

## **CITY OF STEAMBOAT SPRINGS, COLORADO**

### **ORDINANCE NO. 2969**

**AN ORDINANCE AMENDING CHAPTER 26 OF THE STEAMBOAT SPRINGS REVISED MUNICIPAL CODE BY AMENDING SECTIONS 200, TABLE 300-1, TABLE 300-3, 302, 401, 413, 422, 437, 717, 739, 801, AND 802 FOR A ROUTINE AND MINOR COMMUNITY DEVELOPMENT CODE TEXT AMENDMENT, PL20240129.**

**WHEREAS**, the City Council adopted the Community Development Code as Ordinance No. 2624 on November 14, 2017; and

**WHEREAS**, the City is committed to regular, ongoing review of the Community Development Code so that the provisions contained therein are relevant and applicable to the community at any given point in time; and

**WHEREAS**, the City Council has recognized the importance of an efficient development review process; and

**WHEREAS**, the Planning Commission held a public hearing on June 13, 2024, and recommended City Council adopt the amendment to the Community Development Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF STEAMBOAT SPRINGS, COLORADO:**

**SECTION 1.** Article 2 of the Community Development Code shall be amended as noted in Exhibit A.

**SECTION 2.** Article 3 of the Community Development Code shall be amended as noted in Exhibit A.

**SECTION 3.** Article 4 of the Community Development Code shall be amended as noted in Exhibit A.

**SECTION 4.** Article 7 of the Community Development Code shall be amended as noted in Exhibit A.

**SECTION 5.** Article 8 of the Community Development Code shall be amended as noted in Exhibit A.

**SECTION 6.** All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts, thereof, are in conflict herewith.

**SECTION 7.** If any section, subsection, clause, phrase or provision of this Ordinance is, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

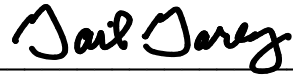
**SECTION 8.** The City Council hereby finds, determines, and declares that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety.

**SECTION 9.** This Ordinance shall take five effect (5) days after its publication following final passage, as provided in Section 7.6 of the Steamboat Springs Home Rule Charter.

**SECTION 10.** A public hearing on this ordinance shall be held on July 2, 2024 at 5:00 P.M. in the Citizens Hall meeting room, Centennial Hall, Steamboat Springs, Colorado.

[Remainder left intentionally blank.]

**INTRODUCED, READ AND ORDERED** published, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the 25<sup>th</sup> day of June, 2024.

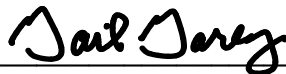
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\_\_\_\_\_  
**Gail Garey, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, CMC  
City Clerk**

**FINALLY READ, PASSED, AND APPROVED** this 2<sup>nd</sup> day of July, 2024.

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**Gail Garey, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, CMC  
City Clerk**

# PL20240129 Routine and Minor CDC Text Amendment

Proposed CDC language in **blue bold**, existing CDC language in black font, removed language in ~~red strikethrough~~.

## Article 2 Zone Districts

### 200.E Applicability of Zone District Standards

5. No structure or land shall be used and no structure shall be erected, constructed, altered, enlarged, reconstructed, or moved unless all required development review approvals and permits have been ~~property~~ issued in accordance with this CDC.

## Article 3 Use Definitions & Standards

Table 300-1 Permitted Use Matrix — Principal Uses

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Use Category	Required Parking <sup>1,2</sup> (spaces)	Zone Districts																TND Transects						
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NC	T5-TC	SD
Residential Use Classification																								
Household Living																								
Manufactured Home Park	2 per du						L																	
Multiple-Family Residential	1 bds: 1.5 per du <sup>3</sup> 2-3 bds: 2 per du <sup>3</sup> >3 bds: 2+(1 per bedroom>3) per du <sup>3</sup>																							
	CO, CY, CK, CN <2,000 sf: 1.5 per du <sup>3</sup> 2,000-3,000 sf: 2 per du <sup>3</sup> >3,000 sf: 2.5 per du <sup>3</sup>																							
	RR-1 Above-ground parking: 1 per du Underground parking: 0.75 per du																							
	RR-2, G Above-ground parking: 1 per du Underground parking: 0.5 per du																							

~~Table 300-1 Footnote 5: Large-format retail greater than 40,000 square feet shall only be permitted in the Large-Format Retail overlay zone.~~

The remaining footnotes will be renumbered.

Table 300-3. Permitted Use Matrix — Temporary Uses

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Use Category	Required Parking <sup>1,2</sup> (spaces)	Zone Districts																	TND Transects					
Specific Use <sup>3</sup>		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NC	T5-TC	SD
Temporary Uses <sup>3</sup>	n/a	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Construction Trailer	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Farmers' Market	n/a								R	R	R	R	R	R	R							R	R	
Garage Sale	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Keeping of Goats, Temporary	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Real Estate Sales Office, Temporary On-Site	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Real Estate Sales Trailer	3	L-P	L	L		L	L	L	L	L		C	C	C	C	L	L	L	L	L	L	L	L	L
Seasonal Outdoor Sales	n/a										L-P	L-P		L-P	L-P	L-P	L-P							
Temporary Event	per Limited Use Permit	L-P				L-P			L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P					L-P	L-P

<sup>1</sup> Parking standards contained in the Permitted Use Matrix are minimum requirements except in the CY-1, CC, and CS zone districts. In the CC and CS zone districts, parking standards for commercial uses are maximum requirements unless a parking study demonstrates additional parking is necessary to serve the use. In the CY-1 zone district, parking requirements are waived for all uses except one-family residential, two-family residential, and their accessory uses. Refer to Section 406 for additional off-street parking standards, credits, and reductions.

<sup>2</sup> sf=square feet net floor area

<sup>3</sup> Temporary uses that are not specifically listed in Table 300-3 may be permitted as Conditional Uses in all zone districts. Temporary uses specifically listed in Table 300-3 shall be permitted as indicated in the Table and subject to the applicable standards in Section 307.

## 302 Commercial Principal Uses

### 302.H.8.2. Large-Format Retail

#### 8.2.2. Large-Format Retail – Greater than 40,000 Square Feet Net Floor Area

##### Use Standards:

~~a. Large-format retail greater than 40,000 square feet net floor area shall only be permitted in the Large-Format Retail overlay zone.~~

~~b.~~ Initial development and any exterior modifications shall comply with the large-format retail development and design standards in Section 422.

# Article 4 Development & Design Standards

## 401 Waterbody Setbacks

### 401.B Applicability

Waterbody setbacks shall apply to all **structures buildings** in all zone districts unless specifically exempted by this CDC.

## 413 Phasing

### 413.C Standards

#### 1. General Provisions

~~d. Critical improvements shall be constructed in the first phase.~~ **A phasing plan is required for all phased development. The phasing plan shall include the following improvements with the first phase:**

**i. Critical improvements.**

**ii. Check-in and management facilities, if applicable.**

**iii. Sidewalk, trail, and multi-modal connections that are necessary to link the property with other properties or to provide a connection to a larger pedestrian network.**

**iv. Perimeter landscaping and landscaping adjacent to required sidewalk and trail connections.**

**v. A proportionate share of the entire development's amenities, as determined by the Planning Director as reasonable to serve the first phase, based upon**

the percentage of dwelling units, lodging units, or non-residential gross square footage to be built in the first phase.

vi. A proportionate share of the entire development's affordable housing, if applicable, based upon the percentage of unrestricted dwelling units, lodging units, or non-residential gross square footage to be built in the first phase.

vii. A proportionate share of the entire development's land dedication or public access requirements, if applicable, based on the impacts of the first phase of development.

viii. Stormwater systems and stormwater quality systems necessary to serve drainage passing through the site.

### ~~3. RR, G, and Multiple-Family Residential Development~~

~~For all phased development in the RR, MF, and G zone districts and all phased multiple-family residential development in any zone district, the phasing plan shall include the following improvements in the first phase:~~

~~a. Check-in and management facilities, if applicable.~~

~~b. Sidewalk and trail connections that are necessary to link the property with other properties or to provide a connection to a larger pedestrian network.~~

~~c. Perimeter landscaping and landscaping adjacent to required sidewalk and trail connections.~~

~~d. A proportionate share of the entire development's amenities, as determined by the Planning Director as reasonable to serve the first phase, based upon the percentage of dwelling units, lodging units, or commercial gross square footage to be built in the first phase.~~

~~e. A proportionate share of the entire development's affordable housing, if applicable, based upon the percentage of unrestricted dwelling units, lodging units, or commercial gross square footage to be built in the first phase.~~

~~f. A proportionate share of the entire development's land dedication or public access requirements, if applicable, based on the impacts of the first phase of development.~~

~~g. Stormwater systems and stormwater quality systems necessary to serve drainage passing through the site.~~

## 422 Large-Format Retail Development

### 422.B Applicability

2. Initial development and any exterior modifications to large-format retail development over 40,000 square feet ~~in the LFR overlay zone.~~

## 437.H Building Scale, Variation, and Fenestration

### 1. Building Variation Standards

b. Multi-building developments with **principal** buildings of four or more units per building shall incorporate a variety of distinct building designs according to the scale of the development in accordance with Table 437-1.

# Article 7 Development Process

## 717 Minor Adjustment

### 717.B Applicability

**g. Variations of 20 percent or less of retaining wall height standards specified in Article 4.**

## 717.F Amendments

Amendments to a Minor Adjustment may be approved through the Substantial Conformance process. Amendments that cannot be approved through Substantial Conformance shall require review and approval through the **same** Minor Adjustment process as the initial approval. No amendment to a Minor Adjustment shall be approved that will result in a total variation that exceeds the applicability of a Minor Adjustment.

## 739 Collateral

### 739.D Amount, Form, and Term of Collateral

3. Collateral may be posted in the form of cash, **or** letter of credit, ~~or certificate of deposit~~. Any letter of credit from a financial institution located outside the state shall include specific language stating that the issuer agrees that the proper venue for any legal action is the county, and that the letter of credit shall be governed by the laws of the state. All language is subject to approval by the City Attorney.

# Article 8 Rules & Definitions

## 801.Q Glazing

**1. Wall area. Wall Area is the portions of a building façade between the finished elevation of each floor and the finished elevation of the ceiling above. For stories with a finished floor elevation below finished grade, wall area shall be the portions of a building façade between finished grade and the finished elevation of the ceiling above. Basements and unfinished attic spaces shall be excluded.**

**2. Transparency Area. Transparency areas shall include the area of the glass and the frame.**

Eave. The projecting lower edges of a roof that overhang the wall of a building. **For purpose of this definition, “wall of a building” shall mean a wall or other load bearing support, such as a post or beam, that supports a roof. The eave is any length of roof that projects beyond a wall or other load bearing support of a roof.**

**Underground. As defined and measured in accordance with Section 801.P “Basement” Rules of Designation and Measurement.**