



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

NOTICE AND AGENDA
Regular Meeting
Idaho Springs Planning Commission
1711 Miner Street, City Hall
Wednesday, June 5, 2024 – 6:00 p.m.

**PLANNING COMMISSION
REGULAR MEETING
Wednesday, June 5th, 2024
6:00 PM**

- ❖ Call to Order
- ❖ Roll Call
- ❖ Agenda Approval
- ❖ Approval of Minutes from May 01, 2024
- ❖ Conflict of Interest
- ❖ Public Comment (on non-agenda items)
- ❖ Staff Update
- ❖ New Business

A) Ordinance Accepting and Recognizing the Alignment of the 900 Block of Miner Street

- ❖ Adjournment

**PLANNING COMMISSION
WORK SESSION
Wednesday, June 5th, 2024**

Immediately following the completion of the scheduled Regular Meeting

- ❖ Shared Amenity Housing / Hotel and Motel Housing Follow Up

**IN-PERSON AND REMOTE MEETING PUBLIC ATTENDANCE AND PARTICIPATION
INSTRUCTIONS**

The Public is able to view and hear this meeting remotely at the following address on the City's website:
<https://www.colorado.gov/pacific/idahosprings/city-council-live>

To provide public comment remotely please use the link below
<https://us02web.zoom.us/j/89171912558?pwd=cTNDRO8rL0NhQzdVcG4wZlo5cUY5dz09>

For in-person Unscheduled Public Comment, please sign-in at the entrance to the Council Chambers.

Each individual that is providing public comment is limited to three (3) minutes.



**PLANNING COMMISSION
MINUTES
May 01, 2024**

CALL TO ORDER

Chair Cindy Olson called the meeting to order at 6:00 p.m.

ROLL CALL

Commissioners present were Chair Cindy Olson, Chuck Howard, Don Reimer, Kent Slaymaker and Caitie Maxwell. Vice Chair Ursula Cruzalegui was absent. Staff present were Community Development Planner Dylan Graves, Deputy City Clerk Wonder Martell, and Assistant City Attorney Nick Klein.

AGENDA APPROVAL

Commissioner Maxwell moved to approve the agenda for May 1st, 2024. Commissioner Howard seconded followed by a unanimous voice vote for approval. Motion Carries.

APPROVAL OF MINUTES

Commissioner Slaymaker moved to approve the minutes from April 03, 2024. Commissioner Howard seconded. The motion was carried by unanimous voice vote, motion carries.

CONFLICT OF INTEREST

There was no conflict.

PUBLIC COMMENT

Chair Olson asked the audience if there was any public comment regarding anything not on the agenda, and there was none.

STAFF UPDATE

Community Development Planner Dylan Graves went over his staff report with the commission to advise them of things currently being done or items that have been completed. Mr. Graves advised the commission that the Visitor Center at 2060 Miner Street has been successfully rezoned to C1 from Parks and the Conditional Use Permit to allow for a one season trial of AVA employee camping was approved by council Monday. Mr. Graves advised the commission that there was going to be a Furlings Fest June 8, 2024 in the downtown marketplace and will be the first CODA event for this season. Mr. Graves stated that a Furlings Fest is kind of like Oktoberfest and that the profits were going to all go to animal non-profits. Mr. Graves then let the commission know that the work on VCAMP continues.

NEW BUSINESS - PUBLIC HEARING

1. Request for Amendments to the Approved Final Development Plan (FDP) for the Block 57/ Former Goldigger Field Mixed Use Project.

Chair Olson opened the hearing at 6:07 pm.

STAFF REPORT

Community Development Planner Dylan Graves stated that this hearing is a request for amendments to the already approved Final Development Plan and the approval for that FDP is still valid. There are 4 requested amendments and if the commission approves these amendments, it will go to City Council on May 13th, 2024. This development required 172 parking spaces and supplied 175. The developer is requesting to remove 16 exterior doors, removal of the small parking lot on Miner Street which would be relocated elsewhere, removal of the walkway to that removed parking lot and revised trash enclosure space.

The doors they are asking to remove will be swapped with egress windows. The removed parking lot will be replaced with green space. The removal of that parking lot only eliminates 1 space, to which the developer is still providing more than the regulations require. The original trash enclosure had two separate trash areas and the proposal is to make one bigger enclosure that will be centrally located. Mr. Graves advised the commission that staff recommends approval.

APPLICANT

Rob McKenzie 1 Brookhaven Trail, Littleton CO 4 Points Funding

Mr. McKenzie stated that nothing was done here or to try to fool anyone, just trying to make the development a bit safer and some other very minimal changes.

PUBLIC COMMENT

Paula Dietz 209 10th Avenue- Mrs. Dietz is very angry about this. This development is going to make her property value go down. Mrs. Dietz wants 4 Points to hold to the federal and state sound regulations. If there are to be any utility disruptions, she needs warning as she works from home and relies on the internet to get her work done. Mrs. Dietz mentioned that she pulled a plan from Georgetown and that plan shows that this development is going to remove her flower beds, and she mentioned that a construction worker also told her much more about this. Mrs. Dietz stated that the traffic study done at the time that this FDP was approved was done during COVID so it's not an accurate study.

Eric Dietz 209 10th Avenue – Mr. Dietz mentioned that this development is 3 stories high and asked if there was an elevator in this building. Mr. Graves advised that there was no elevator planned. Mr. Dietz stated that the second and third floor tenants would not be parking in the parking lot and walking to their place, they would be parking on Miner Street, which is too narrow as it is now. Mr. Dietz also mentioned that the tenants of these apartments will not be families because they would not be able to afford these units, it's going to be single people with cars, so there should be no parking reduction for this development. Mr. Dietz said that the traffic study done was a joke, that town gets insane, and the traffic report should be redone. Mr. Dietz said that he understands that there was soil testing done on the field, but he is unable to find any results for those tests. He said that the results are in Gilpin County but when he goes to look at them, they will not open/load and he feels like things are being hidden involving this project. Mr. Dietz said that the parking is going to be all over Miner Street.

Jenna Billig 904 Miner Street- Ms. Billig stated that we need more housing, but she was very upset when the Dietz told her that their yard, their wall and their garden was going to be taken away. Ms. Billig mentioned that her property taxes have skyrocketed and that she moved off of Colorado Blvd to Miner Street, so she had some sort of parking. Ms. Billig mentioned that there is not proper parking for this development, that their front door is now blocking her mountain views and all of her south sun will be blocked from this development also. This development has 120 units, poor access, not enough parking and these will be apartments not townhomes so the tenants will not be paying property taxes, even though her taxes have skyrocketed. Ms. Billig said she did not sign up to pay for a sidewalk in front of her home, her home value is going to depreciate. Ms. Billig said that these tenants are going to park in front of her home and her parking will be taken from her.

APPLICANT RESPONSE Kyle Oberkoetter 102 Lakeside, Basalt CO

Kyle advised the room that they have heard all of these comments and there is a pre-construction meeting happening Wednesday May 15th at the Clear Creek Recreation Center at 5pm and at that meeting, specifics will be discussed and so it would be the best place to go to ask for specific details.

COMMISSION QUESTIONS

Commissioner Slaymaker asked staff if it's true that this project includes other people's property. Mr. Graves responded and said not that's he's aware of, and not with these amendments. Mr. Graves stated that there will be road improvements. Widening of the road to current code and would extend sidewalks. MR. Graves also mentioned that he is not sure exactly where those road improvements will be. Commissioner Reimer asked if there was going to be removal of people's flower beds, and if so can't the widening happen along the highway side not the Miner Street side. Mr. Graves stated that there would be curb cuts to adjoining properties included to keep access to private properties.

APPLICANT RESPONSE - Rob McKenzie stated that the last thing they want to do is take anyone's property. Mr. Graves expressed assurance that the City is going to make sure that what was previously approved get constructed. Mr. Graves stated he is happy to give the plans to anyone who would like them, and that he would be giving his card to everyone at the end of the meeting so they can reach out to him directly. Eric Dietz asked what the setback was for a sidewalk in regard to his property. Mr. Graves did not have that information off hand, but he told Mr. Dietz he would look into that for him.

Chair Olson closed the public hearing at 6:40 pm.

COMMISSION DISCUSSION

Commissioner Slaymaker stated that these seem to be minor amendments, and that it's important for us to keep eyes on this project to make sure it goes as it was approved.

MOTION-

Commissioner Reimer made a motion to recommend approval of the proposed amendments to the approved Final Development Plan (FDP) for the Block 57 / Former Goldigger Field Mixed-Use Project. Commissioner Slaymaker seconded. Second followed by an all-in favor roll call vote. Motion carries.

ADJOURNMENT

Chair Olson adjourned the meeting at 6:42 pm.



TO: Planning Commission
CC: City Administrator Andrew Marsh
Assistant City Administrator Jonathan Cain
FROM: Dylan Graves, Community Development Planner
SUBJECT: Ordinance Accepting and Recognizing the Alignment of the 900 Block of Miner Street
MEETING DATE: June 5, 2024

Purpose and Background

The original “Town Plat of Idaho Springs” was established, approved, and recorded in 1881, which included the platted Right-of-Way (ROW) for Miner Street within the City. In the one hundred forty-three (143) years since the 900 block of Miner Street was laid out by plat, the actual boundary of said portion of right-of-way has been well-established by the public use in a way that does not precisely match the platted right-of-way boundary. The proposed ordinance seeks to formally accept and recognize the current alignment of Miner Street, establishing a precise boundary between City ROW and private property adjacent to this block of Miner Street.

This is adjacent to the approved “Block 57 / Former Golddigger Field” mixed-use housing project being developed by the Four Points Funding, LLC group. As part of the approved Final Development Plan (FDP) for the Block 57 project, the City and Four Points Funding, LLC agreed to the construction of improvements along Miner Street, including along the 900 block. The City agreed to provide money and resources for the improvements along the 900 block of Miner Street, while Four Points Funding, LLC agreed to finance the additional Miner Street improvements. The improvements to be constructed include public sidewalks on the north and south sides of Miner Street, parallel street parking on both sides of the street, and full-width drive lanes. The minimum width required to construct all improvements is 46’.

Since the agreement described above was reached, we have become aware that the ROW as platted differs from the existing, historical location of Miner Street along the 900 block of Miner Street by between 3’ and 6’ at different points. The street alignment has historically existed in these locations but it has not been formally recognized and adopted as official City ROW. Adjacent to the existing street alignment, private property owners have constructed small retaining walls, fences, and other improvements adjacent to Miner St. The proposed exhibit included as Attachment 1 to this memo shows the area to be dedicated as City ROW based on the historic roadway alignment, which currently exists. This will allow the City and the developers’ contractors to use the existing, historic alignment to construct the necessary improvements to Miner Street (sidewalk, street parking, dual travel lanes, etc.). The exhibit shows no change to existing road alignment on the north side of Miner Street and does not impact the current alignment of any fences, walls, or other improvements on private property adjacent to Miner Street, so there is not anticipated to be any change to private property along Miner Street associated with this proposed ordinance. The improvements planned for Miner Street are intended to improve both pedestrian and vehicular access on Miner Street for current and future residents of the City through the construction of a pedestrian sidewalk and official parking spaces on the north side of the street.

PLANNING COMMISSION ROLE

Per C.R.S. § 31-23-217, the Planning Commission is required to review and recommend approval or denial of a request to accept street alignment and associated improvements before City Council can act on an ordinance accepting and recognizing street alignments. Planning Commission will make a recommendation either in favor or against the proposed ordinance, which will be provided to City Council at the meeting scheduled for Monday, June 10, 2024.

REQUESTS

- *Staff requests that the Planning Commission recommend approval of An Ordinance Accepting and Recognizing the Alignment of the 900 Block of Miner Street.*

SUGGESTED MOTION

Motion to recommend that City Council approve an Ordinance Accepting and Recognizing the Alignment of the 900 Block of Miner Street.

ATTACHMENTS

1. **Exhibit A – Miner Street, 900 Block Alignment**
2. **1881 City of Idaho Springs Plat**

CITY OF IDAHO SPRINGS
Clear Creek County, Colorado

Ordinance No. 12, Series 2024

AN ORDINANCE ACCEPTING AND RECOGNIZING THE ALIGNMENT OF THE 900 BLOCK OF MINER STREET

WHEREAS, the City of Idaho Springs, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to Part 23 of Title 31, C.R.S., the City, acting by and through the Idaho Springs City Council (“Council”), possesses the authority to regulate the planning and zoning of the City generally, including but not limited to the authority to recognize and accept dedicated public streets, typically through the subdivision platting process; and

WHEREAS, the original “Town Plat of Idaho Springs” was established, approved and recorded in 1881, which plat includes the right-of-way known as Miner Street; and

WHEREAS, in the one hundred forty-three (143) years since the 900 block of Miner Street was laid out by plat, the actual boundary of said portion of right-of-way has been well-established by the public use in a way that does not precisely match the platted right-of-way boundary; and

WHEREAS, the inconsistency between historic plat and established usage on this particular block has the potential to create confusion concerning the practical and legal responsibilities for the publicly-travelled street and the privately-maintained retaining walls abutting the street; and

WHEREAS, in conjunction with the development of Block 57 (aka former Golddigger Field), the City is preparing to contribute money and resources to make improvements to the 900 block of Miner Street; and

WHEREAS, before making such investment, the Council wishes to establish the precise boundary and location of this block of Miner Street, thereby providing certainty to both the City and to each abutting property owner; and

WHEREAS, C.R.S. § 31-23-217 provides a process for municipalities to formally accept and recognize the location of public streets, in lieu of a formal subdivision platting process; and

WHEREAS, as required by C.R.S. § 31-23-217, this Ordinance was submitted to the Idaho Springs Planning Commission on April 3rd, 2024, resulting the Planning Commission approving this Ordinance; and

WHEREAS, the Council therefore desires to formally designate, accept and recognize the boundaries of Miner Street in and around the area specified herein, by ordinance, as further set forth herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IDAHO SPRINGS, COLORADO, AS FOLLOWS:

Section 1. The above and foregoing recitals are expressly adopted as findings and determinations of the Council.

Section 2. Pursuant to C.R.S. § 31-23-217, the Idaho Springs City Council hereby formally accepts, designates and recognizes the boundaries of that portion of right-of-way known as Miner Street described and illustrated in the attached **Exhibit A**, incorporated herein by this reference, for all legal purposes upon the effective date of this Ordinance and thereafter.

Section 3. Findings concerning voting. This Ordinance was approved by the Idaho Springs Planning Commission by a vote of __ to __, on June 5 2024; this Ordinance was finally-approved, on second reading, by the Idaho Springs City Council by a vote of _____ to _____ .

Section 4. Zoning Maps; Official Plats. City staff is hereby directed to make conforming amendments to all copies of the official City Zoning Map and all other official City-maintained plats and maps, as necessary, to reflect the location of Virginia Canyon Road specified herein, upon the effectiveness of this Ordinance.

Section 5. Recording of Ordinance. City staff is further directed to record this Ordinance and its Exhibits in the real property records of Clear Creek County, Colorado, upon the effectiveness of this Ordinance.

Section 6. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 7. Should any one or more sections or provisions of this Ordinance or of Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provisions, the intention being that the various sections and provisions are severable.

INTRODUCED, READ AND ORDERED PUBLISHED at a Regular Meeting of the City Council of the City of Idaho Springs, Colorado, held on the 10th day of June, 2024.

Chuck Harmon, Mayor

ATTESTED AND CERTIFIED:

Diane Breece, City Clerk

PASSED, ADOPTED AND APPROVED, at a Regular Meeting of the City Council of the City of Idaho Springs, Colorado, held on the 13th day of May, 2024.

Chuck Harmon, Mayor

ATTESTED AND CERTIFIED:

Diane Breece, City Clerk

EXHIBIT A

[Survey- Plat of Miner Street, 900 block]

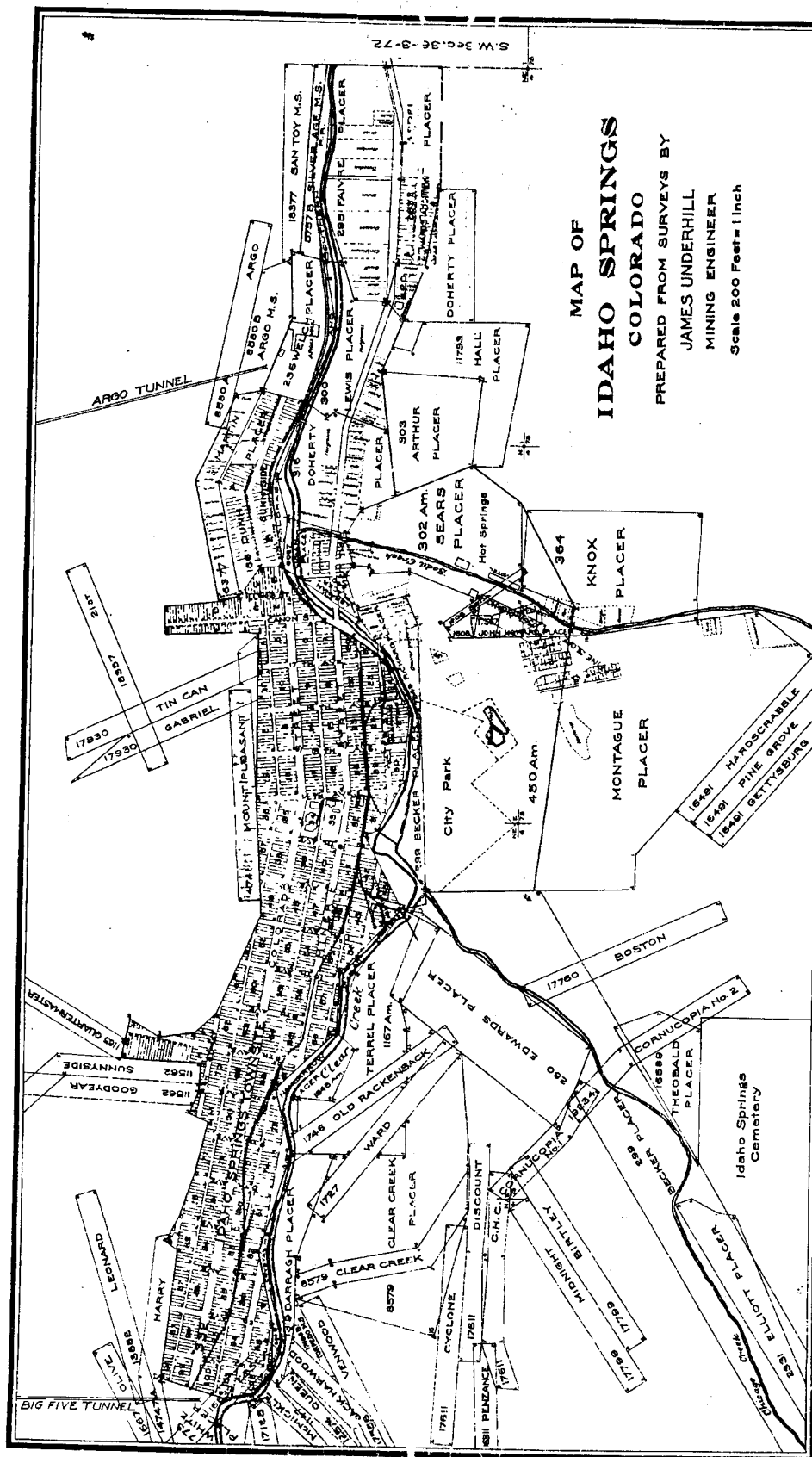
Exhibit A – Ordinance No. 12, Series 2024

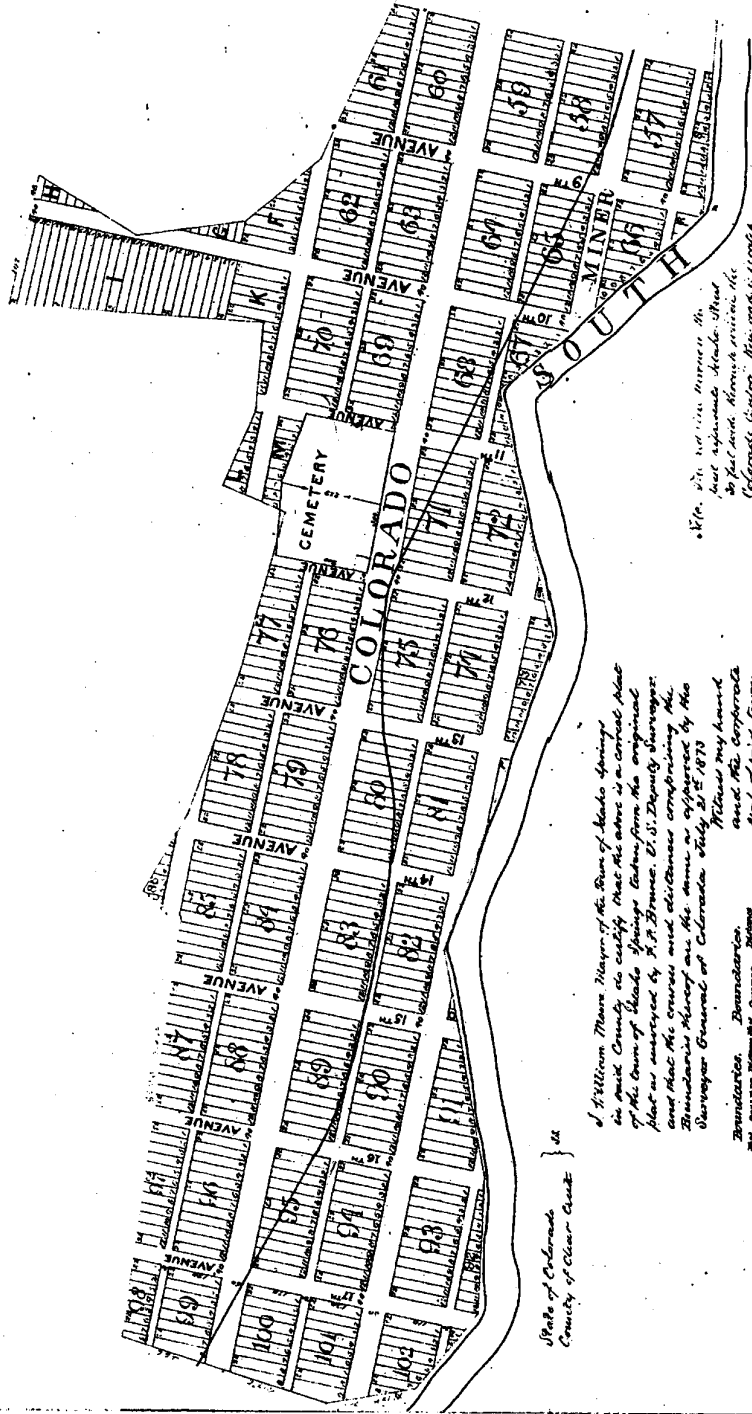
A precise legal description and survey of the area in question is to follow once received from the City's surveyor. In the interim, the below diagram is meant to serve as a contextual site plan showing the approximate location of the subject area along the 900 Block of Miner Street that is proposed to be formalized as the precise boundary and location of this block of Miner Street's alignment. The precise legal description and surveyed locations will be provided prior to Second Reading of the subject ordinance.

Approximate location of the 900 Block of Miner Street to be formally recognized:



PREPARED FROM SURVEYS BY
JAMES UNDERHILL
MINING ENGINEER
Scale 200 Feet = 1 inch





State of Colorado
County of Clear Creek

I, William Moore Mayor of the Town of Leadville, in and County do hereby certify that the above is a correct plat of the Town of Leadville, Colorado, taken from the original plat as surveyed by J. P. Brown, E. S. Davis, Surveyors, and that the streets and distances comprising the boundaries thereof are the same as appeared in the Surveyor General of Colorado July 25, 1873.

Witness my hand and the corporate seal of said town this 1st day of January A.D. 1881.

William Moore
Mayor

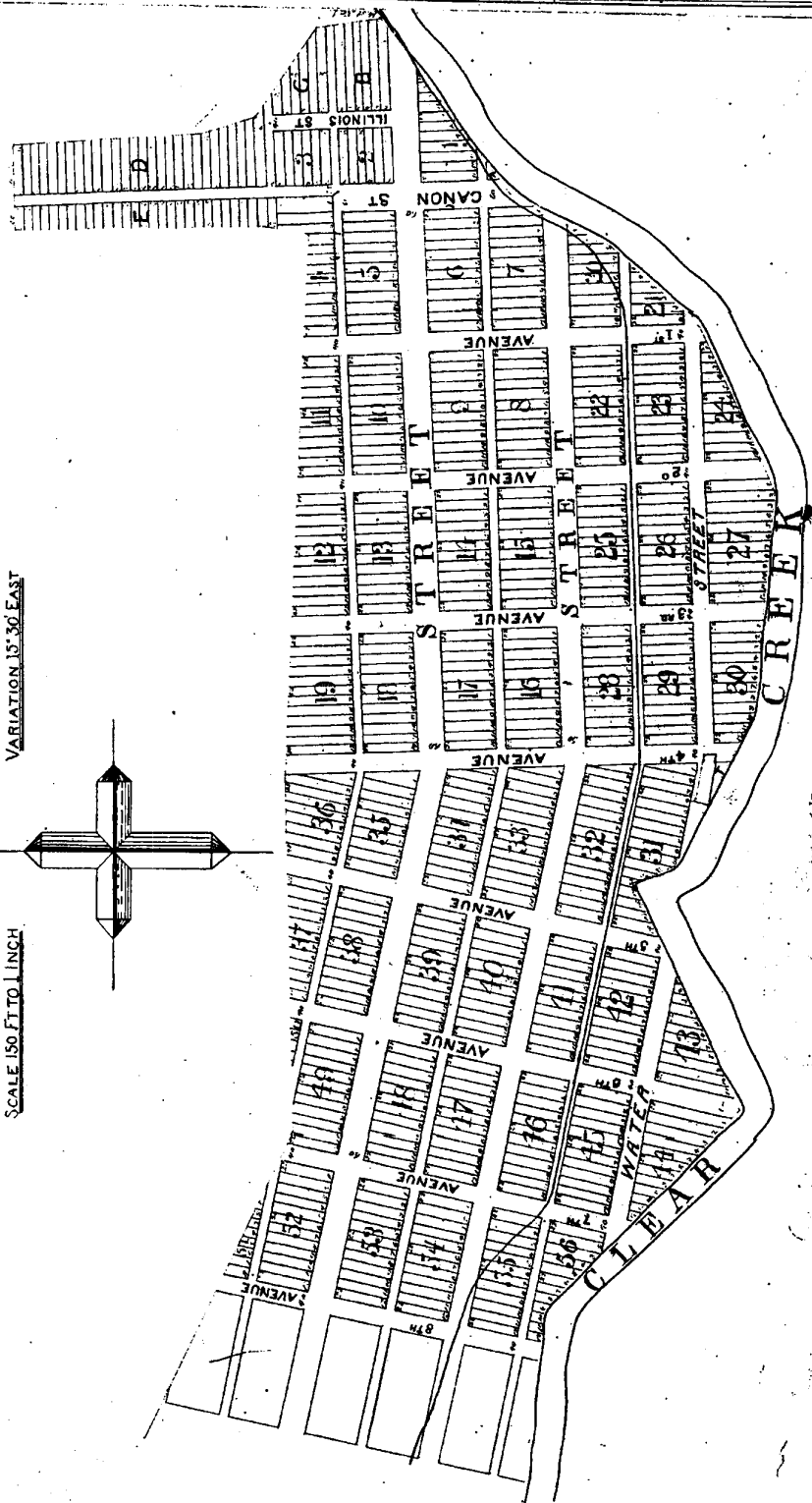
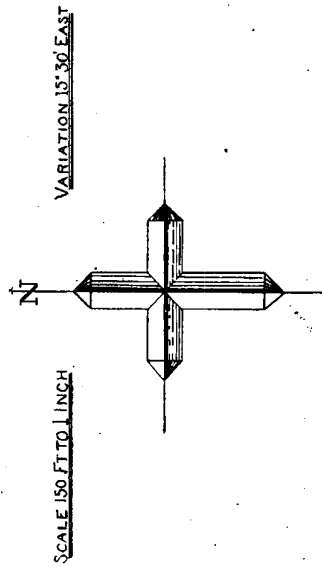
Block	Area	Value	Assessment
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Attest
Jas. H. Doyle
Recorder

(Copied
from
Jas. H. Doyle
Recorder)

Recorded February 27th 1881 25 1000000
J. H. Doyle
Recorder

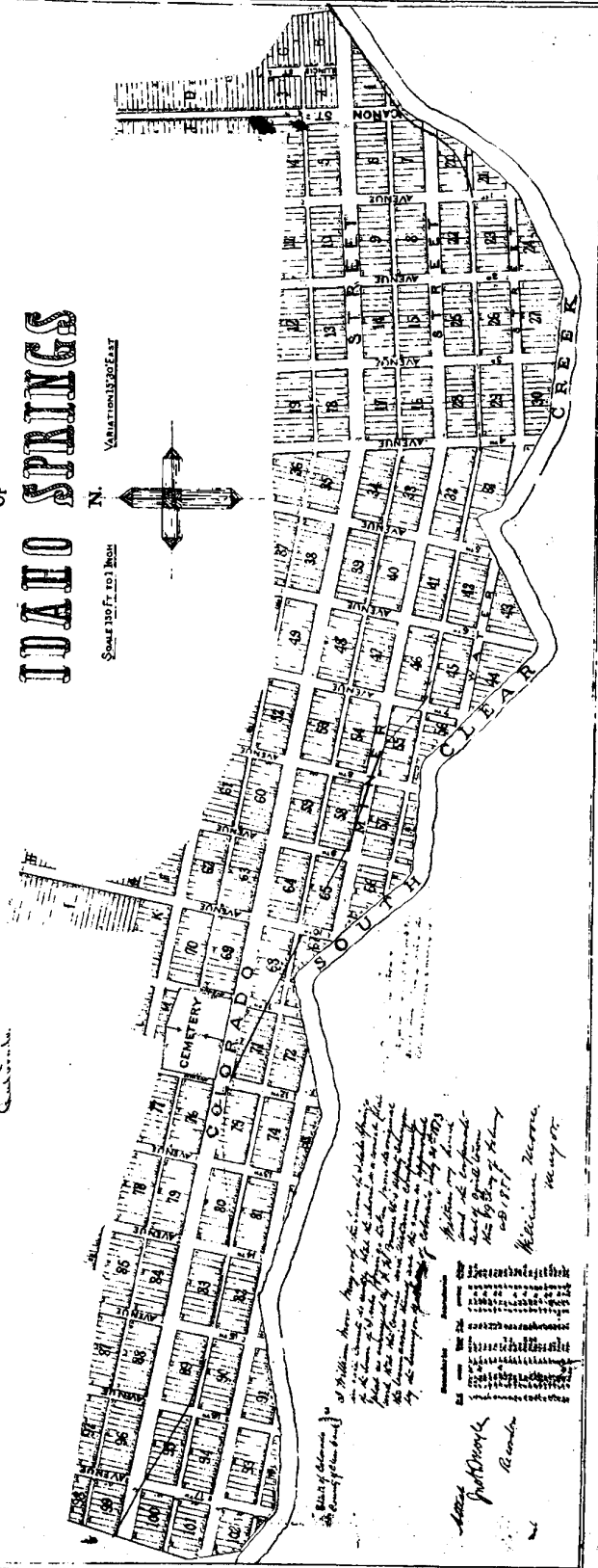
Plan OF IDAHO SPRINGS



Scale 130 ft to 1 inch
N.
Variation 13° 30' East



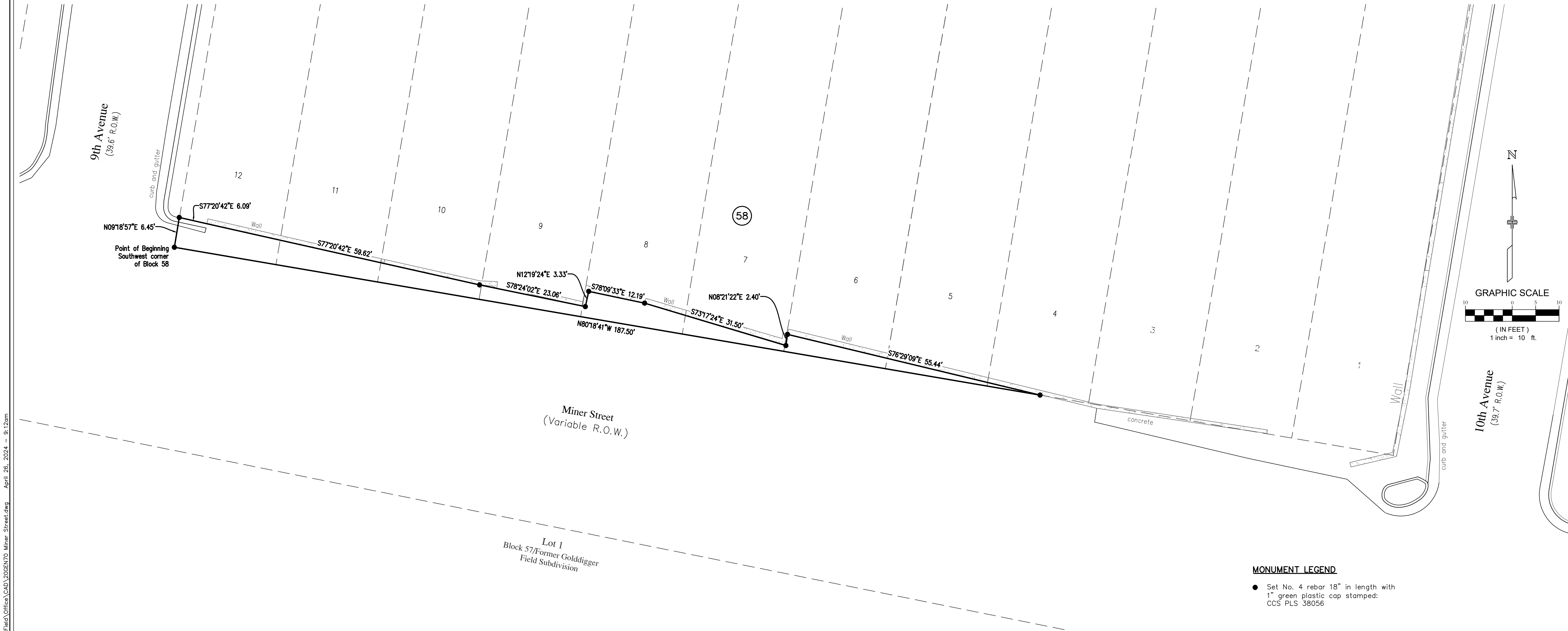
(Faint handwritten notes or bleed-through from another page)

[illegible]

John Doyle
Reverend

LAND SURVEY PLAT

A part of Lots 4-12, Block 58
City of Idaho Springs, County of Clear Creek, State of Colorado

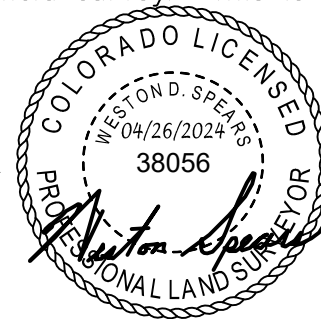


MONUMENT LEGEND

- Set No. 4 rebar 18" in length with 1" green plastic cap stamped: CCS PLS 38056

SURVEYOR'S CERTIFICATION:

I, Weston D. Spears, a Professional Land Surveyor registered in the State of Colorado, hereby certify that this survey was made in accordance with applicable standards of practice, was prepared under my responsible charge based on a field survey performed on April 25, 2024 and to the best of my professional knowledge, information and belief is an accurate representation of that field survey. This is not a guaranty or warranty, either expressed or implied.



Weston D. Spears, Professional Land Surveyor
Colorado P.L.S. No. 38056
for and on behalf of Clear Creek Surveying

COUNTY RECORDER'S CERTIFICATE:

This plat was filed for record in the office of the County Clerk and Recorder of Clear Creek County this day of _____, 20____, at _____ .m., in book _____, at page _____, reception number _____.

Clerk and Recorder

DESCRIPTION:

BEGINNING at the Southwest corner of Block 58, City of Idaho Springs; thence N09°18'57"E, a distance of 6.45 feet to the back of a concrete curb; thence S77°20'42"E, a distance of 6.09 feet to the face of a retaining wall; thence along the face of multiple retaining walls the following seven (7) courses;

- S77°20'42"E, a distance of 59.62 feet;
- S78°24'02"E, a distance of 23.06 feet;
- N12°19'24"E, a distance of 3.33 feet;
- S78°09'33"E, a distance of 12.19 feet;
- S73°17'24"E, a distance of 31.50 feet;
- N08°21'22"E, a distance of 2.40 feet;
- S76°29'09"E, a distance of 55.44 feet to the South line of said Block 58; thence along said line N80°18'41"W, a distance of 187.50 feet to the POINT OF BEGINNING.

Containing a calculated area of 642 square feet or 0.015 acres.

NOTES:

- Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.
- Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory, commits a class two (2) misdemeanor pursuant to state statute 18-4-508, C.R.S.
- All dimensions shown hereon are expressed in U.S. Survey feet and decimals thereof. A U.S. Survey foot is defined as exactly 1200/3937 meters. All bearings shown here on are degrees-minutes-seconds.
- Basis of Bearings: Bearings are based on the Colorado State Plane Coordinate System, Central Zone, NAD 83. The South line of Block 58, Townsite of Idaho Springs having an assumed bearing of N80°18'41"W, being marked with a No. 4 rebar with 1" green plastic cap stamped: CCS PLS 38056, shown hereon.
- The purpose of the plat is to identify the area of right-of-way being acquired per City Ordinance No. 12, Series 2024.

REVISIONS

Date _____	By _____	Description _____
Date _____	By _____	Description _____
Date _____	By _____	Description _____
Date _____	By _____	Description _____

Field Date _____ Drawn by _____
Party Chief _____ Checked By _____
PLS _____ WDS _____

TITLE

LAND SURVEY PLAT
A part of Lots 4-12, Block 58
City of Idaho Springs, County of Clear Creek, State of Colorado
SEC 35, T3S, R73W of the 6th P.M.

CLIENT

City of Idaho Springs

CLEAR CREEK SURVEYING
P.O. BOX 3184
IDAHO SPRINGS, CO 80452
(303) 681-1519

PROJECT NO.
20GEN70

SHEET NO.
1

NO. OF SHEETS
1



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955
www.idahospringsco.com

Date: June 5, 2024
To: Idaho Springs Planning Commission
CC: Andrew Marsh, City Administrator, Jonathan Cain, Assistant City Administrator
From: Dylan Graves, Community Development Planner
Re: Hotel/Motel Licensing and Shared Amenity Housing

Background:

Dating back several years, the Planning Commission has discussed the challenges that the City has been facing with hotels and motels being utilized for long-term occupancy. Most recently, Planning Commission met in May 2024 and discussed what items should be considered important priorities for regulations within these types of long-term occupancy types. Most of these facilities were designed to house transient individuals or small groups for short periods of time, such as a few nights or a week. Some of these facilities are now being utilized as residential units for seasonal workforce or for year round residents. The City's goal is to protect the health, safety, and wellbeing of these residents while understanding that these facilities fulfill a housing need within the housing deficient City. The below language is a draft ordinance that is intended to be discussed at an upcoming Planning Commission meeting. We did not discuss ordinance language particularly in May, nor were licensing standards or processes or enforcement mechanisms discussed.

In addition to hotel and motel long-term occupancy, the Planning Commission discussed more broadly alternative housing options that might be appropriate in Idaho Springs, which we referred to as "shared amenity housing" and which includes many potential housing types where some amenities may be shared amongst occupants. It is possible that none of these would contain all the facilities necessary to be considered a dwelling unit per City definitions, but nevertheless could provide suitable housing for residents if managed and regulated appropriately. This discussion is contemplated briefly in the regulations below. Long-term occupancy in hotels and motels could also be included in the shared amenity definition.

Critical to the discussion is the extended stay hotel and motel regulations and standards that would need to be met. This is separate from, but similar to, the shared amenity regulations more broadly. More work is likely needed with shared amenity housing broadly to ensure it is well considered (as discussed below) but given enforcement issues, police encounters, and other concerns related to the use of existing hotels and motels as long-term, extended stay housing, addresses the issues associated with this ongoing use is the most important short-term item to consider. For the purpose of this report, both shared amenity housing and extended stay hotels and motels are discussed concurrently because many of the characteristics of each housing type are similar, but it is noted that each has its own challenges and considerations.

Proposed Regulations

Existing Definitions:

- Hotel and Motel. Any commercial building or buildings intended or designed to be used, rented, or hired out to be occupied for transient purposes, or which are occupied for sleeping purposes for guests, which may contain kitchen facilities for food preparation including but not limited to such facilities as refrigerators, stoves and ovens. Motel and hotels contain lobbies for guest check-in, and onsite maintenance and management.
- Unstaffed hotel. Any commercial building which contains a minimum of three (3) rooms and a maximum of eight (8) rooms intended or designed to be used, rented, or hired out to be occupied for transient purposes, or which are occupied for sleeping purposes for guests. Unstaffed hotels contain a common check-in area, may or may not be staffed on-site, receive regularly scheduled maintenance and cleaning, and provide guests with a local representative in case of emergency.

Proposed Definitions:

- Extended Stay Hotel and Motel. The renting of a hotel or motel room for a duration of stay greater than twenty-nine (29) consecutive days.
- Shared Amenity Housing. Housing facilities that do not meet the definition of a dwelling unit that provide occupants with, at minimum, private and secure bedroom space, but where other necessary amenities, including bathroom facilities, kitchen facilities, etc., may be shared amongst all occupants.
- Long-term occupancy. The offering or reservation of a dwelling unit or portion of a dwelling unit, either by rental contract, lease agreement, or other arrangement, for a period of 30 days or longer.
- Short-term occupancy. The offering or reservation of a dwelling unit or portion of a dwelling unit, either by rental contract, lease agreement, or other arrangement, for a period of fewer than 30 days.

Use by Right Discussion

Proposal is to add “shared amenity housing” to the following zoning districts:

- R-3
- R-M
- HD
- C-1
- C-2

Staff proposes adding extended stay hotels and motels to the use table for the following zone districts:

- HD
- C-1

- C-2
- C-3
- L-1
- I-1

Discussion: The zoning districts for shared amenity housing are proposed because they already allow multi-family and mixed-use housing as uses by right. It thus seems reasonable that shared amenity housing be permitted where multi-family and mixed-use is already allowed. This would not include extended stay motels or hotels because lodging is not permitted in those zone districts. Alternatively, we could not put shared amenity housing as a use by right and could instead require that anyone wishing to establish this use go through the Conditional Use permitting process detailed in the ISMC. This would ensure additional oversight at the time of application and avoid the need to establish specific standards and zoning districts now.

Extended stay hotels and motels, although a type of shared amenity housing, would only be permitted where lodging uses are allowed.

Parking Requirements:

In Table Sec. 21-127-1: Parking Requirements by Use, Shared Amenity Housing and Extended Stay Hotels and Motels to be added under “Group Living” as new sections.

1.25 spaces required per bedroom located in a shared amenity housing development.

1.25 spaces required per bedroom in a hotel or motel room used for extended-stay occupancy.

Discussion: Staff is unsure if 1.25 spaces is sufficient, especially where a room is occupied by more than one person. Affordable housing regulations statewide tend to support parking minimum reductions, but Idaho Springs already has parking issues so keeping parking requirements low may not be desirable.

Licensing Submittal Requirements for Extended Stay Hotels and Motels:

- (A) The duration of occupancy shall be calculated based upon the number of nights of occupancy by an individual in the establishment as a whole, not the number of nights of occupancy of a single room.
- (B) License Required. It is unlawful for any person, either directly or indirectly, to conduct or provide any extended stay occupancy lodging without first obtaining a license as required under this chapter. Said license must be kept current at all times during which extended stay occupancy lodging is provided or available.
- (C) Application form; processing.
 - a. All applicants for an extended stay hotel license shall file a completed application with the Deputy City Clerk on a form provided by the City.
 - b. A completed extended stay hotel license application shall contain the following information and be accompanied by the following documents:
 - i. The business name and address of the applicant
 - c. A floor plan of the entire establishment within which extended stay occupancy lodging is sought designating the specific units to be used for extended stay occupancy lodging;

- d. A detailed floor plan of the extended stay occupancy units showing the location of all the required facilities set forth in this Section; and
 - e. Square footage calculations for each room within each extended stay occupancy unit.
-

The following standards are proposed for developments approved as Extended Stay Hotels and Motels, as were discussed at the May PC meeting:

(D) Minimum Standards.

- a. General
 - i. Evidence of a valid business license
 - ii. Compliance with this code including, without limitation, any applicable building and fire codes adopted by the city, as demonstrated by certification from the City's chief building official.
- b. Extended stay hotels and motels specifically.
 - i. The units available for extended stay occupancy shall be designated for such use on a building floor plan, and no other rooms may be offered or used for long-term occupancy
 - ii. Every unit used for extended stay occupancy shall meet the following requirements:
 - 1. Every room licensed for extended stay occupancy shall prominently display on the inside of the main entrance door of the room a statement that such room is licensed for long-term use pursuant to this chapter.
 - 2. Light, Ventilation and Occupancy Limitations per Chapter 4 of the International Property Maintenance Code shall be adhered to.
 - iii. Personal possessions may not be stored on exterior balconies, interior corridors or in a manner that prohibits adequate movement and ingress/egress within the unit, with the exception on balconies for items such as bikes, strollers, and coolers.
 - iv. The following common area amenities must be available to the residents of all extended stay lodging facilities:
 - 1. Twenty-four-hour desk staffing;
 - 2. Prohibition of storage of any personal possessions within shared common areas of the building and/or site;
 - 3. Universal wireless internet included within rental rate.
 - 4. In-room or common area laundry facilities adequate for number of guests.
 - 5. Secure storage (either in-unit or in a common area) for each room used for extended stays.
 - v. Cooking facilities must be available on the premises, either in each individual room approved for long-term occupancy or in a shared, communal kitchen accessible at all times. Kitchen facilities shall include, at minimum:
 - 1. Built in cooktop or stove unit

2. Full-size refrigerator
 3. Full-size kitchen sink
 4. Communal seating space (tables, chairs, etc.)
- vi. It shall be unlawful for a hotel, motel owner, operator, manager or person in charge of a hotel or motel to permit extended stay occupancy unless otherwise meeting the provisions of this Section or except in circumstances where there is a written contract between the hotel and:
 1. A governmental, charitable or insurance agency to house families in crisis; or
 2. A relocation service as part of a business relocation.
- vii. Occupancy Requirements
 1. Occupancy of any individual room approved for long-term occupancy shall not exceed the number of persons permitted according to Building Code standards based on the square footage of the space approved. Occupancy will be established at the time that a room is licensed as an extended stay room.
 2. Per SAFEbuilt, enclosed bedrooms require 70 square feet for the first person and 50 square feet for each thereafter. A rule for the entire dwelling unit is 200sqft per person.

(E) Renewal and Inspection Requirements

- a. Once yearly City departments inspection of the licensed premises at time of renewal of the applicable shared-amenity housing license. All units are to be inspected for health-safety and overcrowding requirements.
- b. The applicant shall have made all necessary corrective actions in response to matters identified through the city's most recent annual hotel/motel inspection program report for the subject location, which program is enforced through the city's police and community development departments, in cooperation with applicable fire protection district.

(F) Suspension and Revocations.

- a. It is the intention of the city that existing hotels within the city be given the sufficient time to make the operational and physical modifications and improvements necessary to satisfy the eligibility requirements in this section. Accordingly, the following implementation schedule for this article is adopted:
 - i. Existing hotels shall have until January 1, 2025, within which to submit an application and application fee for a hotel license.
 - ii. Existing hotels shall have until January 1, 2025, to limit the duration of guest stays to less than thirty (30) days.
 - iii. Annual license renewal shall occur by January 1st of each year along with annual inspections.

Minimum Standards for Shared Amenity Housing Developments

Staff believes that although Extended Stay Hotels and Motels could be considered a form of shared amenity housing, they need different standards than other types of housing. Creating a general set of standards for shared amenity housing facilities that are not extended stay hotel or motel lodging rooms seems smart to differentiate the uses. Since extended stay hotels and motels are largely already in existence, whereas other shared amenity housing developments do not already exist and thus would be new developments, different standards may be appropriate.

Any application requesting a shared amenity housing development would be required at minimum to receive approval for a Final Development Plan (FDP), which requires public hearings with both Planning Commission and City Council. Other development review processes (variance, CUP, etc.) may be required depending on the circumstances. Establishing specific standards for Shared Amenity Housing is necessary to ensure we can review an FDP should one be requested.

At minimum, staff believes that the following items shall be included in any proposal for shared amenity housing:

1. **Parking:** As discussed above, staff has proposed 1.25 spaces per bedroom in a shared amenity housing development. In developments where unrelated parties share a bedroom (such as a college dormitory) this level of parking may not be sufficient, but for single-occupancy rooms this would likely be more parking than necessary. There may be better ways to regulate parking, as well.
2. **Minimum amenities**
 - a. Private, secure storage for each occupant, either in private bedrooms or in a secure public facility (such as lockers).
 - b. 50 square feet per person of living space (living room, recreation room, etc.).
 - c. Kitchen facilities (either shared or private) containing, at minimum:
 - i. Fixed cooking appliance (stove/oven or fixed cook top) at a rate of one per every 5 occupants for shared kitchen facility, or fixed cooking appliance in each private room.
 - ii. Refrigerator per every 5 occupants for shared kitchen facility, or refrigerator in each private room.
 - iii. One sink per every 5 occupants for shared kitchen facility, or sink in each private room separate from bathroom sink.
 - d. Private bathroom per bedroom or one toilet and shower per each 5 occupants for shared bathroom facilities.
 - e. Maximum occupancy per room as dictated by Building Code requirements (SAFEbuilt).

Staff Analysis:

Staff believes that the basic framework by which to regulate extended stay hotels and motels is established with the above items and would be comfortable drafting ordinance language associated with extended stay hotels and motels based on previous discussions at Planning Commission. This could be brought back to the Planning Commission for review next month. Included in that item could be enforcement and revocation procedures/standards as well as specifics about the licensing process for staff, which have not been discussed recently in detail but which were discussed previously. Staff

believes that enforcement and licensing could both be done at the administrative level for extended stay hotels and motels and that public hearings would not be necessary once the ordinance is passed.

For shared amenity housing more broadly, staff is unsure whether additional work is necessary before ordinance language could be drafted and requests direction from the Planning Commission (below) to determine how to proceed. Broadly, staff believes it is appropriate to define shared amenity housing as an alternative housing type within the City, even if we do not establish specific standards or zoning districts allowing the use. Staff requests direction on how detailed the regulations related to shared amenity housing should be currently and whether we should break the items up into two separate ordinances to allow for expeditious review of regulations associated with extended stay hotels and motels while continuing to fine-tune shared amenity housing standards.

Requests for Direction:

1. Does Planning Commission feel that we are ready to go forward with both the Shared Amenity Housing definitions and standards, or should we move forward with the extended stay hotel and motel ordinance and continue working on Shared Amenity Housing separately?
2. What criteria should be considered when reviewing a request for a new shared amenity housing development? What items/amenities should be necessary in order to approve a shared amenity housing development?
 - a. How many people per bedroom?
 - b. What kitchen facilities are necessary?
 - c. What bathroom facilities are necessary?
 - d. How much secure storage is sufficient per person?
3. Should shared amenity housing be established as a use by right in any zoning district or should the City require a Conditional Use permit to review any proposed development? Are the zone districts for extended stay hotels and motels appropriate?
4. Do renewal and application periods for extended stay hotels and motels seem reasonable (January 1 annually, once annual inspections)?
5. Are the proposed parking requirements for shared amenity housing developments (1.25 spaces per bedroom) and extended stay hotels and motels reasonable? Alternative methods could require a per-bed parking rate or an occupancy tied parking requirement (such as one parking space per occupant).
6. Do timelines for compliance for extended stay hotels and motels seem reasonable?