COLORADO SPRINGS, COLORADO
CITY COUNCIL CHAMBERS
CITY HALL – 107 N. NEVADA AVENUE
SEPTEMBER 11, 2012 – 1:00 P.M.

Council met in Regular Session.

There were present: President Hente, President Pro Tem Martin, Councilmembers Bennett, Czelatdko, Dougan, Herpin, Leigh, Snider, and Williams. Also present, Chief of Staff Neumann, Deputy City Attorney Massey, and City Attorney/Chief Legal Officer Melcher.

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1. **Invocation and Pledge of Allegiance.**

The meeting was opened with an invocation by Councilmember Herpin.

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2. **Changes to Agenda/Postponements**.

There were none.

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President Pro Tem Martin called up Item Nos. 3-B-8 and 3-B-9 for separate consideration.

CONSENT CALENDAR

3. The following items were acted upon by unanimous consent of the members present, with the exception of Item Nos. 3-B-8 and 3-B-9, which were called up for separate consideration:

FIRST PRESENTATION:

B-1. Resolution No. 110-12 was presented: "A RESOLUTION APPROVING THE ASSIGNMENT OF 2012 PRIVATE ACTIVITY BOND ALLOCATION TO EL PASO COUNTY".

B-2. Resolution No. 111-12 was presented: "A RESOLUTION APPROVING A LAND EXCHANGE BETWEEN THE CITY OF COLORADO SPRINGS AND BELLA FORTUNA, LLC".

B-3. Resolution No. 112-12 was presented: "A RESOLUTION SUPPORTING THE REGISTRY AND DESIGNATION OF THE CORRAL BLUFFS OPEN SPACE AS A COLORADO NATURAL AREA".

B-4. Resolution No. 113-12 was presented: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS, COLORADO, APPROVING AMENDMENTS TO ITS MODEL SERVICE PLANS".

B-5. CPC A 12-00012: Resolution No. 114-12 was presented: "A RESOLUTION FINDING A PETITION FOR ANNEXATION OF THE AREAS KNOWN AS HITTLE ADDITION AND HITTLE ADDITION NO. 2 CONSISTING OF 5.2 ACRES TO BE IN SUBSTANTIAL COMPLIANCE WITH SECTION 31-12-107(1), C.R.S. AND SETTING A HEARING DATE OF OCTOBER 9, 2012 FOR THE COLORADO SPRINGS CITY COUNCIL TO CONSIDER THE ANNEXATION OF THE AREA".

B-6. CPC ZC 12-00066: (Quasi-Judicial Matter) Ordinance No. 12-62 entitled "AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF COLORADO SPRINGS RELATING TO 0.25 ACRE LOCATED AT 105 NORTH SPRUCE STREET" was introduced and read. (C-5 [Intermediate Business] to C-6/HR [General Business with High-Rise Overlay])

B-7. AR V 12-00351: Ordinance No. 12-63 entitled "AN ORDINANCE VACATING A PORTION OF CEDARMERE DRIVE PUBLIC RIGHT-OF-WAY CONSISTING OF 0.093 ACRE (4,051 SQUARE FEET)" was introduced and read.

B-8. **SEE ACTION TAKEN EARLIER IN THE MEETING.**

B-9. **SEE ACTION TAKEN EARLIER IN THE MEETING.**

B-10. Resolution No. 115-12 was presented: "A RESOLUTION AUTHORIZING THE WAIVER, ABANDONMENT AND FORFEITURE OF THE BENEFIT OF THE DECLARATION OF RESTRICTIVE COVENANTS RECORDED AT BOOK 1984, PAGE 707 OF THE OFFICIAL RECORDS OF THE EL PASO COUNTY, COLORADO, CLERK AND RECORDER".

Motion by Leigh, second by Bennett, that all matters on the Consent Calendar with the exception of Item Nos. 3-B-8 and 3-B-9, be passed, adopted, and approved by unanimous consent of the members present.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

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4. **<u>Resolution of Appreciation.</u>**

Resolution No. 116-12 was presented: "A RESOLUTION OF APPRECIATION AND GRATITUDE TO THE FRIENDS OF CHEYENNE CAN□ON FOR THEIR PARTNERSHIP IN CONSTRUCTING THE HELEN HUNT FALLS VISITOR CENTER LOCATED IN NORTH CHEYENNE CAN□ON PARK".

Motion by Martin, second by Czelatdko, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

CITIZEN DISCUSSION

Dave Munger, President of Council of Neighbors and Organizations (CONO), spoke regarding redistricting.

Lorena Townsend and Lotus spoke regarding oil and gas drilling and fracking in Colorado Springs, and expressed concerns that the public has not had a fair chance to have input and that what input has been received, has not been addressed.

Councilmember Snider stated the oil and gas drilling issue will be discussed at the Council Meeting of September 25, 2012.

Whitney Galbraith spoke regarding City Ordinance 10-48 (Colorado Springs Human Relations Commission) and repealing it in its entirety, stating he has not received a response since his request in March of 2012.

Eric Verlo spoke regarding the Martin Drake Power Plant and associated health issues.

Councilmember Leigh stated the Board of Directors of Colorado Springs Utilities scheduled a special meeting in a couple of weeks to address the issues Mr. Verlo raised.

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5. **Approval of Minutes.**

Motion by Bennett, second by Martin, that the Minutes of the regular Council Meeting of August 28, 2012, be approved as written. The motion unanimously carried.

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6. **Mayor's Communications.**

Laura Neumann, Chief of Staff, stated Mayor Bach is working with PPRTA II Citizens Advocacy Group to encourage voter support on the November General Election ballot. She stated the Mayor will be meeting with Councilmember Leigh and President Pro Tem Martin, the CVB Sports Corp. Lodging Association, and Spirit of the Springs Staff, to develop a comprehensive plan for next year's city-wide special event support; that the plan will be included in the Economic Vitality Presentation to Council with the budget on October 1, 2012, and during the work session on October 18, 2012.

CONSIDERATION OF ITEMS CALLED UP FROM CONSENT CALENDAR SECTION

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Item Nos. 3-B-8 and 3-B-9 were considered together.

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3-B-8. Resolution No. 117-12 was presented: "A RESOLUTION APPROVING THE ACQUISITION OF 37.4 ACRES OF REAL PROPERTY IN CHEYENNE CAN□ON".

Motion by Martin, second by Herpin, that the resolution be adopted.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

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3-B-9. Ordinance No. 12-64 entitled "AN ORDINANCE AMENDING ORDINANCE NO. 11-95 (2012 APPROPRIATION ORDINANCE) FOR THE TOPS FUND IN THE AMOUNT OF $627,500 FOR THE ACQUISITION OF 37.4 ACRES OF REAL PROPERTY IN CHEYENNE CAN□ON" was introduced and read.

President Pro Tem Martin acknowledged the seller and its lenders, and thanked them, for gifting the City $137,314 toward the purchase of the 37.4 acres, which allowed the City to acquire the property.

Motion by Martin, second by Herpin, that the ordinance be passed as introduced.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

NEW BUSINESS

7. An emergency ordinance amending Section 105 (Amendments to the International Fire Code) of Part 1 (Fire Prevention Code) of Article 4 (Fire Prevention) of Chapter 8 (Public Safety) of the Code of the City of Colorado Springs 2001, as amended, pertaining to amendment to the International Fire Code.

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President Hente was excused.
In the absence of President Hente, President Pro Tem Martin presided.

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Brett Lacey, Fire Marshall, gave a presentation and overview of the proposed amendments to the International Fire Code, stating the proposed changes address the Mountain Shadows rebuild effort and provide higher levels of protection, thereby reducing future losses as it pertains to new construction or reconstruction within the hillside overlay zone. He stated, due to various differences within the community, staff revised the proposed emergency ordinance discussed at the Informal Council Meeting of September 10, 2012.

President Pro Tem Martin stated that because neither Council, nor the public, has had a chance to review the revised copy of the proposed emergency ordinance, Council will most likely postpone a vote at this time.

In response to President Pro Tem Martin, Fire Marshall Lacey stated there were no substantive changes to the wording of the proposed emergency ordinance with regard to requirements and that what they changed was for clarification only.

Motion by Snider, second by Herpin, that Council postpone a vote on the proposed emergency ordinance to the Council Meeting of September 25, 2012, and proceed with public comment.

In response to questions from Council, Fire Marshall Lacey clarified part of the intention for an emergency ordinance was to address the needs of those affected by the Waldo Canyon fire, and their insurance, so the properties can be replaced pursuant to the new standards; that it is his understanding, the ordinance would have to be in place for the majority of insurance companies to cover the added costs and for homeowners to begin reconstruction; that the existing hillside ordinances do not apply to many of the areas damaged by the fire, as those development plans were approved prior to 1993; that the Housing and Building Association (HBA) and the Colorado Springs Fire Department have not reviewed the proposed changes regarding the clarification issues, but they have approved the substantive changes; that he is also attempting to be responsive to the confusion of the existing ordinance.

John Gardner spoke in support of the proposed emergency ordinance.

Cindy and Mark Maluschka, Mark Sabin, Marty Novak-Haynes, Mary Harrow, Michael Skolnicki, Pete Romero, Executive Director of Insurance Consumer Advocates, and owner of a public adjusting company, and Chuck Fowler, Community Manager for Parkside Home Owners' Association, spoke in opposition to the proposed emergency ordinance, citing the following: there would be a financial impact for new construction; it seems unfair, as it is specific to Mountain Shadows; insurance policies have limits and if the new code drives costs above the limits, it will not help, nor change those limits; the proposed emergency ordinance should be looked at in the context of what is being done across the City in the urban wild interface; should not rush without clear criteria, and clear understanding and definition of terms; may benefit a small group, but hurt the larger group; there is time to do this without it being an emergency; the language in the amended Fire Code is unclear; the Waldo Canyon fire was a "fire storm" and national disaster that is unlikely to happen again; no need to amend codes; would like to rebuild with the same materials prior to the fire; no matter what is put in place, it is not possible to safeguard the public, trees, or structures from a natural disaster and something of such magnitude; requesting FEMA relief; insurance companies will most likely take the position of not paying for anything in code upgrades that were not in effect prior to the fire; request the proposed emergency ordinance be delayed to have more time to work through all the issues; the proposed emergency ordinance could make life more difficult for people who are already under duress.

Fire Marshall Lacey stated the proposed emergency ordinance only applies to the Mountain Shadows area at this time; that the ordinance coming before Council in October will address the entire hillside overlay; that the main objective is to incorporate the proposed emergency ordinance with the proposed hillside overlay ordinance for all new construction.

Ms. Neumann stated the proposed ordinance for the entire hillside overlay is scheduled to be presented at the first Council meeting in October 2012, and reiterated the intent of the proposed emergency ordinance was to separate Mountain Shadows to help those individuals.

John Casiani, President of the Housing and Building Association (HBA), stated the main issue with homeowners who lost their homes in the Mountain Shadows area is communication and not receiving accurate messages; that the HBA has been working with Fire Marshall Lacey to review the proposed amendments to the Fire Code and it supports the changes; that currently, individuals who are beginning to rebuild are signing a document voluntarily, stating they will rebuild under the new codes when they are implemented; that the entire hillside overlay is being reviewed to have the same codes. He requested a one-month delay to go through the HBA process, to ensure everyone understands what the new codes will be for the entire city and hillside overlay; that the only reason the HBA supported the quick response for Mountain Shadows is because people wanted to pull building permits and start building immediately; that builders have looked at the cost differential between the proposed and existing codes and it is not a big difference.

In response to Councilmember Bennett, Mr. Casiani stated he believes a two-week delay would not have a significant effect.

Bob Cutter, President of Colorado Springs Together, stated nine building permits have been issued by the Regional Department to rebuild in Mountain Shadows, based on the proposed emergency ordinance; that messages are being relayed that every insurance company and each policy is different; that with respect to the need for the emergency ordinance, in order for some costs to be covered, some insurance companies are moving forward using the voluntary two-page document that currently exists and others are requiring the ordinance before covering the code upgrades; that the major code upgrades relate to siding and decking material, which for some, will be a gating item to conclude final negotiations with the insurance company.

Dave Munger stated the Council of Neighbors and Organizations (CONO) has been working with Colorado Springs Together to arrange public meetings relating to the proposed emergency ordinance for September 13th, 17th and 18th, 2012.

A vote being taken on the motion:

Ayes: Bennett, Czelatdko, Dougan, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: Hente

Due to the proposed emergency ordinance being postponed to the Council Meeting of September 25, 2012, Chief of Staff Neumann inquired if Council would consider combining the proposed emergency ordinance with the entire hillside overlay ordinance scheduled for the October 9, 2012, Council meeting.

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President Hente returned.

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Motion by Snider, second by Martin, to reconsider the previous motion to postpone a vote on the proposed emergency ordinance to the Council Meeting of September 25, 2012.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

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President Hente was excused.
In the absence of President Hente, President Pro Tem Martin presided.

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Motion by Snider, Herpin concurred, to withdraw his previous motion to postpone a vote on the proposed emergency ordinance to the Council Meeting of September 25, 2012.

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Motion by Bennett, second by Herpin, that the proposed emergency ordinance be postponed indefinitely.

Ayes: Bennett, Czelatdko, Dougan, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: Hente

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President Hente returned.

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8. **Chapter 7 Code Changes.**

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Item Nos. 8-A through 8-L were considered together.

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8-A. Ordinance No. 12-65 entitled "AN ORDINANCE AMENDING SECTION 201 (DEFINITIONS ENUMERATED) OF PART 2 (DEFINITIONS) AND SECTION 302 (DEFINITIONS OF USE TYPES) OF PART 3 (LAND USE TYPES AND CLASSIFICATIONS) OF ARTICLE 2 (BASIC PROVISIONS, DEFINITIONS, AND LAND USE TYPES AND CLASSIFICATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO DEFINITIONS" was introduced and read.

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8-B. Ordinance No. 12-66 entitled "AN ORDINANCE AMENDING SECTIONS 103 (PERMITTED, CONDITIONAL AND ACCESSORY USES) OF PART 1 (RESIDENTIAL

DISTRICTS), SECTIONS 203 (PERMITTED, CONDITIONAL AND ACCESSORY USES) AND 204 (OFFICE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE ZONE DISTRICT DEVELOPMENT STANDARDS) OF PART 2 (COMMERCIAL DISTRICTS) OF ARTICLE 3 (LAND USE ZONE DISTRICTS) AND SECTION 203 (PARKING SPACE REQUIREMENTS BY USE) OF PART 2 (OFF STREET PARKING STANDARDS) OF ARTICLE 4 (SITE DEVELOPMENT STANDARDS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PERMITTED, CONDITIONAL ACCESSORY USE TABLES, OFFICE, COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS AND THE PARKING USE TABLES" was introduced and read.

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8-C. Ordinance No. 12-67 entitled "AN ORDINANCE AMENDING SECTION 507 (P-PLANNED PROVISIONAL OVERLAY / CONDITIONS OF RECORD) OF PART 5 (OVERLAY DISTRICTS) OF ARTICLE 3 (LAND USE ZONING DISTRICTS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PLANNED PROVISIONAL OVERLAY AND CONDITIONS OF RECORD" was introduced and read.

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8-D. Ordinance No. 12-68 entitled "AN ORDINANCE AMENDING SECTIONS 602 (REQUIREMENTS), 603 (ESTABLISHMENT AND DEVELOPMENT OF A PUD ZONE), 605 (REVIEW CRITERIA FOR PUD PLANS), 606 (REVIEW CRITERIA FOR DEVELOPMENT PLAN), 608 (PUD PLAN AND DEVELOPMENT PLAN AMENDMENTS), 610 (SUBDIVISION), 611 (WAIVER OR MODIFICATION OF SUBDIVISION CODE REQUIREMENTS), ALL OF PART 6 (PLANNED UNIT DEVELOPMENT DISTRICTS) OF ARTICLE 3 (LAND USE ZONING DISTRICTS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PLANNED UNIT DEVELOPMENT DISTRICTS" was introduced and read.

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8-E. Ordinance No. 12-69 entitled "AN ORDINANCE AMENDING SECTIONS 101 (PURPOSE) AND REPEALING SUBSECTION 1 (TND TRADITIONAL NEIGHBORHOOD DEVELOPMENT) OF SECTION 102 (PURPOSE AND SPECIFIC REQUIREMENTS OF THE RESIDENTIAL ZONE DISTRICTS) OF PART 1 (RESIDENTIAL DISTRICTS) AND CREATING A NEW PART 9 (TRADITIONAL NEIGHBORHOOD DEVELOPMENT) ALL OF ARTICLE 3 (LAND USE ZONING DISTRICTS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO RESIDENTIAL USE TYPES AND TRADITIONAL NEIGHBORHOOD DEVELOPMENT" was introduced and read.

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8-F. Ordinance No. 12-70 entitled "AN ORDINANCE AMENDING SECTIONS 102 (CITY COUNCIL), 103 (CITY PLANNING COMMISSION), 104 (MANAGER OF COMMUNITY DEVELOPMENT) AND 105 (THRESHOLD OF REVIEW) OF PART 1 (PURPOSE, REVIEW AUTHORITIES) OF ARTICLE 5 (ADMINISTRATION AND PROCEDURES) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO REVIEW AUTHORITIES AND THRESHOLD OF REVIEW" was introduced and read.

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8-G. Ordinance No. 12-71 entitled "AN ORDINANCE AMENDING SECTIONS 403 (LAND USE MASTER PLANS; WHEN REQUIRED, WAIVER OF REQUIREMENTS, AMENDMENTS AND MINOR ADJUSTMENT), 404 (APPLICATION), 406 (PLAN REQUIREMENTS AND LAND USE CLASSIFICATIONS), 409 (CHANGED CONDITIONS) AND 410 (MASTER PLAN LAND USE CLASSIFICATIONS) OF PART 4 (MASTER PLANS) OF ARTICLE 5 (ADMINISTRATION AND PROCEDURES) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO MASTER PLANS" was introduced and read.

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8-H. Ordinance No. 12-72 entitled "AN ORDINANCE AMENDING PART 5 (CONCEPT PLANS AND DEVELOPMENT PLANS) OF ARTICLE 5 (ADMINISTRATION AND PROCEDURES) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO CONCEPT AND DEVELOPMENT PLANS" was introduced and read.

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8-I. Ordinance No. 12-73 entitled "AN ORDINANCE AMENDING SECTIONS 1201 (PURPOSE), 1203 (NONCONFORMING USES), 1204 (NONCONFORMING BUILDINGS OR STRUCTURES) AND 1205 (NONCONFORMING LOTS) OF PART 12 (NONCONFORMING DEVELOPMENT) OF ARTICLE 5 (ADMINISTRATION AND PROCEDURES) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO NONCONFORMING DEVELOPMENT" was introduced and read.

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8-J. Ordinance No. 12-74 entitled "AN ORDINANCE AMENDING SECTIONS 704 (AUTHORIZATION AND FINDINGS), 705 (AMENDMENTS) AND 706 (EXPIRATION) AND CREATING NEW SECTIONS 707 (EXPIRATION OF APPROVAL) AND 708 (TRANSFERABILITY) OF PART 7 (CONDITIONAL USES) OF ARTICLE 5 (ADMINISTRATION AND PROCEDURES) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO CONDITIONAL USES" was introduced and read.

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8-K. Ordinance No. 12-75 entitled "AN ORDINANCE AMENDING SECTIONS 108 (DEFINITIONS), 109 (ANCIENT PLATS AND SUBDIVISIONS), CREATING A NEW SECTION 110 (AMENDMENTS TO THE TEXT OF THE SUBDIVISION CODE) OF PART 1 (GENERAL PROVISIONS), AMENDING SECTION 201 (PRELIMINARY PLAT REQUIRED) OF PART 2 (PRELIMINARY PLATTING PROCEDURES), SECTIONS 305 (RECORDING PROCEDURES) AND 306 (REPLAT REQUIREMENTS) OF PART 3 (FINAL PLATTING PROCEDURES), SECTIONS 402 (VACATION PROCEDURES) AND 405 (RECORDING PROCEDURES) OF PART 4 (VACATION PLATS, PLATTING PROCEDURES), SECTION 505 (ISSUANCE OF BUILDING PERMITS TO PREVIOUSLY PLATTED LANDS OR WAIVER OF REPLAT) OF PART 5 (MINOR ADMINISTRATIVE PROCEDURES), SECTION 607 (EASEMENTS) OF PART 6 (DESIGN STANDARDS), SECTION 704 (REGULATIONS FOR STREETS SHOWN ON PLATS SUBMITTED FOR APPROVAL) OF PART 7 (STREETS IN SUBDIVISIONS) ALL OF ARTICLE 7 (SUBDIVISION REGULATIONS) AND SECTION 102 (AMENDMENTS TO RBC313) OF PART 1 (GENERAL PROVISIONS) OF ARTICLE 8 (FLOODPLAIN MANAGEMENT) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO SUBDIVISION AND FLOODPLAIN REQUIREMENTS" was introduced and read.

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8-L. Ordinance No. 12-76 entitled "AN ORDINANCE AMENDING SECTION 105 (ADDITIONAL STANDARDS FOR SPECIFIC USES ALLOWED IN RESIDENTIAL ZONES) OF PART 1 (RESIDENTIAL DISTRICTS), SECTION 205 (ADDITIONAL STANDARDS FOR SPECIFIC LAND USES) OF PART 2 (COMMERCIAL DISTRICTS), SECTIONS 402 (PURPOSE AND SPECIFIC REQUIREMENTS OF THE SPECIAL PURPOSE ZONE DISTRICTS) AND 405 (ADDITIONAL STANDARDS FOR SPECIFIC LAND USES) OF PART 4 (SPECIAL PURPOSE DISTRICTS), SECTIONS 502 (DFOZ-DESIGN FLEXIBILITY OVERLAY) AND 503 (HR-HIGH RISE OVERLAY) OF PART 5 (OVERLAY DISTRICTS) ALL OF ARTICLE 3 (LAND USE ZONING DISTRICTS); SECTION 102 (GENERAL STANDARDS) OF PART 1 (GENERAL STANDARDS), SECTIONS 202 (GENERAL REGULATIONS), 204 (ACCESSIBLE PARKING SPACE REQUIREMENTS FOR THE DISABLED) AND 205 (GENERAL PROVISIONS, RESTRICTIONS, AND PROHIBITIONS) OF PART 2 (OFF STREET PARKING STANDARDS), SECTIONS 602 (APPLICABILITY), 604 (PROCESSING OF CMRS APPLICATIONS) AND 606 (HEIGHT AND SETBACK STANDARDS) OF PART 6 (COMMERCIAL MOBILE RADIO SERVICE (CMRS) REGULATIONS) ALL OF ARTICLE 4 (SITE DEVELOPMENT STANDARDS); SECTION 603 (FINDINGS) OF PART 6 (ZONE CHANGE REQUESTS AND ZONING CODE AMENDMENTS), SECTIONS 802 (NONUSE VARIANCES) AND 803 (USE VARIANCES) OF PART 8 (VARIANCES) AND SECTION 1302 (DEFINITIONS) OF PART 13 (SEXUALLY ORIENTED BUSINESS) ALL OF ARTICLE 5 (ADMINISTRATION AND PROCEDURES) ALL OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO STANDARDS AND REGULATIONS FOR VARIOUS LAND USES AND ZONE DISTRICTS" was introduced and read.

Motion by Herpin, second by Martin, that the ordinances be passed as introduced.

Ayes: Bennett, Czelatdko, Dougan, Hente, Herpin, Leigh, Martin, Snider, Williams
Noes: None
Absent: None

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9. **Comprehensive Annual Financial Report.**

Candice Bridgers, City Accounting Manager, gave a PowerPoint presentation and overview of the 2011 Comprehensive Annual Financial Report (CAFR).

In response to Councilmember Bennett, Ms. Bridgers stated preliminary work for the audit begins at the end of each year; that the auditors come in March/April and the CAFR is completed by June 30th of each year; that by July 1st it is available for review on the City's website.

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10. **Presentation and Acceptance of the 2011 Independent Auditors' Report.**

Denney Nester, City Auditor, gave a PowerPoint presentation and overview of the City Auditor's role and the internal auditing process versus independent, external auditing.

Rodney Wise, and Evelyn Law, RubinBrown, LLP, gave an overview of its (external) audit process and presented the results of its 2011 audit.

Motion by Bennett, second by Martin, to accept the 2011 Independent Auditor's Report prepared by RubinBrown, LLP. The motion unanimously carried.

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At 5:10 P.M., there being no further business to come before City Council,

COUNCIL ADJOURNED

Sarah B. Johnson

Sarah B. Johnson
City Clerk