

ORDINANCE

**AN ORDINANCE AMENDING TITLE 18 “ZONING” OF THE MUNICIPAL CODE OF THE CITY OF MANITOU SPRINGS, COLORADO, IN REGARD TO SETBACKS FOR STORAGE BUILDINGS IN COMMERCIAL ZONES AND THE CALCULATION OF RESIDENTIAL BUILDING HEIGHT.**

---

**WHEREAS,** the Manitou Springs Planning Department has recommended updates and clarification to the sections of the Zoning Code relating to the setbacks for storage buildings in the Commercial Zone and the definition of how height is calculated in residential zones of the City; and

**WHEREAS,** the Manitou Springs Planning Commission has reviewed the proposed updates and clarifications for these two sections of the Zoning Code and agreed that the proposed changes benefit the clarity and intent of the code; and

**WHEREAS,** the Manitou Springs City Council, after reviewing the recommendations of the Planning Department and Planning Commission, determined it is in the public interest to enact the proposed regulations to provide for greater public understanding and to further the intent of the regulations.

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

**SECTION 1:** The existing definitions shall be deleted in their entirety and replaced with the following definitions in Section 18.60, Definitions, of the Zoning Regulations:

**Accessory Structure, Temporary**

A building other than a primary structure or garage, such as a storage shed, studio, greenhouse, etc., which does not contain sanitary or kitchen facilities, which is less than 12’ in height, less than 120 sq. ft. and not on a permanent foundation. Temporary accessory structures in commercial zones must meet the same setbacks as permanent accessory structures and require permitted by both the City and Regional Building Department.

**Building Height - Residential.**

"Residential building height" means the vertical distance measured from the average between the highest to lowest natural/existing or proposed lot grades around the perimeter of the structure to the highest point of the roof. When determining whether to utilize existing or proposed grade, whichever is most restrictive and results in the lowest allowed building height shall be used. For the purposes of residential height calculation the points where main building walls or structural supports connect with grade shall be utilized. Areas of the proposed structure such as decks, covered patios, porches, stoops, stairs or walkways are not used when determining the points of grade around a structure.

**SECTION 2:** The following revisions shall be made to Chapter 18.64.020 “Development Standards” Table 2:

Asterisks shall be added after the following items listed under “Standards” and “Minimum Setbacks” in Table 2:

Front – Temporary\*

Side – Temporary\*

Rear – Temporary\*

The following footnote shall be added immediately following Table 2

\*Accessory structures of any size, height, with/without permanent foundation in the Commercial or Downtown zones require permitting by both the City and the Regional Building Department and must meet permanent structure setbacks.

**SECTION 3:** This Ordinance shall be in full force and effect from and after five (5) days of its final passage and publication as provided by law.

Passed on first reading and Ordered Published this 7th day of April, 2015.

/s/Donna Kast  
City Clerk

A Public Hearing on this ordinance will be held at the April 21, 2015 City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: April 9, 2015 (in full)  
*City’s Official Website and in City Hall*

Passed on Second Reading and Ordered Published this 21<sup>st</sup> day of April, 2015.

Approved: /s/ Marc A. Snyder  
Mayor and City Council

Attest: /s/ Donna Kast  
City Clerk

Ordinance Published: April 23, 2015 (in full)  
*City’s Official Website and City Hall*