

## **18.04 TITLE, PURPOSE AND INTENT**

### **18.04.010 INTRODUCTION**

The Manitou Springs City Council recognizes community development is a dynamic process. Therefore, in 2004, it initiated a complete revision of the Zoning Code, which was originally adopted on September 25, 1975. To meet changing conditions, this Code had been amended on numerous occasions and in 2005 an updated Zoning Code was adopted.

### **18.04.020 REGULATIONS ADOPTION**

Chapters 18.04 through 18.82 are adopted.

### **18.04.030 TITLE**

Titles 18.04 through 18.82 shall be known as the Zoning Code of the City of Manitou Springs, Colorado, and may be so cited and pleaded.

### **18.04.040 LEGAL AUTHORITY**

This ordinance is authorized by Title 31, Article 23, Colorado Revised Statutes, 2004, as amended.

### **18.04.050 PURPOSE**

The purpose of this ordinance 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.
- B. Encouraging innovative approaches to urban design and the sound application of proven design methods.
- C. Encouraging new buildings and new development to be, as much as possible, in keeping with the general existing characteristics of the area.
- D. Provide a flexible framework in which a variety of land uses might coexist harmoniously.

### **18.04.060 CONSISTENCY WITH THE RAINBOW VISION/COMPREHENSIVE PLAN**

No development shall be approved unless it is found to be in general accordance with the goals and objectives as stated in Manitou Springs' Rainbow Vision Plan, as from time to time amended.

### **18.04.070 RELATIONSHIP TO SUBDIVISION REGULATIONS**

The character of any piece of land on which a development is proposed may require that specifications for the width of streets, utility rights-of-way, etc., may vary from adopted standards.

Lot sizes and certain bulk requirements for different types of development are indicated in this ordinance, but other development standards shall be related to the subdivision regulations as stated in Title 16 "Subdivisions" of the Manitou Springs Municipal Code, as amended. The subdivision regulations shall be considered as minimum requirements for all development and may only be waived as provided for in the subdivision regulations.

All new subdivisions or resubdivisions shall be submitted under the subdivision regulations and shall be accompanied by the request for planning permission outlined in **Chapter 18.14**. Approval of a subdivision does not constitute planning permission for the development. Refer to the Application Process in **Chapter 18.80**.

#### 18.04.080 GENERAL INTENT

It is the intent of this ordinance that all new buildings, developments, redevelopments, or similar changes in the use of land except as herein provided be considered as planned uses and shall be subject to the provisions of this ordinance. The Planning Commission and City Council shall consider each development from the point of view of the relationship and compatibility of the development to the existing surrounding land use and the Comprehensive Plan. No development shall be approved that contains elements which, in the view of the Planning Commission and City Council, cannot, for any reason, exist compatibly or provide an environment of lasting stability and quality.

#### 18.04.090 VESTING OF RIGHTS

Vesting of the property rights described in **Section 24-68-102(4)** of the Colorado Revised Statutes shall occur upon the approval by the City Planning Commission and City Council of the Development Agreement. However, if such Agreement is not signed within 30 days of approval by City Council, such approval shall then be void and the vested property rights shall automatically divest.

#### 18.04.100 BOUNDARIES AND ZONING MAP

The provisions of this ordinance shall apply within the corporate limits of the City of Manitou Springs, Colorado, as now or hereafter fixed. District boundaries are shown on a map, titled Official Zoning Map for the City of Manitou Springs, Colorado. Said map shall be considered as a part of this ordinance. Where uncertainty exists as to boundaries the following rules shall apply:

- A. The centerline of streets or alleys shall be construed as boundaries.
- B. Property lot lines shall be construed as boundaries.
- C. Railroad or State of public utility rights-of-way shall be construed as boundaries.

#### 18.04.110 ADMINISTRATION

The Planning Director or designees shall administer this ordinance.

##### A. BUILDING PERMITS

It shall be unlawful to commence or to proceed with the erection, construction, reconstruction, alteration, enlargement, extension, or moving of any building, structure or any portion thereof, without first having applied in writing to the Planning Department and the Regional Building Department for a permit to do so and until a permit has been granted therefore. Unless construction is begun within a period of six (6) months from the date of approval, such approval shall expire unless good cause can be shown to the Planning Director that the building permit should not expire. In the event that good cause is shown, the Planning Director may extend the permit for up to one, three (3) month period. This expiration period shall not apply if it is otherwise specified by a development agreement approved by the City Council.

##### B. GRADING PERMITS

Grading permits are required as described in **Chapter 18.68** of this ordinance.