



MANITOU SPRINGS CITY PLANNING COMMISSION REGULAR MEETING AGENDA

All upcoming CPC meetings are scheduled to be hybrid,
Zoom (remote) or in-person at Memorial Hall.

In Person: Memorial Hall
606 Manitou Avenue

Manitou Springs, CO 80829

Remote: A link is provided on the City's Official Website at

<https://www.manitouspringsgov.com/544/All-Boards-and-Commissions>

April 8, 2026

5:30 PM

A. CALL TO ORDER

B. APPROVAL OF MINUTES

1. CPC Minutes 03.11.26

C. UNFINISHED BUSINESS

D. PUBLIC COMMENT ON NON-AGENDA ITEMS

E. NEW BUSINESS

1. Public Hearing on LUDC Revisions - Variances and Administrative Adjustments
2. Public Hearing on LUDC Revisions; Density and Height Allowances

F. OTHER BUSINESS

G. NOTICE OF COUNCIL ACTION AND UPDATES

H. ADJOURNMENT

Commissioners:

Alan Delwiche, Chair (12/31/2026)
Justin Wilson, Vice Chair (12/31/2029)
Megan Day (12/31/2027)
Frank DeLay (12/31/2029)
Stephen Graybill (12/31/2026)
Keith Harper (12/31/2029)
Roy Rosenthal (12/31/2028)

City Council Liaison: Julie Wolfe

Staff:

Fred Rollenhagen, Planning Director
Chelsea Royston, Senior Planner
Erin Ringsred, Planner and Landscape Architect II
Zachary Davison, Planner II

3 alternate positions available

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.

Interested citizens are invited to serve on any of the City's Boards or Commissions. Please contact the City Clerk's Office for more information or visit our website at: www.manitouspringsgov.com.



**CITY OF MANITOU SPRINGS
CITY PLANNING COMMISSION**
Regular Meeting Minutes
Hybrid Meeting via Zoom and at Memorial Hall
March 11, 2026

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 Stephen Graybill
Commissioner Roy Rosenthal
Commissioner Keith Harper
Commissioner Frank DeLay
Commissioner Megan Day

STAFF PRESENT:

Planning Director Frederick Rollenhagen
Senior Planner Chelsea Royston
Planner II Zachary Davison

GUESTS PRESENT:

CPC Attorney Kunal Parikh

B. APPROVAL OF MINUTES

1. CPC Minutes 02.11.2026

Commissioner DeLay moved to approve the minutes as presented. Vice-Chair Wilson seconded the motion. The motion passed unanimously (7-0).

C. PUBLIC COMMENT ON NON-AGENDA ITEMS

There was no public comment.

D. UNFINISHED BUSINESS

No unfinished business was discussed.

E. NEW BUSINESS

1. MJT 2601 – Major Temporary Use Permit to allow E-Bike Rentals at 306 Manitou Avenue

Planner Royston gave a presentation regarding MJT 2601. The request was explained to be a continuation of previous MJT approvals, to allow the business to operate from a shed at 306 Manitou Avenue. The business has changed owners since the other MJTs were approved. It was noted that a Major Development Plan would be needed if permanent use were to be established.

Commissioner Graybill asked if the business was sold or if this was a new entity. Planner Royston answered it was a new entity.

Applicant Pete Averson, with Ride Colorado LLC, clarified the timing of the E-Bike tours, with tours ranging from 9:00 AM to 3:00 PM. The route of the tour was described. He noted that there is limited parking, and using public facilities as customer parking before the tour.

Commissioner DeLay motioned to approved MJT 2601. The motion was seconded by Commissioner Graybill. The motion passed unanimously (7-0).

2. VAR 2601 and VAR 2602 – 210 Iron Road

Planner Davison presented Variance (VAR) 2601 and VAR 2602. The property was described to be in the Minnehaha-Pilot Knob historic subdistrict. It was explained that the Applicant is seeking to construct an enclosure on the existing garage roof, replacing an unpermitted enclosure with the same footprint. An awning installation was also proposed over the garage to provide overhead cover for the structures entrance. The objective of the project is to provide safety, building protection, and address weather runoff. It was noted that the project would be in compliance with city code and that it adequately meets variance criteria.

There was a discussion about the role of the Applicant. Planner Davison clarified that the Applicant would be doing the work for the Owner.

Planner Davison confirmed that the garage was built about four to five years ago.

Commissioner Casey confirmed that the structure was not permitted on top of the garage.

Applicant, Karl Honsalek, with Comfort Restorations LLC, provided his opinion that the project will benefit the community.

Owner Bob McAtee stated that the project is necessary to preserve their home. It was explained that the structure used to be a flat deck, which was built to stop water from getting into the garage.

Commissioner DeLay asked if unpermitted work faced the same process as other proposals. Chair Delwiche confirmed the process is the same, and shared his opinion that the project is necessary to save the structure.

Chair Delwiche moved to approve VAR 2601 at 210 Iron Road. The motion was seconded by Commissioner Graybill. The motion passed unanimously (7-0).

Commissioner Delay moved to approve VAR 2602 at 210 Iron Road. The motion was seconded by Chair Delwiche. The motion passed unanimously (7-0).

F. OTHER BUSINESS

1. LUDC Updates – Density and Height

Director Rollenhagen provided a brief overview of the previous CPC meeting discussion regarding the Land Use and Development Code (LUDC) Code revisions. He noted that the mixed-use commercial (MU-C) sub district currently has a density of 20 dwelling units per acre.

Urban Renewal Authority (URA) recommendations for building height in the MU-C were 39 feet on the south side of Manitou Avenue, and 35 feet on the front. The URA also recommended rezoning the URA to MU-C.

Current building step-backs were provided, which was applicable to multi-story buildings.

There was a discussion about the CPC recommendation for maximum building height. There was a consensus on 30 feet as the recommendation.

G. NOTICE OF COUNCIL ACTION AND UPDATES

There was no notice of council action.

H. ADJOURNMENT

With no further business to discuss, Chair Delwiche adjourned the meeting at 6:15 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.



Title: Public Hearing on LUDC Revisions - Variances and Administrative Adjustments
From: Fred Rollenhagen, Chelsea Royston
To: City Planning Commission
Address of Proposal:
Applicant:

April 8, 2026

Proposal:

The purpose of this hearing is to make a recommendation to City Council for code revisions related to Variance Criteria, Section 18.06.4.2, the creation of Section 18.06.4.2.2 Administrative Adjustments, and all associated edits.

Zone District:

Background & Existing Conditions:

This conversation is a continuation of the discussions from December 10, 2025, and January 14, 2026, during which staff presented slides identifying the potential areas of improvement. Staff presented an analysis of resources that include the American Planning Association (APA) Quicknotes on Variances, the Colorado Department of Local Affairs (DOLA) Model Land Use Code, and other municipalities in the region.

Four basic variance criteria were identified through these resources and CPC directed staff to consider adopting the four general criteria as presented. Given the unique characteristics of Manitou Springs, and specific challenges that the Planning Commission has encountered while evaluating variance requests, staff proposes modified versions of those criteria. Staff also proposes the following revisions to the LUDC section.

- New section describing the intent of the Variance process and spirit of the code.
- Revised variance criteria that blend the intent of the four general criteria with the existing criteria
- New procedure to structure the discussion and provide formal evaluation of each criterion
- new consolidated section for administrative relief

Application Detail:

Much of the discussion from the January 14 work session focused on the specific language of the four criteria, however, some discussion also focused on the minimum number of criteria that must be met in order for the Variance to be approved. Three commissioners vocalized support



for approving variances that satisfy three of the four criteria, one commissioner supported requiring all four to be met, and three commissioners did not state their opinion. Staff revised Subsection E to require that three of the four criteria must be met.

With four of the eight original criteria relocated, the remaining four align fairly well with the basic variance criteria identified by the APA. Please note that the order of criteria below are consistent with the proposed language.

Criteria 1. Requires a hardship. The original language focused on the self-imposed hardship and the intent of the property owner, which can be very difficult to prove. The referenced documents indicate that variances should only be granted to properties, not people. In an effort to refocus the discussion, the proposed language permits the hardship to be defined by the property owner, so long as the proposed variance addresses that hardship.

Proposed Language: An unnecessary, and unreasonable hardship exists, which could be alleviated in whole or in part by the variance requested by the applicant

Criteria 2. restricts adverse impacts. Previously, the CPC requested staff work on defining "adverse impacts", and while the focus could be narrowed to only zoning-type adverse impacts (noise, glare, odor, vibration, etc.), staff proposes to reword it as "nuisance" and refer back to the Nuisance Code in Chapter 6. There was discussion during the January work session over whether the majority of the nuisance criteria applied. The commission generally seemed to agree that the first nuisance statement captured the intent of the criteria, therefore, staff revised the proposed language to match the first nuisance statement. The Commission also discussed the merits of restricting the ability to be adversely impacted to properties sharing a property line with the subject parcel, properties within 300 feet of the subject property, or not limited. There was no consensus among the commission. The code permits any party to comment on applications. Therefore, staff eliminated the distance qualifier in the proposed revision.

Proposed Language: "The granting of a variance will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property, or which constitutes a health or safety hazard."

Criteria 3. requires the consideration of design alternatives. The proposed language is intended to address the "null alternative" that CPC has struggled to interpret. The proposed language would require the applicant to determine the threshold for infeasibility of other solutions. This language is intentionally broad so that the scope of the project and requested variance can help inform the feasibility of other solutions. The intent is that another solution should only be deemed "infeasible" if it requires extraordinary feats of engineering, additional land use applications requiring more supporting technical documentations, or would exponentially increase costs beyond what would be considered appropriate for the scope of the project.



Proposed Language: There are no design alternatives that achieve the same objective, reduce the degree to which a variance is needed, and do not result in a technically or financially infeasible solution

Criteria 4. requires special and unique conditions specific to the site/parcel. The proposed language specifies what would constitute special site conditions, and requires that the site meet one or more of the subcriteria. Item a is intended to capture restrictions that are often mapped by official means and have objective standards. Solar allowances are required by the state. Heritage Trees are protected by PlanManitou. Item d is a more flexible criterion that anticipates the need to approve uncommon hardships. The Commission recommended that subcriteria b be rephrased to better meet the intent of the statement.

Proposed Language: The property has one or more of the following extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district:

- a) The property is partially encumbered by the flood zone, no-build area, or other restrictions resulting in a reduction in developable area.
- b) The variance is necessary to allow or improve access to sunlight.
- c) The variance is necessary to protect heritage trees.
- d) Other substantial documented circumstance.

Accompanying the proposed criteria is a change to the review process. It has become common for the CPC to informally evaluate each criterion for a proposed variance. This process, called a “Findings of Fact” would formalize the process. After the public comment portion of the public hearing, and during deliberations, the Chair of the Commission will call for the Findings of Fact to be read. Planning Staff will read each of the variance criteria and the commission will vote via hand raise vote on whether the proposed variance/parcel meets the criteria. Staff will note each vote on a form and at the end, will state “The City Planning Commission found that (number) of the four criteria required for approval of a variance were met.” At that time the Chair of the Commission will call for a motion to ratify the vote at which point the Commission may identify conditions to be imposed on the approval.

The proposed revisions also include a new application type for Administrative Adjustments. This section consolidates some previous variance criteria and other minor relief sections. One benefit of the proposed section is the CPC will no longer rule on an ADA issue in a public hearing, while maintaining flexibility to residents that need reasonable accommodations as provided for by federal legislation. Some adjustments stem from footnotes on the Dimensional Standards tables, some come from the section that defines how height is measured. This will create one section where all minor adjustments are accounted for. In addition, staff is proposing two additional allowances, as seen in neighboring municipalities. The first allows for a minor (up to 15%) deviation from the dimensional standards, with exceptions. The second allows for encroachment into the front yard setback to be consistent with existing encroachments/legal



nonconformities on either side of the subject property. The intent of this section is to authorize encroachments only where it would serve to create a more consistent streetscape and development pattern. These are typically seen in certain historic districts with smaller lots and prominent front porches.

Public Involvement:

Work Sessions were held on December 10, 2025, and January 14, 2026.

Findings & Review Criteria:

Staff Recommendation:

Should the City Planning Commission find it appropriate to recommend approval of the proposed revisions to City Council staff recommends no conditions.

Motion Language Options:

Recommend approval of the proposed revisions to the LUDC related to Variances and Administrative Adjustments to City Council as set forth in City Code Section 18.06.4.1.

Recommend approval of the proposed revisions to the LUDC related to Variances and Administrative Adjustments to City Council as set forth in City Code Section 18.06.4.1., with conditions as follows...

Postpone the proposed revisions to the LUDC related to Variances and Administrative Adjustment to May 13, 2026, for further consideration.



LUDC revisions Variances and Administrative Adjustments

CPC PUBLIC HEARING

4/8/26



Previous work sessions

October 8, 2025

November 12, 2025

December 10, 2025

January 14, 2026

Intent: The intended effect of granting a variance is to allow the applicant development potential similar to, but not greater than, other lots in the same zoning district in the surrounding areas.



Takeaways from worksession

1. Nuisances: refer to nuisance code, or define separately?
 1. In support of “nuisance”: Wilson, Day,
 2. Opposed: Delwiche,
 3. **Compromise: just use nuisance criteria E1**

2. Adjoining properties, or refer to Public Notice distance (currently 300 foot radius)
 1. 300’: Wilson?
 2. **Remove distance qualifier**

3. How many of the criteria must be met for approval of variance/Admin adjustment?
 1. **Three: Rosenthal, Day, graybill,**
 2. Four: Wilson?

Changes since 1/14/26



Criteria 2:

Previous: “The granting of a variance will not constitute a *nuisance* as defined by Section 6.08.010 of the Manitou Springs Municipal Code.

Proposed: “The granting of a variance will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property or which constitutes a health or safety hazard.”

- Language pulled from nuisance definition 6.08.010.E.1

Changes since 1/14/26



Subsection 3

Previous: “Approval Criteria. No variance shall be authorized unless the Planning Commission finds that **all** of the following criteria have been met. The endorsement of the variance by adjacent landowners does not relieve the applicant of the burden of meeting the requirements set forth in this section:

Proposed: “Approval Criteria. No variance shall be authorized unless the Planning Commission finds that **three** of the following four criteria have been met. The endorsement of the variance by adjacent landowners does not relieve the applicant of the burden of meeting the requirements set forth in this section:

Changes since 1/14/26



Added the Findings of Fact process to the public hearing procedures.

18.06.4.2.H.5 “After the public comment portion of the public hearing, and during deliberations, the Chair of the Commission will call for the Findings of Fact to be read. Planning Staff will read each of the variance criteria and the commission will vote via hand raise vote on whether the proposed variance/parcel meets the criteria. Staff will note each vote on a form and at the end, will state “The City Planning Commission found that (number) of the four criteria required for approval of a variance were met.” At that time the Chair of the Commission will call for a motion to ratify the vote at which point the Commission may identify conditions to be imposed on the approval.”



18.06.4.2 Proposed Criteria

1. An unnecessary, and unreasonable hardship exists, which could be alleviated in whole or in part by the variance requested.
2. The granting of a variance will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property, or which constitutes a health or safety hazard.
3. There are no design alternatives that achieve the same objective, reduce the degree to which a variance is needed, and do not result in a technically or financially infeasible solution.
4. The property has one or more of the following extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district:
 - a. The property is partially encumbered by the flood zone, no-build area, or other restrictions resulting in a reduction in developable area.
 - b. The variance is necessary to allow or improve access to sunlight.
 - c. The variance is necessary to protect heritage trees
 - d. Other substantial documented circumstance.



Findings of Fact

1. Order of Proceedings for each variance
2. Open public hearing
3. staff presentation, CPC questions to staff
4. applicant testimony, CPC questions to applicant
5. public comment
6. applicant rebuttal, if necessary
7. close public hearing
8. CPC deliberation
9. **Findings of Fact**
10. Vote

Findings of Fact

- a. Planning Staff will read each of the variance criteria
- b. The commission will vote via hand raise vote on whether the proposed variance/parcel meets the criteria
- c. Staff will note each vote on a form and at the end, will state "The City Planning Commission found that (number) of the four criteria required for approval of a variance were met."
- d. At that time the Chair of the Commission will call for a motion to ratify the vote at which point the Commission may identify conditions to be imposed on the approval.
- e. Staff states decision for the record

New Section: Administrative Adjustments



1. Development Standards. The Planning Director or designee has the authority to authorize adjustments up to fifteen (15) percent from any dimensional standard or numerical requirement set forth in this LUDC, except for the following:
 - a. The granting of the Administrative Adjustment will not allow an increase in the number of dwelling units on a parcel above the permitted density in the zone district.
 - b. The granting of the Administrative Adjustment will not reduce the required number of parking spaces beyond what is permitted by Section 18.03.8.5 of this LUDC.

New Section: Administrative Adjustments



2. Encroachment into front yard setbacks. A new principal structure, or an addition to an existing principal structure, may encroach into the required front yard setback up to the average existing front yard setback of the existing principal structures on adjacent lots on the same street frontage

New Section: Administrative Adjustments



3. Accessibility. The proposed development or alteration is necessary to create reasonable accommodations to individuals with disabilities as outlined by the Americans with Disabilities Act.

New Section: Administrative Adjustments



4. Historic District.

- i. Within the Historic District, subject to the Historic District Design Guidelines, a permanent side setback of less than seven and one-half feet (7'6") may be reviewed and approved, conditionally approved, or denied by the Historic Preservation Commission. At no time without *variance* approval, shall the side setback be less than five feet (5') or less than a ten feet separation from neighboring buildings/*structures* including across *property lines*.
- ii. Heights of *structures* shall be as calculated in the Building Height definition unless property is located within the Historic District and receives a Material Change of Appearance Certification incorporating steep roof pitches, per the Historic District Design Guidelines, as amended. In such cases, building heights shall not exceed thirty feet (30')

(these are not codified in Chapter 17, will be included in future Ch. 17 revisions)

New Section: Administrative Adjustments



4. Accessory projections. Except as specifically provided elsewhere in this LUDC, the height limitations contained in the dimensional standard tables for each Zone District shall not apply to accessory projections, provided they meet the following criteria for height exceptions:

- a. Architectural features such as such as parapets, pipes, chimneys, heating and venting systems, cupolas, stairwell towers, elevator overrun, roof-mounted solar energy systems, or other similar projections shall not extend more than five (5) feet above the maximum permitted building height of the associated Zone District;
- b. Church belfries, towers, or spires shall not extend more than five (5) feet above the maximum permitted building height of the associated Zone District provided the largest horizontal cross-section of the belfry, tower, or spire feature does not exceed fifteen percent (15%) of the footprint of the primary structure from which it rises;
- c. Antennas used for television or radio shall be of a height that is determined by the Planning Director as necessary to comply with Federal Communications Commission regulations and guidance, provided that the height of the antenna structure may not exceed a dimension equal to the distance of the antenna structure from the nearest property line;
- d. The accessory projection is not constructed for the purpose of providing additional floor area in the building; and
- e. The accessory projection does not interfere with Federal Aviation Administration regulations

New Section: Administrative Adjustments



Approval Criteria. The Planning Director or designee shall approve the Administrative Adjustment so long as the following criteria are met:

1. The essential character of the neighborhood will not be substantially altered
2. **The resulting development will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property, or which constitutes a health or safety hazard.**
3. The intent of the specific regulation in question is met

18.06.4.2 Existing Criteria (Reference)



E. Approval Criteria. No variance shall be authorized unless the Planning Commission finds that all of the following criteria have been met. The endorsement of the variance by adjacent landowners does not relieve the applicant of the burden of meeting the requirements set forth in this section:

1. Not result in *development* of areas at risk of *natural hazards*, unless adequate mitigation is provided to the satisfaction of the Planning Director pursuant to the standards in [Chapter 18.03](#); and
2. No adverse impact will result on adjacent properties;

F. Additionally, variance requests must meet a minimum of four (4) of the following criteria:

1. The applicant would suffer unnecessary hardship as a result of the application the LUDC, which hardship is not generally applicable to other lands or structures in the same zone district because of the unusual configuration of the applicant's property boundaries, unique circumstances related to the location of existing structures thereon, or the existence of exceptional topographic conditions thereon;
2. There are no design alternatives or alternative locations for structures that would eliminate the need for the requested variance or would reduce the amount of the variance required. The variance is the minimum variance that will make possible the reasonable use of the land or *structure*;
3. The enforcement of the provisions of the LUDC deprives the applicant of rights enjoyed by a majority of the other properties in the same zone district;
4. The need for the variance is not the result of from actions of previous property owners or is a an otherwise self-imposed hardship;
5. There is a disability affecting the owners or tenants of the property or any member of the family of an owner or tenant who resides on the property, which impairs the ability of the disabled person to utilize or access the property;
6. The variance request is required in order to preserve a contributing structure in a historic sub district.

18.06.4.2 Variance.

- A. Purpose. The Planning Commission has the authority to vary or modify the application of the requirements of the LUDC, not related to use, so that the spirit of the LUDC is observed when the strict application of this LUDC will deprive a property of the privileges enjoyed by other properties of the same zoning classification. State and federal laws or requirements may not be varied by the City. State and federal laws or requirements may not be varied by the City.
- B. Intent: The intended effect of granting a variance is to allow the applicant development potential that is similar to, but not greater than, other lots in the same zoning district in the surrounding areas.
- C. Applicability. A variance may be initiated only by the property owner or the designated representative. The application must state the relief sought and must specify the facts or circumstances that are alleged to meet the review criteria within this Section.
- D. Submittal Requirements. No application shall be set for a hearing concerning a variance before the Planning Commission until the applicant has completed the submittal requirements as found in the general development review procedures as described in Section 18.06.3. of this chapter.
- E. Procedure. Applications for a Variance follow the General Application Procedures as outlined in Section 18.06.2 and further described in Section 18.06.3. of this Chapter.
- F. Approval Criteria. No variance shall be authorized unless the Planning Commission finds that **three** of the following four criteria have been met. The endorsement of the variance by adjacent landowners does not relieve the applicant of the burden of meeting the requirements set forth in this section:
 - 1. An unnecessary, and unreasonable hardship exists, which could be alleviated in whole or in part by the variance requested.
 - 2. The granting of a variance will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property, or which constitutes a health or safety hazard.
 - 3. There are no design alternatives that achieve the same objective, reduce the degree to which a variance is needed, and do not result in a technically or financially infeasible solution.
 - 4. The property has one or more of the following extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district:
 - a. The property is partially encumbered by the flood zone, no-build area, or other restrictions resulting in a reduction in developable area.
 - b. The variance is necessary to allow or improve access to sunlight.
 - c. The variance is necessary to protect heritage trees
 - d. Other substantial documented circumstance.
- G. The power to grant variances. The Planning Commission may authorize variances from the requirements of this chapter, not related to use. Variances are not available to allow a use that is not permitted in a particular zone district. A variance shall be considered an extraordinary remedy.
- H. Public Hearing and Action on the Variance Request.

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1. The applicant has the burden of proof to establish the application meets the criteria set forth in this chapter.
 2. The Planning Commission may impose any conditions related to the impacts created by the variance on the issuance of a variance and may amend the variance from that requested. Such conditions may be imposed upon any variance approval in order to alleviate or mitigate potential adverse impacts. Conditions must relate to the property with the use of the property as contemplated by the requested variance.
 3. No single decision of the Planning Commission sets a precedent. The decision of the Planning Commission shall be made on the particular facts of each case.
 4. At the public hearing, the applicant and members of the public may appear and present such evidence and testimony as they may desire. The Planning Commission may take notice of, and may consider, any relevant facts within the personal knowledge of any member of the Planning Commission which are stated on the record. For requests for variances, the Planning Commission shall make specific findings on the factors set forth in this Section of LUDC.
 5. After the public comment portion of the public hearing, and during deliberations, the Chair of the Commission will call for the Findings of Fact to be read. Planning Staff will read each of the variance criteria and the commission will vote via hand raise vote on whether the proposed variance/parcel meets the criteria. Staff will note each vote on a form and at the end, will state "The City Planning Commission found that (number) of the four criteria required for approval of a variance were met."
 6. Should the Planning Commission find that the requested variance meets the minimum number of criteria required in subsection E above, the Chair of the Commission will call for a motion to ratify the decision with a vote. The motion for this vote may impose, eliminate, or modify conditions of approval.
 - a. in no event shall the ratification contradict the findings of fact (i.e. resulting in a denial if all criteria were met, and vice versa).
 - b. No ratification vote is required in the event that the request is denied through failure to meet the criteria for approval.
 - I. Issuance of Permit. Where a variance is required, a building permit may not be issued by PPRBD until the variance is approved by the Planning Commission and shall be issued subject to the conditions imposed by the Planning Commission on the variance. For requests for variances, the Planning Commission shall make specific findings on the factors set forth in this Section of LUDC.
 - J. Violation and Enforcement. Violation of an approved variance and its conditions shall be deemed a violation of this Chapter and shall be punishable as provided in Section 18.06.4.27 of the LUDC.
 - K. Expiration. Failure to obtain a Building Permit for the construction of a *structure* for which the variance was granted prior to one (1) year from the date of approval of the variance will cause the variance to expire. Requests for an extension of said period shall be presented to the Planning Director in writing at least thirty (30) days prior to the scheduled expiration date. The Planning Director may authorize up to one (1) additional year if cause exists for the extension and there would be no harm to the adjacent property owners or the community. Once a *structure* is completed, the variance may no longer expire and shall be transferable with the land.

18.06.4.XX Administrative Adjustment.

- A. Purpose. The purpose of the Administrative Adjustment is to provide an administrative procedure that allows minor deviations to dimensional standards within the limits set forth by this section. Any adjustments exceeding the thresholds identified shall be required to obtain approval of a variance as authorized by the City Planning Commission.
- B. Intent: The intended effect of granting an administrative adjustment is to allow the applicant development potential that is similar to, but not greater than, other lots in the same zoning district in the surrounding areas without necessitating a variance hearing.
- C. Applicability. An administrative adjustment can be applied to any development application in the following circumstances:
 - 1. Development Standards. The Planning Director or designee has the authority to authorize adjustments up to fifteen (15) percent from any dimensional standard or numerical requirement set forth in this LUDC, except for the following:
 - a. The granting of the Administrative Adjustment will not allow an increase in the number of dwelling units on a parcel above the permitted density in the zone district.
 - b. The granting of the Administrative Adjustment will not reduce the required number of parking spaces beyond what is permitted by Section 18.03.8.5 of this LUDC.
 - 2. Encroachment into front yard setbacks. A new principal structure, or an addition to an existing principal structure, may encroach into the required front yard setback up to the average existing front yard setback of the existing principal structures on adjacent lots on the same street frontage.
 - 3. Accessibility. The proposed development or alteration is necessary to create reasonable accommodations to individuals with disabilities as outlined by the Americans with Disabilities Act.
 - 4. Historic District.
 - a. Within the Historic District, subject to the Historic District Design Guidelines, a permanent side setback of less than seven and one-half feet (7'6") may be reviewed and approved, conditionally approved, or denied by the Historic Preservation Commission. At no time without *variance* approval, shall the side setback be less than five feet (5') or less than a ten feet separation from neighboring buildings/*structures* including across *property lines*.
 - b. Heights of *structures* shall be as calculated in the Building Height definition unless property is located within the Historic District and receives a Material Change of Appearance Certification incorporating steep roof pitches, per the Historic District Design Guidelines, as amended. In such cases, building heights shall not exceed thirty feet (30')
 - 5. Accessory projections. Except as specifically provided elsewhere in this LUDC, the height limitations contained in the dimensional standard tables for each Zone District shall not apply to accessory projections, provided they meet the following criteria for height exceptions:
 - a. Architectural features such as such as parapets, pipes, chimneys, heating and venting systems, cupolas, stairwell towers, elevator overrun, roof-mounted solar energy systems, or other similar projections shall not extend more than five (5) feet above the maximum permitted building height of the associated Zone District;

- b. Church belfries, towers, or spires shall not extend more than five (5) feet above the maximum permitted building height of the associated Zone District provided the largest horizontal cross-section of the belfry, tower, or spire feature does not exceed fifteen percent (15%) of the footprint of the primary structure from which it rises;
 - c. Antennas used for television or radio shall be of a height that is determined by the Planning Director as necessary to comply with Federal Communications Commission regulations and guidance, provided that the height of the antenna structure may not exceed a dimension equal to the distance of the antenna structure from the nearest property line;
 - d. The accessory projection is not constructed for the purpose of providing additional floor area in the building; and
 - e. The accessory projection does not interfere with Federal Aviation Administration regulations
- D. Submittal Requirements. Applicants shall make a submittal to the Planning Department in accordance to the Administrative Adjustment Checklist.
- E. Procedure. Applications for an administrative adjustment shall follow the General Application Procedures as outlined in Section 18.06.2 and further described in Section 18.06.3 of this Chapter.
- F. Approval Criteria. The Planning Director or designee shall approve the Administrative Adjustment so long as the following criteria are met:
1. The essential character of the neighborhood will not be substantially altered
 2. Approval will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property or which constitutes a health or safety hazard
 3. The intent of the specific regulation in question is met

Table 18.06.2-1: Procedures Table						
Application Type	Pre-application Meeting	Body of Authority			Submittal Notice	Public Hearing Notice
	X- Required (May be waived by Planning Director)	Staff Review	Planning Commission	City Council		
		R- Recommendation Body D- Decision Body				
Variances	X		D		X	X
Administrative Adjustments	X	X				



Manitou Springs Land Use & Development Code

Findings of Fact for Variance

Section 18.06.4.2 of the LUDC

This document is the official record of the Planning Commission’s findings that the requested variance meets or does not meet the criteria outlined in Section 18.06.4.2 for granting of a variance. While the findings of fact inform the decision, the final motion and vote shall prevail.

Case Number and Description: _____

Address of Proposal: _____

Applicant Name: _____ Hearing Date: _____

Section 18.06.4.2.E of the LUDC states “No variance shall be authorized unless the Planning Commission finds that **three** of the following four criteria have been met.”

1. An unnecessary, and unreasonable hardship exists, which could be alleviated in whole or in part by the variance requested by the applicant.

	Delwiche	Wilson	Graybill	Rosenthal	DeLay	Day	Harper		
yea									
nay									

2. The granting of a variance will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property or which constitutes a health or safety hazard.

	Delwiche	Wilson	Graybill	Rosenthal	DeLay	Day	Harper		
yea									
nay									

3. There are no design alternatives that achieve the same objective, reduce the degree to which a variance is needed, and do not result in a technically or financially infeasible solution

	Delwiche	Wilson	Graybill	Rosenthal	DeLay	Day	Harper		
yea									
nay									

4. The property has one or more of the following extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district:

Select one:

<input type="checkbox"/>	A	The property is partially encumbered by the flood zone, no-build area, or other restrictions resulting in a reduction in developable area.
<input type="checkbox"/>	B	The variance is necessary to allow or improve access to sunlight for solar energy devices

	c	The variance is necessary to protect heritage trees
	d	Other substantial documented circumstance.

	Delwiche	Wilson	Graybill	Rosenthal	DeLay	Day	Harper		
yea									
nay									

Summary:

The City Planning Commission found that (number) _____ of the four criteria required for approval of a variance were met.

Motion: Approve/Deny

	Delwiche	Wilson	Graybill	Rosenthal	DeLay	Day	Harper		
Motion									
Second									
In favor									
Opposed									

Based on the ratification detailed in the minutes of the meeting and in accordance with Section 18.06.4.2.H.5, the application is hereby:

	Denied
	Approved as Presented (including staff conditions)
	Approved with additional conditions (please refer to minutes)

Recorded by:

Signature: _____ Print : _____

Title: _____ Date: _____

(acting secretary to the City Planning Commission)

Column1	Existing Criteria	Action/thought	Four Basic Variance Criteria	Proposed Language
E.1.	Not result in development of areas at risk of natural hazards, unless adequate mitigation is provided to the satisfaction of the Planning Director pursuant to the standards in Chapter 18.03; and	remove from Variance section, regulated elsewhere		
E.2.	No adverse impact will result on adjacent properties;	include, revise to narrow the scope of "no adverse impact" to "not a nuisance (as defined elsewhere in code)	The variance is not contrary to public interest;	The granting of a variance will not constitute a <i>nuisance</i> to the adjoining properties
F.1.	The applicant would suffer unnecessary hardship as a result of the application the LUDC, which hardship is not generally applicable to other lands or structures in the same zone district because of the unusual configuration of the applicant's property boundaries, unique circumstances related to the location of existing structures thereon, or the existence of exceptional topographic conditions thereon;	include, specify documentable conditions of the parcel. Solar allowance is mandated by state. Heritage trees are in PlanManitou.	There are special conditions pertaining to the parcel;	The property has one or more extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district: a)The property is partially encumbered by the flood zone, no-build area, or other restrictions resulting in a reduction in developable area. b)The variance is necessary to allow or improve access to sunlight for solar energy devices c)The variance is necessary to protect heritage trees d)Other substantial documented circumstance.
F.2.	There are no design alternatives or alternative locations for structures that would eliminate the need for the requested variance or would reduce the amount of the variance required. The variance is the minimum variance that will make possible the reasonable use of the land or <i>structure</i>	include, revise to address the null alternative that the CPC has struggled to interpret. Infeasibility threshold is defined by the applicant	The spirit of the ordinance is observed and justice done	There are no design alternatives that achieve the same objective, reduce the degree to which a variance is needed, and do not result in a technically or financially infeasible solution
F.3.	The need for the variance is not the result of from actions of previous property owners or is a an otherwise self-imposed hardship;	include, revise to redirect the focus from the intent of the owner.previous owner, which is difficult to prove, indicate that the hardship exists, is unnecessary, can be alleviated. Hardship here is defined by the applicant.	Literal enforcement of the code would result in unnecessary hardship; and	An unnecessary, and unreasonable hardship exists, which could be alleviated in whole or in part by the variance requested by the applicant
F.4.	The enforcement of the provisions of the LUDC deprives the applicant of rights enjoyed by a majority of the other properties in the same zone district;	move to the "intent" statement, revise		
F.5.	There is a disability affecting the owners or tenants of the property or any member of the family of an owner or tenant who resides on the property, which impairs the ability of the disabled person to utilize or access the property;	Administrative Section		
F.6.	The variance request is required in order to preserve a contributing structure in a historic sub district.	remove from Variance section, regulated elsewhere		

18.06.4.2 Variance.

- A. Purpose. The Planning Commission has the authority to vary or modify the application of the requirements of the LUDC, not related to use, so that the spirit of the LUDC is observed when the strict application of this LUDC will deprive a property of the privileges enjoyed by other properties of the same zoning classification State and federal laws or requirements may not be varied by the City. State and federal laws or requirements may not be varied by the City.
- B. Intent: The intended effect of granting a variance is to allow the applicant development potential that is similar to, but not greater than, other lots in the same zoning district in the surrounding areas.
- B. Applicability. A variance may be initiated only by the property owner or the designated representative. The application must state the relief sought and must specify the facts or circumstances that are alleged to meet the review criteria within this Section.
- C. Submittal Requirements. No application shall be set for a hearing concerning a variance before the Planning Commission until the applicant has completed the submittal requirements as found in the general development review procedures as described in Section 18.06.3. of this chapter.
- D. Procedure. Applications for a Variance follow the General Application Procedures as outlined in Section 18.06.2 and further described in Section 18.06.3. of this Chapter.
- E. Approval Criteria. No variance shall be authorized unless the Planning Commission finds that three of the following four -all of the following criteria have been met. The endorsement of the variance by adjacent landowners does not relieve the applicant of the burden of meeting the requirements set forth in this section:
 - 1. An unnecessary, and unreasonable hardship exists, which could be alleviated in whole or in part by the variance requested.
 - 2. The granting of a variance will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property, or which constitutes a health or safety hazard.
 - 3. There are no design alternatives that achieve the same objective, reduce the degree to which a variance is needed, and do not result in a technically or financially infeasible solution.
 - 4. The property has one or more of the following extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zone district:
 - a. The property is partially encumbered by the flood zone, no-build area, or other restrictions resulting in a reduction in developable area.
 - b. The variance is necessary to allow or improve access to sunlight.
 - a-c. The variance is necessary to protect heritage trees
 - b-d. Other substantial documented circumstance.
- GF. The power to grant variances. The Planning Commission may authorize variances from the requirements of this chapter, not related to use. Variances are not available to allow a use that is not permitted in a particular zone district. A variance shall be considered an extraordinary remedy.
- HG. Public Hearing and Action on the Variance Request.

-
1. The applicant has the burden of proof to establish the application meets the criteria set forth in this chapter.
 2. The Planning Commission may impose any conditions related to the impacts created by the variance on the issuance of a variance and may amend the variance from that requested. Such conditions may be imposed upon any variance approval in order to alleviate or mitigate potential adverse impacts. Conditions must relate to the property with the use of the property as contemplated by the requested variance.
 3. No single decision of the Planning Commission sets a precedent. The decision of the Planning Commission shall be made on the particular facts of each case.
 4. At the public hearing, the applicant and members of the public may appear and present such evidence and testimony as they may desire. The Planning Commission may take notice of, and may consider, any relevant facts within the personal knowledge of any member of the Planning Commission which are stated on the record. For requests for variances, the Planning Commission shall make specific findings on the factors set forth in this Section of LUDC.
 5. After the public comment portion of the public hearing, and during deliberations, the Chair of the Commission will call for the Findings of Fact to be read. Planning Staff will read each of the variance criteria and the commission will vote via hand raise vote on whether the proposed variance/parcel meets the criteria. Staff will note each vote on a form and at the end, will state "The City Planning Commission found that (number) of the four criteria required for approval of a variance were met."
 6. Should the Planning Commission find that the requested variance meets the minimum number of criteria required in subsection E above, the Chair of the Commission will call for a motion to ratify the decision with a vote. The motion for this vote may impose, eliminate, or modify conditions of approval.
 - a. in no event shall the ratification contradict the findings of fact (i.e. resulting in a denial if all criteria were met, and vice versa).
 - b. No ratification vote is required in the event that the request is denied through failure to meet the criteria for approval.
- H. Issuance of Permit. Where a variance is required, a building permit may not be issued by PPRBD until the variance is approved by the Planning Commission and shall be issued subject to the conditions imposed by the Planning Commission on the variance. For requests for variances, the Planning Commission shall make specific findings on the factors set forth in this Section of LUDC.
- J. Violation and Enforcement. Violation of an approved variance and its conditions shall be deemed a violation of this Chapter and shall be punishable as provided in Section 18.06.4.27 of the LUDC.
- K. Expiration. Failure to obtain a Building Permit for the construction of a *structure* for which the variance was granted prior to one (1) year from the date of approval of the variance will cause the variance to expire. Requests for an extension of said period shall be presented to the Planning Director in writing at least thirty (30) days prior to the scheduled expiration date. The Planning Director may authorize up to one (1) additional year if cause exists for the extension and there would be no harm to the adjacent property owners or the community. Once a *structure* is completed, the variance may no longer expire and shall be transferable with the land.

18.06.4.XX Administrative Adjustment.

- A. Purpose. The purpose of the Administrative Adjustment is to provide an administrative procedure that allows minor deviations to dimensional standards within the limits set forth by this section. Any adjustments exceeding the thresholds identified shall be required to obtain approval of a variance as authorized by the City Planning Commission.
- B. Intent: The intended effect of granting an administrative adjustment is to allow the applicant development potential that is similar to, but not greater than, other lots in the same zoning district in the surrounding areas without necessitating a variance hearing.
- B. Applicability. An administrative adjustment can be applied to any development application in the following circumstances:
1. Development Standards. The Planning Director or designee has the authority to authorize adjustments up to fifteen (15) percent from any dimensional standard or numerical requirement set forth in this LUDC, except for the following:
 - a. The granting of the Administrative Adjustment will not allow an increase in the number of dwelling units on a parcel above the permitted density in the zone district.
 - b. The granting of the Administrative Adjustment will not reduce the required number of parking spaces beyond what is permitted by Section 18.03.8.5 of this LUDC.
 2. Encroachment into front yard setbacks. A new principal structure, or an addition to an existing principal structure, may encroach into the required front yard setback up to the average existing front yard setback of the existing principal structures on adjacent lots on the same street frontage.
 2. Accessibility. The proposed development or alteration is necessary to create reasonable accommodations to individuals with disabilities as outlined by the Americans with Disabilities Act.
 3. Historic District.
 - a. Within the Historic District, subject to the Historic District Design Guidelines, a permanent side setback of less than seven and one-half feet (7'6") may be reviewed and approved, conditionally approved, or denied by the Historic Preservation Commission. At no time without variance approval, shall the side setback be less than five feet (5') or less than a ten feet separation from neighboring buildings/structures including across property lines.
 - b. Heights of structures shall be as calculated in the Building Height definition unless property is located within the Historic District and receives a Material Change of Appearance Certification incorporating steep roof pitches, per the Historic District Design Guidelines, as amended. In such cases, building heights shall not exceed thirty feet (30')
 4. Accessory projections. Except as specifically provided elsewhere in this LUDC, the height limitations contained in the dimensional standard tables for each Zone District shall not apply to accessory projections, provided they meet the following criteria for height exceptions:
 - a. i. Architectural features such as such as parapets, pipes, chimneys, heating and venting systems, cupolas, stairwell towers, elevator overrun, roof-mounted solar energy systems, or other similar projections shall not extend more than five (5) feet above the maximum permitted building height of the associated Zone District;

- b. ii. Church belfries, towers, or spires shall not extend more than five (5) feet above the maximum permitted building height of the associated Zone District provided the largest horizontal cross-section of the belfry, tower, or spire feature does not exceed fifteen percent (15%) of the footprint of the primary structure from which it rises;
- c. iii. Antennas used for television or radio shall be of a height that is determined by the Planning Director as necessary to comply with Federal Communications Commission regulations and guidance, provided that the height of the antenna structure may not exceed a dimension equal to the distance of the antenna structure from the nearest property line;
- d. iv. The accessory projection is not constructed for the purpose of providing additional floor area in the building; and
- e. v. The accessory projection does not interfere with Federal Aviation Administration regulations

C. Submittal Requirements. Applicants shall make a submittal to the Planning Department in accordance to the Administrative Adjustment Checklist.

D. Procedure. Applications for an administrative adjustment shall follow the General Application Procedures as outlined in Section 18.06.2 and further described in Section 18.06.3 of this Chapter.

E. Approval Criteria. The Planning Director or designee shall approve the Administrative Adjustment so long as the following criteria are met:

1. The essential character of the neighborhood will not be substantially altered
2. Approval will not enable any condition or activity that unreasonably annoys or interferes with the use or enjoyment of public or private property or which constitutes a health or safety hazard
3. The intent of the specific regulation in question is met

Table 18.06.2-1: Procedures Table						
Application Type	Pre-application Meeting	Body of Authority			Submittal Notice	Public Hearing Notice
	X- Required (May be waived by Planning Director)	Staff Review	Planning Commission	City Council		
		R- Recommendation Body D- Decision Body				
Variances	X		D		X	X
Administrative Adjustments	X	X				



Title: Public Hearing on LUDC Revisions; Density and Height Allowances
From: Fred Rollenhagen
To: City Planning Commission
Address of Proposal: N/A
Applicant: N/A

April 8, 2026

Proposal:

The purpose of this public hearing is to consider draft revisions to the Land Use and Development Code (LUDC) regarding height and density limitations in certain zoning districts. The City Planning Commission has been reviewing a number of policy questions for potential revisions to Section 18; the Land Use and Development Code. The Land Use and Development Code was recently revised in 2023. As with any major update, a revised code should be periodically reviewed to identify and address errors, inconsistencies, or unintended consequences that reveal themselves during the Code’s application. One of the items the CPC has asked to review are zoning density and height limitations for residential uses, and the CPC asked to engage the Urban Renewal Authority and Housing Advisory Board in the review.

Zone District:

N/A

Background & Existing Conditions:

For background, the City's current densities and height limitations for residential development are as follows. The zoning districts shown in bold are those that are the subject of today's draft amendments.

Zone District Maximum Residential Density and Height -		
Downtown:	30 du/ac density	40 feet height
Commercial:	20 du/ac density	35 feet height
Mixed Use Commercial:	20 du/ac density	36 feet height
General Residential:	10 du/ac density	25 feet height
Low Density Residential:	5 du/ac density	25 feet height
High Density Residential:	15 du/ac density	30 feet height

The CPC held a series of work sessions beginning in October 2024 and reviewed additional information. Information that the CPC reviewed included the Colorado Model Land Development Code and examples of density limits from other comparable municipalities. The CPC also hosted a joint work session with the Urban Renewal Authority (URA) and Housing Advisory Board (HAB) and received their input and recommendations in February. The URA recommended amending the code to what it recommended under the initial Code update. That is to establish an MUC zone density of 25 du/ac and establish a height limitation of



39 ft specifically for the south side of Manitou Avenue within the URA and 35 ft for the north side of Manitou Ave. Other recommendations, including rezoning parcels within the URA to MUC can be found in the attached URA correspondence. The HAB generally supported an increase in density in order to better accommodate affordable housing which is more difficult to build as regulations become more restrictive. While the URA's recommendations were focused for property just within the URA, the CPC appeared to show general agreement to increasing the density in both the Mixed Use Residential (MUC) zoning district and Commercial (C) zoning district which would include properties zoned C across the City and not just within the URA. As a reminder, the MUC district was created with the intention for it to be used in the URA area along Manitou Avenue. At this time, there are no properties in the City zoned MUC.

Application Detail:

At this time, attached is the current draft revisions that would apply to both the MUC and C zoning districts. It currently includes increasing densities in both districts to 30 du/ac and leaving the maximum height at 36 feet for MUC and 35 feet for C (the maximum height in MUC and C is subject to a 'step back' of a minimum of ten (10) feet for the portion of building that extends beyond twenty-eight (28) feet in height. This step back requirement is intended to apply to the third story of a building if one is proposed).

Public Involvement:

The public hearing is publically noticed, and this packet is available for review on the City website. As of the date of the preparation of this staff report, no public comments have been submitted. Additionally, the CPC held a work session and solicited comments from the Urban Renewal Authority and Housing Advisory Board. Attached are letters from the URA and the HAB. The URA is recommending a density increase of 25 du/ac. The HAB is agreeable to the draft 30 du/ac but also recommends a revised density bonus of up to 50 du/ac when 25 to 30% of the units are deed restricted for affordable housing.

Findings & Review Criteria:

Staff Recommendation:

Motion Language Options:

Recommend approval of the proposed revisions to the LUDC related to Density allowances to City Council as set forth in City Code Section 18.06.4.1.



Recommend approval of the proposed revisions to the LUDC related to Density allowances to City Council as set forth in City Code Section 18.06.4.1., with conditions or revisions as indicated.

Postpone the proposed revisions to the LUDC related to Density allowances to May 13, 2026, for further consideration.

Table 18.02.3.2-1: Dimensional Standards for the Commercial Zone District	
Lot Dimensions	Standard Requirements
Minimum Lot Size	N/A
Minimum Lot Frontage	50 ft.
Building Setbacks	
Minimum Front Setback - Permanent Principal Structure	10 ft. ^[1]
Minimum Front Setback - Permanent and Temporary Accessory Structures	10 ft.
Maximum Front Setbacks	N/A
Minimum Side Setback - Permanent Principal Structure	5 ft. ^[1]
Minimum Side Setback - Permanent Accessory Structure	5 ft.
Minimum Side Setback - Temporary Accessory Structure	5 ft.
Minimum Rear Setback - Permanent Principal Structure	10 ft.
Minimum Rear Setback - Permanent Accessory Structure	10 ft.
Minimum Rear Setback - Temporary Accessory Structure	5 ft.
Site Development Standards	
Maximum Lot Coverage	75%
Maximum Building Height	35 ft. ^[1]
Residential Density	20 du/ac 30 du/ac

Table 18.02.3.3-1: Dimensional Standards for the Mixed-Use Commercial Zone District		
Lot Dimensions	Standard Requirements	Exceptions from Standard Requirements
Minimum Lot Size	N/A	
Minimum Lot Frontage	50 ft.	
Building Setbacks		
Minimum Front Setback - Permanent Principal Structure	10 ft. ^[1]	Decks and patios shall be allowed to encroach into front setbacks by 5 ft.
Minimum Front Setback - Permanent and Temporary Accessory Structures	10 ft.	
Maximum Front Setbacks	20 ft. ^[1]	
Minimum Side Setback - Permanent Principal Structure	5 ft. ^[1]	Where adjacent properties are under single ownership 0 ft. setback shall be allowed on internal side property lines to attach adjacent buildings to facilitate redevelopment of multiple parcels
Minimum Side Setback - Permanent Accessory Structure	5 ft.	
Minimum Side Setback - Temporary Accessory Structure	5 ft.	
Minimum Rear Setback - Permanent Principal Structure	10 ft.	Decks and patios on the ground floor shall be allowed to encroach into rear setbacks by 5 ft.; does not apply to areas within the Fountain Creek floodway unless such encroachments are constructed above Base Flood Elevation (BFE), Upper story balconies shall be allowed to encroach up into rear setbacks up to 8 ft.
Minimum Rear Setback - Permanent Accessory Structure	5 ft.	
Minimum Rear Setback - Temporary Accessory Structure	0 ft.	
Site Development Standards		
Maximum Lot Coverage	75%	
Maximum Building Height	36 ft. ^[1]	
Maximum Residential Density	20 du/ac 30 du/ac	

Community Comparison of densities and dimensional allowances for Commercial and Mixed Use-type zoning districts where multi-family uses are allowed

Estes Park

Downtown Commercial (CD)
Density: 2250 sq ft per unit (19 du per acre) on first floor, no min land area for units on upper floors
Max bldg. height: 42'

Accommodation (A)
Density: 5400 sq ft(?) (8 du per acre) per unit
Max bldg. height: 30'

Woodland Park

Central Business District (CBD), Service Commercial (SC), Community Commercial (CC), Neighborhood Commercial (NC)
Density: No specific restriction
Max bldg. height: 35'

Multifamily urban residential (MFU)
Density: no specific restriction
Max Bldg. height: 30'

Salida

RMU
Density: 2734 sq ft (15/16 du per acre) per unit
Max bldg.. height: 35'

Buena Vista

Commercial and high-density residential districts
Max lot coverage: 75%
Max bldg. height: 30 – 35'

Leadville

Retail Core, commercial and retail/residential districts
Max bldg. height 35'
40 – 60 du per acre, commercial; 20 du per acre

Durango

Central business dist, business park, mixed use arterial,
high-density residential: 24 – 42 du per acre

Fountain

Residential/mixed use, Mixed use
35 – 40' max bldg. height
16 du per acre

MEMORANDUM

To: Manitou Springs Planning Commission

From: Manitou Springs Urban Renewal Authority (MSURA)

Date: February 8, 2026

Subject: Urban Renewal Authority Board Recommendations Regarding Land Use and Development Code Provisions in the Urban Renewal Area

The Manitou Springs Urban Renewal Authority (URA) submits this memorandum to formally transmit the URA Board's recommendations to the Manitou Springs Planning Commission regarding density, zoning, and height provisions applicable within the Urban Renewal Area (URA). These recommendations are based on the original 2022 extensive Working Group deliberations and are intended to support feasible, context-sensitive redevelopment.

Primary Recommendation: Reversion to Original Working Group Recommendations

The URA Board's primary recommendation is that the Planning Department and Planning Commission revert to, and carry forward, the original Working Group recommendations that were formally presented in:

- City Planning Commission Special Meeting – Land Use and Development Code Presentation (November 17, 2022)
- City Council Meeting – Consultant and Planning Department Recommendations (December 20, 2022)

The URA Board specifically recommends that these original Working Group and consultant-supported recommendations be used as the basis for Planning Commission consideration, rather than the final version adopted by City Council. The Board believes the original recommendations more accurately reflect the consensus, intent, and redevelopment feasibility goals developed through the URA Working Group process.

Supporting Recommendations

1. Residential Density

The URA recommends a maximum residential density of 25 dwelling units per acre (25 DU/acre) within the Urban Renewal Area. This recommendation reflects full agreement among the 2022 Working Group and was a central component of the original recommendations.

2. URA-Wide Rezoning to Mixed Use Commercial

The URA recommends that all properties within the Urban Renewal Area be rezoned to Mixed Use Commercial. This rezoning should be initiated by the City and structured so as

not to place financial or procedural burdens on property owners. This approach was integral to the original 2022 Working Group discussions conducted over a two-year period.

3. Building Height

The URA recommends that building height standards within the Urban Renewal Area reflect the original 2022 Working Group recommendations, which recognized the importance of site context, topography, and redevelopment feasibility.

Specifically, the Working Group supported a graduated height approach tied to site orientation and landform:

- Building Height on South Side of Manitou Avenue (highway 24 Side): A maximum building height of 39 feet, where additional height can be accommodated with reduced visual impact and improved redevelopment feasibility. With a step back directly on Manitou Avenue as presented in 2022 recommendations
- Building Height North Side of Manitou Avenue (Creek Side) : A maximum building height of up to 35 feet on the North side of Manitou Avenue along the creek with step back where buildings are more visible from adjacent neighborhoods and public viewpoints.
- Building Envelope and Topography: As noted by Working Group member Alan Delwiche, building height should be evaluated through a building envelope approach that fits within the natural contour of the land, rather than a rigid, flat height plane. This approach allows buildings to step with grade, reduce perceived massing, and respond appropriately to topographic conditions while remaining within overall height limits as noted in Original 2022 Working group recommendations.

The URA notes that redevelopment efforts within the Urban Renewal Area have not been successful under existing height constraints. The Working Group's recommended height framework was intentionally designed to balance context-sensitive design with the practical realities of redevelopment, and the URA supports carrying this framework forward as originally presented.

4. Variances

The URA recommends that variance provisions remain unchanged and continue to be addressed through the City's existing variance process, consistent with the original recommendations.

Conclusion

In summary, the URA Board respectfully recommends that the Planning Department and Planning Commission carry forward the original Working Group recommendations as presented in 2022. These recommendations represent a carefully developed consensus between the URA, consultants, and Planning staff and were intended to balance community

character, redevelopment feasibility, and long-term public benefit within the Urban Renewal Area.

The URA appreciates the Planning Commission's consideration and looks forward to continued coordination in support of thoughtful and implementable land use policy.

March 25, 2026

Manitou Springs City Council
City of Manitou Springs
606 Manitou Avenue
Manitou Springs, CO 80829

RE: Housing Advisory Board Recommendation -- Strengthening MSURA Density Bonus to Deliver Affordable Housing

Dear Mayor and Council Members,

Summary

Manitou Springs has included housing as a priority in every comprehensive plan since 1974. Population has been flat for 50 years. The same blighted sites remain undeveloped.

A new teacher in this district earns \$51,112. Using the standard affordability measure of 30 percent of income toward housing, that teacher can afford a home priced at approximately \$190,000. The median home in Manitou Springs costs \$583,000.

Manitou Springs median household income fell 6 percent from 2018 to 2023, while the cost of a two-bedroom rental in El Paso County increased 45 percent over the same period. The El Paso County Regional Housing Needs Assessment identifies 159 rental units currently needed in Manitou Springs, a number that doubles within 10 years.

The draft code revision raises the density bonus ceiling to 30 units per acre. At 2.2 acres, that produces roughly 66 units. A real developer already demonstrated on this exact site that 35 units per acre is not enough to move a project forward. The draft revision does not solve the problem.

HAB requests that Council strengthen the density bonus to allow up to 50 to 55 units per acre when meaningful affordable housing is included. That is the threshold where projects become financially viable and affordable units can actually be delivered.

See Attachment A for the wage and housing cost analysis. See Attachment B, the El Paso County Regional Housing Needs Assessment, for regional data.

The Policy Record

Manitou Springs has included housing as a priority in every comprehensive plan update since 1974. Population growth has been essentially flat over that same period. The same blighted and underutilized sites identified decades ago remain largely unchanged today.

This is not a failure of stated intent. It is a failure of tools. The MSURA was established in 2006 to address exactly this pattern. Nearly twenty years later, the conditions it was meant to correct persist.

The proposed revisions are necessary and should be adopted. But to be effective, the density bonus must reflect actual market conditions rather than aspirational ones.

The Current Bonus Does Not Work

Under the current structure, residential density may increase by 25 percent if 25 percent of units are affordable. In practice, this moves a project from approximately 25 dwelling units per acre to roughly 30 or 31 dwelling units per acre.

The draft revision raises this ceiling to 30 units per acre. This is a step forward, but it does not change the financial outcome. Land, demolition, construction, financing, and long-term deed restriction compliance all cost more than they did when this code was written. Affordable units generate reduced revenue. The gap between what a project costs and what it can earn does not close at 30 units per acre.

If an incentive does not change the outcome, it is not functioning as an incentive.

We Have Already Seen This Locally

The former La Fun Motel site at 123 Manitou Avenue demonstrates this directly. Paragon Realty proposed approximately 78 units on 2.2 acres, roughly 35 dwelling units per acre. The project had support from HAB and the Urban Renewal Authority. It was on a transit corridor. The URA had already invested \$2.1 million in the site for purchase, demolition, and asbestos abatement.

Even at 35 units per acre, the project could not proceed under the current code. The Planning Commission denied the variance. A professional planner serving on that commission stated plainly that the current code forces a luxury condo density and makes affordable apartments impossible to build.

This is not a theoretical concern. It is a documented local outcome on a site the City has already invested in.

Who Cannot Afford to Live Here

The El Paso County Regional Housing Needs Assessment finds that Manitou Springs has the 10th highest median home sale price in the county at \$583,000, while its Area Median Income of \$76,550 is far below the county AMI of \$112,000. Eighty-three percent of Manitou renters earn below 80 percent of AMI. Thirty-eight percent fall in the extremely low-income category.

The HNA also documents a jobs-to-housing imbalance of 5.14 low-income jobs per affordable housing unit in Manitou Springs -- the most acute mismatch in the region. Residents must choose between commuting or paying housing costs that are not sustainable on local wages.

A new teacher in Manitou Springs School District 14 earns \$51,112 per year. A mid-career teacher earns between \$58,000 and \$63,000. Even at the top of the 30-year salary schedule with a master's degree, a teacher earns \$78,713. Using the 30 percent affordability standard, a new teacher can afford a home priced at approximately \$190,000. The median sale price in Manitou Springs is \$583,000.

The same is true for city employees, firefighters, and police officers. The people who make this community function cannot afford to live in it.

This data is documented in full in Attachment A and in Attachment B, the El Paso County Regional Housing Needs Assessment.

What Changes at the Right Density

At approximately 50 to 55 dwelling units per acre, the financial math changes. Fixed costs spread across more units. Financing becomes attainable. Affordable units can be included without making the project inviable. Developers can participate.

At 123 Manitou Avenue, 2.2 acres on a transit corridor, already cleared and remediated, a density of 50 units per acre supports approximately 110 units. At that scale, a mixed-income building that includes deed-restricted housing for teachers, city employees, seniors, and working families becomes possible. That building does not exist at 30 units per acre.

This is the threshold where policy produces results.

A Scaled Bonus Structure Is Required

HAB recommends replacing the flat bonus with a graduated density bonus tied to the percentage of affordable housing provided. Projects should be eligible for a density increase beginning at 10 percent affordable units, with the bonus scaling upward to allow 50 to 55 units per acre when 25 to 30 percent of units are deed restricted.

Affordable units should be permitted across a range of income levels up to 100 percent of AMI, including deeper tiers at 60 and 80 percent AMI to support financially viable mixed-income design. All deed-restricted affordable units should be secured by covenant for a minimum of 30 years.

This structure aligns the level of incentive with the level of affordability and creates a realistic path to delivering units.

A Note on Wildfire Risk

HAB acknowledges that wildfire risk is a genuine concern in Manitou Springs. Infill development on already-disturbed urban sites, built to current construction standards and equipped with suppression systems, presents a different risk profile than development at the wildland interface. The vacant, deteriorating structures that currently occupy these sites also present fire hazard.

The Manitou Springs Fire Department does not produce formal evacuation maps and recommends individualized household evacuation planning because conditions vary too widely for a single route to be reliable. There is no established population threshold that determines safe evacuation capacity. The density bonus proposal does not change the evacuation planning framework.

State Direction

Colorado continues to advance legislation to increase housing supply and reduce barriers, including HB26-1001 and HB26-1065. The El Paso County Housing Needs Assessment satisfies the requirement under Proposition 123 and SB 24-174. Communities that align local regulations with these state housing production goals retain more local control over outcomes and are better positioned to access funding. Communities that do not will face increasing state intervention.

Conclusion

The proposed MSURA revisions should be adopted. To produce affordable housing, the density bonus must be strengthened to reflect what development actually costs today.

A density ceiling of 50 to 55 units per acre, available when meaningful deed-restricted affordable housing is included, is the threshold where projects become viable. Below that threshold, the code will continue to produce the same outcome it has produced for 50 years.

HAB respectfully requests that Council adopt the revisions and strengthen the density bonus so that affordable housing in Manitou Springs is not just a stated priority, but an achievable outcome.

Thank you for your consideration.

Respectfully submitted,

Alison Gerbig, Chair on behalf of the **Housing Advisory Board**, City of Manitou Springs