planning Director. Upon approval, all final plats and plans shall be submitted in format compatible with ARCGIS along with the final copy for filing.

G. The approval of any plats or plans by the City shall be deemed acceptance of any proposed dedication by the public.

H. The owners and purchasers of any lots within a subdivision shall be presumed to have notice of public plans, maps, and reports of the planning commission affecting such property within its jurisdiction.

I. Once approved by the City, the plat shall be recorded in the El Paso County Clerk and Recorder's office following the signing of the certificate of approval by the City.

Section 3: Chapter 17.04 of the Manitou Springs Municipal Code regarding Historic Preservation is amended by the addition of a new subsection 17.04.45:

17.04.045 Pre-Application Meetings

Pre-application meetings with the Planning Staff are required before submission of any request requiring hearing before the Historic Preservation Commission or City Council unless waived by the Planning Director. Pre-application meetings shall be scheduled no less than 10 working days before the submittal deadline for the anticipated commission meeting date as shown on the annual meeting schedule as published by the Planning Department.

Section 4: Section 17.04.050(B)(1) of the Manitou Springs Municipal Code regarding Historic Preservation is hereby repealed and reenacted as follows:

1. Applications, and required materials, for Proposed Projects which require an MCAC under these regulations shall be submitted with a form provided by the Planning Department and accompanied by the fee established by resolution of the City Council. Information as outlined for each application type as stated in these regulations and as may be provided on the Submittal Checklist for the request shall be required by the submittal deadline on the schedule published by the Planning Department. Electronic submission of the completed application form and accompanying information for administrative requests or those heard by the Historic Preservation Commission are required unless otherwise waived by the Planning Director. The following information shall accompany the application:

(Existing Items a-m and the remainder of this Section shall follow.)

Section 5: Section 17.04.080(C)(5) of the Manitou Springs Municipal Code regarding Historic Preservation is hereby repealed and reenacted as follows:

5. Applications, and required materials, for proposed demolitions under these regulations shall be submitted with a form provided by the Planning Department and accompanied by the fee established by resolution of the City Council. Information as outlined in these regulations and as may be provided on the Submittal Checklist for the request shall be required by the submittal deadline on the schedule published by the Planning Department. Electronic submission of the completed application form and accompanying information for administrative

requests or those heard by the Historic Preservation Commission are required unless otherwise waived by the Planning Director. The following information shall accompany the application:

(Existing Items a-h and the remainder of this Section shall follow.)

Section 6: Chapter 18.14 of the Manitou Springs Municipal Code regarding Zoning is hereby amended by the addition of new subsections 18.14.020 and 18.14.030:

18.14.020 - Submittal Requirements

Applications for Planning Permission shall be made on forms provided by the Planning Department and accompanied by the fee established by resolution of the City Council. Information as outlined for each application type as stated in these regulations and as may be provided on the Submittal Checklist for the request shall be required by the submittal deadline on the schedule published by the Planning Department. Electronic submission of the completed application form and accompanying information for administrative requests or those heard by the Planning Commission are required unless otherwise waived by the Planning Director.

Section 18.14.030 - Pre-Application Meetings

Pre-application meetings with the Planning Staff are required before submission of any application under this Title requiring a public hearing unless waived by the Planning Director.

Section 7: 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 8: 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 9: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this 18 day of April, 2017.

/s/ Donna Kast
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the May 2, 2017, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: April 20, 2017 (in full)
City's Official Website and City Hall

Passed on second reading and approved by City Council this 2 day of May, 2017.

/s/ Nicole Nicoletta
Mayor, Nicole Nicoletta

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

Ordinance Published: May 4, 2017 (in full)
City's Official Website and City Hall