



MANITOU SPRINGS CITY COUNCIL REGULAR MEETING AGENDA

City Council meetings are held in hybrid form by Zoom
(remote) or in-person at Memorial Hall.

Memorial Hall

606 Manitou Avenue

Manitou Springs, CO 80829

Remote: www.manitouspringsgov.com; click on meeting
link under "Government; City Council" page

Position	Name	Term Expires
Mayor	John G. Graham	January 6, 2026
At-Large	Judith Chandler	January 4, 2028
At-Large	John Shada	January 4, 2028
At-Large	Julie Wolfe	January 4, 2028
Ward 1	Mayor Pro Tem Natalie Johnson	January 6, 2026
Ward 2	Nancy Fortuin	January 6, 2026
Ward 3	Michelle Whetherhult	January 6, 2026

October 7, 2025

6:00 PM

THE CITY COUNCIL MAY TAKE ACTION ON ANY OF THE FOLLOWING AGENDA ITEMS AS PRESENTED OR MODIFIED PRIOR
TO OR DURING THE MEETING, AND ITEMS NECESSARY TO EFFECTUATE THE AGENDA ITEMS

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF AGENDA

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

F. CONSENT CALENDAR

1. Request to Purchase Axon Generation 4, Body Worn Cameras for the Police Department
2. Approval of a General Services Agreement with Front Range Arborists, LLC for Black Canyon Open Space Fire Mitigation
3. September 16, 2025 City Council Regular Meeting Minutes

G. BUSINESS

1. Consider Appointing Keith Harper to the City Planning Commission
2. First Reading of Ordinance No. 1925 Concerning Accessory Dwelling Units, Occupancy Limits for Dwelling Units, and Parking Restrictions for Multifamily Residential Development
3. First Reading of Ordinance No. 2025, An Ordinance Vacating a Portion of the Old Man's Trail Right-of-Way Adjacent to the Property Known as 10 Old Man's Trail

4. First Reading of Ordinance No. 2125, An Ordinance Amending the Zoning Map of the City of Manitou Springs, Colorado, Rezoning 2 Parcels Also Known by Assessor's Office as Schedule Numbers 74054-26-002 and 74054-26-001 to Public Facility Zone District
5. First Reading of Ordinance No. 2225, an Ordinance of the City of Manitou Springs, Colorado, Amending the Manitou Springs Municipal Code to Allow Digital Publication of Certain Publication Notices
6. Resolution No. 1425, A Resolution of the City of Manitou Springs City Council, Urging the Registered Electors of Manitou Springs to Vote "Yes" on the Ballot Issue 2A Seeking Approval of a 9% Excise Tax Increase Generating \$2.5 Million for the City at the November 4, 2025 Election

H. HEARINGS

1. Second Reading and Public Hearing of Ordinance No. 1825, an Ordinance of the City of Manitou Springs, Colorado, Adding a New Chapter 12.40 of the Manitou Springs Municipal Code to Prohibit Unpermitted Work in the City

I. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE

J. CITY ADMINISTRATOR REPORT

ADJOURN

The City of Manitou Springs does not discriminate on the basis of disability in the admission to, access to, or operations of programs, services or activities. Reasonable accommodation will be provided to ensure equal access to all. Individuals who would like to request auxiliary aids or services should contact the ADA Coordinator at (719) 685-5481 or jfryer@manitouspringsco.gov. You may also contact the City Clerk's Office at cityclerk@manitouspringsco.gov or (719) 685-2554. Please provide a minimum of 3-5 days advance notice.



Memorandum

Title: Request to Purchase Axon Generation 4, Body Worn Cameras for the Police Department

From: Chief Bill Otto

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

October 7, 2025

Purpose:

Inform the City Council of the need and cost to purchase new Axon Generation 4 Body Worn Cameras.

Background:

The Manitou Springs Police Department currently use the Axon Body Worn Cameras as required by state law and Manitou Springs Police Department policy. Our current Body Worn Cameras are the Axon Generation 2 and were purchased in 2016. These body worn cameras are dated and are no longer supported by Axon. Additionally, Axon will not repair the Axon Generation 2 cameras.

Pros and Cons:

Pros: The MSPD will remain in compliance with state laws and the new Axon Generation 4 cameras should last at least 10 years.

Cons: None.

Fiscal Impact:

\$114,542.45. The 5 payments will come from the general fund and will have no interest accrual.

Workload Impact:

N/A

Recommended Action:

Approve the purchase of new Axon Generation 4 Body Worn Cameras through the approval of the consent calendar.



Axon Enterprise, Inc.
17800 N 85th St
Scottsdale, Arizona 85255
United States
VAT: 86-0741227
Domestic:(800) 978-2737
International: +1.800.978.2737

Q-742406-45936AO

Issued: 10/06/2025

Quote Expiration: 10/31/2025

Estimated Contract Start Date: 02/01/2026

Account Number: 112521

Payment Terms: N30

Mode of Delivery: UPS-GND

Credit/Debit Amount: \$0.00

SHIP TO	BILL TO
Manitou Springs Police Department - CO 606 Manitou Ave Manitou Springs, CO 80829-1877 USA	Manitou Springs Police Department - CO 606 Manitou Ave Manitou Springs CO 80829-1877 USA Email:

SALES REPRESENTATIVE	PRIMARY CONTACT
Abraham Ortiz Phone: (623) 307-5597 Email: aortiz@axon.com Fax:	Leo Strand Phone: 719-659-4062 Email: lstrand@manitouspringsco.gov Fax:

Quote Summary

Program Length	60 Months
TOTAL COST	\$114,542.45
ESTIMATED TOTAL W/ TAX	\$114,542.45

Discount Summary

Average Savings Per Year	\$2,119.23
TOTAL SAVINGS	\$10,596.15

Payment Summary

Date	Subtotal	Tax	Total
Jan 2026	\$22,908.49	\$0.00	\$22,908.49
Jan 2027	\$22,908.49	\$0.00	\$22,908.49
Jan 2028	\$22,908.49	\$0.00	\$22,908.49
Jan 2029	\$22,908.49	\$0.00	\$22,908.49
Jan 2030	\$22,908.49	\$0.00	\$22,908.49
Total	\$114,542.45	\$0.00	\$114,542.45

Quote Unbundled Price:	\$125,138.60
Quote List Price:	\$115,307.00
Quote Subtotal:	\$114,542.45

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
100553	TRANSFER BALANCE - SOFTWARE AND SERVICES	1			\$1.00	(\$731.15)	(\$731.15)	\$0.00	(\$731.15)
BWCamTAP	Body Worn Camera TAP Bundle	17	60	\$42.20	\$33.80	\$33.80	\$34,476.00	\$0.00	\$34,476.00
BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	2	60	\$73.05	\$62.52	\$62.52	\$7,502.40	\$0.00	\$7,502.40
A la Carte Hardware									
100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	3			\$899.00	\$899.00	\$2,697.00	\$0.00	\$2,697.00
H00001	AB4 Camera Bundle	17			\$899.00	\$899.00	\$15,283.00	\$0.00	\$15,283.00
H00002	AB4 Multi Bay Dock Bundle	2			\$1,638.90	\$1,638.90	\$3,277.80	\$0.00	\$3,277.80
A la Carte Software									
73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	17	60		\$27.12	\$27.12	\$27,662.40	\$0.00	\$27,662.40
BasicLicense	Basic License Bundle	13	60		\$16.27	\$16.25	\$12,675.00	\$0.00	\$12,675.00
ProLicense	Pro License Bundle	4	60		\$48.82	\$48.75	\$11,700.00	\$0.00	\$11,700.00
Total							\$114,542.45	\$0.00	\$114,542.45

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Shipping Location	Estimated Delivery Date
AB4 Camera Bundle	100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	17	1	01/01/2026
AB4 Camera Bundle	100466	AXON BODY 4 - CABLE - USB-C TO USB-C	19	1	01/01/2026
AB4 Camera Bundle	100775	AXON BODY 4 - MAGNETIC DISCONNECT CABLE	19	1	01/01/2026
AB4 Camera Bundle	74028	AXON BODY - MOUNT - WING CLIP RAPIDLOCK	19	1	01/01/2026
AB4 Multi Bay Dock Bundle	100206	AXON BODY 4 - 8 BAY DOCK	2	1	01/01/2026
AB4 Multi Bay Dock Bundle	70033	AXON - DOCK WALL MOUNT - BRACKET ASSY	2	1	01/01/2026
AB4 Multi Bay Dock Bundle	71019	AXON BODY - DOCK POWERCORD - NORTH AMERICA	2	1	01/01/2026
A la Carte	100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	3	1	01/01/2026
Body Worn Camera Multi-Bay Dock TAP Bundle	73689	AXON BODY - TAP REFRESH 1 - DOCK MULTI BAY	2	1	07/01/2028
Body Worn Camera TAP Bundle	73309	AXON BODY - TAP REFRESH 1 - CAMERA	17	1	07/01/2028
Body Worn Camera Multi-Bay Dock TAP Bundle	73688	AXON BODY - TAP REFRESH 2 - DOCK MULTI BAY	2	1	01/01/2031
Body Worn Camera TAP Bundle	73310	AXON BODY - TAP REFRESH 2 - CAMERA	17	1	01/01/2031

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
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Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Basic License Bundle	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	13	02/01/2026	01/31/2031
Basic License Bundle	73840	AXON EVIDENCE - ECOM LICENSE - BASIC	13	02/01/2026	01/31/2031
Pro License Bundle	73683	AXON EVIDENCE - STORAGE - 10GB A LA CARTE	12	02/01/2026	01/31/2031
Pro License Bundle	73746	AXON EVIDENCE - ECOM LICENSE - PRO	4	02/01/2026	01/31/2031
A la Carte	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	17	02/01/2026	01/31/2031

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
Body Worn Camera Multi-Bay Dock TAP Bundle	80465	AXON BODY - TAP WARRANTY - MULTI BAY DOCK	2	01/01/2027	01/31/2031
Body Worn Camera TAP Bundle	80464	AXON BODY - TAP WARRANTY - CAMERA	17	01/01/2027	01/31/2031

Shipping Locations

Location Number	Street	City	State	Zip	Country
1	606 Manitou Ave	Manitou Springs	CO	80829-1877	USA

Payment Details

Jan 2026

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Transfer Value	100553	TRANSFER BALANCE - SOFTWARE AND SERVICES	1	(\$731.15)	\$0.00	(\$731.15)
Upfront	100147	AXON BODY 4 - CAMERA - NA US FIRST RESPONDER BLK RAPIDLOCK	3	\$2,697.00	\$0.00	\$2,697.00
Upfront	H00001	AB4 Camera Bundle	17	\$15,283.00	\$0.00	\$15,283.00
Upfront	H00002	AB4 Multi Bay Dock Bundle	2	\$3,277.80	\$0.00	\$3,277.80
Year 1	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	17	\$700.82	\$0.00	\$700.82
Year 1	BasicLicense	Basic License Bundle	13	\$321.11	\$0.00	\$321.11
Year 1	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	2	\$190.07	\$0.00	\$190.07
Year 1	BWCamTAP	Body Worn Camera TAP Bundle	17	\$873.43	\$0.00	\$873.43
Year 1	ProLicense	Pro License Bundle	4	\$296.41	\$0.00	\$296.41
Total				\$22,908.49	\$0.00	\$22,908.49

Feb 2026

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Invoice Upon Fulfillment	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	2	\$0.00	\$0.00	\$0.00
Invoice Upon Fulfillment	BWCamTAP	Body Worn Camera TAP Bundle	17	\$0.00	\$0.00	\$0.00
Total				\$0.00	\$0.00	\$0.00

Jan 2027

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	17	\$6,740.39	\$0.00	\$6,740.39
Year 2	BasicLicense	Basic License Bundle	13	\$3,088.47	\$0.00	\$3,088.47
Year 2	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	2	\$1,828.08	\$0.00	\$1,828.08
Year 2	BWCamTAP	Body Worn Camera TAP Bundle	17	\$8,400.65	\$0.00	\$8,400.65
Year 2	ProLicense	Pro License Bundle	4	\$2,850.90	\$0.00	\$2,850.90
Total				\$22,908.49	\$0.00	\$22,908.49

Jan 2028

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	17	\$6,740.39	\$0.00	\$6,740.39
Year 3	BasicLicense	Basic License Bundle	13	\$3,088.47	\$0.00	\$3,088.47
Year 3	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	2	\$1,828.08	\$0.00	\$1,828.08
Year 3	BWCamTAP	Body Worn Camera TAP Bundle	17	\$8,400.65	\$0.00	\$8,400.65
Year 3	ProLicense	Pro License Bundle	4	\$2,850.90	\$0.00	\$2,850.90
Total				\$22,908.49	\$0.00	\$22,908.49

Jan 2029

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	17	\$6,740.39	\$0.00	\$6,740.39

Q-742406-45936AO

Jan 2029

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	BasicLicense	Basic License Bundle	13	\$3,088.47	\$0.00	\$3,088.47
Year 4	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	2	\$1,828.08	\$0.00	\$1,828.08
Year 4	BWCamTAP	Body Worn Camera TAP Bundle	17	\$8,400.65	\$0.00	\$8,400.65
Year 4	ProLicense	Pro License Bundle	4	\$2,850.90	\$0.00	\$2,850.90
Total				\$22,908.49	\$0.00	\$22,908.49

Jan 2030

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	73686	AXON EVIDENCE - STORAGE - UNLIMITED (AXON DEVICE)	17	\$6,740.39	\$0.00	\$6,740.39
Year 5	BasicLicense	Basic License Bundle	13	\$3,088.47	\$0.00	\$3,088.47
Year 5	BWCamMBDTAP	Body Worn Camera Multi-Bay Dock TAP Bundle	2	\$1,828.08	\$0.00	\$1,828.08
Year 5	BWCamTAP	Body Worn Camera TAP Bundle	17	\$8,400.65	\$0.00	\$8,400.65
Year 5	ProLicense	Pro License Bundle	4	\$2,850.90	\$0.00	\$2,850.90
Total				\$22,908.49	\$0.00	\$22,908.49

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at <https://www.axon.com/sales-terms-and-conditions>), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Exceptions to Standard Terms and Conditions

Agency has existing contract(s) originated via Quote(s):

Q-453694,

Agency is terminating those contracts effective 1/1/2026. Any changes in this date will result in modification of the program value which may result in additional fees or credits due to or from Axon.

The parties agree that Axon is applying a Transfer Balance of -\$731.15

100% discounted body-worn camera and docking station hardware contained in this quote reflects a TAP replacement for hardware purchased under existing quotes aforementioned above. All TAP obligations from this contract will be considered fulfilled upon execution of this quote.

Signature

Date Signed

10/6/2025



Memorandum

Title: Approval of a General Services Agreement with Front Range Arborists, LLC for Black Canyon Open Space Fire Mitigation

From: Gillian Rossi, Parks & Recreation Director and Mike Willie, Fire Lieutenant

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

October 7, 2025

Purpose:

To obtain City Council approval for a contract with Front Range Arborists, LLC for fire mitigation in Black Canyon Open Space.

Background:

The Black Canyon Open Space Master Plan was completed and approved in February 2025. Fire mitigation is outlined in the master plan and is an important step before implementing other aspects of the plan, such as trail development. The Open Space Advisory Committee voted to fund fire mitigation for the open space at their August 25, 2025 Regular Meeting and has identified implementation of the Black Canyon Open Space as one of their top priorities. Fire mitigation in Black Canyon Open Space is also outlined in the Community Wildfire Protection Plan, approved in June 2025.

Pros and Cons:

Pros: Fire mitigation will take place in Black Canyon Open Space, preparing the property for further implementation of the approved master plan and making the Manitou Springs community more resilient to wildfire risk.

Cons: None identified.

Fiscal Impact:

\$159,530 (\$150,500 from Open Space Fund, \$9,030 from Fire Department - General Fund)

Workload Impact:

MSFD staff will lead this project and coordinate with contractors on access to the open space. P&R staff will provide additional support as needed.

Recommended Action:

Approve the general services agreement with Front Range Arborists, LLC for fire



mitigation in Black Canyon Open Space through the approval of the consent calendar.

AGREEMENT FOR GENERAL SERVICES

THIS AGREEMENT FOR GENERAL SERVICES is made and entered into this **30th day of September, 2025**, by and between the City of Manitou Springs, 606 Manitou Avenue, Manitou Springs, Colorado 80829, a Colorado municipal corporation (the "City"), and **Front Range Arborists, LLC**, an independent contractor with a principal place of business at 5080 Geiger Blvd., Colorado Springs, CO, 80915 and phone number of 719-635-7459 ("Contractor") (collectively the "Parties").

For the consideration hereinafter set forth, the receipt and sufficiency of which are hereby acknowledged, the Parties hereto agree as follows:

I. SCOPE OF SERVICES

A. Contractor shall furnish all labor and materials required for the complete and prompt execution and performance of all duties, obligations, and responsibilities which are described or reasonably implied from the Scope of Services set forth in the attached **Exhibit A**.

B. No change to the Scope of Services, including any additional compensation, shall be effective or paid unless authorized by written amendment executed by the City. If Contractor proceeds without such authorization, Contractor shall be deemed to have waived any claim for additional compensation, including a claim based on the theory of unjust enrichment, quantum merit or implied contract. Except as expressly provided herein, no agent, employee, or representative of the City is authorized to modify any term of this Agreement, either directly or implied by a course of action.

II. COMMENCEMENT AND COMPLETION OF WORK

Contractor shall commence work as set forth in the Scope of Services. Except as may be changed in writing by the City, the Scope of Services shall be completed on schedule as identified in **Exhibit A**, and Contractor shall furnish the City the specified deliverables as provided in **Exhibit A**.

III. COMPENSATION

A. In consideration for the completion of the Scope of Services by Contractor, the City shall pay Contractor an amount not to exceed **One Hundred Fifty-Nine Thousand Five Hundred and Thirty Dollars (\$159,530.00)**. This maximum amount shall include all fees, costs and expenses incurred by Contractor, and no additional amounts shall be paid by the City for such fees, costs and expenses. Notwithstanding the maximum amount specified in Paragraph A hereof, Contractor shall be paid only for work performed. If Contractor completes the Scope of Services for a lesser amount than the maximum amount, Contractor shall be paid the lesser amount, not the maximum amount.

B. Unless specified otherwise in **Exhibit A**, Contractor shall submit monthly statements requesting payment for work satisfactorily completed. Such requests shall be based upon the amount and value of the work and services satisfactorily performed by Contractor under this Agreement. Invoices shall be itemized and include hourly breakdowns

for all personnel and other charges. The City shall remit payment within thirty (30) days of receipt of an invoice meeting the requirements set forth herein.

C. Final payment will be made after all documentation is received by the City, including, but not limited to project closeout documents and all work is completed to the City's standards.

IV. CLEANUP

A. Contractor shall keep the work site and adjoining ways free of waste material and rubbish caused by its employees or subcontractors. Contractor shall remove all such waste material and rubbish daily during construction, together with all tools, equipment, machinery and surplus materials. Contractor shall, upon termination of its Work each day, conduct general cleanup operations on the work site, including the cleaning of all surfaces, paved streets and walks, and steps. Contractor shall also conduct such general cleanup operations on adjacent properties which were disturbed by the Work. Contractor shall remove and dispose of all waste materials at their expense unless specified otherwise in **Exhibit A**.

B. If Contractor fails to perform the cleanup required by this Section the City shall provide Contractor written notice which Contractor has 24 hours to correct the violation or Contractor shall be assessed a fine of One Hundred Dollars (\$100) per day for each day violation occurs. In addition, the City may cause the cleanup to be performed at Contractor's expense. Upon receipt of a statement for such cleanup and applicable fines, Contractor shall pay to the City the fines and costs incurred by the City for such cleanup, or the City shall have the right to withhold said amount from any final payment due to Contractor.

V. LIQUIDATED DAMAGES

A. Contractor acknowledges time is of the essence and delayed performance constitutes a compensable inconvenience to the City and its residents and liquidated damages shall be enforced. Such damages are not a penalty. For each day Substantial Completion is delayed beyond the schedule agreed upon by the City and Contractor, Contractor shall be assessed One Hundred Dollars (\$100) per day or Five Hundred Dollars (\$500) per day if the Not to Exceed amount for this Agreement is over Ninety-nine Thousand Dollars (\$99,000).

B. Contractor will provide a written schedule for the work to be completed to the City for review and approval at the Pre-Construction meeting. Any changes to the written schedule must be authorized by written amendment executed by the City.

C. Allowing Contractor to continue and finish the Work or any part thereof after the Final Completion date shall not operate as a waiver on the part of the City of any its rights. Any liquidated damages assessed shall not relieve Contractor from liability for any damages or costs of other contractors caused by a failure of Contractor to complete the work by or on Final Completion date. Liquidated damages may be deducted from any payment due Contractor or the retainage. If the liquidated damages exceed the amount owed to Contractor, Contractor shall reimburse the City.

VI. CONTRACTOR RESPONSIBILITY

A. Contractor hereby warrants that it is qualified to assume the responsibilities and render the services described herein and has all requisite corporate authority and licenses in good standing.

B. The services performed by Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by others in the same or similar type of work. The services to be performed by Contractor shall be done in compliance with applicable laws, ordinances, rules and regulations.

C. Contractor warrants that all materials provided as a part of the Scope of Services shall be free from defects for 12 months from completion date of project.

VII. INDEPENDENT CONTRACTOR

Contractor is an independent contractor. Notwithstanding any other provision of this Agreement, all personnel assigned by Contractor to perform work under the terms of this Agreement shall be, and remain at all times, employees or agents of Contractor for all purposes. Contractor shall make no representation that it is a City employee for any purposes.

VIII. INSURANCE AND BONDS

A. Contractor shall procure and maintain, at its own cost, a policy or policies of insurance sufficient to insure against all liability, claims, demands, and other obligations assumed by Contractor under this Agreement, including the following, at a minimum:

1. Worker's compensation insurance as required by law; and

2. Commercial general liability insurance with minimum combined single limits of one million dollars (\$1,000,000) each occurrence and one million dollars (\$1,000,000) general aggregate naming the City and the City's officers, employees, and consultants as additional insureds. The policy shall be with a carrier and in a form acceptable to the City at the City's sole discretion.

B. Any insurance carried by the City, its officers, or its employees or contractors is excess and not contributory insurance to that provided by Contractor. Contractor shall be solely responsible for any deductible losses under any policy.

C. Contractor shall procure and maintain, at its own cost the following Bonds:

1. Performance Bond in the amount of one hundred percent (100%) of the total project cost;

2. Payment Bond for fifty percent (50%) of project cost.

D. Contractor shall provide to the City a certificate of insurance and bond certificates as evidence that required policies and bonding are in full force and effect. The certificate of insurance shall identify the City as additionally insured; bond certificates shall

include the City; and Contractor shall provide that the coverages and/or bonds afforded under the policies shall not be cancelled, terminated or materially changed until at least thirty (30) days prior written notice has been given to the City. The City reserves the right to request and receive a certified copy of any policy, bonds, and any endorsement thereto. The City must have all certificates and bonds on file prior to start of any project.

E. Failure on the part of Consultant to procure or maintain the insurance and/or bonds required herein shall constitute a material breach of this Agreement upon which the City may immediately terminate this Agreement, or at its discretion, the City may procure or renew any such policy or any extended reporting period thereto and may pay any and all premiums in connection therewith, and all monies so paid by the City shall be repaid by Consultant to the City upon demand, or the City may offset the cost of the premiums against any monies due to Consultant from the City.

IX. INDEMNIFICATION

Contractor agrees to indemnify and hold harmless the City and its officers, insurers, volunteers, representatives, agents, employees, heirs and assigns from and against all claims, liability, damages, losses, expenses and demands, including attorney fees, on account of injury, loss, or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with this Agreement or the Scope of Services if such injury, loss, or damage is caused in whole or in part by, the act, omission, error, professional error, mistake, negligence, or other fault of Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor, or which arise out of any worker's compensation claim of any employee of Contractor or of any employee of any subcontractor of Contractor. Contractor's liability under this indemnification provision shall be to the fullest extent of, but shall not exceed, that amount represented by the degree or percentage of negligence or fault attributable to Contractor, any subcontractor of Contractor, or any officer, employee, representative, or agent of Contractor or of any subcontractor of Contractor.

X. TERMINATION

- A. This Agreement shall terminate when all the work described in the Scope of Services is completed to the City's satisfaction or upon the City's providing Contractor with seven (7) days advance written notice, whichever occurs first. If the Agreement is terminated by the City's issuance of written notice, the City shall pay Contractor for all work authorized and completed prior to the date of termination.
- B. If Contractor defaults or fails or neglects to carry out the Agreement, or any part thereof, or fails to perform any provision of this Agreement, the City, after seven (7) days written notice to Contractor and without prejudice to any other remedy the City may have, may make good such deficiencies and may deduct the cost thereof, including compensation for any additional services made necessary thereby, from the payment then or thereafter due Contractor. Or, at the City's option after said notice, the City may terminate this Agreement and may finish the project by whatever method the City deems expedient, and if the unpaid balance of the compensation owed to Contractor at the time of termination exceeds the expense of finishing the project,

such excess shall be paid to Contractor, but if such expense exceeds such unpaid balance, Contractor shall upon demand pay the difference to the City.

XI. MISCELLANEOUS

A. **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in El Paso County, Colorado.

B. **No Waiver.** Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the City shall not constitute a waiver of any of the other terms or obligation of this Agreement.

C. **Integration.** This Agreement and any attached exhibits constitute the entire Agreement between Contractor and the City, superseding all prior oral or written communications.

D. **Third Parties.** There are no intended third-party beneficiaries to this Agreement.

E. **Notice.** Any notice under this Agreement shall be in writing, and shall be deemed sufficient when directly presented, when sent pre-paid, first class United States Mail to the party at the address set forth on the first page of this Agreement, or when sent via electronic mail to the following addresses upon receipt by the recipient:

To the City at mwillie@manitouspringsco.gov

To Contractor at gshields@frarborists.com

F. **Severability.** If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

G. **Modification.** This Agreement may only be modified upon written agreement of the Parties.

H. **Assignment.** Neither this Agreement nor any of the rights or obligations of the Parties hereto, shall be assigned by either party without the written consent of the other.

I. **Governmental Immunity.** The City, its officers, and its employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the City and its officers or employees.

J. **Rights and Remedies.** The rights and remedies of the City under this Agreement are in addition to any other rights and remedies provided by law. The expiration of this Agreement shall in no way limit the City's legal or equitable remedies, or the period in which such remedies may be asserted, for work negligently or defectively performed.

K. **Subject to Annual Appropriations.** Consistent with Article X, § 20 of the Colorado Constitution, any financial obligations of the City not performed during the current fiscal year are subject to annual appropriation, and thus any obligations of the City hereunder shall extend only to monies currently appropriated and shall not constitute a mandatory charge, requirement or liability beyond the current fiscal year.

[Remainder of page intentionally left blank. Signatures on following page.]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first set forth above.

CITY OF MANITOU SPRINGS, COLORADO

Mayor John Graham

ATTEST:

Office of the City Clerk

CONTRACTOR

[Signature]

STATE OF COLORADO)
) ss.
COUNTY OF)

The foregoing Agreement for General Services was subscribed, sworn to and acknowledged before me this 1st day of October, 2025 by Greg Shields, as Business Unit Leader of Front Range Arborists.

My commission expires:

(S E A L)

Lyn Briggs

Notary Public

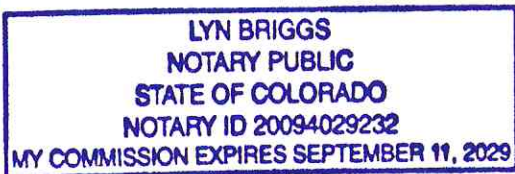


EXHIBIT A
SCOPE OF SERVICES

11 Pages in Total

Black Canyon Open Space Fuels Mitigation Scope of Work:

The Manitou Springs Fire Department is interested in reducing wildfire risk in Black Canyon Open Space area. The Manitou Springs Fire Department (MSFD), Manitou Springs Parks and Forestry with Manitou Springs Open Space Committee is proposing to mitigate 35 acres in the City of Manitou Springs Wildland Urban Interface (WUI). The area is bordered by Cliff Dwellings land to the west, private lands to the north, Black Canyon Road to the east, and US-Hwy 24 and private lands to the south. The intent is to reduce critical fuel loading and modify fuel structure by limbing, thinning stand density, modification/chipping of any dead and down woody debris, and the removal of live, dead, and diseased standing vegetation. The total project area is **APPROXIMATELY** 35 Acres with vegetation consisting of mainly Gambel oak, mountain mahogany, three leaf sumac, pinyon pine, ponderosa pine, Douglas-fir, and juniper. Contractors will provide bids for the unit. A map outlining the total management area, acreage shall be provided by the Manitou Springs Fire Department during the pre-bid site visit. Implementation of work within the Management Area will begin after contracts are awarded and work must be completed before December 31st, 2025.

Treatment Methodologies Permitted:

Management Unit: Manitou Springs Fire Department will consider various treatment methods including hand thinning, light machinery and/or a combination of fuels mitigation treatments.

Goals:

- Reduce the wildfire risk to surrounding neighborhoods and public property
- Protect critical infrastructure by reducing wildfire risk to adjacent access roads and utilities
- Prevention of post -storm slope erosion by reducing the risk of catastrophic canopy loss
- Reducing wildfire risk to wildlife habitat, recreation resources, biological areas, and natural and cultural resources (i.e. trails, scenic vistas, riparian, historical, archeological)

Objectives:

- Reduction of woody biomass by at least 50% across the project area
- Reduce ladder fuels across all stands
- Maintain the natural character of lands in relationship to the surrounding area, recreational opportunities, and natural and cultural resource management

General Project Specifications:

- Orange flagging denotes unit boundaries. Knots of the flagging face inwards toward the unit. Abrupt corners are typically flagged with two flags, knots face the directions of the boundary lines.

- Previously closed trails will not be removed of existing branches or woody debris designed to close the trail. If the contractor clears or removes debris from closed trails the contractor must return the closed trails to the condition before the project began.
- All existing, approved trails shall not be damaged. If trail is damaged, it must be returned to the condition before the project began.
- Trails will have moderate to minimal cutting within the first 5 feet of the trail prism. Trees or vegetation keeping trail corridor intact will not be cut. Small areas to cross trails may be cut for mechanical / project feasibility.
- Infrastructure such as culverts, bridges, fencing, or similar will not be damaged. If damaged, the contractor is bound and obligated to return damages to the condition before the project began.
- Chips will not be broadcast onto lands outside the project areas, into drainages (defined by cut banks), onto existing trails and will not reach depths greater than 4" in height.
- Traffic control, trail closures, safety signs, and permits are the responsibility of the contractor. Guidelines for this shall be provided by the MSFD representative.
- Heavy equipment routes are the responsibility of the contractor. This includes mobilization, de-mobilization, and routes in the project units / project area. Routes must be approved by a MSFD Representative.
- Stumps will be no greater than 6" in height.
- Care will be taken to prevent damage to "Leave" trees and brush.
- Trash generated by the contractor will be cleaned up and removed daily.
- Contractor must have AT LEAST one (1) working fire extinguisher, one (1) first aid kit, and two (2) shovels onsite at all times while work is in progress within 500 feet of all large running equipment (chipper, masticator, etc.) at all times.
- Chainsaws must be equipped with spark arrestors. Fire danger, fire restrictions, or burn ban may result in work shut down as determined by the Fire Marshal.
- Access and staging areas are restricted to those designated by the MSFD representative.
- Smoking within the project area is strictly prohibited.
- Work shall be conducted weekdays (Monday through Friday) during the hours of 8:00 am to 6:00 pm, to minimize noise disturbance. Work may not be conducted on Federal Holidays / City Holidays. Holiday list will be provided a MSFD representative.
- All PPE shall be worn by contractor at all times.
- Contractor must follow OSHA and ANZI guidelines at all times.
- Refueling stations for saws, chippers, masticators, or like equipment must have a fuel-proof tarp to collect any spillage that may occur – all spilled oils, fuels and contaminated soils shall be removed from site.
- All equipment and trucks shall be washed with a high-pressure water or steam device prior to entering the project area to reduce the spread of noxious weeds and/ or invasive waterborne organisms from other projects and areas. Particular

attention shall be paid to the undercarriage, hard-to-reach areas, and tires. If visible dried or caked mud was on equipment prior to steam cleaning, it must be removed prior to steam cleaning.

- Deep scarification by mastication/grinding down to bare mineral soil and below the A horizon shall be minimized as much as possible and closely monitored by contractor and MSFD Mitigation representatives.
- Tracked or heavy equipment will not be driven through or up/down incised ravines to the best of the contractor ability.
- Work shall be scheduled and implemented when the ground is in suitable working conditions. These conditions are when the land is not muddy or wet and will lessen the tracks left by equipment and crews. Weather and soil conditions will be taken into consideration for contract deadlines. MSFD Representatives reserve the right to halt work due to soil conditions.
- The contractor is responsible for any/all property damage resulting from his/her activity; this includes damage to trees and brush that were labeled as a "leave" item.
- All disturbed areas including skid trails, landings, and staging areas, will be restored using native, weed-free seed, mulch, etc.
- Contractor crews must have a copy of the contract and management unit map onsite at all times (in vehicles)
- Equipment may be left onsite after working hours, at the contractor's own discretion and liability.
- Archaeological sites of concern will follow best management practices to protect identified features. MSFD Representatives will provide technical knowledge and specifications to contractor.
- School-marm or multi stemmed trees are trees that split ≤ 4.5 feet. It is a single tree only if the split occurs > 4.5 feet.
- Contractor will not take tracked equipment on the rock bed drainage area. MSFD Representative will show area.

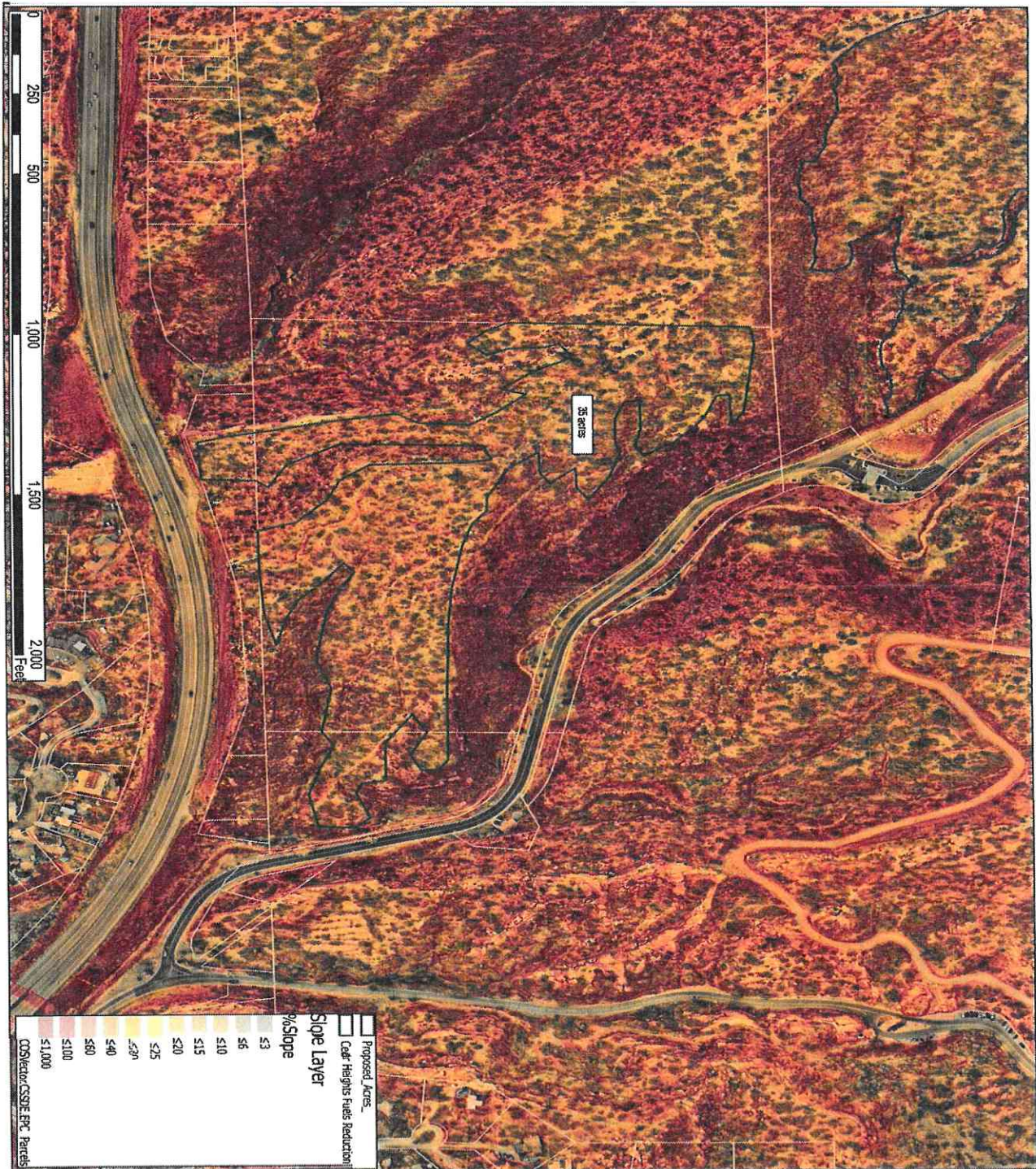
Units Specifications

- All conifer / evergreen trees, 1 foot in height to ≤ 5 " DBH, will be cut and either chipped or masticated.
- All conifer / evergreen trees leave trees, except juniper, will be limbed of all live and dead limbs, 5 feet up the bole. This is measured from the ground on the high-side or uphill side of the tree, 5 feet up the bole. If trees are less than 15 feet tall, only 1/3 of live/dead crown will be limbed of all live and dead limbs.

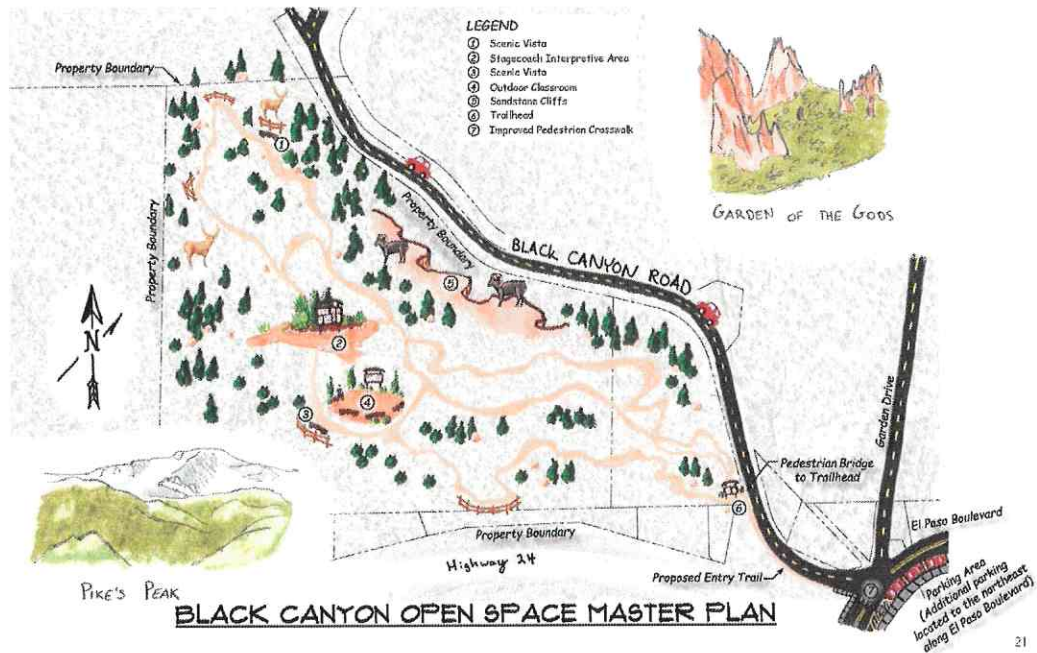
- Remove all Conifer/evergreen trees more than 30% dead or display signs of diseased (dead or alive)
- School-marm or multi stemmed trees (School-marm or multi stemmed trees are trees that split ≤ 4.5 feet. It is a single tree only if the split occurs > 4.5 feet) such as pinyon trees will be cut of stems ≤ 5 " DBH. Multi stemmed trees greater than 5" DBH will be limbed according to the previous limbing specification.
- All invasive species such as Siberian elm, Russian olive, ash, Mexican black locust. etc., 1 foot in height to ≤ 10 " DBH, will be cut and either chipped or masticated.
- 50% of Gambel oak or other shrublike species, 1 foot in height to ≤ 5 " DBH, will be cut and either chipped or masticated.
 - Oak to be cut will focus on smaller diameter stems.
 - Existing oak groups will be enhanced or made smaller to increase separation from other groups.
 - Oak will be cleared from the dripline of all leave trees.
 - Oak will be cleared, twice the distance of the dripline (measure outward from the bole) from all juniper leave trees.
- All ponderosa pine, 1 foot in height to ≤ 8 " DBH, with a DMR of ≥ 2 , see Figure 2.
- All standing dead, 1 foot in height to ≤ 8 " DBH, will be cut and either chipped or masticated. If snags or standing dead have nesting cavities, the tree will not be cut.
- Limbs and boles that are on the ground from naturally fallen trees will be cut and either chipped or masticated if needles and/or bark is still intact (Log decomposition class 1 and 2, see Figure 1).
- 50% of Gambel oak or other shrublike species, 1 foot in height to ≤ 5 " DBH, will be cut and either chipped or masticated.
 - Oak to be cut will focus on smaller diameter stems.
 - Existing oak groups will be enhanced or made smaller to increase separation from other groups.
 - Oak will be cleared from the dripline of all leave trees.
 - Oak will be cleared, twice the distance
- Access to this unit is very difficult for machinery. Contractor may have hand drags to area where they can get tracked chipper

Payment will be issued on NET30 Payment Terms upon completion of work.

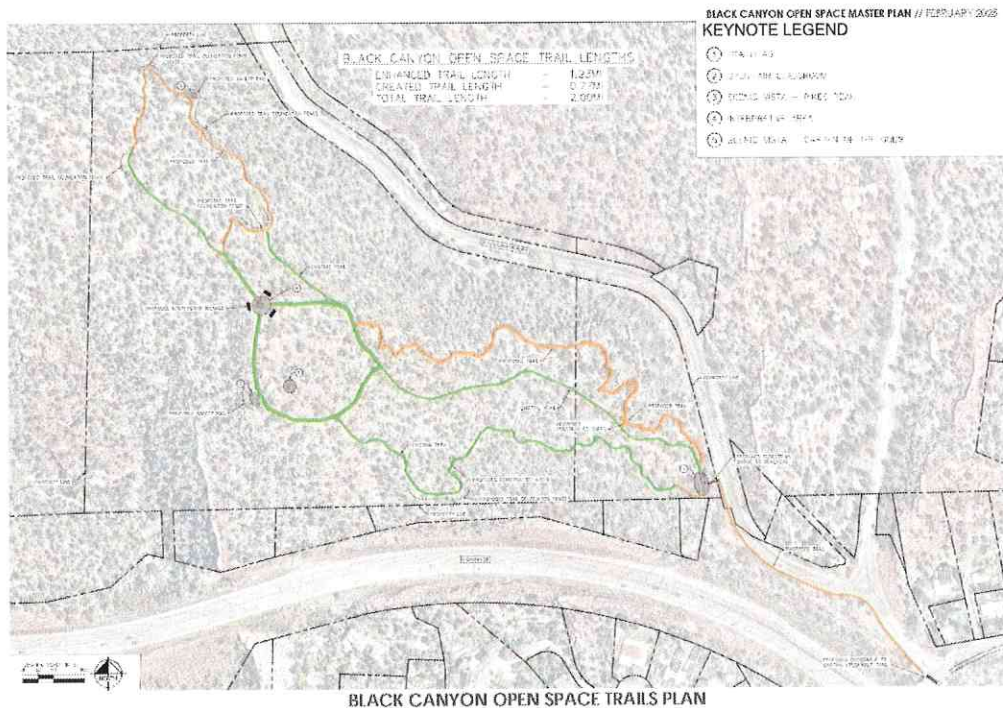
Slope Map



MASTER PLAN LAYOUT



21



23

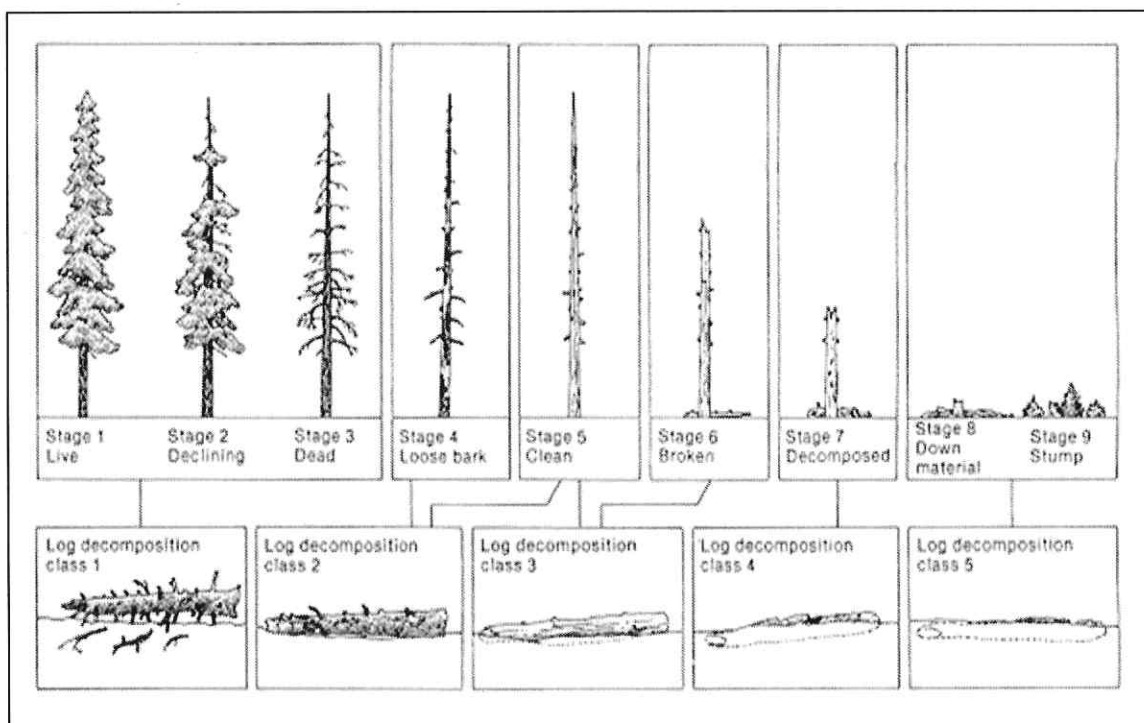


Figure 1

Instructions		Example
Step 1 Divide live crown into thirds.		
Step 2 Rate each third separately. Each third should be given a rating of 0, 1, or 2 as described below:		If this third has no visible infections, its rating is (0).
(0) no visible infections		If this third is lightly infected, its rating is (1).
(1) light infection (1/2 or less of total number of branches in the third infected)		If this third is heavily infected, its rating is (2).
(2) heavy infection (more than 1/2 total number of branches in the third infected).		
Step 3 Add ratings of thirds to obtain rating for total tree.		The tree in this example gets a rating of $0 + 1 + 2 = 3$.

Figure 2



Front Range Arborists
5080 Geiger Boulevard • Colorado Springs, CO 80915
Phone: (719) 635-7459
www.frarborists.com

Estimate

ESTIMATE	57044	DATE	09/30/2025
ATTENTION	Gillian Rossi	ESTIMATOR	Gregory Shields
BILLING	City of Manitou Springs	SERVICE	Manitou Springs Black Canyon Open
ADDRESS	606 Manitou Avenue	ADDRESS	Space Fire Mitigation
	Manitou Springs, CO 80829		606 Manitou Avenue
			Manitou Springs, CO 80829

Front Range Arborists Presents the Following Estimate:

Fire Mitigation of approximately 35 acres at Black Canyon Open Space following the approved Scope of Work.

Price per acre = \$4,300

Fire Mitigation Price = \$150,500

Bid Bonding Fee = \$9,030

Total Project Price = \$159,530

Scope of work will be accomplished by hand cutting and broadcast chipping using a tracked chipper and might include the use of a mower-head deck mounted on a tracked mini skid loader to treat some of the shrubs and smaller diameter patches of Gamble Oak.

TOTAL **\$159,530.00**

Signature - Owner/Property Manager

Printed Name - Owner/Property Manager

Signature - Front Range Representative

A Division of Timberline Landscaping

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ID# 57044

Exhibit A - Page 8

C: _____

T: _____

Page 29 of 179



Front Range Arborists
5080 Geiger Boulevard • Colorado Springs, CO 80915
Phone: (719) 635-7459
www.frarborists.com

Estimate

To receive electronic notifications for any chemical applications or invoices, please check yes or no. If yes, please provide the email address for notifications:

- ☐ Yes, I would like to receive electronic communications.
- ☐ No, I do not want to receive electronic communications.

Email: _____

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Front Range Arborists
5080 Geiger Boulevard • Colorado Springs, CO 80915
Phone: (719) 635-7459
www.frarborists.com

Estimate

General Provisions:

- The visit to your property was only a visual inspection from the ground for the purpose of providing a price for requested services and shall not be considered a tree risk assessment.
- Access to areas to be landscaped must be clear of cars, other trade equipment, and debris before commencement of work.
- A fuel surcharge of 3% may be added to the total invoice amount at the time of installation if fuel costs (Diesel and Unleaded blend price) surpass \$4.00 per gallon.
- Customer is responsible for locating all private utilities within the work areas, including irrigation lines and low voltage lighting. Timberline will not be responsible for breaks due to private locates not marked or mis- marked.
- If any of the terms and conditions in this proposal are not met, extra costs will occur to accommodate for changes or extra work. If accepted, this proposal shall become a full part of the contract documents.

Payment will be issued on NET30 payment terms. - 65

Payment Terms: Due upon receipt. This proposal may be withdrawn by Timberline if not accepted within (60) days of the Proposal Date. Customer is responsible for any collection costs, including attorney's fees, together with and interest at an annual rate of 18% (1.5% per month) on all past due amounts.

Scheduling: Customer understands that a start date cannot be guaranteed. A scheduling slot will be held for the Customer, and a rough date will be given for reference. However, the date may change due to cancellations of other projects, additions and/or change orders added to projects before that slot, inclement weather, and/or other factors outside of Timberline's control.

Warranty: No tree care services have applicable warranty items.

Additional Services: Tree & Shrub Pruning & Removal - Stump Removal - Insect & Disease Control - Tree Fertilization & Watering - Plant Health Care Analysis - Christmas Decor & Lighting - Landscape Lighting - Fire Mitigation - Landscape Construction & Enhancement - Irrigation Inspection, Repairs, Winterization & Installation - Snow Management - Trail Development.

Tree Pruning Definitions:

All pruning will have a general objective of maintenance or hazard reduction and will adhere to all specifications and proper pruning techniques set forth in the American National Standards Institute (ANSI) A300 Standard for Tree Pruning.

Crown cleaning: the selective removal of dead, dying, diseased, weakly attached and crossing or interfering branches. Unwanted water sprouts and shoot growth is also pruned off. Branches of the following designations diameter and greater will be targeted by cleaning type: Fine 1/2"+, Maintenance 1"+, or Hazard 2"+.

Crown thinning: the selective removal of significant branches to increase light penetration, air movement and to reduce weight. A specified percentage (not to exceed 25%) of live branches may be indicated, or when not specified will include a percentage appropriate for the species.

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5080 Geiger Boulevard • Colorado Springs, CO 80915
Phone: (719) 635-7459
www.frarborists.com

Estimate

Pruning back of branches outside the natural canopy to maintain a shape typical of the species.

Crown raising of lower branches to clear buildings, walks, drives, etc. On street trees, city specifications including raising to 8 feet over sidewalks and 13 ft. 6 in. over streets and alleys.

Safety Pruning: crown clean of deadwood 2" and larger in diameter unless otherwise specified. Crown raising or other pruning may be specified if it is to be included .

Corrective Pruning of Young Trees: pruning to establish and improve a main central leader(s) and strong structure. Branches that are crossing or interfering, weak crotches or attachments with included bark are removed where possible. Selective thinning and raising are included where appropriate.

Crown Restoration: pruning should improve the structure, form, and appearance of the trees that have been severely headed, vandalized, or storm damaged.

Crown Reduction: reduces the height and/or spread of a tree. Consideration must be given to the ability of a species to sustain this type of pruning.

Custom Prune: will specify limbs or parts of the tree that will be worked on with the specific objective that will be achieved. Only those items will be done.

Shrub Pruning Definitions:

Natural Prune: remove significant dead, thin as specified, shape through proper reduction to a shape typical of the species with hand tools. Evergreens will be pruned to shape, contain and retain their natural character. Evergreens will not be thinned of dead wood unless specifically stated.

Fine Shear: trimming to previous cuts to shape or contain with electric shears leaving a formal, finished look to shrub.

Rough Shear: trimming with electric shears to shape and contain growth, leaving a uniform, rougher, more natural appearance.

Rejuvenation: cutting back to 2"-18" stumps certain overgrown or damaged deciduous shrubs for Spring rejuvenation.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to industry standards. Any alteration or deviation from above specifications involving extra costs will become an extra charge over and above the contract amount. Customer is to carry fire, tornado, and other necessary insurance for the protection of their property. Timberline's employees are covered by Worker's Compensation Insurance

A Division of Timberline Landscaping

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/26/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER USI Insurance Services, LLC 1 South Nevada Avenue, Suite 230 Colorado Springs, CO 80903 719 228-1070	CONTACT NAME: PHONE (A/C, No, Ext): 800 873-8500 FAX (A/C, No): E-MAIL ADDRESS: den.contractors@usi.com														
INSURED Front Range Arborists, LLC 5080 Geiger Blvd. Colorado Springs, CO 80915	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: BITCO General Insurance Corp.</td> <td>20095</td> </tr> <tr> <td>INSURER B: Pinnacol Assurance Company</td> <td>41190</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: BITCO General Insurance Corp.	20095	INSURER B: Pinnacol Assurance Company	41190	INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ PD Ded:1,000 GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X	X	CLP3752826	01/01/2025	01/01/2026	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS NON-OWNED AUTOS ONLY	X	X	CAP3752827	01/01/2025	01/01/2026	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB CLAIMS-MADE DED ☒ RETENTION \$10,000	X	X	CUP3752828	01/01/2025	01/01/2026	EACH OCCURRENCE \$3,000,000 AGGREGATE \$3,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☒ N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		X	4064707	01/01/2025	01/01/2026	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Manitou Springs Fire 620 Manitou Ave. Manitou Springs, CO 80829	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	--

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Memorandum

To: Manitou Springs City Council

From: Gillian Rossi, Parks & Recreation Director and Mike Willie, Fire Lieutenant

Date: 10/01/2025

Re: Black Canyon Open Space Fire Mitigation Bid Process

While the project cost exceeds \$50,000, a formal Request for Bid process did not take place while obtaining estimates for fire mitigation in Black Canyon Open Space. The Manitou Springs Fire Department (MSFD) met with staff from the Colorado Springs Fire Department's Fire Mitigation division in May 2025 to begin outlining a scope of work for mitigation in Black Canyon Open Space and obtain referrals for contractors who are familiar with the Pikes Peak Region and specialize in fire mitigation. MSFD also met with staff from Colorado Springs Utilities to obtain contractor referrals as they have also been involved with fire mitigation in the region.

MSFD contacted four of the referred contractors in June 2025 and met with each contractor on-site in Black Canyon Open Space to discuss the project and scope of the project in detail. Ultimately, two of the contractors submitted estimates/bids for the project.

In August 2025, the Open Space Advisory Committee voted to contribute \$150,500 to fire mitigation in Black Canyon Open Space in 2025. The bulk of the contract is being funded through OSAC, the remaining \$9,030 is being funded through the Fire Department's "Firewise Fire Mitigation" account, which comes from the General Fund. There is no grant money being applied towards this project.



Memorandum

Title: September 16, 2025 City Council Regular Meeting Minutes

From: City Clerk's Office

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

October 7, 2025

Purpose:

To review and approve the meeting minutes from the September 16, 2025 City Council meeting.

Background:

The City Council met in regular session on September 16, 2025.

Pros and Cons:

N/A

Fiscal Impact:

None.

Workload Impact:

Approximately three hours to attend the meeting and to prepare and review the minutes.

Recommended Action:

Approve the September 16, 2025 City Council regular meeting minutes through the approval of the consent calendar.

**CITY OF MANITOU SPRINGS
CITY COUNCIL**

Regular Meeting Minutes
606 Manitou Avenue
September 16, 2025

The City Council of Manitou Springs met in Regular Session on Tuesday, September 16, 2025, at 606 Manitou Avenue, in the City of Manitou Springs, County of El Paso, and State of Colorado.

COUNCIL MEMBERS PRESENT FOR ROLL CALL:

Mayor Pro Tem Natalie Johnson
Councilor Judith Chandler
Councilor John Shada
Councilor Nancy Fortuin
Councilor Michelle Whetherhult

COUNCIL MEMBERS ABSENT FOR ROLL CALL:

Mayor John Graham (Excused)
Councilor Julie Wolfe (Excused)

A. CALL TO ORDER

Mayor Pro Tem Johnson called the meeting to order at 6:01 PM.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL

All members of the City Council were present for the roll call, except for Mayor Graham and Councilor Wolfe.

D. APPROVAL OF AGENDA

Councilor Chandler moved to approve the agenda as presented. The motion was seconded by Councilor Fortuin. The motion carried unanimously (5-0).

E. PUBLIC COMMENT ON NON-AGENDA ITEMS

Becky Elder, 313 Plainview Place, shared that she had received an email with a flyer about parking in Fields Park.

Mayor Pro Tem Johnson confirmed that parking at Fields Park would be discussed during item H3, Consideration of Resolution No. 1325, A Resolution Adopting an Updated Universal Fee Schedule.

Shannon Norgord, 801 Duclo Avenue, referenced city code, regarding roll-off dumpsters, storage pods and other large immovable objects. She noted that her dumpster is two feet by four feet and requested that the city consider not fining her for keeping her dumpster on the street, because it is movable.

Andrew Joynton, 824 Midland Avenue, stated that he would like to talk to someone about parking laws in the city.

F. CONSENT CALENDAR

1. Presentation of Warrants
2. August 19, 2025 City Council Regular Meeting Minutes
3. Status of the Manitou Springs Volunteer Fire Department Pension Fund Report
4. Formal Action on Creekwalk 6

Councilor Fortuin moved to approve the consent calendar as presented. The motion was seconded by Councilor Shada. The motion carried unanimously (5-0).

G. PRESENTATION

1. Proclamation No. 1125, 2025 Creek Week Proclamation

Councilor Fortuin read Proclamation No. 1125 into the record, proclaiming September 27, 2025 through October 5, 2025 as Creek Week.

Alli Schuch, Executive Director of the Fountain Creek Watershed District, noted that the first Creek Week Clean Up was 12 years ago and that 175 tons of trash have been removed by over 20,000 volunteers. She stated that participating in clean up is a good way care for the watershed and community, and announced that Manitou Springs will be hosting Clean Ups on both Saturdays. She confirmed that the city has one of the higher percentages of participants per capita.

H. BUSINESS

1. Consider Appointing Lisette Casey to the Manitou Arts, Culture and Heritage Board

Ralph Routon, Manitou Arts, Culture and Heritage Board (MACH) Chair, introduced Applicants Lisette Casey and Gerald Mitchell. He noted a shift in strategy for filling alternate positions, moving from reappointing former board members to nominating new candidates seen as strong prospects for future regular roles. He added that the applicants would bring more diversity to the board. Chair Routon mentioned that both applicants had already attended MACH meetings and explained the high expectation of

the board for alternates to participate in discussions or fill in during the absence of regular members.

Applicant Casey shared that she is looking forward to being a part of the board and giving back to the community. She expressed that MACH events are especially meaningful to her.

Councilor Chandler moved to approve the appointment of Lisette Casey to MACH. The motion was seconded by Councilor Fortuin. The motion carried unanimously (5-0).

2. Consider Appointing Gerald Mitchell to the Manitou Arts, Culture and Heritage Board

Applicant Mitchell expressed interest in joining the MACH Board, noting his desire to contribute his expertise and further engage with the community he values.

Councilor Chandler moved to approve the appointment of Gerald Mitchell to MACH. The motion was seconded by Councilor Fortuin. The motion carried unanimously (5-0).

3. Consideration of Resolution No. 1325, A Resolution Adopting an Updated Universal Fee Schedule

Parking and Mobility Director John Crawford presented proposed changes to paid parking and parking fees, particularly on the east side of the city. He noted the upcoming change to Mountain Metro Route 22 on September 28, 2025, which will shift service from the Hiawatha Parking Lot to the Dillon Parking Lot, increasing parking demand in that area. In response to public feedback, Director Crawford recommended postponing the proposed paid parking changes on El Paso Boulevard until spring 2026 to better assess the impact of the transit changes. He emphasized the need to proceed with rate adjustments at the Dillon Parking Lot due to the bus route change. He also clarified that there was never a proposal to add the Fields Park Lot to the paid parking schedule and that it will remain free, though time limits may be implemented. Finally, he recommended continuing with parking enforcement at Schryver Park, citing recent misuse by Incline hikers. Director Crawford also explained that all paid parking facilities include a 30-minute free parking period available to anyone, and a 50-hour free parking allowance for city residents who provide proof of residency.

There was a brief discussion about communications received by the City Council opposing the Fee Schedule, specifically regarding changes to the Fields Park lot, during which Mayor Pro Tem Johnson confirmed that the presentation sufficiently addressed the issue because the park was not included in the changes.

Mobility and Parking Director Crawford confirmed that his recommendation is to move forward with changing fees for the Dillon and Schryver lots and added that he intends to implement enforcement for oversized vehicles parking on El Paso Boulevard.

Councilor Chandler shared that she had been contacted at least 12 times by residents opposing fees in the 100 block of El Paso Boulevard.

There was a brief discussion about why changes were being proposed for the Schryver Park lot rather than waiting to assess the impact of the upcoming bus route change and Hiawatha lot closure. Mobility and Parking Director Crawford explained that, with the pool and athletic center closed, the Schryver lot had been filling with people not using the park but parking for shuttle and Incline access. He noted that the goal is to preserve parking for actual park users and redirect commuter parking to the Dillon Mobility Hub.

Councilor Whetherhult acknowledged that parking has always been a challenge in Manitou Springs. She urged that, when the 100 block of El Paso Boulevard is reconsidered, the future City Council engage with the community before making any decisions. She expressed concern that paid parking at a public park could discourage families, low-income residents, and visitors from using the space, noting that even a small fee might impact travel plans. She emphasized the importance of considering all perspectives, including those of non-resident park users, and requested that future decisions reflect the needs of the broader community.

Councilor Chandler shared that she had spoken with Director Crawford prior to the meeting regarding concerns raised by Route 36 shuttle drivers. Drivers reported issues with vehicles parking in the bus idle area near the tennis courts, causing them to idle in the traffic lane. She relayed their request for the area to be striped to prevent parking and noted that Director Crawford agreed to address the issue.

Sharon V Naas, 205 Mesa Avenue, commented that she had concerns about parking at Fields Park and on El Paso Boulevard, but those issues seem to be resolved for the time being.

Councilor Fortuin moved to approve Resolution No. 1325, A Resolution Adopting an Updated Universal Fee Schedule as amended to remove the proposed change for the 100 block of El Paso Boulevard from Exhibit A. The motion was seconded by Councilor Whetherhult. The motion carried unanimously (5-0).

4. First Reading of Ordinance No. 1825, An Ordinance of the City of Manitou Springs, Colorado, Adding a New Chapter 12.40 of the Manitou Springs Municipal Code to Prohibit Unpermitted Work in the City

Public Services Director Ben Schmitt presented Ordinance 1825 to prohibit unpermitted work within the city. He provided context on the purpose of the permitting process, emphasizing that permits protect public health and safety, ensure work meets city standards, and offer important protections for property owners. He noted that permitted work is inspected, bonded, and documented, which can be critical for future property sales or insurance claims. He also highlighted a growing issue with contractors performing work without proper permits, creating costly and time-consuming challenges for the city. While the permit process is straightforward and accessible, unpermitted work strains limited resources and can delay other necessary maintenance. The proposed ordinance aims to reinforce the requirement for permits and establish a mechanism to recover costs associated with addressing violations.

There was a discussion about warnings and the distinction between contractors and homeowners. Public Services Director Schmitt confirmed that the ordinance is primarily aimed at addressing unpermitted work performed by contractors. He emphasized the City's education-first approach with homeowners and explained that, while homeowners often assume their contractor has obtained the necessary permits, there is currently no easy way for residents to verify this. Public Services Director Schmitt added that the city is responsible for ensuring standards are met outside the building footprint, such as service line connections, roadways, and sidewalks.

Public Services Director Schmitt clarified that the contractor would be issued the fine rather than the homeowner.

Councilor Fortuin expressed concern about the \$1,000 fine, suggesting it may not be appropriate in all situations, such as unintentional violations by homeowners.

Public Services Director Schmitt stated that while creating tiers for fines sounds reasonable, there is concern about repeat offenders who deliberately stay just below warning thresholds. In such cases, a stronger enforcement mechanism is needed to ensure compliance, though this approach is not currently detailed in the resolution.

City Attorney Jeff Parker advised that enforcement discretion is generally implied throughout city codes, even if not explicitly stated. He explained that officials exercise judgment on a case-by-case basis and noted that it is difficult to codify discretion in every provision, so the city relies on the common sense and good faith of staff when handling violations.

There was a brief discussion about an appeal process, during which City Attorney Parker advised that the city could include an appeal process to a higher city official.

Councilor Chandler noted that homeowners often act as their own contractors and suggested adding an option to the ordinance allowing the city to notify either the contractor or homeowner and provide an opportunity to resolve the issue.

There was a brief discussion about the ordinance's scope and name, to which Public Services Director Schmitt clarified that the ordinance covers unpermitted work anywhere in the city, not just within the city right-of-way. He explained that including work on service lines from the house to the right-of-way is important to ensure proper inspection and protection for homeowners, as issues like improperly installed sewer lines can go unnoticed without city oversight.

Councilor Chandler moved to approve on first reading Ordinance No. 1825, An Ordinance of the City of Manitou Springs, Colorado, Adding a New Chapter 12.40 of the Manitou Springs Municipal Code to Prohibit Unpermitted Work in the City, as amended to include an appeals process to the City Administrator of any administrative decision, and an initial requirement that the contractor or property owner be given an opportunity to resolve the matter and set a public hearing for October 7, 2025, at 6:00 PM. The motion was seconded by Councilor Fortuin. The motion carried unanimously (5-0).

I. RECEIVE OR ACT ON COUNCIL CORRESPONDENCE

Councilor Fortuin noted that the speed reader sign on Crystal Park Road is not working.

Councilor Whetherhult announced that the 70th annual Pikes Peak Marathon will be on Sunday, September 21, 2025, with festivities starting on Thursday, September 18, 2025, and the Ascent on Saturday, September 20, 2025. She added that the Manitou Springs Heritage Museum has an exhibit honoring the marathon.

Mayor Pro Tem Johnson shared that the school board passed resolution supporting the bond measure and suggested that the City Council consider a resolution at the October 7, 2025, meeting.

J. CITY ADMINISTRATOR REPORT

City Administrator Denise Howell announced that there will not be a City Council meeting on September 29, 2025. She added that Friendship Day was a huge success.

Councilor Chandler expressed appreciation for Friendship Day, highlighting it as a resident and community led event that reflected the spirit of Manitou Springs. She suggested holding the event more than once a year.

K. EXECUTIVE SESSION

1. An Executive Session to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, pursuant to Section 5.1(d) of the Manitou Springs Municipal Charter. This executive session concerns the Manitou Springs Metropolitan District.

Mayor Pro Tem Johnson read the purpose of the Executive Session into the record at 6:58 PM.

Councilor Chandler moved to enter the Executive Session for the stated purpose. The motion was seconded by Councilor Fortuin. The motion carried unanimously (5-0).

The City Council moved back to Regular Session at 7:59 PM. Mayor Pro Tem Johnson confirmed the Executive Session was held solely for the stated purpose and that no formal decision was made.

ADJOURN

With no other items to discuss, Councilor Fortuin moved to adjourn the meeting. The motion was seconded by Councilor Chandler. The motion carried (5-0). The meeting adjourned at 7:59 PM.

Attest:

John Graham, Mayor

Elena Krebs, City Clerk

If you need this document in an alternative format, such as large print, accessible PDF, or Braille, please contact the City Clerk's Office at cityclerk@manitouspringsco.gov or (719) 685-2554.



Memorandum

Title: Consider Appointing Keith Harper to the City Planning Commission

From: City Clerk's Office

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 5 Minutes

October 7, 2025

Purpose:

Council to consider appointing Keith Harper to serve as an alternate member on the City Planning Commission.

Background:

Keith Harper has submitted an application and resume for the Council's consideration to fill the last vacancy on the Commission, as an alternate.

Pros and Cons:

N/A

Fiscal Impact:

N/A

Workload Impact:

Minimal.

Recommended Action:

Move to appoint Keith Harper as an alternate member of the City Planning Commission.



City of Manitou Springs

Application for Board/Commission Membership

Please complete the following to express interest in board or commission membership.

[Click here for a list of all board and commission vacancies!](#)

Which Board are you Applying For? City Planning Commision

Membership Requested

- Regular
- Alternate

Full Name Keith W Harper

Street Address [Redacted]

City Manitou Springs

State Colorado

Zip Code 80829

Phone [Redacted]

Email [Redacted]

Do you have any special interests? If so, please briefly provide details below: Special interest would be the future of Manitou Springs.

Per City Charter 9.3: The Council shall not appoint to any Board or Commission any member of the immediate family of any Council Member. Immediate family shall be defined as spouse, parents, brothers, sisters, and children.

(Amendment No. 8, adopted and approved January 14, 1975)

Do you have an immediate family member on City Council? No

Please attach a resume: Keith Harper Resume.pdf

Keith Harper

[REDACTED], Manitou Springs, Colorado 80829

Cell: [REDACTED], Email: [REDACTED]

OBJECTIVE

I am interested in a challenging and rewarding position with a growth-oriented company where I can use my extensive background in testing.

EMPLOYMENT

2018-Present, Empirical Testing Corp.

Engineering Manager/ Calibration

Responsibilities include coordinating and testing of multiple customer jobs on thirty-two servo-hydraulic test frames following ASTM standards and/or customer protocols for FDA submissions of medical devices. Maintenance and calibration of both MTS and INSTRON servo-hydraulic test frames and data acquisition systems, Maintenance of Lab and Facility as well as calibration of all small tools and lab support systems.

2016-2018, Advics North America

Asst. Manager Vehicle Test Group

Responsibilities include managing and leading a team of vehicle test engineers and technicians. Prep, installing data acquisition systems, writing detailed engineering reports, organizing vehicle parts and test equipment, and NVH and Dyno testing. My team is able to perform vehicle testing at a very high level of precision and accuracy performing all Toyota, Ford, GM. Confidentiality and secrecy is a must working with prototype vehicles and systems.

2015-2016, Spectranetics Corp.

Engineering Technician

Responsibilities include coordinating a team of technicians to maintain multiple assembly lines in a cleanroom situation. This was a very fast paced and highly technical position.

2008-2015, Empirical Testing Corp.

Lab Test Manager

Responsibilities include coordinating and testing of multiple customer jobs on thirty-four servo-hydraulic test frames following ASTM standards and/or customer protocols for FDA submissions of medical devices and managing a small team of highly skilled technicians. In addition, my duties include collaborating with test engineers, machinists, and technicians, assembly of medical devices in test blocks and fixtures, detailed inspections of specimens using a microscope, high-resolution photographs of failed specimens, use of INSTRON and MTS servo-hydraulic test frames and data acquisition systems, and high level usage of Excel.

2003-2008, Advics North America

Senior Engineering Lead Test Technician

Responsibilities included vehicle testing and prep, installing data acquisition systems, writing detailed engineering reports, organizing vehicle parts and test equipment, and NVH and Dyno testing. In addition, my duties included managing and leading a large team of technicians. Confidentiality and secrecy is a must working with prototype vehicles and systems.

Keith Harper

[REDACTED], Manitou Springs, Colorado 80829

Cell: [REDACTED], Email: [REDACTED]

1998-2003, General Motors Pikes Peak Test Headquarters/Kett Engineering
Facility Manager Responsibilities included maintaining test facility, installing data acquisition systems and brake test hardware, developing new test procedures, organizing vehicle test schedules, mapping new test routes, meeting manpower requirements, instrumentation (GPDAS), support to engineers, data and computer support, and driving and training for Pikes Peak brake tests. Confidentiality and secrecy was a must working with prototype vehicles and systems.

PROFESSIONAL TRAINING

Excel, Word, and Outlook Advanced Training-New Horizons

Bridgestone Winter Driving School

Toyota Test Vehicle Driving Qualification

Advanced Driver Trainer

Forklift License with Trainer Endorsement

IOTech/National instruments/DaisyLab

Link 4000

RevData Plus

Instron Software

MTS Software

Gage Trak

EDUCATION

Technical Trade Institute-Architectural Engineering/Drafting Associates Degree, 1988

Manitou Springs High School-graduated 1985

September 25, 2025

Mayor Graham and City Council,

I have reviewed Keith Harper's application and believe he is well qualified for appointment as an alternate member of the Planning Commission. Keith has attended the most recent planning commission meeting and has met with me to discuss the expectations and responsibilities of this role. He has demonstrated a clear understanding of the commission's duties, including its quasi-judicial function and the limitations that come with the position.

I recommend Keith Harper for appointment as an alternate member of the Planning Commission.

Sincerely,

Alan Delwiche

Chair, Planning Commission



Memorandum

Title: First Reading of Ordinance No. 1925 Concerning Accessory Dwelling Units, Occupancy Limits for Dwelling Units, and Parking Restrictions for Multifamily Residential Development

From: Frederick Rollenhagen, Planning Director

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 30 Minutes

October 7, 2025

Purpose:

The purpose of this ordinance is twofold; 1) it is intended to provide more opportunities to add more housing and more housing options, and 2) to assure that the City Municipal Code is in compliance with state legislation that was passed in 2024.

Background:

In 2024, the Colorado General Assembly passed four (4) bills that were signed into law by the Governor, that are a matter of mixed statewide and local concern and compel local municipal compliance. These laws intend to achieve the goal to build more housing and more affordable housing in the State.

HB 1007, Housing Occupancy Limits

This bill prohibits local governments from setting a maximum occupancy limit on a single dwelling unless the limit is based on 1) a demonstrated health/safety standard or 2) on governmental affordable housing program guidelines. It indicates that all occupancy limits, including those based on familial relationships, are void as of July 1, 2024.

HB 1152, Accessory Dwelling Units (ADUs)

This bill provides a land use regulation that allows ADUs for all municipalities with a population of 1,000 or more and are within a Metropolitan Planning District (MPO). Manitou Springs fits into these criteria. It requires the City to allow ADUs as a use by right, as an accessory use to any single-unit detached dwelling unit, in any zone district that allows single-unit detached dwelling units. The City also may not:

- a. Require new off-street parking spaces for the ADU except when no existing off-street parking exists, is in a zoning district that requires one or more parking spaces for the main dwelling unit, or is located on a block where on-street parking is prohibited.
- b. Require an ADU, or primary dwelling unit on the same lot to be owner-occupied.



c. Apply restrictive design or dimension standards that are not required for the primary dwelling unit. HOA rules that are more restrictive than these rules are now void (the City does not enforce any private HOA rules or covenants).

HB 1304, Minimum Parking Requirements

This bill prohibits local governments within an MPO and at least partially within a “transit service area” from enforcing minimum parking requirements for multifamily residential developments, residential adaptive reuse projects, and mixed-use projects with at least 50% residential uses. The Colorado Department of Local Affairs (DOLA) released a map identifying these areas in each community subject to the new law. A portion of Manitou Springs following the two established bus routes is located within a transit service area and would be subject to this law. See the attached map that shows these locations.

HB 1313, Transit-Oriented Communities

This bill provides new regulations (and grant funds) to upzone areas within a City to increase housing availability. This is required for cities considered to be “transit-oriented communities” (TOC). A TOC is a local government 1) entirely or partially within an MPO, 2) has a population of 4,000 or more, and 3) contains at least 75 acres of transit area. The Colorado Department of Local Affairs (DOLA) released a map identifying all transit-oriented communities and Manitou Springs is not one of them. Therefore, **this bill does not apply to any area within the City and today's ordinance consideration does not include any code amendments related to the 4th bill HB 1313.**

The Planning Commission held four (4) work sessions over the spring and summer months discussing these bills and identifying priorities that should be in a draft ordinance to consider. The information in these work sessions can be found in the City's Laserfiche Public Portal for May, June, July and August meetings in the Planning Commission's folder found here: [Welcome to Laserfiche Public Portal](#)

The City's legal council provided legal advice (attached) on the bills during the first work session held on May 14, 2025. At the end of the second work session on June 11th, Planning Commissioners and Housing Advisory Board members all communicated their feelings and concerns about what should be considered in a draft ordinance and what information they wanted to see to help inform them on a draft ordinance. The Planning Commission held a third working session on July 9th that focused on answering questions and providing information on potential impacts from accessory dwelling units (ADUs). Data and spatial information was provided that showed potential locations for ADU construction, and locations that would prohibit ADUs based on the Land Use and Development Code's current development standards. Overall, the data showed a far greater opportunity for existing garages, basements or other qualified structures to be converted into ADUs than there is available land for new structures to be constructed.



Additionally, there is a greater capacity in the Low-Density Residential (LDR) and Hillside Low Density Residential (HLDR) for ADUs than there is in the General Residential (GR) zoning district due to larger lot sizes on average and more accessory structure space. During the fourth work session held on August 13th, the CPC reviewed specific draft code revisions, asked questions and provided general input and guidance.

Ordinance Detail

Please see the attached draft ordinance that was recommended for approval by the City Planning Commission, for review and consideration. This draft ordinance revises the Municipal Code for three things; 1) modification of Housing Occupancy Limits by revising the definition of the term "household", 2) allows Accessory Dwelling Units as a permitted accessory use in zoning districts where single-family residential units are permitted, and 3) modifies minimum parking requirements for new multifamily development in identified "transit service areas" as provided on the attached map provided by the Colorado Department of Local Affairs.

Housing Occupancy Limits

This draft ordinance modifies the definition of the term "household" to be in conformance with HB24-1007 which prohibits local governments from limiting the number of people who may live together in a single dwelling, regardless of familial relationship. Therefore, the new definition defines a household based on the maximum number of occupants permitted by applicable building codes, safety codes, the Housing Habitability Code or any other applicable state or federal law or regulations.

Accessory Dwelling Units

This draft ordinance creates a new section under "Residential Uses" that establishes a permitted use of, and regulates accessory dwelling units and allows them in the three zoning districts where single-family units are permitted (General Residential, Low-Density Residential, and Hillside Low-Density Residential). The ordinance defines an ADU as a dwelling unit that can be attached or detached from a single-family detached dwelling, or single-family attached dwelling that provides basic requirements for living, sleeping, cooking, and sanitation. ADUs are required to comply with the dimensional standards (setbacks, height limits, etc) applicable to the zone district in which it is proposed. One exception is that the ADU is not subject to density restrictions stated in the applicable dimensional standards table for each zoning district. Currently, the draft ordinance sets a minimum size for ADUs at 250 square feet in habitable space and a maximum size of no larger than the total habitable space found in the existing single-household unit onsite (HB 1152 only requires that communities allow ADUs between 500 and 750 square feet in size which provides quite a bit of discretion in this section). ADUs would be reviewed through the submittal of a Minor Site Plan which is reviewed and approved administratively. As a comparison, single-family homes are also reviewed



through the submittal of a Minor Site Plan so using this method to review ADUs would be consistent with our review of single-family units. At this time, the draft ordinance allows the current short-term rental regulations to be applied to an ADU if desired by an ADU owner. By allowing ADUs as this draft ordinance indicates, they are subject to all other codes adopted by the City including but not limited to; the International Residential Code and other applicable building codes administered by the Pikes Peak Regional Building Department and the City's Housing Habitability Code, Historic Preservation Regulations, and Fire Code.

The draft ordinance currently does not restrict an ADU from being used as a short-term rental (STR), but instead allows the STR regulations to apply.

The draft ordinance provides an exception for ADUs for hooking up to the City's water system to extend an existing service line of the associated principal dwelling unit to the ADU as long as the unit is individually metered. With this exception, staff recommends that the fee for this meter be half the cost of a new water tap. Additionally, the service line must be adequately sized for the number of units it services, as determined by the City Engineer. Finally, as per HB 1152, the draft ordinance requires one off-street parking space only when the ADU is in a location where on-street parking is prohibited.

Minimum Parking Requirements for new multifamily developments

This draft ordinance adds a new subsection under Section 18.03.8 — Mobility Requirements that provides an exception from the parking requirements for 1) new multifamily residential development, 2) adaptive reuse projects of an existing building for completely residential purposes, and 3) adaptive reuse of an existing building for a mix of users in which at least 50% of the resulting use is residential. These uses are not subject to the parking requirements when located within the designated Transit Service Area as per the Transit Service Area map that is prepared by the Colorado Department of Local Affairs (see attached). However, the City may require no more than one (1) space per unit for multifamily residential development with 20 or more units within the Transit Service Area, but only if supported by findings and substantial evidence showing that not enforcing said requirement will have a substantial negative impact that cannot be mitigated by other strategies, as outlined in House Bill 24-1304.

Pros and Cons:

Pros:

This ordinance allows for more capacity in the City for different housing types to be constructed. In this case, accessory dwelling units, the ordinance also lifts restrictions on the relationships of persons occupying a housing unit to allow more co-habitation of unrelated persons in existing housing units, but does so within the confines of exiting



building, fire, and habitability codes. It also reduces the parking requirements for new multifamily development in the defined transit service area to allow more development flexibility on those parcels of land.

Allowing ADUs allows private property owners to invest in, and financially benefit from, the added use and value of their property by having the opportunity to use their property for additional income.

Adopting this ordinance brings the City into conformance with the state housing legislation that was passed in 2024.

Cons: Some residents might be used to, and accepting of current neighborhood density and aesthetics in their neighborhoods, which this ordinance would change.

Fiscal Impact:

The exact fiscal impact resulting from adopting this ordinance is unknown at this time. However, staff does not anticipate a large number of ADU applications to be submitted as a result. Staff does not believe there will be a noticeable fiscal impact due to the possible construction of ADUs.

Workload Impact:

The workload impact resulting from adopting this ordinance is unknown at this time. However, staff does not anticipate a large number of new development applications to be submitted as a result. Staff believes that any increase in permit load will easily be absorbed with existing staffing.

Recommended Action:

Move to approve on First Reading, Ordinance No. 1925, an Ordinance of the City of Manitou Springs, Colorado, amending Chapters 13 and 18 of the Manitou Springs Municipal Code concerning accessory dwelling units, occupancy limits for dwelling units, and parking restrictions for multifamily residential developments and set a public hearing for October 21, 2025 at 6 pm.

ORDINANCE

**AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO,
AMENDING CHAPTERS 13 AND 18 OF THE MANITOU SPRINGS
MUNICIPAL CODE CONCERNING ACCESSORY DWELLING UNITS,
OCCUPANCY LIMITS FOR DWELLING UNITS, AND PARKING
RESTRICTIONS FOR MULTIFAMILY RESIDENTIAL
DEVELOPMENTS**

WHEREAS, House Bill 24-1152 requires local governments that have a population of 1,000 or more and are within a Metropolitan Planning District (an "MPO"), to allow accessory dwelling units ("ADUs") as a use by right, and as an accessory use to any single-unit detached dwelling unit in any zone district that allows single-unit detached dwelling units by June 30, 2025;

WHEREAS, with limited exceptions, House Bill 24-1152 restricts local governments from (1) requiring the construction of a new off-street parking space in connection with the construction or conversion of an ADU; (2) requiring an ADU or any other dwelling unit on the same lot as an ADU to be owner-occupied; and (3) applying restrictive design or dimension standards for an ADU that is not required for the primary dwelling unit on the same lot;

WHEREAS, House Bill 24-1007 prohibits local governments from setting any sort of maximum occupancy limit on a single dwelling unit, unless the limit is based on either a demonstrated health and safety standard, or governmental affordable housing program guidelines;

WHEREAS, House Bill 24-1304 prohibits local governments within an MPO, and at least partially within an applicable transit service area, from enforcing minimum parking requirements for multifamily residential developments, residential adaptive re-use projects, and mixed-use projects with at least 50% residential uses within a transit service area;

WHEREAS, House Bill 24-1304 permits local governments to impose minimum parking requirements of no more than one space per unit for residential developments with 20 or more units, or that contain regulated affordable housing upon a showing (1) that not enforcing the requirement would have a substantial negative impact that cannot be mitigated by other strategies; and (2) that the findings are published and supported by substantial evidence within 90 days of receiving a development application;

WHEREAS, on July 15, 2025, the City Council approved Ordinance No. 1525, which amended the Manitou Springs Municipal Code with the intention to bring the City into immediate compliance with House Bill 24-1152, namely, by permitting ADUs in residential zone districts that allow detached single-family dwellings and by implementing an administrative review process for ADUs; and

WHEREAS, the City desires to amend Chapters 13 and 18 of the Manitou Springs Municipal Code to align with these recent State law changes affecting ADUs and minimum parking requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1. Section 13.08.100 of the Manitou Springs Municipal Code is hereby amended to read as follows:

13.08.100 - Extension of service line prohibited.

A. Requirement for Separate Service Line. A separate and independent service line shall be provided for every building, and no connection with the water system shall be made by extending the service line from one property to another property. If any such property is subdivided, each resulting property is required to have its own separate water service line, which line shall be installed at the expense of the owner of the property.

B. Exceptions. Accessory dwelling units, as defined by Section 18.04.3.7, may extend the service line of the associated principal dwelling unit to connect to the accessory dwelling unit. Each unit must be individually metered. The service line must be adequately sized as determined by the City Engineer. All curb stops, including the main curb stop and the residence curb stop, shall be installed as determined by the City Engineer.

Section 2. Section 13.12.070 of the Manitou Springs Municipal Code is hereby amended to read as follows:

13.12.070 - Master metering—Responsibility of landlord.

Master metering shall be permitted of any apartment complex, motel or commercial or office-type building, provided all tenants of such structures rent from the same landlord. In all cases where master metering is permitted of two or more units, the landlord shall be responsible for paying the water and sewer bills. The connection of two or more distinct and separate commercial buildings used for different commercial activities to the same meter is prohibited. Accessory dwelling units must be metered independent of the associated principal dwelling unit.

Section 3. Section 18.03.8.2(A) of the Manitou Springs Municipal Code is hereby amended to read as follows:

18.03.8.2 - Applicability.

A. New Development.

1. All new development shall provide off-street parking and loading areas in accordance with this section.
2. Minimum parking requirements for (a) new multifamily residential development, (b) adaptive reuse projects of an existing building for completely residential purposes, and (c) adaptive reuse of an existing

building for a mix of users where at least 50% of the resulting use is residential, do not apply to the areas shown on the Transit Service Area map that is prepared by the Colorado Department of Local Affairs.

3. The City may require more than one parking space per unit for multifamily residential developments with twenty (20) or more units within the Transit Service Area, if supported by findings and substantial evidence showing that not enforcing said requirement will have a substantial negative impact that cannot be mitigated by other strategies, as outlined in House Bill 24-1304.

Section 4. A new Subsection 18.04.3.7 is hereby added to Section 18.04.3 of the Manitou Springs Municipal Code to read as follows:

18.04.3.7 - Accessory Dwelling Unit (ADU).

A. Defined. A subordinate dwelling unit located on the same lot as and attached or detached from a single-family detached dwelling, or single-family attached dwelling that provides basic requirements for living, sleeping, cooking, and sanitation.

B. Use Standards.

Accessory dwelling units is a permitted use on all lots that allow a principal dwelling unit, including without limitation properties that are zoned Planned Development. An accessory dwelling unit shall be subject to the dimensional standards that are established for each zone district or Planned Development with the following exceptions:

1. Number. Only one (1) ADU shall be permitted for each principal dwelling unit on a lot. However, ADUs shall not be subject to density restrictions stated in the applicable dimensional standards table. Any additional ADUs shall be subject to the density restrictions;

2. Size. The ADU shall be no less than two hundred and fifty (250) square feet in habitable space and no more than fifty percent (50%) of the square feet of the principal dwelling unit or seven hundred and fifty (750) square feet, whichever is larger. In no event shall the ADU exceed the square footage of the principal dwelling unit; and

3. Dimensional standards. An ADU shall be subject to the same dimensional standards that apply to principal dwelling units as found in Table 18.02.2.1-1.

C. Density measurements found in Section 18.02.1.4 shall not apply to an accessory dwelling unit.

D. A water tap fee, and a sewer tap fee of ½ the respective water and sewer tap fees for a single-family residence shall be paid to the city for an accessory dwelling unit prior to issuance of a building permit. Should the property on which the accessory dwelling unit is located is subdivided so that the accessory dwelling unit is located on a lot separate from the primary residence, separate water and sewer service lines running from the accessory dwelling unit to the water and sewer mains shall be required and new full single-family residential water and sewer tap fees shall be paid to the City.

Section 5. Table 18.04.2.5-1 in Section 18.04.2.5 of the Manitou Springs Municipal Code is hereby amended by the addition of "Accessory Dwelling Unit" under the "RESIDENTIAL USES" category immediately after "Mobile or Manufactured Home Park." Additionally, the designation "A" shall be entered next to the Accessory Dwelling Unit category under the columns for GR, LDR, and HLDR zone districts to read as follows:

Table 18.04.2.5-1: Table of Allowed Uses					
Use Category	Use Type	GR- General Res	LDR- Low Density Res	HDR- High Density Res	HLDR- Hillside Low Density
Household Living	Accessory Dwelling Unit	A	A		A

Section 6. Subsection A of Section 18.04.5.4 of the Manitou Springs Municipal Code is hereby amended to read as follows:

18.04.5.4 - Short-Term Rental.

A. Defined. The rental of a dwelling unit, or a portion thereof, that is rented for purpose of lodging for terms of not less than one day and not more than twenty-nine days also known as a vacation rental.

Section 7. A new Subsection 7 is hereby added to Section 18.06.4.11(B) of the Manitou Springs Municipal Code to read as follows:

18.06.4.11 - Minor Site Plans.

7. The construction or alteration of an accessory dwelling unit as defined under Section 18.04.3.7.

Section 8. The definition of "Household" in Section 18.07.3 of the Manitou Springs Municipal Code is hereby amended to read as follows:

18.07.3 - Zoning and Subdivision Terms.

Household – The number of persons occupying each dwelling unit shall not exceed the maximum permitted by the applicable adopted building or safety code, the Housing Habitability Code, or by any applicable state or federal law or regulations, or by affordable housing guidelines applicable to the dwelling unit.

Section 9. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 10. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 11. This ordinance shall take effect five (5) days after publication following final passage.

Passed on first reading and ordered published this ____ day of _____ 2025.

City Clerk, Elena Krebs

A Public Hearing on this ordinance will be held at the October 21, 2025, City Council meeting. The City Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: _____, 2025. (in full)

City's Official Website and City Hall

Passed on second reading and adopted by Council this ____ day of _____ 2025.

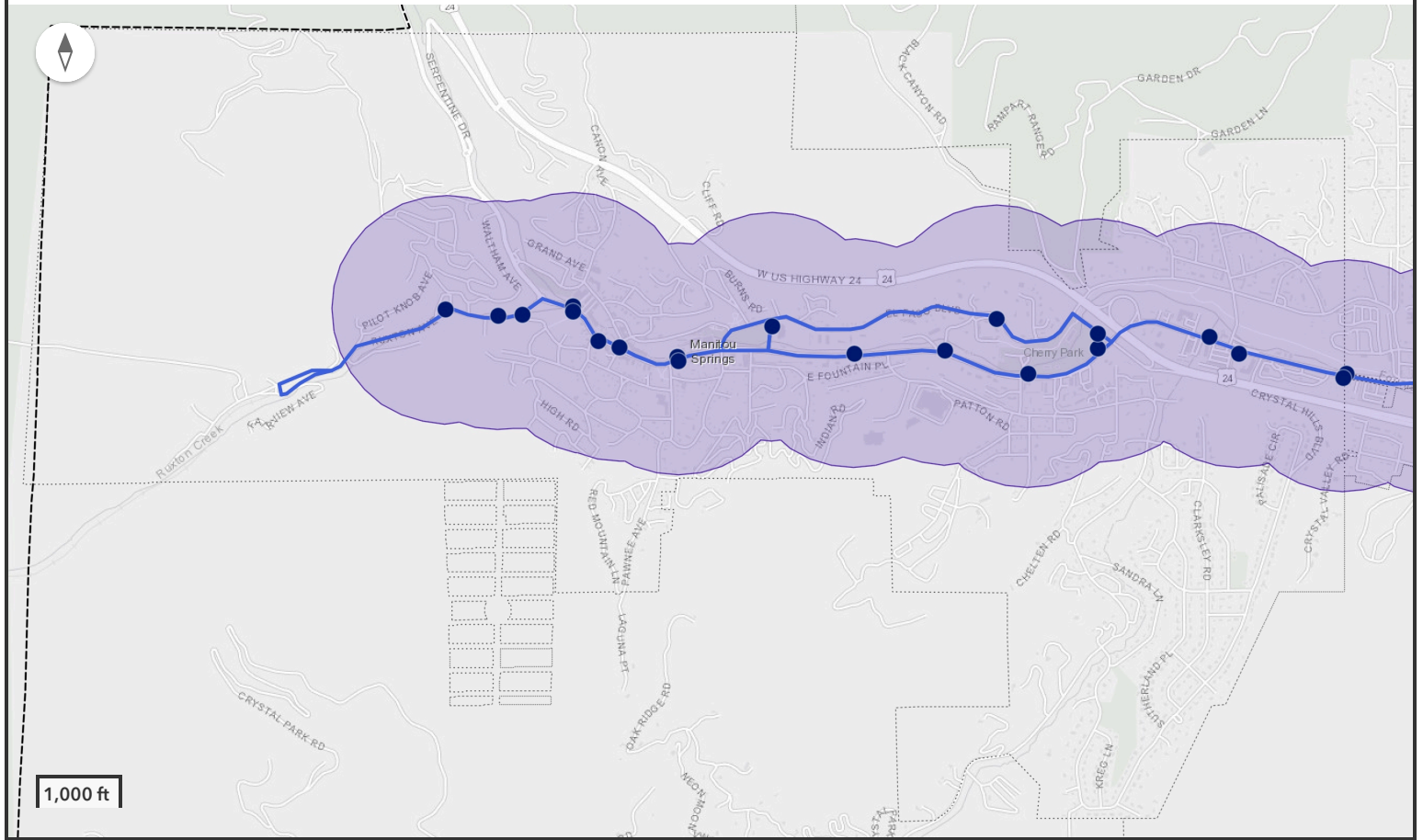
Mayor, John Graham

Attest: _____
City Clerk, Elena Krebs

Published: _____, 2025 (in full)
City's Official Website and City Hall



Maps for HB24 1304 Minimum Parking Requirements



Applicable Transit Stops and Stations HB24 1304

● Bus ● Light/Commuter Rail ● Commuter BRT

Applicable Transit Routes HB24 1304

— Bus — Rail — Commuter BRT

Applicable Transit Service Areas HB24 1304 Dissolved

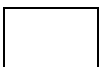


Reference layers

Municipalities and counties in metropolitan planning organizations



Colorado metropolitan planning organizations

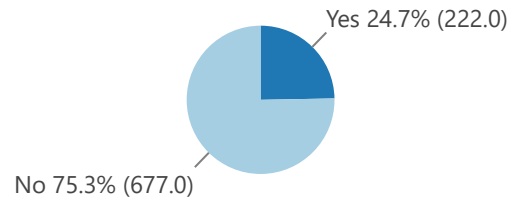


Residential Parcels; GR - City of Manitou Springs
Garage and Basement Greater than 250 Sq Ft.



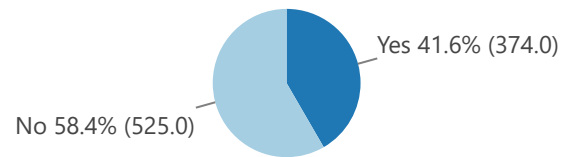
Garage 250 Sq Ft or Greater

■ Yes 24.7% (222.0) ■ No 75.3% (677.0)



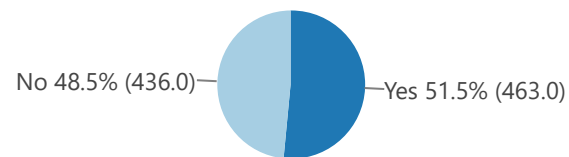
Basement 250 Sq Ft or Greater

■ Yes 41.6% (374.0) ■ No 58.4% (525.0)



Has Both 250 Sq Ft or Greater

■ Yes 51.5% (463.0) ■ No 48.5% (436.0)

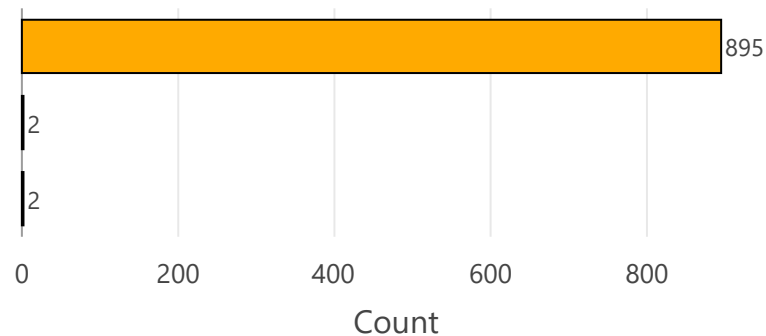


Single Family Residential - GR

Single Family Residential, General Residential

Single Family Residential, Split (GR & C)

Single Family Residential, Split (GR & HLDR)



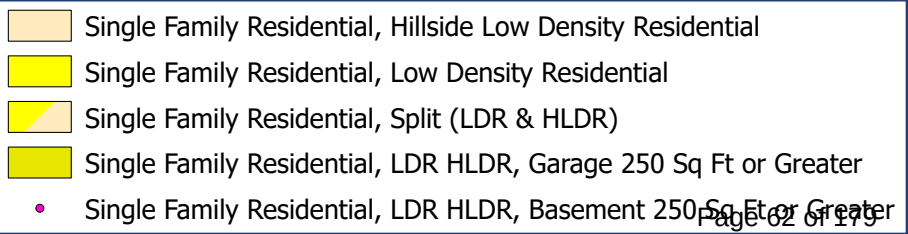
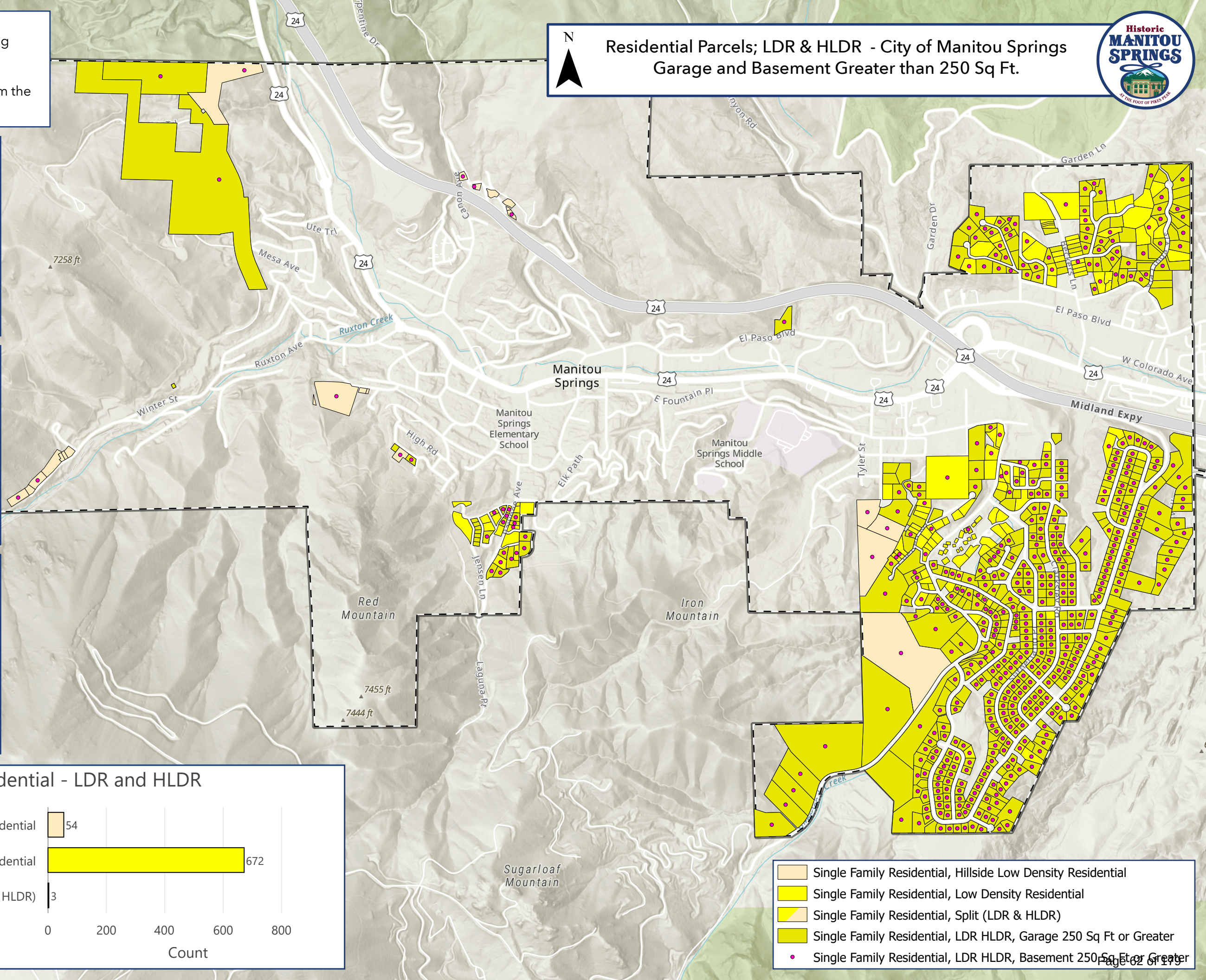
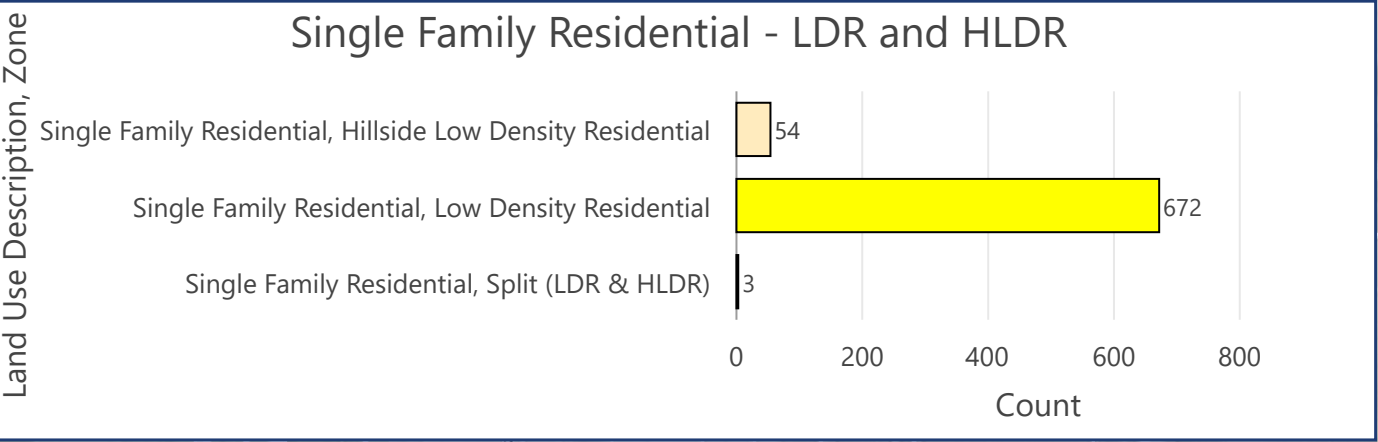
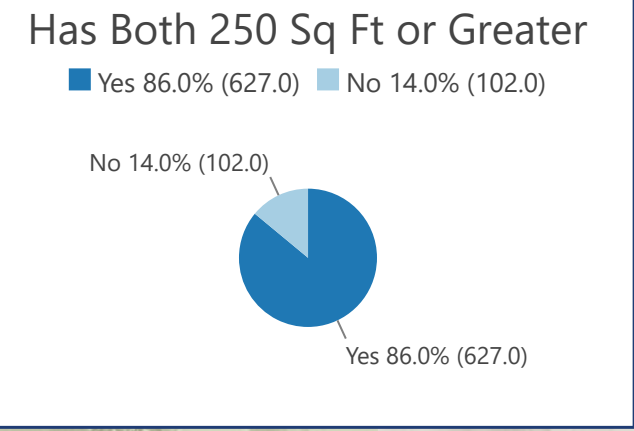
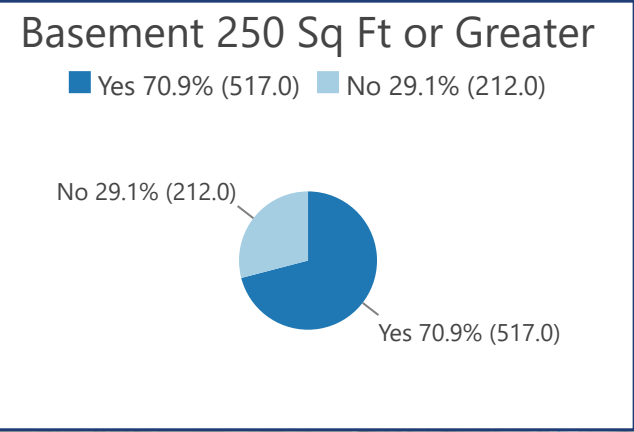
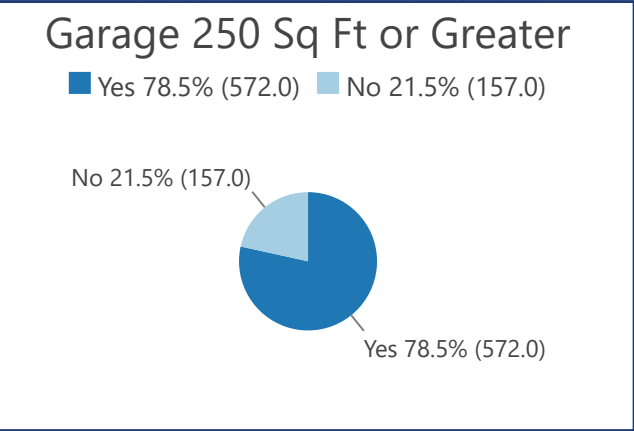
- Single Family Residential, General Residential
- Single Family Residential, Split (GR & C)
- Single Family Residential, Split (GR & HLDR)
- Single Family Residential, General Residential, Garage 250 Sq Ft or Greater
- Single Family Residential, General Residential, Basement 250 Sq Ft or Greater

Classification based on FEMA USA Structures database;
residential use determined by building occupancy type.

Structure square footage values are derived from the El Paso
County Tax Accessors Office.

Classification based on FEMA USA Structures database; residential use determined by building occupancy type.

Structure square footage values are derived from the El Paso County Tax Accessors Office.





September 29, 2025

Manitou Springs Housing Advisory Board

Manitou Springs City Council
c/o Manitou Springs Planning Dept
606 Manitou Ave
Manitou Springs, CO 80829

RE: Accessory Dwelling Unit Ordinance

Like many other communities across the nation, Manitou Springs (Manitou) has a housing affordability crisis. This issue is further complicated by limited development opportunities given geographic/environmental constraints, zoning code restrictions, along with a perception that an increase in new builds would jeopardize the neighborhood “character and charm”. As a result, Manitou has had very few new single family or multifamily properties built over the past decade.

Colorado’s House Bill 1152 (HB 1152) was signed into law to address housing affordability issues by requiring municipalities that meet certain criteria to allow accessory dwelling units (ADUs) by right in any zone district that allows single detached dwelling units. While Manitou’s zoning code currently allows ADUs, it applies stricter standards than are allowable under HB 1152. HB 1152 firmly aligns to the Manitou Springs Housing Advisory Board’s (HAB’s) charter and mission which is designed to support, inform, and encourage diverse and affordable housing options within Manitou. While we recognize that there is no silver bullet to solve such a complex problem, ADUs contribute to a diversified suite of solutions and may be particularly helpful for seniors who desire to age in place, workers who desire to live where they work, and residents who desire to see their neighborhoods remain socio-economically diverse; i.e., limit gentrification.

The HAB appreciates and supports the Planning Department’s effort to develop an ordinance that meets the requirements of HB 1152 while balancing the needs of our community such as protecting neighborhood integrity and viewsheds. We expect that new ADUs will appropriately increase density over time. The goal is not to maximize density nor to increase city revenue through fees or property taxes.

The HAB has the following specific comments on the draft ordinance.

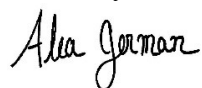
- The HAB strongly supports encouraging affordability for newly developed ADUs targeting monthly housing costs that accommodate Manitou’s workforce without spending more than 30% of their income on housing.¹

¹ See the U.S. Department of Housing and Urban Development’s definition of *Affordable Housing*:
https://archives.huduser.gov/portal/glossary/glossary_a.html.

- The HAB strongly supports prohibiting new ADUs from being used as short-term rentals. Allowing ADUs as short-term rentals is contrary to the motivation to allow them by-right. While there are no openings for new short-term rental licensing applications under current regulations, this ordinance could change in the future.
- The HAB supports applying the existing development standards for the zoning district to ADUs. These standards related to setbacks, lot coverage, and slope steepness will naturally limit the number of new detached ADUs that could be constructed. Based on this and analysis conducted by the Planning Department, the HAB expects greater opportunities with conversion of existing structures (i.e. garages or basements) as attached ADUs.
- Consider revising the size requirements to accommodate larger and smaller ADUs. The HAB suggests allowing for the maximum ADU size to scale with that of the principle unit. The following suggested revised language also accommodates efficient small ADU designs leveraging habitability codes to regulate the minimum size allowable per occupant.
 - *“Accessory dwelling units shall be no more than the greater of 750 square feet or 50% of the principle unit in habitable space”*
- Clarify the parking requirements for ADUs in the code. HB 1152 limits the conditions under which off-street may be required for a new ADU. The HAB suggests adding code language to clarify the parking requirements.
- Clarify how the setback requirements apply to conversions of non-conforming existing structures to ADUs. The HAB suggests that the setback requirements do not apply in these instances.
- The HAB strongly encourages that appropriate monitoring and compliance processes are in place so ADUs are used as they are intended.
- The HAB strongly encourages that the City Planning Commission and City Planning Department have strong vetting procedures in place to ensure that Corporate Developers (and similar) cannot negatively take advantage of HB 1152.
- The HAB strongly encourages an effective public education campaign that provides clarity around the new ADU requirements and various “what if” scenarios to ensure that any potential concerns or resentments are fully understood or mitigated.

The HAB appreciates the opportunity to provide these comments and welcomes questions and conversations.

Sincerely,



Alea German, Vice-Chair

On behalf of the Manitou Springs Housing Advisory Board



Consideration of Title 13 and Title 18 Code Revisions

HOUSING OCCUPANCY LIMITS, ACCESSORY DWELLING UNITS,
MINIMUM PARKING REQUIREMENTS FOR MULTI-FAMILY
DEVELOPMENT



Titles 13 and 18 Code Revisions

Code Revisions in response to State Land Use Legislation:

1. HB24 – 1007: Housing Occupancy Limits
2. HB24 – 1152: Accessory Dwelling Units
3. HB24 – 1304: Minimum Parking Requirements for new Multi-Family Development



Titles 13 and 18 Code Revisions

CPC Work Sessions

- * May, June, July, August
- * City Attorney Legal Memo
- * HAB Participation
- * Review potential Impacts of ADUs
- * Review of draft language



Titles 13 and 18 Code Revisions

Housing Occupancy Limits

Modifies the definition of the term “household”:

18.07.3 - Zoning and Subdivision Terms.

Household - Household means the greater of: (1) any number of persons who are related by blood, marriage, adoption, guardianship, domestic partnership or other duly authorized custodial relationship as verified by official public records such as drivers licenses, birth or marriage certificates; or (2) a group not in excess of five persons living together as a single housekeeping unit.

The number of persons occupying each dwelling unit shall not exceed the maximum permitted by the applicable adopted building code or safety code, the Housing Habitability Code, or by any applicable state or federal law or regulation, or by affordable housing guidelines applicable to the dwelling unit.



Titles 13 and 18 Code Revisions

Minimum Parking Requirements

Excludes out certain new multi-family development within the designated "Transit Service Area" from minimum parking requirements.

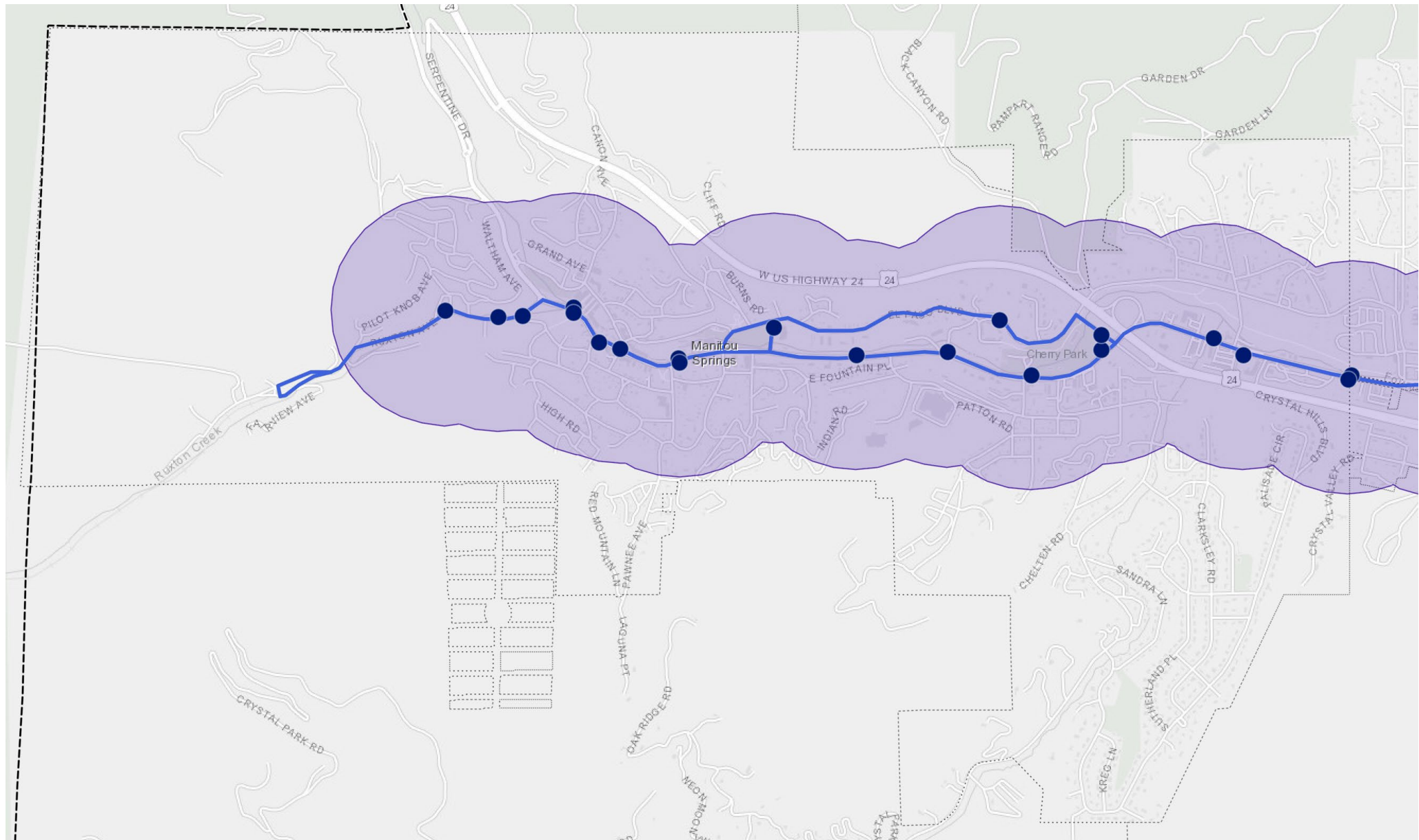
18.03.8 - Mobility Requirements

18.03.8.2 Applicability.

A. New Development.

1. All new *development* shall provide off-street parking and loading areas in accordance with this section.
2. Minimum Parking Requirements for a) new multifamily residential development, b) Adaptive Reuse projects of an existing building for completely residential purposes, and c) Adaptive Reuse of an existing building for a mix of users in which at least 50% of the resulting use is residential, do not apply to the areas shown on the Transit Service Area map that is prepared by the Colorado Department of Local Affairs.

The City may require no more than one (1) space per unit for multifamily residential development with twenty (20) or more units within the Transit Service Area, if supported by findings and substantial evidence showing that not enforcing said requirement will have a substantial negative impact that cannot be mitigated by other strategies, as outlined in House Bill 24-1304.





Titles 13 and 18 Code Revisions

Accessory Dwelling Units

- * Establishes a permitted use of , and regulates, accessory dwelling units (ADU).
- * Allows them in General Residential, Low-Density Residential, and Hillside Low-Density Residential zoning districts
- * Can be internal, attached to, or detached from a conforming single-family home
- * Must comply with dimensional standards for zone district (setbacks, height)
- * Not subject to density restrictions
- * Subject to Historic Preservation Code, Fire Code, Housing Habitability Code, all applicable building codes
- * Min/max square footage: 250 Min/Max: no more than 50% of the square feet of principal dwelling or 750 sq ft, whichever is larger.
- * No STR restrictions
- * Only where on-street parking is prohibited, 1 off-street parking space per unit is required

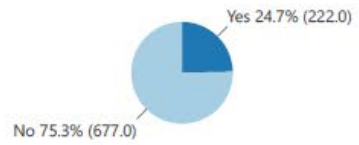


Residential Parcels; GR - City of Manitou Springs
Garage and Basement Greater than 250 Sq Ft.



Garage 250 Sq Ft or Greater

Yes 24.7% (222.0) No 75.3% (677.0)



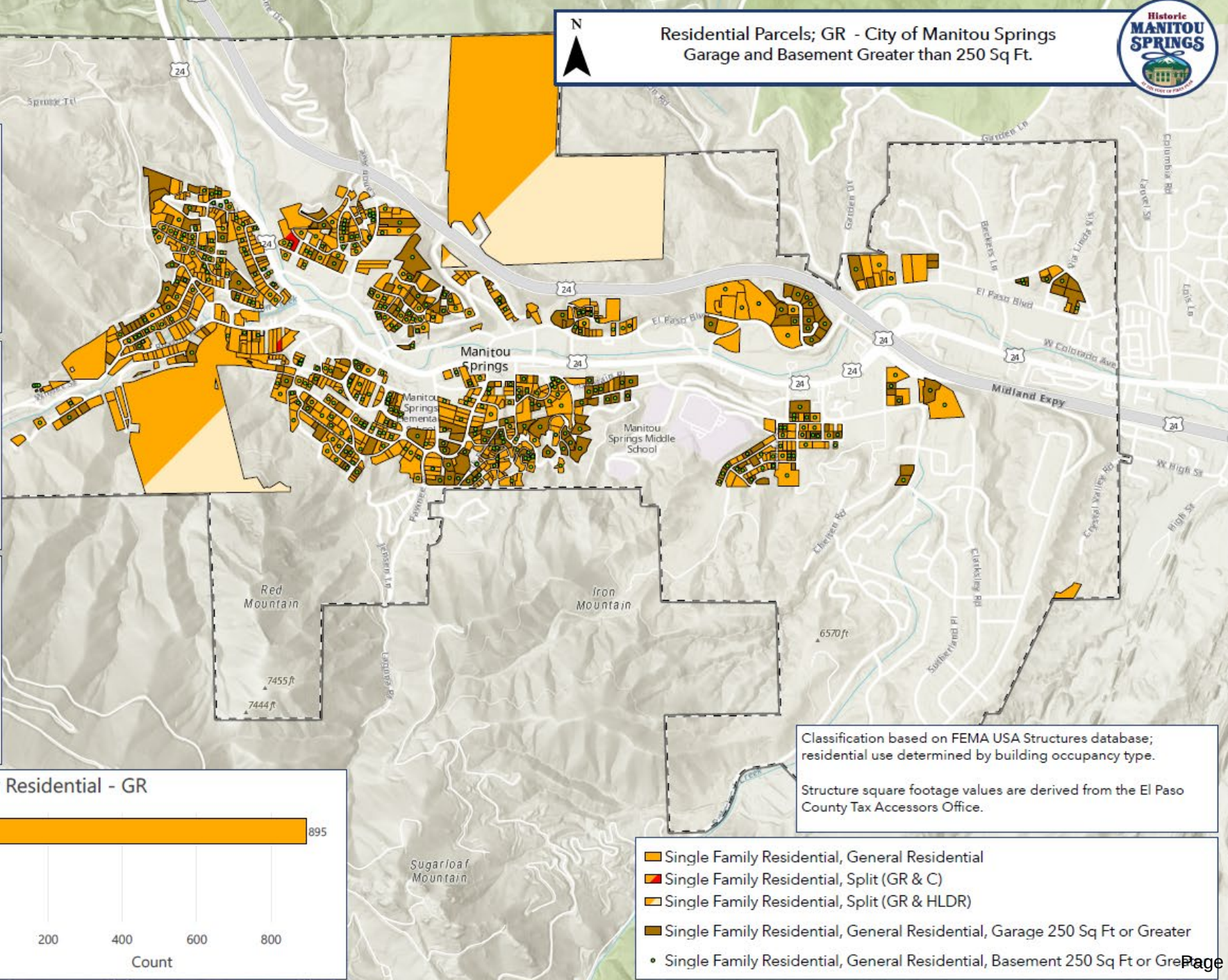
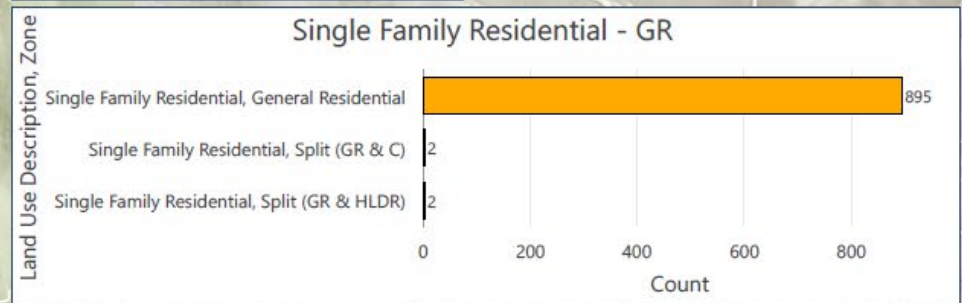
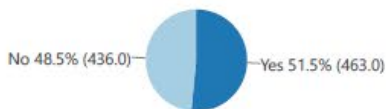
Basement 250 Sq Ft or Greater

Yes 41.6% (374.0) No 58.4% (525.0)



Has Both 250 Sq Ft or Greater

Yes 51.5% (463.0) No 48.5% (436.0)



Classification based on FEMA USA Structures database; residential use determined by building occupancy type.

Structure square footage values are derived from the El Paso County Tax Accessors Office.

- Single Family Residential, General Residential
- Single Family Residential, Split (GR & C)
- Single Family Residential, Split (GR & HLDR)
- Single Family Residential, General Residential, Garage 250 Sq Ft or Greater
- Single Family Residential, General Residential, Basement 250 Sq Ft or Greater

Classification based on FEMA USA Structures database; residential use determined by building occupancy type.

Structure square footage values are derived from the El Paso County Tax Assessors Office.



Residential Parcels; LDR & HLDR - City of Manitou Springs Garage and Basement Greater than 250 Sq Ft.



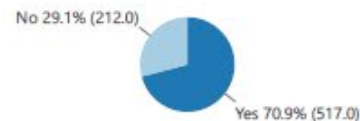
Garage 250 Sq Ft or Greater

■ Yes 78.5% (572.0) ■ No 21.5% (157.0)



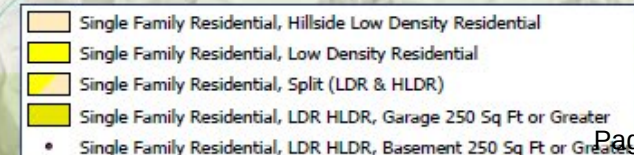
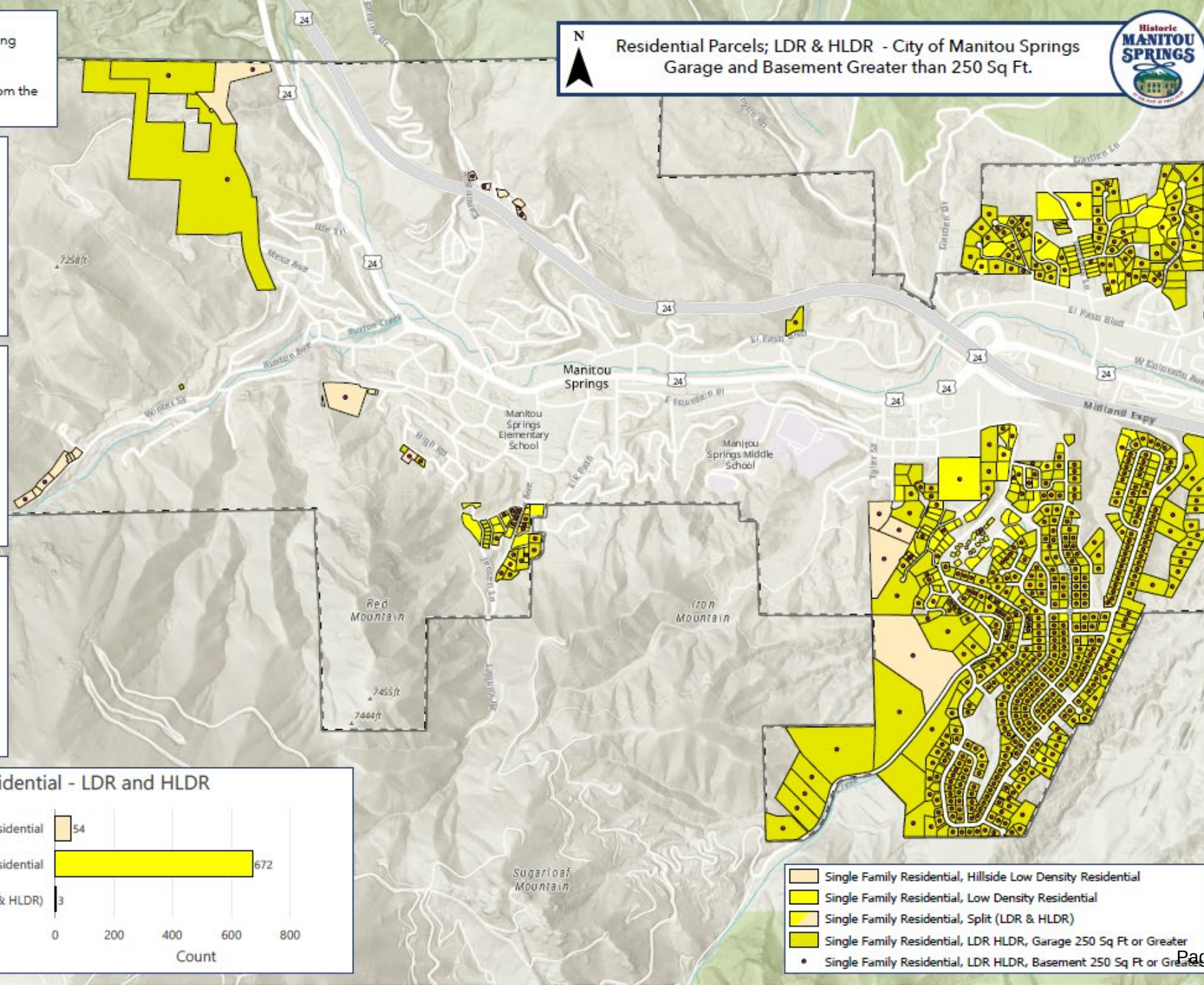
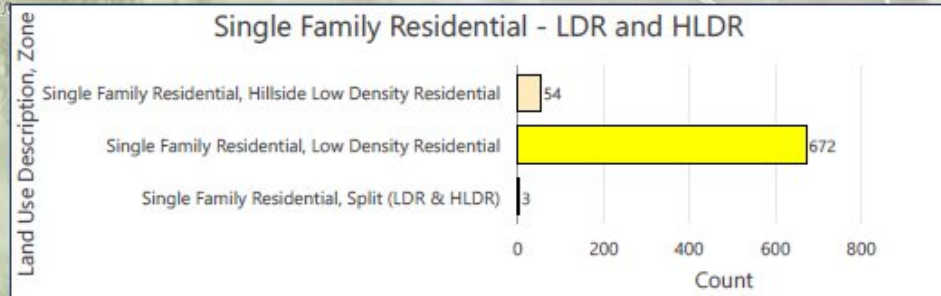
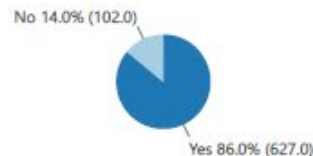
Basement 250 Sq Ft or Greater

■ Yes 70.9% (517.0) ■ No 29.1% (212.0)



Has Both 250 Sq Ft or Greater

■ Yes 86.0% (627.0) ■ No 14.0% (102.0)





Titles 13 and 18 Code Revisions

18.04.3 Residential Uses.

18.04.3.7 Accessory Dwelling Unit

A. Defined. A subordinate dwelling unit located on the same lot as and attached or detached from a single-family detached dwelling, or single-family attached dwelling that provides basic requirements for living, sleeping, cooking, and sanitation.



Titles 13 and 18 Code Revisions

18.04.3 Residential Uses.

18.04.3.7 Accessory Dwelling Unit

B. Use Standards

Accessory dwelling units is a permitted use on all lots that allow a principal dwelling unit, including without limitation properties that are zoned Planned Development. An accessory dwelling unit shall be subject to the dimensional standards that are established for each zone district or Planned Development with the following exceptions:

1.Number. Only one (1) ADU shall be permitted for each principal dwelling unit on a lot. However, ADUs shall not be subject to density restrictions stated in the applicable dimensional standards table. Any additional ADUs shall be subject to the density restrictions;

2.Size. The ADU shall be no less than two hundred and fifty (250) square feet in habitable space and no more than fifty percent (50%) of the square feet of the principal dwelling unit or seven hundred and fifty (750) square feet, whichever is larger. In no event shall the ADU exceed the square footage of the principal dwelling unit; and

3.Dimensional standards. An ADU shall be subject to the same dimensional standards that apply to principal dwelling units as found in Table 18.02.2.1-1.



Titles 13 and 18 Code Revisions

18.04.3 Residential Uses.

18.04.3.7 Accessory Dwelling Unit

C. Density measurements found in Section 18.02.1.4 shall not apply to an accessory dwelling unit.



Titles 13 and 18 Code Revisions

18.06.4.11 Minor Site Plans.

- B. Applicability. A Minor *Site Plan* is required before issuance of a Building Permit for:
- 7. The construction or alteration of an accessory dwelling unit as defined under Section 18.04.3.7



Titles 13 and 18 Code Revisions

13.08.100 - Extension of service line prohibited.

A. Requirement for Separate Service Line. A separate and independent service line shall be provided for every building, and no connection with the water system shall be made by extending the service line from one property to another property. If any such property is subdivided, each resulting property is required to have its own separate water service line, which line shall be installed at the expense of the owner of the property.

B. Exceptions. Accessory dwelling units, as defined by Section 18.04.3.7, may extend the service line of the associated principal dwelling unit to connect to the accessory dwelling unit. Each unit must be individually metered. The service line must be adequately sized as determined by the City Engineer. All curb stops, including the main curb stop and the residence curb stop, shall be installed as determined by the City Engineer.



Titles 13 and 18 Code Revisions

13.12.070 Master metering – Responsibility of landlord.

Master metering shall be permitted of any apartment complex, motel or commercial or office-type building, provided all tenants of such structures rent from the same landlord. In all cases where master metering is permitted of two or more units, the landlord shall be responsible for paying the water and sewer bills. The connection of two or more distinct and separate commercial buildings used for different commercial activities to the same meter is prohibited. **Accessory dwelling units must be metered independent of the associated principal dwelling unit.**

Titles 13 and 18 Code Revisions

Additional Information:

Letter submitted by the Manitou Springs Housing Advisory Board





Titles 13 and 18 Code Revisions

Findings and Review Criteria

Section 18.06.4.1 states that recommendations and approval decisions to the LUDC shall adhere to the following approval criteria:

1. The amendment is not likely to result in significant adverse impacts upon the natural environment (including air, water, noise, stormwater management, wildlife, and vegetation) or such impacts will be substantially mitigated;

This amendment does not appear to result in significant adverse impacts because all existing Codes and development standards will apply to ADUs.

2. The amendment is necessary for, or supportive of, the protection of health, safety, and welfare of the community;

This amendment appears to support the protection of community health, safety and welfare because any ADU development must conform to the City's existing codes and development standards.



Titles 13 and 18 Code Revisions

3. The amendment is consistent with the Comprehensive Plan and the intent stated in this LUDC;

This amendment appears to be consistent with Plan Manitou 2.0 as it supports furthering the housing goals identified in Plan Manitou 2.0, namely:

Goal HN – 1: Encourage a diverse range of housing types and living situations to support safe, affordable, and accessible housing options that meet the needs of residents of all ages, abilities, and income levels.

Goal HN – 2: Promote re-investment in and rehabilitation of the City's housing stock to promote safe, energy-efficient, and resilient homes.

Goal HN – 3: Collaborate with local, regional, state, and federal partners to meet the city's affordable housing needs.

4. The amendment is consistent with any prior approvals, official plans or policies that apply:

This amendment is intended to comply with state legislation and remain consistent with the City's existing Municipal Code.

5. The amendment will not significantly increase nonconformities.

This amendment does not create or support non-conforming uses or development.



Titles 13 and 18 Code Revisions

Motion Language Options

1. Approve the draft ordinance as written
2. Approve the draft ordinance with amendments as specified
3. Deny the draft ordinance



Memorandum

Title: First Reading of Ordinance No. 2025, An Ordinance Vacating a Portion of the Old Man's Trail Right-of-Way Adjacent to the Property Known as 10 Old Man's Trail

From: Chelsea Royston, Senior Planner

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 10 Minutes

October 7, 2025

Purpose:

The City of Manitou Springs proposes to vacate a portion of Right-of-Way adjacent to 10 Old Man's Trail. This is part of the Hiawatha Gardens project which includes multiple application packages under concurrent review, including the proposed rezoning of two parcels from Commercial to Public Facilities zone district.

Background:

This vacation request was formally presented to the City Planning Commission during its regularly scheduled meeting on September 10, 2025. The partial vacation of the Old Man's Trail Right-of-Way (ROW) is accompanied by a dedication of ROW in the subdivision plat that is under administrative review. These two actions combine to complete the realignment of Old Man's Trail so that the platted ROW accurately depicts the travel path of the physical improvements. Approximately 3,652 square feet (0.08 acres) is proposed to be vacated. Approximately 7,544 square feet (0.17 acres) is proposed to be dedicated.

The property known as 10 Old Man's Trail is currently developed with a parking lot and a building that was historically used as a dance hall. The property was purchased in 2016 by the City of Manitou Springs for use as a Public Facility to include a paid parking lot, bus stop, public restrooms and event space. In order to clarify the prevailing regulations on the site, the rezoning and vacation are being presented for consideration prior to the Major Development Plan. By rezoning the property prior to reviewing the development plan, City reviewers, appointed officials, city council, and the public can more easily understand the development standards, utility requirements, and access concerns that will be considered. Another benefit of reviewing these two applications prior to the development plan, is the adoption of ordinances that is required to approve rezoning and vacations, which require two readings before City Council.

No major concerns were raised by the Planning Commission members. Additionally, no members of the public provided comments or objections during the public hearing



portion of the meeting. The City Planning Commission recommended approval of the vacation, indicating general agreement that the vacation was appropriate and consistent with city planning objectives.

Please reference the City Planning Commission staff report for additional details. Draft minutes from the September 10th meeting are attached, and are scheduled for review on October 8th, 2025 (the day following this City Council meeting).

Pros and Cons:

Pros:

- Supports the goals outlined in Plan Manitou, the Transportation and Mobility Master Plan, and others, ensuring consistency in land use planning.
- Accurately aligns the developed path of travel with the platted right-of-way.
- Ensures appropriate application of the Land Use and Development Code to the proposed development.

Cons:

- Public Facilities require ongoing maintenance, which may place additional demands on the City's budget and resources.

Fiscal Impact:

The proposed vacation does not have direct fiscal implications because the Old Man's Trail has already been developed outside the platted ROW on property owned by the City.

However, the following are indirect implications or implications caused by the vacation: The realignment of the Old Man's Trail ROW will aid in the development of the proposed public restroom building, as it allows staff to calculate building setbacks from the property line as it is currently developed, rather than as currently platted.

Workload Impact:

Approximately 10 staff hours have been appropriated by the application.

Recommended Action:

Staff recommends approval of the application without conditions.



Motion Options (select one):

- Approve Ordinance No. 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request meets the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.
- Approve Ordinance No. 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request meets the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, with the conditions as follows _____, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.
- Deny the rezoning of the 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request does not meet the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19.
- Postpone the vacation of a portion of the Old Man's Trail Right-of-Way to October 21, 2025 for further consideration

ORDINANCE

AN ORDINANCE VACATING A PORTION OF THE OLD MAN'S TRAIL RIGHT-OF-WAY ADJACENT TO THE PROPERTY KNOWN AS 10 OLD MAN'S TRAIL, CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO.

WHEREAS, the Manitou Springs City Planning Commission recommended on September 10, 2025, the vacation of a portion of platted, but not developed with roadway, Old Man's Trail; and

WHEREAS, City staff have found that the path of travel for the developed portion of Old Man's Trail does not follow the platted right-of-way

WHEREAS, City staff and public utilities providers have found that the right-of-way contains no existing utilities and there is no need to retain an easement over the proposed vacated area for future utilities systems to surrounding properties; and

WHEREAS, the City Council finds the area of right-of-way is undeveloped and unnecessary for future public access and the vacation would not deprive abutting properties from adequate, legal access.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: The area as shown on Exhibit A attached to this ordinance and described as follows is hereby vacated:

A PORTION OF OLD MAN'S TRAIL AS DEPICTED ON THE PLAT OF THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, EL PASO COUNTY, COLORADO, RECORDED IN PLAT BOOK C, PAGE 40 OF THE EL PASO COUNTY RECORDS, LOCATED IN THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 19, OF THE SAID ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, AND CONSIDERING THE WESTERLY LINE OF SAID LOT 19 TO BEAR N 16°52'54" E, 54.00 FEET, BEING MONUMENTED AT THE SOUTH TERMINUS BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED "DBCO. PLS 37913" AND MONUMENTED AT THE NORTH TERMINUS BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED "DBCO PLS 37913", WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO;

THENCE ALONG SAID WESTERLY LINE OF LOT 19, N 16°52'24" W, 54.00 FEET TO THE MOST SOUTHERLY CORNER OF THAT TRACT NO. 1-X OF THE CITY OF MANITOU SPRINGS PROJECT NO. M7758 (1), AS REFERENCED IN THAT SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. 216004748 OF THE EL PASO COUNTY RECORDS;

THENCE ALONG THE WESTERLY LINE OF SAID TRACT THE NEXT TWO (2) COURSES:

1. N 06°16'24" W, 24.50 FEET TO A POINT OF NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, WHENCE THE RADIAL LINE BEARS N 79°22'21" W, 372.20 FEET;
2. THENCE 89.74 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 372.20 FEET, A CENTRAL ANGLE OF 13°48'49", AND BEING SUBTENDED BY A CHORD THAT BEARS N 03°43'15" E, 89.52 FEET;

THENCE N 16°52'24" E, 56.40 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EL PASO BOULEVARD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, N 74°25'44" E, 35.55 FEET;

THENCE S 16°52'24" W, 185.17 FEET TO THE **POINT OF BEGINNING**.

Section 2. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 4: This Ordinance shall be in full force and effect from and after five (5) days of its final passage and publication as provided by law.

Passed on first reading and ordered published this 7th day of October 2025.

A Public Hearing on Ordinance No. 2025 will be held at the October 21, 2025, City Council meeting. The Council meeting will be held at 6:00 pm at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

City Clerk

Ordinance Published: October 8, 2025.
City's Official Website and City Hall



Title: VAC 2501, RE 2501: Right-of-Way Vacation, and Rezoning for 10 Old Mans Trail and 487 El Paso Blvd

From: Chelsea Royston

To: City Planning Commission

Address of Proposal: 10 Old Man's Trail and 487 El Paso Blvd

Applicant: City of Manitou Springs

September 10, 2025

Proposal:

The City of Manitou Springs proposes to rezone two parcels collectively known as "Hiawatha Gardens" (10 Old Man's Trail and 487 El Paso Boulevard) from Commercial to Public Facilities. The proposal also includes the Vacation of a portion of the Old Man's Trail Right-of-Way (ROW).

Zone District:

Existing: Commercial (C) Zone District

Proposed: Public Facilities (PF) Zone District

Background & Existing Conditions:

The property is currently developed with a parking lot and a building that was historically used as a dance hall. The property was purchased in 2016 by the City of Manitou Springs for use as a Public Facility to include a paid parking lot, bus stop, public restrooms and event space. In order to clarify the prevailing regulations on the site, the rezoning and vacation are being presented for consideration prior to the Major Development Plan. By rezoning the property prior to reviewing the development plan, City reviewers, appointed officials, city council, and the public can more easily understand the development standards, utility requirements, and access concerns that will be considered. Another benefit of reviewing these two applications prior to the development plan, is the adoption of ordinances that is required to approve rezoning and vacations, which require two readings before City Council.

Application Detail:

The dimensional standards of the commercial zone (existing) are similar to those of the public facilities zone (proposed). The three differences are:

1. The public facilities zone has no minimum lot frontage, where the commercial zone requires a 50 foot minimum lot frontage.
2. The public facilities zone has a maximum building height of 30 feet compared to 35 feet in the commercial zone.
3. Residential Density limits do not apply in the public facilities zone because residential is not a permitted use in that zone.



Uses in the public facilities zone are limited to: agricultural uses, civic and outdoor recreational uses, and infrastructure uses. Certain development standards, such as those for signs, regulate the public facilities zone as if it was a commercial zone. The intended use of the site would be supported by either zone district, however, because the property is owned by the City, the public facilities zone is more appropriate.

The partial vacation of the Old Man's Trail ROW is accompanied by a dedication of ROW in the subdivision plat that is under administrative review. These two actions combine to complete the realignment of Old Man's Trail so that the platted ROW accurately depicts the travel path of the physical improvements. Approximately 3,652 square feet (0.08 acres) is proposed to be vacated. Approximately 7,544 square feet (0.17 acres) is proposed to be dedicated.

Public Involvement:

The application was noticed via postcards to properties within 300 feet of the property boundaries, in the newspaper and via a poster posted on site. No comments have been received as of the publication of this report.

Findings & Review Criteria:

18.06.4.3 Rezone:

The Planning Commission and City Council shall consider the approval criteria found in Section 18.06.4.3.E in the review of all rezoning applications.

1. General conformance with the goals and policies of the Comprehensive Plan and other plans and policies adopted by the City Council;

Specific goals and policies identified in PlanManitou 2.0 that are supported by this rezoning are:

- IP-2.2 Adequate Public Facilities
- IP-3.2 Location of Facilities
- TM-4.1 Parking Management
- TM-4.3 Parking Supply

Other applications for the development of the site may support additional goals and policies.

2. Compliance with applicable statutory provisions;

Staff finds this rezoning to be compliant with statutory provisions. The lots resulting from the proposed subdivision meet the dimensional standards for the Public Facilities Zone District.

3. Whether the rezoning will adversely impact or overburden public facilities and services;

This rezoning will not adversely affect public facilities as the site has been used for the intended parking lot for several years.

4. Whether the rezoning will result in a higher risk to natural hazards and geologic hazards; and

The rezoning will help minimize risks as the Public Facilities Zone district limits the potential use types to uses for the property. If the property remains Commercially Zoned, the types of



potential uses increases, potentially including uses that are incompatible with the flood hazard on the site.

5. Whether the proposed rezoning is compatible with the surrounding land uses.

Section 18.06.4.3 exempts Public Facilities Zones from the requirement that the area requested for rezoning to abut an existing zone district of the same zoning. The property is not adjacent to any other properties zoned Public Facilities, however, the City owns the adjacent properties on the west and south of this site. The property to the west is developed with Memorial Park. The property to the south is the future “Duck Stop” mobility hub. Staff finds these uses to be compatible with the proposed use of the subject property.

18.06.4.19 – Vacation of Right-of-Way:

The Planning Commission and City Council shall consider the approval criteria found in Section 18.06.4.19.F in the review of all Vacation of Right-of-Way applications.

1. The vacation is consistent with the Comprehensive Plan and other adopted policies and plans, including any adopted transportation plan or streets/roadway plan;

Specific goals and policies identified in PlanManitou 2.0 that are supported by this rezoning are:

- IP-2.2 Adequate Public Facilities
- IP-3.2 Location of Facilities
- TM-4.1 Parking Management
- TM-4.3 Parking Supply

Specific goals identified in the Transportation & Mobility Master Plan that are supported by this rezoning are:

- 1.1 Create Mobility Hubs (Hiawatha Gardens)
- 2.2 Increase Demand Management (Location of Managed Parking)
- 2.3 Enhance Supply (Hiawatha Gardens Mobility Hub)
- 3.3 Improve the Pedestrian Experience (Pedestrian Plazas)
- 5.1 Enhance Street Safety

Other applications for the development of the site may support additional goals and policies.

2. The land to be vacated is no longer necessary for the public use and convenience;

The land to be vacated will be incorporated into publicly owned property. It will still be available for the public use, however, it will more clearly delineate the boundaries between vehicle and pedestrian uses, creating a safer environment.

3. The right-of-way within the subdivision is no longer needed for public transportation purposes;

The right-of-way to be vacated is no longer needed for public transportation. New right-of-way will be dedicated as part of the resubdivision.



4.The vacation will not adversely impact use of the right-of-way for public utility and/or drainage purposes;

Staff finds this statement to be accurate as utility and drainage infrastructure are currently located within the right-of-way to be dedicated.

5.Access to lots or properties surrounding the plat will not be adversely affected, and the vacation will not leave any land-locked parcels or deprive abutting properties of adequate, legal access;

Staff finds this statement to be accurate.

6.The vacation will not adversely impact the health, safety and/or welfare of the general community, or reduce the quality of public facilities or services provided to any parcel of land, including but not limited to police/fire protection, access, and utility service; and

Staff finds this statement to be accurate.

7.The vacation is consistent with the purpose of this LUDC.

The vacation is consistent with the purpose of this LUDC, particularly purpose statement 18.01.2.1.A.6 “Ensuring that the connectivity of future public and private streets in relation to existing streets are created according to the vision of the adopted Transportation and Mobility Master Plan, that said streets will be built to adequate construction standards, and that multiple forms of mobility are contemplated;”

Staff Recommendation:

Should the Planning Commission find it appropriate to grant the Rezoning and Vacation of Right-of-Way staff does not recommend any conditions.

Motion Language Options:

RE 2501 - Rezone

Recommend approval of the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd, based upon the findings that the request meets the review criteria for granting a Rezoning as set forth in City Code Section 18.06.4.3.

Recommend approval of the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd, based upon the findings that the request meeting the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3, with an alteration to staff’s conditions as follows...

Recommend denial of the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd, based upon the findings that the request does not meet the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3.

Postpone the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd to October 8, 2025 for further consideration.

VAC 2501 - Vacation



Recommend approval of the Vacation at 10 Old Man's Trail and 487 El Paso Blvd, based upon the findings that the request meets the review criteria for granting a Vacation as set forth in City Code Section 18.06.4.19.

Recommend approval of the Vacation at 10 Old Man's Trail and 487 El Paso Blvd, based upon the findings that the request meeting the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, with an alteration to staff's conditions as follows...

Recommend denial of the Vacation at 10 Old Man's Trail and 487 El Paso Blvd, based upon the findings that the request does not meet the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19.

Postpone the Vacation at 10 Old Man's Trail and 487 El Paso Blvd to October 8, 2025 for further consideration.

Narrative Description of the Request

The City is requesting a partial right-of-way vacation of Old Mans Trail right-of-way. The current right-of-way boundary does not align with the developed right-of-way and associated path of travel. The Right-of-way Vacation request in combination with the Major Subdivision application will correct the right-of-way to align with Old Mans Trail as constructed. The vacated right-of-way will be incorporated into 10 Old Mans Trail.

The attached Subdivision Plat show the proposed realignment of the Old Mans Trail Right-of-Way

20944-29: OLD MAN'S TRAIL

May 20, 2025

EXHIBIT A

SHEET 1/2

A PORTION OF OLD MAN'S TRAIL AS DEPICTED ON THE PLAT OF THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, EL PASO COUNTY, COLORADO, RECORDED IN PLAT BOOK C, PAGE 40 OF THE EL PASO COUNTY RECORDS, LOCATED IN THE SOUTHEAST ONE-QUARTER (1/4) OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 19, OF THE SAID ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, AND CONSIDERING THE WESTERLY LINE OF SAID LOT 19 TO BEAR N 16°52'54" E, 54.00 FEET, BEING MONUMENTED AT THE SOUTH TERMINUS BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED "DBCO. PLS 37913" AND MONUMENTED AT THE NORTH TERMINUS BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED "DBCO PLS 37913", WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO;

THENCE ALONG SAID WESTERLY LINE OF LOT 19, N 16°52'24" W, 54.00 FEET TO THE MOST SOUTHERLY CORNER OF THAT TRACT NO. 1-X OF THE CITY OF MANITOU SPRINGS PROJECT NO. M7758 (1), AS REFERENCED IN THAT SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NO. 216004748 OF THE EL PASO COUNTY RECORDS;

THENCE ALONG THE WESTERLY LINE OF SAID TRACT THE NEXT TWO (2) COURSES:

1. N 06°16'24" W, 24.50 FEET TO A POINT OF NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, WHENCE THE RADIAL LINE BEARS N 79°22'21" W, 372.20 FEET;
2. THENCE 89.74 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 372.20 FEET, A CENTRAL ANGLE OF 13°48'49", AND BEING SUBTENDED BY A CHORD THAT BEARS N 03°43'15" E, 89.52 FEET;

THENCE N 16°52'24" E, 56.40 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EL PASO BOULEVARD;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, N 74°25'44" E, 35.55 FEET;

THENCE S 16°52'24" W, 185.17 FEET TO THE **POINT OF BEGINNING**.

THE DESCRIBED PORTION CONTAINS 0.084 ACRES OR 3,652 SQUARE FEET, MORE OR LESS.

I, PETER VAN STEENBURGH, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING

Peter Van Steenburgh PLS 37913
For and on behalf of Drexel, Barrell & Co.
101 S. Sahwatch Street, Ste. 101
Colorado Springs, Colorado 80903
719-260-0887



EXHIBIT A
SHEET 2/2

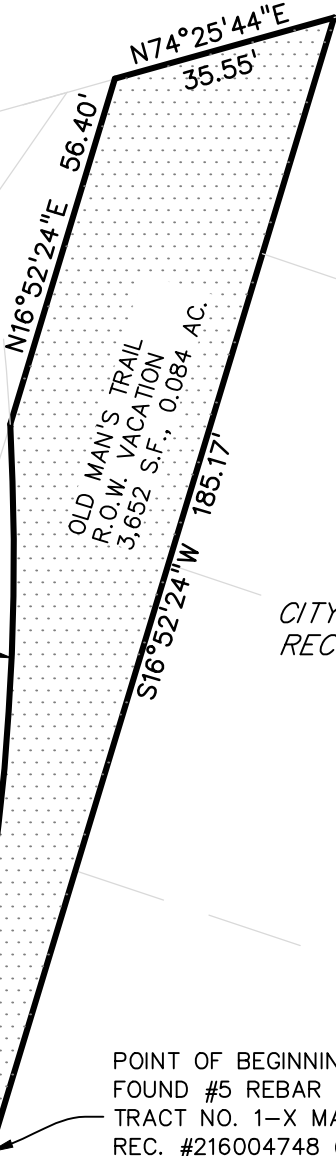
SUNWATER REFLECTIONS
REC. #217713924

EL PASO BOULEVARD
(ROW VARIES)

BLOCK 6
AMENDED PLAT OF
MANSIONS PARK PLACE
BOOK Q, PAGE 19

LINE TABLE		
LINE #	LENGTH	DIRECTION
L-1	24.50'	N6°16'24"W

L=89.74'
R=372.20'
Δ=13°48'49"
CH=N3°43'15"E
89.52'



CITY OF MANITOU SPRINGS
REC. #216004748

POINT OF BEGINNING
FOUND #5 REBAR W/AL CAP "DBCo. PLS 37913"
TRACT NO. 1-X MANITOU SPRINGS PROJECT NO. M7758 (1)
REC. #216004748 (REFERENCE)

19
ALBRECHT SUBDIVISION OF LOT NO. 1,
BLOCK N, MANITOU

POINT OF COMMENCEMENT
FOUND #5 REBAR WITH AL. CAP "DBCo. PLS 37913"
SW CORNER, LOT 19,
ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU
PLAT BOOK C, PAGE 40

FOUNTAIN CREEK

CITY OF MANITOU SPRINGS
REC. #223089478

VIRGINIA ROAD
(20' ROW)

BLOCK 5
AMENDED PLAT OF
MANSIONS PARK PLACE
BOOK Q, PAGE 19

OLD MAN'S TRAIL
(30' ROW)

BASIS OF BEARINGS,
WESTERLY LINE LOT 19,
N16°52'24"E, 54.00'

OLD MAN'S TRAIL
(30' ROW)

PAGE 2 OF 2
EXHIBIT A
NOTE: THIS MAP IS NOT A LAND
SURVEY PLAT OR AN IMPROVEMENT
SURVEY PLAT. THE PURPOSE OF THIS
MAP IS TO DEPICT THE ATTACHED LEGAL
DESCRIPTION.



SCALE: 1"=30'

PREPARED BY:  Drexel, Barrell & Co. Engineers/Surveyors 101 S. WAHSATCH ST. SUITE 100 COLORADO SPRINGS, COLORADO 80903 (719)260-0887 1376 MINERS DRIVE, SUITE 107 LAFAYETTE, COLORADO 80026 (303)442-4338			
	Date 5/20/25-REV.	Drawn By PV	Job No. 20944-29
	Scale 1" = 30'	Checked By PV	Drawing No. OMT

10 OLD MAN'S TRAIL SUBDIVISION

A REPLAT OF LOTS 11–20, THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, A PART OF SUBDIVISION OF PORTIONS OF LOTS 2,3,4 & 5, BLOCK N, TOWN OF MANITOU, AND BLOCK 6, AN AMENDED PLAT OF MANSIONS PARK PLACE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO

TOTAL AREA PLATTED = 2.066 ACRES MORE OR LESS (LOT 1)
0.222 ACRES MORE OR LESS (BLOCK 6A)

KNOW ALL MEN BY THESE PRESENTS:

THAT THE CITY OF MANITOU SPRINGS, BEING THE OWNER OF THE FOLLOWING DESCRIBED PARCELS OF LAND, TO WIT:

LEGAL DESCRIPTION:(See Survey Note 5)

THE LAND IS DESCRIBED AS FOLLOWS:
THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTIES ASSESSED AS TAX SCHEDULE NO. (74054–26–002)

PARCEL A:
THAT PORTION OF THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU AND SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU AND THE AMENDED PLAT OF MANSIONS PARK PLACE, AND OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF TH 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE BEARINGS IN THIS DESCRIPTION ARE BASED ON THE EAST LINE OF LOTS 11 THROUGH 14, THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, WHICH WAS ASSUMED TO BE NORTH 00°36'00" WEST.

BEGINNING AT A POINT ON THE EASTERLY LINE OF CHERRY PLACE AS SHOWN ON THE PLAT OF SAID SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU AS RECORDED IN PLAT BOOK F AT PAGE 25 OF THE RECORDS OF THE SAID EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF LOT 11, IN SAID THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU AS RECORDED IN PLAT BOOK C AT PAGE 40 OF SAID RECORDS;THENCE NORTH 71°22'25" WEST ON SAID EASTERLY EXTENSION OF THE SOUTH LINE OF LOTS 11 AND 20, 268.61 FEET TO THE SOUTHWEST CORNER OF SAID LOT 20;
THENCE ON THE SOUTH LINE OF LOT 19, IN SAID ALBRECHT SUBDIVISION SOUTH 88°35'49" WEST, 55.44 FEET TO THE MOST EASTERLY CORNER OF THAT PARCEL DESCRIBED IN BOOK 2975 AT PAGE 914 OF SAID EL PASO COUNTY RECORDS;
THENCE ON THE SOUTHERLY LINE OF SAID PARCEL, SOUTH 79°39'49" WEST, 73.50 FEET;
THENCE ON THE WESTERLY LINE OF SAID PARCEL, NORTH 36°14'12" WEST, 12.00 FEET, (FIELD–NORTH 17°01'33" WEST, 11.85 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19,
THENCE ON THE WESTERLY LINE OF SAID LOT 19, NORTH 16°20'30" EAST, 54.00 FEET TO THE MOST SOUTHERLY CORNER OF THAT TRACT NO. 1–X OF THE CITY OF MANITOU SPRINGS PROJECT NO. M7758 (1) TO BE DEEDED FROM THE CITY OF MANITOU SPRINGS TO P.D.M., INC.;

THENCE ON THE WESTERLY LINE OF SAID TRACT FOR THE NEXT FOUR (4) COURSES:
(1) NORTH 06°24'00" WEST, 24.50 FEET;
(2) THENCE ON A NON–TANGENT CURVE TO THE LEFT WHOSE RADIUS IS 372.2 FEET, THROUGH A CENTRAL ANGLE OF 19°29'41", AN ARC DISTANCE OF 126.64 FEET (THE CHORD OF SAID CURVE BEARS NORTH 00°34'05" EAST, 126.03 FEET);
(3) THENCE ON A NON–TANGENT LINE, NORTH 32°41'00" EAST, 22.00 FEET;
(4) THENCE NORTH 75°28'30" EAST, 43.80 FEET TO THE WESTERLY LINE OF LOT 16 IN SAID ALBRECHT SUBDIVISION;
THENCE CONTINUE NORTH 75°28'30" EAST, 24.00 FEET;
THENCE ON A CURVE TO THE RIGHT, WHOSE RADIUS IS 204.2 FEET, THROUGH A CENTRAL ANGLE OF 42°07'30", AN ARC DISTANCE OF 150.1 FEET;
THENCE SOUTH 62°24'00" EAST, 103.70 FEET; THENCE ON A CURVE TO THE LEFT WHOSE RADIUS IS 741.2 FEET, THROUGH A CENTRAL ANGLE OF 03°20'47", AN ARC DISTANCE OF 43.29 FEET TO INTERSECT THE NORTHEAST LINE OF THAT TRACT DESCRIBED AS PARCEL C IN BOOK 2740 AT PAGE 44 OF SAID RECORDS;
THENCE ON SAID NORTHEAST LINE, SOUTH 30°52'00" EAST, 30.63 FEET TO THE POINT OF INTERSECTION OF THE NORTHERLY EXTENSION OF THE EAST LINE OF CHERRY PLACE AS SHOWN IN SAID SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N AND THE EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 14 IN SAID THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU;
THENCE SOUTH 00°36'00" EAST ON SAID NORTHERLY EXTENSION AND ON SAID EASTERLY LINE OF CHERRY PLACE, 210.46 FEET TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO,

AND

THAT PART OF LOT 1, BLOCK 1., IN A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, MANITOU, DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTHWEST BOUNDARY LINE OF SAID LOT 1, A CHORD DISTANCE OF 15.55 FEET NORTHEAST FROM A POINT OF TANGENT ON AN UNIMPROVED STREET KNOWN AS CHERRY PLACE; THENCE SOUTHWESTERLY ON THE ARC OF A CURVE WHOSE RADIUS IS 19.74 FEET, A DISTANCE OF 15.99 FEET TO A POINT OF TANGENT; THENCE SOUTH ALONG THE WEST BORDER OF SAID LOT 1, A DISTANCE OF 122.3 FEET TO A POINT; THENCE IN NORTHERLY DIRECTION A DISTANCE OF 136.34 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.

EXCEPT

PORTION LYING WITHIN THE PUBLIC ROAD ALONG THE NORTH LINE OF LOTS 14 AND 20, THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, IN THE CITY OF MANITOU SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

LEGAL DESCRIPTION IS AS SHOWN ON THE INFORMATIONAL TITLE COMMITMENT ISSUED BY CORE TITLE GROUP LLC, FILE NO. 1470COR–C, COMMITMENT DATE OF 05/09/2024 AT 7:30 AM.

SURVEYOR'S NOTE: THE SUBSEQUENT CALL AFTER THE 4TH COURSE OF TRACT NO. 1–X SHOULD READ "THENCE CONTINUE NORTH 75°28'30" EAST, 24.00 FEET;"

SURVEYOR'S NOTE: SEE PLAT NOTE 2 FOR CLARIFICATION OF THE PROPERTY DESCRIBED UNDER THE EXCEPTION "PORTION LYING WITHIN..."

TOGETHER WITH:

ALL OF BLOCKS 5 AND 6, AS SHOWN ON AN AMENDED PLAT OF MANSIONS PARK PLACE, MANITOU, COUNTY OF EL PASO, STATE OF COLORADO,

SURVEYOR'S NOTE: ONLY BLOCK 6 IS INCLUDED IN THIS REPLAT, AN AMENDED PLAT OF MANSIONS PARK PLACE, MANITOU, RECORDED UNDER RECEPTION NO. 235237 IN THE RECORDS OF SAID EL PASO COUNTY.

LEGAL DESCRIPTION IS AS SHOWN ON THE INFORMATIONAL TITLE COMMITMENT ISSUED BY CORE TITLE GROUP LLC, FILE NO. 2141COR–C, COMMITMENT DATE AUGUST 8, 2024 AT 7:30 AM

AS–MEASURED LEGAL DESCRIPTION (SEE SURVEY NOTE 4)

THE FOLLOWING AS–MEASURED LEGAL DESCRIPTION IS BASED UPON FOUND MONUMENTATION AND RECORD INFORMATION AS SHOWN HEREON THIS SURVEY.

A TRACT OF LAND BEING A PART OF THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU AND SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU, AND AN AMENDED PLAT OF MANSIONS PARK PLACE, MANITOU, EL PASO COUNTY, COLORADO;

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF MANITOU SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO AND BEING DESCRIBED AS FOLLOWS:

‘BEGINNING’ AT A POINT ON THE EASTERLY LINE OF CHERRY PLACE AS SHOWN ON SAID PLAT OF SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU AS RECORDED IN PLAT BOOK F AT PAGE 25 OF THE RECORDS OF SAID EL PASO COUNTY, COLORADO, SAID POINT ALSO BEING THE WEST LINE OF LOT 1 OF SAID PLAT, AND CONSIDERING A PORTION OF SAID WEST LINE TO BEAR S 00°03'10" W, 76.16 FEET, MONUMENTED AT THE NORTH TERMINUS BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED "DBCO PLS 37913" AND MONUMENTED AT THE SOUTH TERMINUS BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED "DBCO PLS 37913" AND WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO, SAID POINT BEING THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF LOT 11, AS SHOWN ON THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, RECORDED IN PLAT BOOK C, PAGE 40 OF THE RECORDS OF SAID EL PASO COUNTY, SAID POINT ALSO BEING THE TRUE "POINT OF BEGINNING";

THENCE N 70°50'31" W, 268.61 FEET, ON SAID EASTERLY EXTENSION AND THE SOUTH LINE OF LOTS 11 AND 20, TO THE SOUTHWEST CORNER OF SAID LOT 20, SAID CORNER ALSO BEING THE SOUTHEAST CORNER OF LOT 19;

THENCE S 89°07'43" W, 55.44 FEET ON THE SOUTH LINE OF LOT 19;

THENCE S 80°10'01" W, 73.50 FEET;

THENCE N 16°17'16" W, 11.88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19;

THENCE N 16°52'24" E, 54.00 FEET ON THE WESTERLY LINE OF SAID LOT 19;

THENCE N 06°16'24" W, 24.50 FEET TO A POINT OF NON–TANGENT CURVE CONCAVE TO THE LEFT, WHENCE THE RADIAL LINE BEARS N 79°22'21" W;

THENCE 123.93 FEET NORTHEAST, ON THE ARC OF SAID NON–TANGENT CURVE TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 372.200 FEET, A CENTRAL ANGLE OF 19°04'38", AND BEING SUBTENDED BY A CHORD THAT BEARS N 01°05'20" E, 123.36 FEET;

THENCE N 34°41'09" E, 21.74 FEET TO THE SOUTHERLY RIGHT–OF–WAY LINE OF EL PASO BOULEVARD;

THENCE ALONG SAID RIGHT–OF–WAY LINE THE FOLLOWING FIVE (5) COURSES:

1. N 74°25'44" E, 64.87 FEET TO A POINT OF NON–TANGENT CURVE CONCAVE TO THE RIGHT, WHENCE THE RADIAL LINE BEARS S 15°37'29" E;
2. SOUTHEAST, 154.26 FEET ALONG THE ARC OF SAID NON–TANGENT CURVE TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 204.20 FEET, A CENTRAL ANGLE OF 43°17'04", AND BEING SUBTENDED BY A CHORD THAT BEARS S 83°58'56" E, 150.62 FEET;
3. S 62°57'53" E, 103.70 FEET TO A POINT OF CURVE TO THE LEFT;
4. 43.29 FEET ON THE ARC OF SAID CURVE TO THE LEFT, TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 741.20 FEET, A CENTRAL ANGLE OF 03°20'47", AND BEING SUBTENDED BY A CHORD THAT BEARS S 64°38'17" E, 43.28 FEET;
5. S 36°52'09" E, 32.56;

THENCE S 02°30'54" W, 137.27 FEET TO THE WEST LINE OF LOT 1 AS SHOWN ON SAID SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU;

THENCE S 00°03'10" W, 76.16 FEET ON SAID WEST LINE, TO THE "POINT OF BEGINNING";

THE ABOVE DESCRIBED PARCEL CONTAINS 2.066 ACRES OR 90,008 SQUARE FEET, MORE OR LESS.

AS–MEASURED LEGAL DESCRIPTION BLOCK 6A (SEE SURVEY NOTE 5)

THE FOLLOWING AS–MEASURED LEGAL DESCRIPTION FOR BLOCK 6, AMENDED PLAT OF MANSIONS PARK PLACE IS BASED UPON FOUND MONUMENTATION AND RECORD INFORMATION AS SHOWN HEREON THIS SURVEY.

A TRACT OF LAND BEING A PART OF AN AMENDED PLAT OF MANSIONS PARK PLACE, MANITOU, RECORDED IN PLAT BOOK Q, PAGE 19 IN THE EL PASO COUNTY RECORDS, EL PASO COUNTY, COLORADO;

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF MANITOU SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EASTERLY LINE OF CHERRY PLACE AS SHOWN ON SAID PLAT OF SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU AS RECORDED IN PLAT BOOK F AT PAGE 25 OF THE RECORDS OF SAID EL PASO COUNTY, COLORADO, SAID POINT ALSO BEING THE WEST LINE OF LOT 1, AND CONSIDERING A PORTION OF SAID WEST LINE TO BEAR S 00°03'10" W, 76.16 FEET, MONUMENTED AT THE NORTH TERMINUS BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED "DBCO PLS 37913" AND MONUMENTED AT THE SOUTH TERMINUS BY A FOUND #6 REBAR WITH ALUMINUM CAP STAMPED "DBCO PLS 37913" AND WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO, SAID POINT BEING THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF LOT 11, AS SHOWN ON THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, RECORDED IN PLAT BOOK C, PAGE 40 OF THE RECORDS OF SAID EL PASO COUNTY;

THENCE N 70°50'31" W, 268.61 FEET ON SAID EASTERLY EXTENSION AND THE SOUTH LINE OF LOTS 11 AND 20, TO THE SOUTHWEST CORNER OF SAID LOT 20;

THENCE S 89°07'43" W, 55.44 FEET, ON THE SOUTH LINE OF LOT 19;

THENCE S 80°10'01" W, 73.50 FEET;

THENCE N 16°17'16" W, 11.88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19;

THENCE N 16°52'24" E, 54.00 FEET, ON THE WESTERLY LINE OF SAID LOT 19;

THENCE N 06°16'24" W, 24.50 FEET TO A POINT OF NON–TANGENT CURVE CONCAVE TO THE LEFT, WHENCE THE RADIAL LINE BEARS N 79°22'21" W;
THENCE NORTHEAST, 123.93 FEET ALONG THE ARC OF SAID NON–TANGENT CURVE TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 372.20 FEET, A CENTRAL ANGLE OF 19°04'38", AND BEING SUBTENDED BY A CHORD THAT BEARS N 01°05'20" E, 123.36 FEET;

THENCE S 77°25'03" W, 60.33 FEET TO THE MOST NORTHEASTERLY CORNER OF BLOCK 6A, SAID CORNER ALSO BEING ON THE SOUTHERLY RIGHT–OF–WAY LINE FOR EL PASO BOULEVARD, THE WESTERLY RIGHT–OF–WAY LINE FOR OLD MAN'S TRAIL, AND THE "POINT OF BEGINNING";

THENCE ON SAID WESTERLY RIGHT–OF–WAY LINE OF OLD MAN'S TRAIL, THE FOLLOWING TWO (2) COURSES:

1. S 03°22'22" E, 111.19 FEET;
2. S 01°15'31" E, 49.28 FEET TO THE NORTHERLY RIGHT–OF–WAY LINE OF VIRGINIA ROAD, AS SHOWN ON SAID AMENDED PLAT OF MANSIONS PARK PLACE;

THENCE ON SAID NORTHERLY RIGHT–OF–WAY LINE THE FOLLOWING TWO (2) COURSES:

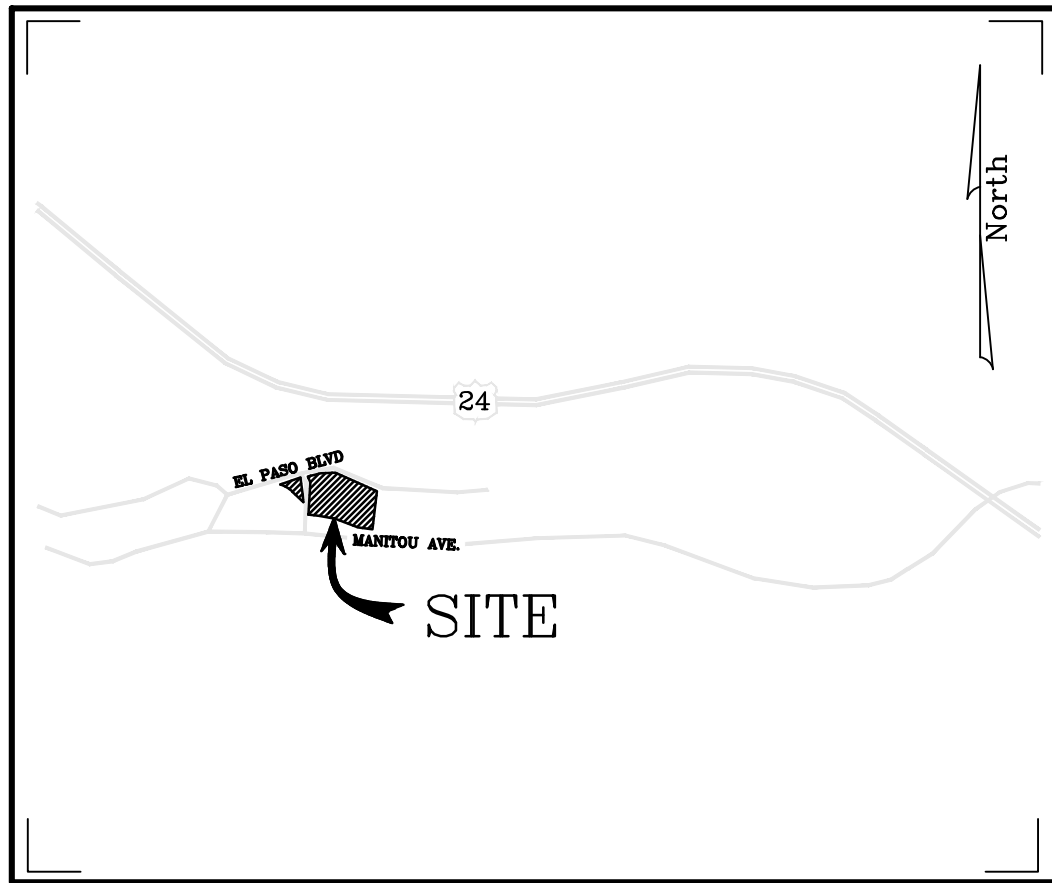
1. N 42°36'50" W, 97.61 FEET TO A POINT OF CURVE TO THE LEFT;
2. 92.85 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 209.35 FEET, A CENTRAL ANGLE OF 25°24'44", AND BEING SUBTENDED BY A CHORD THAT BEARS N 55°18'14" W, 92.09 FEET TO SAID SOUTHERLY RIGHT–OF–WAY LINE OF EL PASO BOULEVARD;

THENCE N 74°59'06" E, 138.90 FEET ON SAID RIGHT–OF–WAY LINE TO THE "POINT OF BEGINNING";

THE ABOVE DESCRIBED PARCEL CONTAINS 0.222 ACRES OR 9,684 SQUARE FEET, MORE OR LESS.

SURVEY NOTES:

- "NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON".
- THE BEARINGS AS SHOWN HEREON ARE BASED UPON THE CONSIDERATION THAT THE SOUTHERLY PORTION OF THE WEST LINE OF LOT 1, BLOCK 1, SHOWN ON THE SUBDIVISION OF PORTIONS OF LOTS 2,3,4 & 5, BLOCK N, TOWN OF MANITOU, MONUMENTED AT THE NORTH TERMINUS AND AT THE SOUTHWEST CORNER OF SAID LOT 1 BY A 1 1/2" ALUMINUM CAP MARKED "DBCO PLS 37913" BEARS S00°03'10"W, 76.16' AS SHOWN HEREON, GRID BEARING DETERMINED FROM GPS INFILL SURVEY AND OPUS SOLUTION, RINEX FILE: 300_300q.22o ON OCTOBER 27, 2022.
- THE LINEAL UNIT OF MEASURE IS THE U.S. SURVEY FOOT. THE AS–MEASURED AREA OF THE SUBJECT PROPERTY IS 90,061 S.F. OR 2.068 ACRES, MORE OR LESS.
- AN INFORMATIONAL TITLE COMMITMENT WAS PROVIDED TO DREXEL, BARRELL & CO. BY CORE TITLE GROUP LLC; FILE NO. 1470COR, AMENDMENT NO. 1470COR–C, COMMITMENT DATE OF MAY 9, 2024 AT 7:30 AM, WAS RELIED UPON FOR MATTERS CONCERNING OWNERSHIP AND EASEMENTS OF RECORD FOR THE PROPERTY DESCRIBED IN SPECIAL WARRANTY DEED, RECEPTION NO. 216004748, RECORDED IN THE RECORDS OF EL PASO COUNTY, COLORADO. THE UNDERSIGNED HAS ALSO RELIED UPON RECORDED PLATS PROVIDED BY THE OWNER, EL PASO COUNTY PUBLIC LAND RECORDS, AND BOTH FOUND AND SET MONUMENTS IN THE FIELD. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.
- AN INFORMATIONAL TITLE COMMITMENT WAS PROVIDED TO DREXEL, BARRELL & CO. BY CORE TITLE GROUP LLC; FILE NO. 2141COR, AMENDMENT NO. 2141COR–C, COMMITMENT DATE AUGUST 8, 2024 AT 7:30 AM, WAS RELIED UPON FOR MATTERS CONCERNING OWNERSHIP AND EASEMENTS OF RECORD FOR THE PROPERTY DESCRIBED AS BLOCK 6, SHOWN ON THE AMENDED PLAT OF MANSIONS PARK PLACE, COUNTY OF EL PASO, STATE OF COLORADO. THE UNDERSIGNED HAS ALSO RELIED UPON RECORDED PLATS PROVIDED BY THE OWNER, EL PASO COUNTY PUBLIC LAND RECORDS, AND BOTH FOUND AND SET MONUMENTS IN THE FIELD. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY DREXEL, BARRELL & CO. TO DETERMINE OWNERSHIP AND EASEMENTS OF RECORD.
- THE LEGAL DESCRIPTION AS DESCRIBED IN SAID INFORMATIONAL TITLE COMMITMENT, 1470COR–C, AGREES WITH SAID SPECIAL WARRANTY DEED RECORDED UNDER RECEPTION NUMBER 216004748 IN THE RECORDS OF EL PASO COUNTY. THE CALCULATED AREA OF THE REPLATTED PROPERTIES IS BASED UPON FOUND AND SET MONUMENTATION AS SHOWN HEREON.
- THE AS–MEASURED LEGAL DESCRIPTIONS FOR THE REPLATTED PROPERTIES ARE FROM FOUND MONUMENTATION AND RECORD INFORMATION, AS SHOWN HEREON.
- FIELD WORK WAS COMPLETED IN JULY, 2024.



Vicinity Map
Not to Scale

SURVEYOR'S STATEMENT:

I, PETER VAN STEENBURGH, A PROFESSIONAL LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, DO HEREBY STATE THAT THIS PLAT WAS PREPARED UNDER MY DIRECTION AND SUPERVISION IN ACCORDANCE WITH THE COLORADO REVISED STATUTES, AS AMENDED, AND THAT IT ACCURATELY SHOWS INTO DESCRIBED TRACT OF LAND AND THE SUBDIVISION THEREOF, AND THAT THE REQUIREMENTS OF TITLE 38 OF THE COLORADO REVISED STATUTES, 1973, AS AMENDED, HAVE BEEN MET TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PETER VAN STEENBURGH
PLS NUMBER 37913 FOR
AND ON BEHALF OF
DREXEL BARRELL & CO.

CITY APPROVALS:

ON BEHALF OF THE CITY OF MANITOU SPRINGS, THE UNDERSIGNED HEREBY APPROVES FOR FILING THE ACCOMPANYING PLAT OF "10 OLD MAN'S TRAIL SUBDIVISION"

CITY PLANNING DIRECTOR

DATE

CLERK AND RECORDER'S CERTIFICATE:

STATE OF COLORADO)

)SS

COUNTY OF EL PASO)

I HEREBY CERTIFY THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT _____ O'CLOCK
_____, M., THIS _____ DAY OF _____, 20____, A.D., AND IS DULY RECORDED UNDER
RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

_____, RECORDER

_____, FEE:

BY: _____

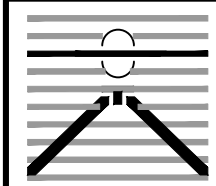
DEPUTY

SURCHARGE: _____

Sheet 1 – Description, Dedication, Notes and Certificates
Sheet 2 – Plat Graphic, Lots–Tracts

AUGUST 20, 2025

SHEET 1 OF 2



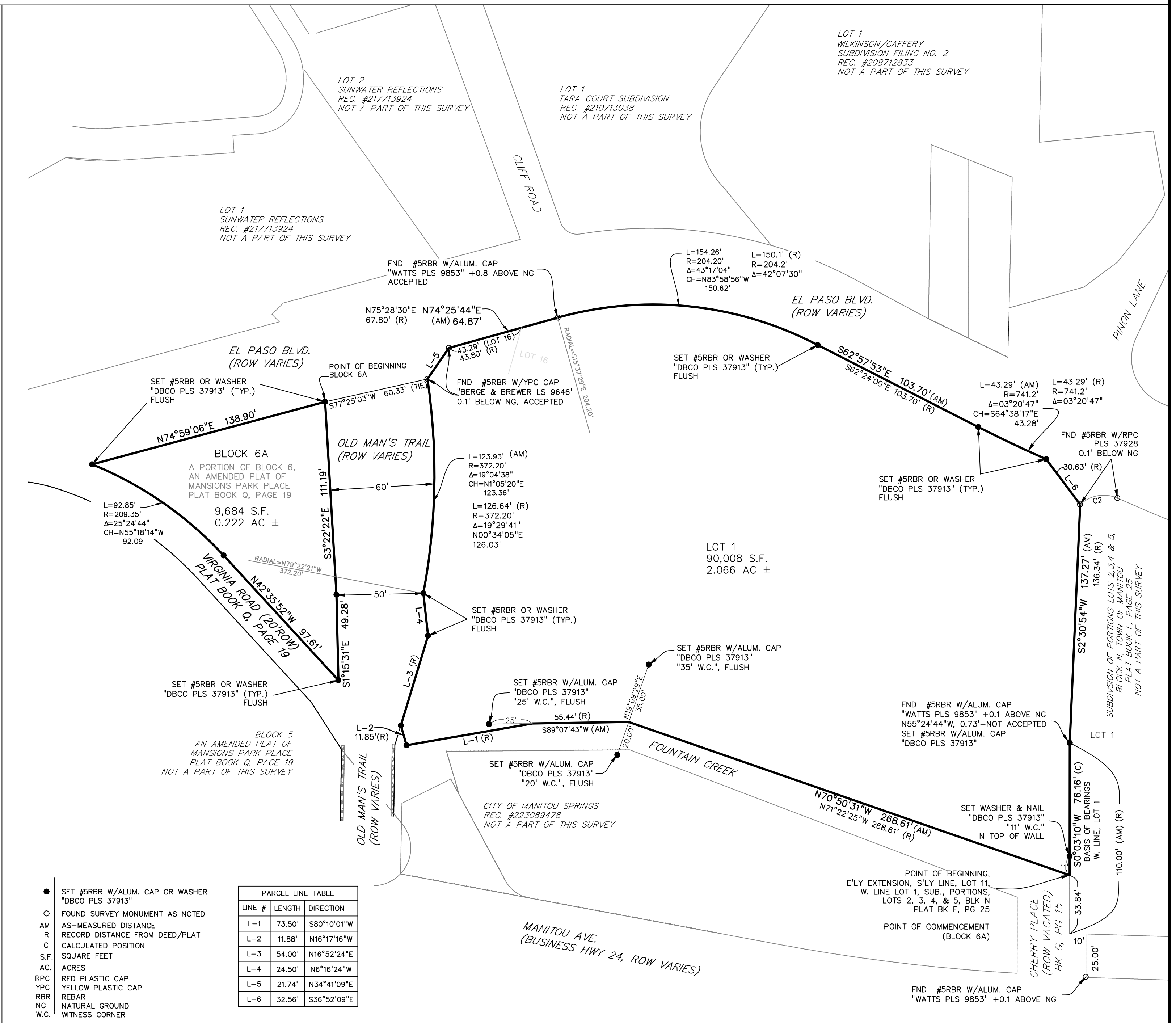
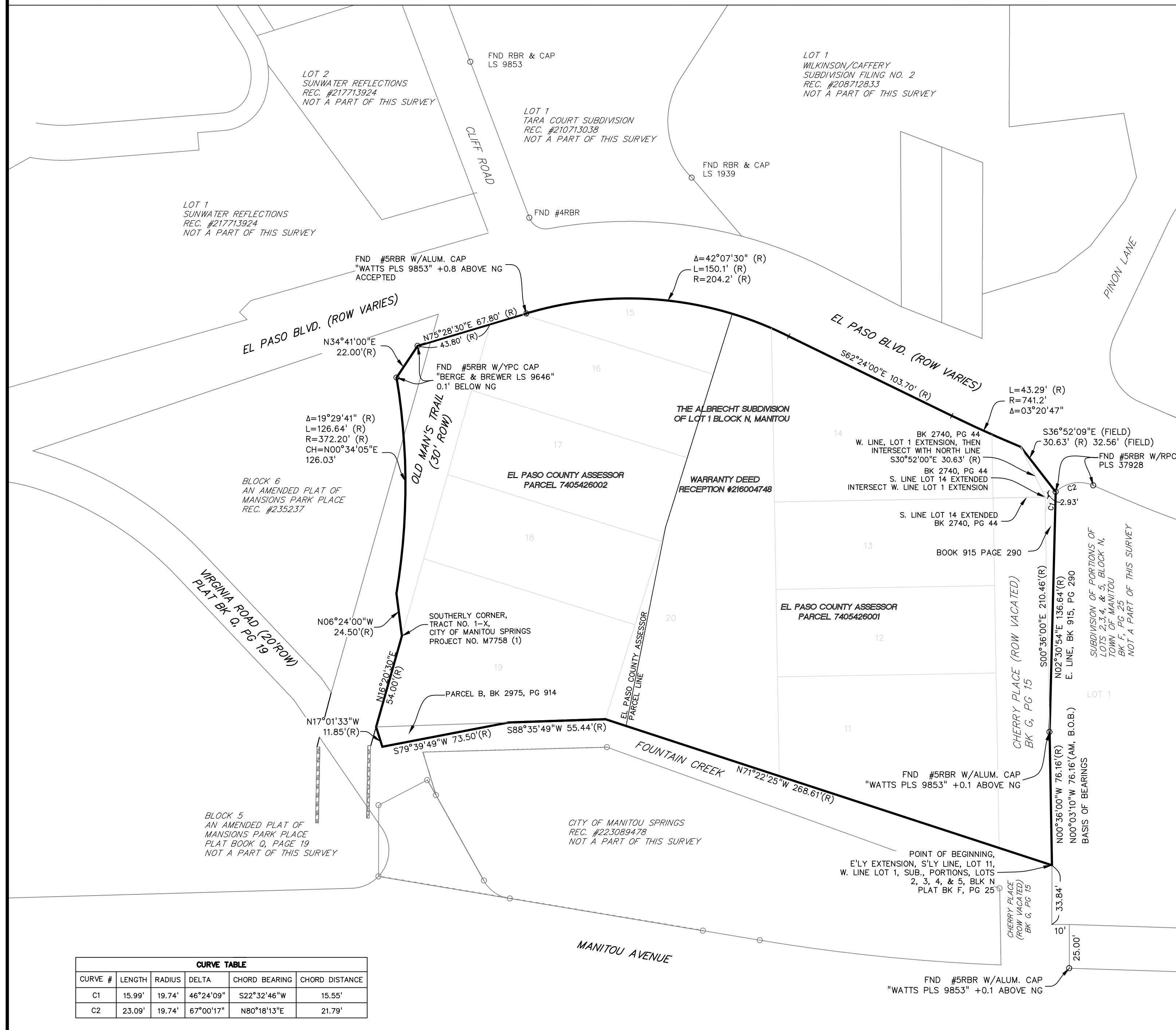
DREXEL, BARRELL & CO.
Engineers-Surveyors
101 S. SAWATCH ST. SUITE 100
COLORADO SPGS, COLORADO 80903
(719) 260-0887

Job No. 20944–29

20944–29 REPLAT–REV0525.dwg

10 OLD MAN'S TRAIL SUBDIVISION

A REPLAT OF LOTS 11-20, THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, A PART OF SUBDIVISION OF PORTIONS OF LOTS 2,3,4 & 5, BLOCK N, TOWN OF MANITOU, AND BLOCK 6, AN AMENDED PLAT OF MANSIONS PARK PLACE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO

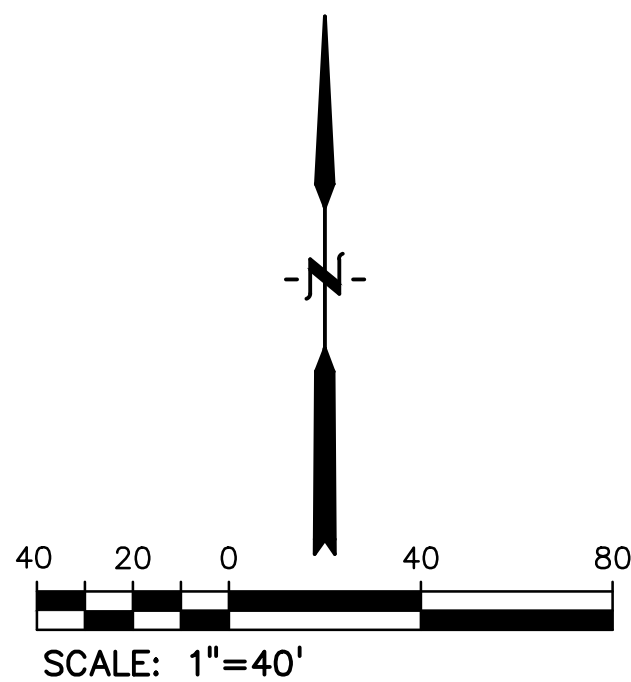


CURRENTLY EXISTING

RECORD DIMENSIONS AND BEARINGS ARE FROM SPECIAL WARRANTY DEED RECEPTION #216004748

REPLATTED

DIMENSIONS AND BEARINGS ESTABLISHED FROM FOUND MONUMENTATION AND BOUNDARY ANALYSIS OF FIELD SURVEY WORK





CITY OF MANITOU SPRINGS CITY PLANNING COMMISSION

Regular Meeting Minutes
Hybrid Meeting via Zoom and at Memorial Hall
September 10, 2025

A. CALL TO ORDER

A Regular Meeting of the Manitou Springs City Planning Commission (CPC) was held at Manitou Springs Memorial Hall, 606 Manitou Avenue. Chair Delwiche called the meeting to order at 5:30 PM and declared a quorum present.

COMMISSIONERS PRESENT FOR ROLL CALL:

Chair Alan Delwiche
Vice Chair Justin Wilson
Commissioner Mike Casey
Commissioner Stephen Graybill
Commissioner Gloria Latimer
Commissioner Roy Rosenthal
Commissioner Carey Storm
Alternate Commissioner Megan Day
Alternate Commissioner Frank DeLay

STAFF PRESENT:

Planner Zachary Davison
Planner Erin Ringsred
Senior Planner Chelsea Royston
Planning Director Frederick Rollenhagen

B. APPROVAL OF MINUTES

1. June 11, 2025

Commissioner Storm moved to approve the June 11, 2025 minutes. Commissioner Graybill seconded the motion. The motion carried unanimously (7-0).

2. August 13, 2025

Vice Chair Wilson moved to approve August 13, 2025, minutes. Commissioner Storm seconded the motion. The motion carried unanimously (6-0), with Commissioner Latimer abstaining.

C. UNFINISHED BUSINESS

No unfinished business was discussed.

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no public comment.

E. NEW BUSINESS

1. STR 2501 – 423 Washington Avenue

Planner Davison presented the short-term rental proposal for 423 Washington Avenue. The request was for a short-term rental of the entire lower level, with property owners occupying the upper level year-round. Background and requirements for a short-term rental permit were reviewed. The property location and its surrounding land uses were presented, along with the site plan. Planner Davison shared that the owner will use OwnerRes, property management software, to manage all bookings for the property.

A brief discussion ensued about the required parking, and the property was explained to support three parking spaces according to the city code. Planner Davison noted that the code requires two cumulative parking spaces and that the property has had no code violations.

Applicant Kristen Cole emphasized maintaining relationships with neighbors. The applicant mentioned that they were considering integrating with the Sun Water Spa which is next-door as to provide a place to stay for spa attendees.

Commissioner Storm moved to approve STR 2501 based upon the findings that the request meets the review criteria for granting a Short-Term Rental Permit, as set forth in City Code Section 18.06.4.5, with no conditions. Commissioner Graybill seconded the motion. The motion carried unanimously (7-0).

2. VAC 2501, RE 2501: Right-of-Way Vacation, and Rezoning for 10 Old Mans Trail and 487 El Paso Blvd

Planner Royston gave a presentation regarding Hiawatha Gardens. The request was for the purpose of rezoning two parcels from Commercial to Public Facilities zoning, along with the vacation of a portion of Old Man's Trail. The entitlements of municipal review committees were explained, along with the regulations of reviewing bodies. The location of the project was presented as well as where development was intended and the proposed replat. Planner Royston explained that all portions of Vacation (VAC) 2501 fit together in one movement, but the rezone is just for the Hiawatha Gardens portion of the property.

Commissioner Casey motioned to approve Rezone (RE) 2501 and VAC 2501 with no conditions, based upon the findings that the request meets the review criteria for granting a rezoning as set forth in City Code Section 18.06.4.3 and for granting a vacation as set forth in City Code Section 18.06.4.19. The motion was seconded by Chair Delwiche. The motion carried unanimously (7-0).

F. OTHER BUSINESS

1. Consideration of Title 18 Code Revisions for ADUs, Residential Occupancy Standards, and Parking Requirements for multi-family Development

Director Rollenhagen gave a presentation regarding code revisions in response to State Land Use Legislation adopted in 2024 addressing Housing Occupancy Limits, Accessory Dwelling Units (ADUs), and Minimum Parking Requirements for new Multi-Family Development. Previous code revision work sessions were summarized. Three potential changes were presented shown. The first proposed modifying the definition of household to remove references to occupancy limits based on blood or guardianship and tie the definition to another housing code to ensure safety. The second revision addressed minimum parking requirements allowing an exception to homes in the transit service area. Lastly, proposed changes for ADU code revisions that were discussed in previous sessions were reviewed. It was noted that a Minor Site Plan would be required for the construction of an ADU.

Note for the Record – A letter from the Housing Advisory Board (HAB) was read aloud and amended to the agenda packet. The letter emphasized the need for diverse and affordable housing options and expressed support for applying existing zoning code to ADUs.

A discussion ensued on the setback requirements for ADUs. Chair Delwiche voiced that ADU setback rules could be a cause for concern in terms of distance between structures. Director Rollenhagen explained that there was nothing in code that would stop construction if fire, city, and regional codes were met.

HAB Alternate Member Nate Nassif suggested a housing survey to gather community input on ADU rules.

Chair Delwiche confirmed that the HAB letter language regarding the ADU size minimum was in hopes of raising affordable housing rates.

Commissioner Delay asked about the risk of a draft ordinance not addressing short term rental prohibitions.

There was a discussion about new ADUs meeting the current code regarding short term rentals. Alternate Member Nassif explained that the intent of the law was not for short-term rentals.

Chair Delwiche voiced that not having size limitations on ADUs would be against the intent of the ADU ordinance and that not having a cap provides financial opportunity for owners rather than support for the community. He suggested having a size limit on ADUs and allowing for smaller minimums.

Commissioner Storm expressed support for the language in the HAB letter which specified 750 square feet or 50% of the principal unit for max ADU size.

Commissioner Casey voiced his opinion that short term rental rules be applied to ADUs.

Commissioner Storm opposed short term rental rules for ADUs and added that short term rentals are against the point of ADU law.

Commissioner Graybill pointed out that ADUs are already being used as short term rentals, and stated that there was no need for the extra administrative burden.

Commissioner Day commented that only new ADUs would be barred from being short term rentals.

Commissioner Wilson saw no need for short-term rental provisions, and Commissioner Delay agreed.

Chair Delwiche moved to recommend to the City Council the draft ordinance as amended to state that ADUs be no smaller than 250 square feet and no larger than 750 square feet or 50% of livable space in the principal residence and to remove short term rental restrictions in the draft. The motion was seconded by Commissioner Graybill. The motion carried unanimously (7-0).

G. NOTICE OF COUNCIL ACTION AND UPDATES

Director Rollenhagen stated that the Planning Department is preparing its budget to propose to City Council in October.

H. ADJOURNMENT

With no further business to discuss, Chair Delwiche adjourned the meeting at 7:30 PM.

If you need this document in an alternative format, such as large print, accessible PDF, or Braille, please contact the City Clerk's Office at cityclerk@manitouspringsco.gov or (719) 685-2554.



Hiawatha Gardens

REZONING AND ROW VACATION

CITY COUNCIL

OCTOBER 7, 2025



Hiawatha Gardens

Rezone

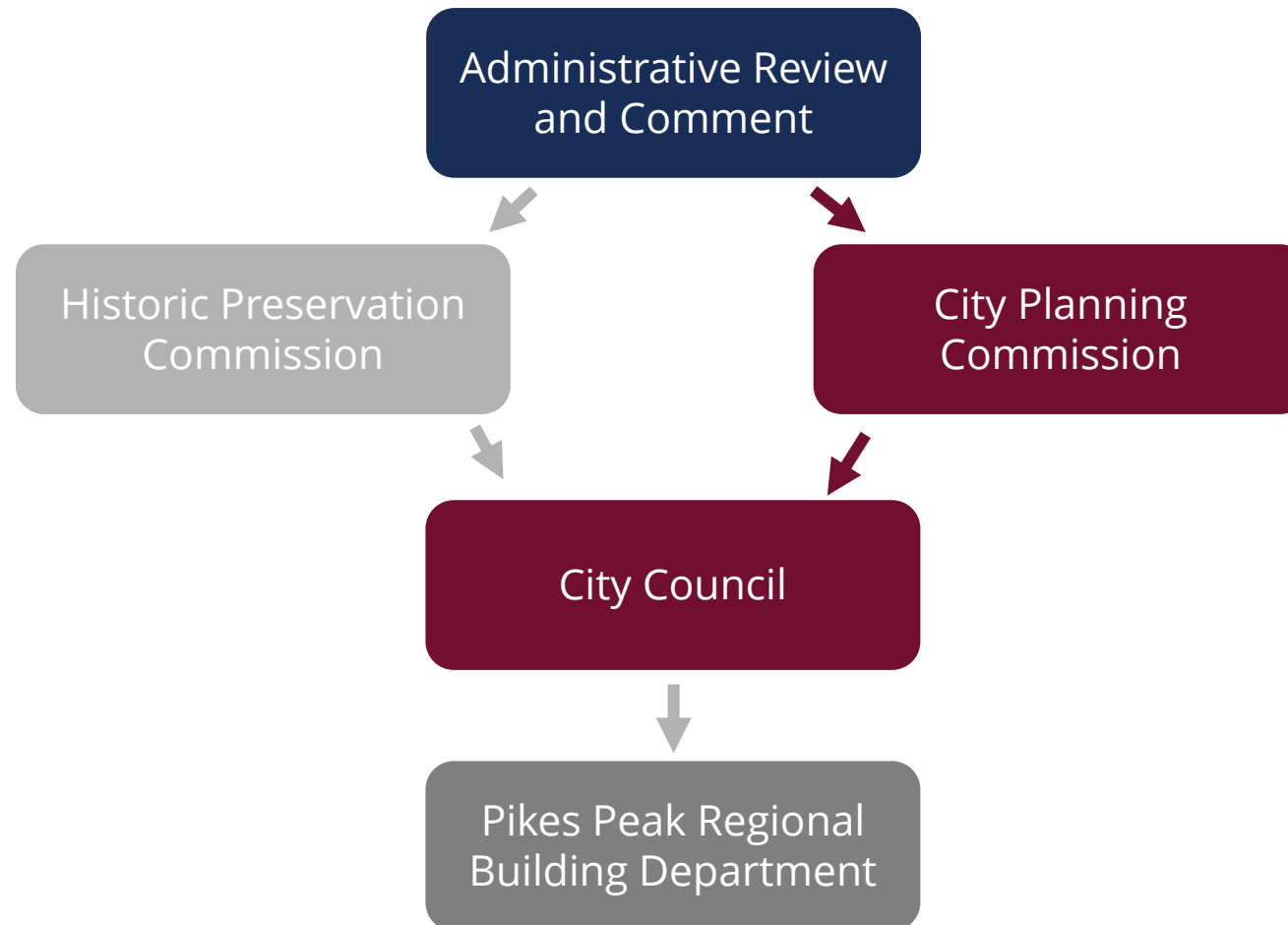
- Rezone two parcels from Commercial to Public Facilities

Right of Way (ROW) Vacation

- Vacate a portion of Old Man's Trail

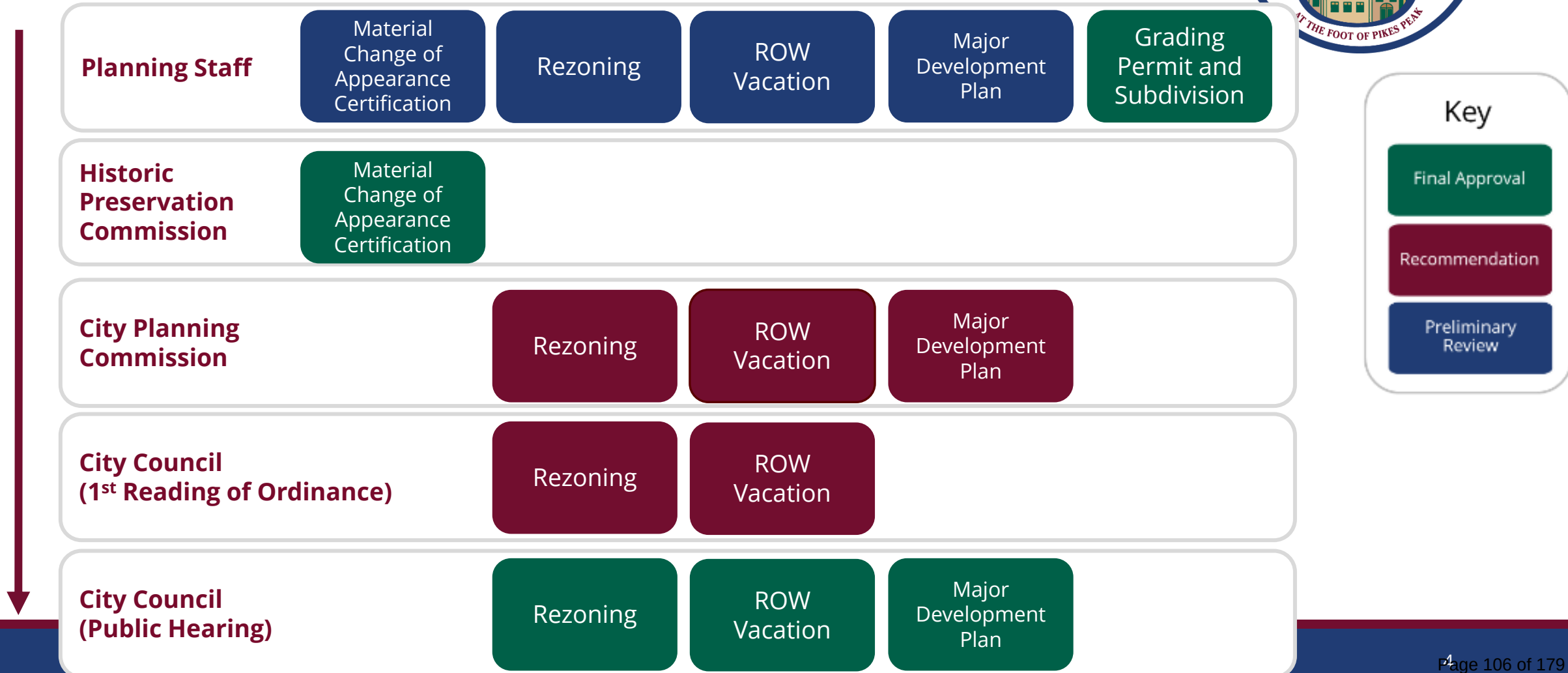


Municipal Review Process





Municipal Review Entitlements





Regulations by Reviewing Bodies

City Staff

- Title 12 – Streets and Other Public Places
- Title 13- Utilities
- Title 14 – Stormwater Quality Management and Discharge Control
- Title 18 – Land Use and Development Code Compliance

Historic Preservation Commission

- Title 17 – Historic Preservation
 - 17.04.050 Material Change of Appearance Certification
 - New construction
 - Exterior changes
 - Interior changes (publicly owned structures)
 - Historic District Design Guidelines

City Planning Commission

- Comprehensive Plan
- Dimensional Standards
- Use Standards
 - Parking Lots
- Streets and Roadway Intersections
- Hazard Mitigation
- Landscape Standards
- Lighting Photometrics

City Council

- Comprehensive Plan
- Dimensional Standards
- Use Standards
 - Parking Lots
- Streets and Roadway Intersections
- Hazard Mitigation
- Landscape Standards
- Lighting Photometrics

PPRBD

- Foundations
- Loading Requirements
- Construction Details
- Floodplain Regulations



Regulations by Reviewing Bodies

City Staff

- Title 12 – Streets and Other Public Places
- Title 13- Utilities
- Title 14 – Stormwater Quality Management and Discharge Control
- Title 18 – Land Use and Development Code Compliance

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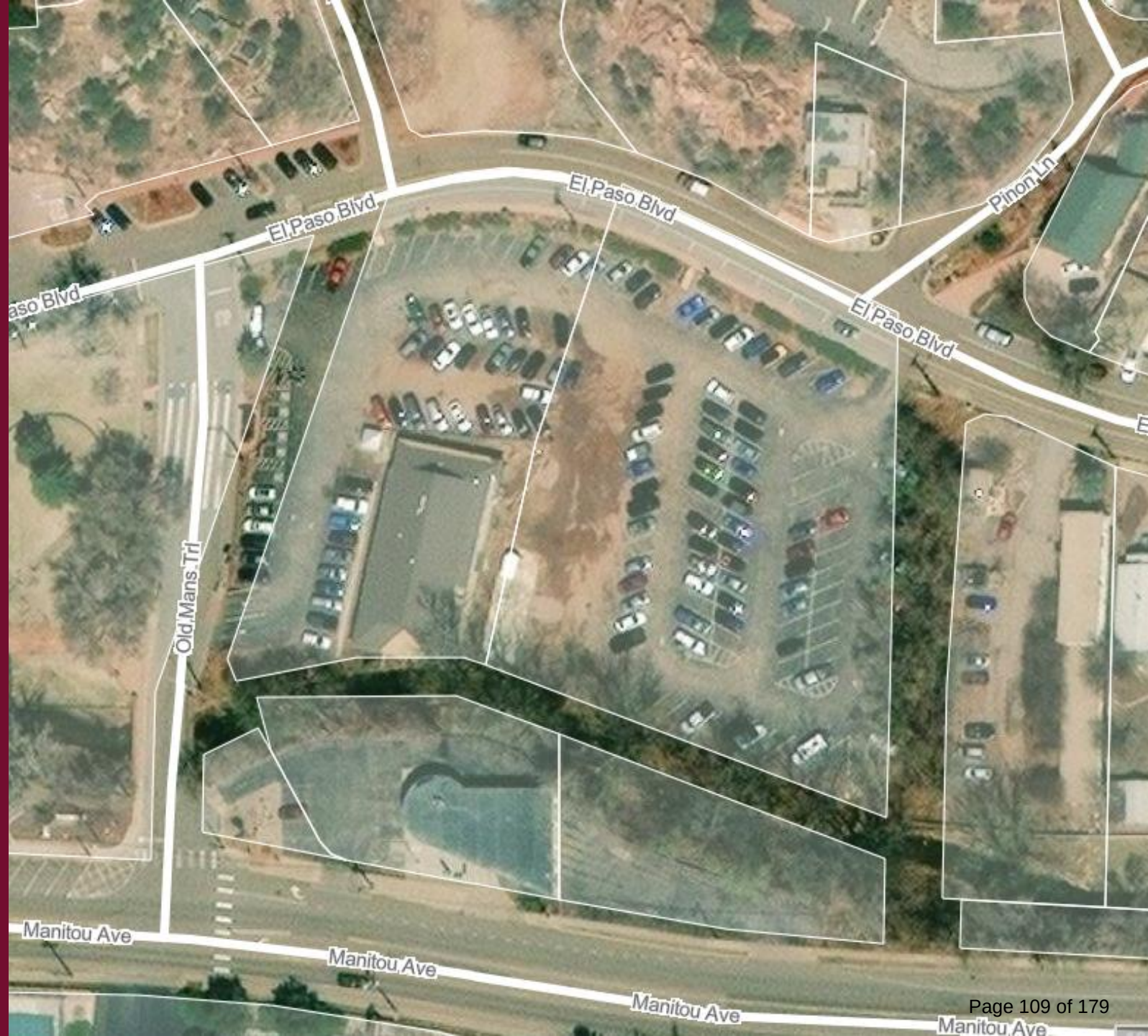
City Council

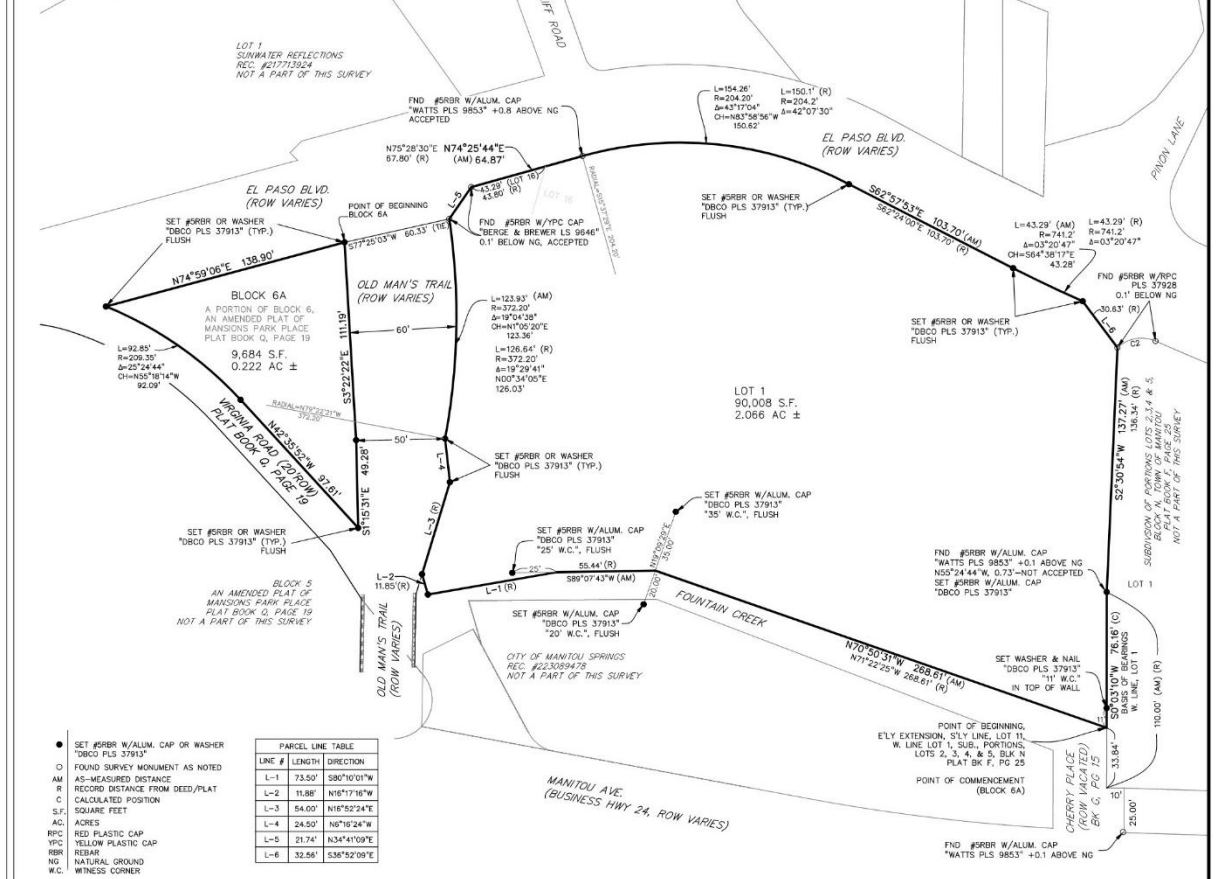
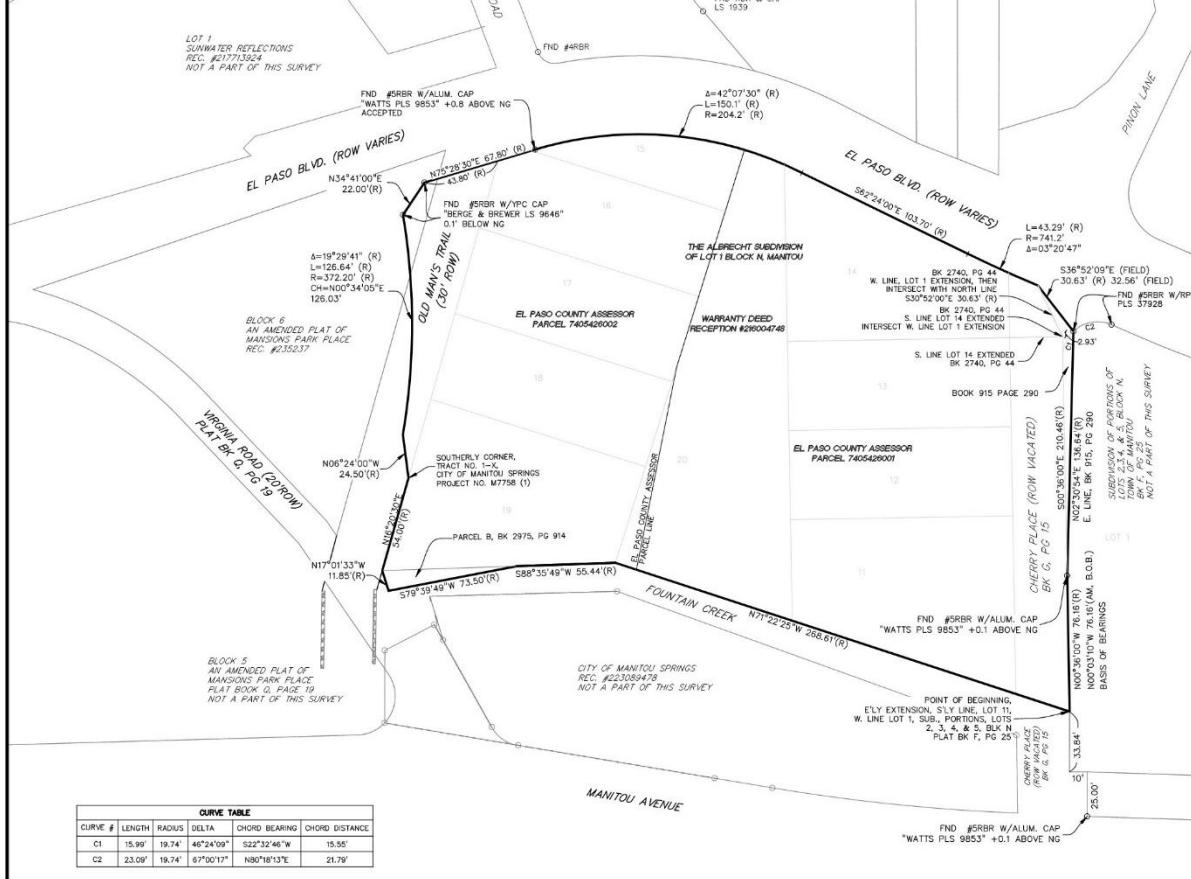
- Comprehensive Plan
- Dimensional Standards
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- Streets and Roadway Intersections
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- Landscape Standards
- Lighting Photometrics

PPRBD

- Foundations
- Loading Requirements
- Construction Details
- Floodplain Regulations

Project Location





CURRENTLY EXISTING

RECORD DIMENSIONS AND BEARINGS ARE FROM
SPECIAL WARRANTY DEED RECEPTION #216004748

REPLATTED

DIMENSIONS AND BEARINGS ESTABLISHED FROM FOUND
MONUMENTATION AND BOUNDARY ANALYSIS OF FIELD SURVEY WORK

Subdivision (Administrative Review)

To be Vacated
0.08 acres

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	15.99'	19.74'	46°24'09"	S27°32'46"W
C2	23.09'	19.74'	67°00'17"	N80°18'13"E

CURRENTLY EXISTING

RECORD DIMENSIONS AND BEARINGS ARE FROM
SPECIAL WARRANTY DEED RECEPTION #216004748

To be Dedicated
0.17 acres

PARCEL LINE TABLE			
LINE #	LENGTH	DIRECTION	
L-1	73.50'	S80°10'01"W	
L-2	11.88'	N16°17'18"W	
L-3	54.00'	N16°52'24"E	
L-4	24.50'	N6°16'24"W	
L-5	21.74'	N34°41'09"E	
L-6	32.56'	S36°52'09"E	

● SET #5RBR W/ALUM. CAP OR WASHER
"DBCO PLS 37913"
○ FOUND SURVEY MONUMENT AS NOTED
AM AS-MEASURED DISTANCE
R RECORD DISTANCE FROM DEED/PLAT
C CALCULATED POSITION
S.F. SQUARE FEET
AC. ACRES
R/C RED PLASTIC CAP
Y/C YELLOW PLASTIC CAP
RBR REBAR
NG NATURAL GROUND
W.C. WITNESS CORNER

REPLATTED

DIMENSIONS AND BEARINGS ESTABLISHED FROM FOUND
MONUMENTATION AND BOUNDARY ANALYSIS OF FIELD SURVEY WORK

Vacation of Right of Way

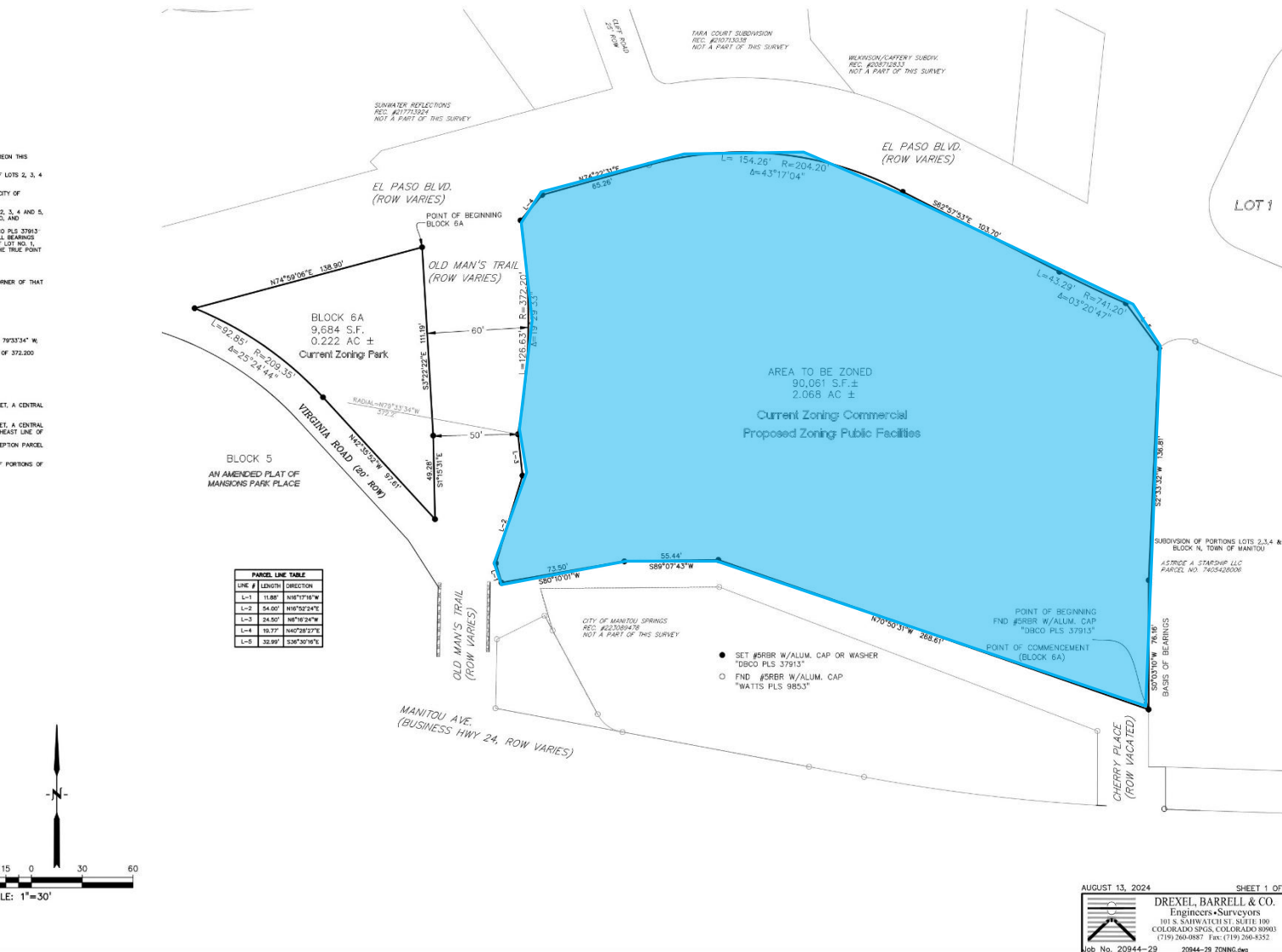


18.06.4.19 Vacation Approval Criteria

1. The vacation is consistent with the Comprehensive Plan and other adopted policies and plans, including any adopted transportation plan or streets/roadway plan;
2. The land to be vacated is no longer necessary for the public use and convenience;
3. The *right-of-way* within the *subdivision* is no longer needed for public transportation purposes;
4. The vacation will not adversely impact use of the *right-of-way* for *public utility* and/or drainage purposes;
5. Access to lots or properties surrounding the *plat* will not be adversely affected, and the vacation will not leave any land-locked parcels or deprive abutting properties of adequate, legal access;
6. The vacation will not adversely impact the health, safety and/or welfare of the general community, or reduce the quality of public facilities or services provided to any parcel of land, including but not limited to police/fire protection, access, and utility service; and
7. The vacation is consistent with the purpose of this LUDC.

10 OLD MAN'S TRAIL SUBDIVISION INITIAL ZONING MAP

A REPLAT OF LOTS 11-20, THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, A PART OF SUBDIVISION OF PORTIONS OF LOTS 2,3,4 & 5, BLOCK N, TOWN OF MANITOU, AND BLOCK 6, THE AMENDED PLAT OF MANSIONS PARK PLACE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO



Existing Zone:
Commercial

Proposed Zone:
Public Facilities



Zoning

COMMERCIAL (EXISTING)

Minimum Lot Frontage

- Fifty (50) Feet

Maximum Building Height

- Thirty-five (35) feet

Uses

- Residential permitted

PUBLIC FACILITIES (PROPOSED)

Minimum Lot Frontage

- No minimum lot frontage

Maximum Building Height

- Thirty (30) feet

Uses

- Residential not permitted

Public ownership

18.06.4.3 Rezone Approval Criteria



1. General conformance with the goals and policies of the Comprehensive Plan and other plans and policies adopted by the City Council;
2. Compliance with applicable statutory provisions;
3. Whether the rezoning will adversely impact or overburden public facilities and services;
4. Whether the rezoning will result in a higher risk to *natural hazards* and *geologic hazards*; and
5. Whether the proposed rezoning is compatible with the surrounding land uses.



Staff Recommendation:

Should the City Council find it appropriate to grant the Rezoning and Vacation of Right-of-Way staff does not recommend any conditions.

Motion Language

Ord. 2025- Vacation



Approve Ordinance No. 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request meets the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Approve Ordinance No. 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request meets the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, with the conditions as follows _____, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Deny the rezoning of the 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request does not meet the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19.

Postpone the vacation of a portion of the Old Man's Trail Right-of-Way to October 21, 2025 for further consideration

Motion Language

Ord. 2125- Rezone



Approve Ordinance No. 2125, amending the Zoning Map of the City of Manitou Springs, Colorado, rezoning 2 parcels from various zone districts to Public Facilities (PF); based upon the findings that the request meets the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3., on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Approve Ordinance No. 2125, amending the Zoning Map of the City of Manitou Springs, Colorado, rezoning 2 parcels from various zone districts to Public Facilities (PF); based upon the findings that the request meets the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3, with the conditions as follows _____, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Deny the rezoning of the 2 parcels, based upon the findings that the request does not meet the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3.

Postpone the rezoning of the 2 parcels to October 21, 2025 for further consideration



Memorandum

Title: First Reading of Ordinance No. 2125, An Ordinance Amending the Zoning Map of the City of Manitou Springs, Colorado, Rezoning 2 Parcels Also Known by Assessor's Office as Schedule Numbers 74054-26-002 and 74054-26-001 to Public Facility Zone District

From: Chelsea Royston, Senior Planner

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 10 Minutes

October 7, 2025

Purpose:

The City of Manitou Springs proposes to rezone two parcels collectively known as "Hiawatha Gardens" (10 Old Man's Trail and 487 El Paso Boulevard) from Commercial to Public Facilities. The proposal also includes the Vacation of a portion of the Old Man's Trail Right-of-Way (ROW). This city-initiated rezoning effort aims to update and clarify the Official Zoning Map, ensuring that each parcel is appropriately categorized to reflect its function and future purpose.

Background:

The property is currently developed with a parking lot and a building that was historically used as a dance hall. The property was purchased in 2016 by the City of Manitou Springs for use as a Public Facility to include a paid parking lot, bus stop, public restrooms and event space. In order to clarify the prevailing regulations on the site, the rezoning and vacation are being presented for consideration prior to the Major Development Plan. By rezoning the property prior to reviewing the development plan, City reviewers, appointed officials, city council, and the public can more easily understand the development standards, utility requirements, and access concerns that will be considered. Another benefit of reviewing these two applications prior to the development plan, is the adoption of ordinances that are required to approve rezoning and vacations, which require two readings before City Council.

This rezoning request was formally presented to the City Planning Commission during its regularly scheduled meeting on September 10, 2025. During the presentation, City staff outlined the purpose and justification for the rezoning, highlighting its alignment with Plan Manitou, the Transportation and Mobility Master Plan, and the City's Land Use and Development Code. Staff also provided details on the specific parcels, their current and proposed zoning classifications, and the anticipated benefits of the rezoning.



No major concerns were raised by the Planning Commission members. Additionally, no members of the public provided comments or objections during the public hearing portion of the meeting. The City Planning Commission recommended approval of the rezoning, indicating general agreement that the rezoning was appropriate and consistent with city planning objectives.

Please reference the City Planning Commission staff report for additional details. Draft minutes from the September 10th meeting are attached, and are scheduled for review on October 8th, 2025 (the day following this City Council meeting).

Pros and Cons:

Pros:

- Supports the goals outlined in Plan Manitou, the Transportation and Mobility Master Plan, and others, ensuring consistency in land use planning.
- Accurately designates parcels for their intended use (Public Facility), reducing zoning conflicts.
- Ensures appropriate zoning for public infrastructure like drainage and parking areas.
- Provides clearer zoning data, improving the City's ability to assess future land use proposals and infrastructure needs.

Cons:

- Public Facilities require ongoing maintenance, which may place additional demands on the City's budget and resources.
- The Land Use and Development Code applies fewer development standards to Public Facilities zoned parcels than to Commercial zoned parcels.

Fiscal Impact:

The proposed rezoning of two city-owned parcels does not have direct fiscal implications because the City already owns and maintains the subject parcels.

However, the following are indirect implications or implications caused by the rezoning of the property:

- Clearly defining parcels for public facility use (PF) allows for better long-term capital improvement planning, ensuring efficient allocation of city funds.
- Parcels rezoned for public facility use (PF) may require funding for future



improvements, such as drainage systems, parking areas, or municipal buildings.

- Rezoning certain parcels may restrict opportunities for future commercial or residential development, potentially reducing property tax revenue from those sites.

Workload Impact:

Approximately 10 staff hours have been appropriated by the application.

Recommended Action:

Staff recommends approval of the application without conditions.

Motion Options (select one):

- Approve Ordinance No. 2125, amending the Zoning Map of the City of Manitou Springs, Colorado, rezoning 2 parcels from various zone districts to Public Facilities (PF); based upon the findings that the request meets the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3., on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.
- Approve Ordinance No. 2125, amending the Zoning Map of the City of Manitou Springs, Colorado, rezoning 2 parcels from various zone districts to Public Facilities (PF); based upon the findings that the request meets the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3, with the conditions as follows_____, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.
- Deny the rezoning of the 2 parcels, based upon the findings that the request does not meet the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3.
- Postpone the rezoning of the 2 parcels to October 21, 2025 for further consideration

ORDINANCE

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF MANITOU SPRINGS, COLORADO, REZONING 2 PARCELS ALSO KNOWN BY ASSESSOR'S OFFICE AS SCHEDULE NUMBERS 7405426002 and 7405426001, MANITOU SPRINGS, COLORADO, TO PUBLIC FACILITY ZONE DISTRICT.

WHEREAS, the Manitou Springs City Council, after reviewing the recommendations and findings of the Planning Department and Planning Commission, has approved rezoning the property as described in Section 1 below from Commercial zone district to Public Facility zone district.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: The following described property shall be rezoned from Commercial zone districts to Public Facility zone district.

Address	Assessor's Parcel Number	Legal Description
10 Old Mans Trl	7405426002	LOTS 16 TO 19 INC, PART OF LOT 20 AS FOLS, BEG AT PT ON ELY LN 8.4 FT NLY FROM SE COR OF LOT 17, TH SLY ALG ELY LN OF LOTS 17 TO 19 INC TO SE COR OF LOT 19, ALG SLY LN OF LOT 20 ELY 12.4 FT, TH NLY ON STRAIGHT LN TO POB, TRACT ADJ TO LOT 19 AS FOLS, BEG AT SW COR OF SD LOT, TH NELY ALG S LN OF SD LOT 75.8 FT, ANG R 171<04' SWLY 73.5 FT, TH NWLY 12 FT TO POB LOT 15 EX PART AS FOLS, BEG AT NE COR OF SD LOT, TH S ALG E LN OF SD LOT 5.2 FT, ANG R 98<21' WLY 5.6 FT TO PT OF CUR, TH ON A CUR TO L WHOSE C/A IS 40<25' + RAD OF 119.06 FT AN ARC DIST OF 83.53 FT TO PT OF TANG, TH ON TANG LN 47.2 FT M/L TO INTSEC WITH W LN OF SD LOT, TH N 54 FT ON SD W LN, TH ALG CUR + NLY LN OF SD LOT 86.8 FT TO POB ALBRECHTS SUB OF LOT 1 OF BLK N MANITOU SPGS
487 El Paso Blvd	7405426001	LOTS 11 TO 14 INC SMITHS RESUB OF LOTS 11 TO 14 INC OF ALBRECHTS SUB OF PART OF LOT 1 BLK N + PART OF BLK 1 OF SUB

		OF PART OF LOTS 2 TO 5 INC BLK N MANITOU SPGS, LOT 20 ALBRECHTS SUB OF PART OF LOT 1 BLK N MANITOU SPGS EX PART OF LOTS 14 + 20 BEING A STRIP 10 FT WIDE TO BE USED FOR PUBLIC RD, EX FOL DES PART OF LOT 20, BEG AT SW COR OF LOT 20, TH ELY ALG S LN OF SD LOT 12.4 FT, TH IN A STRAIGHT LN NLY 119.52 FT M/L TO INTSEC W LN OF SD LOT, TH SLY 118.4 FT TO POB, ALSO UNIMPROVED ST KNOWN AS CHERRY PLACE PART OF BLK 1 SUB OF PART OF LOTS 2 TO 5 INC BLK N MANITOU SPGS AS FOLS, BEG ON NW LN OF LOT 1 A CHORD DIST OF 15.55 FT NE FROM PT OF + ON SD CHERRY PL, TH SWLY ON ARC OF CUR WHOSE RAD IS 19.74 FT A DIST OF 15.99 FT TO A PT OF TANG, SLY ALG W LN OF SD LOT 122.3 FT, TH IN NLY DIR 136.34 FT M/L TO POB
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Section 2: This rezoning shall be reflected within the Zoning Code of the City of Manitou Springs and the Zoning Map.

Section 3. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 4: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 5: This Ordinance shall be in full force and effect from and after five (5) days of its final passage and publication as provided by law.

Passed on first reading and ordered published this 7th day of October 2025.

A Public Hearing on Ordinance No. 2125 will be held at the October 21, 2025, City Council meeting. The Council meeting will be held at 6:00 pm at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

City Clerk

Ordinance Published: October 8, 2025.
City's Official Website and City Hall



Title: VAC 2501, RE 2501: Right-of-Way Vacation, and Rezoning for 10 Old Mans Trail and 487 El Paso Blvd

From: Chelsea Royston

To: City Planning Commission

Address of Proposal: 10 Old Man's Trail and 487 El Paso Blvd

Applicant: City of Manitou Springs

September 10, 2025

Proposal:

The City of Manitou Springs proposes to rezone two parcels collectively known as "Hiawatha Gardens" (10 Old Man's Trail and 487 El Paso Boulevard) from Commercial to Public Facilities. The proposal also includes the Vacation of a portion of the Old Man's Trail Right-of-Way (ROW).

Zone District:

Existing: Commercial (C) Zone District

Proposed: Public Facilities (PF) Zone District

Background & Existing Conditions:

The property is currently developed with a parking lot and a building that was historically used as a dance hall. The property was purchased in 2016 by the City of Manitou Springs for use as a Public Facility to include a paid parking lot, bus stop, public restrooms and event space. In order to clarify the prevailing regulations on the site, the rezoning and vacation are being presented for consideration prior to the Major Development Plan. By rezoning the property prior to reviewing the development plan, City reviewers, appointed officials, city council, and the public can more easily understand the development standards, utility requirements, and access concerns that will be considered. Another benefit of reviewing these two applications prior to the development plan, is the adoption of ordinances that is required to approve rezoning and vacations, which require two readings before City Council.

Application Detail:

The dimensional standards of the commercial zone (existing) are similar to those of the public facilities zone (proposed). The three differences are:

1. The public facilities zone has no minimum lot frontage, where the commercial zone requires a 50 foot minimum lot frontage.
2. The public facilities zone has a maximum building height of 30 feet compared to 35 feet in the commercial zone.
3. Residential Density limits do not apply in the public facilities zone because residential is not a permitted use in that zone.



Uses in the public facilities zone are limited to: agricultural uses, civic and outdoor recreational uses, and infrastructure uses. Certain development standards, such as those for signs, regulate the public facilities zone as if it was a commercial zone. The intended use of the site would be supported by either zone district, however, because the property is owned by the City, the public facilities zone is more appropriate.

The partial vacation of the Old Man's Trail ROW is accompanied by a dedication of ROW in the subdivision plat that is under administrative review. These two actions combine to complete the realignment of Old Man's Trail so that the platted ROW accurately depicts the travel path of the physical improvements. Approximately 3,652 square feet (0.08 acres) is proposed to be vacated. Approximately 7,544 square feet (0.17 acres) is proposed to be dedicated.

Public Involvement:

The application was noticed via postcards to properties within 300 feet of the property boundaries, in the newspaper and via a poster posted on site. No comments have been received as of the publication of this report.

Findings & Review Criteria:

18.06.4.3 Rezone:

The Planning Commission and City Council shall consider the approval criteria found in Section 18.06.4.3.E in the review of all rezoning applications.

1.General conformance with the goals and policies of the Comprehensive Plan and other plans and policies adopted by the City Council;

Specific goals and policies identified in PlanManitou 2.0 that are supported by this rezoning are:

- IP-2.2 Adequate Public Facilities
- IP-3.2 Location of Facilities
- TM-4.1 Parking Management
- TM-4.3 Parking Supply

Other applications for the development of the site may support additional goals and policies.

2.Compliance with applicable statutory provisions;

Staff finds this rezoning to be compliant with statutory provisions. The lots resulting from the proposed subdivision meet the dimensional standards for the Public Facilities Zone District.

3.Whether the rezoning will adversely impact or overburden public facilities and services;

This rezoning will not adversely affect public facilities as the site has been used for the intended parking lot for several years.

4.Whether the rezoning will result in a higher risk to natural hazards and geologic hazards; and

The rezoning will help minimize risks as the Public Facilities Zone district limits the potential use types to uses for the property. If the property remains Commercially Zoned, the types of



potential uses increases, potentially including uses that are incompatible with the flood hazard on the site.

5. Whether the proposed rezoning is compatible with the surrounding land uses.

Section 18.06.4.3 exempts Public Facilities Zones from the requirement that the area requested for rezoning to abut an existing zone district of the same zoning. The property is not adjacent to any other properties zoned Public Facilities, however, the City owns the adjacent properties on the west and south of this site. The property to the west is developed with Memorial Park. The property to the south is the future “Duck Stop” mobility hub. Staff finds these uses to be compatible with the proposed use of the subject property.

18.06.4.19 – Vacation of Right-of-Way:

The Planning Commission and City Council shall consider the approval criteria found in Section 18.06.4.19.F in the review of all Vacation of Right-of-Way applications.

1. The vacation is consistent with the Comprehensive Plan and other adopted policies and plans, including any adopted transportation plan or streets/roadway plan;

Specific goals and policies identified in PlanManitou 2.0 that are supported by this rezoning are:

- IP-2.2 Adequate Public Facilities
- IP-3.2 Location of Facilities
- TM-4.1 Parking Management
- TM-4.3 Parking Supply

Specific goals identified in the Transportation & Mobility Master Plan that are supported by this rezoning are:

- 1.1 Create Mobility Hubs (Hiawatha Gardens)
- 2.2 Increase Demand Management (Location of Managed Parking)
- 2.3 Enhance Supply (Hiawatha Gardens Mobility Hub)
- 3.3 Improve the Pedestrian Experience (Pedestrian Plazas)
- 5.1 Enhance Street Safety

Other applications for the development of the site may support additional goals and policies.

2. The land to be vacated is no longer necessary for the public use and convenience;

The land to be vacated will be incorporated into publicly owned property. It will still be available for the public use, however, it will more clearly delineate the boundaries between vehicle and pedestrian uses, creating a safer environment.

3. The right-of-way within the subdivision is no longer needed for public transportation purposes;

The right-of-way to be vacated is no longer needed for public transportation. New right-of-way will be dedicated as part of the resubdivision.



4.The vacation will not adversely impact use of the right-of-way for public utility and/or drainage purposes;

Staff finds this statement to be accurate as utility and drainage infrastructure are currently located within the right-of-way to be dedicated.

5.Access to lots or properties surrounding the plat will not be adversely affected, and the vacation will not leave any land-locked parcels or deprive abutting properties of adequate, legal access;

Staff finds this statement to be accurate.

6.The vacation will not adversely impact the health, safety and/or welfare of the general community, or reduce the quality of public facilities or services provided to any parcel of land, including but not limited to police/fire protection, access, and utility service; and

Staff finds this statement to be accurate.

7.The vacation is consistent with the purpose of this LUDC.

The vacation is consistent with the purpose of this LUDC, particularly purpose statement 18.01.2.1.A.6 “Ensuring that the connectivity of future public and private streets in relation to existing streets are created according to the vision of the adopted Transportation and Mobility Master Plan, that said streets will be built to adequate construction standards, and that multiple forms of mobility are contemplated;”

Staff Recommendation:

Should the Planning Commission find it appropriate to grant the Rezoning and Vacation of Right-of-Way staff does not recommend any conditions.

Motion Language Options:

RE 2501 - Rezone

Recommend approval of the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd, based upon the findings that the request meets the review criteria for granting a Rezoning as set forth in City Code Section 18.06.4.3.

Recommend approval of the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd, based upon the findings that the request meeting the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3, with an alteration to staff’s conditions as follows...

Recommend denial of the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd, based upon the findings that the request does not meet the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3.

Postpone the Rezoning at 10 Old Man’s Trail and 487 El Paso Blvd to October 8, 2025 for further consideration.

VAC 2501 - Vacation



Recommend approval of the Vacation at 10 Old Man's Trail and 487 El Paso Blvd, based upon the findings that the request meets the review criteria for granting a Vacation as set forth in City Code Section 18.06.4.19.

Recommend approval of the Vacation at 10 Old Man's Trail and 487 El Paso Blvd, based upon the findings that the request meeting the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, with an alteration to staff's conditions as follows...

Recommend denial of the Vacation at 10 Old Man's Trail and 487 El Paso Blvd, based upon the findings that the request does not meet the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19.

Postpone the Vacation at 10 Old Man's Trail and 487 El Paso Blvd to October 8, 2025 for further consideration.

Identification of Proposed Area of Amendment:

The property being rezoned is 10 Old Mans Trail parcel number 7405426002. The attached exhibit shows the rezoning of the replatted parcel Lot 1.

Description of the Proposal

The Lot 1 is currently zoned Commercial and is requested to be rezoned to Public Facilities. The property was purchased by the City in 2016 for use as a public facility. The property has since been utilized as public parking lot.

Description of Existing Conditions

The property identified as Lot 1 is currently utilized as a parking lot with 140 parking spots. The lot has approximately 46,444 square feet of pavement and three curb cuts. The Curb Cut at the northwest corner is currently barricaded and is the location of porta potties. The structure on the site is a historic dance hall that is not currently in use. The southern edge of the property abuts Fountain Creek. On the northern edge the parcels are zoned general residential, the western edge is adjacent to a parcel zoned Parks (Memorial Park) and the southern and eastern edges are adjacent to parcels zoned commercial.

Other Concurrent or Completed Applications

Below is a list of the applications anticipated for this parcel and their approximate hearing dates.

1. Major Subdivision Plan
 - a. CPC – September 10, 2025
 - b. City Council – October 7th, 2025
2. Right of Way Vacation
 - a. CPC – September 10, 2025
 - b. City Council – October 7th, 2025
3. Rezoning
 - a. CPC – September 10, 2025
 - b. 1st Reading City Council – October 7th, 2025
 - c. 2nd Reading City Council – October 21st, 2025
4. Major Development Plan
 - a. CPC – October 8, 2025
 - b. City Council – October 21st, 2025
5. Material Change of Appearance Certification

a. HPC – October 1, 2025

10 OLD MAN’S TRAIL SUBDIVISION
INITIAL ZONING MAP

BEING A REPLAT OF LOTS 11–20, THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, A PART OF SUBDIVISION OF PORTIONS OF LOTS 2,3,4 & 5, BLOCK N, TOWN OF MANITOU, AND BLOCK 6, THE AMENDED PLAT OF MANSIONS PARK PLACE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO

AS-MEASURED LEGAL DESCRIPTION (SEE SURVEY NOTE 5)

THE FOLLOWING AS-MEASURED LEGAL DESCRIPTION IS BASED UPON FOUND MONUMENTATION AND RECORD INFORMATION AS SHOWN HEREON THIS SURVEY.

A TRACT OF LAND BEING A PART OF THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU AND SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU, AND AN AMENDED PLAT OF MANSIONS PARK PLACE, MANITOU, EL PASO COUNTY, COLORADO;

ALL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF MANITOU SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO AND BEING DESCRIBED AS FOLLOWS:

“BEGINNING” AT A POINT ON THE EASTERLY LINE OF CHERRY PLACE AS SHOWN ON SAID PLAT OF SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU AS RECORDED IN PLAT BOOK F AT PAGE 25 OF THE RECORDS OF THE SAID EL PASO COUNTY, COLORADO, AND CONSIDERING THE WEST LINE OF LOT 1 OF SAID PLAT TO BEAR S 00°03'10" W, 76.16 FEET, BEING MONUMENTED AT THE NORTH TERMINUS BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED “DBCO PLS 37913” AND BEING MONUMENTED AT THE SOUTH TERMINUS BY A FOUND #5 REBAR WITH ALUMINUM CAP STAMPED “DBCO PLS 37913”; WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO, SAID POINT BEING ON THE EASTERLY EXTENSION OF LOT 11, IN SAID ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU AS RECORDED IN PLAT BOOK C, PAGE 40 OF THE RECORDS OF SAID EL PASO COUNTY, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE ALONG THE SOUTH LINE OF LOTS 11 AND 20, N 70°50'31" W, 268.61 FEET TO THE SOUTHWEST CORNER OF LOT 20;

THENCE ALONG THE SOUTH LINE OF LOT 19, IN SAID ALBRECHT SUBDIVISION S 89°07'43" W, 55.44 FEET TO THE MOST EASTERLY CORNER OF THAT PARCEL DESCRIBED IN BOOK 2975 AT PAGE 914 OF SAID EL PASO COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL, S 80°10'01" W, 73.50 FEET;

THENCE ALONG THE WESTERLY LINE OF SAID PARCEL, N 16°17'16" W, 11.88 FEET TO THE SOUTHWEST CORNER OF SAID LOT 19;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 19, N 16°52'24" E, 54.00 FEET;

THENCE N 06°16'24" W, 24.50 FEET TO A POINT OF NON-TANGENT CURVE CONCAVE TO THE LEFT, WHENCE THE RADIAL LINE BEARS N 79°33'34" W;

THENCE NORTHEAST, 126.63 FEET ALONG THE ARC OF SAID NON-TANGENT CURVE TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 372.20 FEET, A CENTRAL ANGLE OF 19°29'33", AND BEING SUBTENDED BY A CHORD THAT BEARS N 00°41'39" E, 126.02 FEET;

THENCE N 40°28'27" E, 19.77 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EL PASO BOULEVARD;

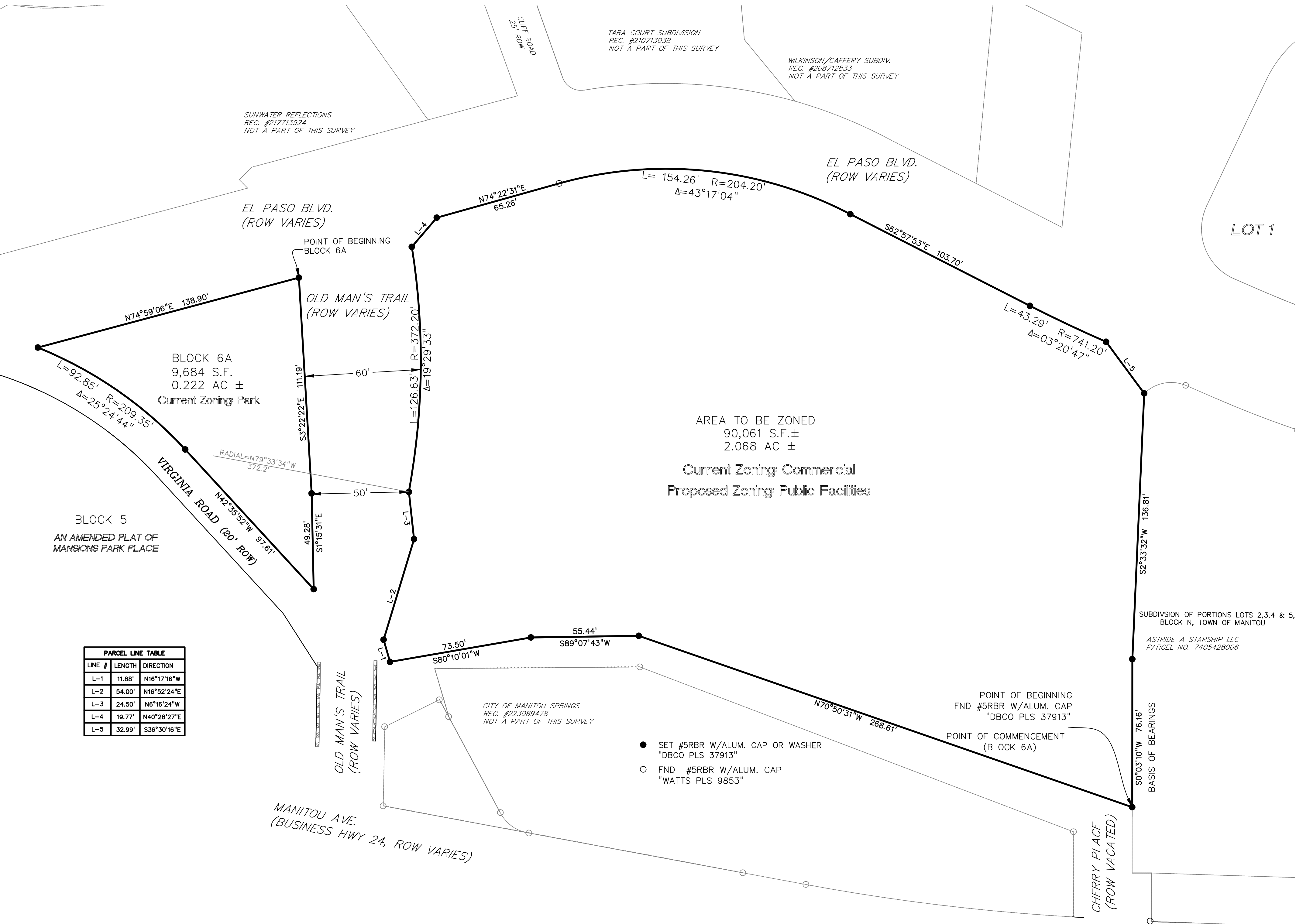
THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES:

1. N 74°22'31" E, 65.26 FEET TO A POINT OF CURVE TO THE RIGHT;
2. 154.26 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT TO THE END THEREOF, SAID ARC HAVING A RADIUS OF 204.20 FEET, A CENTRAL ANGLE OF 43°17'04", AND BEING SUBTENDED BY A CHORD THAT BEARS S 83°58'56" E, 150.62 FEET;
3. S 62°57'53" E, 103.70 FEET TO A POINT OF CURVE TO THE LEFT;
4. 43.29 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 741.20 FEET, A CENTRAL ANGLE OF 03°20'47", AND BEING SUBTENDED BY A CHORD THAT BEARS S 64°38'17" E, 43.28 FEET TO INTERSECT THE NORTHEAST LINE OF THAT TRACT DESCRIBED AS PARCEL C IN BOOK 2740 AT PAGE 44 OF SAID EL PASO COUNTY RECORDS;
5. ON SAID NORTHEAST LINE S 60°50'16" E, 32.59 FEET TO THE POINT OF INTERSECTION WITH THE EASTERLY LINE OF THAT EXCEPTION PARCEL RECORDED IN BOOK 915 AT PAGE 290 OF SAID EL PASO COUNTY RECORDS;

THENCE ALONG SAID EASTERLY LINE, S 02°33'32" W, 136.81 FEET TO THE WEST LINE OF LOT 1 AS SHOWN ON SAID SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4 AND 5, BLOCK N, TOWN OF MANITOU;

THENCE ALONG SAID WEST LINE, S 00°03'10" W, 76.16 FEET TO THE “POINT OF BEGINNING”;

THE ABOVE DESCRIBED PARCEL CONTAINS 2.068 ACRES OR 90,061 SQUARE FEET, MORE OR LESS.





CITY OF MANITOU SPRINGS CITY PLANNING COMMISSION

Regular Meeting Minutes
Hybrid Meeting via Zoom and at Memorial Hall
September 10, 2025

A. CALL TO ORDER

A Regular Meeting of the Manitou Springs City Planning Commission (CPC) was held at Manitou Springs Memorial Hall, 606 Manitou Avenue. Chair Delwiche called the meeting to order at 5:30 PM and declared a quorum present.

COMMISSIONERS PRESENT FOR ROLL CALL:

Chair Alan Delwiche
Vice Chair Justin Wilson
Commissioner Mike Casey
Commissioner Stephen Graybill
Commissioner Gloria Latimer
Commissioner Roy Rosenthal
Commissioner Carey Storm
Alternate Commissioner Megan Day
Alternate Commissioner Frank DeLay

STAFF PRESENT:

Planner Zachary Davison
Planner Erin Ringsred
Senior Planner Chelsea Royston
Planning Director Frederick Rollenhagen

B. APPROVAL OF MINUTES

1. June 11, 2025

Commissioner Storm moved to approve the June 11, 2025 minutes. Commissioner Graybill seconded the motion. The motion carried unanimously (7-0).

2. August 13, 2025

Vice Chair Wilson moved to approve August 13, 2025, minutes. Commissioner Storm seconded the motion. The motion carried unanimously (6-0), with Commissioner Latimer abstaining.

C. UNFINISHED BUSINESS

No unfinished business was discussed.

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no public comment.

E. NEW BUSINESS

1. STR 2501 – 423 Washington Avenue

Planner Davison presented the short-term rental proposal for 423 Washington Avenue. The request was for a short-term rental of the entire lower level, with property owners occupying the upper level year-round. Background and requirements for a short-term rental permit were reviewed. The property location and its surrounding land uses were presented, along with the site plan. Planner Davison shared that the owner will use OwnerRes, property management software, to manage all bookings for the property.

A brief discussion ensued about the required parking, and the property was explained to support three parking spaces according to the city code. Planner Davison noted that the code requires two cumulative parking spaces and that the property has had no code violations.

Applicant Kristen Cole emphasized maintaining relationships with neighbors. The applicant mentioned that they were considering integrating with the Sun Water Spa which is next-door as to provide a place to stay for spa attendees.

Commissioner Storm moved to approve STR 2501 based upon the findings that the request meets the review criteria for granting a Short-Term Rental Permit, as set forth in City Code Section 18.06.4.5, with no conditions. Commissioner Graybill seconded the motion. The motion carried unanimously (7-0).

2. VAC 2501, RE 2501: Right-of-Way Vacation, and Rezoning for 10 Old Mans Trail and 487 El Paso Blvd

Planner Royston gave a presentation regarding Hiawatha Gardens. The request was for the purpose of rezoning two parcels from Commercial to Public Facilities zoning, along with the vacation of a portion of Old Man's Trail. The entitlements of municipal review committees were explained, along with the regulations of reviewing bodies. The location of the project was presented as well as where development was intended and the proposed replat. Planner Royston explained that all portions of Vacation (VAC) 2501 fit together in one movement, but the rezone is just for the Hiawatha Gardens portion of the property.

Commissioner Casey motioned to approve Rezone (RE) 2501 and VAC 2501 with no conditions, based upon the findings that the request meets the review criteria for granting a rezoning as set forth in City Code Section 18.06.4.3 and for granting a vacation as set forth in City Code Section 18.06.4.19. The motion was seconded by Chair Delwiche. The motion carried unanimously (7-0).

F. OTHER BUSINESS

1. Consideration of Title 18 Code Revisions for ADUs, Residential Occupancy Standards, and Parking Requirements for multi-family Development

Director Rollenhagen gave a presentation regarding code revisions in response to State Land Use Legislation adopted in 2024 addressing Housing Occupancy Limits, Accessory Dwelling Units (ADUs), and Minimum Parking Requirements for new Multi-Family Development. Previous code revision work sessions were summarized. Three potential changes were presented shown. The first proposed modifying the definition of household to remove references to occupancy limits based on blood or guardianship and tie the definition to another housing code to ensure safety. The second revision addressed minimum parking requirements allowing an exception to homes in the transit service area. Lastly, proposed changes for ADU code revisions that were discussed in previous sessions were reviewed. It was noted that a Minor Site Plan would be required for the construction of an ADU.

Note for the Record – A letter from the Housing Advisory Board (HAB) was read aloud and amended to the agenda packet. The letter emphasized the need for diverse and affordable housing options and expressed support for applying existing zoning code to ADUs.

A discussion ensued on the setback requirements for ADUs. Chair Delwiche voiced that ADU setback rules could be a cause for concern in terms of distance between structures. Director Rollenhagen explained that there was nothing in code that would stop construction if fire, city, and regional codes were met.

HAB Alternate Member Nate Nassif suggested a housing survey to gather community input on ADU rules.

Chair Delwiche confirmed that the HAB letter language regarding the ADU size minimum was in hopes of raising affordable housing rates.

Commissioner Delay asked about the risk of a draft ordinance not addressing short term rental prohibitions.

There was a discussion about new ADUs meeting the current code regarding short term rentals. Alternate Member Nassif explained that the intent of the law was not for short-term rentals.

Chair Delwiche voiced that not having size limitations on ADUs would be against the intent of the ADU ordinance and that not having a cap provides financial opportunity for owners rather than support for the community. He suggested having a size limit on ADUs and allowing for smaller minimums.

Commissioner Storm expressed support for the language in the HAB letter which specified 750 square feet or 50% of the principal unit for max ADU size.

Commissioner Casey voiced his opinion that short term rental rules be applied to ADUs.

Commissioner Storm opposed short term rental rules for ADUs and added that short term rentals are against the point of ADU law.

Commissioner Graybill pointed out that ADUs are already being used as short term rentals, and stated that there was no need for the extra administrative burden.

Commissioner Day commented that only new ADUs would be barred from being short term rentals.

Commissioner Wilson saw no need for short-term rental provisions, and Commissioner Delay agreed.

Chair Delwiche moved to recommend to the City Council the draft ordinance as amended to state that ADUs be no smaller than 250 square feet and no larger than 750 square feet or 50% of livable space in the principal residence and to remove short term rental restrictions in the draft. The motion was seconded by Commissioner Graybill. The motion carried unanimously (7-0).

G. NOTICE OF COUNCIL ACTION AND UPDATES

Director Rollenhagen stated that the Planning Department is preparing its budget to propose to City Council in October.

H. ADJOURNMENT

With no further business to discuss, Chair Delwiche adjourned the meeting at 7:30 PM.

If you need this document in an alternative format, such as large print, accessible PDF, or Braille, please contact the City Clerk's Office at cityclerk@manitouspringsco.gov or (719) 685-2554.



Hiawatha Gardens

REZONING AND ROW VACATION

CITY COUNCIL

OCTOBER 7, 2025



Hiawatha Gardens

Rezone

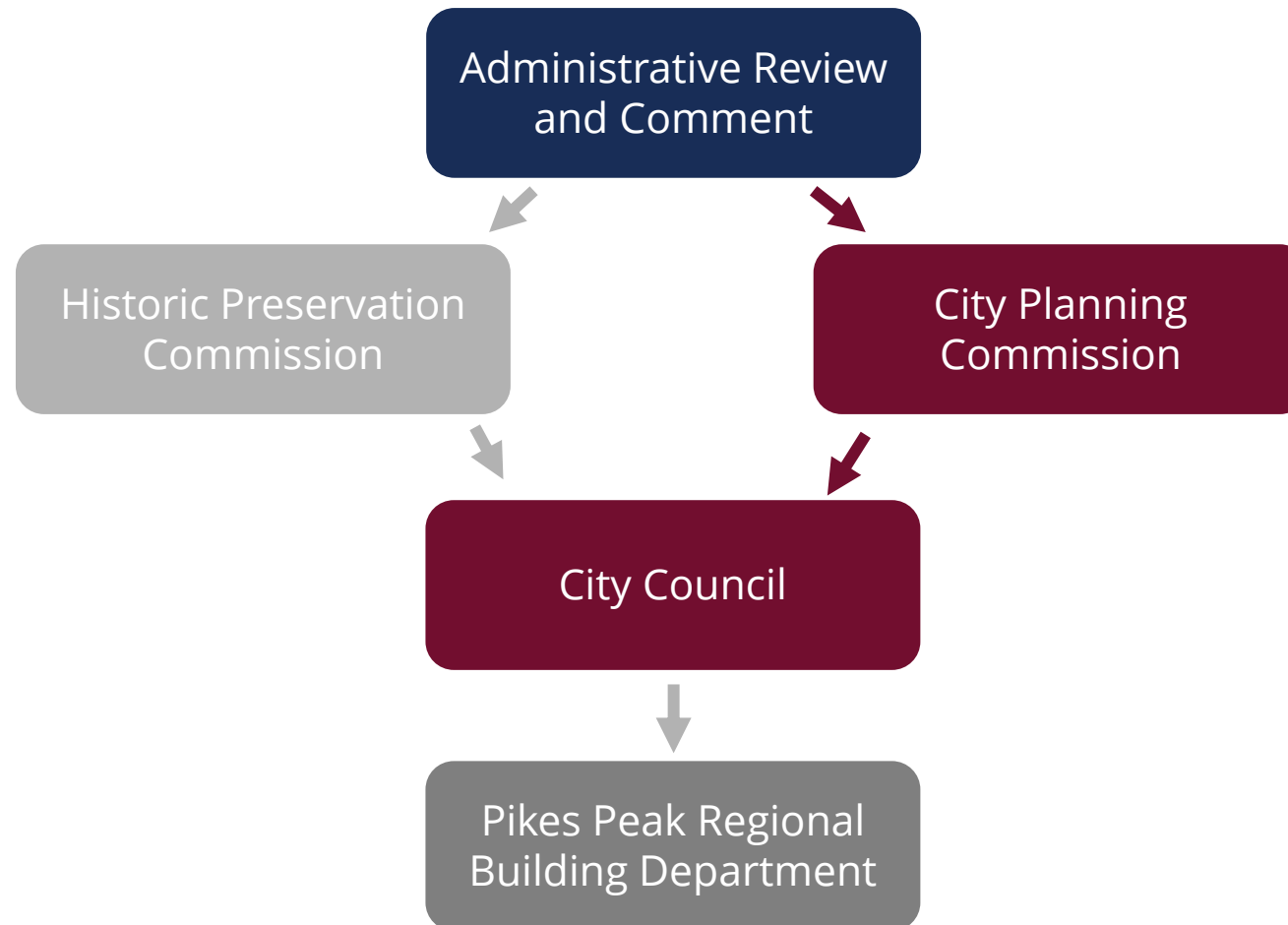
- Rezone two parcels from Commercial to Public Facilities

Right of Way (ROW) Vacation

- Vacate a portion of Old Man's Trail

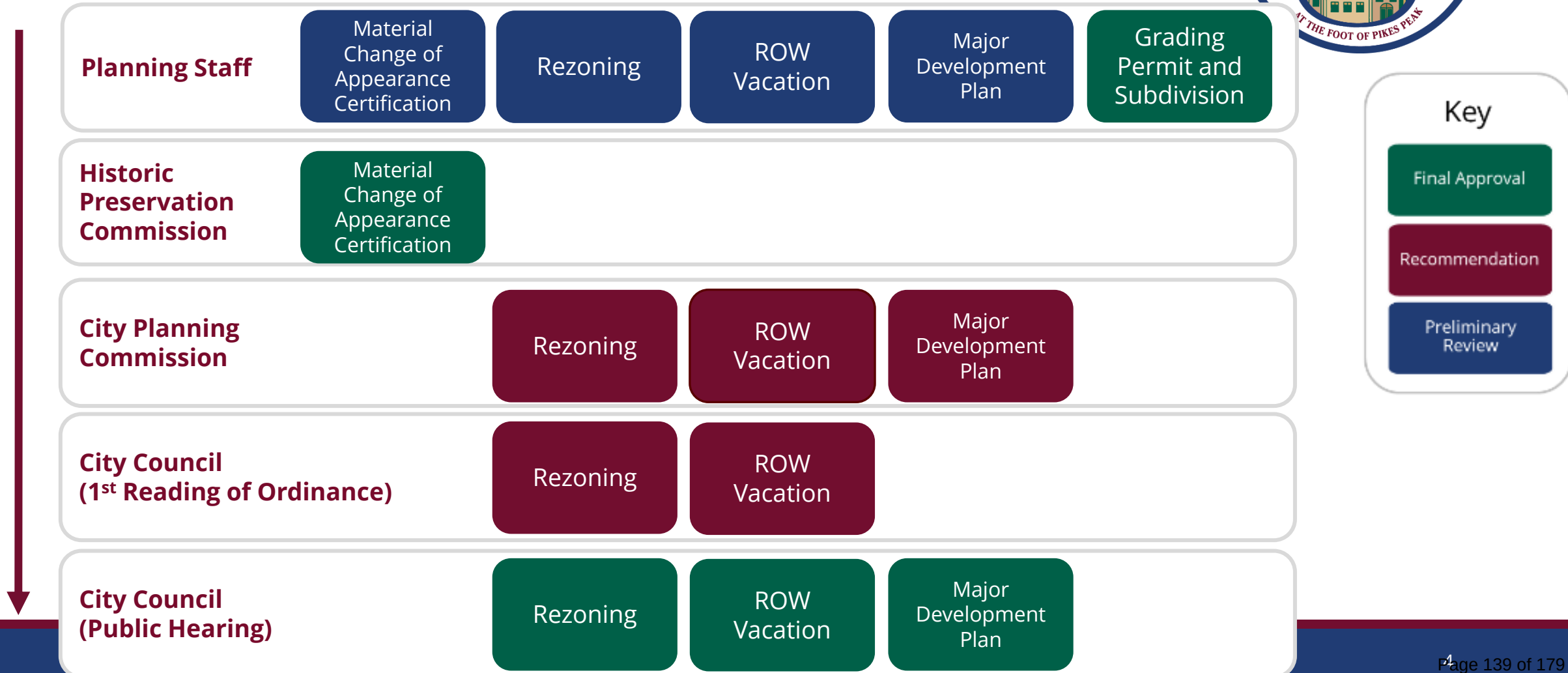


Municipal Review Process





Municipal Review Entitlements





Regulations by Reviewing Bodies

City Staff

- Title 12 – Streets and Other Public Places
- Title 13- Utilities
- Title 14 – Stormwater Quality Management and Discharge Control
- Title 18 – Land Use and Development Code Compliance

Historic Preservation Commission

- Title 17 – Historic Preservation
 - 17.04.050 Material Change of Appearance Certification
 - New construction
 - Exterior changes
 - Interior changes (publicly owned structures)
 - Historic District Design Guidelines

City Planning Commission

- Comprehensive Plan
- Dimensional Standards
- Use Standards
 - Parking Lots
- Streets and Roadway Intersections
- Hazard Mitigation
- Landscape Standards
- Lighting Photometrics

City Council

- Comprehensive Plan
- Dimensional Standards
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 - Parking Lots
- Streets and Roadway Intersections
- Hazard Mitigation
- Landscape Standards
- Lighting Photometrics

PPRBD

- Foundations
- Loading Requirements
- Construction Details
- Floodplain Regulations



Regulations by Reviewing Bodies

City Staff

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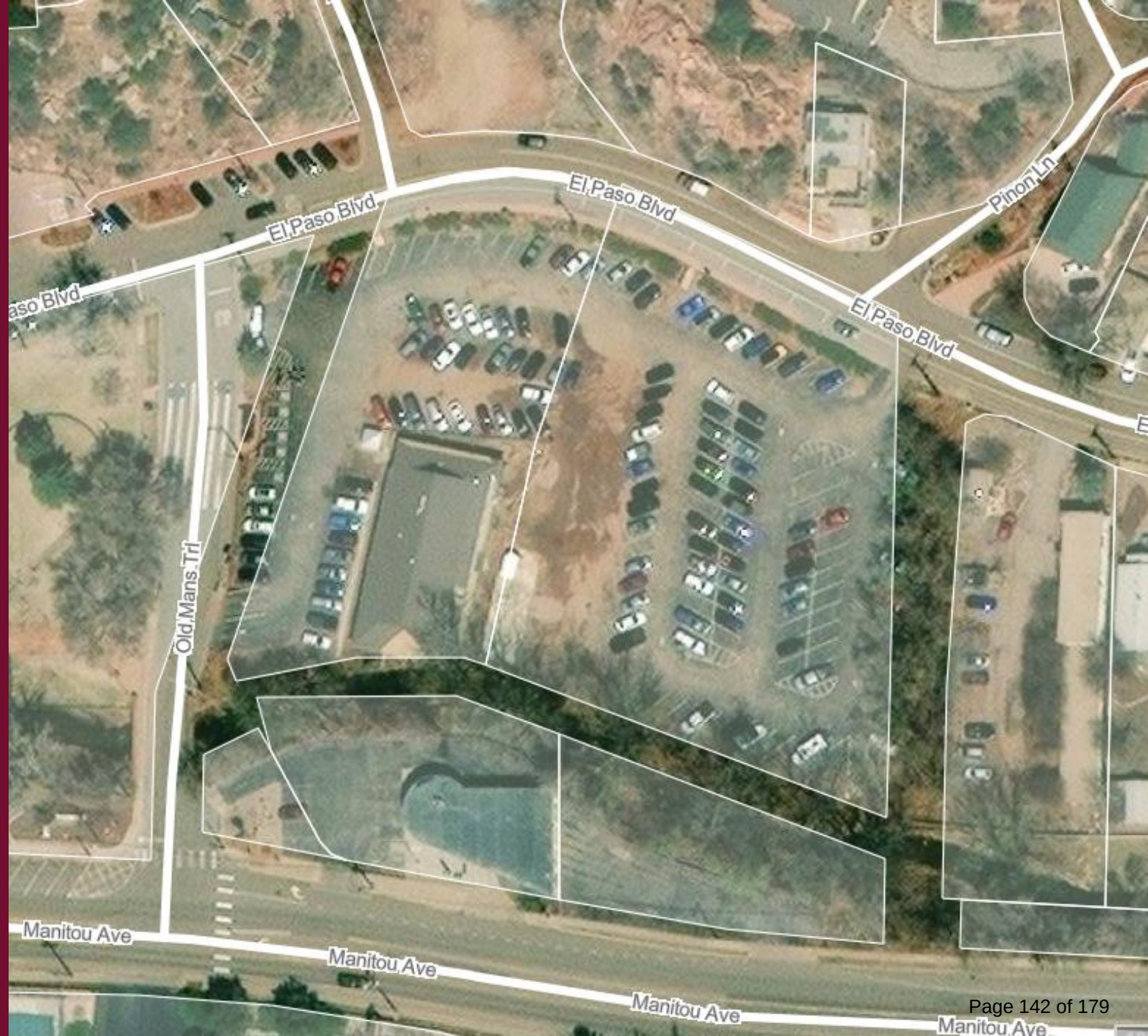
City Council

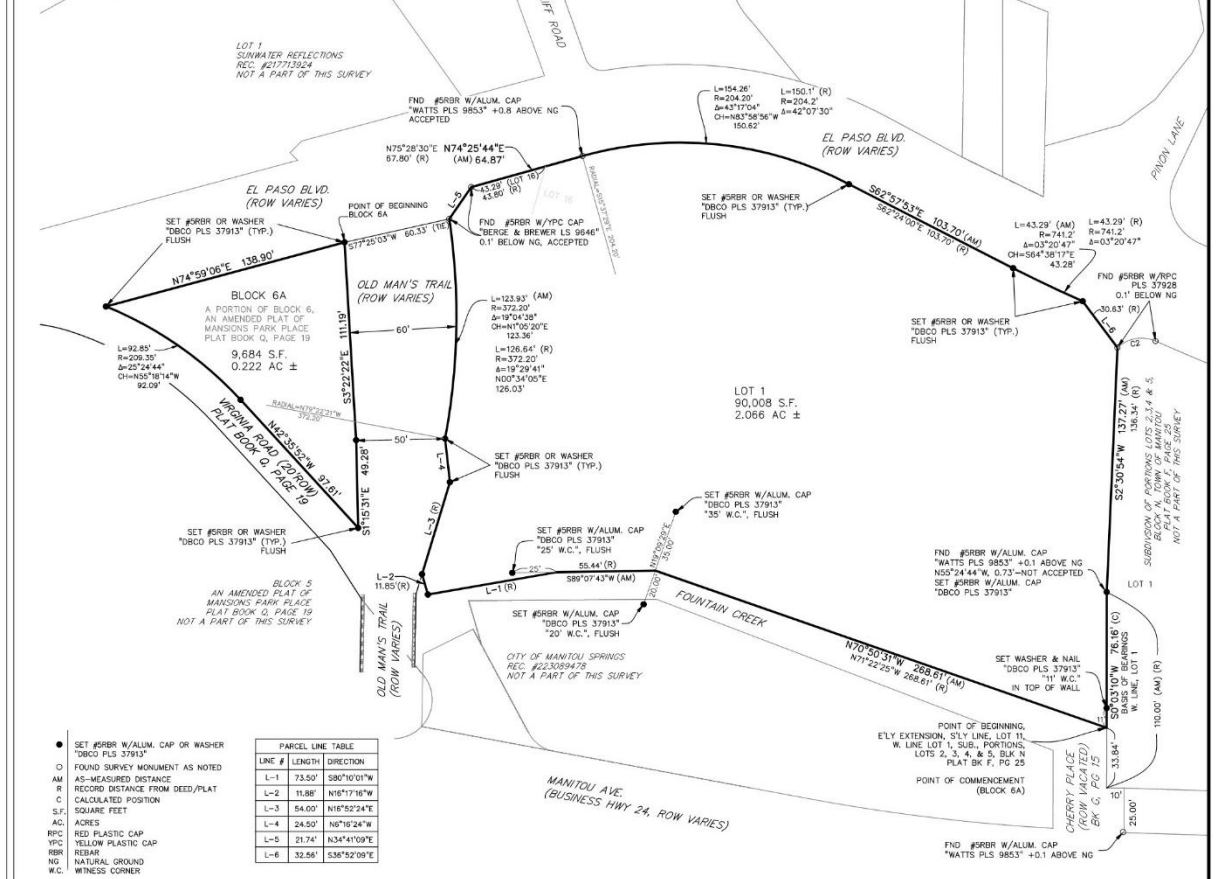
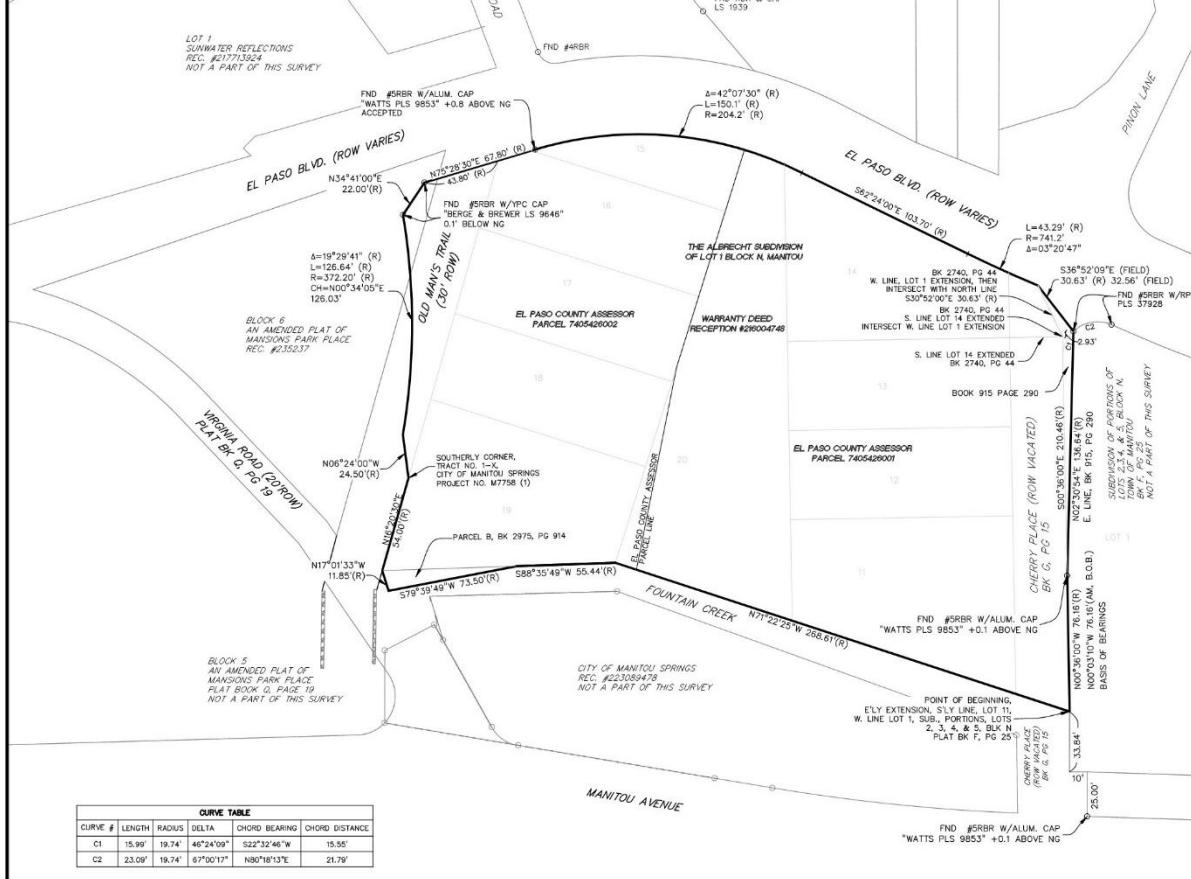
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- Lighting Photometrics

PPRBD

- Foundations
- Loading Requirements
- Construction Details
- Floodplain Regulations

Project Location





CURRENTLY EXISTING

RECORD DIMENSIONS AND BEARINGS ARE FROM
SPECIAL WARRANTY DEED RECEPTION #216004748

REPLATTED

DIMENSIONS AND BEARINGS ESTABLISHED FROM FOUND
MONUMENTATION AND BOUNDARY ANALYSIS OF FIELD SURVEY WORK

Subdivision (Administrative Review)

To be Vacated
0.08 acres

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	15.99'	19.74'	46°24'09"	S27°32'46"W
C2	23.09'	19.74'	67°00'17"	N80°18'13"E

CURRENTLY EXISTING

RECORD DIMENSIONS AND BEARINGS ARE FROM
SPECIAL WARRANTY DEED RECEPTION #216004748

To be Dedicated
0.17 acres

PARCEL LINE TABLE			
LINE #	LENGTH	DIRECTION	
L-1	73.50'	S80°10'01"W	
L-2	11.88'	N16°17'18"W	
L-3	54.00'	N16°52'24"E	
L-4	24.50'	N6°16'24"W	
L-5	21.74'	N34°41'09"E	
L-6	32.56'	S36°52'09"E	

● SET #5RBR W/ALUM. CAP OR WASHER
"DBCO PLS 37913"
○ FOUND SURVEY MONUMENT AS NOTED
AM AS-MEASURED DISTANCE
R RECORD DISTANCE FROM DEED/PLAT
C CALCULATED POSITION
S.F. SQUARE FEET
AC. ACRES
R/C RED PLASTIC CAP
Y/C YELLOW PLASTIC CAP
RBR REBAR
NG NATURAL GROUND
W.C. WITNESS CORNER

REPLATTED

DIMENSIONS AND BEARINGS ESTABLISHED FROM FOUND
MONUMENTATION AND BOUNDARY ANALYSIS OF FIELD SURVEY WORK

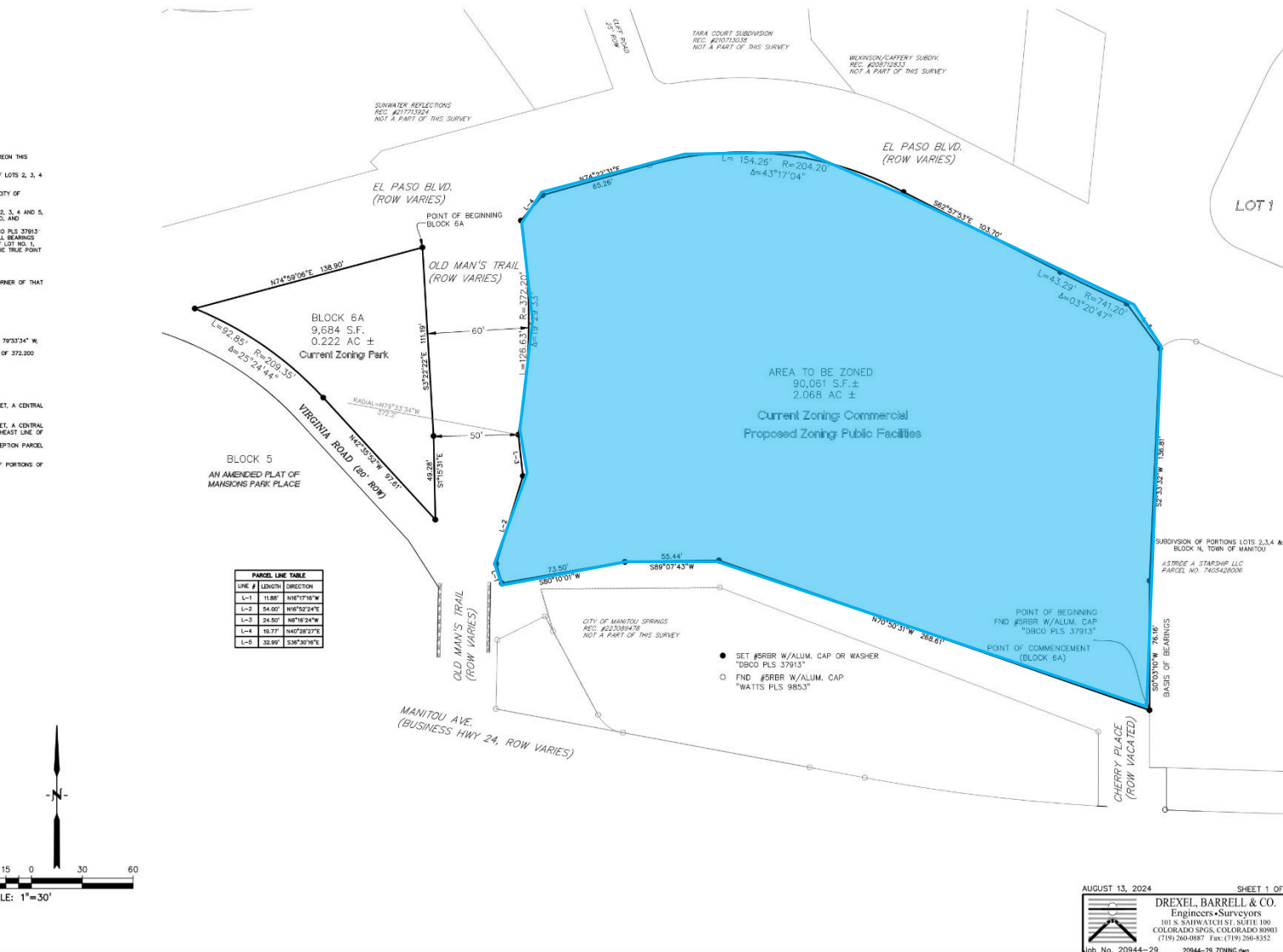
Vacation of Right of Way



18.06.4.19 Vacation Approval Criteria

1. The vacation is consistent with the Comprehensive Plan and other adopted policies and plans, including any adopted transportation plan or streets/roadway plan;
2. The land to be vacated is no longer necessary for the public use and convenience;
3. The *right-of-way* within the *subdivision* is no longer needed for public transportation purposes;
4. The vacation will not adversely impact use of the *right-of-way* for *public utility* and/or drainage purposes;
5. Access to lots or properties surrounding the *plat* will not be adversely affected, and the vacation will not leave any land-locked parcels or deprive abutting properties of adequate, legal access;
6. The vacation will not adversely impact the health, safety and/or welfare of the general community, or reduce the quality of public facilities or services provided to any parcel of land, including but not limited to police/fire protection, access, and utility service; and
7. The vacation is consistent with the purpose of this LUDC.

A REPLAT OF LOTS 11-20, THE ALBRECHT SUBDIVISION OF LOT NO. 1, BLOCK N, MANITOU, A PART OF SUBDIVISION OF LOTS 2,3,4 & 5, BLOCK N, TOWN OF MANITOU, AND BLOCK 6, THE AMENDED PLAT OF MANSIONS PARK PLACE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN THE CITY OF MANITOU SPRINGS, EL PASO COUNTY, COLORADO



Proposed Zone: Public Facilities



Zoning

COMMERCIAL (EXISTING)

Minimum Lot Frontage

- Fifty (50) Feet

Maximum Building Height

- Thirty-five (35) feet

Uses

- Residential permitted

PUBLIC FACILITIES (PROPOSED)

Minimum Lot Frontage

- No minimum lot frontage

Maximum Building Height

- Thirty (30) feet

Uses

- Residential not permitted

Public ownership

18.06.4.3 Rezone Approval Criteria



1. General conformance with the goals and policies of the Comprehensive Plan and other plans and policies adopted by the City Council;
2. Compliance with applicable statutory provisions;
3. Whether the rezoning will adversely impact or overburden public facilities and services;
4. Whether the rezoning will result in a higher risk to *natural hazards* and *geologic hazards*; and
5. Whether the proposed rezoning is compatible with the surrounding land uses.



Staff Recommendation:

Should the City Council find it appropriate to grant the Rezoning and Vacation of Right-of-Way staff does not recommend any conditions.

Motion Language

Ord. 2025- Vacation



Approve Ordinance No. 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request meets the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Approve Ordinance No. 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request meets the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19, with the conditions as follows _____, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Deny the rezoning of the 2025, Vacating A Portion Of The Old Man's Trail Right-Of-Way; based upon the findings that the request does not meet the review criteria for granting a Vacation, as set forth in City Code Section 18.06.4.19.

Postpone the vacation of a portion of the Old Man's Trail Right-of-Way to October 21, 2025 for further consideration

Motion Language

Ord. 2125- Rezone



Approve Ordinance No. 2125, amending the Zoning Map of the City of Manitou Springs, Colorado, rezoning 2 parcels from various zone districts to Public Facilities (PF); based upon the findings that the request meets the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3., on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Approve Ordinance No. 2125, amending the Zoning Map of the City of Manitou Springs, Colorado, rezoning 2 parcels from various zone districts to Public Facilities (PF); based upon the findings that the request meets the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3, with the conditions as follows _____, on first reading and set a public hearing for October 21, 2025, at 6:00 p.m., or as soon thereafter as the matter may be heard.

Deny the rezoning of the 2 parcels, based upon the findings that the request does not meet the review criteria for granting a Rezoning, as set forth in City Code Section 18.06.4.3.

Postpone the rezoning of the 2 parcels to October 21, 2025 for further consideration



Memorandum

Title: First Reading of Ordinance No. 2225, an Ordinance of the City of Manitou Springs, Colorado, Amending the Manitou Springs Municipal Code to Allow Digital Publication of Certain Publication Notices

From: Elena Krebs, City Clerk

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 10 Minutes

October 7, 2025

Purpose:

Adopting this ordinance authorizes the City to transition from paper-based publications to digital publications, in accordance with allowances under Colorado state law. This change would modernize our practices, increase accessibility and reduce costs associated with required public notices and publications.

Background:

State statute provides municipalities the option to publish certain notices digitally rather than exclusively in printed newspapers. Currently, the City publishes required notices in The Gazette, incurring high costs and facing limitations for residents who do not subscribe to that newspaper. By adopting this ordinance to allow digital publications, the City would align itself with statutory flexibility and position itself for more efficient communication.

Pros and Cons:

Pros:

- Cost Savings: Reduces expenses for newspaper advertising and printing.
- Accessibility: Provides immediate access to notices via the City's website and digital platforms, available 24/7.
- Transparency: Allows for archiving and searchable records of notices in one location.
- Environmental Benefits: Reduces paper use and printing needs.
- Timeliness: Digital postings can be published more quickly than print.

Cons:

- Digital Divide: Some residents, particularly older populations or those without



internet access, may rely on printed publications.

- Legal Requirements: Certain types of notices will still require newspaper publication depending on statutory interpretation or judicial precedent.
- Perception: May be seen as reducing outreach to populations less connected to digital media.

Fiscal Impact:

The City has spent an average of \$15,000 the last two years on public notices.

Workload Impact:

Approximately 3 hours.

Recommended Action:

Move to approve Ordinance No. 2225, an ordinance of the City of Manitou Springs, Colorado, amending the Manitou Springs Municipal Code to allow digital publication of certain publication notices, on first reading and set a public hearing for October 21, 2025 at 6 pm.

ORDINANCE

AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO, AMENDING THE MANITOU SPRINGS MUNICIPAL CODE TO ALLOW DIGITAL PUBLICATION OF CERTAIN PUBLICATION NOTICES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO:

WHEREAS, the Manitou Springs Municipal Code provides that certain public notices must be published in a newspaper of general circulation;

WHEREAS, publishing notices in print in the newspaper is costly and the Colorado general assembly has declared its intent in C.R.S. § 24-6-402(2) that local governments transition from posting physical notices to posting notices online to the greatest extent practicable;

WHEREAS, unless required by state statute to publish a notice in a newspaper of general circulation, the City Council desires to amend the Manitou Springs Municipal Code to allow public notices to be published on the City's website instead; and

WHEREAS, nothing set forth herein shall be construed to prevent the City from providing additional notice when and where the City deems appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Language in *italics* indicates additions and language in ~~striketrough~~ indicates deletions.

Section 1: Section 1.04.060 of the Manitou Springs Municipal Code is hereby amended as follows:

1.04.060 – Publication.

Unless otherwise expressly required by a specific section of this code, the requirement that certain ordinances be published, as set forth in *the* charter, shall be satisfied by the publishing of such ordinances, either by title or in full as required by the charter, on the city's official website. ~~and in city hall.~~

Section 2: Section 3.08.030(a) of the Manitou Springs Municipal Code is hereby amended as follows:

3.08.030 – Sale of Property.

A. The chief of police shall, if necessary, conduct a sale of abandoned or forfeited weapons by sealed bid or auction. Weapons shall not be sold to any

individual not in possession of a federal firearms license. A notice shall be published *on the City's website* informing federally licensed gun dealers of the sale. Such licensees shall be afforded an opportunity to inspect such items at a time and place specified by the chief of police.

* * *

Section 3: Section 3.12.880(c)(2) of the Manitou Springs Municipal Code is hereby amended as follows:

3.12.880 – Distrain and sale.

* * *

C. Disposal of Distrained Property.

2. A notice of time and place of the sale, together with a description of the property to be sold, shall be published *on the City's website, at City Hall, and in a newspaper of general circulation with the county where distraint is made or, in lieu therefor and in the discretion of the finance director, the notice shall be posted at the courthouse of the county where distraint is made, and in at least two other places within such county.*

* * *

Section 4: Section 3.32.040(a) of the Manitou Springs Municipal Code is hereby amended as follows:

3.32.040 – Bidding procedure—Purchases in excess of fifty thousand dollars.

A. This section 3.32.040 shall apply to purchases in excess of fifty thousand dollars. The city shall publish an advertisement for bids *on the City's website at least once in a newspaper of general circulation in El Paso County* not more than forty-five days, but at least five days prior to the date set for the opening of bids.

* * *

Section 5: Section 3.32.070(b) of the Manitou Springs Municipal Code is hereby amended as follows:

3.32.070 – Bidding procedure—Purchases in excess of fifty thousand dollars.

* * *

B For consulting services totaling more than fifty thousand dollars, the city council shall publish at least one notice of requests for proposals for consulting services *on the City's website in a newspaper of general circulation in El Paso*

~~County~~ not more than forty-five days, but at least five days, prior to the date set for the submission of proposals, unless the city council determines by motion or resolution that it is not practical or advantageous to do so.

* * *

Section 6: Section 5.07.070(a) of the Manitou Springs Municipal Code is hereby amended as follows:

5.07.070 – Public notice; posting and publication.

A. Upon receipt of a complete application, except an application for renewal or for transfer of ownership, the licensing authority shall schedule a public hearing upon the application not less than thirty days after the filing date of the application and shall post ~~and publish~~ the public notice thereof not less than ten days prior to such hearing *on the City's website*. Public notice shall be given by the posting of a sign in a conspicuous place on the premises for which application has been made *and by posting on the City's website* ~~and by publication in a newspaper of general circulation in the city.~~

* * *

Section 7: Section 5.07.070(c) of the Manitou Springs Municipal Code is hereby deleted in its entirety, and the subsequent subsections are renumbered accordingly.

Section 8: Section 5.09.080(e) of the Manitou Springs Municipal Code is hereby amended as follows:

5.09.080 – Requirements of application for license; payment of application fee; denial of license.

* * *

E. Upon receipt of an application for a new license, the local licensing authority shall schedule a public hearing on the application to be held not less than thirty days after the date of the completed application. The local licensing authority shall cause a notice of such hearing to be posted in a conspicuous place upon the proposed licensed premises *and on the City's website* ~~and published in a newspaper of general circulation within the city~~ not less than ten days prior to the hearing. Such posted notice given by posting shall include a sign of suitable material in dimensions and with lettering as required by the planning department. ~~Both~~ *The posted and the published* notices shall state the type of license applied for, the date of the hearing, the name and address of the applicant and such other information as may be required to fully apprise the public of the nature of the application.

* * *

Section 9: Section 6.18.050(g) of the Manitou Springs Municipal Code is hereby amended as follows:

6.18.050 – Permit and hearing procedure.

* * *

G. Notice of Hearing. Notice of any public hearing hereunder shall be given at least ten days in advance of the public hearing by *posting on the City's website* ~~publication in the official newspaper of the city of Manitou Springs.~~

* * *

Section 10: Section 12.20.010 of the Manitou Springs Municipal Code is hereby amended as follows:

12.20.010 – Notice to abutting property owner—Compliance with regulations.

Whenever in the opinion of the city council it is deemed necessary that a sidewalk, curb and/or gutter be constructed, reconstructed or repaired in front or on the side of or rear of any property abutting on any street or avenue within the corporate limits of the city, the city clerk shall be ordered by the city council to give the abutting property owner a notice in writing ordering such property owner to construct, reconstruct or repair a sidewalk, curb and/or gutter in front or on the side or rear of any property belonging to such owner, such property being fully described. Said sidewalk, curb and/or gutter shall conform to such grade as shall be determined by the city engineer and in strict compliance with this chapter and the instructions and specifications herein set forth. Such improvement shall be completed within twenty days from the date such notice is served upon such property owner by registered mail addressed to such property owner as given on the assessment schedule of such property in the county assessor's office of El Paso County. If such property owner's address is unknown then such notice shall be *posted on the City's website* ~~published by one insertion in some newspaper published in the city.~~ The beginning of such twenty-day notice shall begin to run from the date of *posting* ~~the publication~~ of such notice.

Section 11: Section 12.16.050 of the Manitou Springs Municipal Code is hereby amended as follows:

12.16.050 – Notice to affected property owners—Collection of costs.

Upon receipt of the list required in the preceding section the city clerk shall ~~publish~~ *post on the City's website* a notice directed to the owners of the real estate upon which assessments are to be made, without naming them, setting forth the list and notifying them that assessments will be made against such real estate unless cause is shown why such assessments should not be made at a designated regular meeting of the council to be held not less than ten nor more than twenty days after the date of the *posting* ~~publication~~ of such notice. Such notice shall further state

that if the proposed assessment is made by the council after hearing, it must be paid to the finance director on or before twenty days after the city council meeting or the assessment will be certified to the county treasurer to be levied on such lot, parcel or tract of land and collected as general taxes, and that ten percent will be added to the assessment to pay for the publication and cost of collection.

Section 12: Section 12.28.120 of the Manitou Springs Municipal Code is hereby amended as follows:

12.28.120 – Cleanup periods.

Two fifteen-day cleanup periods shall be allowed each year for the purpose of removing broken or damaged urns or like containers; likewise removing flowers which have become tarnished, damaged, unsightly or otherwise objectionable. The cemetery caretaker shall, at city expense, ~~post~~ ~~publish~~ a notice ~~on the City's website~~ informing the public of the time of such cleanup periods and that said periods are provided to allow and encourage the removal and cleanup of said containers and flowers as provided in this chapter. This cleanup service may be performed by the persons who have placed the containers or flowers on the grave space or spaces or are interested in the care and attention devoted to such areas. These periods shall be from May 1 to May 15 and November 1 to November 15 of each year. If, within these cleanup periods or any other time, the persons who placed the containers or flowers, or who are interested in the care and maintenance of their plot, have not cleaned up said areas and removed the tarnished, unsightly or damaged containers or flowers, the cemetery caretaker or his authorized representative may remove and destroy all such unsightly, tarnished or damaged containers, flowers or other like objects; provided always, the cemetery caretaker may remove or cause to be removed at any time tarnished, unsightly or damaged containers or flowers which are offensive to the appearance of the cemetery. The city shall not be liable or responsible for damage caused by persons tying or otherwise attaching containers, flowers or other objects to monuments, stones or coping.

Section 13: Section 17.04.100(a) of the Manitou Springs Municipal Code is hereby amended as follows:

17.04.100 – Historic Preservation Matters.

A. Purpose. All applications that require a public hearing before the commission or city council shall be subject to the requirements contained in this chapter to provide for adequate notification ensuring the opportunity for public participation in applications made pursuant to this chapter within the city. In calculating the time period for public notice, the first day of ~~publication~~, posting or mailing shall not be counted toward the total number of days required, but the day of the hearing shall be counted.

Section 14: Section 17.04.100(c) of the Manitou Springs Municipal Code is hereby amended to read as follows:

17.04.100 – Historic Preservation Matters.

* * *

C. Posted Notice on City's Website. At least ten calendar days prior to a public hearing, a notice shall be posted on the City's website.

* * *

Section 15: Section 17.04.100(f) of the Manitou Springs Municipal Code is hereby amended as follows:

17.04.100 – Historic Preservation Matters.

* * *

F. Meeting Notice - Posting of Agenda. Meeting notice, or posting of agendas, for all commission public meetings, work sessions and special meetings shall be a minimum of twenty-four hours prior to the meeting, in accordance with Section 2.09.080 of this Code. Meeting notice shall be posted ~~at city hall in a location visible to the public at all days and hours prior to the meeting~~ and on the city's website.

Section 16: Sections 18.06.3.7(e) and (f) of the Manitou Springs Municipal Code are hereby amended as follows:

* * *

E. Posting of Agenda. Meeting notice, or posting of agendas, for all Planning Commission public meetings, work sessions and special meetings shall be a minimum of twenty-four (24) hours prior to the meeting, in accordance with C.R.S. § 24-6-401, et seq., the Colorado Open Meetings Law, as it may be amended. Meeting notice shall be posted ~~at City Hall in a location visible to the public at all days and hours prior to the meeting~~ and on the City's website.

F. Publication in General Circulation Newspaper. At least eleven (11) calendar days prior to a public hearing, a notice shall be published by the Planning Department at least one time in the legal notice section of a general circulation newspaper within the City. A publisher's affidavit shall be submitted to the Planning Department prior to the hearing date to verify the publication of the required notice. *Of the application types outlined in Table 18.06.2-1, newspaper publication is only required for zoning and rezoning applications.*

* * *

Section 17. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 18. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 19. This ordinance shall take effect five (5) days after publication following final passage.

Passed on first reading and ordered published this 7th day of October 2025.

City Clerk, Elena Krebs

A Public Hearing on this ordinance will be held at the October 21, 2025 City Council meeting. The City Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: _____, 2025. (in full)

City's Official Website and City Hall

Passed on second reading and adopted by Council this ____ day of _____ 2025.

Mayor, John Graham

Attest: _____
City Clerk, Elena Krebs

Published: _____, 2025 (in full)
City's Official Website and City Hall



Memorandum

Title: Resolution No. 1425, A Resolution of the City of Manitou Springs City Council, Urging the Registered Electors of Manitou Springs to Vote "Yes" on the Ballot Issue 2A Seeking Approval of a 9% Excise Tax Increase Generating \$2.5 Million for the City at the November 4, 2025 Election

From: Mayor John Graham

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 10 Minutes

October 7, 2025

Purpose:

To demonstrate to the voters that this proposal would benefit the community and that it is necessary for the financial stability of the City.

Background:

The legalization of recreational marijuana sales in Colorado Springs is having a significant impact on Manitou Springs revenues. In response, the Manitou Springs City Council has considered various ways to make up some of the shortfall. Notably, on Tuesday, July 29, 2025, at a community meeting, the Council presented several scenarios to compensate for the loss. On Tuesday, August 19, the Council unanimously agreed to ask the voters of Manitou Springs to allow council to raise or lower the tax, without voter approval, so long as the rate does not exceed 14%. It is estimated that this could increase municipal income from the excise tax by \$2,500,000 annually.

This resolution would formalize that request to the voters and make a solid statement from the Council that we hope would encourage voters to support the measure.

Pros and Cons:

Pros: The Resolution supporting the measure could demonstrate to voters the importance of this tax increase and encourage their buy-in.

Cons: Failing to demonstrate the significance of the City's financial situation may lead voters to be indifferent or undecided on the matter.

Fiscal Impact:

None, for creating and supporting this resolution.



Workload Impact:

Minor.

Recommended Action:

Move to adopt Resolution 1425, a Resolution of the City of Manitou Springs City Council, urging the registered electors of Manitou Springs to Vote "Yes" on the Ballot Issue 2A seeking approval of a 9% excise tax increase generating \$2.5 Million for the City at the November 4, 2025 Election

RESOLUTION

A RESOLUTION OF THE CITY OF MANITOU SPRINGS CITY COUNCIL, URGING THE REGISTERED ELECTORS OF MANITOU SPRINGS TO VOTE “YES” ON THE BALLOT ISSUE 2A SEEKING APPROVAL OF A 9% EXCISE TAX INCREASE GENERATING \$2.5 MILLION FOR THE CITY AT THE NOVEMBER 4, 2025 ELECTION

WHEREAS, on Tuesday, July 29, 2025, at a community meeting, the Manitou Springs City Council presented several scenarios to compensate for the loss in revenue from decreased recreational marijuana sales and on Tuesday, August 19, 2025, the Council unanimously agreed to ask the voters of Manitou Springs to increase our income from our excise tax by two million five hundred thousand dollars (\$2,500,000) annually. This includes a request to allow council to raise or lower the tax, without voter approval, so long as the rate does not exceed 14%; and

WHEREAS, we, the Manitou Springs City Council, recognize that the loss of ongoing marijuana sales tax totaling approximately \$4.3 million annually must be managed. This represents over 30% of our annual budget. We will lose or drastically reduce some necessary city functions such as snow removal, emergency medical transport, or our swimming pool. In addition, we would likely lose funding for fire mitigation and essential maintenance and replacements to our infrastructure if we do not generate additional income; and

WHEREAS, an excise tax is a tax on our city’s amusements or a tax on ticket sales and is a tax that has not increased since its inception in 1972. Cities do not have a variety of funding options. The Manitou Springs City Council chose not to increase property or sales tax; and

WHEREAS, excise tax is primarily paid by our tourists and will not negatively impact residents’ personal expenses; and

WHEREAS, this ballot issue will appear as “Ballot Issue 2A” on the November 4, 2025, coordinated election ballot; and

WHEREAS, grave economic uncertainty will reign havoc on municipal plans and operations. Long deferred capital improvement plans will be sidelined or abandoned. Overdue replacements and upgrades to the City’s infrastructure will become an ever-increasing risk for the safety and quality of life for our citizens; and

WHEREAS, We, the Manitou Springs City Council, are reaching out to the citizens of Manitou Springs to explain our position and demonstrate our full support for this effort.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

SECTION 1: The Manitou Springs City Council fully supports the passage of 2A.

SECTION 2: The City Council urges you to VOTE “YES” on 2A in support of our community and in support of the future of Manitou Springs.

SECTION 3: This Resolution shall take effect immediately upon approval and adoption by the City Council.

Adopted at the meeting of the City Council of the City of Manitou Springs, Colorado, on this 7th day of October 2025.

Mayor and Council:

By: _____
John Graham, Mayor

Attest:

Elena Krebs, City Clerk



Memorandum

Title: Second Reading and Public Hearing of Ordinance No. 1825, an Ordinance of the City of Manitou Springs, Colorado, Adding a New Chapter 12.40 of the Manitou Springs Municipal Code to Prohibit Unpermitted Work in the City

From: Ben Schmitt, PE, Director of Public Services

To: Mayor and City Council

CC: City Administrator Denise Howell

Allocated Time: 15 Minutes

October 7, 2025

Purpose:

This is an update to existing City Code—specifically Title 12—and not a new regulation for all work on private property. The intent is to better define when excavation or construction work on private land becomes subject to City oversight, namely when such work creates a public impact or endangers shared infrastructure. This ordinance ensures that work such as utility repairs, replacements, and drainage excavations are properly permitted and inspected when they could affect City utilities, public property, or neighboring structures.

This update **does not apply** to:

- Work performed inside homes.
- The construction of fences, chicken coops, sheds, or similar minor improvements where the excavation does not endanger neighboring property or public right of way.
- Landscaping or yard work where the excavation does not endanger neighboring property or public right of way.

This includes two proposed actions under Title 12 regarding unpermitted work in the City of Manitou Springs:

1. Adoption of an ordinance prohibiting and penalizing unpermitted work by adding Chapter 12.40 to the Municipal Code.
2. Establishment of a \$1,000 fee for unpermitted work via Resolution.

Background:

This ordinance was introduced at the September 16, 2025, Council meeting and set for a public hearing tonight. The attached redline version reflects the changes requested by the City Council during the first reading.

Scope and Applicability



The primary goal of this update is to protect public and private infrastructure by requiring that certain types of excavation and construction work be permitted and inspected when they have potential to cause broader impacts.

Covered activities include:

- Water and sewer utility replacements and repairs, especially those involving connection to City mains.
- Drainage-related excavations, such as grading or trenching that may alter runoff patterns or damage adjacent properties.
- Excavations that remove or undermine key structural components, such as retaining walls, foundations, or road supports, which stabilize neighboring properties or public rights-of-way.

These types of work often intersect with public systems and, when done improperly or without inspection, can cause significant damage or hazards that extend beyond private property lines.

Background and Rationale

Unpermitted or uninspected work involving utilities and drainage systems poses serious risks to both property owners and the community. For example:

- Sewer line repairs or replacements that are not inspected by the Pikes Peak Regional Building Department (PPRBD) or the City can fail prematurely, resulting in costly emergency repairs for homeowners and potential public health risks.
- Improperly installed sewer or water connections can lead to leaks, infiltration, or even main breaks, which often go undetected until they cause substantial damage to public infrastructure or surrounding properties. The cost of repairing these failures typically falls on taxpayers when the original unpermitted work cannot be traced or enforced.
- Unpermitted drainage excavations can redirect water flow, leading to erosion, flooding, or slope instability that impacts nearby homes, streets, and utilities.
- Excavations that undermine retaining walls or other structural supports can compromise the safety and integrity of adjacent properties or City rights-of-way.

By clarifying and strengthening Title 12, this update enables the City to proactively prevent these issues through inspection and permitting, rather than responding to costly failures after they occur.

Proposed Actions

The following solutions are presented to address these issues:

- Resolution: Creates a flat \$1,000 Unpermitted Work Fee for contractors who do not obtain proper permits before starting work. The resolution will be brought to Council after the ordinance is formally adopted on second reading, if adopted.



- Ordinance: Adds Chapter 12.40 to Title 12 of the Code, making unpermitted work unlawful and establishing penalties such as fees (set by resolution), denial of future permits, or prohibition of permits until outstanding charges are paid.

Pros and Cons:

Pros:

- Deters unpermitted work under Title 12 that does not comply with City adopted standards and codes.
- Provides a consistent penalty framework.
- Generates revenue to offset enforcement costs.

Cons:

- May be viewed as punitive by residents/contractors.
- Could increase appeals or disputes over permit requirements.

Fiscal Impact:

Adoption will generate new revenue from unpermitted work penalties. Amount will vary depending on violations cited; the fee is set at \$1,000 per incident.

Workload Impact:

Staff (planning, permitting, inspections, and legal) will administer enforcement, fee collection and potential referrals to collections for unpaid charges.

Recommended Action:

Move to approve on Second Reading, Ordinance No. 1825, an ordinance of the City of Manitou Springs, Colorado, adding a new Chapter 12.40 of the Manitou Springs Municipal Code to prohibit unpermitted work in the City.

ORDINANCE

**AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO,
ADDING A NEW CHAPTER 12.40 OF THE MANITOU SPRINGS
MUNICIPAL CODE TO PROHIBIT UNPERMITTED WORK IN THE
CITY**

WHEREAS, the City [Council](#) desires to prohibit and penalize unpermitted construction work in the City, [provided that the City Council desires to provide an initial opportunity for violators to resolve the issue without being penalized.](#)

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF MANITOU SPRINGS, COLORADO, THAT:**

Section 1: Title 12 of the Manitou Springs Municipal Code is hereby amended by the addition of a new Chapter 12.40 as follows:

Chapter 12.40 – Unpermitted Work.

12.40.010 – Unpermitted Work Prohibited.

It shall be unlawful for any person, firm, contractor, or corporation to perform construction, demolition, maintenance, repair, or landscaping work in the City:

A. Without first obtaining a permit where a permit is required by this Code or where a permit is required by any of the codes adopted by reference by this Code; or

B. Without obtaining prior approval where required by this Code by a City board, department, commission or committee, including without limitation the planning department, planning commission, city council, or historic preservation committee.

12.40.020 – Violation– Penalty.

A. [Prior to subjecting a person in violation of this chapter to any of the penalties set forth in Subsection B, written notice of the violation and the measures required to remedy the violation shall be provided to the violator if the violator can be located by the City. Such notice may be served personally on the violator or any](#)

representative or employee of the violator or delivered by first class mail return receipt requested to the last known address of the violator. The City shall provide a minimum of ten (10) calendar days from personal delivery or the date of mailing for the violation to be resolved to the City's sole satisfaction prior to imposing any penalty set forth in Subsection B.

B. After compliance with Subsection A and if the violation is not remedied to the City's sole satisfaction, violations shall be subject to the following penalties in addition to the general penalty provisions in Chapter 1.16 of this Code:
~~Violations of this chapter shall be punished by any one or more of the following penalties:~~

1. i. ~~A fee in an amount set by resolution of the city council.~~
2. ii. ~~Denial of future permits for a period of up to three hundred sixty-four days.~~
3. iii. ~~Prohibition on the issuance of future permits until past due permit fees and fees due under this chapter are paid.~~

~~BC.~~ —If any person fails or refuses to pay when due any fee or charge imposed under this chapter, the city may refer unpaid or over-due amounts to a collection agency for collection pursuant to Section 3.04.020.

~~DC.~~ —The remedies provided herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

12.40.030 – Appeals.

Any person in receipt of a notice of violation, who is determined to not have resolved the violation to the City's sole satisfaction under Section 12.40.020(A) or who is penalized under Section 12.40.020(B) may file an appeal with the City Administrator, which shall state the basis for the appeal. For an appeal of the notice, the appeal must be filed within ten (10) days of the date the notice is personally served or mailed. For an appeal of the City's decision that the violation has not been resolved to the City's sole satisfaction under Section 12.40.020(A), the appeal must be filed within ten (10) days of the City's decision. For an appeal of any penalty imposed under Section 12.40.020(B), the appeal must be filed within ten (10) days of the City's date the City personally served notice of the imposition of the penalty or the date such notice was mailed. Upon receipt of an appeal, the City Administrator shall review the appeal and any other information deemed relevant and shall issue a written decision. No hearing or meeting with the City

Administrator shall be provided unless so ordered by the City Administrator in the City Administrator's sole discretion.

Section 2. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 4. This ordinance shall take effect five (5) days after publication following final passage.

Passed on first reading and ordered published this 16th day of September 2025.

City Clerk, Elena Krebs

A Public Hearing on this ordinance will be held at the October 7, 2025, City Council meeting. The City Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: September 17, 2025. (in full)

City's Official Website and City Hall

Passed on second reading and adopted by Council this ____ day of _____ 2025.

Mayor, John Graham

Attest: _____
City Clerk, Elena Krebs

Published: _____, 2025 (in full)
City's Official Website and City Hall

ORDINANCE

**AN ORDINANCE OF THE CITY OF MANITOU SPRINGS, COLORADO,
ADDING A NEW CHAPTER 12.40 OF THE MANITOU SPRINGS
MUNICIPAL CODE TO PROHIBIT UNPERMITTED WORK IN THE
CITY**

WHEREAS, the City Council desires to prohibit and penalize unpermitted construction work in the City, provided that the City Council desires to provide an initial opportunity for violators to resolve the issue without being penalized.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF MANITOU SPRINGS, COLORADO, THAT:**

Section 1: Title 12 of the Manitou Springs Municipal Code is hereby amended by the addition of a new Chapter 12.40 as follows:

Chapter 12.40 – Unpermitted Work.

12.40.010 – Unpermitted Work Prohibited.

It shall be unlawful for any person, firm, contractor, or corporation to perform construction, demolition, maintenance, repair, or landscaping work in the City:

A. Without first obtaining a permit where a permit is required by this Code or where a permit is required by any of the codes adopted by reference by this Code; or

B. Without obtaining prior approval where required by this Code by a City board, department, commission or committee, including without limitation the planning department, planning commission, city council, or historic preservation committee.

12.40.020 – Violation– Penalty.

A. Prior to subjecting a person in violation of this chapter to any of the penalties set forth in Subsection B, written notice of the violation and the measures required to remedy the violation shall be provided to the violator if the violator can be located by the City. Such notice may be served personally on the violator or any representative or employee of the violator or delivered by first class mail return receipt requested to the last known address of the violator. The City shall provide a minimum of ten (10) calendar days from personal delivery or the date of mailing

for the violation to be resolved to the City's sole satisfaction prior to imposing any penalty set forth in Subsection B.

B. After compliance with Subsection A and if the violation is not remedied to the City's sole satisfaction, violations shall be subject to the following penalties in addition to the general penalty provisions in Chapter 1.16 of this Code:

1. A fee in an amount set by resolution of the city council.
2. Denial of future permits for a period of up to three hundred sixty-four days.
3. Prohibition on the issuance of future permits until past due permit fees and fees due under this chapter are paid.

C. If any person fails or refuses to pay when due any fee or charge imposed under this chapter, the city may refer unpaid or overdue amounts to a collection agency for collection pursuant to Section 3.04.020.

D. The remedies provided herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

12.40.030 – Appeals.

Any person in receipt of a notice of violation, who is determined to not have resolved the violation to the City's sole satisfaction under Section 12.40.020(A) or who is penalized under Section 12.40.020(B) may file an appeal with the City Administrator, which shall state the basis for the appeal. For an appeal of the notice, the appeal must be filed within ten (10) days of the date the notice is personally served or mailed. For an appeal of the City's decision that the violation has not been resolved to the City's sole satisfaction under Section 12.40.020(A), the appeal must be filed within ten (10) days of the City's decision. For an appeal of any penalty imposed under Section 12.40.020(B), the appeal must be filed within ten (10) days of the City's date the City personally served notice of the imposition of the penalty or the date such notice was mailed. Upon receipt of an appeal, the City Administrator shall review the appeal and any other information deemed relevant and shall issue a written decision. No hearing or meeting with the City Administrator shall be provided unless so ordered by the City Administrator in the City Administrator's sole discretion.

Section 2. 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 City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 4. This ordinance shall take effect five (5) days after publication following final passage.

Passed on first reading and ordered published this 16th day of September 2025.

City Clerk, Elena Krebs

A Public Hearing on this ordinance will be held at the October 7, 2025, City Council meeting. The City Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: September 17, 2025. (in full)

City's Official Website and City Hall

Passed on second reading and adopted by Council this ____ day of _____ 2025.

Mayor, John Graham

Attest: _____
City Clerk, Elena Krebs

Published: _____, 2025 (in full)
City's Official Website and City Hall



AFFIDAVIT OF PUBLICATION

STATE OF COLORADO

COUNTY OF EL PASO

I, Elena Krebs, City Clerk for Manitou Springs, Colorado, do solemnly swear and affirm that on September 17, 2025, I published in full a true and correct copy of:

Ordinance No. 1825 – First Reading

An ordinance of the City of Manitou Springs, Colorado, Adding a New Chapter 12.40 of the Manitou Springs Municipal Code to Prohibit Unpermitted Work in the City

On the City of Manitou Springs website: [Legal Notices | Manitou Springs, CO](#)

Witness my hand and seal this 6th day of October 2025.

Elena Krebs

City Clerk



Update to Title 12 of the Manitou Springs Municipal Code



Excavation Work Affecting Public and Neighboring Property

Presented by: Ben Schmitt, Public Services Director

Date: 10/7/2025



What This Update Is About

- Update to Title 12 (Streets, Sidewalks, and Public Places)
- Clarifies when permits and inspections are required for excavation work that:
 - Affects public rights-of-way or City utilities, or
 - Impacts neighboring properties (structural stability or drainage)

This is Not a new law for general home improvement

Does This Apply to Private Property?



Applies only when work on private property affects public systems or neighbors

- **Applies to:**

- Water/sewer replacements or repairs tied to City mains
- Excavations affecting drainage or retaining walls holding the roadway or neighboring property

- **Does NOT apply to:**

- Interior home work (cabinets, floors, etc.)
- Fences, sheds, or chicken coops
- Landscaping that stays within your property

Why Sewer and Utility Work Requires Permits



- Sewer and water lines connect directly to public systems
- Incorrect or uninspected work can cause:
 - Leaks, infiltration, or main breaks (costly taxpayer repairs), which take away from citywide budgets for important infrastructure projects
 - Sewer line failures that are expensive for homeowners
- Permits and inspections protect both homeowners and City infrastructure

Summary

- Title 12 update clarifies—not expands—City oversight
- Focused on protecting public rights-of-way, utilities, and neighbors
- Most homeowner projects aren't affected
- Goal: safety, fairness, and prevention of costly damage

