



Planning Commission City Hall - 1711 Miner Street, Idaho Springs, CO 80452 Agenda

Wednesday, September 2, 2026

Tel: (303) 567-4421 Fax: (303) 567-4955

Video from Meetings are viewable on the City's Website.

You must join the Zoom Meeting
(<https://us02web.zoom.us/j/82200987574>) passcode 627970 to participate in a meeting remotely.

1. **Call to Order (6:00 PM)**
2. **Roll Call**
3. **Agenda Approval**
 - a. Motion to approve the agenda of September 2nd, 2026
4. **Public Comment**
5. **Conflict of Interest**
6. **Approval of Minutes**
 - a. Motion to approve the minutes of August 5th, 2026
7. **General Updates**
 - a. Staff Updates
8. **New Business**
 - a. PUBLIC HEARING: Motion to recommend approval of SUBD26-002: A Minor Subdivision of Lots 1-12, Block 75, and the West Half of vacated Sixth Avenue, Idaho Springs; Located at 503, 509, and 521 Colorado Boulevard, zoned R-2 and C-2, into four (4) parcels.
 - b. PUBLIC HEARING: Motion to recommend approval of Ordinance #17, Series 2026, an ordinance amending Chapter 21 of the Idaho Springs Municipal Code to regulate group homes and related residential uses for persons with disabilities in conformance with Colorado law and the Federal Fair Housing Act.
9. **Old Business**
10. **Adjourn**
11. **Work Session Agenda**
 - a. Sec. 21-12: Nonconforming Buildings Potential Code Amendment
 - b. Exterior Lighting Regulations Potential Code Amendment

c. Parking Study - Preliminary Results

In-person and remote meeting public attendance and participation instructions:

Participation

- To provide scheduled public comment, either in person or remotely, please fill out and return the Public Comment Form on the City's website. All requests must be submitted to the City Clerk (cityclerk@idahospringsco.com) by 6 p.m. (Six) the Wednesday before the scheduled meeting.
- To provide unscheduled public comment, please join the Zoom Meeting, identify yourself with your full first and last name, and use the "Raise Hand" feature to indicate your desire to speak.

General Guidelines

- Each public comment, whether scheduled or unscheduled, is limited to three (3) minutes.
- The Commission typically does not provide feedback during public comment sessions.
- If you would like to provide materials for the Commission to review along with your Comment, please sign up for Scheduled Public Comment and provide those materials to the City Clerk by the Wednesday Deadline.



**PLANNING COMMISSION
MINUTES - DRAFT
August 5th, 2026**

CALL TO ORDER

Chair Cindy Olson called the meeting to order at 6:00 pm on Wednesday August 5th, 2026.

ROLL CALL

Commissioners present were Alternate Judy Murphy, Chuck Howard, Caitlin Maxwell, Vice Chair Ursula Cruzalegui and Chair Cindy Olson. Alternate Jefferson Lich and Commissioner Kent Slaymaker were absent. Staff present were Community Development Planner Dylan Graves and Deputy City Clerk Wonder Martell. Associate City Attorney Nick Klein was in attendance via ZOOM.

AGENDA APPROVAL

Commissioner Maxwell moved to approve the agenda. Commissioner Howard seconded, second followed by an all in favor voice vote, motion carries.

PUBLIC COMMENT

Lily Williams 412 Colorado Blvd – Ms. Williams stated she is here after last week’s debacle and is asking that a unified development code be created in chapter 21-220 for all new developments. On July 20th, she was here making comments on the Kansas Developer. Our code needs to be adaptable. There are not enough restrictions on new builds and new development, there needs to be clear zoning restrictions, the buffer zone needs to be better defined, the lot lines and updated parking requirements. These restrictions would only be for new buildings and new development, not existing structures. There needs to be penalties for non-compliance, some lighting restrictions. She did not move here for HOA guidelines, and we need to set precedent for what comes in the future. She is in support of affordable housing, and we need a concrete plan for new developments to stick to. There needs to be fines and penalties. She moved from Denver and the area she moved from is no longer recognizable as it has been redeveloped time and time again.

Christian Gray Hawkins 412 Colorado Blvd – Mr. Hawkins stated he was here 2 weeks ago, and a big deal was made about the Historic District using “should and shall”. There is no point on having these terms in the code as they are not enforceable. The Historic District was the only reason that the public had an impact on the outcome. He would like to expand the Historic District or create a new district in town.

Bobbie Courthius (sp) 836 Miner Street – Bobbie stated that with the current water restrictions, the city should also be following the residential water restrictions. She is very sad to see the waterfall turned on again, the sprinklers running on city property, water running down the street. The city should plan for better landscaping using native plants, the native plants deserve protection. This would save water and bring in more tourism if we set a good example of that should be done in a drought.

CONFLICT OF INTEREST

There was no conflict.

APPROVAL OF MINUTES

Commissioner Howard moved to approve the minutes from July 20th, 2026. Vice Chair Ursula Cruzalegui seconded. Second followed by an all in favor voice vote. Motion carries.

GENERAL UPDATES

Community Development Planner Dylan Graves advised the commission that there is a noise ordinance in the works as well as work on exterior lighting, non-conforming buildings and uses, parking requirements for senior and affordable housing and commercial parking. Mr. Graves also advised the commission that City Council had denied the Final Development Plan for 1300 Colorado Blvd at their meeting on July 27th, 2026.

Vice Chair Cruzalegui asked staff about the space across Colorado Blvd from the new police station and all of the boulders that have been placed there. Mr. Graves advised that the Police Station is not completed yet so that area may change. Ms. Cruzalegui stated that area has been identified by Scraps-To-Soil as a future beautification spot so she would like to know what the plan is for that space. Mr. Graves advised that the space where those boulders are located is private property and he would look into this.

NEW BUSINESS

Public Hearing: Ordinance #16, Series 2026 an ordinance amending section 21-105 of the Idaho Springs Municipal Code to authorize issuance of Conditional Use permits as personal to the applicant and as limited or unlimited in duration.

Chair Olson opened the public hearing at 6:22 pm

Community Development Planner Dylan Graves went over his staff report with the commission. Recently, the city has approved several CUPs on a “temporary” basis (CUP24-001 and CUP25-001, both to allow an employee campground use at 101 E. Idaho Springs Road). These were approved because of the seasonal nature of the use and the fact that the city was only willing to approve the use on a trial basis. In general, this is not how a CUP is supposed to work. Staff have had conversations with multiple property owners over the past few months who are looking to engage in a temporary use on their property for a particular term, rather than establishing a permanent use on the property that runs with the land. No changes to the review criteria are proposed. Any use, whether approved in perpetuity or for a temporary term, would be required to meet the existing criteria for approval.

First, the ordinance would allow the city to grant a CUP to an applicant that does not run with the land. Rather, it would only run with the property owner. If the property changed hands, the CUP would no longer be valid. Second, the ordinance would allow the city to grant a CUP for a temporary, defined period. This would allow the city to time-constrain a CUP so that it is only valid for a certain period, after which time it would expire. Staff believe that this proposed code amendment should be approved, as it gives the city additional tools to work with when reviewing and granting CUP applications. Not all CUP applications are appropriate for indefinite periods and this CUP amendment would acknowledge this fact and address the need to be able to time limit or owner limit an application.

DISCUSSION- There was no discussion on this topic.

MOTION – Vice Chair Ursula Cruzalegui moved to approve recommend to council Ordinance #16, Series 2026 an ordinance amending section 21-105 of the Idaho Springs Municipal Code to authorize issuance of Conditional Use Permits as personal to the applicant and as limited or unlimited in duration. Commissioner Maxwell seconded, second followed by an all in favor roll call vote. Motion carries.

OLD BUSINESS

No old business

ADJOURMENT

Chair Olson Adjourned the meeting at 6:27 pm to go into work session.



City of Idaho Springs
1711 Miner Street
P.O. Box 907
Idaho Springs, CO, 80452-0907
303.567.4421 | (f) 303.567-4955
www.idahospringsco.com

Community Development Planner Communication

Meeting Date: September 2, 2026
To: Idaho Springs Planning Commission
From: Dylan Graves, Community Development Planner
RE: Community Development Report

Comprehensive Plan:

After the August work session, I have been working to make edits to reflect your requested changes, clarifications, and updates. Once that is done, I am taking this for a work session with City Council on September 8th or 15th. The goal is to have that on the agenda for adoption on October 7, 2026. I will send out an updated draft after the City Council meeting to get any final comments before October 7th, with the hope of adoption at that meeting.

After that, the goal will be to immediately move into implementation, where relevant.

Code Amendments:

City staff are working on a few code amendments, planning documents, and other items at the moment that are going to come before the Planning Commission this fall and winter. These amendments include:

1. Noise Ordinance

We are working on an update to make the city's current noise ordinance more objective so that the Police Department (PD) can better enforce the rules and regulations. The current regulations are relatively subjective, which can lead to problems where the PD has difficulty determining whether someone is in compliance or out of compliance. The city also runs into some difficulties enforcing construction standards – hours of operation, days of the week where construction can occur, etc. With that in mind, staff are working on proposed amendments to add specific decibel levels that are acceptable, clarify items that are exempt from noise regulations, permitting process for special events, etc. This is likely to come later in the fall, after a City Council work session on September 28th.

2. Exterior Lighting – This is on the agenda on the work session at this meeting (September 2nd). I would expect one more work session (potentially) with PC and then one with City Council before being able to take action on this
3. Temporary CUP – Second Reading will occur at the September 15th City Council meeting.

4. Group Homes – This is on the agenda for tonight (September 2nd), and this is scheduled for Second Reading with City Council on September 15th
5. Nonconforming buildings / uses – This is on the work session agenda at this meeting (September 2nd).
6. Architectural Design

I have this scheduled for a City Council Work Session on September 15th to discuss the scope and scale of changes that the city should consider, which will build upon the work session we had at the August 5th PC meeting. I would expect this to be a work session item with PC at the October PC meeting to keep talking about architectural design, building height, and other topics. In the interim, I am hoping to put together a “survey” of different architectural designs for residential and commercial buildings and get your opinions on whether it would fit or would not fit in Idaho Springs. This will help me figure out the types of changes that might be appropriate for the ISMC.

7. Parking Study – This is on the PC Work Session agenda for tonight (September 2nd) and is scheduled for the September 28th City Council Work Session.
8. Landscaping Standards

There are a few state regulations that have been passed over the past few years that are newly in effect or will soon be in effect. The first states that local governments are no longer permitted to allow new commercial and industrial developments to landscape with nonfunctional turf. In 2028, this regulation will be further applied to residential developments. Nonfunctional turf is any turf that is not located in a recreational use area or other space that is regularly used for civic, community, or recreational purposes. The law requires that cities require native species and xeriscaping standards. A code amendment is not needed, but my plan is to start working on a list of native plants that work well in the Idaho Springs landscape based on altitude, climate, drought-tolerance, etc. This can then be distributed to developers and property owners who are looking to develop in Idaho Springs to better clarify the types of plants that the city wants to see and knows can thrive in this environment.

9. Update to the city’s Communal Outdoor Dining Area (CODA) regulations to address design standards

This topic was broached by the Business and Community Promotions Board (BCPB) at their most recent meeting. This would affect activations in the downtown commercial area on Miner Street when the marketplace is set up and the road is closed to vehicles. There has been some talk about tightening up the rules and regulations about what can be put in activation areas to help increase continuity along Miner Street and ensure that all activations are safe, durable, and high-quality, for both safety and aesthetic considerations. The goal is to still allow businesses to maintain individuality and quirkiness, as desired, but to set basic standards to avoid safety risks or eyesores. I have not started this research in earnest.

10. Historic Designation Code Amendment

The city has a goal to create new historic districts and designate new historic sites within the city. This protects the properties from substantial modifications while also making those properties eligible for

grant funding and tax credits. Currently, to create a historic district, 100% of the owners of properties proposed for the district must be agreeable. Many cities have a lower standard, which allows for a historic district to be established with only a certain percentage of property owners agreeing to create the district – 70-80% is a percentage seen commonly elsewhere in the state. This is something that the city's HPRC brought up at a recent meeting, so may or may not gain traction. However, since historic designations are a priority for the city, this could be something to consider in 2027.

11. VCMP Master Plan Update

The Virginia Canyon Mountain Park (VCMP) master plan was adopted in 2019 to create a vision and roadmap for future development in the park. The plan only included the portion of VCMP east of Virginia Canyon Road. Since that was adopted, the city has built out a substantial number of trails in partnership with the Colorado Mountain Bike Association (COMBA), the Mighty Argo, and grant funders both small and large (GOCO, CPW, Trek Bicycles, Shimano, etc.) in that area.

The goal is to update the VCPM master plan this autumn as a Phase 2 of the project, which will have a few main scopes:

- a) Create a vision and framework for development of the portion of VCMP west of Virginia Canyon Road
- b) Build upon Phase 1 implementation on the eastern VCMP area to determine what else should be developed there, including both hiking specific and biking specific trails
- c) Develop a maintenance schedule and financing program for park amenities
- d) Discuss future trailhead parking opportunities in the city for park users
- e) Etc.

12. Upcoming training opportunities

There may be an opportunity for a training in the next month or two about metropolitan districts and special districts that discusses how they work, how they can benefit city, and how they can harm a city if not used correctly and/or well regulated and monitored. This will be a good upcoming training opportunity once we get through a few of the above code amendments and have more time at meetings for training opportunities. I would like to start incorporating some short training / educational opportunities at meetings for those who are interested, about topics like architecture, water use, and other planning and land use topics. Metropolitan districts 101 may be a good first training opportunity.

IDAHO SPRINGS PLANNING COMMISSION STAFF REPORT

Meeting Date: Thursday, May 7, 2026

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Item:

Minor Subdivision of Lots 1-12, Block 75, and the West Half of vacated Sixth Avenue, Idaho Springs; Located at 503, 509, and 521 Colorado Boulevard, zoned R-2 and C-2, into four (4) parcels.

Presented by:
Dylan Graves
Community Development Planner

PROPOSAL:

This is a request for a Minor Subdivision to create four (4) lots at 521 Colorado Boulevard in accordance with Article XI of the Idaho Springs Municipal Code (ISMC). Existing uses on site include two mobile homes on the western half of the property, zoned R-2, and a dental office zoned C-2. Previously, the back half of the property along Center Alley contained a storage building, which was removed a few years ago. The proposed plat showing the four proposed lots to be created is included as Attachment 1.

ATTACHMENTS:

1. Proposed Plat

VICINITY MAP:



BACKGROUND:

The subject property is bounded by Fifth Avenue to the West; Colorado Boulevard to the North; a vacant lot, zoned C-2 to the East; and Center Alley to the South.

The western portion of the property is occupied by two existing mobile homes. These would remain but would be replatted as lots 3A and 4A. These are proposed to meet the minimum lot size for the R-2 zone district. The parcel with the dentist's office and annex would be split from the rear half of the property along an existing fence line, which follows a steep drop off from Colorado Boulevard to Center Alley.

If approved, this minor subdivision application will split the mobile homes from the commercial parcels, allowing all four lots to be conveyed separately in the future.

CRITERIA FOR APPROVAL

For the Commission to recommend approval of a Minor Subdivision application, the Commission shall determine that the application meets the following criteria in conformance with Sec. 21-105(F) of the ISMC:

- (1) Is in substantial conformance with the approved preliminary plat, including any conditions imposed on the approval of the preliminary plat.
- (2) Is in conformance with all applicable requirements of these subdivision regulations.
- (3) Is in conformance with all applicable requirements of the zone districts in which the property described in the final plat is located.
- (4) Is in general conformance with the applicable goals and policies of the Comprehensive Plan.
- (5) Is in compliance with the City's regulations for areas or activities of state interest.

Each criterion will be discussed below.

1. The application is in substantial conformance with the approved preliminary plat, including any conditions imposed on the approval of the preliminary plat.

This criterion is not relevant to a minor subdivision application, as no preliminary plat is required for minor subdivisions.

2. The application is in conformance with all applicable requirements of these subdivision regulations.

Staff believe that this criterion is suitably met. The plat meets the requirements listed in Sec. 24-124 of Chapter 24 of the ISMC for plat contents. It also meets all requirements found in Article XI of Chapter 24 for minor subdivisions.

All lots have adequate access to the existing city street system. The rear lot (proposed as Lot 2A) would be required to take access from Center Alley. All lots have adequate water and wastewater facilities to continue operating. Any new structures or uses will be required to connect to City water and sewer in accordance with Sec. 12-5 of the ISMC. Water and sewer services are available in the area.

3. The application is in conformance with all applicable requirements of the zone districts in which the property described in the final plat is located.

The lots created because of this plat appear to meet all applicable requirements of the underlying zoning. The C-2 district does not have a minimum lot size, and R-2 has a minimum lot size of 5,000 square feet per unit. All proposed R-2 lots meet minimum lot size requirements.

The setbacks for the C-2 zone district are as follows:
Front and Rear: 10'

Side: 5’

Existing improvements conform to these setbacks.

The R-2 zone district requires 15’ front and rear setbacks and 5’ side setbacks. The existing mobile homes on those lots appear to meet the minimum setbacks for the R-2 zone district. If there are any nonconformities with setbacks, they would be considered nonconforming in accordance with Section 21-12 of the ISMC.

The uses on-site are not proposed to change because of this subdivision. Any new use proposed in the future would need to conform to the City’s zoning regulations and would be reviewed at that time.

Lot 2A is zoned commercial and access would be via Center Alley. This road is only ~15’ wide, so any future uses would need to be analyzed to make sure they do not add substantial capacity to the road, since the access cannot accommodate a substantial increase in traffic demand. Access will need to be considered with future development, but discussions with Public Works Director Ed Sigward indicated that Public Works is not concerned about a new lot being created in this location in general.

4. The application is in general conformance with the applicable goals and policies of the Comprehensive Plan.

The Comprehensive Plan identifies the property in question as “Transitional Mixed Use.” Transitional Mixed Use would allow for a variety of uses, including residential or commercial uses. Single-family residential, duplex residential, townhomes, retail uses, civic uses, office uses, and similar uses would be appropriate per the existing Plan.

The uses currently on-site conform with this designation. Subdividing the lots into four would allow for flexibility to redevelop in the future, if current or future owners desired.

Staff believe that this criterion is suitably met.

5. Is in compliance with the City's regulations for areas or activities of state interest.

The application is in compliance with Chapter 25 of the ISMC for areas or activities of state interest. The purpose of Chapter 25 regulations, per Sec. 25-2, is to:

- (1) Regulate projects which would otherwise cause excessive noise, water and/or air pollution, or which would otherwise degrade or threaten the existing environmental quality within the City;
- (2) Promote efficient and economical use of public resources; and
- (3) Protect the public health, safety, welfare and the environment.

The minor subdivision application is not intended to cause excessive noise, water, or air pollution or degrade or threaten environmental quality within the city. It also does not require the use of public resources. The public health, safety, and welfare will be protected. Staff believe this criterion is suitably met.

In addition to the five criteria for approval identified in Article IX of the ISMC, Sec. 24-155 of the ISMC states that **“No minor subdivision shall cause or continue any nonconforming lot as defined for zoning purposes unless a variance therefor is first approved pursuant to the zoning regulations.”**

None of the proposed lots would be made nonconforming because of the minor subdivision application. Any future land use applications will be required to go through the relevant processes to review for compliance with City standards to ensure continued conformance with zoning regulations.

REFERRALS

This application was referred to Xcel Energy, Comcast, CenturyLink, the Clear Creek School District, the Idaho Springs Police Department, the Clear Creek Fire Authority, the City's engineer, and the City's Public Works Department for review and comment. Each department that reviewed the referral materials determined that it could be approved without issue from their agency.

PLANNING COMMISSION ROLE:

The ISMC requires every application to go before the Planning Commission for review and recommendation of either approval or denial to Council. The City Council must then act on the request for a minor subdivision, typically by resolution, after conducting its own public hearing after the Planning Commission has moved to recommend either approval or denial. The Commission shall first determine whether the application qualifies for processing under this Article and summarily deny any application which does not so qualify. Staff believe that the application meets the criteria for a minor subdivision.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval of the proposed Minor Subdivision, with no conditions.

LOTS 1-12, BLOCK 75 MINOR SUBDIVISION

Lots 1-12, Block 75, and the West Half of vacated Sixth Avenue
located in the Southwest Quarter of Section 35, Township 3 South, Range 73 West of the 6th Principal Meridian
City of Idaho Springs, County of Clear Creek, State of Colorado

DEDICATION:

The undersigned, being the owner of the following described property: Lots 1 to 12, inclusive, Block 75, in the City of Idaho Springs, including therein all that portion of Block 75 formerly constituting Idaho Street, as established by Ordinances and Resolutions of record in Book 79 at Pages 526, 528 and 531 of the records in the office of the County Clerk and Recorder of County of Clear Creek and together with the vacated portions of Sixth Avenue, adjacent thereto, pursuant to vacation Ordinance No. 4, Series 1998, recorded May 29, 1998 in Book 5365 at Page 391, County of Clear Creek, State of Colorado. Containing 34,201 square feet or 0.79 acres, more or less, has laid out, subdivided and platted the same into lots, as herein shown under the name and style of LOTS 1-12, BLOCK 75 MINOR SUBDIVISION, and does hereby grant and convey to the City of Idaho Springs all all utility easements over and across said lots at locations shown on the accompanying plat for construction, operation and maintenance of utilities.

Signed this ____ day of _____, 20____.

CONSTRUCTION COVENANT:

The undersigned owners, for themselves, their heirs, successors and assigns, covenant and agree with the City that no structure constructed on any portion of the platted land shown herein shall be occupied or used unless and until all public improvements, as defined by the Subdivision Regulations, are in place and accepted by the City or cash funds or other security for the improvements are escrowed with the City, and a Certificate of Occupancy has been issued by the City. Issuance of the Certificate of Occupancy shall be prima facie evidence that the foregoing conditions have been complied with.

Signed this ____ day of _____, 2026.

OWNER:

Keys Properties, LLC, a Colorado limited liability company

By: _____
Scott Thomas Keys, Manager

State of Colorado }
City of Central } SS

The foregoing instrument was acknowledged before me this ____ day of _____, 2026,
by Scott Thomas Keys, Manager of Keys Properties, LLC, a Colorado limited liability company.

Witness my hand and official seal

My commission expires _____

Notary Public _____

MORTGAGE CONSENT:

The undersigned, _____ on behalf of _____, as a beneficiary of a deed of trust which constitutes a lien upon the described property, recorded at Reception No. _____, Clear Creek County Clerk and Recorder, hereby consents to the dedication of land, as designated on this Plat, and hereby forever releases said lands from the lien created by said instrument.

By: _____
Name and Title

By: _____
Signature

Address: _____

State of Colorado }
City of Idaho Springs } SS

The foregoing instrument was acknowledged before me this ____ day of _____, 2026,
by Megan MacHatton, Vice President.

Witness my hand and official seal

My commission expires _____

TITLE CERTIFICATE:

I, _____, as authorized agent for Land Title Guarantee Company, and having the power and authority to legally bind Land Title Guarantee Company with respect to the certification made herein, hereby certify that I have examined title to the above-described land dedication to the City of Idaho Springs, and that the parties executing the dedication have merchantable title to the above-described real property and are well seized of the property designated by this plat and have good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and have good right, full power and lawful authority to dedicate the same in manner and form as aforesaid, and that the same is free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature except those of record and acceptable to the City.

Signed this ____ day of _____, 2026.



VICINITY MAP

SCALE 1"=100'

APPROVALS:

PLANNING COMMISSION APPROVAL CERTIFICATE:

Approved by the City of Idaho Springs Planning Commission this ____ day of _____, A.D., 2026.

Chairman _____

CITY COUNCIL APPROVAL CERTIFICATE:

The foregoing plat is approved for filing, and conveyance of the streets and avenues, alleys, parks and all other places designated for public use shown thereon is accepted by the City of Idaho Springs, Colorado, this ____ day of _____, A.D., 2026, subject to the condition that the City shall undertake maintenance of any such street or avenue, alley, park or other places designated for public use only after construction of said street and avenues, alleys, parks and other places designated for public use has been satisfactorily completed by the subdivider and accepted by the City of Idaho Springs.

Approved by the City of Idaho Springs City Council this ____ day of _____, A.D., 2026.

Mayor _____

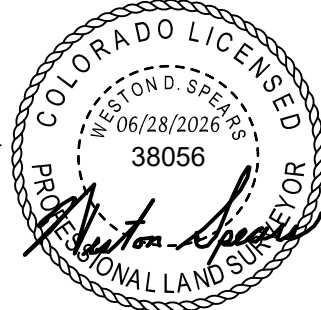
Attest: _____
City Clerk

NOTES:

1. 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.
2. 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.
3. All dimensions shown hereon are expressed in feet and decimals thereof. All bearings shown here on are degrees-minutes-seconds.
4. This survey does not constitute a title search by Clear Creek Surveying to determine title or easements of record. Research for this survey was performed in accordance with C.R.S. 38-51-106 and the rules of procedure and board policy statements of the state board of licensure for architects, professional engineers and professional land surveyors. No title commitment was provided for this survey.
5. Basis of Bearings: Bearings are based on the Colorado State Plane Coordinate System, Central Zone, NAD 83. The North line of Block 75 having a grid bearing of N80°19'07"W between monuments shown hereon.
6. Fence lines, as shown hereon, lie both inside and outside the record title lines.
7. Utilities are shown per visible and apparent surface evidence. If more accurate locations of underground utilities are required, the utility will have to be verified by either field potholing or contact the appropriate utility company. Clear Creek Surveying and the surveyor of record shall not be liable for the location of or the failure to note the location of non-visible utilities.

SURVEYOR'S CERTIFICATION:

I, Weston D. Spears, a Professional Land Surveyor registered in the State of Colorado, hereby certify that the survey of Lots 1-12, Block 75 Minor Subdivision was made in accordance with applicable standards of practice, was prepared under my responsible charge and to the best of my professional knowledge, information and belief is an accurate representation said subdivision. 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



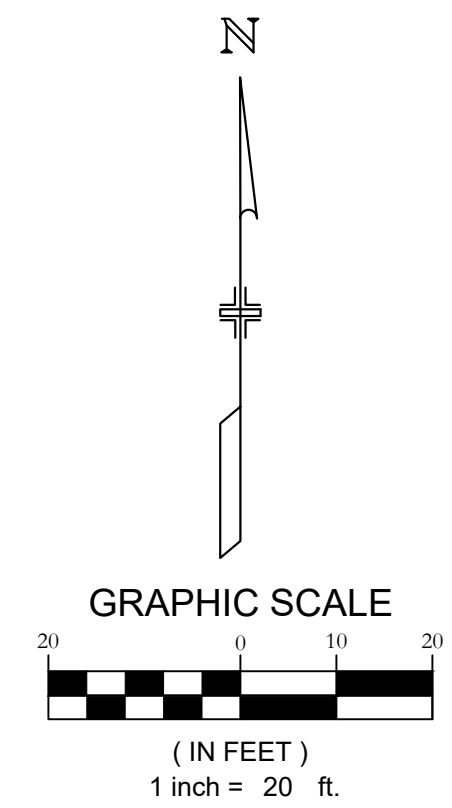
LOTS 1-12, BLOCK 75 MINOR SUBDIVISION
City of Idaho Springs, County of Clear Creek, State of Colorado

Client: Keys Properties LLC

S35, T3S, R73W of the 6th P.M.	Sheet No. 2	No. of Sheets 2
Project No. 25-68		

LOTS 1-12, BLOCK 75 MINOR SUBDIVISION

Lots 1-12, Block 75, and the West Half of vacated Sixth Avenue
located in the Southwest Quarter of Section 35, Township 3 South, Range 73 West of the 6th Principal Meridian
City of Idaho Springs, County of Clear Creek, State of Colorado

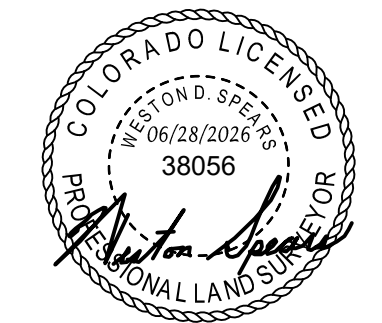


LEGEND

- Overhead Utility Line
- Utility Pole
- Electric Meter
- Electric Vault
- ⊕ Storm Manhole
- ⊙ Sanitary Sewer Manhole
- ⊕ Gas Meter
- ⊕ Water Valve
- x — x — Fence

MONUMENT LEGEND

- Set No. 4 rebar 18" in length with 1" green plastic cap stamped: CCS PLS 38056
- ⊙ Set No. 4 rebar 18" in length with 2" aluminum cap stamped: CCS PLS 38056
- Found No. 5 rebar with 1 1/2" aluminum cap stamped: P HEON INC LS 5343



Clear Creek Surveying
P.O. Box 3184, Idaho Springs, CO 80452
(303) 567-4755

LOTS 1-12, BLOCK 75 MINOR SUBDIVISION
City of Idaho Springs, County of Clear Creek, State of Colorado

Client: Keys Properties LLC

S35, T3S, R73W of the 6th P.M. Project No. 25-68	Sheet No. 2	No. of Sheets 2
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CITY OF IDAHO SPRINGS
Clear Creek County, Colorado

Ordinance No. 17, Series 2026

AN ORDINANCE AMENDING CHAPTER 21 OF THE IDAHO SPRINGS MUNICIPAL CODE TO REGULATE GROUP HOMES AND RELATED RESIDENTIAL USES FOR PERSONS WITH DISABILITIES IN CONFORMANCE WITH COLORADO LAW AND THE FEDERAL FAIR HOUSING ACT

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

WHEREAS, the General Assembly of the State of Colorado has declared, in CRS § 31-23-301(4), that a statutory or home rule municipality shall not enact an ordinance prohibiting the use of a state-licensed group home for either persons with intellectual and developmental disabilities or behavioral or mental health disorders that serves not more than eight persons and appropriate staff as a residential use of property for zoning purposes, and that the phrase “residential use of property for zoning purposes” expressly includes all forms of residential zoning, specifically including single-family residential zoning; and

WHEREAS, the General Assembly has further declared, in CRS § 31-23-303(2), that the establishment of state-licensed group homes for persons with intellectual and developmental disabilities, group homes for the aged for persons 60 years of age or older, state-licensed group homes for persons with behavioral or mental health disorders, and recovery residences for persons in recovery from substance use disorders are each matters of statewide concern, and that each constitutes a residential use of property for zoning purposes; and

WHEREAS, the General Assembly has further declared in CRS § 31-23-303(2)(b.7) that recovery residences, as defined in CRS § 27-80-129(1)(b), are a residential use of property for zoning purposes and are subject only to the regulations of like dwellings in the same zone, reflecting the state’s policy to encourage, promote, and assist persons who are in recovery from substance use disorders to live in residential neighborhoods; and

WHEREAS, CRS § 25.5-10-214(1) mandates that individual residential services and supports settings for persons with intellectual and developmental disabilities must be treated as residential property in the application of all local regulations, including zoning, land use development, fire and life safety, sanitation, and building codes, and that local governing authorities shall not impose additional regulations on such settings that do not apply to other residential properties; and

WHEREAS, during its last regular session, the Colorado General Assembly reinforced and clarified these protections in House Bill 26-1147, signed into law on June 3, 2026 (effective August 12, 2026), which expressly prohibits local governing authorities from imposing additional regulations on individual residential services and supports settings that do not apply to other residential properties, and establishes a statewide database to provide accurate information about such settings; and

WHEREAS, CRS § 29-20-111, enacted as the “HOME Act,” prohibits local governments from limiting the number of people who may live together in a single dwelling based on familial

relationship, and provides that occupancy limits may be based only on demonstrated health and safety standards or affordable housing program guidelines; and

WHEREAS, the federal Fair Housing Act, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 et seq. ("FHA"), prohibits discrimination in housing based on disability (referred to as "handicap" in the statute), including discrimination in the terms, conditions, and privileges of the sale or rental of a dwelling, 42 U.S.C. § 3604(f)(2), and expressly requires that municipalities make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling, 42 U.S.C. § 3604(f)(3)(B); and

WHEREAS, the United States Supreme Court held in *City of Edmonds v. Oxford House, Inc.*, 514 U.S. 725 (1995), that family-composition rules in municipal zoning codes are not exempt from FHA scrutiny under 42 U.S.C. § 3607(b)(1) as maximum occupancy restrictions, and that municipalities must engage with FHA reasonable accommodation obligations when applying occupancy and family-definition restrictions to group homes for persons with disabilities; and

WHEREAS, the United States Court of Appeals for the Tenth Circuit held in *Courage to Change Ranches Holding Company v. El Paso County*, 73 F.4th 1175 (10th Cir. 2023), that a zoning code imposing lower occupancy caps on group homes for persons with disabilities than on comparable structured group-living arrangements constitutes facial discrimination under the FHA; that the proper comparator for group homes for persons with disabilities is other structured group-living arrangements in the local code, not single-family homes occupied by unrelated roommates; and that any justification for such differential treatment must be rooted in the language of the FHA or antidiscrimination case law; and

WHEREAS, the Colorado Supreme Court held in *Adams County Ass'n for Retarded Citizens, Inc. v. City of Westminster*, 196 Colo. 79 (1978), that the legislature enacted the state group home statutes specifically to preclude municipalities from barring group homes from residential neighborhoods on the basis of fears and stereotypes about persons with disabilities, and that grounds such as adverse effect on single-family character, disruption of neighborhood peace and quiet, and general neighborhood hostility are impermissible bases for denial of a group home permit; and

WHEREAS, the Colorado Supreme Court held in *Glennon Heights, Inc. v. Central Bank & Trust*, 658 P.2d 872 (1983), that CRS § 31-23-301(4)'s prohibition on municipal zoning ordinances that exclude qualifying group homes from residential districts constitutes a legitimate limitation on the legislative powers delegated to statutory cities, and that neighboring property owners have no vested right in the maintenance of a particular zoning classification as against the state's group home statutes; and

WHEREAS, the Colorado Fair Housing Act, CRS § 24-34-502, independently prohibits disability-based discrimination in housing and has been construed by Colorado Courts to require reasonable accommodations in housing rules, policies, and practices when such accommodations are necessary to afford persons with disabilities equal opportunity to use and enjoy a dwelling; and

WHEREAS, the Idaho Springs City Council has reviewed the existing provisions of Chapter 21 of the Idaho Springs Municipal Code ("Code") concerning group homes and group living uses and finds that such provisions require updating in order to comply with state and federal

law and ensure that persons with disabilities are afforded full and equal access to residential neighborhoods within the City on the same terms and conditions as other residents; and

WHEREAS, the City Council further finds that the amendments set forth in this Ordinance are consistent with and in furtherance of the Comprehensive Plan of the City of Idaho Springs and with the general welfare of present and future City residents.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Idaho Springs, Colorado, as follows:

Section 1. Section 21-15 of the Idaho Springs Municipal Code (“Code”), concerning definitions applicable to Chapter 21, is hereby amended as follows:

The definition of “Group Home” is amended as follows:

~~*Group Home.* An institution, place, building, or agency providing for a period exceeding twenty-four (24) consecutive hours accommodation, board, personal assistance, and other essential daily living activities to individuals not related to the administrator or owner thereof, who by reason of illness, disease, or physical or mental infirmity are unable to sufficiently or properly care for themselves but who do not require the services of a registered or licensed practical nurse except on an emergency basis.~~ *A Community Residential Home; Group Home for the Aged; Group Home for Persons with Behavioral or Mental Health Disorders; Individual Residential Services and Supports Setting (IRSS Setting); or Recovery Residence, as further defined herein.*

The following new definitions are inserted in appropriate alphabetical order:

Community Residential Home. A state-licensed residential home, as defined in CRS § 25.5-10-202, providing accommodation, training, supervision, and support for the exclusive use of not fewer than four (4) and not more than eight (8) persons with intellectual and developmental disabilities, together with appropriate staff. A Community Residential Home must hold a current, valid license or certification issued by the Colorado Department of Public Health and Environment and the Colorado Department of Health Care Policy and Financing pursuant to CRS § 25.5-10-214. A Community Residential Home is a residential use of property for zoning purposes, including single-family residential zoning, pursuant to CRS §§ 31-23-301(4) and 31-23-303(2)(a).

Group Home for the Aged. A home providing accommodation and personal care for the exclusive use of not more than eight (8) persons who are 60 years of age or older, as contemplated by CRS § 31-23-303(2)(b)(II). A Group Home for the Aged must be distinguished from a nursing facility, as defined in CRS § 25.5-4-103, and from an institution providing life care, as defined in CRS § 11-49-101. A Group Home for the Aged is a residential use of property for zoning purposes, including single-family residential zoning, pursuant to CRS § 31-23-303(2)(b)(II).

Group Home for Persons with Behavioral or Mental Health Disorders. A state-licensed group home providing accommodation for the exclusive use of not more than eight (8) persons with behavioral or mental health disorders, as defined in CRS § 27-65-102, together with appropriate staff, and licensed pursuant to applicable state law and rules of the Colorado Department of Public Health and Environment.

A Group Home for Persons with Behavioral or Mental Health Disorders is a residential use of property for zoning purposes, including single-family residential zoning, pursuant to CRS §§ 31-23-301(4) and 31-23-303(2)(b.5). Persons determined to be not guilty by reason of insanity to a violent offense, and any person who has been convicted of a felony involving a violent offense, shall not be placed in such a group home, as provided in CRS § 31-23-303(2)(b.5).

Individual Residential Services and Supports Setting (IRSS Setting). Any setting in which individual residential services and supports are provided by a service provider agency to persons with intellectual and developmental disabilities pursuant to CRS § 25.5-10-214, not otherwise qualifying as a Community Residential Home. An IRSS Setting must be treated as residential property in the application of all local regulations, including zoning, land use development, fire and life safety, sanitation, and building codes. No additional regulations beyond those applicable to other residential properties may be imposed on an IRSS Setting.

Recovery Residence. Any premises, place, facility, or building that provides housing accommodation for individuals with a primary diagnosis of a substance use disorder, as defined in CRS § 27-80-129(1)(b), that: (i) is free from alcohol and nonprescribed or illicit drugs; (ii) promotes independent living and life skill development; and (iii) provides structured activities and recovery support services primarily intended to promote recovery from substance use disorders. A Recovery Residence must be: (a) certified by a certifying body approved by the Colorado Behavioral Health Administration pursuant to CRS § 27-80-129; (b) chartered by Oxford House, Inc., or its successor organization; or (c) have been operating as a recovery residence in Colorado for thirty (30) or more years as of May 23, 2019. A Recovery Residence is a residential use of property for zoning purposes and is subject only to the regulations of like dwellings in the same zone, pursuant to CRS § 31-23-303(2)(b.7). The term "Recovery Residence" does not include a facility approved for residential treatment by the Colorado Behavioral Health Administration, permanent supportive housing units incorporated into affordable housing developments, or the facility described in CRS § 24-32-724.

Section 2. Table 21-50-1 of the Code, set forth under Code Section 21-50, is hereby amended by amending the “Group Living” rows under the “RESIDENTIAL” use category section of the Table, as follows:

Amended Group Living Rows – Table 21-50-1

<i>Table 21-50-1 (Group Living Uses) - Amended</i>												
<i>CATEGORY</i>	<i>USE TYPE</i>	<i>ZONE DISTRICT</i>										
		<i>R-E</i>	<i>R-I</i>	<i>R-2</i>	<i>R-3</i>	<i>R-M</i>	<i>HD</i>	<i>C-1</i>	<i>C-2</i>	<i>C-3</i>	<i>L-I</i>	<i>P</i>
Group Living ¹	Group homes for up to eight (8) developmentally disabled persons, handicapped individuals, children or senior citizens.	X	X		X							

	Group homes for over eight (8) developmentally disabled persons, handicapped individuals, children or senior citizens.	X			X							
	<u>Group Home for Persons with Behavioral or Mental Health Disorders (state-licensed; up to 8 residents and appropriate staff). Permitted in all residential and Historic Downtown zone districts as a use by right. Must not be located within 750 feet of another such group home unless otherwise provided by the City. Subject only to the same development regulations as other residential uses in the same zone. See Sec. 21-51.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>					
	<u>Recovery Residence. For persons in recovery from substance use disorders; certified or chartered pursuant to CRS § 27-80-129. Permitted in all zone districts where residential uses are permitted as a use by right. Subject only to the regulations of like dwellings in the same zone. See Sec. 21-51.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>					
	<u>Individual Residential Services and Supports (IRSS) Setting. For persons with intellectual and developmental disabilities provided pursuant to CRS § 25.5-10-214. Treated as residential property for all local regulatory purposes. No additional regulations may be imposed beyond those applicable to other residential properties. See Sec. 21-51.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>					
	<u>Large group home or group residential facility for more than 8 persons with disabilities (not state-licensed under the above categories, or exceeding 8 residents): Permitted as conditional use in R-E, R-1, R-2, R-3, R-M, and HD zone districts; subject to reasonable</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>					

	accommodation procedure at Sec. 21-52.													
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Footnote 1 to Table 21-50-1 (Group Living category):

(1) Use by right in all residential districts and HD District. All Group Living uses listed above as permitted “by right” (marked X) in the R-E, R-1, R-2, R-3, R-M, and HD zone districts require only those permits and approvals applicable to any other residential use of the same type (e.g., building permit, certificate of occupancy). No special use permit, conditional use permit, public hearing, neighborhood notification, or registration process beyond that applicable to other residential uses may be required.

(2) Historic Downtown (HD) District. Group Living uses are permitted by right in the HD zone district to the extent that residential uses are permitted in that district. The HD district’s historic preservation review requirements and design standards applicable to all development in the district continue to apply to group homes on the same terms as they apply to other residential uses.

(3) Spacing requirement. A Group Home for the Aged established pursuant to § 31-23-303(2)(b)(II) shall not be located within 750 feet of another group home unless otherwise provided by the City. A Group Home for Persons with Behavioral or Mental Health Disorders shall not be located within 750 feet of another such group home, or of a Community Residential Home or Group Home for the Aged, unless otherwise provided by the City, consistent with CRS § 31-23-303(2)(b.5).

(4) Recovery Residences. Recovery Residences are subject only to the regulations of like dwellings in the same zone. No additional zoning requirements, spacing requirements, registration requirements, or conditions may be imposed on Recovery Residences that are not imposed on other residential uses of like type in the same zone district.

(5) IRSS Settings. Individual Residential Services and Supports Settings must be treated as residential property for all local regulatory purposes. No additional regulations may be imposed on an IRSS Setting that do not apply to other residential properties, consistent with CRS § 25.5-10-214(1) and House Bill 26-1147.

(6) Generally applicable standards. All Group Living uses remain subject to the height, setback, area, lot coverage, external signage, and architectural design standards of this Chapter that apply to other residential uses in the same zone district, provided such standards are applied on the same terms as they are applied to other residential uses and do not operate to prohibit any Group Living use from any residential district. Nothing herein precludes enforcement of applicable state, county, and City health, safety, and fire codes. See also Sec. 21-51.

(7) Reasonable accommodation. Any person or entity seeking a modification of these or other zoning requirements with respect to a Group Living use because of disability may apply for a reasonable accommodation pursuant to Sec. 21-52 of this Chapter.

Section 3. Article III of Chapter 21 of the Code, concerning zoning, is hereby amended by the addition of two new Sections - 21-51 and 21-52 - to read in their respective entireties as follows:

Sec. 21-51. Group Home Compliance Standards

- (A) Purpose and Construction. The purpose of this Section is to set forth the standards applicable to Group Living uses defined in Section 21-15 of this Chapter and listed in Table 21-50-1, to confirm the legal framework under which such uses are permitted, and to establish clear boundaries between permissible local regulation and impermissible prohibition. This Section shall be construed broadly to effectuate the mandate of CRS §§ 31-23-301(4) and 31-23-303 that qualifying group homes are permitted as residential uses of property in all residential zone districts, and narrowly with respect to any restriction on group homes, consistent with those statutes.
- (B) State Licensure Prerequisite. The use-by-right status accorded to Community Residential Homes and Group Homes for Persons with Behavioral or Mental Health Disorders under Section 21-50 and this Chapter applies only to homes that hold a current, valid state license or certification as required by applicable Colorado law. A group home that does not hold the required state license is not entitled to the protections of CRS § 31-23-301(4) or § 31-23-303. The operator of any Community Residential Home or Group Home for Persons with Behavioral or Mental Health Disorders shall, upon request by the City Administrator, provide documentation of current state licensure.
- (C) Permissible Regulation. The City may apply to any Group Living use those provisions of this Chapter that govern: (1) height, setbacks, area, and lot coverage applicable to residential structures generally in the same zone district; (2) external signage standards applicable to residential uses; (3) architectural design standards, provided they are not substantially inconsistent with the character of the surrounding neighborhood as applied to other residential uses; (4) fire, building, health, and sanitation codes applicable to all residential uses; and (5) specific location requirements that are reasonably related to the requirements of a particular home, including the availability of transportation, commercial services, and public recreation facilities, consistent with CRS § 31-23-303(2)(c). The City shall not require any permit, approval, registration, public hearing, neighborhood notification, or condition that is not required of other residential uses of the same type in the same zone district, except as expressly authorized by state law.
- (D) Prohibited Restrictions. The City shall not: (1) require any Group Living use permitted by right under Table 21-50-1 to obtain a special use permit, conditional use permit, or any other discretionary land use approval not required of other residential uses; (2) impose spacing, dispersal, or proximity requirements on Group Living uses, except the 750-foot spacing requirements applicable to Group Homes for the Aged and Group Homes for Persons with Behavioral or Mental Health Disorders as set forth in Section 21-50-1, Note (3); (3) impose occupancy standards on Group Living uses that are more restrictive than those imposed on other structured group-living arrangements in the same zone district; (4) impose registration or notification requirements on Group Living uses not required of other residential uses; or (5) conduct,

require, or invite public comment on the placement of any Group Living use permitted by right, in a manner not applicable to other residential uses.

- (E) Treatment Activities. Nothing in this Section shall be construed to permit the conducting of ministerial activities of any private or public organization or agency, or to permit types of treatment activities or the rendering of services, in a manner substantially inconsistent with the activities otherwise permitted in the particular zone district, consistent with CRS § 31-23-303(2)(c). For the avoidance of doubt, the in-home provision of therapeutic, medical, or personal care services to residents of a Group Living use, by staff employed by the home or by visiting professionals, is a residential activity consistent with the residential character of any residential zone district and does not convert a Group Living use into a commercial, medical, or institutional use.
- (F) HOME Act Compliance. Consistent with CRS § 29-20-111, the City shall not limit the number of persons who may reside together in a Group Living use or any other dwelling based on familial relationship. Any occupancy limit applicable to a Group Living use must be based solely on demonstrated health and safety standards, such as applicable building code, fire code, or Colorado Department of Public Health and Environment wastewater and water quality standards.
- (G) Nonconforming Uses. Any Group Living use lawfully existing as of the effective date of this Ordinance that does not conform to the provisions of this Chapter as amended hereby shall be deemed a lawful conforming use from and after the effective date of this Ordinance to the extent this Ordinance expands the zones in which Group Living uses are permitted. No Group Living use that was previously permitted shall be rendered nonconforming by this Ordinance.

Sec. 21-52. Reasonable Accommodation Procedure.

- (A) Purpose. The purpose of this Section is to establish a formal procedure by which persons with disabilities, and entities acting on their behalf, may request a modification or exception to any rule, policy, practice, or requirement of this Chapter when such modification is necessary to afford such persons equal opportunity to use and enjoy a dwelling, as required by the federal Fair Housing Act, 42 U.S.C. § 3604(f)(3)(B), and the Colorado Fair Housing Act, CRS § 24-34-502. This Section shall be liberally construed to effectuate these statutory protections.
- (B) Applicability. Any person with a disability, or any entity acting on behalf of one or more persons with disabilities, may submit a written request for a reasonable accommodation under this Section with respect to any provision of this Chapter if the accommodation is sought in connection with a dwelling or the use of a dwelling. This Section applies regardless of whether a permit, variance, or other approval is pending. A request for reasonable accommodation does not require the filing of any other application as a prerequisite.

- (C) Application. A request for reasonable accommodation shall be submitted in writing to the City Administrator on a form prescribed by the City Administrator. The form shall request, at minimum: (1) the name, address, and contact information of the applicant; (2) the address of the property for which the accommodation is requested; (3) the specific provision of this Chapter from which an accommodation is requested; (4) the nature of the accommodation requested; and (5) the reason the accommodation is necessary due to a disability of the person(s) who will benefit from the accommodation.
- (D) Information Regarding Disability. The City Administrator may request only such information regarding disability as is necessary to verify that the applicant or the persons on whose behalf the application is filed have a disability within the meaning of the FHA and the Colorado Fair Housing Act and to evaluate the disability-related need for the requested accommodation. The City shall not require an applicant to disclose the specific diagnosis or nature of any disability, nor to provide medical records, if the disability and the functional limitations giving rise to the need for accommodation can be verified by other reliable means. All information provided in connection with a request for reasonable accommodation shall be treated as confidential to the extent required by state and federal law and shall not be disclosed to third parties or made part of any public hearing record without the written consent of the applicant.
- (E) Administrative Review. The City Administrator, or the City Administrator's designee, shall review and decide requests for reasonable accommodation at the staff level, without referral to the Planning Commission, City Council, Variance Board, or any other public body, unless the applicant specifically requests a public hearing. Staff-level review is preferred to protect applicants from public stigmatization inconsistent with the FHA. The City Administrator shall issue a written decision within thirty (30) days of receipt of a complete application, unless the applicant and the City Administrator agree in writing to a longer period. The written decision shall state: (1) whether the applicant or persons on whose behalf the application is filed have a qualifying disability; (2) whether the requested accommodation is reasonable; (3) whether the accommodation is necessary to provide the applicant or such persons equal opportunity to use and enjoy a dwelling; and (4) the decision to grant or deny the request, with specific findings.
- (F) Interactive Process. Before issuing a denial of a reasonable accommodation request, the City Administrator shall make reasonable efforts to engage in an interactive process with the applicant to discuss whether alternative or modified accommodations might effectively address the applicant's disability-related need. The City Administrator shall document this interactive process in the written decision. Failure to engage in the interactive process where disability and need are reasonably apparent may constitute a failure to accommodate under the FHA.
- (G) Standard of Review. A reasonable accommodation shall be granted if the City Administrator finds that: (1) the person or persons on whose behalf the request

is made have a disability within the meaning of the FHA or the Colorado Fair Housing Act; (2) the requested accommodation is necessary to afford such person or persons equal opportunity to use and enjoy a dwelling; and (3) granting the accommodation would not impose an undue financial or administrative burden on the City, would not require a fundamental alteration of the City's land use regulatory scheme, and would not constitute a direct threat to the health or safety of other individuals. The burden of demonstrating that a requested accommodation is unreasonable, unnecessary, or an undue burden shall rest with the City.

(H) Conditions. The City Administrator may impose reasonable conditions on an approved accommodation, provided such conditions are narrowly tailored to legitimate public health, safety, or zoning interests and are reasonably related to the specific circumstances of the request. Conditions shall not be based on generalizations, stereotypes, or neighborhood opposition relating to the disability of the person or persons to be benefited by the accommodation.

(I) Appeal. An applicant aggrieved by a decision of the City Administrator on a request for reasonable accommodation may, within thirty (30) days of the date of the written decision, file a written notice of appeal with the City Clerk. Upon receipt of a timely notice of appeal, the City shall schedule a de novo hearing on the matter before the City Planning Commission as soon as practical, but in no event later than forty-five (45) days after the written appeal is filed. The Planning Commission shall issue a written decision within sixty (60) days of the hearing. Timely filing of a notice of appeal shall stay any enforcement action based on the matter that is the subject of the accommodation request, pending the Planning Commission decision.

(J) Fees. No application fee shall be charged for a reasonable accommodation request filed pursuant to this Section.

(K) Relationship to Other Approvals. An approved reasonable accommodation shall operate as a modification to or exception from the applicable provisions of this Chapter for the specific use and property identified in the application. An approved accommodation shall be recorded with the Clear Creek County Clerk and Recorder and shall run with the property unless the City Administrator's written decision specifies otherwise. An approved accommodation does not exempt the applicant from any requirement of this Chapter that is not the subject of the accommodation request.

(L) Judicial Review. Any person aggrieved by a final decision of the Planning Commission on a reasonable accommodation request may seek judicial review in the District Court for Clear Creek County pursuant to C.R.C.P. Rule 106(a)(4), or may pursue any available remedy under the federal Fair Housing Act, the Americans with Disabilities Act, or the Colorado Fair Housing Act.

Section 4. Table 21-127-1 of the Code, set forth under Code Section 21-127, is hereby amended by amending the "Group Living" rows of the "RESIDENTIAL USES" category as follows:

Table 21-127-1 (Excerpt - Group Living parking standards, as amended)		
<i>Use Category</i>	<i>Use Type</i>	<i>Number of spaces required</i>
Group Living ¹	<u>Community Residential Home; Group Home for the Aged; Group Home for Persons with Behavioral or Mental Health Disorders; Individual Residential Services and Supports Setting (all sizes)</u>	1.25 per efficiency unit 1.5 per one-bedroom unit 1.5 per two-bedroom unit 800 SF or less 1.75 per two-bedroom unit over 800 SF
	<u>Small group home (up to 8)</u>	1.75 per three-bedroom unit 900 SF or less
	<u>Large group home (more than 8)</u>	2.5 per three-bedroom unit over 900 SF
	<u>Recovery Residence (all sizes)</u>	<u>Number of spaces required is the same as required of a single-family dwelling or multi-family dwelling of equivalent size and configuration in the same zone district.</u>

Footnote 1: The parking standards for Group Living uses shall be applied on the same terms as the corresponding standards are applied to other residential uses of similar size and type. The City shall not impose more burdensome parking requirements on any Group Living use than are imposed on other residential uses of like size in the same zone district. Where a Group Living use is functionally equivalent to a single-family dwelling (i.e., the home operates as a normal household unit with residents sharing common living spaces), the parking standard for a single-family detached dwelling shall apply. The City Administrator may grant a parking reduction for any Group Living use upon a showing that the functional characteristics of the use, including the absence of private vehicles among residents, support a reduced parking requirement.

Section 5. Any and all Ordinances 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 part thereof shall not revive any other section or part of any Ordinance heretofore repealed or superseded.

Section 6. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various 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 August 2026.

Chuck Harmon, Mayor

ATTESTED AND CERTIFIED:

Jennie Kim, City Clerk

PASSED, ADOPTED AND APPROVED at a Regular Meeting of the City Council of the City of Idaho Springs, Colorado, held on the 14th day of September 2026.

Chuck Harmon, Mayor

ATTESTED AND CERTIFIED:

Jennie Kim, City Clerk



TO: Planning Commission
FROM: Dylan Graves, Community Development Planner
SUBJECT: Code Amendment to Update Regulations on Group Homes and Related Residential Uses to Conform with Colorado Law and the Federal Fair Housing Act
MEETING DATE: September 2, 2026, Regular Meeting

BACKGROUND

Idaho Springs has existing regulatory standards in the Idaho Springs Municipal Code (ISMC) concerning group homes, which the ISMC defines as:

Group Home. An institution, place, building, or agency providing for a period exceeding twenty-four (24) consecutive hours accommodation, board, personal assistance, and other essential daily living activities to individuals not related to the administrator or owner thereof, who by reason of illness, disease, or physical or mental infirmity are unable to sufficiently or properly care for themselves but who do not require the services of a registered or licensed practical nurse except on an emergency basis.

The ISMC currently allows group homes as a by-right use in the R-E, R-1, and R-3 zone districts. The city's attorneys have realized that the ISMC is out of compliance with current state and federal regulations on the subject, and have let city staff know that a code amendment is needed to get into compliance.

The General Assembly of the State of Colorado has declared, in CRS § 31-23-301(4), that a statutory or home rule municipality shall not enact an ordinance prohibiting the use of a state-licensed group home for either persons with intellectual and developmental disabilities or behavioral or mental health disorders that serves not more than eight persons and appropriate staff as a residential use of property for zoning purposes, and that the phrase "residential use of property for zoning purposes" expressly includes all forms of residential zoning, specifically including single-family residential zoning.

The General Assembly has further declared, in CRS § 31-23-303(2), that the establishment of state-licensed group homes for persons with intellectual and developmental disabilities, group homes for the aged for persons 60 years of age or older, state-licensed group homes for persons with behavioral or mental health disorders, and recovery residences for persons in recovery from substance use disorders are each matters of statewide concern, and that each constitutes a residential use of property for zoning purposes.

The General Assembly has further declared in CRS § 31-23-303(2)(b.7) that recovery residences, as defined in CRS § 27-80-129(1)(b), are a residential use of property for zoning purposes and are subject only to the regulations of like dwellings in the same zone, reflecting the state's policy to encourage, promote, and assist persons who are in recovery from substance use disorders to live in residential neighborhoods.

Individual residential services and supports settings for persons with intellectual and developmental disabilities must be treated as residential property in the application of all local regulations, including zoning, land use development, fire and life safety, sanitation, and building codes, and that local governing authorities shall not impose additional regulations on such settings that do not apply to other residential properties. HB26-1147, goes further, expressly prohibiting local governing authorities from imposing additional regulations on individual residential services and supports settings that do not apply to other residential properties.

The federal Fair Housing Act (FHA) is also relevant, as local zoning codes are not exempt from FHA requirements.

PROPOSED CHANGES:

Proposed changes include a revision to the existing definition of a Group Home, to be replaced with a definition for a Community Residential Home. The code amendment would also add definitions for a Group Home for the Aged, a Group Home for Persons with Behavioral or Mental Health Disorders, Individual Residential Services and Supports Setting (IRSS Setting), and a Recovery Residence.

The amendment would also change Use Table 21-50-1 to allow these newly defined uses in all residential zone districts.

The amendment would further create group home standards that are greatly expanded as compared to what the ISMC has in place now, which is meant to ensure that any proposed group home meets state licensure prerequisites, establishes standards that regulate any residential use (setbacks, height, lot coverage, architectural design, parking standards, etc.), and establishes review procedures and standards that the city must meet. Administrative review would be required except in cases where any other residential use would require a public process. For example, if a multifamily group home is proposed, this would go through the city's Final Development Plan (FDP) process, as is required for any multifamily residential building. This ensures that while the use(s) are clearly allowed, they still must meet the standards that we would expect to see for any other residential development.

The amendments would still give the city authority over the uses, as they would need to comply with all the rules and regulations established in the ISMC and other city documents for residential homes. All group homes must go through relevant state and/or federal permitting and licensing requirements before they can be established, which ensures that the city is protected from unauthorized group homes.

STAFF RECOMMENDATION:

Staff recommend that the planning commission recommend that this ordinance be adopted. The ordinance language is the minimum necessary to comply with state and federal requirements, and the city still has safeguards through state and federal permitting and licensing systems.

Staff recommend the following motion:

Motion to recommend that Ordinance Number 17, Series 2026 be approved by City Council.



TO: Planning Commission
CC: City Administrator Andrew Marsh
FROM: Dylan Graves, Community Development Planner
SUBJECT: Nonconforming Buildings, Sec. 21-12 of the Idaho Springs Municipal Code
MEETING DATE: September 2, 2026

BACKGROUND

Section 21-12 of the Idaho Springs Municipal Code (ISMC) regulates nonconforming buildings and nonconforming uses. This section defines these nonconforming buildings and uses and determines what can or cannot be done with said properties containing said uses.

Currently, the ISMC would allow a nonconforming building to be restored to its precalamity condition if damaged by fire or other causes. It also allows a building to be strengthened or restored to a safe condition if declared unsafe by the city's Building Official.

What the ISMC does not currently authorize is the expansion of a nonconforming building, even if that expansion is compliant with current ISMC requirements. For nonconforming buildings, city staff would not currently be able to authorize a compliant expansion/addition to the building. This limits a property owner's ability to modify the exterior of their buildings. This has implications across the city, since there are a substantial number of properties that have nonconforming buildings.

Other communities allow nonconforming buildings to be modified as long as those modifications are compliant with current code requirements. For example, in Summit County, their codes allow additions, expansions, or enlargements to a legal nonconforming structure as long as that expansion meets all applicable Zoning Regulations and other regulations of their county codes and the Building Code. If someone has a building that is built in a required setback area, they cannot expand that portion of their building or increase the encroachment into the setback, but they can expand the portions of their building that are outside of the setback and are compliant with the applicable codes.

If the city is interested in providing property owners additional flexibility to improve their nonconforming buildings, there would be a simple code amendment to address this concern.

Language such as the following would clarify the issue:

A legal nonconforming building may be enlarged or altered, provided that the enlargement or alteration complies with all applicable development standards and does not increase the degree of any existing nonconformity.

This would ensure that the city does not allow additional encroachments that increase the nonconformity, but allow for reasonable additions or expansions to be completed.

REQUEST FOR DIRECTION: How would the Commission like staff to proceed?



TO: Idaho Springs Planning Commission
FROM: Dylan Graves, Community Development Planner
SUBJECT: Exterior Lighting
MEETING DATE: September 2, 2026 – Work Session

Scope:

Discuss the city’s existing exterior lighting regulations and provide direction on the Commission’s goals for dark sky lighting to create a draft ordinance to institute exterior lighting regulations. The goal will be to have a drafted ordinance with proposed code changes for the October meeting.

Background:

We spoke about this in May and city staff have thought about the best way to update the city’s exterior lighting codes. There are a few ways that lighting can be regulated. City staff looked up a number of different jurisdictions to see how they handle lighting. We ultimately found three different jurisdictions that regulate lighting. The goal of this work session is to look at these three different sets of regulations and determine what might be best for Idaho Springs.

Aspen, Johnstown, and Littleton have different levels of restrictiveness and so are three potential directions we could go.

Aspen is an example of a restrictive, highly specific lighting ordinance.

The following principles are used as a guide for responsible lighting design in the City of Aspen:

Useful — All lighting at night should have an intended purpose.

Targeted — Light should be directed only where it is needed.

Low Light Levels — Light should be no brighter than necessary for the task.

Controlled — Lighting should only be used when it is useful.

Spectrum — Lighting shall be restricted to the range of Correlated Color Temperatures (CCTs) used outdoors to reduce disruptive, shorter wavelengths while encouraging warm-white light color temperature.

Aspen establishes specific lighting zones for different parts of the city, which have different requirements. They regulate the light of individual fixtures based on footcandles and lux, have curfew hours of 10:00pm to 7:00am, and require strict shielding, height, and total lumens across a development site. Aspen also set a five-year sunset period to bring nonconforming lighting into compliance. After five years, nonconforming lighting would need to be retrofitted.

Littleton is less specific than Aspen and does not go into nearly as much detail, but the general regulations are similar in that fixtures must be downcast, fully shielded, and be less than a maximum lumen level. It also sets curfews for lighting at 11:00pm until sunrise. However, there are not the same number of lighting zones laid out for different parts of the city nor are there as many specifications across styles or types of lighting. It provides a middle-ground between Aspen and Johnstown.

Johnstown is a much less specific ordinance, though also seeks for dark sky protections. Fixtures must be downcast, fully shielded, be on the “warm” end of the color spectrum, and have no more than a certain lumens maximum. Johnstown requires all new outdoor lighting installations and significant upgrades to existing lighting but does not have a retrofitting requirement for existing lighting.

These three communities provide different levels of detail and specificity that the city could follow. All set standards that must be met to achieve their dark sky lighting goals, so the question becomes what level of detail is necessary for Idaho Springs. A few questions that staff have for discussion tonight include: Does the city need multiple signage zones? How do we want to handle sunset periods for nonconforming lighting, what are the maximum lighting levels we want?

Chapter 26.512. - OUTDOOR LIGHTING

Sec. 26.512.010. - Intent and purpose.

- (a) *Background.* As the global population continues to grow, a larger percentage of people are living in urban environments, leading to expansion and development. In 2007, the global urban population exceeded the global rural population for the first time in history. According to the 2020 Census, in North America eighty-two (82) percent of people live in urban areas.

One problem associated with population growth and urban sprawl is the use of artificial light at night. This issue was first identified in the 1970s, when astronomers detected a degradation of the night sky. Continued increase in the quantity of high angle and uncontrolled reflected light has diminished the dark sky. For most of the U.S. population, a clear view of the stars is no longer possible.

Excessive, poorly designed, or poorly installed lighting at night creates issues that include skyglow, wasted energy, and unsafe or unpleasant conditions. Irresponsible light at night can also be harmful to the ecological health of flora, fauna, and humans. The City of Aspen is not excluded from these impacts. In the City of Aspen, darkness is as much a part of the natural environment as the trees, animals, and mountains. The dark night sky is currently an endangered resource. Unnecessary lighting of natural and semi-natural areas impedes our ability to connect to the natural environment of the dark night sky. When we are unable to see the stars, we become estranged from the wildness that makes the City of Aspen such a special place.

- (b) *Purpose.* The City of Aspen believes in the human right to access dark skies and be free from inappropriate lighting distractions at night. When the need for darkness conflicts with the need for light, good lighting design can find a workable balance between safety, aesthetics, human health, and the ecological and environmental impacts.

The City of Aspen understands that some exterior lighting is appropriate and necessary for the safety of people at night. What to light, why, and when, is a cornerstone of this lighting chapter. Because the effects of light pollution can persist as far as two hundred (200) kilometers (one hundred twenty (120) miles) from the source, local control and regional coordination is encouraged for both dark sky preservation and ecological protection. The following principles are used as a guide for responsible lighting design in the City of Aspen:

- (1) Useful — All lighting at night should have an intended purpose.
- (2) Targeted — Light should be directed only where it is needed.
- (3) Low Light Levels — Light should be no brighter than necessary for the task.
- (4) Controlled — Lighting should only be used when it is useful.
- (5) Spectrum — Lighting shall be restricted to the range of Correlated Color Temperatures (CCTs) used outdoors to reduce disruptive, shorter wavelengths while encouraging warm-white light color temperature.

- (c) *Goals.* In addition to the principles of responsible lighting design mentioned above, the following goals are in to guide the City of Aspen's decision makers regarding artificial exterior light at night:
- (1) Use American National Standards Institute (ANSI)/ Illuminating Engineering Society (IES) exterior illuminance recommendations to reduce pedestrian accidents and promote the health, safety, and welfare of people;
 - (2) Reduce obtrusive and glaring light that inhibit human vision and detract from enjoyment of the night sky;
 - (3) Curtail light pollution, reduce sky glow metrics, and improve the nighttime environment for residents, visitors, and astronomer enthusiasts;
 - (4) Avoid inappropriate and poorly designed or installed outdoor lighting;
 - (5) Protect local and migrating ecological systems from the adverse effects of artificial light;
 - (6) Prevent light trespass from unnecessarily disturbing people (and their sleep patterns) and from unnecessarily restricting access to nighttime darkness as a natural resource.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.020. - Lighting zone planning and designations.

- (a) *Background.* Introduced in the late 1990s, Lighting Zones (LZ) are a municipal planning tool to help reduce light levels, light pollution, wasted energy, and neighborly conflicts arising from excessive or poor use of light at night. LZs can achieve these goals by leveraging the adaptation of human vision in low light levels, enabling lighting solutions based on ambient conditions rather than brightly lit adjacent properties.

Knowing what to light, or not light, is an important consideration for the nighttime environment. Having a hierarchy of planned lighting can add context and visual order, improve coherency and understanding of one's surroundings, and ultimately give a pedestrian the confidence to engage with outdoor space at night. Avoiding visual distractions and glare are also key considerations for improving nighttime vision of residents, pedestrians, and motorists. This chapter will leverage the following guidance from the ANSI, the IES, and the International Dark Sky Association (IDA):

- (1) ANSI/IES LP-2 Designing Quality Light for Exterior Environments
 - (2) ANSI/IES RP-43-22 Lighting Exterior Applications
 - (3) ANSI/IES LP-11-20 Environmental Conditions for Outdoor Lighting
 - (4) IDA Model Lighting Ordinance, 2011
- (b) *Definitions.* Officially defined within ANSI/IES LP-11-20 Environmental Conditions for Outdoor Lighting, LZs are briefly defined here:
- (1) NDZ — Natural Dark Zones
 - (2) LZO — No Ambient Light

- (3) LZ1 — Low Ambient Light
- (4) LZ2 — Moderate Ambient Light
- (5) LZ3 — Moderately High Ambient Light

- (c) *Purpose.* LZ designations allow for illuminance recommendations regarding what to light and at what intensity based on the expected activities. Assigning these designations within the City of Aspen is essential to reference and use ANSI/IES recommendations for exterior lighting.
- (d) *Goals.* LZ designations should not be based on existing conditions, but rather the type of environment the municipality seeks to achieve.
- (e) *Designations.* LZs are most effective when they coordinate with, and overlay on, land use zone districts and their associated tasks. LZ designations will cross reference to the City of Aspen Zone Districts as follows:
 - (1) Lighting Zone 0 (LZO): Specific City of Aspen Parks may apply
 - (2) Lighting Zone 1 (LZ1): All Residential Zone Districts - AH, AH-PD, R-3, R-6, R-15, R-15A, R-15B, R-30, RR, R/MF, R/MFA
 - (3) Lighting Zone 2 (LZ2): A, CC, C-1, CL, L, MU, NC, PUB, SCI, SKI
 - (4) Lighting Zone 3 (LZ3): Only available for Temporary Uses, or Special Review
 - (5) *Planned Developments (PDs).* PDs with adopted outdoor lighting regulations are not included in a LZ. All PDs without an adopted outdoor lighting regulation are subject to underlying zoning and the related LZ. In all circumstances, if a PD is silent on a particular topic related to outdoor lighting, the provisions of this Title shall apply. For new PDs, lighting requirements should be evaluated with guidance from underlying zoning and the related LZ.
 - (6) *City of Aspen Parks, Trails, and Open Spaces.* Parks, trails, and open spaces managed by the City of Aspen are distinct use types that have distinct lighting needs based on the location and intensity of the use. City of Aspen parks, trails, and open spaces have diverse underlying zone districts based on the distribution of their locations. In most circumstances City of Aspen parks, trails, and open spaces shall be limited to the standards under NDZ, LZO, LZ1 or LZ2. See Section 26.512.090 - Parks, Trails, and Open Spaces, for guidance on outdoor lighting characteristics found across City of Aspen parks, trails, and open spaces.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.030. - Applicability.

- (a) *Applicability.* The lighting requirements of this chapter shall be applicable to all exterior lighting on private property within the City of Aspen. This includes use of light, hours of operation, and mitigation of light trespass.
 - (1) *Trespass and curfew.* Trespass and curfew regulations are in effect immediately upon the passage of

this chapter.

- (2) *5-year Legacy Exemption.* Existing outdoor lighting fixtures that do not meet the provisions of this chapter shall be considered nonconforming for five (5) years from the adoption date of this chapter.
- (3) *Nonconforming lighting.* Unless otherwise specified within this chapter, within five (5) years of the effective date of this chapter all outdoor lighting luminaires that do not conform to the requirements of Chapter 26.512 shall be replaced or retrofitted to comply with the provisions of this chapter. After five (5) years from the effective date of this chapter, noncompliant outdoor lighting luminaires will be considered a violation of this chapter and subject to the penalties set forth herein. The Community Development Department may issue an Administrative Notice of Violation per Section 2.02.120. - Uniform enforcement of City regulations, to any person or property owner using noncompliant outdoor lighting luminaires, and such violation shall be cured within ninety (90) days from the date of the Administrative Notice of Violation.

(b) *Compliance by development scenario.*

- (1) *Routine Maintenance and one-for-one replacement.* Proposals fall into this category if they do not require a permit. The repaired or replaced fixture(s) shall conform with the requirements of this chapter.
- (2) *Renovations and Modifications.*
 - a. Proposals fall into this category if a renovation or modification to outdoor lighting requires a permit, and the total lumens of replaced or added fixtures is less than forty (40) percent of the total site lumen allowance listed in Table 2 or Table 4, as applicable. Only the outdoor lighting fixtures replaced or added in the permit shall need to come into compliance with the requirements of this chapter.
 - b. Proposals fall into this category if a renovation or modification to outdoor lighting requires a permit, and the total lumens of replaced or added fixtures is equal to or more than forty (40) percent of the total site lumen allowance listed in Table 2 or Table 4, as applicable. These proposals shall cause the entire property to meet the requirements of this chapter.
 - c. Changes that qualify as an International Existing Building Code (IEBC) Alteration Level 3 on an existing development (e.g., square footage, occupant capacity, parking spaces) shall cause the entire property to meet the requirements of this chapter.
 - d. Any re-zoning or change of use, per Title 26, shall cause the entire property to meet the requirements of this chapter.
- (3) *New development and Redevelopment.* If new development occurs on a vacant lot or a property is redeveloped, as defined in Section 26.104.100 - Definitions, this shall cause the entire property to meet the requirements of this chapter.

- (c) *Exemptions.* The following types of lighting installations shall be exempt from the requirements within this chapter.

- (1) *Lawful*. Lighting required by federal, state, county, municipal, or other territorial laws or regulations that with this chapter.
- (2) *Flags*. When possible, lower and remove flags from sunset to sunrise so illumination is not needed. For flags displayed at night, nighttime illumination of the United States of America flag and the Colorado State flag is allowed. Nighttime illumination of other flags is not allowed. Nighttime illumination of flags shall follow the guidelines below:
 - a. For an even distribution of light on the flag surface when fully extended, use either top of pole downward directed light, a maximum of three (3) in-ground uplights, or three (3) shielded spotlights that are surface mounted at grade. To preserve the night sky, the use of top of pole downward directed lights is encouraged.
 - b. In-ground and surface mounted shielded spotlights should be narrow beam (fifteen (15) degree maximum), no more than one hundred (100) lumens per foot of height (e.g., 2,500 lumens per light for a 25-foot-tall flag), with point sources of light not to be visible outside of a 15-foot radius. Surface mounted lights should rotate and tilt and be aimed to hit the flag.
- (3) *Street, Public Trails, and Roadway*. Lighting installed within the public right-of-way or an easement that is for the benefit of public safety, such as emergency, traffic control, or streetlights, is not subject to this chapter. Lighting installed within the public right-of-way with a purpose of illuminating outside the public right-of-way is not exempt from the requirements of this chapter.
- (4) *Signage*. See Chapter 26.510 - Signs.
- (d) *Special Circumstances*. If a lighting plan, luminaire, or installation is proposed and does not meet the requirements of this chapter, but has a demonstrable community benefit, an exemption may be considered. The applicant shall submit additional information so the benefit to the community can be evaluated, and the lighting may then be approved by the Community Development Director. Should the Community Development Director deny an application of this nature, an applicant may pursue a Temporary Use review with City Council per Chapter 26.450 or a Special Review with Planning & Zoning Commission or the Historic Preservation Commission per Chapter 26.430.
 - (1) This process shall apply to outdoor art installations involving lighting.
 - (2) This process may also apply to lighting scenarios not addressed in other sections of this code, such as a clock tower in a public area.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.040. - Submittal process.

- (a) *General*. Unless otherwise required by this Title, evaluation of lighting shall be made at building permit review. For example, while Planned Development and Environmentally Sensitive reviews would require a lighting plan during land use review, most projects will involve the evaluation of lighting at building permit.

Lighting plans shall be submitted to the Community Development Department for approval. For all submissions, either method described below is acceptable. Proposals that do not trigger a permit are exempt from submitting lighting plans and shall conform with the requirements of this chapter.

- (b) *Prescriptive Method.* For administrative simplicity, a project shall be charted using The City of Aspen Outdoor Lighting Permit Submission Tool containing identification for each luminaire type, quantity, lumen output, BUG rating for luminaires (if available), the total expected site lumens, and a calculated total site lumens compared to the total site lumen allowance listed in Table 2 or Table 4.
 - (1) A sub-total is required for the total lumens coming from partially shielded light allowed in Table 2 or Table 4, as applicable. The total lumens coming from partially shielded lights cannot exceed twenty (20) percent of the allowable lumens.
 - (2) Supporting data sheets for exact luminaires (model numbers), light distribution plots, fixture BUG ratings, luminaire locations, mounting heights, and aiming directions shall be included to the extent necessary to show compliance with requirements.
- (c) *Performance Method.* For larger and more complex projects, an outdoor lighting design may be analyzed using industry standard lighting software. This outdoor lighting plan shall include:
 - (1) The City of Aspen Outdoor Lighting Compliance Statement signed and stamped by the architect, electrical engineer, contractor, or lighting designer verifying that the outdoor lighting plan meets the requirements of the chapter.
 - (2) Luminaire locations, mounting heights, aiming directions, point-by-point calculation plan indicating average, maximum, and minimum illumination values, with isolume lines or false-color bands showing illumination levels and points of calculation ten (10) feet past the property line. The plane of calculation shall be at the ground level.
 - (3) The average illuminance (in footcandles or lux) for any one (1) task should not exceed ANSI/IES standards for the applicable lighting zone, including but not limited to:
 - i. Façade, building entrance, porte cochere, softscape, and perimeter barriers.
 - ii. Walking paths adjacent to architecture, hardscape, exits, landscape, waterfront, stairs, and ramps.
 - iii. Patios, outdoor dining, decks, terraces, pools, and pool decks.
 - (4) The analysis shall utilize an enclosure comprised of calculation planes with zero reflectance values around the perimeter of the site including a top plane no less than thirty-three (33) feet (ten (10) meters) above the tallest luminaire. The illuminance on the calculation planes shall not exceed the limits of light trespass defined within this chapter.
- (d) Prior to Certificate of Occupancy, the applicant shall submit one of the following when pursuing Section 26.512.040(b) - Prescriptive Method:
 - (1) The City of Aspen Outdoor Lighting Compliance Statement signed by the architect, electrical engineer, contractor, or lighting designer verifying that the outdoor lighting meets the requirements of this

chapter and has not changed from the approved permit documentation; or,

- (2) If the outdoor lighting plan has changed, the City of Aspen Outdoor Lighting Compliance Statement signed by the architect, electrical engineer, contractor, or lighting designer verifying that the outdoor lighting meets the requirements of this chapter with an updated City of Aspen Outdoor Lighting Permit Submission Tool and updated supporting documents per 26.512.040(b) - Prescriptive Method.
- (e) Prior to Certificate of Occupancy, the applicant shall submit one of the following when pursuing Section 26.512.040(c) - Performance Method:
- (1) The City of Aspen Outdoor Lighting Compliance Statement signed by the architect, electrical engineer, contractor, or lighting designer verifying that the outdoor lighting meets the requirements of this chapter and has not changed from the approved permit documentation; or,
 - (2) If the outdoor lighting plan has changed, the City of Aspen Outdoor Lighting Compliance Statement signed by the architect, electrical engineer, contractor, or lighting designer, and a revised lighting calculation plan and updated supporting documents per Section 512.040(c) - Performance Method.
- (f) *Review.* Site lighting plans shall be subject to review and approval by the City of Aspen Community Development. Site lighting plans submitted as a part of a building permit application shall be reviewed administratively by the Community Development Director. The Director shall have the authority to refer an application to the Planning and Zoning Commission or the Historic Preservation Commission if deemed appropriate per 26.430, Special Review.
- (g) *Appeals.* An appeal made by an applicant aggrieved by a decision made by the Community Development Director regarding administration of this Chapter may appeal such decision to the City Council, pursuant to 26.316, Appeals. Other administrative remedy may be available pursuant to C.R.S. § 31-23-209.
- (h) *Future Amendments to Chapter 26.512 - Outdoor Lighting.* All future amendments of a technical nature to this Chapter shall be exempt from the requirement of Policy Resolution for code amendments (Section 26.310.020(b)(1), (2)). Future amendments may proceed directly to a First and Second Reading, pursuant to Section 26.310.020(b)(3). Necessary amendments that raise policy questions shall follow the normal procedures for Land Use Code amendments per Chapter 26.310, Amendments to the Land Use Code.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.050. - Light trespass.

- (a) *Background.* Light trespass refers to measurable light extending beyond the boundary of its intended usage area. This causes annoyance, loss of privacy, or other nuisances. In the City of Aspen, light trespass can be a major source of frustration between neighbors. Often light trespass is referring to outdoor lighting, but light spilling outdoors through windows or other translucent surfaces in a façade also contributes to light trespass.
- (b) *Requirements.* All outdoor light sources in the City of Aspen shall be located and optically cutoff such that the point light source shall not be visible from adjacent property or public right-of-way during hours of

curfew defined in [Section 26.512.050\(d\)](#). Additionally, interior point light sources shall not be visible from the property line during hours of curfew. Unless permitted otherwise by the City of Aspen, the total maximum illumination of interior and exterior light sources at any point along the property line as defined in [Section 26.512.050\(c\)](#) shall not exceed the requirements listed in Table 1.

Meeting these requirements will likely require mounting locations 2.5 times the luminaire height away from any property lines. Additional distance or shielding will likely be required for lighting installed along ridgelines or hillsides. Methods encouraged for interior and exterior light sources to meet these light trespass limits include shielding, dimming, timers, and window shades.

Property Line Vertical Light Trespass: Illuminance Limits				
	LZ0	LZ1	LZ2	LZ3
Footcandles (fc)	0.05	0.1	0.3	0.8
Lux (lx)	0.5	1	3	8

Table 1: Property Line Vertical Light Trespass: Illuminance Limits. Measured in footcandles or lux.

- (c) *Measurements.* To measure vertical light trespass for any property in Aspen, a light meter shall be placed at five (5) feet above grade and aimed perpendicular to the property line, pointed towards the light source. Multiple readings shall be taken to ensure compliance around the property line. When bordering with public right-of-way, the property line shall be considered five (5) feet beyond the actual property line. Any location a measurement is taken along the property line shall meet the criteria in Table 1.
- (d) *Enforcement Hours.* The Community Development Department may take light trespass readings within the following hours and enforce upon any light that exceeds the levels outlined in Table 1 above:

(1) Hours of enforceable light trespass for all City of Aspen private property lighting shall be the following:

a. Residential Uses: Curfew hours shall be 10:00 p.m. to 7:00 a.m.

b. Non-Residential Uses: Curfew hours of 10:00 p.m. to 7:00 a.m. shall apply to all businesses unless normal operating hours end or begin within the hours of curfew. If so, the curfew applies until one (1) hour after closing or one (1) hour before opening. For example, if a business closes at 11:00 p.m., the curfew for that business shall be 12:00 a.m. to 7:00 a.m. If a business opens at 6:00 a.m., the curfew for that business shall be 10:00 p.m. to 5:00 a.m.

(Ord. No. [12-2023](#), § 1(Exh. A), 11-14-2023)

Sec. 26.512.060. - Requirements for all outdoor lighting.

- (a) *Conformance.* All outdoor lighting shall meet the requirements of this chapter, applicable electrical and energy codes, and applicable sections of the building code.
- (b) *Responsible Design Criteria.*
 - (1) *Correlated Color Temperature (CCT).* In an effort to minimize potentially disruptive and/or harmful spectrum at night, all exterior lighting subject to this chapter shall have a standard CCT of 2700K up to a maximum of 3000K. A CCT of 2200K or lower is allowed for non-commercial uses provided the Color Rendering Index (CRI) is greater than sixty-five (65).
 - (2) *Direct Uplight.* Unless otherwise allowed in Tables 3 and 5, all light sources shall be fully shielded or partially shielded. Luminaires that have a UO rating (produce zero uplight per IES TM-15) are encouraged but are not required. All luminaires shall be constructed in such a manner that all light emitted, either directly from the light source, through a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected no higher than the horizontal plane.

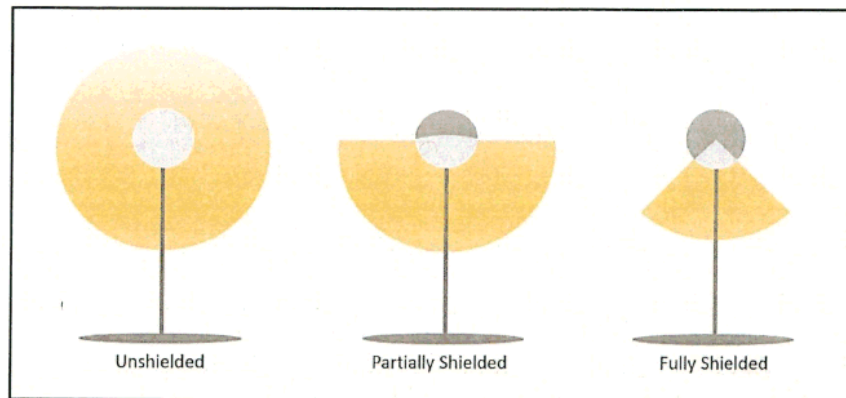


Figure 1: Unshielded, Partially Shielded, and Fully Shielded Light Emittance

- (3) *Poles.*
 - a. Bollard, pathway, or post-top lighting taller than forty-two (42) inches from finished grade is prohibited within residential zones.
 - b. Pole mounted lighting within multi-family common areas or any parking lot adjacent to a residential use are allowed up to twelve (12) feet from finished grade. This allowance shall not exceed light trespass limits.
 - c. Pole mounted lighting for non-residential parking lots is allowed up to twenty (20) feet tall from finished grade, provided it is not directly adjacent to a residential property. This allowance shall not exceed light trespass limits.
- (c) *Prohibitions.* The following types of exterior lighting sources, luminaires and installations, and those interior lighting sources, luminaires, and installations that can be seen directly from the exterior by the public or are causing light trespass or direct glare into any property or public right-of-way, shall be

prohibited in the City of Aspen.

- (1) Non-shielded and partially shielded fixtures unless identified as allowed in Tables 3 and 5.
- (2) Mercury vapor lighting.
- (3) Inefficient lamps or LED luminaires (those with an efficacy of less than forty-five (45) lumens per watt) shall be prohibited for outdoor use.
- (4) Blinking, flashing, moving, revolving, scintillating, flickering, changing intensity, and changing color lights. This prohibition does not apply to Section 26.512.110(f) - Seasonal Lighting.
- (5) Neon lighting and LED strips simulating the appearance of neon are both prohibited. This includes its usage for the outlining of buildings and for signage.
- (6) Non-shielded floodlights are prohibited. Fully shielded floodlights are subject to the lumen maximums in Tables 3 and 5. For motion sensor lights see Section 26.512.100(a) - Security.
- (7) Lighting directed towards the Roaring Fork River and its tributary streams or Hallam Lake is prohibited per Chapter 26.435 - Development in Environmentally Sensitive Areas (ESA).
- (8) No outdoor lighting shall be used in any manner that could interfere with the safe movement of motor vehicles on public thoroughfares. The following is prohibited:
 - a. Any permanent light source not intended for roadway illumination that still produces direct light or glare onto a roadway that could be disturbing to the operator of a motor vehicle (e.g., pedestrian architectural lighting, landscape lighting).
 - b. Any light that may be confused with or construed as a traffic control device except as authorized by State, Federal or City government.
- (9) Aerial lasers, beacons, and searchlights are prohibited except for emergency use.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.070. - Residential lighting.

- (a) *Background.* Lighting in residential areas provides for safe navigation to and from residences at night, adds visual character, and the ability to enjoy outdoor spaces in hours of darkness. Functional lighting of facades, landscaping, and peripheral boundaries of a residential property allows residents and guests to stay oriented within a space, which fosters an improved sense of safety and wellbeing. Decorative or excessive lighting of facades, landscaping, and peripheral boundaries of a residential property contributes to light pollution and degradation of dark sky and natural darkness goals. Any points of ingress or egress can also benefit from quality lighting for both wayfinding and threat detection. Vertical illuminance plays a critical role in addressing this need, allowing movement in silhouette or shadow to be easily detectable.

Effective lighting for these needs should be unobtrusive, avoid creating glare, and avoid excessive light which can harm the night sky and the health of people, wildlife, and landscaping. For this reason, maximum limits on lumens per site, see Table 2, and light trespass limits apply to all residential properties in the City of Aspen.

- (b) *Light Output.* The upper lumen limits listed below should not be the design goal. The design goal should be the minimum light levels that meet the requirements of the task. The total allowable site lumens for a residence property are limited to:

Total Site Lumen Allowance: Residential Uses				
Gross Lot Area Square Feet (sf)	LZ1		LZ2	
	Single-family/ Duplex	Multi-Family	Single-family/ Duplex	Multi-Family
50,000 sf+	20,000	20,000	20,000	20,000
30,000 sf	13,500	13,500	13,500	13,500
15,000 sf	7,500	7,500	7,500	7,500
9,000 sf	5,000	5,000	5,000	5,000
6,000 sf	4,000	4,000	4,500	4,500
4,500 sf	3,350	3,350	3,700	3,700
< 3,000 sf	2,700	2,700	3,000	3,000

Table 2: Total Site Lumens Allowed: Residential Uses. Measured in lumens.

- (c) *Additional Allowances.* The following additional lumen allowances apply only to residential properties if the following applies:
- (1) For multi-family units in a mixed-use development, each unit shall be allotted one thousand (1,000) lumens per unit above allowances provided in Table 4. Additional lumens shall not be traded between dwelling units or to a non-residential use.
 - (2) On single-family/duplex residential lots larger than one (1) acre with more than one (1) dwelling unit, an additional two thousand (2,000) lumens for each additional dwelling unit is allowed. Additional lumens shall not be traded between dwelling units.
 - (3) An additional three hundred (300) lumens per parking lot space is allowed for multi-family units in one

hundred (100) percent residential developments. Additional lumens shall not be traded between dwelling units.

- (d) *Partially shielded and Unshielded luminaries.* Partially shielded and Unshielded luminaries for the applications in Sections 26.512.070(e), (f), and (g) are permissible if the light distribution is limited to the targeted element (e.g., façade, sculpture, shrub), and if the total amount of light does not exceed twenty (20) percent of the total site lumen allowance and the individual luminaire limits listed below:

Maximum Unshielded and Partially Shielded Luminaire Lumens - Residential			
Luminaire Type	LZ1	LZ2	LZ3
Low Voltage Luminaire	205	430	430
In-grade Uplight	455	910	910
Shielded Directional Floodlight	630	1,260	1,260
Partially Shielded Decorative	900	1,125	1,600

Table 3 - Maximum Unshielded and Partially Shielded Luminaire Lumens - Residential. Measured in lumens.

- (e) *Light for Orientation and Reassurance.* Vertical illuminance plays a critical role in allowing people to perceive the spatial perimeter and major obstacles in an area, as well as detect movement. This allows people to feel more confident navigating a space and allows for threat detection at night, especially in lower-activity residential areas. The design standards for this kind of lighting are detailed below.
- (1) *Trees, Gardens, and Landscape Lighting.*
- a. Tree and landscape lighting shall be no taller than twenty-five (25) feet from finished grade.
 - b. Tree and landscape lighting are subject to curfew hours and shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.
- (2) *Walls, Stairs, Fences, and Perimeter Barriers.*
- a. Perimeter fence lighting is prohibited within residential zones for residential use.
 - b. Illumination of site and retaining walls shorter than six (6) feet from finished grade and directly beneath them is allowed within common areas of multi-family developments and shall meet all the

other requirements of this chapter.

- (f) *Light for Wayfinding, Pathways, and Stairs.* Changes in grade or terrain are more hazardous when visibility is poor. Stairways, curbs, raised pavement, potholes, and slippery surfaces are all examples of possible trip and fall hazards that can require lighting at night to navigate to or from a residence safely. The design standards for this type of lighting are detailed below:
- (1) *Driveway and Parking.* Driveway and parking lot lighting for single-family, duplex, triplex, and four-plex residential uses shall be fully shielded so that the point light source is not visible from adjoining property lines or rights-of way. Lighting shall be included in total allowable lumens and meet Table 3 luminaire limit requirements. Building mounted lighting for driveway and parking shall be no higher than twelve (12) feet above finished grade. Non-building mounted lighting shall comply with Section 26.512.060(3).
 - (2) *Address Markers.* Are not exempt from lumen allowance.
 - (3) *Entrances and Porte Cocheres.* Porte cochere and covered porch lighting is allowed. Luminaires shall be aimed downward and installed such that the bottom of the luminaire or lens, whichever is lower, is recessed or fully shielded and not producing any light above the horizontal. All light emitted by an under-canopy luminaire shall be substantially confined to the posts, facades, and ground surface directly beneath the perimeter of the canopy.
 - (4) *Pathways, Exterior Stairs, and Steps.* Luminaires in these applications shall be no taller than forty-two (42) inches from finished grade.
- (g) *Light for Atmosphere and Enjoyment.*
- (1) Lighting used to illuminate patios, above grade decks, balconies, or gazebos shall be fully shielded with the point light source not visible beyond the property line.
 - (2) Art, monuments, and fountain features may be illuminated if they are within ten (10) horizontal feet of the residential structure. Lighting shall be turned off between the hours of 10:00 p.m. to 7:00 a.m. per Section 26.512.050(d).
 - (3) Outdoor televisions may be allowed so long as the screen is directed inwards and is not visible from any property line. Television screens mounted outdoors shall be turned off during the hours of curfew defined in Section 26.512.050(d). For the use of television screens as signage please refer to Chapter 26.510 - Signs.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.080. - Non-residential lighting.

- (a) *Background.* Lighting in non-residential areas provides for safe navigation to and from businesses and activities at night, adds visual character, and allows for shopping and recreation in hours of darkness. Lighting facades, landscaping, and peripheral boundaries of non-residential spaces allows residents and

visitors to the City of Aspen to stay oriented within a space, fostering an improved sense of safety and wellbeing. Any points of ingress or egress for non-residential spaces can also benefit from quality lighting for both wayfinding and threat detection. Vertical illuminance plays a critical role in addressing this need, allowing movement in silhouette or shadow to be easily detectable. It also helps to define spatial boundaries in busier non-residential areas and avoid conflicts between users.

Effective lighting for these needs should be unobtrusive, avoid creating glare, and avoid excessive light which can harm the night sky and the health of people and landscaping. For this reason, maximum limits on lumens per site and light trespass limits apply to all non-residential properties in the City of Aspen.

(b) *Light Output.* The upper lumen limits listed below should not be the design goal. The design goal should be to use the minimum light levels that meet the requirements of the task. The total allowable site lumens for non-residential properties are based on the square footage of the facade and other elements of the developed structure, landscape buffer, and hardscape. A site shall calculate a maximum site lumen allowance by choosing a maximum of four (4) of the lighting types as identified in Table 4. Individual site lumen limits by lighting type are as follows:

Site Lumen Allowances: Non-Residential/Commercial Uses				
Lighting Requirement. A maximum of four types are permitted per site.	Unit	LZ1	LZ2	LZ3
Building Entrance(s): This allowance is per door. To use this allowance, luminaires shall be within 20 feet of the door.	each	500	1,000	1,500
Building Facades: This allowance is lumens per square foot of building facade that is illuminated. To use this allowance, luminaires shall be aimed at the facade and capable of illuminating it without obstruction.	square foot of building facade	8	16	24

Nighttime Service Loading: This allowance is per service loading door. To use this allowance, luminaires shall be within 20 feet of the door.	each	2,000	4,000	6,000
Outdoor At-grade Parking Lot: This allowance is per parking space. To use this allowance, luminaires shall be within a maximum height of 20 feet from the finished grade of the parking space(s).	space	400	600	800
Gas Station Canopy **: This allowance is lumens per installed fuel pump. Each side of a two-sided pump qualifies for an allowance.	pump	4,000	8,000	10,000
Outdoor dining: This allowance is lumens per illuminated hardscape for outdoor dining. To use this allowance, luminaires shall be within 6 feet of the hardscape area of outdoor dining.	square foot of outdoor dining area	1	5	10

Table 4 - Site Lumen Allowances: Non-Residential/Commercial Uses. Measured in lumens.

** Measured illuminance shall not exceed fifty (50) footcandles horizontal on average, measured at grade, under the canopy.

- (c) *Partially shielded and Unshielded luminaries.* Partially shielded and Unshielded luminaries for the application Sections 26.512.080(d), (e), and (f) are permissible if the light distribution is limited to the targeted element (e.g., façade, sculpture, shrub), and if the total amount of light does not exceed twenty (20) percent of the total site allowance and the individual luminaire limits listed below:

Maximum Unshielded and Partially Shielded Luminaire Lumens - Non-residential			
Luminaire Type	LZ1	LZ2	LZ3
Low Voltage Luminaire	205	430	430
In-grade Uplight	455	910	910
Shielded Directional Floodlight	630	1,260	1,260
Partially Shielded Decorative	900	1,125	1,600

Table 5 - Maximum Unshielded and Partially Shielded Luminaire Lumens Per Fixture - Non-residential. Measured in lumens.

- (d) *Light for Orientation and Reassurance.* Vertical illuminance plays a critical role in allowing people to perceive the spatial perimeter and major obstacles in an area, as well as detect movement. This allows people to feel more confident navigating busier non-residential areas and allows for threat detection at night. The design standards for this kind of lighting are detailed below.
- (1) *Façade Lighting.*
- The point light source shall not be visible from adjacent properties or create glare in the right-of-way.
 - Façade lighting for a mixed-use property shall not be installed above floors with residential dwelling units.
 - Display window lighting is allowed when it complies with the restrictions in place for point sources light trespass, and Section 26.512.090.
- (2) *Trees, Gardens, and Landscape Lighting.*
- Tree and landscape lighting is subject to curfew per Section 26.512.050.d.

(3) *Walls, Stairs, Fences, and Perimeter Barrier.*

- a. Illumination of site/retaining walls within six (6) feet of finished grade is allowed within non-residential common areas, provided they are washed using approved façade or landscape lighting techniques and meet all the other requirements of this chapter.

(e) *Light for Wayfinding and Pathways.* Changes in grade or terrain are more hazardous when visibility is poor. Stairways, curbs, raised pavement, potholes, and slippery surfaces are all examples of possible trip and fall hazards that can require lighting at night to navigate around safely in a non-residential area. The design standards for this type of lighting are detailed below.

- (1) *Driveway and Parking.* Outdoor lighting used to illuminate parking spaces, driveways, or maneuvering areas shall be fully shielded and be designed, arranged, and shielded so that the point light source is not visible from adjoining property lines or rights-of-way. Building mounted lighting for driveway and parking shall be no higher than twelve (12) feet above finished grade. Non-building mounted lighting shall comply with Section 26.512.060(3).
- (2) *Entrances and Porte Cocheres.* Porte cochere and covered porch lighting is allowed. Luminaires shall be aimed downward and installed such that the bottom of the luminaire or lens, whichever is lower, is recessed or fully shielded and not producing any light above horizontal. All light emitted by an under-canopy luminaire shall be substantially confined to the posts, facades, and ground surface directly beneath the perimeter of the canopy.
- (3) *Pathways, Exterior Stairs, and Steps.* Light luminaires in these applications shall be no taller than forty-two (42) inches from finished grade.

(f) *Light for Atmosphere and Enjoyment.*

- (1) Lighting used to illuminate patios, above grade decks, balconies, or gazebos shall be fully shielded with the point light source not visible beyond the property line.
- (2) Art, monuments, and fountain features may be illuminated if they are within ten (10) horizontal feet of the residential structure. Lighting is subject to curfew per Section 26.512.050(d).
- (3) Outdoor televisions may be allowed so long as the screen is directed inwards and is not visible from any property line. Television screens mounted outdoors shall be turned off during the hours of curfew defined in Section 26.512.050(d). For the use of television screens as signage please refer to Chapter 26.510 - Signs.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.090. - Parks, trails, and open space lighting.

The following designations are informed by best practices and give guidance to the City of Aspen Parks Department in determining appropriate outdoor lighting across the City of Aspen Park system. In no circumstance shall an individual luminaire located within a park, trail or open space exceed limitations as defined in this Chapter.

- (a) *Open Areas.* No outdoor lighting is required within undeveloped backcountry, natural wilderness areas, or areas concerned with migration and habitat for birds and animals, or the preservation of dark sky. This use may be designated as a NDZ (Natural Dark Zone) on the lighting zone overlay. This restriction exists for environmental protection and conservation for both public and private land.
- (b) *Rural Parks.* Very little outdoor lighting is required for rural park amenities and terrain safety during nighttime hours of operation. Elements such as restroom entrances, visitor centers, maintenance facilities, signage, and curbs, stairs, or other hazardous changes in grade may need illumination. Illuminance criteria for these applications may follow general requirements regarding, CCT, uplight, and light trespass within this chapter, and ANSI/IES illuminance guidance for tasks within LZO.
- (c) *Suburban and Urban Parks.* Varied in size, and situated amongst mixed use and non-residential zone districts, suburban and urban park users at night have expectations of outdoor lighting. Elements such as signage, restroom entrances, amenity, stages, landscape, artistic features, and curbs, stairs, or other hazardous changes in grade may need illumination. Illuminance criteria for these applications may follow general requirements regarding, CCT, uplight, and light trespass within this chapter, and ANSI/IES illuminance guidance for tasks within LZ1 or LZ2. Suburban and urban parks require just enough light for the tasks required, including transitional light levels from adjacent properties to foster pedestrian reassurance.
- (d) *Sport and Recreation Areas.* Lighting for sport and recreational areas that do not need to obtain a Special Event Permit shall confine any illumination to the field, bleacher, track, or recreational area. Such lighting may sometimes need to exceed lighting zone illumination standards to meet requirements for play and safety per ANSI/IES RP-6 rules for amateur and recreational levels of play.
 - 1. *Light trespass limits apply.* Shielding and internal louvers may be required to prevent light trespass.
 - 2. *Subject to curfew.* Curfew hours of 10:00 p.m. to 7:00 a.m. shall apply to all scheduled events. If the scheduled event ends or begins within the hours of curfew, the curfew applies until one (1) hour after the event ends or one (1) hour before the event begins. Lighting shall be extinguished no later than one (1) hour after any scheduled event ends.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.100. - Special use.

- (a) *Security Lighting.* Motion sensor lights shall be permitted if they are fully shielded and aimed no higher than seventy (70) degrees from below the horizon. All motion sensor lights, or proposed security surveillance systems shall meet the following criteria. The Planning and Zoning Commission or the Historic Preservation Commission may allow lighting of a greater intensity per Chapter 26.430 - Special Review.
- (1) Multi-Family, Mixed Use, and Commercial common areas with increased density and activity may require increased illumination at primary points of entrances or exits. Light intensity shall not exceed

five (5) foot-candles average at grade.

- (2) Shielded floodlights controlled by a motion sensor shall be limited to motion within the owner's property lines and turned off no more than five (5) minutes after such motion was detected.
- (3) Security lighting shall be properly installed/commissioned so it shall not be oversensitive to surroundings and be triggered repeatedly in an unreasonable or disruptive manner by naturally occurring causes (such as wind in foliage).

(b) *Lights located at Historic Landmark Structures.* Luminaires that are consistent with the time period and historic character of a Historic Landmark Structure and have the specific purpose of illuminating the structure may be exempt from shielding, uplight, and light trespass requirements upon request and subsequent approval from the Historic Preservation Officer or Historic Preservation Commission (HPC). All lighting related to historic properties or located in a historic district shall be otherwise consistent with all other performance standards laid out in this chapter.

- (1) For Historic Landmark Structures, HPC may vary lighting types as appropriate to the building but shall not increase the total site lumen amount for the property.
- (2) Historic luminaires that have been previously approved for use in the City of Aspen by the HPC but do not meet the general lighting or light trespass criteria of this chapter shall be limited to one thousand (1,000) delivered lumens per luminaire.
- (3) Luminaire design elements, such as shades with translucent, perforated patterns, and diffusers, may be exempted from the fully shielded requirement provided they are less than one thousand (1,000) lumens and otherwise consistent with the provisions within this code and meet all other requirements of this chapter and demonstrate a benefit for the community.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.110. - Miscellaneous lighting types.

(a) *Temporary Use.*

- (1) See Chapter 26.450 - Temporary and Seasonal Uses.

(b) *Special Review.*

- (1) See Chapter 26.430 - Special Review.

(c) *Special Events.*

- (1) See Chapter 14.20 - Park Rental and Special Event Permits.

(d) *Construction.*

- (1) See Title 29, Engineering Design Standards.

(e) *Pool Lighting.*

- (1) When approved by permit, underwater pool, spa, and pool deck lighting is allowed. Such lighting shall

not exceed the minimum level needed to meet City of Aspen adopted building code. This lighting is not part of the total site lumen limit.

- (f) *Seasonal Lighting.* Seasonal lighting of a temporary nature is allowed between (November 15 and March 1). Seasonal lighting shall not create dangerous glare on adjacent streets or properties, shall be maintained in an attractive condition, and shall not constitute a fire hazard. Multicolored lighting is acceptable. When seasonal lighting is white, it shall not exceed a CCT of 4000K.
 - (1) When seasonal lighting occurs directly adjacent to (within ten (10) horizontal feet) the Hallam Lake Bluff or Stream Margin Environmentally Sensitive Area (ESA), it shall be subject to additional restrictions.
 - a. Seasonal lighting involving an ESA is not exempt from the City's curfew. Seasonal lighting shall be turned off between the hours of 10:00 p.m. and 7:00 a.m.
 - b. All of a site's seasonal lighting shall remain within the relevant site lumen limit allowances shown in Table 2 or Table 4.
 - (2) Seasonal lighting is not allowed within the Hallam Lake Bluff or Stream Margin Environmentally Sensitive Areas (ESA). When seasonal lighting is located outside these ESAs, the following curfews apply:
 - a. Residential: 10:00 p.m. to 7:00 a.m.
 - b. Non-Residential: Curfew hours of 10:00 p.m. to 7:00 a.m. shall apply to all businesses unless normal operating hours end or begin within the hours of curfew. If so, the curfew applies until one (1) hour after closing or one (1) hour before opening.
 - (3) Seasonal lighting requirements apply to all Planned Developments unless otherwise stated in the Planned Development approvals.
- (g) *Festoon Lighting.* Also known as bistro or ping-pong lighting. Festoon lighting is allowable for outdoor installation when it is fully shielded or partially shielded and non-frosted appearance. This lighting shall not create dangerous glare on adjacent streets or properties, shall be maintained in an attractive condition, and shall not constitute a fire hazard. This is not seasonal lighting and is not intended to allow the use of other types of seasonal lighting year-round.
 - (1) Festoon lighting is allowed over patios, decks, pedestrian plazas, outdoor dining, and other pedestrian walkways where permanent, decorative lighting would be beneficial.
 - (2) Festoon lighting shall not be higher than twelve (12) feet. Height of the festoon lighting shall be the measured vertical distance from finished grade or from the most adjacent walking surface below the luminaire up to the centerline of the luminaire.
 - (3) Festoon lighting shall not be used to wrap trees or define architectural features.
 - (4) Festoon lighting is subject to the curfew requirements.
 - a. Residential Uses: Curfew hours shall be 10:00 p.m. to 7:00 a.m.

- b. Non-residential Uses: Curfew hours of 10:00 p.m. to 7:00 a.m. shall apply to all businesses unless nor hours end or begin within the hours of curfew. If so, the curfew applies until one (1) hour after closing hour before opening.

(5) Festoon lighting requirements apply to all Planned Developments unless standards are otherwise stated in the planned development approvals.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Sec. 26.512.120. - Enforcement and penalty.

- (a) Enforcement and Penalty: Any lighting that does not meet the provisions of this chapter will be considered a violation. Any alleged violation of this chapter will be investigated, enforced, and penalized as allowed in Section 2.02.120. - Uniform enforcement of City regulations.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

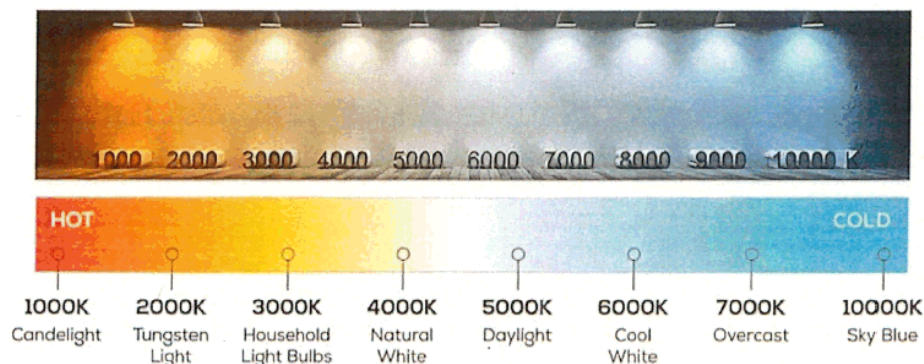
Sec. 26.512.130. - Definitions.

As used in this Chapter, unless the context otherwise requires:

BUG (Backlight, Uplight, Glare) ratings means the IES TM-15 luminaire classification system describing the amount and location of light being emitted from a luminaire.

Color Rendering Index (CRI) means a quantitative measure, on a scale of 0 to 100, of artificial light's ability to render an object's natural color, with 100 being a good match for natural light.

Correlated Color Temperature (CCT) is measured in degrees Kelvin (K). A specification for the color appearance of the light emitted by a lamp.



Efficacy is measured in lumens per watt (lm/w), luminous efficacy is a measure of how well a light source produces visible light for the amount of energy consumed.

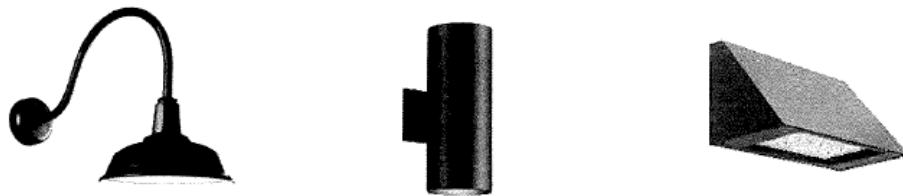
Facade means the square footage of a structure's vertical and horizontal dimensions as viewed in the elevation view. Also referred to as the "vertical surface area".

Facade Lighting is a type of lighting used to light up the exterior of a building. It can be used to highlight certain building features or provide general illumination.

Festoon lighting is also referred to as *market lighting*, *bistro lighting*, or *ping-pong lighting*. String lighting intended for permanent installation and year-round use. Festoon lighting is not Seasonal Lighting; see Seasonal Lighting for non-permanent lighting installations.

Footcandles means a unit of illumination equal to one (1) lumen per square foot.

Fully shielded luminaire means a fully shielded light fixture has a solid barrier (cap) at the top of the fixture in which the lamp (bulb) is located. The fixture is angled so the lamp is not visible below the barrier. No light shall be visible at or above the horizontal angle (technical description: candela values at or above an angle of 90 degrees above nadir are zero). Frosted glass in a luminaire does not constitute shielding. Examples of fully shielded luminaires:



Glare means the visual sensation created by luminance (or brightness) that is significantly higher than the surrounding luminance that the eyes are adapted to, causing annoyance (discomfort glare) or loss in visual performance and visibility (disability glare).

Holiday lighting. See 'Seasonal Lighting'.

Illuminance is measured in Footcandles (Fc) or lux. The density of light falling onto a surface; commonly measured in the horizontal and vertical planes.

Light pollution means stray and uncontrolled light, directly from a luminaire or reflected from a surface, which missed its target. A common example is light being emitted upwards, increasing skyglow.

Light trespass means measurable light extending past the property line without permission, causing annoyance, loss of privacy, or other nuisances. Often measured in footcandles. For the purposes of this chapter, light trespass may also be referred to as Vertical Light Trespass.

Lumen means the measure of visible light (luminous flux) emitted from a light source.

Luminaire is used interchangeably with "fixture". A complete electric light unit including light source, housing, optics, and driver.

Luminaire height means the height of the luminaire shall be the measured vertical distance from finished grade or from the most adjacent walking surface below the luminaire up to the centerline of the luminaire.

Lux means a unit used to measure illuminance. One (1) lux is equal to one (1) lumen per square meter (lm/m²).

Non-shielded or *unshielded luminaire* means luminaires without shielding that prevent light emission above the horizontal. These luminaires are prohibited except where specifically allowed in Tables 3 and 5. Frosted glass in a luminaire does not constitute shielding. Examples of non-shielded or unshielded luminaires:



Obtrusive light means any light that is discerned from beyond the intended target area, and which by its nature or presence is disturbing to individuals, harmful to the environment, or contributes to skyglow.

Partially shielded luminaire means a luminaire with opaque top and translucent or perforated sides, designed to emit most light downwards. These luminaires are discouraged. Up to five (5) percent of the light distribution may be at or above the horizontal angle (technical description: candela values at ninety (90) degrees or above nadir do not exceed five (5) percent). Guidance for their use is provided in Tables 3 and 5. Frosted glass in a luminaire does not constitute shielding.

Point light source means the exact place from which illumination is produced from a luminaire (e.g. a light bulb filament or LED package) even when located behind a clear lens.

Seasonal lighting means string lighting meant for temporary use and displayed on buildings or landscaping.

Security lighting is intended to provide bright illumination for security surveillance. This lighting shall not be used continuously as a general deterrent during hours of darkness.

Shielded directional floodlight means a fully shielded luminaire that includes an adjustable mounting device and contains a shield, louver, or baffle to reduce direct view of lamp.

Vertical illuminance means the density of light falling onto a vertical surface.

(Ord. No. 12-2023, § 1(Exh. A), 11-14-2023)

Section 10-1-3.11 Outdoor Lighting Standards

MFR NC CM DNR DTA DMS DMU BC IP PL-O OS

SUSTAINABILITY - SS DESIGN - D PARKING - P SITE DEVELOPMENT - SD

A. Purpose. The purpose of this Section is to regulate light trespass and glare to ensure the safety of motorists and pedestrians, and to ensure lighting does not adversely affect land uses on adjacent lands. More specifically, these provisions are intended to:

1. Regulate lighting to ensure that light trespass and glare are not directed at adjacent lands, neighboring areas, and motorists;
2. Ensure that all site lighting is designed and installed to maintain consistent lighting levels on-site;
3. Protect against direct glare and excessive lighting, thereby minimizing light pollution;
4. Promote energy-efficient and cost-effective lighting; and
5. Minimize light pollution while ensuring that sufficient lighting can be provided where needed to promote safety and security.

B. Applicability.

1. *New Development.* The provisions of this Section shall apply to all development in the city that is subject to a required permit or approval unless exempted.
2. *Redevelopment.* To the maximum extent practicable, these standards also apply to redevelopment or substantial improvement of an existing structure, building, or use when a facility is expanded, enlarged, or otherwise increased in intensity or floor area equivalent to 25 percent or more.
3. *Existing Development.* Exterior lighting on existing multi-family, non-residential, mixed-use, and industrial development may be considered nonconforming and subject to the provisions of [CHAPTER 10, Nonconformities](#). However, existing development is subject to Standards for On-Site Exterior Lighting set out below in this Section.
4. *New and Existing Single-Family Development.* The provisions of this Section shall apply to exterior lighting on new and existing residential development.
5. *South Platte River Environs.* The provisions set out below in this Section apply to all development, redevelopment, or substantial improvement of land within 100 feet of the river's nearest edge.

C. Exemptions. The following development is exempted from this Section:

1. Lighting on public roads and streets;
2. Temporary construction lighting by public entities, utilities, light rail transit or railroad companies;
3. Illumination of flagpoles, public art, and monuments;
4. Holiday lighting during the months of November, December, and January, provided the lighting does not create unsafe glare on street rights-of-way and is in compliance with the adopted electrical code;
5. Low voltage and solar-powered landscape lighting;
6. Underwater lighting at swimming pools and fountains;
7. Lighting on designated historic buildings or structures or in historic districts;
8. Temporary emergency lighting used by Law Enforcement Officials, Fire Fighters, or other emergency services;
9. Architectural lighting of 900 lumens or less;
10. Strings of lighting which produce low levels of illumination over outdoor eating areas, pedestrian areas, plazas, rooftop decks, or other outdoor seating areas, provided the lights conform with other City Code sections; and

11. Government facilities, parks, and open areas, public safety facilities, and other development where sensitive or dangerous materials are stored, in which case a security plan may be submitted to propose exterior lighting that deviates from the standards of this Section upon finding that:
 - a. The proposed deviation from the standards is necessary for the adequate protection of the subject land, development, and the public;
 - b. The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage, or members of the public are at greater risk for harm than on surrounding land without the additional lighting; and
 - c. The proposed deviation from the standards is the minimum required, and will not have a significant adverse effect on neighboring lands.

D. Lighting Plan and Review.

1. *Plan.* A lighting plan demonstrating how exterior lighting will comply with the standards of this Section shall be included as part of any application listed below. Depending on the complexity of the proposal or projected impact of lighting, the Director may also require the following information:
 - a. A catalog page, cut sheet, or photograph of the outdoor lighting fixtures, including the mounting method and light cutoff angles.
 - b. A photometric plot plan, drawn to the same scale as the Site Plan, and indicating the location of all lighting fixtures proposed, mounting and/or installation height in feet, the average illumination level (in foot-candles) within the parking lot, and illumination levels at regular intervals around the site and at property lines.
2. *Timing of Review.* Review for compliance shall take place during earlier application review for a:
 - a. Site Plan or Master Development Plan;
 - b. Major modification of a Site Plan or Master Development Plan;
 - c. Conditional Use Permit;
 - d. Certificate of Appropriateness; or
 - e. Building Permit.
3. *Exemptions.* The Director may waive requirements for a lighting plan for minor light fixtures such as wall sconces, low pathway lights, etc.

E. Prohibited Lighting. The following exterior lighting is prohibited:

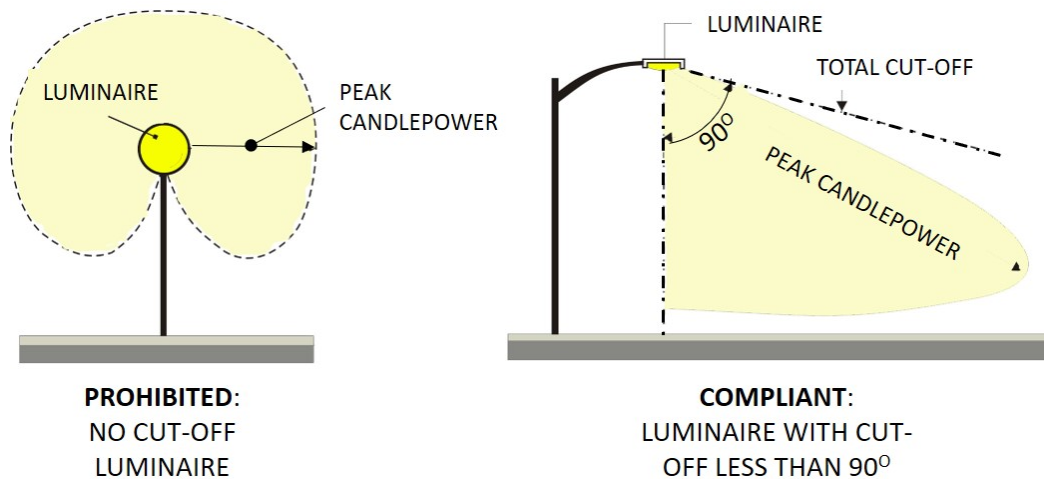
1. Light fixtures that imitate an official highway or traffic control light or sign;
2. Light fixtures obstructing any traffic control light or sign from drivers in the roadway;
3. Laser source lights or similar high-intensity lights when projected above a line horizontal with the light source;
4. Light fixtures that have a flashing or intermittent pattern of illumination;
5. Unshielded wall packs;
6. Privately-owned light fixtures located in the public right-of-way; and
7. Searchlights, except when used by federal, state, or local authorities.

F. Nonconforming Luminaires. Except as provided in this Section, exterior lighting luminaires in existence as of the effective date of this Code shall be exempt from the standards and regulations of this Section and shall be considered legally nonconforming. Such fixtures may be repaired and maintained, provided that if any such nonconforming luminaire is moved or damaged by any means to the extent that its total replacement is necessary, the luminaire or replacement shall comply with the standards and regulations of this Section. However, the property owner may be required to submit information and make changes as deemed necessary by the city to eliminate light pollution if complaints concerning the exterior lighting are received by the city.

G. Standards for On-Site Exterior Lighting. Developments shall comply with the following standards:

1. *Design.* All lighting fixtures in a development shall be from the same family of fixtures with respect to design, materials, finish, color, and color of light and shall complement the architectural theme and materials established by the principal building(s).
2. *Hours of Illumination.* Non-residential, institutional, and industrial uses that are within the direct line of sight of a residential district or use shall, with the exception of lighting for security or emergency purposes (meaning lighting to illuminate points of entry and exit, exterior walkways, or outdoor storage areas), extinguish all exterior lighting and interior lights that contribute to light trespass, by 11:00 p.m. and not later than one hour after closing. In no case, shall the "line of sight" be more than 500 feet in distance measured property line to property line.
3. *Shielding.* All exterior luminaires shall be full cutoff fixtures and directed downward, as displayed by Figure 10-1-3.11.1, *Types of Fixtures*. In no case shall lighting be directed above a horizontal plane through the lighting fixture or aimed more than 45 degrees from the surface upon which the fixture is mounted when the source is visible from any off-site residential property or public roadway.

Figure 10-1-3.11.1
Types of Fixtures



4. *Crime Prevention.* Accommodations may be made to provide lighting for building entrances and walkways that provides acceptable levels of security while not creating light trespass or excessive lighting of the site.
5. *Fixture Type.* Fixture types shall direct light downward and inward to the subject site. Exterior fixtures (luminaires) mounted on buildings shall be no higher than the line of the first story eave, or 14 feet above finished grade, whichever is lower.
6. *Light Trespass.* Lighting shall be from a concealed light source and with effective provisions made to prevent light trespass onto adjoining properties or roadways.
 - a. *Single-Family Detached Residential Uses.* Any lamp installed on single-family residential property and visible from any other single-family residential property shall be shielded such that light trespass on the other residential property does not exceed 0.2 foot-candle at the lot line.
 - b. *Single-Family Attached and Multi-Family, Non-Residential, Institutional, Mixed-Use, and Industrial Uses.* No more than 0.1 foot-candle of light may be allowed, measured at a point 10 feet beyond any property line, as a direct result of on-site lighting regardless of the

type(s) of outdoor lighting fixture. The Director may waive this requirement if the light trespass will not reach any residential district or use.

7. Height.

- a. Except for athletic fields or performance areas, the height of pole-mounted outdoor lighting shall be no more than 30 feet above grade, or 25 feet above grade for properties in or adjacent to a residential district or use.
- b. In the DT district, light fixtures shall be limited in height to 18 feet using full cutoff fixtures.

8. Illumination Levels. All outdoor lighting and indoor lighting visible from outside shall be designed and located so that the maximum illumination measured in foot-candles at ground level at a lot line shall not exceed the standards set out in Table 10-1-3.11.1, *Maximum Illumination Levels*. In no instance shall illumination levels within a development exceed 40 foot-candles.

Table 10-1-3.11.1 Maximum Illumination Levels	
Type of Use Abutting a Lot Line	Maximum Illumination Level at a Lot Line (foot-candles)
Property line adjoining a residential district or use (including household living, group living, and residential accessory uses)	0.1
Property adjoining a public or institutional use (including civic and institutional, medical facilities, and utilities)	1.0
Property line adjoining a commercial or office use (including mixed-use, overnight accommodations, general retail, restaurant, vehicle sales and service, indoor and outdoor entertainment, and special uses)	2.0
Property line adjoining industrial and manufacturing uses	3.0
Property adjoining a parking lot	2.5
Table Notes: 1. Refer to Table 10-1-1.3, <i>Land Use Matrix</i> .	

H. Standards for Districts, Specific Uses, and Site Features.

1. **Awnings.** Awnings or canopies used for building accents over doors and windows shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque. Areas beneath an awning or canopy shall be designed so as not to create glare off-site. Acceptable methods include one or both of the following:
 - a. A recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface (ceiling) of the canopy that provides a full cutoff or fully-shielded light distribution; or
 - b. A surface-mounted fixture incorporating a flat glass that provides a full cutoff or fully-shielded light distribution.
2. **Fuel Canopies.** Canopy lighting for fuel stations and similar uses shall be designed with recessed fixtures that are shielded and directed downward to prevent glare on adjoining properties and roadways.
3. **Sports and Performance Venues.** Lighting fixtures for outdoor sports areas, athletic fields, and performance areas shall be equipped with an existing glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
4. **Wall Pack Lights.**
 - a. Wall packs on the exterior of the building shall be fully shielded (e.g., true cutoff type bulb or light source not visible from off-site) to direct the light vertically downward and be of 1600 LUMENS (or lower).

- b. Wall pack lighting shall be used only on the rear or side of a building to illuminate exits and loading facilities; however, such lighting shall not exceed 0.2 foot-candle at any property line adjoining a residential district or street right-of-way.
- c. Wall pack light sources visible from any location of the site are prohibited.
- d. Wall pack light sources are prohibited in the LLR, MLR, and SLR districts.

5. Downtown.

- a. *Generally.* All building lighting within a DTA, DMS, or DMU district shall minimize the glare aspects of excessive and/or poorly shielded outdoor lights while maximizing a property's visual interest and safe nighttime use.
- b. *Applicability.*
 - 1. *Scale and Context.* All lighting shall be designed and installed in scale and context with the architecture of the building. Standard security lighting shall not be used in lieu of architectural lighting. In general, actual light bulbs should not be visible.
 - 2. *Accent Lighting.* Accent lighting shall be used to highlight architectural fenestration, entry and access points, landscaping elements, and artwork.
 - 3. *Rope Lighting.* Holiday and other styles of temporary rope lighting may not be used on a permanent basis. Light fixtures shall be in compliance with the adopted electrical code.

6. South Platte River Environs.

- a. *Illumination Level Standards.* The recommended illumination levels contained in the Lighting Handbook of the Illuminating Engineering Society, as amended, shall be used as a guide to providing adequate and safe illumination levels for any given type of use.
- b. *Prohibited Lighting.* Flashing lights of any type are prohibited.
- c. *Outdoor Signs.* Lighting for outdoor signs shall be designed to function as full cutoff luminaires. Lighting for such signs that projects light into the sky shall be prohibited. Additionally, outdoor signs shall comply with all provisions set out in Section 10-1-3.10, *Sign Standards*. In the case of any discrepancy between these provisions, the more restrictive shall apply.
- d. *Non-residential Uses.* All luminaires located on any premises used for commercial, public or institutional, mixed-use, or industrial use shall:
 - 1. Be designed so that the light source (bulb or lamp) is completely shielded from the direct view of an adult observer standing at grade on the lot line of adjoining property sharing a common lot line;
 - 2. Have full-cutoff lighting reflectors installed;
 - 3. Be designed and positioned so that the maximum illumination at the property lines of the property on which such lighting is located shall not exceed one-half foot-candle; and
 - 4. As to exterior lighting for non-residential uses, observe the same hours of operation as the use itself, provided that any lighting for security purposes shall meet all other requirements of this Section.
- e. *Residential Uses.* All luminaires located on any premises used for residential purposes shall:
 - 1. Have full-cutoff lighting reflectors installed; and
 - 2. Be designed and positioned so that the maximum illumination at the property lines of the property on which such lighting is located shall not exceed one-half foot-candle.

I. Modifications. Modifications to these standards may be made by the Director for the following certain sites and situations:

- 1. Images projected onto a surface such as a wall or a sidewalk;

2. Special event lighting;
3. Illuminated areas located more than 20 vertical feet above the street level or adjacent property;
4. Structured parking;
5. Parking lot lighting in Downtown;
6. New technologies that meet the intent of this Section but are not applicable to the standards and requirements;
7. Considerations of Crime Prevention Through Environmental Design (CPTED); and
8. Other uses at the discretion of the Director.

J. Measurement.

1. Light level measurements shall be made at the property line of the land upon which light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the street right-of-way that adjoins the land.
2. Measurements shall be made at finished grade (ground level), with the light-registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five percent.
3. Measurements shall be taken with a light meter.

K. Installation.

1. The developer or property owner shall be responsible for installing and maintaining all lighting in accordance with the approved lighting plan and shall comply with the standards and regulations of this Section.
2. If applicable, developers are responsible for installing all street lighting as required in a subdivision improvement agreement.

Effective on: 10/28/2021

§ 17-3-6. Outdoor Lighting and Dark Sky Protection. [Ord. No. 2025-279, 12-1-2025]

- A. Purpose and Intent. To protect the rural and suburban character of the community by minimizing light pollution, preserving views of the night sky, reducing glare and unnecessary light trespass, and promoting energy-efficient lighting practices, while ensuring adequate lighting for safety and functionality.
- B. Applicability. These standards apply to all new outdoor lighting installations and significant upgrades to existing lighting for residential, agricultural, commercial, and institutional properties in all zoning districts.
- C. General Requirements.
 - 1. Fixture Orientation.
 - a. All lighting fixtures must be installed in a downward-facing (horizontal) orientation to direct light toward the ground and prevent light trespass and skyglow.
 - 2. Shielding.
 - a. Fixtures must be fully shielded so that no light is emitted above the horizontal plane of the light source.
 - b. Cutoff fixtures or hoods are required for wall-mounted and pole-mounted lighting.
 - 3. Lumens Limits.
 - a. Residential properties: Fixtures shall not exceed 1,500 lumens per fixture.
 - b. Non-residential properties (e.g., farms, small businesses, community facilities): Fixtures shall not exceed 3,000 lumens per fixture, unless a higher output is demonstrated to be necessary for safety or operational needs.
 - 4. Color Temperature.
 - a. All outdoor lighting must have a correlated color temperature (CCT) of 3,000K or less to reduce blue-light emissions and protect nocturnal wildlife.
 - 5. Operational Controls - Parking Lot Lighting.
 - a. Parking lot lights, including poles lights and building mounted lights, shall be:
 - i. Equipped with auto dimmers that reduce the normal operating lumen output by half between the hours of 11:00 p.m. to sunrise; and/or
 - ii. Equipped with motion sensors or timers to reduce continuous nighttime illumination.
 - 6. Lighting Placement and Height.
 - a. Pole-mounted fixtures shall not exceed:

- i. 14 feet in height on residential properties; and
 - ii. 20 feet in height on non-residential or public-use properties.
- b. Exceptions:
 - i. Street lights in the public right-of-way.
- 7. Light Trespass.
 - a. Definition: The projection of artificial light from one property onto another, or onto a public right-of-way, in excess of permitted levels. For the purposes of this § 17-3-6, light trespass shall be defined as any illumination measured at the property line that exceeds 0.2 footcandles as measured with a calibrated light meter on the receiving property line.
 - b. Lighting shall not trespass property lines. Footcandles shall measure zero (0) at property lines.
 - c. Exceptions:
 - i. Lighting in commercial, industrial, or mixed-use centers that have shared parking lots and multiple lots; and
 - ii. Lighting installed in public rights-of-way.
- 8. Prohibited Lighting.
 - a. Uplighting (except for low-output, fully shielded landscape lighting under 300 lumens).
 - b. Searchlights, laser lights, or aerial beacons.
 - c. Unshielded floodlights or barn lights that emit light in all directions.
- D. Exemptions. The following lighting types are exempt but must still minimize glare and light trespass to the greatest extent feasible:
 - 1. Emergency lighting used by law enforcement, fire, or rescue.
 - 2. Temporary lighting for special events, agriculture, or construction (limited to 14 consecutive days).
 - 3. Low-lumen (less than 500 lumens) decorative lighting (e.g., string lights, holiday lights) used seasonally or intermittently.
 - 4. Flagpole lighting, provided it uses a narrow beam fully directed at the flag and does not exceed 1,300 lumens.
- E. Compliance and Review.
 - 1. All new developments or site plan approvals must include a photometric Lighting Plan showing:

- a. Fixture types and specifications, including lumen output;
 - b. Location and height of all exterior light fixtures;
 - c. Shielding or cutoff details;
 - d. Operational control details (where applicable); and
 - e. Footcandle readings across the entire site.
2. Planning staff may approve alternatives that demonstrate equal or better compliance with the purpose of this section.



TO: Planning Commission
 CC: City Administrator Andrew Marsh
 FROM: Dylan Graves, Community Development Planner
 SUBJECT: Internal Parking Study Results
 MEETING DATE: September 2, 2026

BACKGROUND

I was asked to conduct a study that looked at the city’s current parking requirements from Section 21-127 of the Idaho Springs Municipal Code (ISMC) to see how the city’s current standards compare to those elsewhere in Colorado.

To complete this study, I reviewed the off-street parking requirements for 34 jurisdictions across the state. A table showing these parking requirements is included as an attachment. While I did include Colorado Springs and Unincorporated Larimer County in this study (their data was readily available), the rest of the communities are west of the Front Range and have an average population of under 10,000 residents. The common theme for the communities chosen is that they experience large numbers of visitors annually and are known for outdoor recreation and/or are located on a major highway corridor (I-70, U.S. 285, etc.). A defining feature of most of these communities is a general reliance on cars, since they are outside of the Front Range. Public transportation options in these communities vary. Some areas have much more robust local systems than Idaho Springs, while some have no public transit available at all. I reviewed parking requirements for both residential and commercial uses.

RESIDENTIAL DEVELOPMENT

The average off-street parking spaces required for residential developments are as follows:

	Idaho Springs	Average (32 jurisdictions)
Single-Family Detached	2 parking spaces / unit	2 parking spaces / unit
Single-Family Attached and/or Duplex	1.25 per efficiency unit 1.5 per one-bedroom unit 1.5 per two-bedroom unit 800 SF or less 1.75 per two-bedroom unit over 800 SF 1.75 per three-bedroom unit 900 SF or less 2.5 per three-bedroom unit over 900 SF	1.93 / unit
Multifamily, Studio	1.25 / unit	1.32 / unit
Multifamily, 1-bedroom	1.5 / unit	1.41 / unit
Multifamily, 2-bedroom	1.5 per two-bedroom unit 800 SF or less 1.75 per two-bedroom unit over 800 SF	1.77 / unit
Multifamily, 3+-bedroom	1.75 per three-bedroom unit 900 SF or less 2.5 per three-bedroom unit over 900 SF	2 / unit

I also looked at the current number of off-street parking spaces provided at multifamily developments in Idaho Springs to get an average number of spaces provided per unit for these types of developments:

- Riverbend Apartments: 1.08 spaces / unit
- Bighorn Apartments: ~1.8 spaces / unit
- Aspen Leaf Apartments: ~1.1 spaces / unit
- Fieldhouse Apartments: 1.5 spaces / unit
- Gold Rush Apartments: 1.75 spaces / unit
- Riverside Drive Townhomes: 2 spaces / unit

Interesting features of other jurisdictions:

- A few places require additional guest parking on top of their base parking requirements. For example, Basalt requires a developer to build an additional 0.25 spaces / unit for projects with 6+ total units. Black Hawk requires 1 guest space / 5 multifamily units. Eagle requires 1 space / 6 multifamily units. Glenwood Springs requires 1.5 spaces / unit regardless of bedroom count but then requires an additional space / 5 units.
- Several communities have a separate parking standard for dormitory style housing, requiring between 0.5 spaces and 2 spaces per bed for dormitories.
- A growing number of jurisdictions are reducing parking requirements for senior housing projects and affordable housing projects, with data showing that these types of developments generate lower parking demands than market-rate housing projects.
- Some places have parking maximums, with the idea being that cities do not want too much pavement. This is not something we have seen many problems with in Idaho Springs to-date.

Staff Analysis:

1. Single-Family Detached, Single-Family Attached, Townhome, and Duplex Development

No changes are suggested for single-family detached development. Idaho Springs' current standards perfectly match the standards found across the 32 jurisdictions reviewed.

For single-family attached, townhome, or duplex development, most other communities simply establish a standard for these units, rather than determining the parking requirement based on bedroom count. If the city wanted to make a change, setting these to a requirement of 2 spaces / unit (regardless of bedroom count) could be reasonable.

2. Multifamily, studio

Idaho Springs requires 1.25 spaces / studio apartment currently. The average across 32 surveyed jurisdictions for studios is 1.32 spaces per unit, with a range of 1 / unit to 1.5 / unit being the most common range. This shows that Idaho Springs is regulating studio apartments similarly to other communities around Colorado.

3. Multifamily, 1-bedroom

Idaho Springs requires 1.5 spaces per 1-bedroom unit. The average required across the surveyed jurisdictions is 1.41 spaces per 1-bedroom unit. Idaho Springs is already well-aligned with the average found across the state. The average is higher than for studio apartments, with the idea being that a 1-bedroom unit is more likely to be shared by two residents, while a studio is more appropriate for a single occupant.

Only 3 of the 32 jurisdictions require 2 or more parking spaces per unit for 1-bedroom units.

4. Multifamily, 2-bedroom

Idaho Springs requires between 1.5 and 1.75 spaces per unit for a 2-bedroom unit. The surveyed average is 1.77 spaces per 2-bedroom unit. Idaho Springs is thus very slightly below the standard found elsewhere in the state. The most commonly required spaces per unit across the surveyed jurisdictions is 2 spaces / 2-bedroom unit. 1.5 spaces / 2-bedroom unit is the second most commonly seen requirement. Almost no other jurisdictions have different parking space standards depending on square footage, so it may make sense to establish one standard for all 2-bedroom units, regardless of size. Something between 1.5 / unit and 2 / unit might be reasonable based on what we see elsewhere across the state.

17 of the 32 jurisdictions require 2 or more parking spaces / unit for 2-bedroom units. The additional 15 jurisdictions require fewer than 2 spaces / unit for 2-bedroom units (generally 1.5 spaces / unit).

5. Multifamily, 3+ bedrooms

Idaho Springs requires between 1.75 and 2.5 spaces per unit for a 3+ bedroom unit. The average across surveyed jurisdictions is 2 spaces per unit. Staff believe that establishing a set standard regardless of unit size makes sense. Since Idaho Springs already requires 2.5 spaces / unit for larger 3+ bedroom units, establishing a set 2.5 space / unit standard may make sense.

6. Senior Housing

As we had previously discussed, some communities have different standards for senior housing developments. For jurisdictions who have separate standards for senior housing, the average number of spaces required per unit varied from 0.5-1.0 spaces / unit.

Based on the above, this might be reasonable for Idaho Springs for new residential developments:

Idaho Springs	
Single-Family Detached	2 / unit
Single-Family Attached and/or Duplex	2 / unit
Multifamily, Studio	1.25 / unit
Multifamily, 1-bedroom	1.5 / unit
Multifamily, 2-bedroom	Between 1.5 - 2 / unit
Multifamily, 3+-bedroom	Between 2 - 2.5 / unit
Senior Housing	1.0 / unit

If these changes were made for 2 and 3+ bedroom units, this would slightly increase the required off-street parking for new developments. In practice, an increase for 2-bedroom and 3+ bedroom units could require a development to build substantially more parking. This reduces potential concerns about existing residents losing parking or increasing congestion in downtown Idaho Springs but also will increase development costs for projects and increase the amount of paving required. For reference, the city required 2 spaces / unit for 2-bedroom units and 2.5 spaces / unit for 3+ bedroom units, the Fieldhouse Apartments would have been required to build an additional nine (9) parking spaces. This is because the Fieldhouse Apartments are mostly studio and 1-bedroom apartments.

COMMERCIAL DEVELOPMENT

The city's off-street parking requirements for commercial uses are more complicated than residential uses, as commercial uses tend to require different standards depending on the type of use. For example, a theatre use requires 1 off-street parking space / 4 seats in the theatre, while other uses are based on internal square footage (offices are 1 space / 400 square feet of floor area).

After reviewing the city's standards against the 32 jurisdictions surveyed, the city's commercial parking standards are not very far off the averages found elsewhere. In general, most communities regulate retail, office, and lodging uses similarly, with small variations.

However, there are a few items that city staff would like to discuss.

1. Rafting Headquarters and other guiding/outfitting headquarters

Larimer County is the only other jurisdiction besides Idaho Springs that I could find in Colorado that specifically calls out parking for rafting headquarters. Larimer County requires 1 parking space / 200 square feet of floor area, while Idaho Springs requires 1 space / 400 square feet of floor area.

A rafting headquarters concentrates a significant amount of use into a small area, including employee and visitor parking, storage of rafts, vehicles, and trailers, and safety training / education prior to heading off onto the river, taking the square footage of the headquarters building is an incomplete picture for parking demand. There are very few ways that this is addressed in other communities in Colorado that I could find, but I have considered what might be reasonable.

Rather than just say 1 space / 400 square feet, the city could update the standard to 1 / space per 400 square feet, PLUS 1 space / employee or guide. Or the city could regulate it based on guests by saying 1 space / 400 square feet, PLUS 1 space / 3 customers.

This would provide a base parking requirement for this use and then require additional parking based on the intensity of the use. A small rafting outfitter with only a few boats a day is going to generate far less traffic than a large outfitter with 20+ boats per day, yet both might operate out of a similarly sized headquarters building.

This is something that could apply to other guiding or outfitting services. Rafting is currently the primary guided activity in Idaho Springs, though we have one ziplining operation and, in the future, could see more outdoor recreation-related service uses, like ATVs, mountain biking, fly fishing, etc. As such, it seems wise to address this standard currently while making other changes.

2. Theaters, Event Center / Music Venue, and Indoor Recreation venues

The city currently requires 1 space / 4 theatre seats. This is relatively common across the state. However, this calculation does not work as well if the theatre does not have seats. Eagle's land-use code says that when a parking standard is based on seating, "if fixed seats are not provided, then parking shall be determined at a rate of one space per four occupants." Changing the wording in the ISMC from 1 space / 4 seats to "1 parking space / 4 occupants based on the maximum occupant load established by the adopted building code" would solve this problem and reduce complexity.

It has been previously noted that theaters have an unusual parking profile, which may need additional consideration. A 7:00 PM show might create very high demand for 2–3 hours, but the parking demand is much lower during the day.

The question for theatres and event venues is how we would City Council like to consider uses that solely take place outside of the city's "busier" times?

3. Daycare

The city does not have parking standards for daycare use. Daycare is a strong priority for the city and county over the next few years and if someone wished to establish a daycare, we would not have a clear parking requirement for this use. Daycare uses tend to have high peak parking demands during drop off and pick up but otherwise have relatively low parking needs throughout the day.

Different jurisdictions use different standards. For those who establish it on a square footage basis, the average is about 1 space / 300 square feet.

The other way is to create a per child or per employee standard. Rifle and Nederland require 1 space / 10 children, and Grand Lake and Silverthorne require 1 space / 8 children. Carbondale, Alamosa, and Durango require 1 space / employee.

Establishing a standard for this use may be beneficial in anticipation of more daycare and early childhood education options in Idaho Springs.

4. Fitness Centers

This is one of the only commercial parking standards where the city is generally more aggressive than other jurisdictions. The average across the other jurisdictions is approximately 1 space / 200-300 square feet of floor area. Changing this standard would reduce the parking demand for a 10,000 square foot gym from 67 parking spaces to 35-50 spaces. Speaking with the Clear Creek Metropolitan Recreation District, their maximum daily number of users is about 300 from when the facility opens at 6:30am until it closes at 8pm. This is an average of approximately 22 users per hour, though the before work and after work peaks are much higher. Those peak periods before and after work are the primary times when 1 space / 150 square feet might be appropriate. However, during the majority of the day, that many parking spaces would be unnecessary.

5. Other

I didn't see anything else that is substantially different from what is seen elsewhere around the state. That said, does the Planning Commission have any additional thoughts on parking regulations that might benefit from a change or might need to be added to the ISMC?

REQUESTS FOR DIRECTION:

- **Does the Planning Commission think that any changes to the ISMC for residential off-street parking requirements are warranted?**
- **Does the Planning Commission have any additional thoughts on commercial parking regulations that need to be changed and / or need to be added to the ISMC?**

	Idaho Springs	Average	Gunnison	Breckenridge	Glendale	Colorado Springs	Gypsum	Frisco	Vail	Buena Vista
									2 for up to 2,000 sf; 1 add'l	
single-family	2	2	2	2				4	2 space per 1000 sf	2
	Depends on #									
duplex/townhome	of bedrooms	1.93	1	2			single-family	single-family	single-family	1.5
mobile home	2	2	1	single-family			single-family	single-family	single-family	
ADU	N/A	0-1	0	1					1	1
multifamily, studio	1.25	1.322058824	1.75	1	1.5	1	2	1		1.5
multifamily, 1-bed	1.5	1.411764706	1.75	1.5	1.5	1	2	1		1.5
multifamily, 2-bed	1.5 - 1.75	1.773529412	1.75	1.5	2	1.5	3	2		1.5
multifamily, 3-bed	1.75 - 2.5	2	1.75	1.5	2.5	2	3	3		1.5
multifamily, 4+-bed	1.75 - 2.5									
Affordable Units								1/ bedroom,		
Senior Housing								up to 2 spaces		

Notes

Existing Multifamily in Idaho Springs		
Riverbend Apart	47 units	51 spaces
Bighorn Apartm	41 Units	~72 spaces
Aspen Leaf Apar	24 units	~25 spaces
Fieldhouse Apar	119 units	177 spaces
Gold Rush Apts	(8 units	14 spaces
		1.08 spaces/unit
		~1.8 spaces / unit
		~1 space / unit
		1.5 spaces / unit
		1.75 spaces / unit

	Aspen	Alamosa	Avon	Basalt	Black Hawk	Canon City	Crested Butte	Carbondale	Larimer County
single-family	2	2	2			2	2	Depends on bedr	2
duplex/townhome	2	2	2			2	4	Depends on bedr	2
mobile home	2	2	2			2		Depends on bedr	2
ADU	1					1 / 1-bed, 2 / 2+		2	
multifamily, studio	1	1.25	1	1.5	1.5	1.5	1.5	1.25	1
multifamily, 1-bed	1	1.25	1.5	1.5	1.5	1.5	1.5	1.5	1
multifamily, 2-bed	2	1.75	2	2	2	1.5	1.5	1.5	2
multifamily, 3-bed	2	2.5	2	2.5	2	1.5	2.5	1.5 - 1.75	2
multifamily, 4+-bed				3	2	1.5	3.5	1.75 - 2.5	2
Affordable Units	Reduction for 80% AMI or less					1/studio or 1-bed,			
Senior Housing	0.5 / studio or 1-bed, 1 / 2-bed					2/2+ bed			
Notes	Requires guest parking in addition to the residential parking 3-5 units = 2 spaces; 6-10 = 3 spaces; 11-15 = 4 spaces, etc.					Add 0.25 spaces per unit for multifamily with 6+ units (for 1 guest space / 5 units)			
						They have the same standards as Idaho Springs			

	Durango	Dillon	Eagle	Estes Park	Fairplay	Fruita	Georgetown	Glenwood	Grand Lake	
single-family	2	2 2 (3 for 3+ rooms)		2	2		3	2	1	2
duplex/townhome	2	2 2 (3 for 3+ rooms)		2	2		1.75	2	1.5	2
mobile home	2	2 2 (3 for 3+ rooms)		2	2		3	2	1	2
ADU	1 for studio or 1-bed, 2 for 2+		1						1	1
multifamily, studio	1.7	1.5	1	1.5	1.5		1	1.5	1.5	1
multifamily, 1-bed	2	1.5	1.5	1.5	1.5		1	1.5	1.5	1
multifamily, 2-bed	2.3	2	2	2.25	1.75		1.5	1.5	1.5	1.5
multifamily, 3-bed	2.5	2.5	2.5	2.25	2		2	1.5	1.5	2
multifamily, 4+-bed		2.5	2.5	2.25	2		2	1.5	1.5	2.5
Affordable Units					0.5 spaces per studio or 1-bedroom unit			1.5 per dwelling unit,		
Senior Housing					0.75 spaces per 2-bedroom unit			plus 1 guest space per		
					1.25 spaces per 3-bedroom or larger unit			each 5 dwelling units		
						0.75				
			Dorms - 2 / room;							
			Multifamily also							
			requires an							
			additional guest							
Notes	Dorms - 1 / 2 beds		space per 6 units						Add guest	
									parking req of	
									1 space / 5	
									units	

	Leadville	Manitou Springs	Montrose	Nederland	Rifle	Ridgway	Silverthorne	Summit County	Average
single-family	0	2	2	2	2	2	2	2	2
duplex/townhome	1	2	1.5	2	2	2	2	2	1.93
mobile home	0	2	2	2	2	2	2	2	
ADU	1		1			1		2	
multifamily, studio	1	1.5	1.5	1	1.5	1	1	1.5	1.322058824
multifamily, 1-bed	1	1.5	1.5	1	1.5	1	1.5	1.5	1.411764706
multifamily, 2-bed	1	2	1.5	1	2	1	2	2	1.773529412
multifamily, 3-bed	1	2	1.5	1	2	1	2.5	2	2
multifamily, 4+-bed		2	1.5	1	2	1	3	2	

Affordable Units
Senior Housing

Notes

1 space per bedroom,
with an extra space per
every 4 units for other
purposes (e.g. guests)

Commercial						
	Idaho Springs	Gunnison	Breckenridge	Gypsum	Frisco	Buena Vista
Gyms	1 / 150	1 / 1000 sf			1 / 200 sf	1 / 500 sf
Lodging	1 / room + 2		1 / room	1 / room	1 / room	1 / room
Auto Services	1 / 3 bays	2 per bay		1 / 100 sf of office, plus 3/bay	4 per bay	4 per bay
Retail	1 / 300	1 / 1000 sf	1 / 400 sf	1 / 350 sf	1 / 350 sf	1 / 500 sf
				1 / employee, min of 4, plus 1 / 4 seats or 100 square feet of eating area, whichever is greater.		
Food and Beverage (Restaurants)	1 / 250	1 / 600 sf	1 / 125 sf		1 / 250 sf	1 / 250 sf
Grocery Store	1 / 300		1 / 250 sf	1 / 350 sf	1 / 350 sf	1 / 500 sf
Theatre	1 / 4 seats	1 / 600 sf	1 / 4 seats	1 / 100 sf seating area	1 / 4 seats	1 / 500 sf
Church	1 / 3 seats		1 / 6 seats	1 / 100 sf	1 / 4 seats	1 / 6 seats
Office	1 / 400		1 / 300 sf	1 / 250 sf	1 / 350 sf	
Rafting	1 / 400					
Day care	N/A				1 / employee	1 / 250 sf
Community Center / Library	1 / 400 + 1 / 2 employees			1 / 300 sf		1 / 500 sf
Indoor recreation	1 / 4 seats		special review			1 / 500 sf
Educational	1.5 / classroom + 1 / 5 seats in auditorium		2 / classroom	1 / 250 sf		3 / classroom
Medical Offices	1 / 400		1 / 300 sf			1 / 250 sf
B&B	2 spaces + 1 / bedroom				1/room + 1/employee	1 / room plus 1 for manager

*Note that not all communities identify the same commercial uses. The uses above are those that are common across many communities.

Commercial

Gyms

Lodging

Auto Services

Retail

Food and Beverage (Restaurants)

Grocery Store

Theatre

Church

Office

Rafting

Day care

Community Center / Library

Indoor recreation

Educational

Medical Offices

B&B

***Note that not all communities identify the same commercial uses. The uses above are those that are common across many communities.**

Aspen

3 / 1000 sf

0.7 / room

3 / 1000 sf

3 / 1000 sf

3 / 1000 sf

3 / 1000 sf

3 / 1000 sf

Special Review

3 / 1000 sf

3 / 1000 sf

Special Review

3 / 1000 sf

Special Review

3 / 1000 sf

0.7 / room

Alamosa

1.1 / room

1 / 250 sf

11 / 1000 sf

1 / 2 seats

3 / 1000 sf

1 / employee

1 / 10 students

1 / 150 sf

1 / room plus 1 for manager

Avon

1 / room

1 / 60 sf

4 / 1000 sf

TBD

4 / 1000 sf

4 / 1000 sf

4 / 1000 sf

4 / 1000 sf

1 / room

Basalt

1 / room + 2

1 / 300 sf

1 / 300 sf

1 / 4 seats

1 / 250 sf

1 / 400 sf

1 / classroom + 1 / employee

1 / 200 sf

Black Hawk

1 / 125 sf

1.12 / room

1 / 250 sf

1 / 75 sf

1 / 250 sf

1 / 3 seats

1 / 250 sf

1 / instructor + 0.5 / 3 / classroom + 1 / staff

1 / 135 sf

1 / room

Canon City

1 / 300 sf

1 / room + 1 / staff

1 / 300 sf

1 / 100 sf

1 / 4 seats

1 / 300 sf

2 / staff member

1 / 300 sf

1 / room + 1 / staff

Crested Butte

1 / 500 sf

1 / room + 2 for management

1 / 100 sf

1 / 500 sf

1 / 500 sf for first 1,000 sf, then 1 / 250 for each additional 1000 sf

1 / 500 sf

1 / 4 seats

1 / 8 seats

1 / 500 sf

1 / 500 sf

1 / room + 2 for management

Carbondale

1 / 200 sf

1 / room

4 / bay

1 / 200 sf

1 / 150 sf

1 / 300 sf

1 / 4 seats

1 / 6 seats

1 / 300 sf

1 / employee

1 / 400 sf

1 / 200 sf

1.5 / classroom

1 / 200 sf

2 + 1 / room

Commercial								
	Larimer County	Durango	Dillon	Estes Park	Eagle	Fairplay	Fruita	Georgetown
Gyms	1 / 200 sf	1 / 150 sf		1 / 400 sf	1 / 400 sf	1 / 200 sf	3 / 1000 sf	1 / 300 sf
Lodging	1 / 3 rooms	1.1 / room	1.1 / room	1 / room + 1 / 3 employees	1.167 / room	1 / room	0.75 / room	1 / room
Auto Services	1 / 450 sf	1 / 300 sf	1 / bay + 1 / employee	2 / bay + 1 / employee	3 / bay	4 / bay		1 / 300 sf
Retail	1 / 200 sf	1 / 250 sf	1 / 400 sf	1 / 200 sf	1 / 400 sf	1 / 400 sf	1 / 500 sf	1 / 300 sf
Food and Beverage (Restaurants)	1 / 100 sf	1 / 75 sf of dining room	1 / 120 sf	1 / 100 sf	1 / 200 sf	1 / 150 sf		1 / 300 sf
Grocery Store	1 / 200 sf	1 / 250 sf			1 / 400 sf	1 / 250 sf	2.5 / 1000 sf	1 / 300 sf
Theatre			1 / 4 seats	1 / 3 seats or 1 / 60 sf (if no seats)	1 / 4 seats	1 / 3 seats	1 / 6 seats	1 / 300 sf
Church	1 / 3 seats	1 / 250 sf	1 / 400 sf	1 / 50 sf of seating	1 / 300 sf	1 / 3 seats	1 / 100 sf	1 / 300 sf
Office	1 / 250 sf	1 / 300 sf		1 / 200 sf	1 / 400 sf	1 / 400 sf	2.5 / 1000 sf	1 / 300 sf
Rafting	1 / 200 sf							1 / 300 sf
Day care	1 / 450 sf	1 / employee	1 / employee + 1 / 10 children	1 / 6 people		1 / 6 students + 1 / teacher	2 / 1000 sf	1 / 300 sf
Community Center / Library		3.5 / 1000 sf			1 / 400 sf		1	1 / 300 sf
Indoor recreation	1 / 200 sf	1 / 150 sf			1 / 400 sf			1 / 300 sf
Educational	2 / classroom	2 / classroom	2 / classroom	2 / classroom	2 / classroom	1 / employee + 1.5 / classroom	5 / classroom	1 / 300 sf
Medical Offices	1 / 200 sf	1 / 300 sf			1 / 400 sf	1 / 400 sf		1 / 300 sf
B&B	1 / bedroom	1 space + 1 / room		1 / room + 2 for residents	2 + 1 / room	1 / room + 2 for owner	0.75 / room	1 / room

***Note that not all communities identify the same commercial uses. The uses above are those that are common across many communities.**

Commercial	Glenwood	Grand Lake	Leadville	Manitou Springs	Montrose	Nederland	Rifle	Ridgway
Gyms							1 / 400 sf	
Lodging	1 / room	1 / room + 2	1 / room	1 / room	1 / room	1 / room	0.75 / room - 1 / room	1 / room
Auto Services	1 per 500 square feet, plus 3 per repair bay				1 / 375 sf	1 / 300 sf		
Retail	1 / 300 sf	1 / 350 sf	1 / 400 sf	1 / 400 sf	1 / 250 sf	1 / 300 sf		1 / 500 sf
Food and Beverage (Restaurants)	1 / 200 sf	1 / 250 sf	1 / 4 seats	1.25 / 100 sf	1 / 100 sf	1 / 4 seats	1 / 100 sf	1 / 200 sf
Grocery Store	1 / 300 sf	1 / 250 sf	1 / 1000 sf		1 / 300 sf	1 / 300 sf		
Theatre		1 / 6 seats	1 / 100 sf			1 / 4 seats	1 / 3 seats	
Church	1 / 250 sf	1 / 6 seats	1 / 100 sf		1 / 6 seats	1 / 4 seats	1 / 8 seats	
Office		1 / 350 sf	1 / 600 sf	1 / 400 sf	1 / 250 sf	1 / 300 sf	1 / 300 sf	1 / 600 sf
Rafting								
Day care	1 / 250 sf	1 / 8 students			1 / 375 sf	1 / 10 students	1 space per teacher + 1 space per administrative employee + 1 space per 10 children.	
Community Center / Library				1 / 400 sf		1 / 400 sf		x
Indoor recreation	1 / 400 sf							
Educational	1.5 / classroom			1 / 400 sf	1 / classroom	1 / 4 students	1 / employee	2 / classroom
Medical Offices	1 / 250 sf		1 / 600 sf		3 / examining room		1 / 250 sf	1 / 750 sf
B&B	1 / room + 1 / owner	1 / room + 2	1 / room + 1	1 / room	1 / room + 2	1 / room		1 / room

***Note that not all communities identify the same commercial uses. The uses above are those that are common across many communities.**

All of these also require 1 additional space per 2 employees

First 5,000 sf of any nonresidential use is exempt from off-street parking requirements in CBD

Commercial		
	Silverthorne	Summit County
Gyms	1 / 100 sf	
Lodging	1.2 / room	1 / room
		4.0 spaces/bay plus
Auto Services	3 / bay	1.0 space/employee
Retail	1 / 400 sf	1 / 250 sf
Food and Beverage (Restaurants)	1 / 100 sf	8 / 1000 sf
Grocery Store	1 / 400 sf	1 / 250 sf
Theatre	1 / 6 seats	1 / 4 seats
Church	1 / 6 seats	1 / 4 seats
Office	1 / 330 sf	3 / 1000 sf
Rafting		
Day care	1 / 8 children + 1 / employee	
Community Center / Library		
Indoor recreation	1 / 100 sf	6 / 1000 sf
Educational	2 / classroom	1.75 / classroom
Medical Offices		4.5 / 1000 sf
B&B		2.0 spaces for residents + 6.6 spaces/1,000 sq. ft. of sleeping area
*Note that not all communities identify the same commercial uses. The uses above are those that are common across many communities.		