



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
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NOTICE AND AGENDA
Regular Meeting
Idaho Springs Planning Commission
1711 Miner Street, City Hall
Wednesday, November 2, 2022 – 6:00 p.m.

PLANNING COMMISSION
Regular Meeting
Wednesday November 2, 2022
6:00 PM

- ❖ **Roll Call**
- ❖ **Approval of Minutes**
- ❖ **Conflict of Interest**
- ❖ **Public Comment Period**
- ❖ **Public Hearing and Consideration**
 - Text Amendment to Chapter 21 of the Idaho Springs Municipal Code
- ❖ **New Business**
 - Discussion Related to Parking Requirements in the Downtown Historic District
 - Monthly Staff Report
- ❖ **Adjournment**

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

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

To provide public comment remotely please use the link below
<https://us02web.zoom.us/j/86027168250?pwd=ZEs4Z0dUODYvQUVSRE5VbkppYTUyQT09>

Passcode: 865768

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

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



**PLANNING COMMISSION
MINUTES
SEPTEMBER 22, 2022**

ROLL CALL

Chair Cindy Olson called the meeting to order at 6:15 p.m. Commissioners present were Cindy Olson, Kent Slaymaker and Ursula Cruzalegui. Commissioners absent were Don Reimer, Jordan Hudson and Chuck Howard. Staff present are City Planner Jerad Chipman and Deputy City Clerk Wonder Martell.

The planning commission decided to not take any action on the agenda items until the November 2nd Planning Commission Regular meeting.

Chair Cindy Olson adjourned the public hearing at 6:18 pm.

CITY OF IDAHO SPRINGS

Planning Commission Communication



REPORT DATE: SEPTEMBER 15, 2022

MEETING DATE: SEPTEMBER 22, 2022
CONTINUED TO NOVEMBER 2, 2022

PRESENTED BY: JERAD CHIPMAN, AICP
COMMUNITY DEVELOPMENT PLANNER

ITEM: TEXT AMENDMENTS TO CHAPTER 21 OF THE IDAHO SPRINGS
MUNICIPAL CODE REGARDING STR INSURANCE, ACCESSORY
STRUCTURE

Staff is preparing short term rental (STR) renewal notices for the forthcoming renewal cycle. The renewal cycle has prompted staff to seek the following text amendments to Chapter 21 of the Municipal Code regarding insurance requirements for STRs and allowing for Accessory Dwelling Units (ADU) in the R-2 and R-3 Residential Districts as discussed at previous Planning Commission Meetings. Staff understands that the Planning Commission previously wanted to explore requiring STR licensees to acquire something akin to general commercial liability insurance. Instead, and for the time being, the Code has remained silent on that topic on the belief that responsible homeowners would ensure their coverage is adequate under their homeowner's insurance policy. Staff has more recently encountered a different tactic that would require a STR license holder to have liability insurance as described in the below text amendment language.

In addition, the Historic Preservation Review Commission (HPRC) would like to include a timeframe for how long a Certificate of Appropriateness (COA) is valid. COAs are in effect for six (6) months by tradition, however the HPRC would like to formalize and extend the effective date of a COA. The below proposed text amendment would establish the default COA period as one (1) year. The HPRC has voiced their support for this change, but as it is an ordinance text amendment it would need to be reviewed by the Planning Commission and ultimately approved by the City Council.

CHAPTER 21 – ARTICLE III ZONING:

Chapter 21-33(E)(8) Insurance Requirements:

- a) A Licensee shall inform his or her Insurance Company that the property covered by the Insurance Company will be used as a short term rental before any short term rental transaction is processed, regardless of whether the Licensee obtains liability insurance for the short term rental through that Insurance Company. The Licensee shall verify compliance with this notification requirement by executing and submitting a form affidavit provided by the City during the application process.

- b) A Licensee shall maintain liability insurance to cover use of the short term rental in an amount determined appropriate by the insurance company insuring such short term rental, but in any case no amount of less than one million dollars (\$1,000,000) in the aggregate. Such coverage shall be maintained in full force and effect for the term of the license. Alternatively, a Licensee may elect to conduct each short term rental transaction through a third party hosting platform that provides equal or greater insurance coverage for each short term rental use, provided that the Licensee abides by the notification requirements above.
- c) A Licensee shall maintain an insurance policy as described in this section. Failure to maintain an insurance policy as described in this section shall be cause for automatic suspension of the short term rental license until the coverage is reinstated.

Chapter 21-50. – Allowed uses by zone district:

		Table 21-50-1: Allowed uses by zone district. X = Allowed by right in indicated zone district. CONS, Conservation District - No buildings or development are allowed in this zone district.											
CATEGORY	USE TYPE	ZONE DISTRICT											
		R-E, Residential Estate	R-1, Residential One	R-2, Residential Two	R-3, Residential Three	R-M, Rural Multiple-Family	HD, Historic Downtown	C-1, Commercial One	C-2, Commercial Two	C-3, Commercial Interchange	L-I, Light Industrial	I-1, Industrial One	P, Park and Recreation
ACCESSORY USES													
	Accessory Dwelling Unit (ADU)	X	X	X	X								

Chapter 21-104. – Certificate of Appropriateness (COA).

- (l) Revocation. A COA shall be valid for one (1) calendar year from the date of approval. An approved COA shall expire one (1) calendar year after approval unless a building permit is issued for the work authorized by the COA or the holder of the COA files a written request for an extension. A COA may be extended for only one additional time period, the extension period not to extend one additional calendar year. All such written requests must be filed prior to the expiration of the initial COA period and shall state the applicant's "good cause" for the delay and need for extension. All requests for extensions shall be considered and decided by the Historic Preservation Review Commission.

CITY OF IDAHO SPRINGS
Clear Creek County, Colorado
Ordinance No 9, Series 2022

AN ORDINANCE AMENDING SECTIONS 21-33, 21-50 AND 21-104 OF THE IDAHO SPRINGS MUNICIPAL CODE CONCERNING SHORT TERM RENTAL INSURANCE REQUIREMENTS, PERMISSIBLE LOCATIONS OF ACCESSORY DWELLING UNITS AND EXPIRATION OF CERTIFICATES OF APPROPRIATENESS

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

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., the City possesses the authority to regulate the zoning and use of land within its jurisdiction; and

WHEREAS, the Idaho Springs City Council (“City Council”) has previously adopted regulations to govern the use of land within the City, codified as Idaho Springs Municipal Code (“Code”) Chapter 21; and

WHEREAS, with time and experience in administering the land use regulations, City Staff from time to time recommends certain amendments to said Chapter 21 in the interests of efficiency, consistency and better implementation of the City’s stated policy goals; and

WHEREAS, the City Planner, with the advice, consent and direction of the City Planning Commission, recently presented a number of Code amendments to the Planning Commission, concerning insurance requirements for short term rentals, permissible zone districts for accessory dwelling units and the expiration of approved by unused certificates of occupancy; and

WHEREAS, the City Planning Commission discussed and considered such recommended amendments on November 2, 2022, and thereafter recommended that City Council approve and adopt the amendments; and

WHEREAS, the City Council reviewed and considered such amendments and finds the same to be consistent with the stated goals and purposes of Chapter 21 and therefore wishes to approve the same, as further set forth herein.

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

Section 1. Subsection 21-33(E) of the Code, concerning short term rental license terms, is hereby amended by the addition of a new paragraph (8), to read in its entirety as follows:

(8) Insurance Requirements:

- (a) A licensee shall inform his or her insurance company that the property covered by the insurance company will be used as a short term rental before any short term rental transaction is processed, regardless of whether the**

licensee obtains liability insurance for the short term rental through that insurance company. The licensee shall verify compliance with this notification requirement by executing and submitting a form affidavit provided by the City during the application process.

(b) A licensee shall maintain liability insurance to cover use of the short term rental in an amount determined appropriate by the insurance company insuring such short term rental, but in any case no amount of less than one million dollars (\$1,000,000) in the aggregate. Such coverage shall be maintained in full force and effect for the term of the license. Alternatively, a licensee may elect to conduct each short term rental transaction through a third party hosting platform that provides equal or greater insurance coverage for each short term rental use, provided that the licensee abides by the notification requirements above.

(c) A licensee shall maintain an insurance policy as described in this subsection (8). Failure to maintain an insurance policy as described in this subsection shall be cause for automatic suspension of the short term rental license until the coverage is reinstated.

Section 2. Section 21-50 of the Code, concerning allowed uses by zone districts, is hereby amended as follows:

Chapter 21-50. – Allowed uses by zone district:

		Table 21-50-1: Allowed uses by zone district. X = Allowed by right in indicated zone district. CONS, Conservation District - No buildings or development are allowed in this zone district.											
CATEGORY	USE TYPE	ZONE DISTRICT											
		R-E, Residential Estate	R-1, Residential One	R-2, Residential Two	R-3, Residential Three	R-M, Rural Multiple-Family	HD, Historic Downtown	C-1, Commercial One	C-2, Commercial Two	C-3, Commercial Interchange	L-I, Light Industrial	I-1, Industrial One	P, Park and Recreation
ACCESSORY USES													
	Accessory Dwelling Unit (ADU)	X	X	X	X								

Section 3. Section 21-104 of the Code, concerning certificates of appropriateness (COAs), is hereby amended by the addition of a new subsection (I), to read in its entirety as follows:

(I) Revocation. A COA shall be valid for one (1) calendar year from the date of approval. An approved COA shall expire one (1) calendar year after approval unless a building permit is issued for the work authorized by the COA or the holder of the COA files a written request for an extension. A COA may be extended for only one additional time period, the extension period not to extend one additional calendar year. All such written requests must be filed prior to the expiration of the initial COA period and shall state the applicant's "good cause" for the delay and need for extension. All requests for extensions shall be considered and decided by the Historic Preservation Review Commission.

Section 4. Any and all Ordinances or Codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such Ordinance or Code or part thereof shall not revive any other section or part of any Ordinance or Code provision heretofore repealed or superseded.

Section 5. Should any one or more sections or provisions of this Ordinance or of Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provisions, the intention being that the various sections and provisions are severable.

INTRODUCED, READ, AND ORDERED PUBLISHED, at a Regular Meeting of the Council of the City of Idaho Springs, Colorado on the 26th day of September, 2022.

Chuck Harmon, Mayor

ATTEST:

Diane Breece, City Clerk

PASSED, ADOPTED AND APPROVED at a Regular Meeting of the City Council of the City of Idaho Springs, Colorado, held on the 14th day of November 2022.

Chuck Harmon, Mayor

ATTESTED AND CERTIFIED:

Diane Breece, City Clerk



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Date: October 27, 2022

To: Idaho Springs Planning Commission

CC: Andrew Marsh, City Administrator, Carmen Beery, City Attorney

From: Jerad Chipman, AICP, Community Development Planner

Re: Discussion Related to Parking Requirements in the downtown Historic District

In July of 2022, the Planning Commission discussed the potential for a text amendment to the parking requirements found within Chapter 21 of the Municipal Code pertaining to the Historic District. Currently, if a property owner is interested in altering the use of a space within a building, that space is assessed to determine what the existing parking requirement is and what the proposed future parking requirement would be. If the change in use would require more than 125% of the current parking requirement, the location would not be able to change the use without a variance. At that meeting staff indicated a number of potential options to address the challenges that altering the use of a space or constructing an addition onto the rear of a building would create for a site that has almost no opportunity to meet the additional onsite parking requirements. The Planning Commission indicated their interest in moving forward with a text amendment that would charge a fee-in-lieu of a required parking space for a non-residential use and allowing a residential use to be developed without requiring parking due to the housing challenges that the City faces. The Planning Commission desired to take this step in the near future regardless of the development timeline of the parking structure. Staff has conducted further research into this issue and have found that it is an increasingly popular means of addressing the parking challenges within constrained urban areas. Attached to this report is a recent example of a fee-in-lieu of parking ordinance that the Town of Eagle Colorado adopted in January of 2022. This example includes a map of the program boundary area and an established fee per required parking space that is not being constructed onsite. Other examples of Colorado municipalities that have adopted similar codes include the City of Golden, the City of Glenwood Springs, and the City of Durango. Staff is proposing a similar program to that of the Town of Eagle, however, with tiers to differentiate the varying uses that could be developed.

There are several key things to consider when creating a fee-in-lieu structure. First is what amount would correlate to the impact of adding land use square footage without adding a parking space. The greatest impact is a commercial restaurant or retail use. These uses operate at similar times to other commercial uses in the area and when parking facilities are the most heavily utilized. The proposed parking structure is projected to cost approximately \$8.5 million dollars and create 277 gross spaces. This would result in a little over \$30,000 per parking space. Office and personal service uses generate less average daily trips and are not able to accommodate as many customers at one time, or use

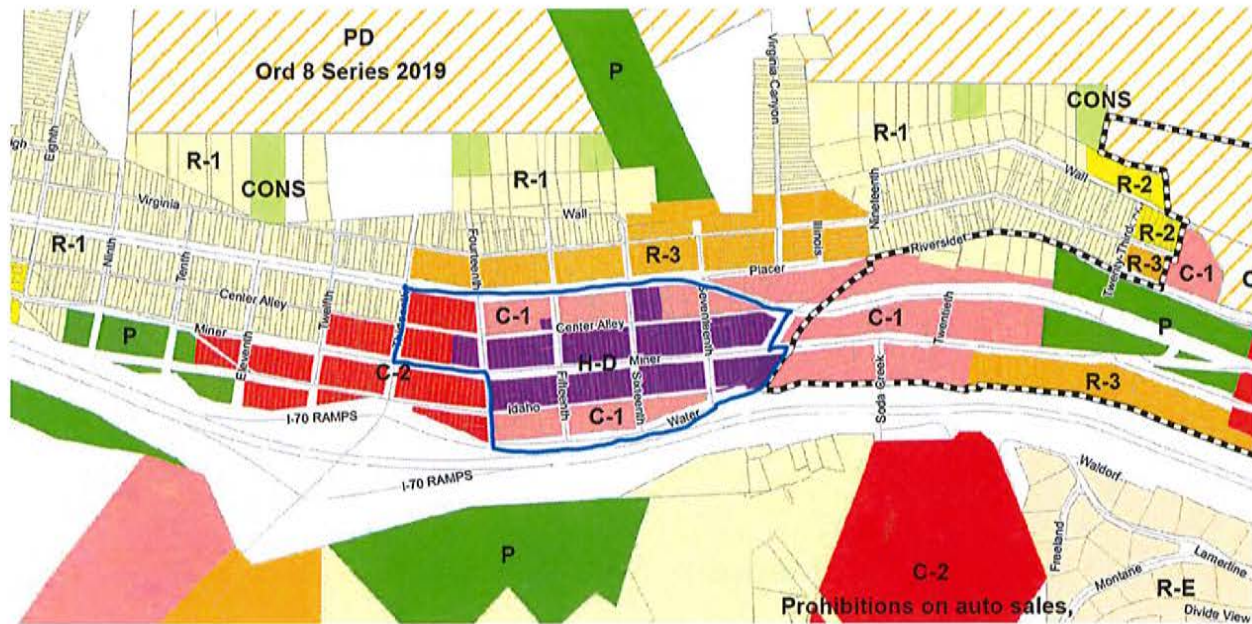
appointments which limit the number of patrons at any one time. As a result, staff is recommending a different fee amount for these uses. Residential uses are often utilized after normal business hours and the addition of residential housing units are a high priority for the City due to the current housing shortage. The Planning Commission indicated their preference for the development of workforce housing to not be required to pay a fee. Staff is proposing a reduced fee for residential developments rather than no fee as these units would still generate the necessity for parking spaces and greater utilization of the parking stock. The City currently does not have a differentiation for market rate housing versus workforce housing, however, the City will be participating in a study in conjunction with Clear Creek County, Georgetown, Silver Plume, and Empire to study the housing crisis and provide recommendations pertaining to code updates tailored to each community. This effort may result in a multi-jurisdictional housing authority that would allow the City to conduct additional workforce housing efforts and definitions. Once workforce housing is better defined, staff would recommend revisiting this ordinance to separate market rate housing and workforce housing and the corresponding parking fee-in-lieu amount. Additionally, this would not preclude the City from creating a residential or employee parking program that would further define the location of parking amenities for those users.

Staff is proposing using a fee schedule that would be proposed to be set by resolution.

Use	Fee-in-lieu amount.
Restaurant/Retail	\$30,000 per space. Prorated for fractional requirements.
Office/Personal Service	\$15,000 per space. Prorated for fractional requirements.
Residential	\$5,000 per space. Prorated for fractional requirements.

The second item to consider is the ability for businesses and property owners to afford the fee. Many of the users and property owners located within the Historic District are composed of small businesses that create the essential character of the Historic District. It is staff's desire that those existing businesses and potential future businesses are able to flourish within the district and does not intend for the proposed fee-in-lieu to be a deterrent to development. Therefore, staff is proposing a payment plan option similar to the one that the City of Golden has implemented. An excerpt from the City of Golden's Municipal Code is attached to this report. Staff is requesting the Planning Commission's opinion regarding the term of a repayment program. Golden allows for up to twenty (20) years.

The third item to consider is the boundaries of the program. Staff has included a draft exhibit for discussion purposes outlining the Historic District and several other sites that may see commercial development near the Historic District.



In the event that the fee-in-lieu program is adopted, staff is proposing to leave the 125% change of use parking allowance at its current level. The Planning Commission discussed raising this percentage, however, it is staff's opinion that the proposed fee-in-lieu structure would allow for a range of means to address the current parking provisions that limit the use of Historic District building square footage.

Staff is requesting the Planning Commission's opinion on the potential fee-in-lieu program with the intent of bring a text amendment ordinance to the Planning Commission in December.

TOWN OF EAGLE, COLORADO
ORDINANCE NO. 01
(Series of 2022)

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
AMENDING TITLE 4 OF THE EAGLE MUNICIPAL CODE TO IMPLEMENT A
VOLUNTARY PARKING FEE IN-LIEU PROGRAM WITHIN A DEFINED AREA IN THE
TOWN

WHEREAS, the Town has determined that parking is a financial and logistical deterrent to development in the Town;

WHEREAS, the Town desires to allow developers or property owners within the Parking Fee In-Lieu Program Boundary to pay a fee instead of providing all or a portion of the parking spaces required by the Town's parking regulations;

WHEREAS, the Town has conducted a study to determine the cost of providing a parking space in the Town, and calculated an appropriate fee-in-lieu based on that study; and

WHEREAS, the Town Council finds that it is desirable and necessary, and in the best interest of the public health, safety and welfare, that a Parking Fee In-Lieu Program be implemented to encourage development in the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO AS FOLLOWS:

Section 1. Section 4.07.140(A)(3) of the Eagle Municipal Code is hereby amended as follows:

Section 4.07.140. – Parking standards.

A. Applicability.

1. Except as provided herein, this Chapter shall apply to all uses established or commenced on or after the effective date of the ordinance from which this Title is derived. For uses existing on this date, parking spaces or areas existing on this date shall not be diminished in number or size to less than that required for such use under this Chapter.

2. When an existing use or building is expanded, as measured in floor area used, off-street parking, loading areas and landscaping shall be provided as required for the added floor area, whether or not they were provided for the existing use or building.

3. When the use of an existing building or space is changed to either:

- a. A use in a different use category as set forth in subsection (C) hereof; or
- b. A use in the same use category which requires more off-street parking than the existing use; off-street parking, loading areas and landscaping shall be provided as required for the new use, whether or not they were provided for the existing use.; ~~provided, however, the requirements contained in this subsection shall not apply in the Central Business Zone District (CBD) or Broadway District.~~

Section 2. Chapter 4.13 of the Eagle Municipal Code is hereby amended by the addition of a new Section 4.13.260, to read as follows:

Section 4.13.260. – Voluntary parking fee-in-lieu program.

A. **Applicability.** For properties located within the Town's Parking Fee-In-Lieu Program Boundary (the "Program Boundary"), defined by Grand Avenue to the north and west, Howard Street to the east, and 5th Street to the south (Figure 3), a property owner or applicant may voluntarily satisfy all or a portion of a property's parking requirements by providing a cash in-lieu payment to the Town; provided that the required parking for the disabled shall be constructed on the subject property.

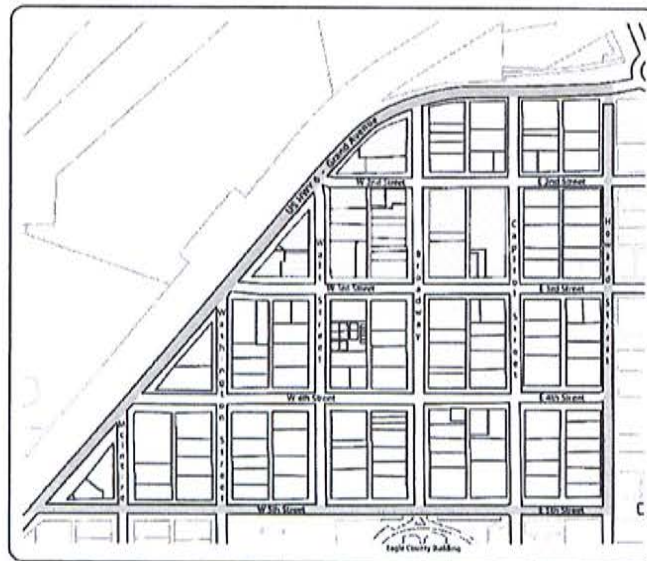


Figure 3. Parking fee In-Lieu Program Boundary

B. **Amount.** The amount of the parking fee in-lieu shall be twenty-three thousand one hundred dollars (\$23,100) per space. The fee shall be automatically adjusted on January 1st of each year by the percentage that the construction cost

index has increased or decreased. The current amount for each year shall be shown in the fee schedule adopted by the Town Council by resolution.

C. Payment. The fee-in-lieu shall be due and payable with the application for a development permit, special use permit or building permit, whichever comes first.

D. Partial Payment. A property owner or applicant, at its expense, may construct public parking adjacent to its property, with all associated infrastructure and improvements required by the Town. If such parking is constructed, the fee-in-lieu shall be reduced to sixteen thousand one hundred dollars (\$16,100) per space, adjusted on January 1st of each year by the percentage that the construction cost index has increased or decreased. All such parking shall comply with the parking standards set forth in Section 4.07.140 and the standards for construction within the public right-of-way set forth in Chapter 13.18.

E. Use of Funds. All funds collected pursuant to this Section shall be used to conduct parking studies or evaluations, construct parking facilities, operate and maintain parking facilities, and administrative services related to parking, all within the Program Boundary.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. This Ordinance is deemed necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. Pursuant to Section 6.03 of the Eagle Home Rule Charter, this Ordinance shall take effect 10 days after publication following adoption.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED ON JANUARY 11, 2022.

TOWN OF EAGLE, COLORADO

Scott Turnipseed, Mayor

ATTEST:

Jenny Rakow, Town Clerk



1/6/2022

Y:\EAGLE\PARKING IN LIEU OF FEES PROGRAM\CODE AMENDMENT\1 11 21 COUNCIL ADOPTION\ORDINANCE_PARKING FEE IN-LIEU-0123021_COUNCIL PACKETS.DOCX

Chapter 18.52 - DOWNTOWN DEVELOPMENT DISTRICT

18.52.010 - Downtown development district.

There is established the downtown development district within the city which shall include the area bounded by 141 Street on the south, Clear Creek on the north, Cheyenne Street on the west, and Ford Street on the east. When the downtown development district regulations conflict with zoning district regulations, the provisions of the former shall govern; however, uses prohibited by the zoning district regulations shall prevail.

(Ord. 1821, 2008; Ord. 1635, 2003; Ord. 801, § 1(part), 1978)

18.52.020 - Downtown development district regulations.

The following regulations shall apply to the downtown development district for the development of a more efficient land use and to improve commercial frontage:

- (a) *Alley storefront.* It is recognized that rear entrance access and upgrading provides convenient access to parking and doubles as "alley storefront." This storefront provides innovative potentials such as landscaped courtyards and outdoor arcades, among other uses.
 - (1) *Alley setback.* The building exterior wall shall set back five feet from the property line. Eaves and overhangs may not extend closer than six inches from the property line. There shall be no intrusions into the setback more than six inches. The setback does not include the basement.
 - (2) *Alley sidewalk or pedestrian walk.* A minimum five-foot alley sidewalk shall be required. Curb ramps for the handicapped and loading shall also be provided. Landscaping may be provided between walk and curb. All sidewalk construction shall be in compliance with the City of Golden's "Street Sidewalk and Drainage Specifications" as those specifications may be amended from time to time.
- (b) *Parking.* Except as provided herein, the parking and loading requirements contained in chapter 18.36 of the Golden Municipal Code shall apply to properties within the downtown development district.
 - (1) Provision of off street parking and loading spaces in the amounts required in chapter 18.36 of the Golden Municipal Code shall not apply to any uses of structures in existence on November 1, 2003, provided that such uses must continue to maintain off street parking in the amounts provided on November 1, 2003, or as provided by

chapter 18.36, whichever is less.

- (2) The parking and loading requirements of chapter 18.36 shall not apply to an addition to a structure in existence on November 1, 2003, where such addition would have required the provision of additional parking, provided that such building addition, or combination of building additions over the preceding period of five calendar years, does not exceed the smaller of 25 percent of the existing gross square footage of the building or 1,000 square feet.
- (3) No surface parking lot shall be located within 60 feet of Washington Avenue, and no new vehicular access to Washington Avenue within the district shall be permitted without the prior approval of a special use permit according to the provisions of chapter 18.30 of the Golden Municipal Code.
- (4) In lieu of the provision of parking spaces within the downtown development district, as required by this chapter and chapter 18.36 of the Golden Municipal Code, the owner may request a substituted cash fee in lieu of provision of all or a portion of the otherwise required parking spaces. The request for a substituted cash fee in lieu of the provision of parking shall be presented to city council for a determination whether sufficient public parking to serve the proposed use exists or can become available to serve the use. If city council determines that acceptance of the substituted cash fee is appropriate, said cash fee shall be made to the city prior to building permit issuance, except as provided below for individual tenant change of use. At the option of the city council, an approved substitutional cash fee may be paid in annual installments, including interest, over a multiyear period, subject to a payment agreement acceptable to the city attorney and an annual interest rate set by city council, which shall include provisions for termination of the certificate of occupancy for the affected structure if any periodic payments are not made. The amount of the cash fee per parking space and annual interest rate shall be set by city council resolution based upon the estimated cost for land and construction for a parking space, the rate of return the city realizes for invested funds, and the following table 18.52.025. The amount of the cash fee can be adjusted annually by an appropriate inflation index as designated by the resolution.
 - a. New construction, including additions to existing buildings, in the downtown area is expected to satisfy all or substantially all of its parking requirements on-site, without use of a substituted contribution. The substituted contribution is intended for projects involving existing buildings with limited or no on-site parking, and for new construction projects that can physically provide most, but not all, of the on-site parking required by code.

- b. The substituted contribution is only available for non-residential projects or portions of a mixed use project. If the substituted contribution option is considered for a mixed use project, specific on-site parking spaces in an amount that meets or exceeds the parking requirement of chapter 18.36 must be provided for each residential dwelling.
- c. The acceptance of a substituted contribution in lieu of providing on-site parking spaces shall not be construed as conferring any specific rights or benefits to the affected property and/or owner, other than to relieve the property owner of providing the number of on-site parking spaces otherwise required under Title 18 of the Golden Municipal Code. No rights or other warranties regarding the availability or use of public parking spaces are conveyed or otherwise provided.

(Ord. No. 2054, § 1, 3-23-2017; Ord. 1860, § 1, 2009; Ord. 1837, § 1, 2009; Ord. 1821, 2008; Ord. 1635, 2003; Ord. 801, § 1(part), 1978)

18.52.025 - Substitutional parking contribution basis.

For the purposes of setting the amount of substitutional cash fee and interest rate applicable to requests to contribute such substitutional fee in lieu of provision of parking, the following table shall be used. For new construction and building additions, the owner may request either of the options, subject to city council's determination of availability.

Land Use Change	Fee Basis	Time of Payment
New Construction or Building Addition	50% of current replacement cost of structured parking space	Payment due at building permit or up to 20-year payment plan.
Individual tenant change of use for structures constructed after November 1, 2003	Annualized contribution based upon 25% of current replacement cost of structured parking space, amortized over a 30-year economic life of a structure.	Payments begin at the start of the third calendar year the business is in operation. Ongoing, as long as tenant occupies space, or if transferred to a future tenant.

(Ord. No. 2054, § 2, 3-23-2017; Ord. 1860, § 2, 2009; Ord. 1821, 2008; Ord. 1635, 2003)



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Community Development Planner Communication

Document Date: October 27, 2022
Meeting Date: November 2, 2022
To: Planning Commission Members
From: Jerad Chipman, AICP, Community Development Planner

RE: Community Development Monthly Report

The Community Development Planner has been working on the following recent, current, and upcoming projects.

Development applications and pre-applications:

- **Redevelopment of Block 57/Golddigger Field and the School Bus Maintenance Facility.** The Developer is in the process of finalizing plans and applying for building permits.
- **Habitat for Humanity.** Habitat is applying for their earth disturbance permit.
- **1501 Colorado Boulevard.** Staff is working with the property owner regarding a FDP submittal.

Other Activities:

- **Conditional Use Permit Review for Mile Hi Rafting.** Staff intends to conduct the annual review of the Condition Use Permit at the December Meeting.
- **Mobility Hub.** Staff continues to work on planning and funding of the Mobility Hub that is to be located in the existing parking lot behind Tommyknockers. Several associated developments include:
 - **Jacob House.** The Jacob's house is scheduled to be moved in early December.
 - **Roberts Brother's Garage.** The City is currently planning for the relocation of the Roberts Brother's Garage. Additional detail will come to the Planning Commission in the future.
- **Historic Preservation Review Commission.** The HPRC reviewed two COA requests. One at 1601 Colorado Blvd pertaining to signage and a fence, and one at 1434 Miner Street pertaining to a sign.
- **Variance Board.** There are currently no active variance cases at this time.
- **Inquiries.** Staff continues to respond to a variety of planning and zoning inquiries from the public.