

# City of Arvada

## Planning Commission Agenda

FEBRUARY 4, 2026  
CITY COUNCIL CHAMBERS  
Regular Business

**Commission Members:**

Tim Knapp  
Brandon Figliolino  
Tom Aljinovich  
Eric Doner  
Andrew Gay  
Steve Hannan  
Miriam McGilvray

**Staff Members Usually Present:**

Jessica Garner, Dir. of Community and Econ Development  
Kelsy Sargent, Senior Assistant City Attorney  
Rob Smetana, Planning Manager  
Claudia Vaughan, Manager of Development Engineering  
Josie Suk, Systems and Administrative Manager  
Heidi Van Gieson, Administrative Specialist  
Dixielee Rodriguez, Administrative Specialist

Info: 720-898-7435

The meeting will include an open comment period where participants will have three minutes to provide comments to the Commission. Members of the public who wish to provide public comment on any agenda item or during general public comment should go to [www.arvada.org/PLNCOMMISSION](http://www.arvada.org/PLNCOMMISSION) for information about how to participate. If any member of the public wishes to submit written comment regarding the item on the agenda, you may submit comments in writing via email to the Planning Department at [cedboardsandcommission@arvada.org](mailto:cedboardsandcommission@arvada.org). Comments must be received no later than 5 p.m. the day before the meeting. All timely comments submitted will be presented to the Planning Commission. Please contact Josie Suk with any questions at 720-898-7627.

This meeting will be streamed live please click this link: <https://arvadaco.gov.zoom.us/j/84130086844?pwd=Z6whDQhdymYBubxpUplNLIbyJ96mb5.1> or use the QR code to go to the meeting. No public comment will be allowed virtually.



**PLANNING COMMISSION MEETING**  
**6:15 PM**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. APPROVAL OF MINUTES
  - A. Approval of January 21, 2026 Meeting Minutes
5. GENERAL BUSINESS
6. REPORTS
7. PETITIONS & COMMUNICATIONS
8. PUBLIC HEARINGS
  - A. Candelas Parcels 1-2, 1-5, and 1-6 Major Comprehensive Plan Amendment and Rezoning, generally located at the northeast intersection of Highway 72 and Highway 93.
    1. A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation Pertaining to a Portion of Candelas Parcel 1-2 From City Of Arvada Neighborhood/Community Commercial to City of Arvada High Density Residential, A Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 and Highway 93
    2. Rezoning a portion of Candelas Parcels 1-2 from PUD (Planned Unit Development) to R-24 (High Density Residential), generally located at the northeast intersection of Highway 72 and Highway 93.
    3. Rezoning a portion of Candelas Parcels 1-2 from PUD (Planned Unit Development) to CG (General Commercial), generally located at the northeast intersection of Highway 72 and Highway 93.
    4. A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation of Candelas Parcel 1-5 From City Of Arvada Neighborhood/Community Commercial to City of Arvada Medium Density Residential, Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 and Highway 93
    5. Rezoning a portion of Candelas Parcels 1-5 from PUD-BP (Planned Unit Development Plan-Business, Professional) to R-13 (Medium Density Residential), generally located at the northeast intersection of Highway 72 and Highway 93.
    6. A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation of Candelas Parcel 1-6 from City Of Arvada Neighborhood/Community Commercial to City of Arvada Suburban Residential, A Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 And Highway 93
    7. Rezoning of Candelas Parcels 1-6 from PUD-BP (Planned Unit Development Plan-Business, Professional) to R6 (Residential 6 District), generally located at the northeast intersection of Highway 72 and Highway 93.
  - B. An Ordinance Repealing and Reenacting or Amending Various Sections of the Land Development Code of the City of Arvada City Code Relating to Short-Term Rentals
9. OTHER ITEMS
10. ADJOURN



**SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD**  
**January 21, 2026**

Planning Commission meeting minutes are not an exact transcript and represent key points and the basis of discussion.

1. **CALLED MEETING TO ORDER– By Rozalynne Thompson at 6:15 P.M.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL OF MEMBERS**

Those present: Andrew Gay, Tim Knapp, Brandon Figliolino, Tom Aljinovich, Steve Hannan, Eric Doner, Miriam Mcgilvray

**THOSE ABSENT**

Andrew Gay

4. It was moved by Ms. Thompson, to excuse Mr. Gay from the meeting.

Those voting Yes: Doner, Figliolino, Knapp, Aljinovich, Knapp, Mcgilvray

Those voting No:

Those absent: Gay

The motion carried 6-0

**ALSO PRESENT:** Jessica Garner, Director of Community and Economic Development; Kelsy Sargent, Sr. Ass't. City Attorney; Josie Suk, Deputy Director of Community and Economic Development; Rozalynne Thompson, Principal Planner; Claudia Vaughan, City Engineer; Don Oliphant, Engineer Manager; Franklin Martone, Civil Engineer III; Heidi Van Gieson, Development Technician I; Dixielee Rodriguez, Recording Secretary.

5. **APPROVAL OF MINUTES**

November 5, 2025. The minutes stand approved as printed with correction.

6. **GENERAL BUSINESS**

- 6.A. Elections of Officers

Election results

Chair - Tim Knapp

Vice Chair - Brandon Figliolino

Secretary - Tom Aljinovich

- 5.B.** CP2025-0005 a Resolution by the Planning Commission for the City of Arvada, Colorado, Adopting the 2014 Arvada Comprehensive Plan as Arvada's Three Mile Plan Pursuant to Section 31-12-105(1)(E), C.R.S., as Amended be approved and recommended to City Council for Ratification.

Ms. Thompson introduced the Three-Mile plan and recommended approval.

#### **QUESTIONS FROM THE COMMISSION**

NONE

#### **MOTION**

It was moved by Mr. Figliolino that CP2025-0005 a Resolution by the Planning Commission for the City of Arvada, Colorado, Adopting the 2014 Arvada Comprehensive Plan as Arvada's Three Mile Plan Pursuant to Section 31-12-105(1)(E), C.R.S., As Amended be approved and recommended to City Council for ratification.

#### **DISCUSSION OF MOTION**

None

The Following votes were cast on the motion:

Those voting Yes: Figliolino, McGilvray, Hannan, Griffith, Doner, Knapp

Those voting No:

Those absent: Gay

The motion carried: 6-0

#### **7. REPORTS**

None

#### **8. PUBLIC COMMENT (not on the Agenda)**

None

#### **9. PUBLIC HEARINGS**

**9. A. A Conditional Use to allow 384 multifamily and 51 townhome units on site in the MX-S (Mixed Use Suburban) zoning district for Avalon Arvada, a 20.1-acre parcel of land approximately located at 17201 W. 64th Ave.**

Mr. Knapp swore in all guests that will be speaking.

Mr. Knapp opened the public hearing.

Mr. Knapp asked if all of the required documents were in order.

Ms. Thompson stated the publication, posting log, and mailing notice are in order.

Mr. Knapp entered into the record the staff report, publication, posting log, mailing notice received and public comment.

Mr. Knapp asked Ms. Thompson to introduce the project.

Ms. Thompson introduced the project. A Conditional Use to allow 384 multifamily and 51 townhome units. Based upon the project analysis and review of the Land Development Code approval criteria, staff recommends that the Planning Commission recommend approval of the project subject to the conditions of approval listed in the staff report. Staff recommends for approval of the Conditional Use. Stated "please note that the project design is conceptual at this time, and the final design's compliance with the land development code will be re-evaluated if a site plan application is received."

Mr. Knapp has the applicant give their presentation

Todd Nicotra - 5050 S Syracuse, Denver - introduces other companies that are part of the team they are working with The Pachner Company, Harris Kocher Smith, Norris Design, Studio PBA and Otten Johnson. They intend on cleaning up the site to build new housing on this site. If allowed 384 multifamily units and 51 townhome units. He thinks it is important for everyone to understand that this large parcel of land will soon be completely developed.

Marcus Pachner - 1480 Humboldt St., Denver - They have focused specifically on the approval criteria. From the very beginning—starting with their first neighborhood meeting over a year ago—this project has been grounded in three foundational documents: the Land Development Code, the Comprehensive Plan, and the zoning. As staff has confirmed, and as he will demonstrate, this application is fully compliant with all three. Beyond baseline compliance, they have employed what they call reflective planning. This means working directly with the surrounding neighborhoods, listening carefully to feedback, and making meaningful adjustments to the project's size, scale, traffic impacts, and mitigation strategies. The goal has always been to ensure an appropriate transition to adjacent neighborhoods. He also wants to recognize the City's referral agency process, which is exceptional. They completed four full referral rounds, and as staff confirmed, They are in full compliance with all requirements related to infrastructure, utilities, and public services, while continuing to serve the surrounding neighborhood. Finally, they have incorporated specific recommendations from staff-requested studies and proposed conditions that mitigate any perceived impacts to the greatest extent practicable. They will walk through those this evening. As everyone will notice throughout the presentation, the upper right-hand corner of each slide references the approval criteria that is being addressed.

Andrew Johnson - 5050 S Syracuse, Denver, - he states that compatibility and mitigation were key considerations in the site plan design and that feedback received from neighboring residents was incorporated into the current conceptual site plan. There are several design modifications made in response to neighborhood input, including the relocation of the public park to the east side of the site to create a landscaped buffer of more than 70 feet from the property line, with the nearest residence approximately 80 feet from the closest building. Also noted that buildings were reoriented primarily in an east-west direction to preserve mountain

view corridors for neighboring properties. Four previously proposed four-story perimeter buildings were consolidated into two four-story buildings located further within the site to provide a gradual height transition from adjacent two-story single-family homes to three-story buildings along the site perimeter. Additional buffering and landscaping were added at the northwest corner of the site, where buildings are set back more than 100 feet from nearby residences. All parking and vehicular circulation were relocated toward the interior of the site to minimize impacts from traffic, headlights, and drive aisles along the site perimeter. That neighbor discussions also identified concerns related to traffic impacts, environmental remediation, views and overall compatibility, and infrastructure capacity. He also indicated that each of these topics would be addressed with proposed mitigation measures. Regarding traffic, the project would include two access points onto Easley Road. A traffic impact study determined that existing traffic conditions at the Easley Road and West 64th Avenue intersection are already deficient, particularly for southbound left turns during the evening peak hour. The study recommended installation of a traffic signal at the intersection. Support was expressed for the signal and stated a commitment to fund any currently unfunded portion of the improvement. According to the traffic analysis, installation of the signal would improve level-of-service conditions compared to existing conditions, even with the addition of project traffic. He also addressed concerns about potential cut-through traffic into the adjacent neighborhood to the east and stated that the traffic signal would reduce this risk. Further noted a willingness to work with the City during the site plan process to evaluate additional traffic calming measures near Easley Road and West 64th Circle. Emergency access was also discussed. He stated that there are no roadway connections to neighborhoods west or northwest of the site and that none are proposed. Emergency access to the site would be provided via existing primary access points on Easley Road, as well as an existing perpetual emergency access easement through the adjacent MorningStar property, providing emergency-only access from West 64th Avenue. He then discussed environmental conditions on the site, noting its prior use as an industrial greenhouse for more than 50 years. He stated that historical pesticide use resulted in environmental conditions requiring remediation and that any redevelopment of the site would require such remediation regardless of the proposed land use. He indicated that cleanup of the site is a shared priority with the community. He reported coordination with the Colorado Department of Public Health and Environment (CDPHE) and stated that the site is eligible for the State's Voluntary Cleanup Program. That all remediation activities would be conducted under CDPHE oversight and in compliance with applicable regulations. He noted prior experience completing environmental remediation projects in Colorado and other states and stated a commitment to restoring the site to a condition suitable for residential use.

## **PUBLIC COMMENT**

Those that are not wishing to speak and that are against the issue filled out a form and are part of the permanent record.

## **IN FAVOR OPPOSITION**

Philip Barru - 16747 W 62nd Pl, - Expresses there is change always and there is going to be development. He feels this will be a good development for Arvada. He likes the plan of diverse housing that this will bring. He is fully in support of the project.

Henry Ybarra - 11562 E 18th Pl, Henderson, - states he previously served in an operations role at Welby Gardens and was responsible for overseeing logistics, deliveries, and daily site activities. He explained that the former greenhouse operation relied heavily on frequent

deliveries, loading and unloading, and regular vehicle movement, including large trucks and service vehicles. He noted that over time, residential development expanded around the site, and that the level of heavy vehicle traffic became increasingly noticeable on local streets now primarily used by residents, families, pedestrians, and cyclists. He stated that large truck traffic generated impacts including noise, vibration, dust, and congestion, particularly during late-night, early-morning, and peak delivery hours. He expressed that the surrounding streets were designed for residential use rather than consistent industrial or delivery traffic, which he believed created safety concerns and quality-of-life impacts for the neighborhood. He stated that transitioning the site away from its former industrial greenhouse use would significantly reduce truck traffic, resulting in quieter streets, improved safety, and enhanced quality of life for nearby residents. He believes that the proposed conditional use aligns the site's activity with the surrounding residential neighborhood and respectfully requested approval of the application.

Andrew Hamrick - 222 Leedsdale Dr, - he represented an organization of apartment owners and operators across Colorado, with approximately 4,000 members operating about 450,000 residential units statewide, including roughly 9,600 units in Arvada. He acknowledged that new apartment development creates competition for existing property owners but stated that additional housing supply is necessary to address Colorado's housing affordability challenges. Increasing housing density is more environmentally sustainable and cost-effective and helps address the widening gap between household incomes and housing costs. He cited recent rent and vacancy data indicating that average metro-area rents have decreased compared to four years ago due to increased housing supply. He stated that new housing development contributes to affordability across all market segments by allowing households to move within the market and increase availability of existing units. The speaker encouraged continued support for new housing development to meet community housing needs.

Mindy Mohr - 11570 W 70th Ave, Unit A, - she stated that there are currently no rental apartments west of Ward Road in Arvada other than senior living facilities, requiring residents who wish to live in West Arvada to purchase homes that are often unaffordable to many workers. The speaker stated that this lack of rental options contributes to longer commutes, increased traffic, and higher emissions, and expressed support for the project as workforce housing that would add needed housing diversity in West Arvada. The speaker referenced the City's Housing Strategic Plan and materials from the Housing Advisory Committee highlighting the need for expanded price points and housing types, and noted that while the project is not designated as affordable housing, it would support the local workforce. The speaker also noted that a high percentage of Arvada jobs are filled by commuters and stated that staff-recommended traffic improvements, including a signal at Easley Road and West 64th Avenue, would help address neighborhood concerns.

Doug Bueman - 8826 Eldora St., - He expressed support for the MX-S Conditional Use Permit, stating that the request is consistent with Arvada's adopted plans and long-standing zoning intent for the site, which has historically been envisioned for higher-intensity uses rather than low-intensity single-family development. He stated that the Comprehensive Plan recognizes the need for careful transitions between residential neighborhoods and legacy industrial or commercial uses and that the MX-S zoning district and conditional use process exist to manage those transitions in a deliberate manner. He stated that the request implements existing policy rather than creating new policy and that denial could introduce uncertainty for property owners

who rely on adopted plans. He stated that approval would reinforce consistent application of City planning policies and support orderly growth.

Nick Gerace - 8816 Eldora St., - He stated that the decision to sell the property at 64th Avenue and Easley Road was made to continue the family's legacy elsewhere in the community, not for financial reasons, following 78 years of operation as a fourth-generation business. That AvalonBay was selected from multiple potential buyers because it was viewed as the least impactful and most beneficial option for the community. Noted a long history of community involvement and donations and explained that as residential development expanded around the site, operating an industrial greenhouse became increasingly difficult due to impacts such as noise, equipment use, vehicle traffic, early morning and late-night activity, dust, and effects on neighboring properties. The existing industrial use is no longer compatible with surrounding residential neighborhoods and expressed a desire to work collaboratively with the City and neighbors toward an appropriate solution.

Marty Gerace - 17201 W 64th Ave., - He starts by describing the long history of their family's operation at the site, noting that over the past 20 years, more than 20 family members had worked there and that the business has always focused on small, family-owned operations and retail customers. Noted that the property was acquired in 2003 from Ben Velkamp, who sought a buyer committed to the community, and that the site has long been part of Arvada's long-range plans, including mixed-use zoning. He described operational challenges as residential development grew around the greenhouse, including labor-intensive work, difficulty finding nearby housing for employees, and long commutes of 20–30 miles. That, despite efforts to operate responsibly, the existing industrial use is no longer practical or reasonable long-term and requested support for the family's transition of the site to the proposed conditional use, which they believe is better suited for the community.

Mark Gerace - 12785 Home Farm Dr., Westminster, - He was representing the third-generation family owners of Welby Gardens, stated that the decision to sell the property was not taken lightly, marking the end of 78 years of family operations. He noted that June 30, 2025, was the last operating season and that the family carefully considered multiple offers, ultimately selecting AvalonBay as the buyer because it was the best fit for the property and the surrounding community. That AvalonBay has a proven track record of developing, owning, and managing properties, would build a long-term, high-quality project, and would remain accessible to the community for questions or concerns. He is requesting approval of the conditional use permit, noting that finding another buyer with similar qualifications would be difficult.

Dan Gerace - 4748 McKinley Dr., - He stated that they were given the opportunity by their family to work in the business and that the site had provided jobs for family members and employees over many years. He noted that supporting housing, including workforce or affordable housing, aligns with the family's legacy. He also expressed that AvalonBay would develop a long-term, high-quality project rather than a short-term investment and respectfully requested approval of the application.

Mike Fiore - 2920 High Prairie Way, Broomfield - stated that they are a long-time neighbor and active visitor to Welby Gardens and Westwoods Golf Course and have known the Gerace family for over 55 years. The speaker described the family as responsible, thoughtful, and considerate

of neighbors and the community, and expressed support for the conditional use, noting that AvalonBay appears to be the best fit for both the property and the community.

Julie Gleason - 15406 W. 66th Dr. - She stated that she initially had concerns about multifamily development but now supports it, noting that it would be preferable to leaving the site vacant, such as with the existing greenhouses. She emphasized Colorado's ongoing housing shortage, citing a 47% drop in multifamily permits in 2024 and a 2023 shortfall of 106,000 units with 34,100 units needed annually for the next 10 years. She also highlighted that higher-density housing is an efficient use of infill, environmentally friendly, and uses fewer resources than single-family homes.

Harrison Wilterdink - 8430 Clarabelle Dr., - He encouraged the Planning Commission to support the Conditional Use Permit, citing the reasons and criteria outlined in the City Staff Report. He emphasized the importance of the proposed housing in providing opportunities for "ordinary" residents, sharing a personal example from 2013 when he was early in his career, managing student loan debt and in need of affordable housing options. He noted that his personal housing situation has improved, and many local residents still face limited options. A quick rental search revealed fewer than 10 apartment listings in the area, all over \$3,000 per month, affordable only to households earning around 150% of the area median income. This proposed project is expected to offer rents of \$2,000 - \$2,500 per month, making housing accessible to households earning 80-120% of the area median income. The project will provide much needed options for everyday working people.

## **IN OPPOSITION**

Katy Moisan - 1801 California St, Suite 2600, Denver, - She is an attorney representing the Morningstar development, located south of the proposed project, addressed the board. She expressed concerns regarding the volume and density of the proposed development and its impact on emergency access easements. Specifically, clarification was requested regarding the barriers or enforcement mechanisms that would be implemented to ensure the easements are used exclusively for emergency access, in order to avoid safety issues or operational disruptions for Morningstar residents, visitors, and the facility.

Jenifer Koss - 6307 UMBER Cir. - A member of the Fieldstone Board addressed the board, noting attendance in place of the Fieldstone annual meeting. She expressed concerns regarding the proposed 435-unit development, which was characterized as transit-oriented. It was noted that West Arvada lacks adequate transit infrastructure, with the nearest bus stop or train station located at Ward Road, where higher-density development has historically been concentrated. She stated that the proposal appears inconsistent with the City's Comprehensive Plan, citing concerns related to density reductions, preservation of open space, and protection of foothill views. She acknowledged that development of the parcel is anticipated, but requested that any development align with the Comprehensive Plan and be appropriate for the surrounding community context, noting potential impacts from multi-story residential buildings.

Lauren Perlan - 6270 Virgil St., - She is a resident of the Fieldstone neighborhood, who has lived in the community since 2001, she identified as a design-build general contractor with 33

years of experience and stated opposition to the proposed high-density housing development. Based on professional experience, she cited concerns including increased crime, increased traffic, and declining property values associated with high-density residential development. She suggested that alternative uses for the site be considered, noting that earlier comments identified a lack of restaurants in the area. She proposed that commercial or restaurant development could better serve the community and have a lesser negative impact than the proposed residential project.

Michelle Zoran - 6260 Virgil St. - She expressed primary concern for the safety of Morningstar residents, particularly during emergency situations. She questioned how emergency evacuation would be managed for an estimated 800 to 1,000 residents associated with the proposed development, in addition to approximately 140 Morningstar residents, many of whom use wheelchairs. Reference was made to recent emergencies, including the Marshall Fire and power outages, and to project plans indicating two access points for ingress and egress. She requested clarification on emergency evacuation procedures given the total number of residents. She also raised concerns regarding the impact of the proposed development on local schools, assuming an increase in school-aged children, and questioned how school funding would be addressed. She further asked whether property taxes could be affected, noting that rental properties do not pay property taxes directly, and requested clarification regarding potential tax impacts on existing residents.

Ellise Holz - 7073 Seacrest Ct., - She lives near the northeast of the proposed subdivision addressed the board. She stated that their family has lived in the Arvada area since the 1960s and has been involved in development along the 64th Avenue corridor, including Springwood, one of the area's first retirement communities. Noted over 35 years of experience working with builders and expressed general support for development when it is supported by adequate infrastructure. This raised concerns that the proposed development does not adequately account for infrastructure impacts, including traffic congestion, signal capacity at 64th Avenue and Easley Road, delays at Pike Court, and access to Ward Road. Concerns were also expressed regarding availability of services, water capacity, and increasing utility costs. She opposed high-density, multi-story development in areas intended to protect foothill views and stated that cumulative impacts from prior developments have already reduced views and increased density. Traffic impacts were cited, including projected additional vehicles and parking capacity. She requested a reduction in overall density, stating that existing streets and infrastructure cannot support the proposed scale of development, and urged careful consideration before approving a project of this size.

Leaf Carlson – 6670 Seacrest Cir., - He is a resident living approximately 315 yards northeast of the proposed Avalon development addressed the board to state opposition on behalf of his family. He noted that the proximity of the project makes it a material concern for their household and stated that they are not opposed to development in general, acknowledging housing market pressures, but believe the proposal does not align with the character of the surrounding neighborhood. He expressed concern that the proposed multi-story, high-density development would be inconsistent with nearby single-family neighborhoods and would negatively impact views of the Front Range Mountains and adjacent trails. He suggested that higher-density apartment development would be more appropriate in areas with existing higher density and infrastructure. Additional concerns were raised regarding impacts on local schools, noting current overcrowding at West Woods Elementary School and the use of mobile classroom units.

Questions were raised regarding school capacity for additional students, as well as impacts on local services, including traffic, restaurants, roads, and emergency services. Also emphasized the need to carefully evaluate infrastructure capacity and expressed concern about setting a precedent for future high-density development on remaining agricultural land. He acknowledged prior development at Morningstar but stated that it should not justify further high-density development, noting differences in population characteristics and impacts. The speaker concluded by reiterating opposition to the proposed development.

Scott Hallowell - 17121 W 64th Dr., - He stated he is speaking on his own behalf and as a member of the Westwoods Lynx III Homeowners Association Board, stating opposition to the proposed development as currently designed. There are concerns regarding compatibility, particularly related to traffic impacts on the surrounding neighborhood. He stated that the property is ill-suited for the proposed scope and density of development due to its location behind an existing senior care facility and lack of direct access to major roadways, including 64th Avenue. The proposal was described as having limited access, with only two access points located on the same stub road. He objected to the proposed secondary access through the Westwoods Lynx III neighborhood, stating that neighborhood streets are not designed as thoroughfares but function as local access roads with driveways, on-street parking, and frequent pedestrian use, including children and cyclists. Concerns were expressed that increased traffic would create safety risks and negatively impact neighborhood use of the streets. He further stated that the high number of residential units proposed for the site, combined with the absence of nearby employment and commercial services, would result in a commuter-driven development and exacerbate traffic overflow into the neighborhood. He noted that potential future traffic-calming measures were referenced by the developer but expressed concern that such measures would create additional impediments on neighborhood streets that are currently unnecessary. The speaker stated that opposition was not to development in general, but to the proposed density, and requested that the proposal be rejected until a more reasonable number of residential units is presented.

Alisa Shanks - 6510 Virgil Way - She is a resident of the Trail Village neighborhood, adjacent to the proposed development, and addressed the board in opposition to the project as proposed. She stated that density is the primary concern shared by residents of Trail Village and neighboring communities, including Fieldstone and Sunrise Ridge. She raised concerns regarding impacts to existing local businesses and services, noting that the nearby King Soopers grocery store is already heavily utilized and has limited parking capacity. That an increase in population associated with the proposed development would further strain access to essential services. While acknowledging the need to address housing shortages, she expressed that lower-density alternatives, such as two-story townhomes, would be more compatible with the surrounding area than four-story apartment buildings, particularly given the lack of public transportation. Additional concerns were raised regarding traffic congestion and emergency response capacity.

Joel Bolduc - 6503 Umber Cir., - He is a resident of Arvada, whose children attended West Woods Elementary School, addressed the board and expressed concern that the school continues to rely on temporary classroom facilities, noting prior negative educational experiences associated with such conditions. He raised environmental concerns regarding the proposed development site, stating that historical nursery operations resulted in soil and groundwater contamination from fertilizers, herbicides, and pesticides. He cited testing results

indicating elevated nitrate and sulfate levels in groundwater samples and the presence of banned pesticides, including Dieldrin, exceeding EPA residential screening levels. He stated that site remediation would be required prior to development. He also expressed concern regarding compliance with Conditional Use Test 4 related to size, scale, and height. That public feedback previously requested reductions in density and building height, which the applicant did not implement, instead modifying building placement. That the proposed development would negatively impact views, sunlight, and overall quality of life for nearby residents, and concluded by requesting that the board vote against the proposal, citing continued concerns regarding emergency response, environmental conditions, and project scale.

Beth Bolduc - 6503 Umber Cir - She stated the Conditional Use Test related to whether the proposed development is comparable in size, scale, and density to surrounding uses. She stated that, by objective measures, the proposal is not comparable, citing the proposed 435 dwelling units on approximately 20 acres, or roughly 21.8 units per acre. This represents a density approximately seven and one-half times greater than surrounding neighborhoods. She described existing surrounding conditions as consisting of one- and two-story homes, low traffic volumes, neighborhood-scale streets, and an open visual character. In contrast, the proposal was characterized as introducing multiple three- and four-story apartment buildings, large surface parking areas, and nearly 3,000 daily vehicle trips, in addition to existing traffic associated with nearby industrial uses. She stated that the project represents an urban-scale development placed within a suburban context. She also raised concerns related to wildfire risk and evacuation safety due to the project's location near the wildland-urban interface. Also referenced past wildfire events, including the Waldo Canyon Fire and the Marshall Fire, and emphasized the need for orderly evacuation during such events. She cited Colorado State Forest Service materials illustrating recommended density ranges for the wildland-urban interface and stated that the proposed density exceeds those guidelines by a significant margin. She concluded that while housing is needed, the proposed project is inappropriate for the location and stated opposition to the proposal.

Patty Shannon - 6520 Umber Cir., - She stated that their parents are residents of the Morningstar Senior Living facility adjacent to the proposed development. She linked life safety and emergency access concerns to the City's planning policies, citing lessons learned from the Marshall Fire and subsequent FEMA and local after-action reviews. She quoted findings indicating that limited roadway capacity and lack of evacuation staging contributed to gridlock during emergency evacuations, and referenced FEMA conclusions that many developments lack sufficient number, arrangement, or capacity of egress routes. These findings are directly relevant to Conditional Use Test 1, noting that the City's adoption of the International Fire Code requires redundant and independent access routes to accommodate emergency vehicles and evacuating residents simultaneously. She emphasized that evacuation concerns are heightened due to the proximity of the Morningstar facility, where many residents would require assisted evacuation, paratransit, ambulances, and additional on-site time, all occurring concurrently with evacuation of the proposed development through constrained access points. Regarding Conditional Use Test 2, the speaker stated that the City's Comprehensive Plan prioritizes protection of neighborhood streets and safety in land use decisions and cautions against high-intensity development that relies on local access roads. She cited the Marshall Fire as evidence that evacuation gridlock is a demonstrated risk, not a hypothetical one, and stated that FEMA recommendations emphasize adequate access, capacity, and redundancy prior to development rather than post-approval mitigation measures. She concluded that the proposal fails to meet Conditional Use Test 1 related to fire access and redundancy and violates

Comprehensive Plan safety and transportation policies under Test 2, and requested denial of the conditional use permit.

Scott Goolsbey - 6682 Violet Way, - He shares a property boundary with the proposed development. He stated support for development generally, but not for a proposal that would place unreasonable strain on local infrastructure. He focused on whether the proposed Avalon development meets the City of Arvada's adopted housing goals and stated that, based on the Comprehensive Plan and Land Development Code, it does not. That Arvada's housing goals are location-specific and that higher-density housing is intended to be transit-supportive, pedestrian-oriented, and integrated with services and multimodal transportation. Mixed-use development was described as a planning strategy identifying appropriate locations for density, not solely a zoning designation. As a comparative example, he referenced a recent high-density development near Garrison Road and 58th Avenue, noting the presence of multiple bus stops and nearby rail stations within walking distance. That the proposed site lacks nearby transit service, with no bus stops within several miles and the nearest rail station approximately four miles away. He stated that while they support both additional housing and high-density development in appropriate locations, the proposed project is not transit-oriented, would place excessive demand on local roads, and misapplies the City's mixed-use housing policies. He requested that the Commission require substantial revisions to the proposal, including reduced density, to bring it into alignment with the Comprehensive Plan and the City's adopted housing goals.

Joanne Clavelle - 17013 W 64th Cir., - She is a resident of the Westwood Lynx III neighborhood, located east of the proposed Avalon development, spoke in opposition, citing traffic compatibility concerns. She stated that the proposal conflicts with the Comprehensive Plan and fails Conditional Use Tests 4, 5, and 6. She noted that the 435-unit development is projected to generate approximately 2,900 daily vehicle trips, with primary access via Easley Road, a short local access street serving Westwood Lynx III and the adjacent Morningstar senior community. She stated that Easley Road was not designed to function as a primary access route for a development of this scale and that congestion at 64th Avenue and Easley Road could result in traffic backups, safety risks, and single-exit conditions during peak or emergency situations. Additional concerns included the absence of feasible traffic mitigations, such as dedicated turn lanes, lack of nearby transit service, and the likelihood of cut-through traffic impacting residential streets. She stated that while development of the site is anticipated, the proposal as presented is incompatible with surrounding neighborhoods and requested denial of the application.

Kathryn Martinez - 6556 Umber Cir., - She is a physician residing in the area addressed the board regarding emergency access and wildfire risk. She stated that the site is located within a high fire-risk area and noted recent extended power shutoffs affecting the immediate vicinity, including the proposed development site. She emphasized concerns regarding emergency evacuation capacity at the Easley Road and 64th Avenue access point, describing it as narrow and constrained. She urged decision-makers to physically visit the site to understand the limitations and visualize simultaneous evacuation of residents and access by emergency responders. An example was provided of a garbage truck nearly blocking access during routine conditions. Based on these conditions, they would not recommend the site for residential occupancy and expressed concern for the safety of future residents in emergency situations.

Pamela Durkee - 6522 Umber Cir., - She is in support of development of the site but opposed the Avalon proposal as currently presented. She referenced the former nursery use of the property and clarified that opposition was based solely on the proposed development, not prior ownership or use. She addressed Conditional Use Test 3, stating that the proposal does not meet the purpose and intent of mixed-use zoning. Mixed-use zoning was described as requiring an integrated combination of residential, commercial, civic, or employment uses. She stated that the Avalon proposal consists of 435 residential units with no retail, employment, civic, or community-serving components and is therefore a purely residential project. That a variation in residential density does not constitute mixed use and argued that approval of a conditional use permit for a purely residential project on mixed-use land improperly bypasses the comprehensive plan amendment and rezoning process. A recent City example was cited in which a mixed-use designation was amended to residential to better reflect project intent. She concluded that approval would set an inappropriate precedent, stated that the proposal fails Conditional Use Test 3, and requested denial of the conditional use permit as submitted.

David Clavelle - 17013 W 64th Cir., - He is a long-time resident of the Westwood Lynx III neighborhood, stating that he has spoken extensively with neighbors regarding the proposal and that opposition is not to housing in general, but to the practical impacts created by the proposed density. He noted prior professional support for diverse housing types but stated that the scale of the project presents significant infrastructure challenges. He expressed concern regarding traffic access via Easley Road, which was described as a narrow local access street used daily by residents and already experiencing congestion, particularly during events at the adjacent Morningstar facility, including on-street parking on both sides of the roadway. He stated that the road lacks turning lanes, has limited maneuverability, and is not designed to accommodate the projected volume of traffic associated with the proposed development. Concerns were raised regarding the estimated 3,000 daily vehicle trips, potential cut-through traffic in residential streets used by children and school buses, and the absence of meaningful discussion by the applicant regarding traffic impacts. That the scale of the proposal is incompatible with the existing access conditions and requested consideration of alternative development types or reduced density that would better align with the capacity of surrounding infrastructure.

Ken Lyons - 6552 Umber Cir., - He stated that regarding traffic and access concerns at the intersection of North Easley Road and 64th Avenue, identified as the primary entrance to the proposed development, and stated that the issue relates to Conditional Use Test 6. That the proposal does not adequately address required improvements at this intersection. He noted that the application references installation of a traffic signal by 2027 and a potential southbound turn lane, and stated that these improvements are needed immediately, not deferred. The intersection currently measures approximately 36 feet curb-to-curb, which is significantly narrower than nearby comparable intersections serving similar-density developments, which range from approximately 45 to 57 feet wide and include dedicated turn lanes and traffic controls. He expressed concern that physical expansion of the North Easley and 64th Avenue intersection may not be feasible due to limited right-of-way, potential impacts to private property, sidewalks, and utilities. He stated that the applicant has not presented solutions addressing right-of-way acquisition, easements, or construction feasibility for adding required lanes. He concluded that these access and safety issues should be fully evaluated as part of the conditional use permit process and requested that the application be delayed or denied until feasible solutions are identified.

Gary Coe - 6483 Umber Cir., - He stated as a retired first responder addressed the board regarding fire access compliance, stating that the proposal does not meet the City of Arvada's adopted 2018 International Fire Code requirements. He noted that developments with more than 200 dwelling units are required to provide two separate, approved fire apparatus access roads, which he stated is a mandatory, non-discretionary standard. He stated that the project has only one true fire access via Easley Road, and that the second proposed access through the Morningstar Senior Living facility functions more as a trail than a compliant access road. The proposed route was described as requiring emergency vehicles to enter the Morningstar parking lot, travel west through the lot, turn north along a narrow driveway, and pass through a gated access intended solely for emergency use. That the International Fire Code requires minimum separation distances between fire access roads based on project size, and that the proposed access points are too close together to meet code requirements, eliminating redundancy in the event of blockage. He emphasized that fire access compliance must be demonstrated at the conditional use permit stage and cannot be deferred or offset by proposed interior fire suppression systems. He stated that approval of the application would require accepting conditions that are not code-compliant and concluded that denial of the conditional use permit is the only lawful action under the adopted fire code.

Pete Georgelas - 17470 W 67th Ave., - He is a resident of the Trail Village II subdivision stating he supports development and housing in general, but opposes the proposal as currently drafted due to structural and infrastructure concerns rather than ideological opposition. Stated that the primary issue is the proposed density combined with extremely limited access. He also stated that the site is constrained, with one functional public access point via Easley Road, a local street with limited capacity, no transit support, and limited ability to expand infrastructure. Despite these constraints, the proposal introduces one of the highest residential densities in West Arvada. That traffic congestion, emergency access limitations, and neighborhood impacts are predictable outcomes of funneling a high-density development through a single local access street without redundancy. He referenced wildfire risks and recent regional fire events, stating that wind conditions, open space, and evacuation limitations create heightened safety concerns, particularly given the proximity of the Morningstar senior living facility. He emphasized that compatibility concerns stem from excessive intensity rather than aesthetics and cited Land Development Code and Comprehensive Plan requirements to maintain adequate levels of service, protect neighborhood streets, reduce density toward the west, and ensure safe, functional access. He concluded that the proposal does not meet mandatory conditional use findings, that the identified issues cannot be resolved through conditions or minor mitigations, and requested denial of the application as drafted, stating that opposition is based on safety, compatibility, and adherence to adopted planning policies.

Joel Christman, - 17351 W 64th Ave, - His concern with the Avalon development, focusing on site access and project completeness. He stated that the proposal effectively provides only one true access and egress point via Easley Road, noting that both internal streets serving the apartment and townhome portions of the project dead-end into the same local access street, creating a single bottleneck for daily traffic and emergency access. That a development of this size requires more than one functional entry and exit point to safely accommodate anticipated traffic volumes. Additional concern was raised regarding the proximity of proposed multi-story townhomes to the adjacent Morningstar facility and the absence of submitted plans or

elevations for the townhomes. He concluded that, given the access limitations and lack of complete project details, the conditional use permit should be denied.

Reid Bicknell - 17351 W 64th Ave., - His concerns regarding Easley Road, describing it as a short, dead-end local neighborhood street that currently serves as the east access for the Morningstar facility, its east parking lot, and the Westwood Links 3 subdivision. He noted that Morningstar regularly relies on overflow parking along Easley Road and expressed concern that this parking would be displaced if the project proceeds. According to the applicant's traffic study, the Avalon development would generate approximately 2,800 daily vehicle trips, including about 200 during peak hours, which the speaker stated would double or triple current traffic volumes on Easley Road and significantly impact West 64th Avenue. He expressed concern that traffic backups during peak hours could block access to Morningstar's parking lot for residents, visitors, and staff. Additional concerns were raised regarding emergency access. He stated that the primary emergency access would be via Easley Road, with a secondary emergency-only route located entirely on Morningstar property. Routing emergency vehicles through a senior living campus with more than 160 residents, many with limited mobility, was described as a safety risk. He referenced lessons learned from the Marshall Fire, noting FEMA recommendations that adequate access capacity and redundancy should be in place prior to development. He concluded that the proposal lacks sufficient access capacity and redundancy and requested denial of the conditional use permit.

Paul Haseman - 17351 W 64th Ave., - He addressed claims made during the hearing regarding affordable or workforce housing, stating that the proposed Avalon units would be offered at premium rents and do not constitute affordable housing. He asserted that the project maximizes high-density, high-cost development without regard for city-required compatibility with surrounding neighborhoods, and that the proposal appears primarily driven by return on investment. He referenced public statements attributed to the Welby family regarding the sale of the property, citing a Denver Post article dated October 16, 2025, which quoted a former Welby executive stating that the sale would yield profits many times greater than annual operating profits. He argued this undermines claims that the sale decision was difficult. Concerns were raised about impacts to Morningstar residents, including shadowing, loss of privacy, and a fundamental change in the character of the immediate environment due to large, multi-story buildings on an isolated site adjacent to the facility. He stated that the proposal is incompatible with city planning objectives for lower-density development in western Arvada. He also compared the project to other Avalon Bay developments in the Denver metro area, noting that those projects include employment, retail, transit access, and amenities consistent with mixed-use zoning. He stated that none of these elements are present in the current proposal and argued that characterizing the project as mixed use is misleading. He concluded by urging the Planning Commission to uphold city standards and deny the conditional use permit to prevent setting a precedent for future non-conforming development proposals.

Loretta Chessmore - 17351 W 64th Ave., - She stated what most concerns she had already been addressed by previous speakers. She raised one additional issue specific to Morningstar: the likelihood of trespass traffic caused by frustrated drivers attempting to bypass congestion on Easley Road by using Morningstar property as an alternative access route to and from the Avalon development. She referenced a proposed gated barrier at Morningstar's east parking lot entrance mentioned in earlier documents and expressed concern that this would require Morningstar to alter or downgrade its currently compliant emergency access plan to

accommodate traffic control. She emphasized opposition to any change that would compromise Morningstar's emergency access compliance and concluded by thanking the Commission for its attention and consideration.

Pam Knepp - 6641 Violet Way - She stated they have lived in the neighborhood since 2003 and were the fourth home built, noting agreement with concerns raised by previous speakers. While additional information on the proposed townhomes was mentioned, the speaker focused on traffic impacts near Morningstar. She described existing congestion on West 64th Avenue caused by Morningstar traffic, particularly vehicles that can only turn right out of the facility but need to travel east. This often results in slow or stopped vehicles attempting U-turns in traffic, creating delays and safety concerns. She emphasized that adding thousands of additional vehicle trips from the proposed development would significantly worsen these existing conditions and asked the Commission to personally observe this area when evaluating the proposal.

Ryan McCarroll - 17093 W 64th Cir., - He stated that while some arguments may be repetitive, it is important for the Planning Commission to hear them directly from multiple community members. He lives on 64th Circle in the Westwood Links 3 neighborhood, immediately adjacent to the proposed development, and expressed strong opposition to the project. He argued that the proposal is inconsistent with Arvada's Comprehensive Plan, particularly regarding transportation and neighborhood protection. Easley Road north of 64th Avenue is designated as a *local street*, intended for property access and to discourage through traffic. The proposal would place high-density traffic loads—435 units generating more than 2,800 daily trips—onto this local street, effectively forcing it to function as a collector or arterial, which contradicts the roadway hierarchy and intent of the Comprehensive Plan. Because the project has a single access point and significant physical constraints, the speaker stated that no realistic traffic mitigations exist. Spillover traffic into Westwood Links 3 via 64th Circle, 64th Drive, and Terry Street was described as inevitable, particularly once congestion occurs at the Easley and 64th Avenue intersection. The proposed traffic signal was said to worsen cut-through traffic as drivers divert into nearby residential streets. He emphasized safety concerns, including increased traffic near a blind corner where their children wait for the school bus. He also stated that the developer's traffic impact analysis fails to address spillover traffic and related safety impacts, making the application incomplete and preventing a proper consistency determination with the Comprehensive Plan. He concluded that the site cannot support the proposed density given its access limitations. While not opposed to development, the speaker urged the Planning Commission to recommend denial because the proposal exceeds what the site can reasonably support while remaining consistent with Arvada's Comprehensive Plan.

Mark Breese - 6533 Umber Cir., - He represented - Protect Westwoods Neighbors, a coalition of four surrounding HOAs representing more than 400 affected households. He stated the coalition submitted a detailed, code-based analysis concluding that the proposal fails all six Conditional Use Permit tests. The speaker emphasized that the quasi-judicial record does not demonstrate compliance, noting that staff conclusions stating the project is "compliant," without supporting documentation, do not meet the evidentiary standard required for approval. He focused specifically on fire access, identifying it as a critical failure of Test 1. Citing the 2018 International Fire Code, he noted that multi-family projects with more than 200 dwelling units are required to have two separate, approved fire apparatus access roads, regardless of sprinkler systems. The code also requires those access roads to be separated by at least half the maximum diagonal

distance of the site. According to the proposal's own submittals, the Arvada Fire Department identified that the project's proposed access points fail the required separation distance. He stated that staff suggested offsetting this deficiency by installing fire sprinklers in the townhomes, which the speaker characterized as an improper waiver of fire code requirements. He argued that any waiver must be explicitly disclosed and justified in staff materials, which has not occurred. Approving the project would therefore constitute approval of an inappropriate and code-inconsistent waiver, particularly given the congestion and access concerns raised throughout the hearing. He concluded by stating that these deficiencies warrant denial of the application.

Gina Hallisey - 14626 W 68th Pl. - She serves on their HOA Board and expressed concerns regarding compatibility. They noted that most development in Arvada is redevelopment or infill, requiring new projects to carefully fit with adjacent uses, much like pieces in a puzzle. Compatibility requires not only alignment with zoning and the comprehensive plan, but also that the end use fits surrounding neighborhoods. She noted the Welby Gardens site is designated Mixed Use in the Comprehensive Plan and zoned MX-S, which allows some residential, but also anticipates commercial or civic uses to serve surrounding neighborhoods. While expressing personal regret over the closure of Welby Gardens and support for redevelopment of the site, the speaker emphasized that full environmental remediation must occur prior to development. She stated that while landowners have the right to develop their property, projects must meet city goals and policies to protect the community. The Avalon proposal fails the compatibility requirement under Conditional Use Criteria 4 for several reasons. The proposed density of nearly 21 dwelling units per acre is significantly higher than the surrounding area, which averages approximately 4 dwelling units per acre. High-density apartment buildings are not comparable to surrounding single-family homes or open space uses. She argued that equating apartments with a senior living facility is inappropriate, as senior housing is a quieter, more benign use that better fits residential settings.

Mike Schweitzer - 14615 W 62nd Pl., - He stated that the proposal does not follow the intent of the Comprehensive Plan for the site's designated land use of Mixed-Use Suburban, emphasizing that this is not the same as Mixed-Use Residential. The Comprehensive Plan treats these designations differently. Mixed-Use Suburban is intended to be predominantly non-residential, integrating commercial, employment, civic, or service uses, while Mixed-Use Residential places primary emphasis on housing with limited supporting uses. The existing Welby Gardens site functioned as true mixed use, including retail, light industrial, and live-work activity. The Avalon proposal reverses that balance, proposing a largely residential project with no meaningful non-residential components. As such, the speaker argued the proposal does not align with the Comprehensive Plan's intended land-use framework. He recommended that if the City wishes to support a predominantly residential project on this site, the Planning Commission and City Council should require a Comprehensive Plan amendment and rezoning, rather than approving the project through a conditional use permit. Reference was made to the Candelas twin-home project discussed in December, where rezoning was appropriately pursued to match proposed use. He further noted the site lacks the infrastructure typically required to support higher-density residential development. The nearest supporting services, including King Soopers, are approximately 1.5 miles away, with no practical pedestrian or bicycle connectivity. Walking would require traveling along a busy four-lane roadway and would take 30–40 minutes each way, making it unrealistic. Finally, he emphasized that the site does not front 64th Avenue and instead interfaces primarily with the Morningstar Senior Living facility, heightening compatibility concerns. Based on land-use intent, lack of services, and absence of multimodal

connectivity, the proposal does not meet the Comprehensive Plan's vision for Mixed-Use Suburban development.

Lynn Clemens - 6202 Kilmer Loop - She stated that she is the President of the Westwoodville HOA, requested denial of the conditional use application. She emphasized that because the Mixed-Use Suburban (MX-S) district lacks specific guidelines for multifamily residential use, public input should carry significant weight. She noted that multiple community meetings were held, including one with over 180 attendees, demonstrating substantial neighborhood concern. She asked whether the Planning Commission has the authority to determine appropriate density for this site, and if not, who does. She commended the City of Arvada for linking the Comprehensive Plan to the Land Development Code, citing the Code's stated purpose to promote public health, safety, welfare, and to stabilize property values through appropriate land-use relationships. She cautioned that if the Comprehensive Plan is not treated as binding guidance, it becomes merely advisory and loses its value. She noted that the property is an infill site, and the Comprehensive Plan explicitly recognizes that redevelopment and infill can negatively impact existing neighborhoods if not carefully designed. She referenced Municipal Code 43-3-4(3), which requires that housing types in mixed-use developments adjacent to existing neighborhoods be complementary to surrounding housing types. She further cited Comprehensive Plan policies stating that high-density residential development should be located near commercial services, supporting non-residential uses, collector or arterial streets, and transit service. She questioned how the project could be considered oriented to West 64th Avenue when its functional access is from Easley Road. Finally, she referenced the Land Development Code's "Rules for Measurement," noting that maximum density is not guaranteed and is contingent upon meeting all applicable standards. Because MX-S zoning lacks residential density standards, she argued the Planning Commission must rely on the Comprehensive Plan's infill and compatibility policies to limit density. She concluded by expressing concern for traffic safety, particularly for children and families traveling by bike to nearby services, and reiterated her request that the conditional use permit be denied.

Rich Bohling - 14991 W 70th Ave., - He stated that traffic impacts have not been adequately addressed, particularly due to flaws in the traffic study. He argued that the study area was defined too narrowly and failed to include major feeder intersections such as McIntyre Parkway, Indiana Street, and Highway 93, all of which funnel traffic into 64th Avenue. As a result, cumulative traffic impacts from surrounding developments were not analyzed. He noted that ongoing infill development in West Arvada was excluded from background traffic assumptions, understating future congestion. The study relies solely on ITE (Institute of Transportation Engineers) trip-generation standards without acknowledging the limitations of those equations or adjusting for real-world conditions. He further stated that changing apartment demographics—such as higher-end rentals, multiple roommates per unit, increased rideshare use, delivery services, and recent state legislation affecting household composition—were not accounted for and could significantly increase traffic beyond the projected 2,800 daily trips. Based on these omissions, he concluded that the traffic study does not meet the standards required to evaluate approval criteria, likely underestimates traffic impacts, and should not be relied upon to support the conditional use permit.

Ann Laffoon - 14825 W 58th Pl. - She is representing McIntyre Neighbors United and 27 HOAs, stating that the conditional use permit must be rejected until a comprehensive traffic study is

provided. The existing study, he argued, is fundamentally flawed and does not give the Commission sufficient information to evaluate capacity, access, or the feasibility of mitigation. The study assumes little to no future development or traffic growth in the area, which is demonstrably false. At least six major projects—three already approved—are planned along the 64th Avenue, Indiana Street, and McIntyre Parkway corridor, totaling more than 14,000 additional daily vehicle trips, based on developers' own traffic studies and an independent engineering review. According to CDOT and Jefferson County data, 64th Avenue and McIntyre Parkway are classified as minor arterials with an expected capacity of approximately 14,000 average daily trips. Current traffic already meets or exceeds that threshold. When projected trips from approved and pending developments are added, traffic volumes at key intersections would increase by 114% to 171%, far exceeding arterial capacity. The purpose of presenting this data was not to isolate Avalon's impact, but to demonstrate that the traffic study before the Commission fails to account for cumulative impacts and therefore cannot support findings related to mitigation, safety, or access. A single traffic signal at Easley and 64th cannot address corridor-wide congestion, and some intersections—such as 64th and Indiana—cannot be feasibly expanded. She concluded that without a corridor-level, cumulative traffic analysis, the Commission lacks the evidence required to approve the CUP and urged denial until adequate information is provided.

Julie Hogan - 6113 UMBER ST., - She acknowledges that AvalonBay has been professional and has presented a thoughtful concept. This is not an anti-developer or anti-housing position. However, this site—while highly desirable—has significant constraints and risks that make the current proposal a poor fit. Half of her career was in commercial real estate investing and lending, including multifamily lending with Bank of America. From that perspective, she struggles to see how this proposal works for either the site or the surrounding area. The access constraints alone are fundamental. The code anticipates two access points for multifamily developments of this size, and this site simply cannot accommodate them. That limitation drives nearly every concern raised tonight. Traffic along McIntyre and 64th is already strained, and Arvada bears the impacts of development decisions made beyond its control. This proposal adds intensity to a constrained location without the balance that mixed-use zoning is meant to provide. Mixed-use offers flexibility, but it also requires thoughtful integration—not maximum density pushed through a single local access road. This is a highly developable, highly valuable site. It can support a strong project if approached creatively and responsibly. Apartments absolutely have a place here—but not at this scale, given the constraints. She would encourage the Commission to be bold, do what's right for the long term, and allow the opportunity for a better outcome through revision. The community has seen this work before. The former Project Indiana was denied, reworked with community input, and ultimately became a much stronger project. This site has the same potential—if we take the time to get it right.

Mike Rawluk - 18735 W 59th Dr., Golden - This project should be denied under Criteria 6, which requires that adverse impacts to surrounding land uses be mitigated to the degree practicable. The record before you does not demonstrate that standard has been met. The site has documented environmental contamination. A limited Phase II ESA was conducted with only 22 samples across 20 acres, which is insufficient for a residential proposal of this scale. Despite that limited testing, eight samples exceeded residential limits for dieldrin, a banned, carcinogenic pesticide that binds readily to dust. This same contaminant halted the proposed Navigation Center at 51st and Marshall. West Arvada experiences frequent high-wind events. Any soil disturbance risks transporting dieldrin-laden dust to downwind homes. Many samples also detected chromium, yet the testing does not identify whether this includes hexavalent

chromium (chromium-6). That distinction matters, and it has not been evaluated. There is also a historic water capture and reuse system on the property, including a 150-foot sump, which may have spread contamination beyond the tested areas. The detention pond and downstream flows have not been adequately sampled, despite draining across a public golf course and ultimately into Waters of the United States, which cannot receive contaminated discharge under the Clean Water Act. Critically, CDPHE is not a formal referral agency on this application. There is no approved Voluntary Cleanup Plan (VCUP), no Material Management Plan, and no documented coordination between the applicant, the City, and CDPHE. Informal conversations do not substitute for an approved cleanup process. By comparison, other contaminated sites—such as the Kilmer landfill—completed CDPHE review, public comment, additional testing, and an approved MMP before coming to the Planning Commission. That did not happen here. City staff does not have the expertise to make environmental risk determinations, and a quasi-judicial approval without complete testing, CDPHE review, and an approved cleanup plan is not evidence-based. There is no dust mitigation plan specific to dieldrin, despite the highest exceedance being only 120 feet upwind of existing homes. Until comprehensive testing is completed, CDPHE review is finalized, and a cleanup plan is formally approved, this application fails Criteria 6 and should be denied.

Tony Rawluk - 6070 Virgil St., - He stated he wanted to address **Criteria 5** and briefly read into the record a letter from Eric Bodestaff, a Colorado-licensed professional engineer. The site has documented legacy contamination, including dieldrin at nearly nine times the residential limit. This banned pesticide can be mobilized through stormwater and drainage changes, posing risks to downstream waters and drinking water and potentially violating state and federal standards. The applicant relies on a limited Phase 2 study with only 22 samples over 20 acres, which the consultant itself states is only a high-level characterization and recommends additional investigation before remediation. The drainage plan assumes a historic flow path, yet flows have been diverted for over 25 years due to golf course modifications. The proposal includes new pipes across city-owned open space, which confirms the historic flow is no longer active. A field-verified drainage study, expanded soil and groundwater testing for dieldrin, and review through a Voluntary Cleanup Program, if warranted, are needed before this commission can find compliance with Criteria 5. Without that information, Criteria 5 is not met, and approval would be premature.

Karen Gerbatch - 6872 Juniper Ct., - She stated she lives in GEOS, and invites anyone to come see a real mixed-use neighborhood that's already working. There are about 225 residences on 25 acres, with 20 acres buildable—single-family homes, duplexes, fourplexes, and townhomes. That's roughly half the density of what's being proposed here. It is right off Indiana, near the Colorado Tap House. There's no traffic light, and you can see firsthand how traffic flows, where people actually park, and how street parking functions in reality—not in a model. Most single-family homes have two-car garages, townhomes have one, and yes, some street parking—but it works. This area also faces additional traffic pressure from a proposed RV storage project across Ralston Creek Trail, which this commission has reviewed before. If anyone would like to see a comparable, functioning mixed-use neighborhood—with real impacts—GEOS is a good place to start.

Erica Colomb - 16967 W 63rd Dr - She is a part of Sunrise Ridge Sub-Association #2 and she lives in the townhomes directly backing up to Easley and 64th. She is speaking tonight on behalf of our HOA board. None of them had heard about this project until two to three weeks ago,

when they received a mailer, followed by an email just yesterday. That was the first notice our board received, despite being an immediately adjacent community. She asked the applicant directly: who from Sunrise Ridge was consulted, because no one on our board was. She is also speaking personally as a daily trail user, runner, cyclist, and dog walker. She frequently uses the crosswalk at Easley and 60th near Sunrise Ridge Park, and it is already dangerous. Cars regularly drive through while pedestrians are in the crosswalk—it's terrifying. With increased density and traffic from this proposal. She is deeply concerned that pedestrian safety, especially at that crosswalk, will get worse. She supports development—but not at this density, and not without broader community engagement and more comprehensive traffic analysis.

Mr. Knapp closed public comment.

Mr. Knapp orders a 10 minute break

### **APPLICANT REBUTTAL**

Ben Leech - 1290 Broadway, Denver - He is with HKS, the civil engineer for the project, and he wants to briefly explain the traffic study process and respond to some concerns. Before the study began, the scope was coordinated and approved by city staff, including which intersections were analyzed and the background traffic growth rate. Once traffic counts were collected, those growth rates were applied, and trip generation was calculated using ITE, the national standard required by the city. Our analysis shows that existing conditions already justify a signal at 64th and Easley, and with that signal in place, the intersection is projected to operate at acceptable levels, even with site traffic, through the long-term horizon. Regarding 64th Avenue capacity more broadly, impacts beyond Quaker Street, including McIntyre, fall under regional traffic conditions and were outside the approved study scope, which focuses on site-related impacts rather than citywide growth. d approved by city staff, including which intersections were analyzed and the background traffic growth rate. Once traffic counts were collected, those growth rates were applied, and trip generation was calculated using ITE, the national standard required by the city.

Mr. Nicotra - He stated they heard the many concerns tonight, particularly about traffic, emergency access, environmental safety, and compatibility. He wants to address those clearly. First, traffic. The projected trips are 163 in the AM peak and 213 in the PM peak. Their traffic engineers scoped the study with city staff before it began, used approved growth rates, and applied ITE standards as required by the city. The conclusion is straightforward: with the signal at 64th and Easley, the project maintains or improves level of service. That is the standard, and we meet it. Broader corridor congestion along McIntyre and Indiana is a regional issue, not something a single site can solve, but this project does not make conditions worse. Emergency access is non-negotiable. Emergency easements already exist through Morningstar, and we have worked extensively with the Fire Department to ensure compliance. The signalized intersection actually improves safety and emergency response for Morningstar residents, not the opposite. On environmental concerns: remediation is required for any redevelopment. We completed Phase 1 and a limited Phase 2 investigation focused on identified contaminants, which is the correct process. The findings clearly direct the site into the CDPHE Voluntary Cleanup Program, which is a formal condition of approval. Residential use triggers higher cleanup standards, meaning the site will be safer than it is today. Regarding compatibility and density: this proposal is 20 dwelling units per acre, significantly lower than recent CUP approvals averaging 47 units per acre. We meet all zoning and land development code

requirements, including the 45-foot height limit, with only two four-story buildings and a stepped-down transition using townhomes. Finally, this project does qualify as mixed use under the Comprehensive Plan. Mixed use applies across the district and can be horizontal or single-use within a broader area. Importantly, residential is the lowest traffic-generating option. Adding retail or restaurants would substantially increase traffic, noise, and light impacts. This plan addresses existing infrastructure issues, provides housing diversity, and fully complies with city code. We believe it is a responsible and compatible redevelopment of this site.

## **QUESTIONS FROM THE COMMISSION**

Mr. Hannan asked the staff - How does a purely residential apartment project satisfy the mixed-use intent of the Comprehensive Plan and Land Development Code under Criteria 1 and 2? And if it does, what limits exist at all on residential density in this district?

Ms. Thompson stated that residential use is allowed in the Mixed-Use Suburban district, but the Comprehensive Plan clearly states this category is predominantly non-residential. Allowance does not equal entitlement.

Mr. Hannan asked about the Long Range Plan and Community Character Goal CC1. Development of different development character districts. And the policy is that a variety of development types in the city will include a variety of development types, including rural, suburban, residential, historic redevelopment, and mixed-use communities that contain services, employment, and high-density housing. We've got the high density, but we don't have the other qualifiers.

Ms. Thompson stated the way she was reading it, it says, and mixed-use communities that contain services, employment, and higher density housing. The way I'm reading that is that higher density housing is something separate from mixed-use communities.

Mr. Hannan asked Policy CC12 calls for promoting integration and a sense of place through context-sensitive design. Given the surrounding low-density neighborhoods, limited access, and lack of supporting uses, does this proposal meet the standard of context-sensitive design and promote integration within the district?

Ms. Thompson stated Correct. The code addresses context sensitivity through a 30-foot transition zone, where building heights are limited to 35 feet to match adjacent zoning, stepping up to 45 feet beyond that. However, while this addresses physical compatibility, the proposal provides high-density housing only and does not include the services or employment uses identified in the Comprehensive Plan as part of an integrated mixed-use district.

Mr. Hannan asked if it is a good idea to give away development that can be for future commercial development to residential?

Ms. Thompson stated that it depends on the market. What's before you is a residential development because that is what the market is currently indicating there is demand for.

Mr. Hannan's references to L3L-3-1 encourages transit-supportive, high-density, mixed-use, pedestrian-oriented development. This proposal may be high-density, but it is not transit-supported, mixed-use, or pedestrian-driven. The response we're hearing is that this

reflects current market demand—so despite what the plan calls for, this is the reality twelve years later.

Ms. Garner stepped in and stated that they have talked a lot about mixed use, and she wants to clarify that this site is not zoned commercial—it is zoned mixed use, which is a complex and often misunderstood designation. The idea of vertical mixed use—ground-floor retail with residential above—is simply not being built in today’s market. These projects often fail financially, leaving ground-floor commercial spaces vacant. Mixed use is difficult to achieve successfully, especially on a constrained site like this one. The MX-S zoning has been in place, and the question before the Commission is whether this proposal meets the conditional use criteria within that zoning. She would also challenge the narrow interpretation of mixed use as only vertical. The code clearly allows horizontal mixed use, which has already been explained by staff. Under that definition, this proposal does meet the mixed-use standard, and She respectfully disagrees with the assertion that it does not.

Mr. Hannan asked, are there other areas in the city where land designated and zoned for mixed use has been approved as a 100% residential development? Reviewing the Comprehensive Plan revisions, page 329 identifies this area as neighborhood and community commercial, which is not accurate. This appears to be an error in the plan. He understands this is not a use by right and requires a conditional use permit, but he is trying to understand whether there is precedent for converting a mixed-use zoned property entirely to residential, and how that has been evaluated relative to the Comprehensive Plan.

Ms. Garner stated staff will need to get back to them on the information on how many mixed use developments have been approved for residential development.

Mr. Hannan asked if the traffic impact would be higher with commercial and industrial use as opposed to residential use?

Ms. Vaughan stated yes commercial and industrial use has a much higher traffic use than residential.

Mr. Figliolino asked how tall is MorningStar?

Ms. Thompson stated MorningStar is 35’ feet.

Mr. Figliolino asked what opportunities exist to provide pedestrian and bicycle connections—particularly to the Ralston Creek Trail—to make this site more walkable and bike-friendly?

Mr. Nicotra - Trail connections are traditionally done at a site plan level. Staff has also indicated open space and makes a remarkable opportunity to connect to Ralston Creek Trail.

Mr. Figliolino asked, has the developer been in contact with the Regional Transportation District or the city to talk about transit opportunities for the future?

Mr. Nicotra stated they have looked at 64th as transit uses. had initial discussion with RTD but think there are opportunities.

Mr. Aljinovich asked if the application before them is a conceptual plan and not a final plan? And the staff has found that this application meets conceptually, all of the applicable standards, is that correct?

Ms. Thompson stated that is correct this is the conceptual plan and that it meets all of the applicable standards.

Mr. Aljinovich asked if the finalization site plan submitted will be reviewed by city staff. Is that correct?

Ms. Thompson stated that is correct, it will be an administrative review but can be called up by the City Council.

Ms. McGilvray asked for clarification on transient supported area. Was there a bus route 52 on 64th 10 years ago?

Ms. Thompson stated she will need to get back with that information.

Ms. McGilvray asked about pedestrian connectivity and integration with nearby neighborhoods: it sounds like a connection to Umber Circle was explored and deemed infeasible. Was that determination based on a detailed site analysis, or more of a high-level review? And has the apparent reserved easement to the north, near Violet, been explored as an option—at least for pedestrian, bicycle, or emergency access?

Mr. Nicotra stated the specific question about a connection north to Violet Way: they understand there is a right-of-way connection and a reserved easement in that location. They are open to continuing discussions with the City on whether that could accommodate trail access, pedestrian connectivity, or another form of access. Emergency access requires a direct connection to a public right-of-way, which is why the project includes three emergency access points via 64th Avenue through the Morningstar property, in addition to the primary access points. They do not yet have definitive conclusions on a Violet Way connection; that determination would occur during detailed site plan analysis. However, we are certainly open to exploring it further.

Mr. Donor stated Ms. McGilvray asked the question he had regarding the Comprehensive Plan, specifically Figure 3, which appears to designate this site as part of a transit-oriented corridor. His question for staff is: how should the Planning Commission interpret and apply the Comprehensive Plan when a designation—such as a transit-oriented corridor—appears to be based on conditions that no longer exist, for example, a bus route that may have existed in the past but does not operate today? How do we reconcile that discrepancy when evaluating this application?

Ms. Garner stated when the City is evaluating a district that operates independently—like RTD—that we don't have control over whether transit service stays in place. Bus routes change; we've seen that happen elsewhere in the city, and it's simply part of how transit agencies operate based on their own criteria. From a planning perspective, what we try to do is identify areas where transit currently exists, areas where we want transit to exist, and areas where projected growth creates an opportunity to coordinate with RTD. As part of the upcoming

Comprehensive Plan update, we'll be taking a much closer look at where transit truly needs to expand and where higher-density development should be supported by it. Clearly, this area is one where improved transit service would need to occur going forward.

Mr. Donor asked In the recommended conditions of approval, Item 3 mentions monitoring the intersection at 64th and Terry. What is the difference between monitoring and requiring actual modifications, what specific triggers would require improvements, and how would those triggers be directly tied to impacts from this development?

Mr. Oliphant stated Terry is currently the primary access for the subdivision to the east and was analyzed in the TIS (Traffic Impact Study). While the study shows the intersection degrading to a failing level of service by 2047, that decline is driven by background traffic growth on 64th Avenue, not by traffic generated from this development. The project itself has little to no measurable impact on that intersection. The same pattern appears at Virgil as well—future failure is a function of regional growth, not this specific proposal.

Mr. Knapp asked if his understanding is that while the applicant will contribute toward improvements, even with a signal installed the intersection would still operate below an acceptable level of service. Is he misinterpreting the traffic report, or is that an accurate reading?

Mr. Oliphant states the City evaluates both individual movements and the overall intersection, not just the worst-performing turn. The southbound movement exiting the area operates at a Level of Service C in the AM peak and Level of Service F in the PM peak, which reflects very long delays during the evening rush. If no improvements were made, those PM peak delays would remain severe and worsen over time due to background traffic growth, not primarily because of this development. With the installation of the traffic signal, that same southbound movement improves and stabilizes at Level of Service D, which is the City's minimum acceptable standard. While D is not ideal, it is compliant. More importantly, the signal eliminates extreme delay spikes, reducing PM peak wait times from over 600 seconds to roughly 44 seconds, and creates consistent, predictable operations. When all approaches and movements are evaluated together, the overall intersection performs at a Level of Service B, which is comfortably within acceptable limits. So while one movement remains constrained, the intersection as a whole functions better, safer, and more reliably than it does today. In short, the signal does not create perfect conditions for every movement, but it meets City standards, significantly reduces excessive delays, and prevents further degradation caused by regional growth rather than by this project alone.

Mr. Knapp asked, are there limitations with the project as far as the turn lanes at the intersection that won't be able to be proceed with?

Mr. Oliphant stated based on public comment, the roadway measures approximately 36 feet from face of curb to face of curb, which effectively allows for three 12-foot lanes, and that meets our design standards. As we move further into the site plan stage, we will continue to evaluate opportunities to widen the roadway where feasible, recognizing that any expansion is dependent on right-of-way acquisition. For the signal planned to be constructed this year, we are actively evaluating whether three lanes can be accommodated initially, or at a minimum two lanes with the ability to expand in the future. The signal will be designed to operate with a protected left-turn phase, along with through and right-turn movements, to improve safety and overall traffic operations.

Mr. Knapp asked, are there going to be improvements to the 64th and Quaker intersection anticipated or required as a result of this project?

Mr. Oliphant states the TIS does **not** recommend any improvements at 64th and Quaker. Overall, conditions at that intersection remain largely the same. There is only one movement that shifts from a Level of Service C to a D, and that change reflects a high C moving to a low D, which is still within acceptable, passable conditions. Currently, the intersection operates at a LOS C in the AM peak and a LOS B in the PM peak, and those conditions remain the same in the 2027 build-out year. Looking ahead to 2047, the intersection is projected to operate at LOS C in both the AM and PM peaks. Based on these findings, the intersection remains passable under all scenarios, and no improvements are recommended.

Mr. Knapp asked what is the road to the east of the proposed site classified as? This comes up due to some of the testimony about the cut-through traffic to the neighborhood to the east.

Mr. Oliphant states the street will be classified as a local?

Mr. Knapp asked, given that the road is classified as a local street, is it designed to accommodate the traffic overflow expected from this development, particularly since the traffic report indicates that some diversion would occur?

Mr. Oliphant states with the installation of the signal at Easley and 64th, most traffic is expected to divert to that controlled intersection rather than an uncontrolled one like Terry. The applicant has also expressed interest in traffic calming at the 64th Circle intersection, potentially to limit movements and reduce cut-through traffic into the eastern subdivision, and this is something that can be evaluated further at the site plan stage.

Mr. Knapp asked if there are sidewalks on 64th Circle?

Mr. Oliphant stated yes there is.

Ms. McGilvray asked for clarification on open space requirements versus park land dedication. Would the small urban park be open to the public and managed by the city?

Ms. Thompson states it will be open to the public but managed by the developer.

Mr. Figliolino asked if the city is working on a long-term plan to ensure that the roadway, especially 64th, is enhanced in addition to just those traffic recommendations as more projects come online?

Ms. Vaughan stated Yes, the city is actively monitoring this. The signal at Easley and 64th is already scheduled for construction this summer, regardless of tonight's decision, along with a signal at 63rd and McIntyre ahead of resurfacing work. We will also continue coordinating with the creek project as it advances, and while that site has not yet been annexed, a future signal at 69th and Indiana is proposed and will be tracked. These improvements align with the city's TSP (Transportation System Plan), which prioritizes regional traffic projects citywide as funding and timing allow.

MOTION:

It was moved by Mr. Figliolino, that A Conditional Use to allow 384 multifamily and 51 townhome units on site in the MX-S (Mixed Use Suburban) zoning district for Avalon Arvada, a 20.1-acre parcel of land approximately located at 17201 W. 64th Ave. in the city of Arvada and state of Colorado be approved and recommended to City Council for approval subject to the conditions stated in the Staff Report on page 15.

This motion is based on the findings of fact and approval criteria on pages 11 through 15 of the staff report.

**DISCUSSION OF MOTION**

Mr. Hannan stated to staff thank you, the traffic study that we saw was phenomenal. It's the best information in 12 years doing this that we've gotten to actually understand the scope and impact of the traffic. The discussion about what does and what does not comply.

Mr. Figliolino just wanted to thank everyone who came out tonight. He knows it's late, and they really appreciate your thoughtfulness and your passion for the city.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Donor, Hannan

Those voting No: Knapp

Those absent: Gay

The motion does pass: 5 yes - 1 no (1 absence)

Vote on the condition on page 15 of the staff report:

1. First Criteria that a traffic signal shall be installed at the West 64th Avenue-Easley Road intersection. The signal shall be funded by the developer and maintained by the City of Arvada.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Donor, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

2. Second Criteria that a condition is the northbound left turn lane queue at West 64th Avenue Easley Road intersection shall be extended by 50 feet to provide adequate storage.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Donor, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

3. Third Criteria is the southbound left turn lane at West 64th Avenue Virgil Way intersection, and the southbound shared left through right turn lane at the West 64th Avenue Terry Street intersection will be monitored to determine when actual traffic volumes will warrant the need for modifications to improve the intersection's operational conditions. It does not apply to the developer, it only applies to the city. This can be stricken.

Mr. Hannan moved for this to be stricken out.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Donor, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

4. Fourth Criteria is the applicant developer shall submit a voluntary cleanup and redevelopment program application of the Colorado Department of Public Health and Environment, CDPHE, prior to submission of a site plan application and complete site remediation prior to the issuance of building permits.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Donor, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

5. Fifth Criteria is language or plat notes related to the dedication of dry utility easements to the City of Arvada, benefiting applicable utility providers for the installation, maintenance, and replacement of electric, gas, television cable, and telecommunications facilities shall be placed on preliminary and final plats.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Donor, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

6. Sixth Criteria reads all utility easements would also be depicted graphically on the preliminary plan.

Ms. McGilvray motions to amend that she has requested that we add all utility easements, including pedestrian and bicycle connections, be depicted graphically on the preliminary and final plat.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Donor, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

**DISCUSSION OF VOTE:**

None

**11. OTHER ITEMS**

Ms. Garner reminds the commission there is a workshop next Tuesday January 28th.

Ms. Thompson states that we do have any items on the agenda for meetings on February 4th.

**12. ADJOURNED** at 10.56 P.M.

\_\_\_\_\_  
Tim Knapp, Chair

\_\_\_\_\_  
Tom Aljinovich, Secretary

\_\_\_\_\_  
Dixielee Rodriguez, Recording Secretary



<b>REPORT TO PLANNING COMMISSION</b>	<b>AGENDA ITEM 8.A.</b>
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TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: Candelas Parcels 1-2, 1-5, and 1-6 Major Comprehensive Plan Amendment and Rezoning, generally located at the northeast intersection of Highway 72 and Highway 93.

**Motion**

There are two requests for this project that require separate votes. All information about the requests are attached to item 4B.

Prepared by:

Josie Suk, Development Systems and Administrative Manager

Reviewed by:

Approved by:

Josie Suk, Development Systems and Administrative Manager

Rob Smetana, Planning Manager

Jessica Garner, Director of Community and Economic Development

Kelsy Sargent, Assistant City Attorney

Julia Duncan, Senior Planner

Enclosure, exhibits & attachments required to support the report

**City of Arvada**  
**Community and Economic Development Department**  
**PUBLIC HEARING STAFF REPORT**

**Candelas Parcels 1-2, 1-5 and 1-6**  
**Comprehensive Plan Amendment & Rezoning**  
DA2025-0042

**NATURE OF REQUEST**

The applicant is requesting approval to rezone a portion of Parcel 1-2 to R-24 to allow for multi-family residential development and a Comprehensive Plan Amendment to High Density Residential (HDR). The remaining portions of Parcel 1 -2 are requested to be rezoned to General Commercial (CG). Parcel 1-5 is requested to be rezoned to R-13, and Parcel 1-6 to R-6, with Comprehensive Plan Amendments to Medium Density Residential (MDR) and Suburban Residential (SUBR), respectively on a vacant site for the future development.

If the Comprehensive Plan Amendment and Rezoning are approved, Site Plan and Minor Subdivision Plat applications will later be reviewed administratively.

**LOCATION AND HISTORY**

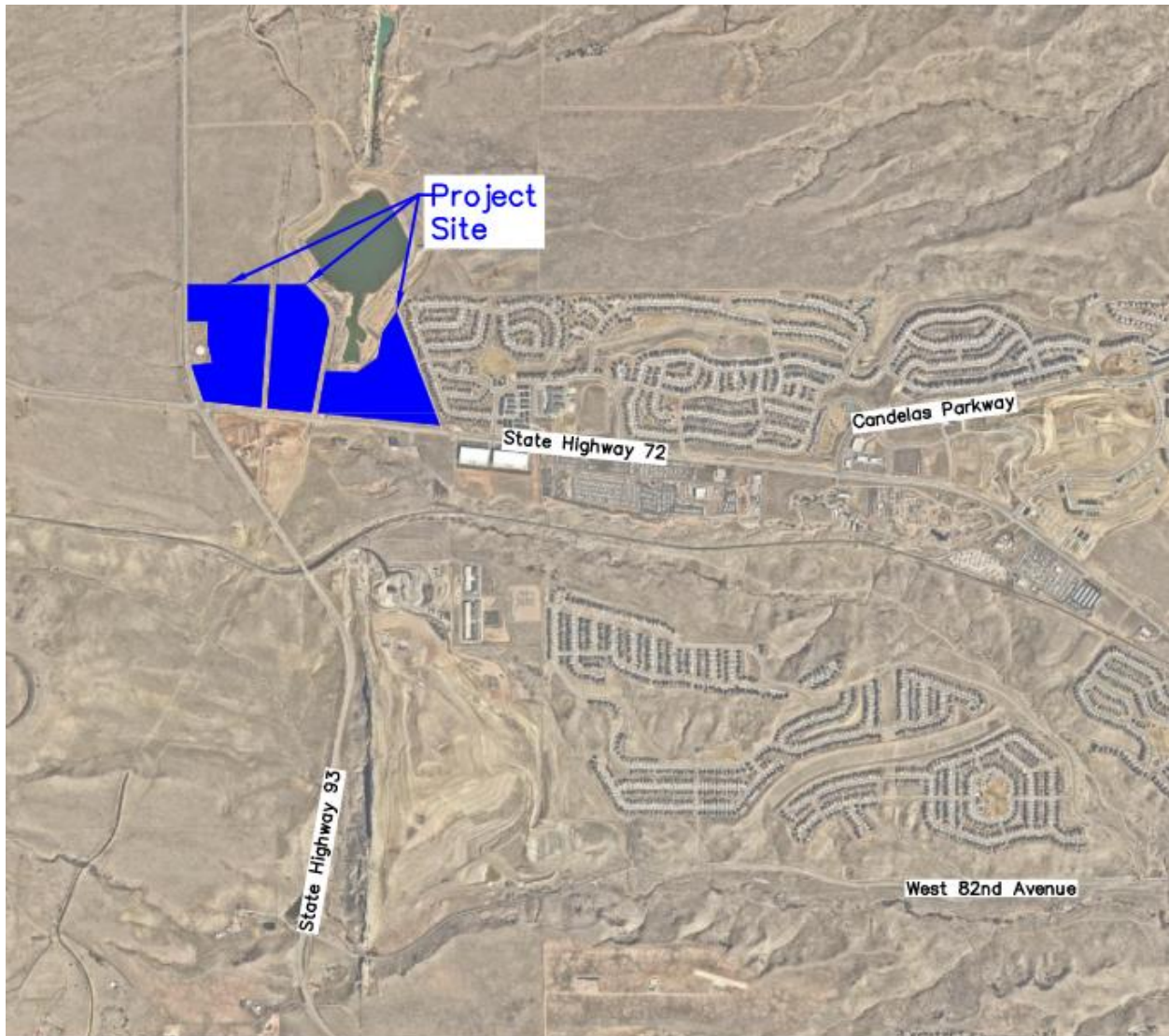
The site is located at the northeast corner of the intersection of Highway 72 and Highway 93 and stretches to the east, abutting the westernmost development of Candelas. The site is currently vacant and undeveloped. The property is zoned Planned Unit Development (PUD-BP) under the Candelas Outline Development Plan Amendment 6 and has a Neighborhood/Community Commercial Land Use designation which allows for business and professional development uses. Under the current zoning, all three parcels have a maximum building height of 85 feet, a maximum Floor Area Ratio (FAR) of 3.00 (a ratio of three to one), and a minimum Floor Area Ratio of .25 to 1.

The rezoning concept plan proposes commercial zoning and uses at the northeast corner of Highway 72 and Highway 93, a transition to higher density multi-family residential zoning (R-24) as one moves east, medium density residential zoning (R-13) south of Rocky Flats Lake, and then the lowest proposed residential density zoning (R-6) for the development and Suburban Residential designation immediately abutting the existing Candelas neighborhood.

The applicant has stated that the multi-family residential portion of Parcel 1-2 is intended for workforce housing for those earning between 80% and 120% of the Area Median Income (AMI) with 20% of the units being reserved for residents at 80% AMI. The City does not covenant or restrict units, so this would be at the behest of the applicant. Additionally, Parcels 1-5 and 1-6 are stated to be age-targeted developments for ages 55 plus. The homes in P1-5 and P1-6 are intended to feature smaller footprints, reduced maintenance requirements, and accessible designs. P1-5 would feature a combination of townhomes and single-family detached housing types, while P-1-6 would feature only single-family detached housing types.

The City is moving toward standard zoning districts and because the project could be developed under a standard LDC zone district, Comprehensive Plan Amendments and concurrent rezonings are appropriate.

### Vicinity Map



### NEIGHBORHOOD MEETING

Division 8-2-2 of the Land Development Code (LDC) requires that at least one neighborhood meeting be held for projects that require public hearings before the Planning Commission and City Council.

On June 11, 2025, a neighborhood meeting was held from 6:00 p.m. to 7:00 p.m. at the Candelas Swim and Fitness Club (19865 W. 94th Ave.). Prior to the meeting, property owners within 1,500 feet of the project site, 323 in total, were notified via a mailing postmarked May 23,

2025, consistent with the LDC requirements. Approximately 47 people were in attendance, including some residents who are members of abutting Metro Districts as well as members of the Chamber of Commerce.

The applicant team included representatives from Norris Design, Martin/Martin, Kimley-Horn, Cimarron Commercial, LLC, and the Jefferson Center Metro District. Senior Planner Julia Duncan attended on behalf of the City of Arvada.

During the meeting, the development team delivered a brief presentation on the project. Residents expressed concerns primarily over existing roadway maintenance on Highway 72 and Highway 93, roadway expansion and widening and widening, traffic, density, lack of commercial development, the constant state of continued construction, increased mill levies due to the project, and loss of open space. After the applicant team presented and engaged in a lengthy Q&A, some attendees expressed support and/or non-opposition to the proposal. Attendees were generally supportive of age targeted homes, especially if they are ranch and low profile, due to the lack of this housing type in the City. "Right-sizing" and "down-sizing" to smaller homes for seniors seemed to be supported by the attendees. A desire to be involved in the Site Plan process was expressed as well as increased buffering and parks along the western edge. A quickening of roadway widening and infrastructure improvements, as well as continued maintenance, were primary concerns.

The applicant prepared a summary of the meeting, which is attached.

### **PUBLIC NOTIFICATION**

Division 8-2-4 of the Land Development Code requires public notification for all public hearings as follows:

Written Notice: At least 15 days prior to all public hearings, written notice must be mailed to all property owners within 1,500 feet of the subject property and to all homeowners' associations and neighborhood associations with a known interest in the subject property. The applicant will provide an affidavit of mailing verifying this requirement that has been met prior to the public hearing.

Posted Notice: At least 15 days prior to all public hearings, signs notifying the public of the hearing must be posted on the subject property. The applicant will provide a posting log verifying that this requirement has been met prior to the public hearing.

Published Notice: At least 15 days prior to all public hearings, notice of the hearing must be published in a newspaper of general circulation in the City. The required notice has been published.

### **SEVERED MINERAL RIGHTS**

At least 30 days prior to the public hearing, written notice of the application must be mailed to any owner of mineral rights associated with the subject property. The Mineral Rights have not been severed and the applicant provided documentation the owner waived the 30-day notification requirement.

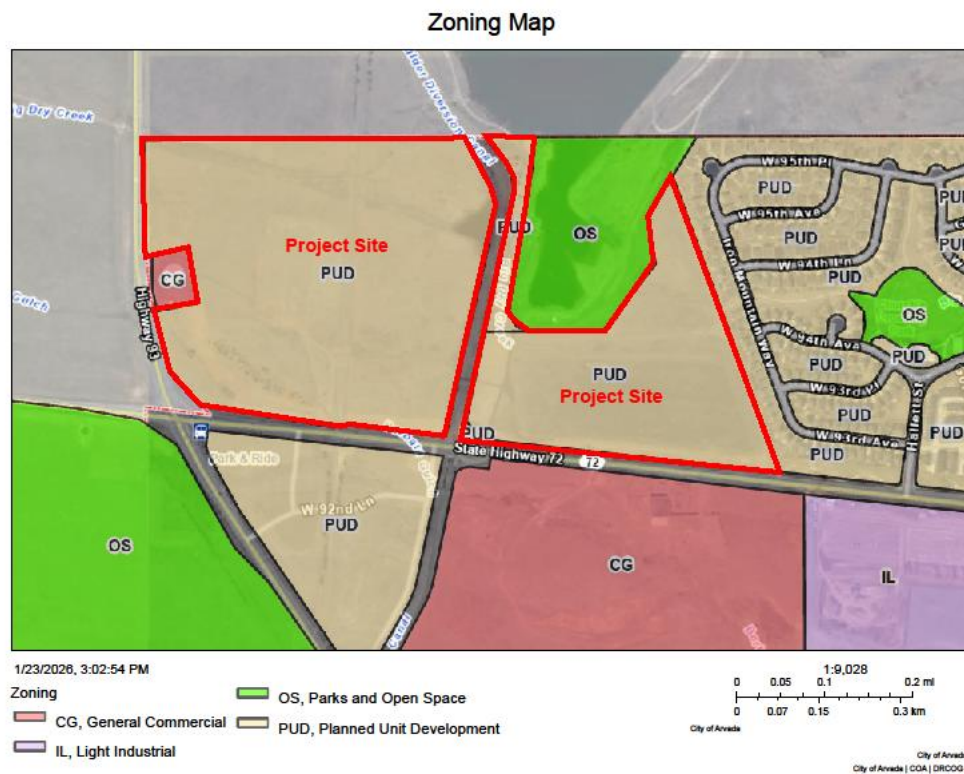
### DEVELOPMENT REVIEW TIMELINE

Review of the application began on July 3, 2025. Four reviews were required prior to proceeding with public hearings.

### ALIGNMENT WITH CITY COUNCIL STRATEGIC PLAN

The project is consistent with the City Council Strategic Plan principles for the Community and Economic Development work system. The project aligns with CED5 in the Strategic Plan by providing robust and efficient services that facilitate the development of diverse housing stock. The project fulfills CED3 and supports the community's vision by cultivating an environment that attracts and retains private-sector investment, a talented workforce, and an engaged business community. The project increases housing supply on a currently vacant site within an existing community, providing both residential and commercial uses.

### ZONING AND LAND USE



The subject property is called out as three separate parcels under the Candelas Outline Development Plan Amendment 6, Parcel 1-2, 1-5, and 1-6. All three parcels are currently zoned PUD-BP (Planned Unit Development- Business, Professional). The three parcels total approximately 104 acres. The existing PUD-BP allows for business and professional development. Under the current zoning, all three parcels have a maximum building height of 85 feet, a maximum Floor Area Ratio (FAR) of 3.00 (a ratio of three to one), and a minimum Floor

Area Ratio of .25 to 1. Uses allowed include the following: agriculture; greenhouses; live-work; assisted living; nursing homes; farmer’s markets; financial institutions; general or professional office; medical office/dental clinic; personal services; recording studio/TV studio; fast food restaurant; fast food with drive-thru restaurant;; retail, convenience store (gas); retail, regional shopping center; Retail, 25,000 square feet or more; retail, veterinary clinics; outdoor recreation; and a number of community, educational, and institutional uses. Light industrial uses are also permitted.

Surrounding properties are zoned and utilized as follows:

Direction	Zoning	Actual Use
North	Unincorporated Jefferson County Mineral Conservation District (M-C)	Rocky Flats National Wildlife Refuge
South	PUD and General Commercial	Currently vacant. Future commercial development includes a proposed gas station and approved indoor recreational vehicle storage units.
East	PUD	Candelas Single-Family Detached homes
West	ROW. Across ROW, unincorporated Jefferson County zoned A-2.	State Highway 93/Vacant

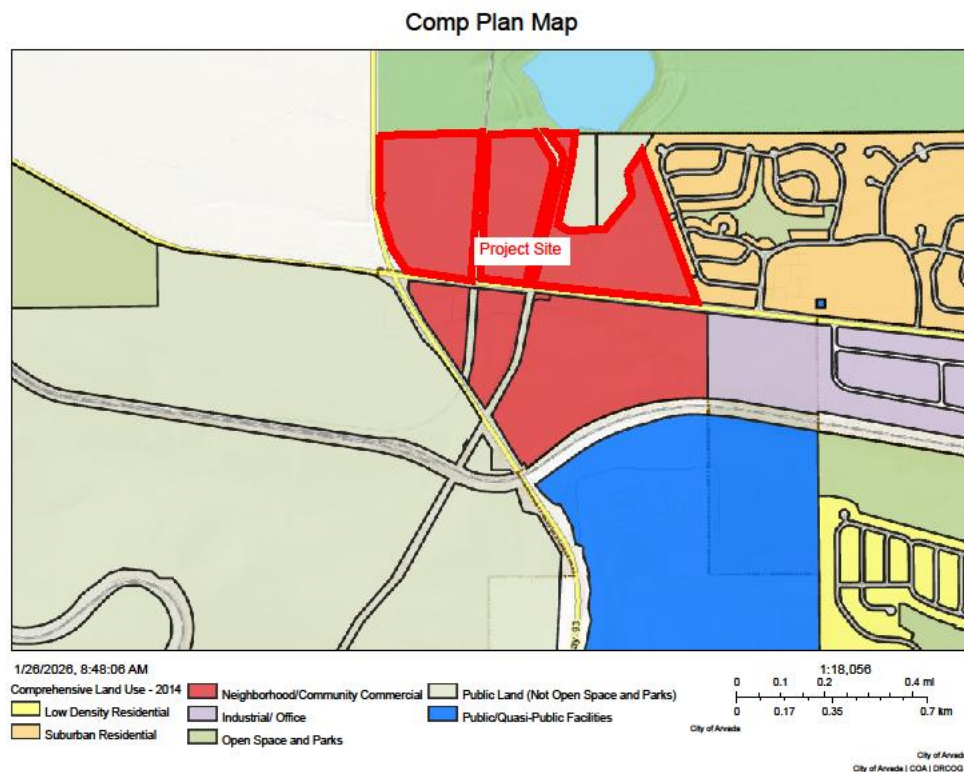
The applicant is requesting approval to rezone a portion of Parcel 1-2 to R-24 to allow for multi-family residential development and a Comprehensive Plan Amendment from Neighborhood/Community Commercial (COM) to High Density Residential (HDR). The remaining portions of Parcel 1 -2 are requested to be rezoned to General Commercial (CG) with the Comprehensive Plan land use designation remaining COM. Parcel 1-5 is requested to be rezoned to R-13, and Parcel 1-6 to R-6, with Comprehensive Plan Amendments to Medium Density Residential (MDR) and Suburban Residential (SUBR), respectively. Because the project could be developed under standard LDC zoning districts, the City encourages rezoning to standard zones. For the project site, the CG (General Commercial), R-24 (Residential, 24), R-13 (Residential, 13), and R-6 (Residential, 6) zone districts are appropriate. The CG zone maintains the commercial component at the northeast intersection of Highway 93 and Highway 72, complementing the commercial on the south side of Highway 72. The purpose of the CG zoning district is to accommodate a wide variety of general retail and service uses, as well as professional and business offices serving both neighborhood and area-wide needs. This zone district is typically situated along arterial streets, or where other appropriate high-volume vehicular access is available. The existing Neighborhood/Community Commercial Comprehensive Plan land use designation in this area supports retail centers that provide shopping services to adjacent and surrounding neighborhoods in the community.

The transition from CG to R-24, a high density residential zone district with a maximum density of 24 dwelling units an acre, to R-13, a medium density residential zone and a density of 13 dwelling units per acre, and lastly, R-6, a suburban residential zone district and a low density of six dwelling units per acre, creates a transition from higher intensity uses to lower intensity uses adjacent to the existing single-family residential.

Future entitlements required include Minor Subdivision Plats to create individual for sale lots and Site Plans. Both entitlements utilize administrative approvals provided the development application meets or exceeds all the applicable standards and regulations in the zone district and all the approval criteria for a Site Plan and Minor Subdivision Plat.

## **PROJECT ANALYSIS**

### **Compliance with the Comprehensive Plan**



A Comprehensive Plan Amendment from Neighborhood/Community Commercial (Com) to High Density Residential (HDR), Medium Density Residential (MDR), and Suburban Residential (SUBR) is appropriate for the property and offers a transition to the lower density single-family homes to the east.

The Neighborhood and Community Commercial/Office category encompasses retail centers that provide shopping services to adjacent and surrounding neighborhoods in the community. Community Commercial Centers are generally located at the intersection of two arterial streets and are generally larger in scale than Neighborhood Commercial Centers. Neighborhood

Commercial Centers are generally located at the intersection of two collector streets or a collector and an arterial street. Large format retail may be appropriate if located along an arterial road and impacts can be addressed. A portion of parcel P1-2 is remaining Neighborhood/Community Commercial and the corresponding proposed CG zoning district is a consistent and supported zone.

Rezoning a portion of Parcel 1-2 to R-24 to allow for multi-family residential development and a Comprehensive Plan Amendment from Neighborhood/Community Commercial (Com) to High Density Residential (HDR) allows a transition from the commercial uses to residential uses with a higher density. Parcel 1-5 is requested to be rezoned to R-13, and Parcel 1-6 to R-6, with Comprehensive Plan Amendments to Medium Density Residential (MDR) and Suburban Residential (SUBR), respectively.

Higher density residential should be near commercial services or other supporting non-residential uses. For most higher density residential development, vehicle, bicycle, and transit routes should be accessible, yet residential areas should be protected from heavy traffic. These developments are generally located along collector or arterial streets. Other private recreational amenities should be provided, such as tot lots, swimming pools, or garden/courtyards. The proposed higher density will be located behind the proposed commercial and act as a transition to the medium and lower density residential proposed.

Medium Density Residential includes a broader variety of residential types, including single-family residences, duplexes, patio homes, townhomes, and condominiums. These residential types are appropriate in locations near commercial services. These developments are generally served by collector streets or arterial streets. They are desirable as a way of transitioning between high density residential and low density residential. Clustering is encouraged to provide greater amounts of open space. The Comprehensive Plan Amendment to Medium Density Residential for the P1-5 parcel allows for the development of several housing types under the standardized zoning and offers a transition to the lower density residential development to the east. The existing Candelas development provides single-family detached homes to the immediate east; to the south is a proposed gas station and convenience store as well as the approved Luxelocker project. The project preserves commercial designation and zoning on the hard corner while also supporting a variety of housing types. Additionally, the Quantum Commons campus, to the east of the project site, is expected to impact jobs, workforce development, and the local economy and necessitate additional residential housing types. The provision of a variety of housing types and associated densities acts as a transition between uses while preserving a commercial component. The expansion of the residential area will help drive and sustain a robust commercial retail center.

The applicant and staff held a pre-application meeting on April 29, 2025, and discussed the proposal for a commercial parcel and a mix of residential uses. The City is moving away from Planned Unit Developments and toward straight standardized zoning to allow for clarity and consistency in development for both developers and communities. Clarity and consistency in land development standards are promulgated through the standard LDC zoning districts. If the Comprehensive Plan Amendments are adopted, the rezonings are necessary to align the Comprehensive Plan designations and zone districts.

Staff have determined that the Comprehensive Land Use Amendments and Rezoning requests are consistent with the surrounding and abutting land use designations, are consistent with the

Arvada Comprehensive Plan, and additionally, reflect changed conditions since the adoption of the Comprehensive Plan and the original designation of the site. A specific condition that has changed is the emphasis and utilization of standardized zoning districts and less reliance on PUDs when unique or challenging situations are not present. The proposed amendments are consistent with the purposes of the LDC. The Comprehensive Plan contains several goals and policies that guide development and investment decisions and direct future land use patterns.

The project complies with the following goals and policies within the Comprehensive Plan:

GOAL L-2: Plan for a balanced mix of commercial and residential land uses in Arvada.

**POLICY L-2.1: Complete Community**

The City will provide for a balanced mix of land uses by promoting redevelopment and continuing to reserve land for future commercial and industrial development as well as a variety of housing choices.

GOAL L-5: Designate and promote redevelopment and infill to generate economic revitalization, improve physical conditions, and provide an appropriate mix of quality housing choices.

**POLICY L-5.3: Regulatory Climate to Encourage Redevelopment and Infill**

The City will continue providing incentives, as appropriate, and a positive regulatory climate in order to encourage infill development and redevelopment.

GOAL CC-1: Plan Arvada as a City of different development character districts.

**POLICY CC-1.2: Promote Integration Within Districts through Design**

The City will promote integration and a sense of place within districts of the City through the context-sensitive design of new development.

**POLICY CC-1.3: Compatible Infill**

The City will encourage new infill development to consider and be sensitive to the character of existing neighborhoods. Considerations shall include building scale, placement, size, height transitions, landscape, streetscape, and other design measures (see also Redevelopment and Infill Principles).

GOAL CC-2: Establish and maintain Arvada's distinct qualities and small-town identity.

**POLICY CC-2.2: High Quality Private Development**

The City will promote high quality architecture, site planning, landscaping, signage, and lighting for new residential and commercial developments.

GOAL N-1: Plan for a range of neighborhoods and accessible housing of different tenure types to accommodate diverse incomes and all ages and abilities.

The Comprehensive Plan Amendments and Rezonings are consistent with the surrounding area and designations as well as the goals and policies of the Comprehensive Plan. The R-24, R-13, and R-6 zone districts will implement the respective intent of the land use map designations. The Rezonings will allow the sites to develop in accordance with the LDC.

### **Setbacks**

The CG, R-24, R-13, and R-6 zone districts' lot and building standards are set out in Chapter 2 of the LDC. As part of the submitted concept plan, the applicant has provided land use summaries describing the development standards for each zone as well as the proposed housing types for the residential components. The housing palette type determines unit width, setbacks, building separation and coverage, and height. All code required development and design standards will be reviewed through the Minor Subdivision and Site Plan applications.

### **Building Height**

Building heights will be reviewed as part of any Site Plan application and will be consistent with the zone of the parcel and LDC.

### **Open Space**

Compliance with the landscaped surface area will be reviewed as part of any Site Plan.

### **Landscaping, Buffering and Fencing**

The Site Plan landscaping will be required to comply with the standards and regulations within LDC 4-6 and any others that may apply. A landscape plan will be required to be submitted with any Site Plan application.

### **Parks**

Park Land Dedication or a Fee-In-Lieu will be required prior to, or as part of, the approval of the final plat. The Candelas development previously dedicated overall parks in excess of that required based on unit counts. Any credits for previously dedicated parks space will be confirmed and calculated prior to recordation. The applicant has provided a summary chart as part of the Rezoning concept plan. A separate Park Development Fee is required and will be calculated off of final unit counts.

### **Building Design**

All buildings constructed on the future lots will be required to adhere to Chapter 5 (Building Design) of the LDC. Design will be reviewed with any future Site Plan application.

### **Circulation and Connectivity**

A traffic study was conducted to identify the proposal's traffic generation characteristics to determine potential project traffic related impacts on the local street system and to develop the necessary mitigation measures required for the identified traffic impacts. This traffic study provides a trip generation comparison to the land uses evaluated within the "Candelas 72-93 (P1-P6) Traffic Impact Study", prepared by Kimley-Horn in September 2022 in support of this rezone application to residential. Further, updated traffic analysis with new counts were conducted on the Colorado Department of Transportation (CDOT) and City of Arvada approved street network to verify acceptable operations will result with this change in use.

Regional access to Candelas P1-2, P1-5, and P1-6 will be provided by Highway 72, Highway 93, Indiana Street, US-36, and Highway 128. Primary access will be provided via Highway 72 and Highway 93. Direct access to Candelas P1-2 and P1-5 on the northeast corner of Highway 72 and Highway 93 is proposed from one access along Highway 93 and two accesses along Highway 72. A three-quarter movement access is proposed along the east side of Highway 93

approximately 1,435 feet north of Highway 72. A right-in/right-out access is proposed along the north side of Highway 72 approximately 760 feet east of Highway 93, and a full movement access is provided along the north side of Highway 72 approximately 1,560 feet east of Highway 93. Direct access to Candelas P1-6 is proposed from two driveways. A full movement access along the north side of Highway 72 in alignment with the access along the south side of Highway 72 approximately 1,265 feet west of Hallett Street and a right-in/right-out approximately 835 feet further west than the full movement access.

Based on the analysis presented in its report, Kimley-Horn believes Candelas P1-2, P1-5, and P1-6 will be successfully incorporated into the existing and future roadway network. All previous roadway and intersection recommendations remain the same as identified in the "Candelas 72-93 (P1-P6) Traffic Impact Study" for both the 2030 and 2045 horizons. Therefore, no new improvements were identified based on the study and the change in use for parcels P1-2, P1-5, and P1-6 rezoned to residential.

### **Grading and Drainage**

Construction activities on the site will include grading and utility work, as well as road and unit construction. A detailed grading and drainage plan will be required to be submitted with a Site Plan application.

### **Parking and Loading**

Off-street parking and loading requirements will be determined by any Site Plan application and shall be consistent with Article 4-5 of the LDC.

### **Utility Services**

Water and sanitary sewer service are provided by the City of Arvada. No additional entitlements shall be submitted or approved until there is capacity to service the site.

Public Service Company (XCEL) has no objection to the proposed Comprehensive Plan Amendment or Rezone.

### **Police and Fire Protection**

The proposal has been reviewed by the Arvada Fire and Protection District. AFD has no comments specific to the Comprehensive Plan Amendment or Zoning request. All fire code requirements will be reviewed for compliance during the site plan review process. The property is served by Arvada Police.

## **LAND DEVELOPMENT CODE APPROVAL CRITERIA**

It is the responsibility of the applicant to justify the requested land use application. The Planning Commission should make a recommendation to the City Council based on its findings regarding the approval criteria shown in the table(s) below and upon testimony heard during the public hearing as it applied to the criteria.

Staff performed an analysis of the proposal, based on the approval criteria listed in Chapter 8 of the Land Development Code, and presents the following findings:

COMPREHENSIVE PLAN AMENDMENT CONSIDERATIONS	Finding	STAFF ASSESSMENT
<p>1. The existing comprehensive plan and/or any related element thereof is in need of the proposed amendment.</p>	<p>Complies</p>	<p>A Comprehensive Plan Amendment to High, Medium, and Suburban Residential Density allows for the CG, R-24, R-13, and R-6 zoning categories to align with the City's desire to move toward standardized zoning and away from PUDs. It aligns with a transitional character between the single-family detached properties to the east and maintains the commercial corner to the west. The amendment will support housing demand, and aligns with the City's goals for diverse and attainable housing. The amendment will encourage a diversity of housing types that will demand and encourage future commercial development.</p>
<p>2. The proposed amendment is compatible with the surrounding area and the goals and policies of the Comprehensive Plan.</p>	<p>Complies</p>	<p>As detailed in the <i>Compliance with the Comprehensive Plan</i> section of the staff report and criterion one above, the amendment is consistent with numerous goals and policies and the surrounding area. The Comprehensive Plan Amendment to High, Medium, and Suburban Residential Density allows for the development of a variety of housing types under the standardized zoning but preserves and maintains the commercial corner and offers a transition to the lower density to the east. The amendment preserves the intent while aligning with the proposed standardized zoning, providing clarity and consistency in the development standards.</p>
<p>3. The proposed amendment will have no major negative impacts on transportation, services, and facilities.</p>	<p>Complies</p>	<p>The proposed amendment will not have a major impact on transportation, services, or facilities.</p>

<p>4. The proposed amendment will have minimal effect on service provision, including adequacy or availability of urban facilities and services, and is compatible with existing and planned service provisions.</p>	<p>Complies</p>	<p>The proposed amendment will not have a negative effect on existing or proposed service provisions. All future entitlements will require adequate utilities prior to submission and approval.</p>
<p>5. The proposed amendment, if for an area outside of the City's current municipal boundaries, is consistent with the City's ability to annex property.</p>	<p>Complies</p>	<p>The proposed amendment does not pertain to an area outside of the City's municipal boundaries.</p>
<p>6. Strict adherence to the existing comprehensive plan would result in a situation neither intended nor in keeping with other key elements and policies of the plan.</p>	<p>Complies</p>	<p>The proposed residential densities and transition from commercial and higher density to lower density adjacent to the existing Candelas single-family homes is more appropriate than the existing commercial PUD zoning. Under the current zoning, all three parcels have a maximum building height of 85 feet, a maximum Floor Area Ratio (FAR) of 3.00 (a ratio of three to one), and a minimum Floor Area Ratio of .25 to 1. The transitional zoning designations and densities proposed will provide a compatible transition to the surrounding land uses, specifically, the detached single-family homes to the east. The amendment furthers the Comprehensive Plan goals for housing variety, neighborhood compatibility, and open space connectivity. Strict adherence to the existing land use designation would require more intense commercial development immediately adjacent to single-family homes and potentially incompatible development.</p>
<p>7. The proposed plan amendment will promote the public welfare and will be consistent with the goals and policies of the comprehensive plan and the elements thereof.</p>	<p>Complies</p>	<p>As stated in the <i>Compliance with the Comprehensive Plan</i> section above, amending the Comprehensive Plan to promote development of this vacant property is consistent with a variety of goals and policies.</p>

Div. 8-3-4 Zoning and Rezoning Approval Criteria	Finding	Rationale
<p>1. The rezoning is consistent with the Arvada Comprehensive Plan, or an adopted sub-area plan, corridor plan, or urban renewal plan, or reflects conditions that have changed since the adoption of the Comprehensive Plan.</p>	<p>Complies</p>	<p>The rezoning to R-24, R-13, and R-6 is consistent with the Comprehensive Plan, if amended to the High, Medium, and Suburban Residential Density designations. The site's current PUD-BP zoning allows a mix of commercial uses, but has not developed as envisioned. Rezoning to CG, R-24, R-13, and R-6 supports the City's vision for a vibrant, walkable community and transitional high, medium, and lower density housing between the single-family detached housing to the east and the future commercial to the west.</p>
<p>2. The intended land use is consistent with the stated intent of the proposed zoning district.</p>	<p>Complies</p>	<p>The intended use for a variety of housing types at varying densities will be consistent with the underlying proposed zones of R-24, R-13, and R-6.</p>
<p>3. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will, prior to development, be available to serve the subject property while maintaining adequate levels of service to existing development.</p>	<p>Complies</p>	<p>Additional infrastructure necessary to service the site will be constructed after approval of the Site Plan and Minor Subdivision. Water and sanitary sewer service are provided by the City of Arvada. No additional entitlements shall be submitted or approved until there is capacity to service the site. Public Service Company (XCEL) has no objection to the proposed Comprehensive Plan Amendment or Rezone.</p>
<p>4. The intended land use for which the rezoning is sought will not result in significant adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation, or such impacts will be substantially mitigated.</p>	<p>Complies</p>	<p>The intended land use will not result in significant adverse impacts.</p>
<p>5. The rezoning is consistent with the character of existing or planned development on adjacent properties and in the surrounding area or neighborhood, or measures will be taken to substantially buffer or otherwise substantially mitigate any negative impacts.</p>	<p>Complies</p>	<p>The rezoning is consistent and will encourage the policies and intent of the Comprehensive Plan to allow for transitions between adjoining land uses. The High, Medium, and Low-Density Residential housing types will allow a transitional buffer between the single-family to the east and the higher intensity commercial</p>

	uses at the intersection of SH-93 and SH-72.
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**STAFF RECOMMENDATION**

Based upon project analysis and review of the Land Development Code approval criteria, staff recommends Conditional Approval of the Comprehensive Plan Amendments and Rezoning subject to the following condition:

- No further applications will be processed for any of the parcels until the City determines that adequate water is available.

The Planning Commission may recommend denial of the request(s) if it cannot make affirmative findings of the approval criteria stated above.



June 26, 2025

Julia Duncan, Senior Planner – City of Arvada  
8101 Ralston Rd.  
Arvada, CO 80002

### **RE: Candelas Parcels P1, P3 and P5 – Neighborhood Meeting Summary**

On June 11, 2025, a neighborhood meeting was held from 6:00 p.m. to 7:00 p.m. at the Candelas Swim and Fitness Club (19865 W. 94th Ave.). Prior to the meeting, all property owners within 1,500 feet of the project site—approximately 323 in total—were notified via a mailing postmarked May 23, 2025.

47 individuals attended the meeting, though only 39 signed the sign-in sheet. The gathering included several members of the project team, as well as a representative from the City of Arvada, Julia Duncan. Among those present from the project team were:

- Daniel Braswell and Mason Aeschbacher from Norris Design
- David Lovato from Martin/Martin
- Curtis Rowe from Kimley-Horn
- Gregg Bradbury, Jeff Nading, Gregg McKay, and Steve Nading from Cimarron Commercial, LLC and Jefferson Center Metropolitan District No. 1
- Peter Wall from Wall Kane
- Matt Valente from Taylor Morrison

During the meeting, the development team delivered a brief presentation on the project. Following the presentation, community members raised several questions, comments and concerns related to building residential units and bringing more people to the area, particularly regarding residential density; impact on property values and views; parks, recreation, and open space amenities; local infrastructure and traffic challenges; and existing metropolitan districts.

#### **Residential Density:**

Residents expressed concern about the proposed density of the parcels and the possibility of even higher densities being built than is currently targeted. The development team responded by stating that the intention of the rezoning districts is to provide a transition of density between the existing neighborhood and Highway 93, with the highest densities furthest from existing homes. In addition, the proposed zone districts restrict the densities that can be built, so actual densities will not vary much, if at all, from what is currently projected.

#### **Property Values and Views:**

Residents expressed concern that developing the vacant lots will block their views and decrease their property values. The development team clarified that the parcels are currently zoned to allow heights up to 85 feet, and the rezoning would reduce the maximum height to 35 feet which will help preserve views and property values. The team will be mindful to place lower, single-story homes along the eastern edge to help further preserve the views.

#### **Parks, Recreation, and Open Space Amenities:**

Concerns about existing parks and recreation amenities being able to serve both existing and future residents of the area were also raised. This was addressed by stating that parks will be built based on requirements set forth by the City of Arvada and they will be maintained by the Home Owners' Association or Jefferson Center Metro District No. 1. Residents of the new development will not have access to private recreation facilities other than their own. Additionally, current residents of Candelas will have access to all new trails and open space amenities built in this new development. The team will factor in park locations into the site design and will be mindful of the neighbors to the east.

#### **Local Infrastructure Challenges:**

Several attendees stated that they were concerned about the level of traffic and strain on public utilities that the proposed development will bring to the existing neighborhood in the area. The development team's traffic engineer cited a traffic study that showed that a business park, what the parcels are currently zoned for,



would generate much more traffic than the proposed residential units would. An updated traffic study is in process and will be available for review. As far as utilities are concerned, the City of Arvada has been planning for development in this area for many years and the existing utilities to the site have capacity for this development.

**Existing Metropolitan Districts:**

Some residents asked how existing metropolitan districts will be impacted by future development on these parcels. Infrastructure improvements and costs associated with this proposed rezoning and future development will be funded by Jefferson Center Metropolitan District No. 1 and will not have any impact on existing metro districts in Candelas. There will be no additional mills or levies for existing metro districts because of the proposed rezoning and future development.

To ensure continued community engagement, the meeting emphasized that once the rezoning request is submitted it will be open to public comment. Residents may also contact the City and/or development team and speak at the City Council hearing with comments and concerns.

Thank you,

Norris Design

A handwritten signature in black ink that reads "Daniel Braswell". The signature is stylized and cursive.

Daniel Braswell  
Associate

# CANDELAS - PARCELS 1-2, 1-5, & 1-6

## RE-ZONING CONCEPT PLAN

LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

### LEGAL DESCRIPTION

#### PARCEL 1-2

A PARCEL OF LAND BEING A PORTION OF LOT 1 AND LOT 2, SLEEPING INDIAN TANK SITE MINOR SUBDIVISION PLAT RECORDED AUGUST 08, 2019 AT RECEPTION NO. 2019069483, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 8.64 FEET TO A POINT ON THE FUTURE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 93, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 1228.07 FEET TO A POINT ON THE NORTHEAST CORNER OF SAID LOT 1 AND A POINT ON THE WESTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 AND SAID WESTERLY LINE OF THE QUIT CLAIM DEED, S03°49'19"W A DISTANCE OF 1709.71 FEET TO A POINT ON THE FUTURE NORTHERLY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°56'17"W A DISTANCE OF 331.34 FEET TO A POINT ON THE NORTHERLY LINE OF SAID HIGHWAY 72 AS DEDICATED BY PARCEL NO. 1A RECORDED AT RECEPTION NO. 88049628;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N81°00'39"W A DISTANCE OF 447.25 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY 93 AS RECORDED IN BOOK 814 AT PAGE 365;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N42°44'55"W A DISTANCE OF 278.82 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY 93 AS DEDICATED BY PARCEL NO. 1 RECORDED AT RECEPTION NO. 88049628;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N15°29'59"W A DISTANCE OF 376.39 FEET TO THE SOUTHWEST CORNER OF SAID LOT AND THE SOUTHWEST CORNER OF HIGHWAY 93 RIGHT OF WAY AS DEDICATED PER WARRANTY DEED (CDOT RW-27 REV) RECORDED AT RECEPTION NO. 2025021289;

THENCE ALONG THE SOUTHERLY LINE OF SAID WARRANTY DEED, N78°34'30"E A DISTANCE OF 3.78 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF THE SLEEPING INDIAN TANK SITE RECORDED AT RECEPTION NO. 2019069483, THENCE THE FOLLOWING THREE (3) COURSES:

- 1) N78°34'30"E A DISTANCE OF 259.61 FEET;
- 2) THENCE N11°30'19"W A DISTANCE OF 332.62 FEET;
- 3) THENCE S78°35'12"W A DISTANCE OF 218.30 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF CDOT RW-21A; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) CONSECUTIVE COURSES: 1) S78°35'12"W A DISTANCE OF 27.86 FEET, 2) THENCE 112.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2561.73 FEET, A CENTRAL ANGLE OF 02°30'27" AND A CHORD WHICH BEARS N01°09'52"W A DISTANCE OF 112.11 FEET, 3) THENCE N00°07'19"W A DISTANCE OF 583.64 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 39.876 ACRES OR 1,736,991 SQUARE FEET MORE OR LESS.

#### PARCEL 1-5

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND A PORTION OF PARCEL 2 OF THE SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2006102004, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 1336.98 FEET TO A POINT ON THE NORTHWEST OF SAID SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND A POINT ON THE EASTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677 SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY LINE OF SAID SPECIAL WARRANTY DEED AND CONTINUING ALONG SAID NORTHERLY LINE OF SECTION 21, N89°36'20"E A DISTANCE OF 586.35 FEET TO THE NORTHEAST CORNER OF SAID SPECIAL WARRANTY DEED AND A POINT ON THE WESTERLY LINE OF THE SOUTH BOULDER DIVERSION CHANNEL RECORDED IN BOOK 389 AT PAGE 544; THENCE ALONG THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED AND THE WESTERLY LINE OF SAID BOULDER DIVERSION CHANNEL THE FOLLOWING FIVE (5) CONSECUTIVE COURSES:

- 1) S46°15'08"E A DISTANCE OF 29.63 FEET;
- 2) THENCE 102.32 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 532.96 FEET, A CENTRAL ANGLE OF 11°00'00", AND A CHORD WHICH BEARS S40°45'08"E A DISTANCE OF 102.16 FEET;
- 3) THENCE S35°15'08"E A DISTANCE OF 111.88 FEET;
- 4) THENCE 203.48 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 247.86 FEET, A CENTRAL ANGLE OF 47°02'13", AND A CHORD WHICH BEARS S11°51'05"E A DISTANCE OF 197.81 FEET;
- 5) THENCE S11°47'05"W A DISTANCE OF 362.82 FEET TO THE NORTHEAST CORNER OF SAID PARCEL NO. 2 OF THE SPECIAL WARRANTY DEED;

THENCE ALONG THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED AND CONTINUING ALONG THE WESTERLY LINE OF SAID BOULDER DIVERSION CHANNEL, S11°50'02"W A DISTANCE OF 468.15 FEET TO THE FUTURE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF CDOT RW-23, N84°05'00"W A DISTANCE OF 499.47 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND THE NORTHEAST CORNER OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY 72, PER CDOT RW-24 DEDICATION;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE, N84°05'00"W A DISTANCE OF 105.45 FEET TO THE NORTHWEST CORNER OF SAID CDOT RW-24 AND A POINT ON THE WESTERLY LINE OF SAID SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND THE EASTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677;

THENCE ALONG SAID EASTERLY AND WESTERLY LINES, N03°49'19"E A DISTANCE OF 1721.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 28.680 ACRES OR 1,249,309 SQUARE FEET MORE OR LESS.

#### PARCEL 1-6

A PARCEL OF LAND BEING BLOCK 19 AND A PORTION OF BLOCK 20, CANDELAS FILING NO. 3 FINAL PLAT, RECORDED SEPTEMBER 06, 2013 AT RECEPTION NO. 2013117890, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, S60°43'23"E A DISTANCE OF 2356.42 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 19 AND A POINT ON THE EASTERLY LINE OF THE SOUTH BOULDER DIVERSION CHANNEL RECORDED IN BOOK 389 AT PAGE 544, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 19, THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) N89°28'47"E A DISTANCE OF 709.46 FEET;
- 2) THENCE N38°01'27"E A DISTANCE OF 511.55 FEET;
- 3) THENCE N10°25'03"W A DISTANCE OF 283.25 FEET;
- 4) THENCE N31°19'14"E A DISTANCE OF 291.76 FEET TO THE NORTHERLY MOST CORNER OF SAID BLOCK 19;

THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 19 AND BLOCK 20, S20°17'41"E A DISTANCE OF 1886.55 FEET TO THE FUTURE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-LINE OF CDOT RW-25 THE FOLLOWING THREE (3) CONSECUTIVE COURSES:

- 1) N83°48'57"W A DISTANCE OF 278.47 FEET;
- 2) THENCE N83°33'44"W A DISTANCE OF 304.26 FEET;
- 3) THENCE N84°02'41"W A DISTANCE OF 1156.24 FEET TO THE NORTHWEST CORNER OF SAID CDOT RW-25 AND A POINT ON THE WESTERLY LINE OF SAID BLOCK 20;

THENCE ALONG THE WESTERLY AND SOUTHERLY LINE OF SAID BLOCK 20 THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) N05°52'58"E A DISTANCE OF 55.39 FEET;
- 2) THENCE N84°07'48"W A DISTANCE OF 114.24 FEET;
- 3) THENCE N61°25'17"W A DISTANCE OF 40.69 FEET;
- 4) THENCE N29°35'33"W A DISTANCE OF 35.56 FEET TO A POINT ON SAID EASTERLY LINE SOUTH BOULDER DIVERSION CHANNEL;

THENCE ALONG THE WESTERLY LINES OF SAID BLOCK 19 AND BLOCK 20 AND THE EASTERLY LINE OF SAID SOUTH BOULDER DIVERSION CHANNEL, N11°49'09"E A DISTANCE OF 542.45 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 35.330 ACRES OR 1,538,983 SQUARE FEET MORE OR LESS.

ALL LINE DIMENSIONS ARE IN U.S. SURVEY FEET.

#### BASIS OF BEARINGS

BEARINGS ARE BASED ON THE NORTHERLY LINE OF THE NORTHWEST OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO ASSUMED TO BEAR N89°38'20"E AND BEING MONUMENTED BY A FOUND 2"X2" BRASS CAP STAMPED "G. COORS 1927" IN 2" HIGH CONCRETE BLOCK WITH ORIGINAL STONE IN TOP AT THE NORTHWEST CORNER AND A FOUND NO. 6 REBAR WITH 3-1/4" ALUMINUM CAP PLS #16406 A 250" WITNESS CORNER AT THE NORTH QUARTER CORNER.

#### PARCEL 1-6 ASSESSOR'S PARCEL

A PARCEL OF LAND BEING ASSESSOR'S PARCEL NO. 20-212-00-012, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 21; THENCE N65°47'18"E A DISTANCE OF 2095.47 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72 RECORDED IN BOOK 421 AT PAGE 86 AND THE EASTERLY LINE OF THE CITY AND COUNTY OF DENVER CHANNEL PARCEL RECORDED IN BOOK 389 AT PAGE 544, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINE, N11°50'02"E A DISTANCE OF 116.01 FEET TO A POINT ON THE SOUTHERLY LINE OF BLOCK 20, CANDELAS FILING NO. 3 RECORDED AT RECEPTION NO. 2013117890;

THENCE ALONG SAID SOUTHERLY LINE OF BLOCK 20 THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) S29°35'33"E A DISTANCE OF 35.56 FEET;
- 2) THENCE S61°25'17"E A DISTANCE OF 40.69 FEET;
- 3) THENCE S84°07'48"E A DISTANCE OF 114.24 FEET;
- 4) THENCE S05°52'58"W A DISTANCE OF 70.80 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72, N84°06'06"W A DISTANCE OF 184.45 FEET TO THE POINT OF BEGINNING.

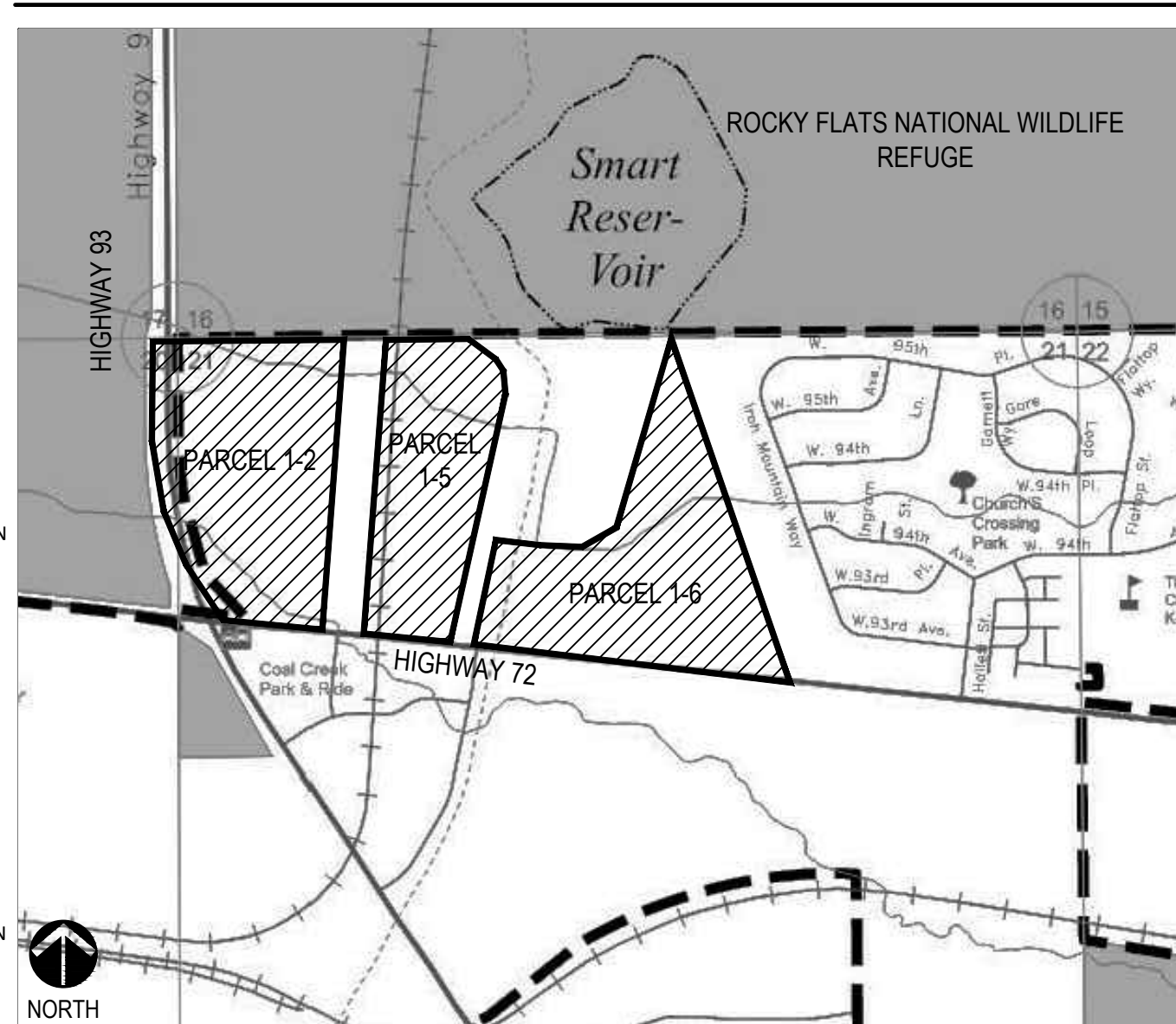
SAID PARCEL CONTAINS 0.317 ACRES OR 13,812 SQUARE FEET MORE OR LESS.

ALL LINE DIMENSIONS ARE IN U.S. SURVEY FEET.

#### BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO ASSUMED TO BEAR N00°12'09"W AND BEING MONUMENTED BY A FOUND 1.9" X 0.8" CONCRETE BLOCK 1.8" OUT OF GROUND; BROWN ROCK 0.9" OUT OF CONCRETE, 1/4" CHISEL ON WEST FACE, A BRASS PLATE 2"X2" SET IN TOP OF CONCRETE AT THE WEST QUARTER CORNER AND A FOUND 1.9" X 0.8" CONCRETE BLOCK 1.5" OUT OF GROUND, 0.6"X0.6" GREY ROCK 0.6" OUT OF TOP OF CONCRETE WITH BRASS PLATE 2"X2" SET IN TOP OF CONCRETE AT THE NORTHWEST CORNER.

### VICINITY MAP



### NARRATIVE

THIS PROJECT REQUEST TO REZONE A PORTION OF PARCEL 1-2 TO R-24 TO ALLOW FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENT, WHICH WILL REQUIRE AN AMENDMENT TO THE COMPREHENSIVE PLAN TO REFLECT THE HIGH DENSITY RESIDENTIAL (HDR) DESIGNATION. THE REMAINING PORTIONS OF PARCEL 1-2 ARE PROPOSED TO BE REZONED TO CG (COMMERCIAL GENERAL) AND DO NOT REQUIRE AN AMENDMENT TO THE COMPREHENSIVE PLAN. PARCEL 1-5 IS PROPOSED TO BE REZONED TO R-13, AND PARCEL 1-6 TO R-6, WITH CORRESPONDING COMPREHENSIVE PLAN AMENDMENTS TO MEDIUM DENSITY RESIDENTIAL (MDR) AND SUBURBAN RESIDENTIAL (SUBR), RESPECTIVELY.

### SHEET INDEX

1	COVER SHEET
2	OVERALL PLAN
3	CONCEPTUAL SITE PLAN
4	CONCEPTUAL SITE PLAN

### PROJECT TEAM

**APPLICANT**  
CIMARRON HOLDING COMPANY, LLC  
20009 HIGHWAY 72  
ARVADA, CO 80007  
303.469.1873  
CONTACT: JEFF NADING / GREGG BRADBURY

**TRAFFIC ENGINEER**  
KIMLEY-HORN  
6200 SOUTH SYRACUSE WAY, SUITE 300  
GREENWOOD VILLAGE, CO 80111  
303.228.2304  
CONTACT: CURTIS ROWE

**PLANNER**  
NORRIS DESIGN  
1101 BANNOCK ST.  
DENVER, CO 80204  
303-892-1166  
CONTACT: DANIEL BRASWELL/EVA MATHER

**CIVIL ENGINEER**  
MARTIN MARTIN  
12499 WEST COLFAX AVE.  
LAKEWOOD, CO 80215  
303-431-6100  
CONTACT: DAVID KUNTZ

SITE DATA TABLE - PARCEL 1-5			
Site Development Information			
Existing Comprehensive Plan Designation	Neighborhood/Community Commercial		
Proposed Comprehensive Plan Designation	Medium Density Residential		
Existing Zone District	PUD-BP - Planned Unit Development		
Proposed Zone District	R13 - Residential 13 District		
Max. Density	13 du/ac		
Total Parcel Area	1,249,309 sf / 28.68 ac		
Housing Palette Lot Type	Townhome		
Development Standards (Housing Palette Standards: 2-1-8 - Townhomes)			
Site	Standard	Site	Standard
Lot Standards			
Lot Area (min)	1,480 sf	N/A	
Lot Width (min)	Varies	N/A	
Unit Width (min)	20 ft	16 ft	
Lot Coverage (max)	90%	100%	
Building and Parking Siting Standards			
Street Setback (min) <sup>1</sup>	10 ft	10 ft	
Alley Garage Setback (min) <sup>2</sup>	10 ft	15 ft	15 ft
Non-Street Frontage Perimeter Setback (min) <sup>3</sup>	15 ft	15 ft	
Front Parking Setback (min) <sup>4</sup>	20 ft	20 ft	
Arterial Setback (min) <sup>5</sup>	100 ft	100 ft	
Building Standards			
Building Separation, Side to Side (min)	Min. +	10 ft	
Building Separation, All Others (min)	Min. +	20 ft	
Building Height (max)	35 ft	35 ft	
ADU Building Height (max)	N/A	30 ft	
Accessory Building Height (max)	N/A	18 ft	
Mini-Structure Height (max)	12 ft	12 ft	
Site Standards			
Landscape Area (min)	Min. +	20%	
Amenity Landscape Area (min)	Min. +	5%	
See Division 4-5-2 of the Arvada Land Development Code for Vehicle and Bicycle Parking Requirements.			

#### Notes:

1. Where garage access is directly from a side street, the minimum garage setback shall be 18 ft.
2. The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicant's discretion.
3. If less than one-half of the units in a townhome building are adjacent to a non-street frontage perimeter, then the minimum setback shall be 10 feet.
4. Except for driveways associated with single family and duplex units and multiplex buildings.
5. Measured from the centerline of the arterial.

PARK SUMMARY PART I									
FROM - TRI POINTE CANDELAS FILING 1 AMENDMENT 5									
FILING	PLATTED UNITS		MULTIPLIER	TOTAL PARKS REQUIRED		TOTAL PARKS PROVIDED		OVERALL DIFFERENCE	ACRES
	SFA	SFD		SFA	SFD	SFA	SFD		
FILING 1 AMENDMENT 1	0	477	2.38	2.83	0.00	13.50	13.50	34.32	20.82
FILING 2	0	199	2.38	2.83	0.00	5.63	5.63	8.27	2.64
FILING 3	0	262	2.38	2.83	0.00	7.41	7.41	12.32	4.91
FILING 4	0	231	2.38	2.83	0.00	6.54	6.54	15.75	9.21
FILING 1 AMENDMENT 2	0	97	2.38	2.83	0.00	2.75	2.75	0.00	-2.75
FILING 4 AMENDMENT 1	0	342	2.38	2.83	0.00	9.68	9.68	0.00	-9.68
FILING 3, LOT 1 BLOCK 10	104	0	2.38	2.83	2.48	0.00	2.48	0.00	-2.48
FILING 2, AMENDMENT 2	98	0	2.38	2.83	2.33	0.00	2.33	0.00	-2.33
FILING 1 AMENDMENT 4 - PARCEL 2	36	0	2.38	2.83	0.86	0.00	0.86	0.00	-0.86
FILING 1 AMENDMENT 4 - PARCEL 10	21	0	2.38	2.83	0.50	0.00	0.50	0.00	-0.50
FILING 1 AMENDMENT 5	37	0	2.38	2.83	0.58	0.00	0.58	0.00	-0.58
TOTAL	296	1,608	N/A	N/A	7.04	45.51	52.55	70.66	18.11
TOTAL PARKS AVAILABLE FOR CREDIT									18.11

PARK SUMMARY PART II									
FROM - CANDELAS SOUTH FILING 2 / TRAILSTONE FILING 2									
FILING	PLATTED UNITS		MULTIPLIER	TOTAL PARKS REQUIRED		TOTAL PARKS PROVIDED		OVERALL DIFFERENCE	ACRES
	SFA	SFD		SFA	SFD	SFA	SFD		
FILING 1	132	279	1.87	2.84	2.47	7.92	10.39	7.11	-3.28
FILING 2	0	262	1.87	2.84	0.00	7.44	7.44	11.12	3.68
TOTALS	132	541	N/A	N/A	2.47	15.36	17.83	18.23	0.40
TOTAL PARKS AVAILABLE FOR CREDIT									18.51

PARK SUMMARY PART III									
RANGE-WATER CANDELAS SUBMITTAL 02   AUGUST 10, 2024									
FILING	PLATTED UNITS		MULTIPLIER	TOTAL PARKS REQUIRED		TOTAL PARKS PROVIDED		OVERALL DIFFERENCE	ACRES
	SFA	MF		SFA	MF	SFA	MF		
FILING 1	56	324	1.87	1.87	1.05	6.06	7.11	0.00	-7.11
TOTALS	56	324	N/A	N/A	1.05	6.06	7.11	0	-7.11
TOTAL REMAINING PARKS AVAILABLE FOR CREDIT									11.40

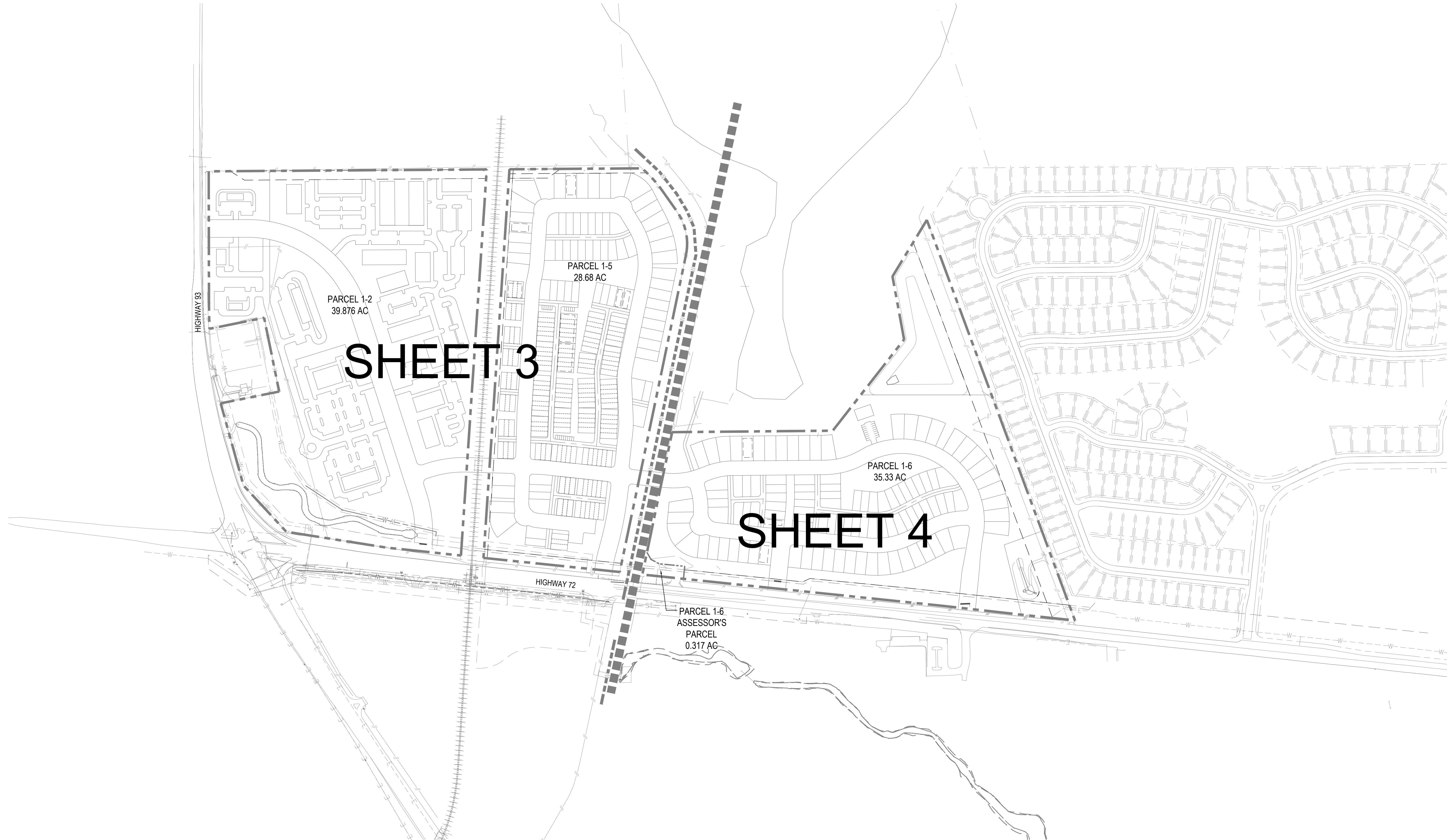
PARK SUMMARY PART IV									
CANDELAS POINT REZONE   MAY 29, 2025 ANALYSIS									
FILING	PLATTED UNITS		MULTIPLIER	TOTAL PARKS REQUIRED		TOTAL PARKS PROVIDED		OVERALL DIFFERENCE	ACRES
	SFA	MF		SFA	MF	SFA	MF		
Caneladas Point Townhomes	52	0	N/A	N/A	0.97	0.00	0.97	1.14	0.17
TOTALS	52	0	N/A	N/A	0.97	0.00	0.97	1.14	0.17
TOTAL REMAINING PARKS AVAILABLE FOR CREDIT									11.57

PARK SUMMARY PART IV									
CANDELAS REZONE   SEPTEMBER 11, 2025 ANALYSIS									
FILING	PLATTED UNITS		MULTIPLIER	TOTAL PARKS REQUIRED		TOTAL PARKS PROVIDED		OVERALL DIFFERENCE	ACRES
	SFA	MF		SFA	MF	SFA			

# CANDELAS - PARCELS 1-2, 1-5, & 1-6

## RE-ZONING CONCEPT PLAN

LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO



CANDELAS FILING NO. 3

PARCELS 1-2, 1-5, 1-6  
ARVADA, COLORADO

OWNER:  
CIMARRON HOLDING  
COMPANY, LLC  
20009 HIGHWAY 72  
ARVADA, CO 80007

NOT FOR  
CONSTRUCTION

DATE:  
06/27/25 SUBMITTAL 01  
08/01/25 SUBMITTAL 02  
09/12/25 SUBMITTAL 03  
10/24/25 SUBMITTAL 04  
01/06/26 SUBMITTAL 05

SHEET TITLE:

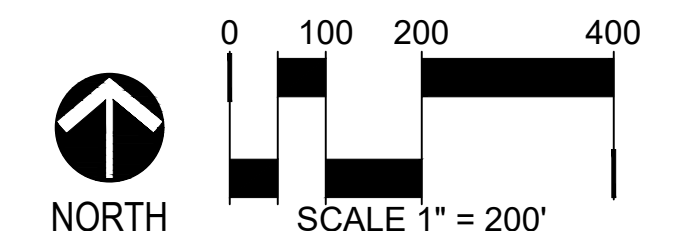
OVERALL PLAN

2

SHEET 2 OF 4

CHECKED BY: DBEM  
DRAWN BY: DB

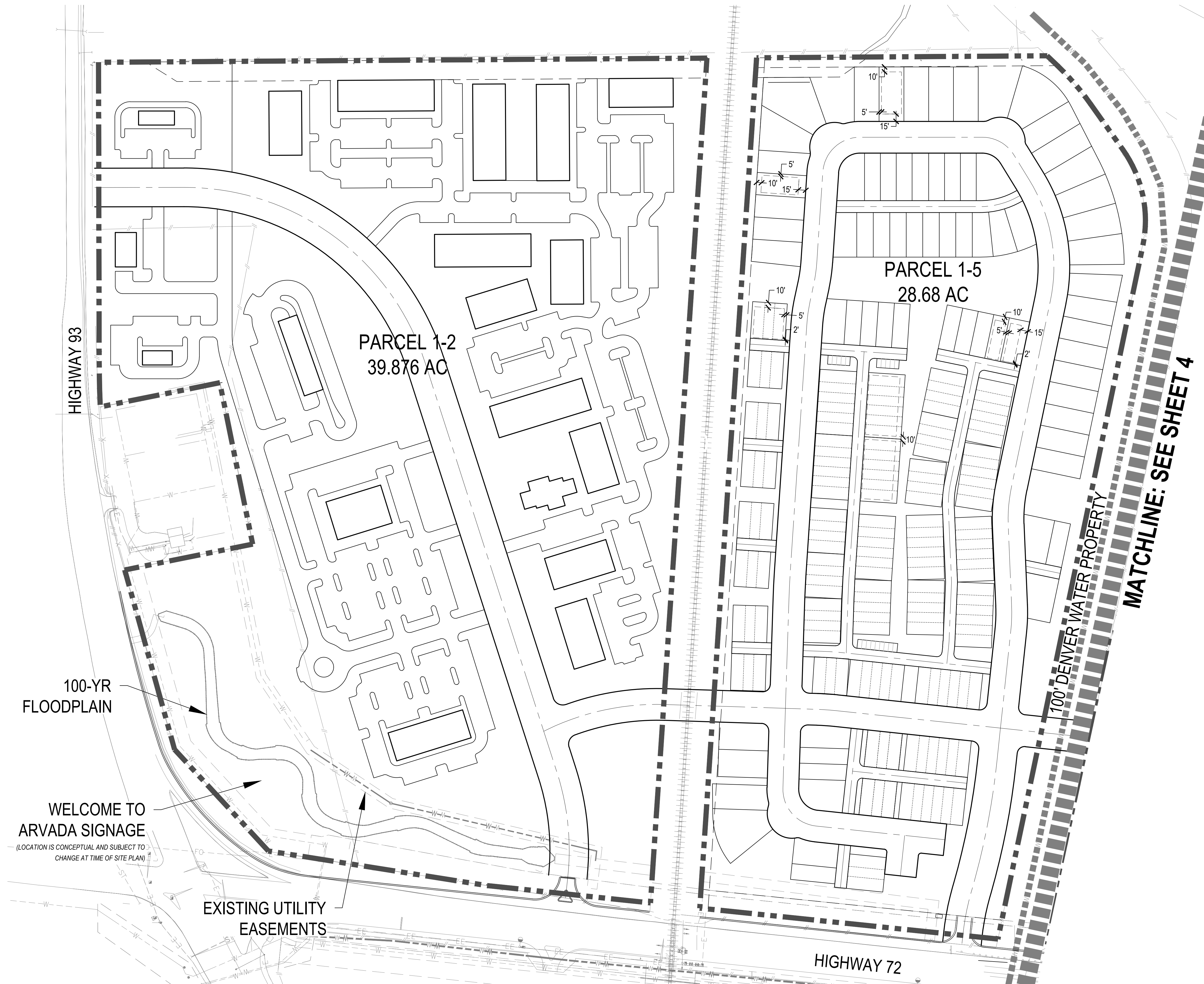
NOTE: THIS PLAN IS CONCEPTUAL AND SUBJECT TO CHANGE AT TIME OF SITE PLAN.



# CANDELAS - PARCELS 1-2, 1-5, & 1-6

## RE-ZONING CONCEPT PLAN

LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO



LEGEND	
	PROPERTY LINE
	LOT LINE
	EASEMENT
	MATCHLINE
	PROPOSED BUILDING
	EXISTING ELECTRIC
	EXISTING WATER
	EXISTING BARB WIRE FENCE
	EXISTING RAILROAD

**CANDELAS FILING NO. 3**  
 PARCELS 1-2, 1-5, 1-6  
 ARVADA, COLORADO

OWNER:  
 CIMARRON HOLDING  
 COMPANY, LLC  
 20009 HIGHWAY 72  
 ARVADA, CO 80007

NOT FOR  
 CONSTRUCTION

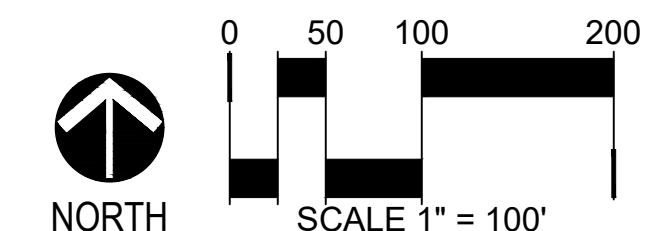
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 09/12/25 SUBMITTAL 03  
 10/24/25 SUBMITTAL 04  
 01/06/26 SUBMITTAL 05

SHEET TITLE:  
 CONCEPTUAL  
 SITE PLAN

3  
 SHEET 3 OF 4

CHECKED BY: DBEM  
 DRAWN BY: DB

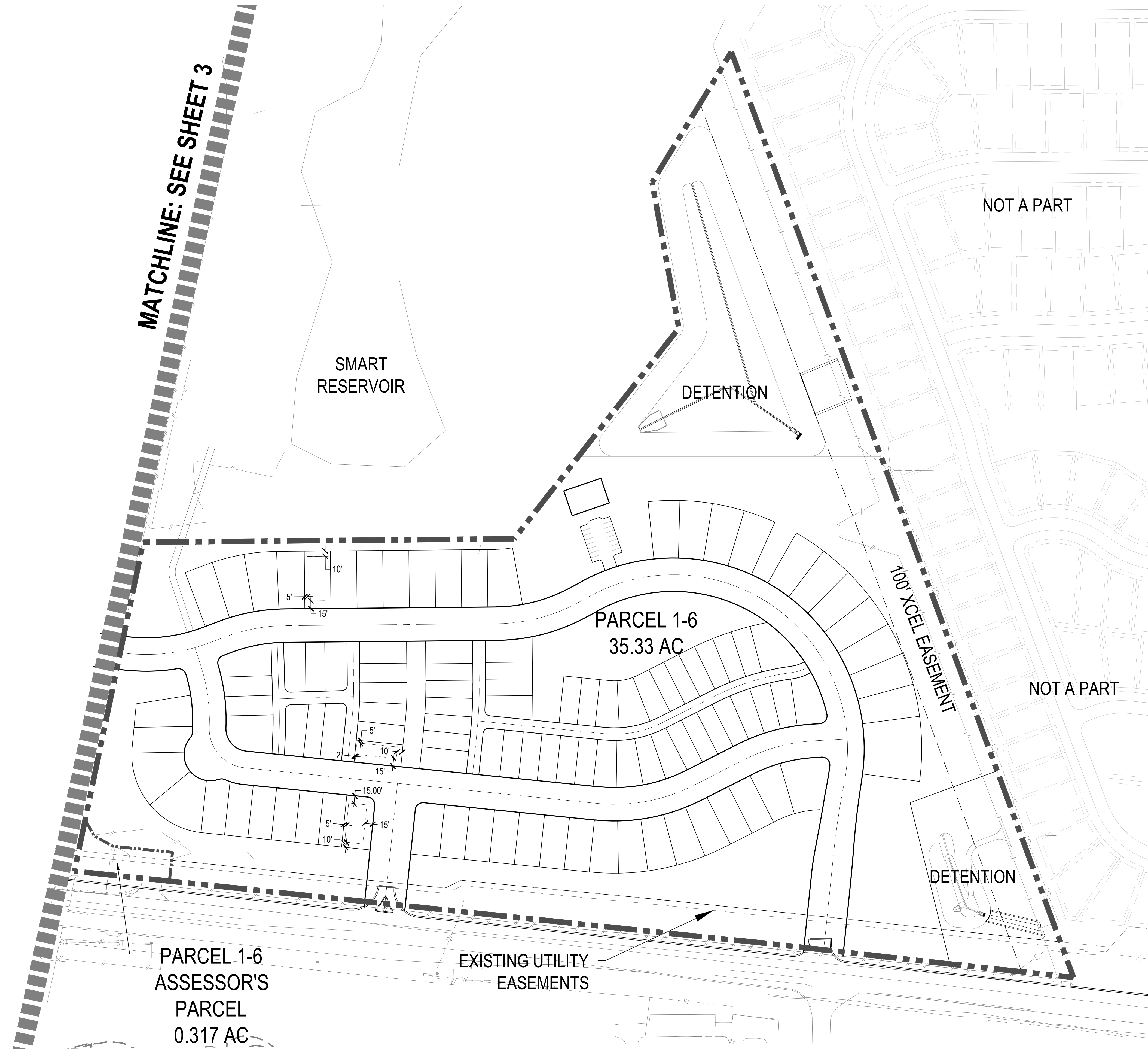
NOTE: THIS PLAN IS CONCEPTUAL AND SUBJECT TO  
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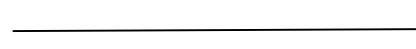







# CANDELAS - PARCELS 1-2, 1-5, & 1-6

## RE-ZONING CONCEPT PLAN

LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO



### LEGEND

-  PROPERTY LINE
-  LOT LINE
-  EASEMENT
-  MATCHLINE
-  PROPOSED BUILDING
-  EXISTING ELECTRIC
-  EXISTING WATER
-  EXISTING BARB WIRE FENCE
-  EXISTING RAILROAD

CANDELAS FILING NO. 3  
PARCELS 1-2, 1-5, 1-6  
ARVADA, COLORADO

OWNER:  
CIMARRON HOLDING  
COMPANY, LLC  
20009 HIGHWAY 72  
ARVADA, CO 80007

NOT FOR  
CONSTRUCTION

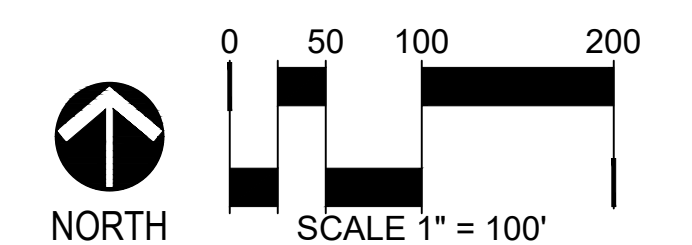
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06/27/25 SUBMITTAL 01  
08/01/25 SUBMITTAL 02  
09/12/25 SUBMITTAL 03  
10/24/25 SUBMITTAL 04  
01/06/26 SUBMITTAL 05

SHEET TITLE:  
CONCEPTUAL  
SITE PLAN

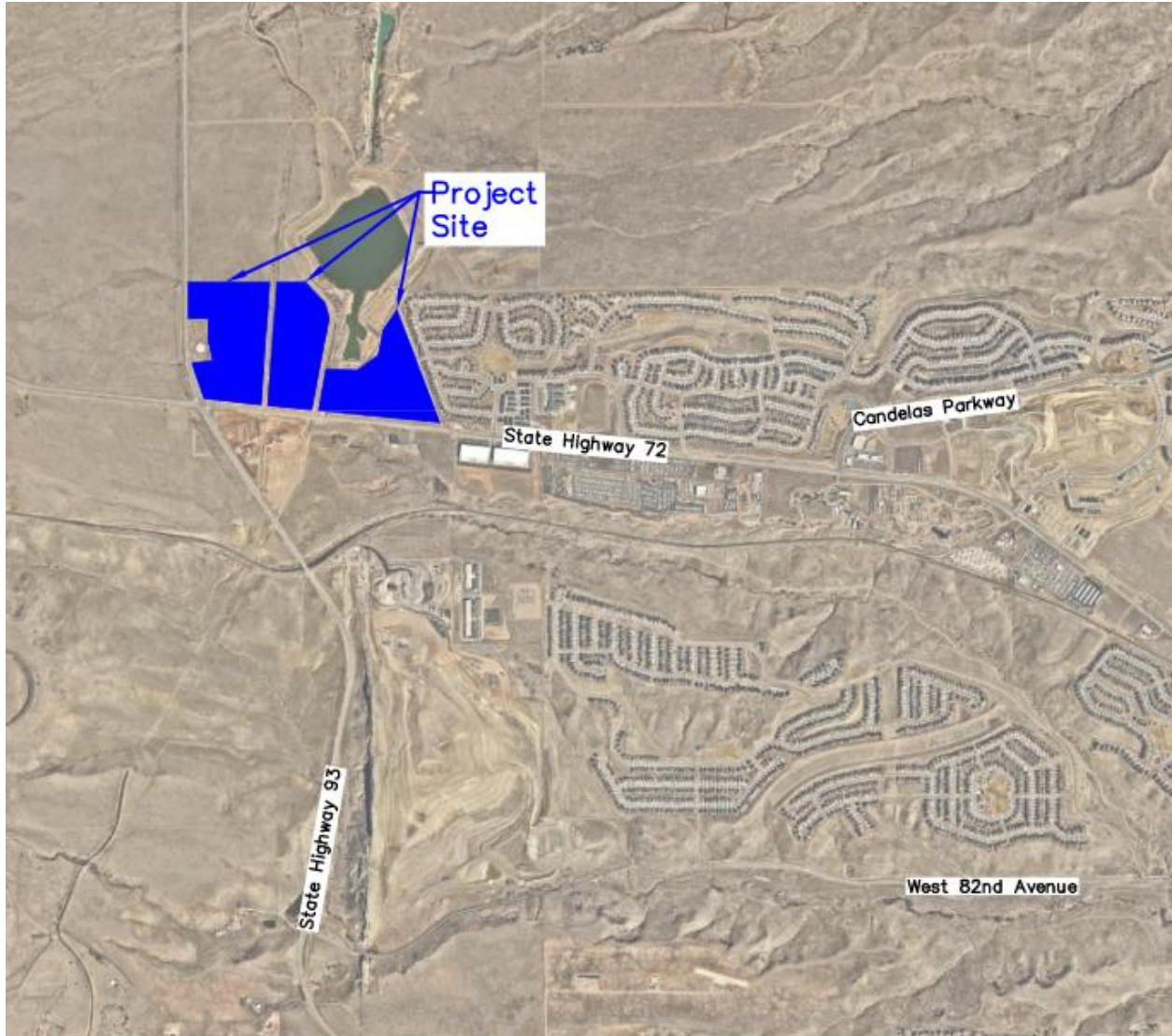
4  
SHEET 4 OF 4

CHECKED BY: DBEM  
DRAWN BY: DB

NOTE: THIS PLAN IS CONCEPTUAL AND SUBJECT TO  
CHANGE AT TIME OF SITE PLAN.



# PROJECT VICINITY MAP



# CANDELAS - PARCELS 1-2, 1-5, & 1-6

## REZONING MAP

LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

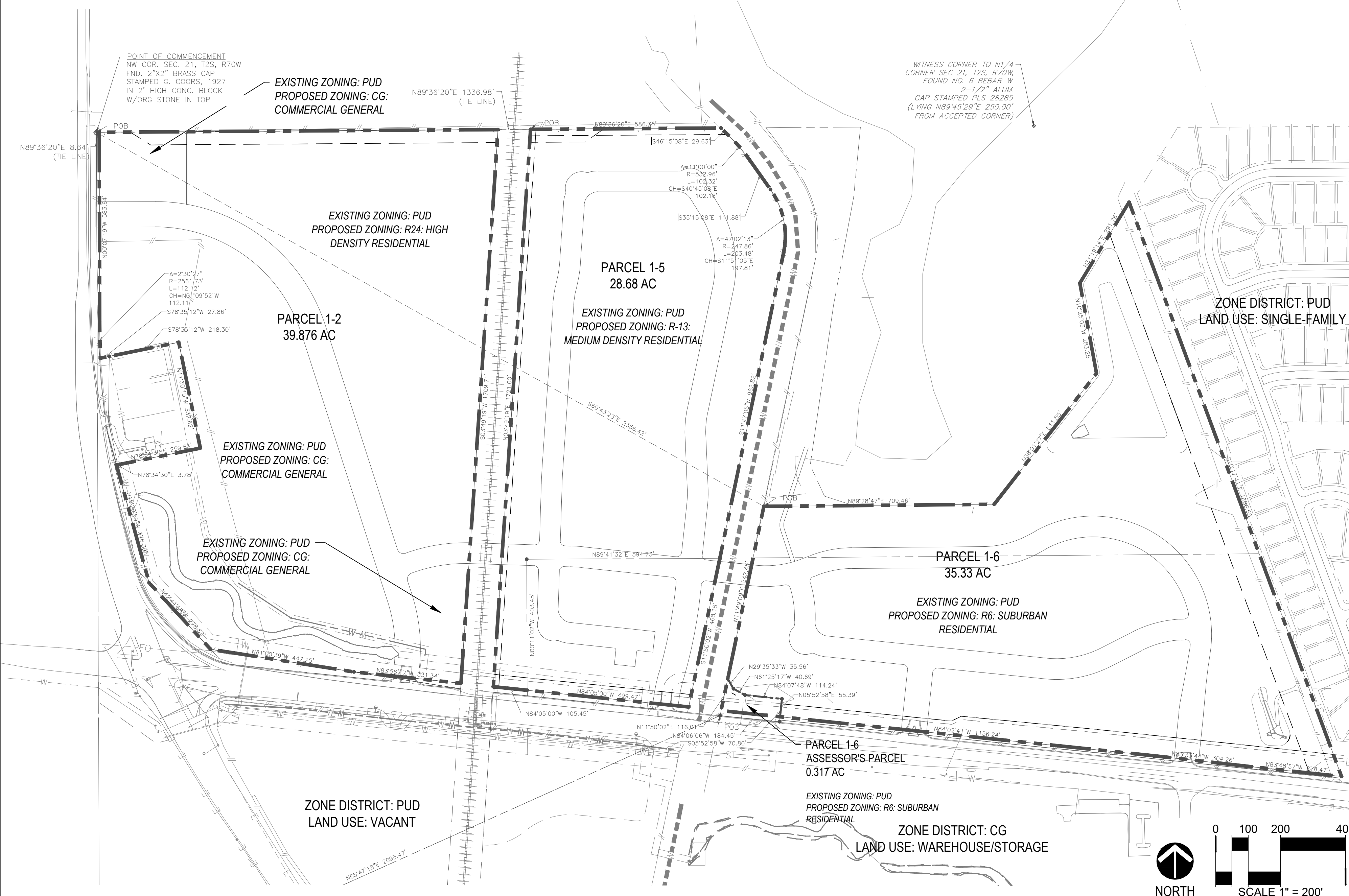
### LEGEND

- PROPERTY LINE
- LOT LINE
- EASEMENT
- MATCHLINE
- PROPOSED BUILDING
- EXISTING ELECTRIC
- EXISTING WATER
- EXISTING BARB WIRE FENCE
- EXISTING RAILROAD

ZONE DISTRICT: N/A  
LAND USE: ROCKY FLATS NATIONAL  
WILDLIFE REFUGE

ZONE DISTRICT: N/A  
LAND USE: ROCKY FLATS NATIONAL  
WILDLIFE REFUGE

ZONE DISTRICT: N/A  
LAND USE: SMART RESERVOIR



### LEGAL DESCRIPTION

#### PARCEL 1-2

A PARCEL OF LAND BEING A PORTION OF LOT 1 AND LOT 2, SLEEPING INDIAN TANK SITE MINOR SUBDIVISION PLAT RECORDED AUGUST 08, 2019 AT RECEPTION NO. 2019069483, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 8.64 FEET TO A POINT ON THE FUTURE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 93, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 1228.07 FEET TO A POINT ON THE NORTHEAST CORNER OF SAID LOT 1 AND A POINT ON THE WESTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 AND SAID WESTERLY LINE OF THE QUIT CLAIM DEED, S03°49'19"W A DISTANCE OF 1709.71 FEET TO A POINT ON THE FUTURE NORTHERLY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°56'17"W A DISTANCE OF 331.34 FEET TO A POINT ON THE NORTHERLY LINE OF SAID HIGHWAY 72 AS DEDICATED BY PARCEL NO. 1A RECORDED AT RECEPTION NO. 88049628;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N81°00'39"W A DISTANCE OF 447.25 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY 93 AS RECORDED IN BOOK 814 AT PAGE 365;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N42°44'55"W A DISTANCE OF 278.82 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY 93 AS DEDICATED BY PARCEL NO. 1 RECORDED AT RECEPTION NO. 88049628;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N15°29'59"W A DISTANCE OF 376.39 FEET TO THE SOUTHWEST CORNER OF SAID LOT AND THE SOUTHWEST CORNER OF HIGHWAY 93 RIGHT OF WAY AS DEDICATED PER WARRANTY DEED (CDOT RW-27 REV) RECORDED AT RECEPTION NO. 2025021289;

THENCE ALONG THE SOUTHERLY LINE OF SAID WARRANTY DEED, N78°34'30"E A DISTANCE OF 3.78 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF THE SLEEPING INDIAN TANK SITE RECORDED AT RECEPTION NO. 2019069483, THENCE THE FOLLOWING THREE (3) COURSES:

- 1) N78°34'30"E A DISTANCE OF 259.61 FEET;
- 2) THENCE N11°30'19"W A DISTANCE OF 232.62 FEET;
- 3) THENCE S78°35'12"W A DISTANCE OF 218.30 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF CDOT RW-21A; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) CONSECUTIVE COURSES: 1) S78°35'12"W A DISTANCE OF 27.86 FEET; 2) THENCE 112.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2561.73 FEET, A CENTRAL ANGLE OF 02°30'27" AND A CHORD WHICH BEARS N01°09'52"W A DISTANCE OF 112.11 FEET; 3) THENCE N00°07'19"W A DISTANCE OF 583.64 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 39.876 ACRES OR 1,736,991 SQUARE FEET MORE OR LESS.

#### PARCEL 1-5

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND A PORTION OF PARCEL 2 OF THE SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2006102004, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 1336.98 FEET TO A POINT ON THE NORTHWEST OF SAID SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND A POINT ON THE EASTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677 SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY LINE OF SAID SPECIAL WARRANTY DEED AND CONTINUING ALONG SAID NORTHERLY LINE OF SECTION 21, N89°36'20"E A DISTANCE OF 586.35 FEET TO THE NORTHEAST CORNER OF SAID SPECIAL WARRANTY DEED AND A POINT ON THE WESTERLY LINE OF THE SOUTH BOULDER DIVERSION CHANNEL RECORDED IN BOOK 389 AT PAGE 544; THENCE ALONG THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED AND THE WESTERLY LINE OF SAID BOULDER DIVERSION CHANNEL THE FOLLOWING FIVE (5) CONSECUTIVE COURSES:

- 1) S46°15'08"E A DISTANCE OF 29.63 FEET;
- 2) THENCE 102.32 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 532.96 FEET, A CENTRAL ANGLE OF 11°00'00", AND A CHORD WHICH BEARS S40°45'08"E A DISTANCE OF 102.16 FEET;
- 3) THENCE S55°15'08"E A DISTANCE OF 111.88 FEET;
- 4) THENCE 203.48 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 247.86 FEET, A CENTRAL ANGLE OF 47°02'13", AND A CHORD WHICH BEARS S11°51'05"E A DISTANCE OF 197.81 FEET;
- 5) THENCE S11°47'05"W A DISTANCE OF 962.82 FEET TO THE NORTHEAST CORNER OF SAID PARCEL NO. 2 OF THE SPECIAL WARRANTY DEED;

THENCE ALONG THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED AND CONTINUING ALONG THE WESTERLY LINE OF SAID BOULDER DIVERSION CHANNEL, S11°50'02"W A DISTANCE OF 468.15 FEET TO THE FUTURE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF SAID CDOT RW-23, N84°05'00"W A DISTANCE OF 499.47 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND THE NORTHEAST CORNER OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY 72, PER CDOT RW-24 DEDICATION;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE, N84°05'00"W A DISTANCE OF 105.45 FEET TO THE NORTHWEST CORNER OF SAID CDOT RW-24 AND A POINT ON THE WESTERLY LINE OF SAID SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND THE EASTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677;

THENCE ALONG SAID EASTERLY AND WESTERLY LINES, N03°49'19"E A DISTANCE OF 1721.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 28.680 ACRES OR 1,249,309 SQUARE FEET MORE OR LESS.

#### PARCEL 1-6

A PARCEL OF LAND BEING BLOCK 19 AND A PORTION OF BLOCK 20, CANDELAS FILING NO. 3 FINAL PLAT, RECORDED SEPTEMBER 06, 2013 AT RECEPTION NO. 2013117890, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, S60°43'23"E A DISTANCE OF 2356.42 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 19 AND A POINT ON THE EASTERLY LINE OF THE SOUTH BOULDER DIVERSION CHANNEL RECORDED IN BOOK 389 AT PAGE 544, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 19, THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) N89°28'47"E A DISTANCE OF 709.46 FEET;
- 2) THENCE N30°01'27"E A DISTANCE OF 511.55 FEET;
- 3) THENCE N10°25'03"W A DISTANCE OF 283.25 FEET;
- 4) THENCE N31°19'14"E A DISTANCE OF 291.76 FEET TO THE NORTHERLY MOST CORNER OF SAID BLOCK 19;

THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 19 AND BLOCK 20, S20°17'41"E A DISTANCE OF 1886.55 FEET TO THE FUTURE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF CDOT RW-25 THE FOLLOWING THREE (3) CONSECUTIVE COURSES:

- 1) N83°48'57"W A DISTANCE OF 278.47 FEET;
- 2) THENCE N83°33'44"W A DISTANCE OF 304.26 FEET;
- 3) THENCE N84°02'41"W A DISTANCE OF 1156.24 FEET TO THE NORTHWEST CORNER OF SAID CDOT RW-25 AND A POINT ON THE WESTERLY LINE OF SAID BLOCK 20;

THENCE ALONG THE WESTERLY AND SOUTHERLY LINE OF SAID BLOCK 20 THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) N05°52'58"E A DISTANCE OF 55.39 FEET;
- 2) THENCE N84°07'48"W A DISTANCE OF 114.24 FEET;
- 3) THENCE N61°25'17"W A DISTANCE OF 40.69 FEET;
- 4) THENCE N29°35'33"W A DISTANCE OF 35.56 FEET TO A POINT ON SAID EASTERLY LINE SOUTH BOULDER DIVERSION CHANNEL;

THENCE ALONG THE WESTERLY LINES OF SAID BLOCK 19 AND BLOCK 20 AND THE EASTERLY LINE OF SAID SOUTH BOULDER DIVERSION CHANNEL, N11°49'09"E A DISTANCE OF 542.45 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 35.330 ACRES OR 1,538,983 SQUARE FEET MORE OR LESS.

ALL LINEAL DIMENSIONS ARE IN U.S. SURVEY FEET.

#### BASIS OF BEARINGS

BEARINGS ARE BASED ON THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO ASSUMED TO BEAR N89°42'0"E AND BEING MONUMENTED BY A FOUND 2"x2" BRASS CAP STAMPED "G. COORS 1927" IN 2" HIGH CONCRETE BLOCK WITH ORIGINAL STONE IN TOP AT THE NORTHWEST CORNER AND A FOUND NO. 6 REBAR WITH 3-1/4" ALUMINUM CAP PLS #16406 A 250' WITNESS CORNER AT THE NORTH QUARTER CORNER.

#### ASSESSOR'S PARCEL

A PARCEL OF LAND BEING ASSESSOR'S PARCEL NO. 20-212-00-012, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 21; THENCE N65°47'18"E A DISTANCE OF 2095.47 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72 RECORDED IN BOOK 421 AT PAGE 86 AND THE EASTERLY LINE OF THE CITY AND COUNTY OF DENVER CHANNEL PARCEL RECORDED IN BOOK 389 AT PAGE 544, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINE, N11°50'02"E A DISTANCE OF 116.01 FEET TO A POINT ON THE SOUTHERLY LINE OF BLOCK 20, CANDELAS FILING NO. 3 RECORDED AT RECEPTION NO. 2013117890;

THENCE ALONG SAID SOUTHERLY LINE OF BLOCK 20 THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) S29°35'33"E A DISTANCE OF 35.56 FEET;
- 2) THENCE S61°25'17"E A DISTANCE OF 40.69 FEET;
- 3) THENCE S84°07'48"E A DISTANCE OF 114.24 FEET;
- 4) THENCE S05°52'58"W A DISTANCE OF 70.80 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72, N84°06'06"W A DISTANCE OF 184.45 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.317 ACRES OR 13,812 SQUARE FEET MORE OR LESS.

ALL LINEAL DIMENSIONS ARE IN U.S. SURVEY FEET.

#### BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO ASSUMED TO BEAR N00°12'09"W AND BEING MONUMENTED BY A FOUND 1.9" X 0.8" CONCRETE BLOCK 1.8" OUT OF GROUND; BROWN ROCK 0.9" OUT OF CONCRETE, 1/4 CHISELED ON WEST FACE, A BRASS PLATE 2"x2" SET IN TOP OF CONCRETE AT THE WEST QUARTER CORNER AND A FOUND 1.9 X 0.8" CONCRETE BLOCK 1.5" OUT OF GROUND, 0.6 X 0.6" GREY ROCK 0.6" OUT OF TOP OF CONCRETE WITH BRASS PLATE 2"x2" SET IN TOP OF CONCRETE AT THE NORTHWEST CORNER.

CANDELAS FILING NO. 3  
PARCELS 1-2, 1-5, 1-6  
ARVADA, COLORADO

OWNER:  
CIMARRON HOLDING  
COMPANY, LLC  
2009 HIGHWAY 72  
ARVADA, CO 80007

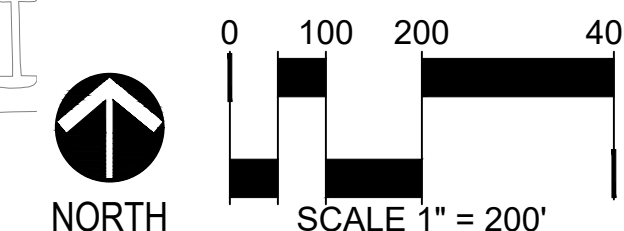
NOT FOR  
CONSTRUCTION

DATE:  
06/27/25 SUBMITTAL 01  
08/01/25 SUBMITTAL 02  
09/12/25 SUBMITTAL 03  
10/24/25 SUBMITTAL 04  
01/06/26 SUBMITTAL 05

SHEET TITLE:  
REZONING MAP

1  
SHEET 1 OF 1

CHECKED BY: DBEM  
DRAWN BY: DB



PARCEL 1-2

A PARCEL OF LAND BEING A PORTION OF LOT 1 AND LOT 2, SLEEPING INDIAN TANK SITE MINOR SUBDIVISION PLAT RECORDED AUGUST 08, 2019 AT RECEPTION NO. 2019069483, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 8.64 FEET TO A POINT ON THE FUTURE EASTERLY RIGHT-WAY LINE OF STATE HIGHWAY 93, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 1228.07 FEET TO A POINT ON THE NORTHEAST CORNER OF SAID LOT 1 AND A POINT ON THE WESTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677;

THENCE ALONG THE EASTERLY LINE OF SAID LOT 1 AND SAID WESTERLY LINE OF THE QUITCLAIM DEED, S03°49'19"W A DISTANCE OF 1709.71 FEET TO A POINT ON THE FUTURE NORTHERLY LINE OF STATE HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N83°56'17"W A DISTANCE OF 331.34 FEET TO A POINT ON THE NORTHERLY LINE OF SAID HIGHWAY 72 AS DEDICATED BY PARCEL NO. 1A RECORDED AT RECEPTION NO. 88049628;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N81°00'39"W A DISTANCE OF 447.25 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY 93 AS RECORDED IN BOOK 814 AT PAGE 365;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N42°44'55"W A DISTANCE OF 278.82 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY 93 AS DEDICATED BY PARCEL NO. 1 RECORDED AT RECEPTION NO. 88049628;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE, N15°29'59"W A DISTANCE OF 376.39 FEET TO THE SOUTHWEST CORNER OF SAID LOT AND THE SOUTHWEST CORNER OF HIGHWAY 93 RIGHT OF WAY AS DEDICATED PER WARRANTY DEED (CDOT RW-27 REV) RECORDED AT RECEPTION NO. 2025021289;

THENCE ALONG THE SOUTHERLY LINE OF SAID WARRANTY DEED, N78°34'30"E A DISTANCE OF 3.78 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF THE SLEEPING INDIAN TANK SITE RECORDED AT RECEPTION NO. 2019069483, THENCE THE FOLLOWING THREE (3) COURSES:

- 1) N78°34'30"E A DISTANCE OF 259.61 FEET;
- 2) THENCE N11°30'19"W A DISTANCE OF 332.62 FEET;
- 3) THENCE S78°35'12"W A DISTANCE OF 218.30 FEET TO SAID EASTERLY RIGHT-OF-WAY LINE OF CDOT RW-21A; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) CONSECUTIVE COURSES: 1) S78°35'12"W A DISTANCE OF 27.86 FEET; 2) THENCE 112.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2561.73 FEET, A CENTRAL

ANGLE OF 02°30'27" AND A CHORD WHICH BEARS N01°09'52"W A DISTANCE OF 112.11 FEET; 3) THENCE N00°07'19"W A DISTANCE OF 583.64 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 39.876 ACRES OR 1,736,991 SQUARE FEET MORE OR LESS.

PARCEL 1-5

A PARCEL OF LAND BEING A PORTION OF SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND A PORTION OF PARCEL 2 OF THE SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2006102004, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, THENCE ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 21, N89°36'20"E A DISTANCE OF 1336.98 FEET TO A POINT ON THE NORTHWEST OF SAID SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND A POINT ON THE EASTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677 SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY LINE OF SAID SPECIAL WARRANTY DEED AND CONTINUING ALONG SAID NORTHERLY LINE OF SECTION 21, N89°36'20"E A DISTANCE OF 586.35 FEET TO THE NORTHEAST CORNER OF SAID SPECIAL WARRANTY DEED AND A POINT ON THE WESTERLY LINE OF THE SOUTH BOULDER DIVERSION CHANNEL RECORDED IN BOOK 389 AT PAGE 544; THENCE ALONG THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED AND THE WESTERLY LINE OF SAID BOULDER DIVERSION CHANNEL THE FOLLOWING FIVE (5) CONSECUTIVE COURSES:

- 1) S46°15'08"E A DISTANCE OF 29.63 FEET;
- 2) THENCE 102.32 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 532.96 FEET, A CENTRAL ANGLE OF 11°00'00", AND A CHORD WHICH BEARS S40°45'08"E A DISTANCE OF 102.16 FEET;
- 3) THENCE S35°15'08"E A DISTANCE OF 111.88 FEET;
- 4) THENCE 203.48 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 247.86 FEET, A CENTRAL ANGLE OF 47°02'13", AND A CHORD WHICH BEARS S11°51'05"E A DISTANCE OF 197.81 FEET;
- 5) THENCE S11°47'05"W A DISTANCE OF 962.82 FEET TO THE NORTHEAST CORNER OF SAID PARCEL NO. 2 OF THE SPECIAL WARRANTY DEED;

THENCE ALONG THE EASTERLY LINE OF SAID SPECIAL WARRANTY DEED AND CONTINUING ALONG THE WESTERLY LINE OF SAID BOULDER DIVERSION CHANNEL, S11°50'02"W A DISTANCE OF 468.15 FEET TO THE FUTURE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG THE SAID NORTHERLY RIGHT-OF-WAY LINE OF CDOT RW-23, N84°05'00"W A DISTANCE OF 499.47 FEET TO THE NORTHWEST CORNER OF SAID PARCEL AND THE NORTHEAST CORNER OF THE NORTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY 72, PER CDOT RW-24 DEDICATION;

THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE, N84°05'00"W A DISTANCE OF 105.45 FEET TO THE NORTHWEST CORNER OF SAID CDOT RW-24 AND A POINT ON THE WESTERLY LIND OF SAID SPECIAL

WARRANTY DEED RECORDED AT RECEPTION NO. 2011109073 AND THE EASTERLY LINE OF THE QUIT CLAIM DEED RECORDED AT RECEPTION NO. 2024072677;

THENCE ALONG SAID EASTERLY AND WESTERLY LINES, N03°49'19"E A DISTANCE OF 1721.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 28.680 ACRES OR 1,249,309 SQUARE FEET MORE OR LESS.

PARCEL 1-6

A PARCEL OF LAND BEING BLOCK 19 AND A PORTION OF BLOCK 20, CANDELAS FILING NO. 3 FINAL PLAT, RECORDED SEPTEMBER 06, 2013 AT RECEPTION NO. 2013117890, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 21, S60°43'23"E A DISTANCE OF 2356.42 FEET TO THE NORTHWEST CORNER OF SAID BLOCK 19 AND A POINT ON THE EASTERLY LINE OF THE SOUTH BOULDER DIVERSION CHANNEL RECORDED IN BOOK 389 AT PAGE 544, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 19, THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) N89°28'47"E A DISTANCE OF 709.46 FEET;
- 2) THENCE N38°01'27"E A DISTANCE OF 511.55 FEET;
- 3) THENCE N10°25'03"W A DISTANCE OF 283.25 FEET;
- 4) THENCE N31°19'14"E A DISTANCE OF 291.76 FEET TO THE NORTHERLY MOST CORNER OF SAID BLOCK 19;

THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 19 AND BLOCK 20, S20°17'41"E A DISTANCE OF 1886.55 FEET TO THE FUTURE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF CDOT RW-25 THE FOLLOWING THREE (3) CONSECUTIVE COURSES:

- 1) N83°48'57"W A DISTANCE OF 278.47 FEET;
- 2) THENCE N83°33'44"W A DISTANCE OF 304.26 FEET;
- 3) THENCE N84°02'41"W A DISTANCE OF 1156.24 FEET TO THE NORTHWEST CORNER OF SAID CDOT RW-25 AND A POINT ON THE WESTERLY LINE OF SAID BLOCK 20;

THENCE ALONG THE WESTERLY AND SOUTHERLY LINE OF SAID BLOCK 20 THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) N05°52'58"E A DISTANCE OF 55.39 FEET;
- 2) THENCE N84°07'48"W A DISTANCE OF 114.24 FEET;
- 3) THENCE N61°25'17"W A DISTANCE OF 40.69 FEET;

- 4) THENCE N29°35'33"W A DISTANCE OF 35.56 FEET TO A POINT ON SAID EASTERLY LINE SOUTH BOULDER DIVERSION CHANNEL;

THENCE ALONG THE WESTERLY LINES OF SAID BLOCK 19 AND BLOCK 20 AND THE EASTERLY LINE OF SAID SOUTH BOULDER DIVERSION CHANNEL, N11°49'09"E A DISTANCE OF 542.45 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 35.330 ACRES OR 1,538,983 SQUARE FEET MORE OR LESS.

ALL LINEAL DIMENSIONS ARE IN U.S. SURVEY FEET.

#### BASIS OF BEARINGS

BEARINGS ARE BASED ON THE NORTHERLY LINE OF THE NORTHWEST OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO ASSUMED TO BEAR N89°36'20"E AND BEING MONUMENTED BY A FOUND 2"X2" BRASS CAP STAMPED "G. COORS 1927" IN 2' HIGH CONCRETE BLOCK WITH ORIGINAL STONE IN TOP AT THE NORTHWEST CORNER AND A FOUND NO. 6 REBAR WITH 3-1/4" ALUMINUM CAP PLS #16406 A 250' WITNESS CORNER AT THE NORTH QUARTER CORNER.

#### ASSESSOR'S PARCEL

A PARCEL OF LAND BEING ASSESSOR'S PARCEL NO. 20-212-00-012, LOCATED IN THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 21; THENCE N65°47'18"E A DISTANCE OF 2095.47 FEET TO THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72 RECORDED IN BOOK 421 AT PAGE 86 AND THE EASTERLY LINE OF THE CITY AND COUNTY OF DENVER CHANNEL PARCEL RECORDED IN BOOK 389 AT PAGE 544, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINE, N11°50'02"E A DISTANCE OF 116.01 FEET TO A POINT ON THE SOUTHERLY LINE OF BLOCK 20, CANDELAS FILING NO. 3 RECORDED AT RECEPTION NO. 2013117890;

THENCE ALONG SAID SOUTHERLY LINE OF BLOCK 20 THE FOLLOWING FOUR (4) CONSECUTIVE COURSES:

- 1) S29°35'33"E A DISTANCE OF 35.56 FEET;
- 2) THENCE S61°25'17"E A DISTANCE OF 40.69 FEET;
- 3) THENCE S84°07'48"E A DISTANCE OF 114.24 FEET;
- 4) THENCE S05°52'58"W A DISTANCE OF 70.80 FEET TO A POINT ON SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF HIGHWAY 72, N84°06'06"W A DISTANCE OF 184.45 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.317 ACRES OR 13,812 SQUARE FEET MORE OR LESS.

ALL LINEAL DIMENSIONS ARE IN U.S. SURVEY FEET.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 70 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO ASSUMED TO BEAR  $N00^{\circ}12'09''W$  AND BEING MONUMENTED BY A FOUND 1.9' X 0.8' CONCRETE BLOCK 1.8' OUT OF GROUND; BROWN ROCK 0.9' OUT OF CONCRETE,  $\frac{1}{4}$  CHISELED ON WEST FACE, A BRASS PLATE 2"X2" SET IN TOP OF CONCRETE AT THE WEST QUARTER CORNER AND A FOUND 1.9 X 0.8' CONCRETE BLOCK 1.5' OUT OF GROUND, 0.6'X0.6' GREY ROCK 0.6' OUT OF TOP OF CONCRETE WITH BRASS PLATE 2"X2" SET IN TOP OF CONCRETE AT THE NORTHWEST CORNER.

Public Comments Received Prior to  
Tuesday, January 28, 2026 at 5 pm



CED Boards and Commission &lt;cedboardsandcommission@arvada.org&gt;

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**DA2025-0042 CANDELAS PARCELS**

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bryan auk &lt;[REDACTED]&gt;

Mon, Jan 26, 2026 at 2:03 PM

To: "cedboardsandcommission@arvada.org" &lt;cedboardsandcommission@arvada.org&gt;

Hi,  
I am a Candelas resident who received a letter regarding Candelas parcels 1-2, 1-5, 1-6. I frequently drive HWY 93 and Indiana to go to work. The neighborhoods with townhouses right off the main road lose their appeal. In fact, that's what led me to buy in Candelas. I think the townhouses should be away from highway 93 to attract buyers who work in boulder and golden. Townhouses and condos are available in Candelas neighborhood already off of candelas parkway and off of 72 which do not have all units sold. I would vote for commercial land or non-high density homes right off of hwy 93.

Thank you



## REPORT TO PLANNING COMMISSION

AGENDA ITEM  
8.A.1.

TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation Pertaining to a Portion of Candelas Parcel 1-2 From City Of Arvada Neighborhood/Community Commercial to City of Arvada High Density Residential, A Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 and Highway 93

### Motion

I move that, CP2026-0001 a Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation Pertaining to a Portion of Candelas Parcel 1-2 From City of Arvada Neighborhood/Community Commercial to City of Arvada High Density Residential, a Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 And Highway 93, be approved and ratified by the City Council subject to the condition stated in the Staff Report, Page 14 (denied).

This motion is based on the findings of fact and approval criteria on Page(s) 11 & 12 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:  
Heidi Van Gieson, Administrative Specialist

Reviewed by:

Approved by:

Julia Duncan, Senior Planner	01/26/2026
Josie Suk, Development Systems and Administrative Manager	01/29/2026
Rob Smetana, Planning Manager	01/29/2026
Kelsy Sargent, Assistant City Attorney	
Jessica Garner, Director of Community and Economic Development	

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R26-

A RESOLUTION BY THE PLANNING COMMISSION FOR THE CITY OF ARVADA, COLORADO TO AMEND THE 2014 ARVADA COMPREHENSIVE PLAN LAND USE DESIGNATION PERTAINING TO A PORTION OF CANDELAS PARCEL 1-2 FROM CITY OF ARVADA NEIGHBORHOOD/COMMUNITY COMMERCIAL TO CITY OF ARVADA HIGH DENSITY RESIDENTIAL, A PARCEL OF LAND LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF HIGHWAY 72 AND HIGHWAY

93

WHEREAS, Planning Commission, by Resolution No. CP2014-0003, adopted the 2014 Arvada Comprehensive Plan on September 19, 2014 and City Council ratified the resolution on October 6, 2014; and

WHEREAS, pursuant to § 8-1-2-1(E)(4) of the Land Development Code, City Council has final ratification and approval authority with respect to the Comprehensive Plan and any amendments thereto; and

WHEREAS, pursuant to Chapter 74, Article III, Section 74-64 of the code of the City of Arvada, the Planning Commission has held a public hearing as required by law, notice thereof being duly published in the Wheat Ridge Transcript and Arvada Press on January 15, 2026, and said public hearing being held before the Planning Commission for the City of Arvada on February 4, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ARVADA, COLORADO:

Section 1. The 2014 Comprehensive Plan is hereby amended by changing the land use designation for the designated portion of Candelas Parcel 1-2 from City of Arvada Neighborhood/Community Commercial to City of Arvada High Density Residential.

Section 2. This Resolution shall be effective upon the ratification and approval by the City Council of the Comprehensive Plan amendment described herein.

APPROVED AND ADOPTED this 4th day of February, 2026.

CITY OF ARVADA PLANNING COMMISSION

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Tim Knapp, Chairman

ATTEST:

\_\_\_\_\_  
Thomas Aljinovich, Secretary

\_\_\_\_\_  
Lauren Simpson, Mayor

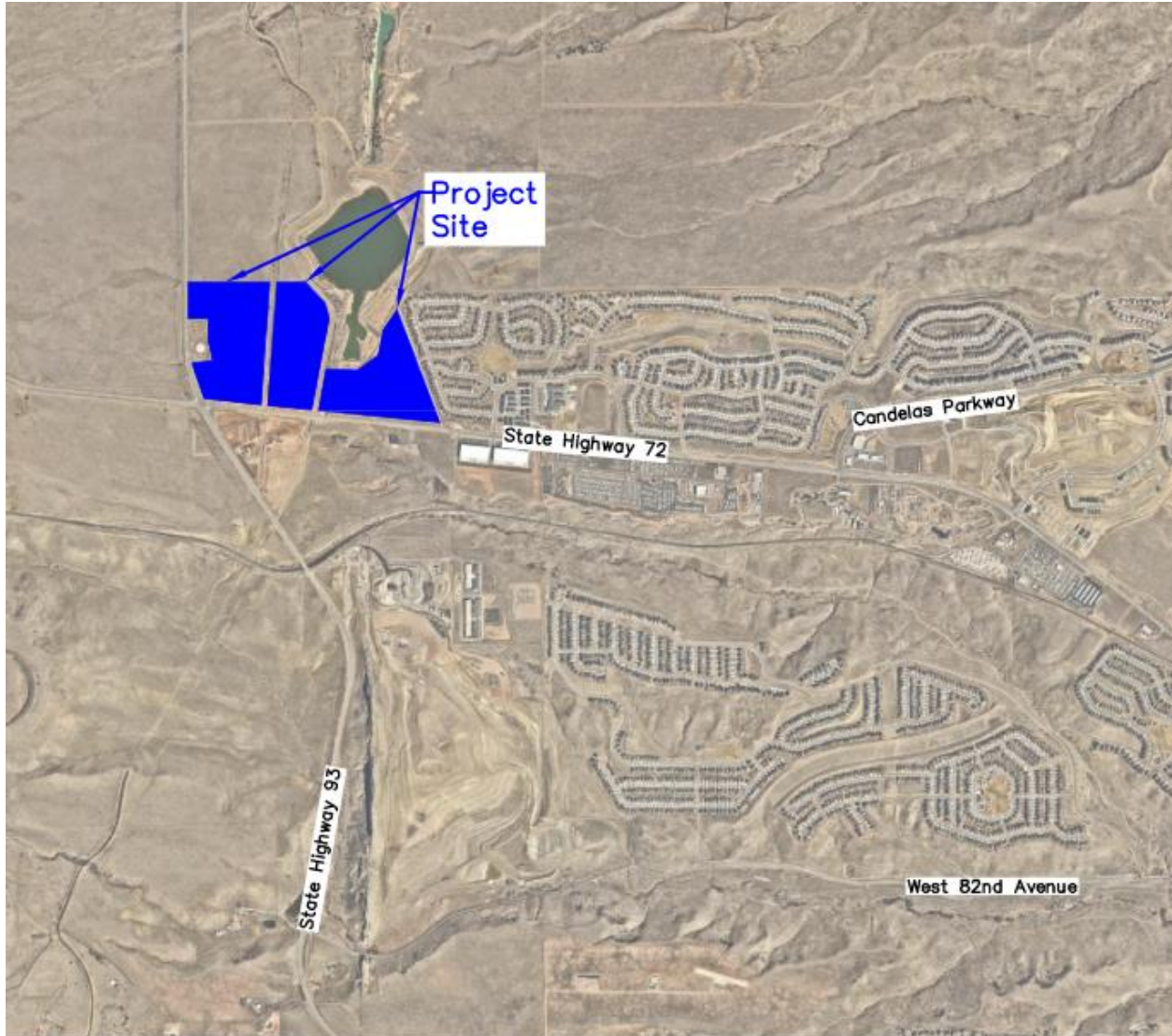
ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Rachel A. Morris, City Attorney

By: \_\_\_\_\_

# PROJECT VICINITY MAP





<b>REPORT TO PLANNING COMMISSION</b>	<b>AGENDA ITEM 8.A.2.</b>
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TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: Rezoning a portion of Candelas Parcels 1-2 from PUD (Planned Unit Development) to R-24 (High Density Residential), generally located at the northeast intersection of Highway 72 and Highway 93.

**Motion**

I move that Rezoning a portion of Candelas Parcels 1-2 from PUD (Planned Unit Development) to R-24 (High Density Residential) , generally located at the northeast intersection of Highway 72 and Highway 93, be recommended to City Council for approval subject to the condition stated in the Staff Report, Page 14 (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 13 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:

Heidi Van Gieson, Administrative Specialist

Reviewed by:

Approved by:

Julia Duncan, Senior Planner

01/26/2026

Josie Suk, Development Systems and Administrative Manager

01/29/2026

Rob Smetana, Planning Manager

01/29/2026

Jessica Garner, Director of Community and Economic Development

Kelsy Sargent, Assistant City Attorney

Enclosure, exhibits & attachments required to support the report



<b>REPORT TO PLANNING COMMISSION</b>	<b>AGENDA ITEM 8.A.3.</b>
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TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: Rezoning a portion of Candelas Parcels 1-2 from PUD (Planned Unit Development) to CG (General Commercial), generally located at the northeast intersection of Highway 72 and Highway 93.

**Motion**

I move that rezoning a portion of Candelas Parcels 1-2 from PUD (Planned Unit Development) to CG (General Commercial), generally located at the northeast intersection of Highway 72 and Highway 93., be recommended to City Council for (approval subject to the condition stated in the Staff Report, Page 14) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 13 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:

Josie Suk, Development Systems and Administrative Manager

Reviewed by:

Approved by:

Julia Duncan, Senior Planner

01/29/2026

Rob Smetana, Planning Manager

01/29/2026

Jessica Garner, Director of Community and Economic Development

Enclosure, exhibits & attachments required to support the report



## REPORT TO PLANNING COMMISSION

AGENDA ITEM  
8.A.4.

TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation of Candelas Parcel 1-5 From City Of Arvada Neighborhood/Community Commercial to City of Arvada Medium Density Residential, Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 and Highway 93

### Motion

I move that CP2026-0002, a Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation of Candelas Parcel 1-5 From City of Arvada Neighborhood/Community Commercial to City of Arvada Medium Density Residential, Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 and Highway 93 be recommended to City Council for ratification. (subject to the condition stated in the Staff Report, Page 14) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 11-13 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:  
Josie Suk, Development Systems and Administrative Manager

Reviewed by:

Approved by:

Julia Duncan, Senior Planner

Rob Smetana, Planning Manager

Jessica Garner, Director of Community and Economic Development

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R26-

A RESOLUTION BY THE PLANNING COMMISSION FOR THE CITY OF ARVADA, COLORADO TO AMEND THE 2014 ARVADA COMPREHENSIVE PLAN LAND USE DESIGNATION OF CANDELAS PARCEL1-5 FROM CITY OF ARVADA NEIGHBORHOOD/COMMUNITY COMMERCIAL TO CITY OF ARVADA MEDIUM DENSITY RESIDENTIAL, A PARCEL OF LAND LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF HIGHWAY 72 AND HIGHWAY 93

WHEREAS, Planning Commission, by Resolution No. CP2014-0003, adopted the 2014 Arvada Comprehensive Plan on September 19, 2014 and City Council ratified the resolution on October 6, 2014; and

WHEREAS, pursuant to § 8-1-2-1(E)(4) of the Land Development Code, City Council has final ratification and approval authority with respect to the Comprehensive Plan and any amendments thereto; and

WHEREAS, pursuant to Chapter 74, Article III, Section 74-64 of the code of the City of Arvada, the Planning Commission has held a public hearing as required by law, notice thereof being duly published in the Wheat Ridge Transcript and Arvada Press on January 15, 2026, and said public hearing being held before the Planning Commission for the City of Arvada on February 4, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ARVADA, COLORADO:

Section 1. The 2014 Comprehensive Plan is hereby amended by changing the land use designation for the designated portion of Candelas Parcel 1-5 from City of Arvada Neighborhood/Community Commercial to City of Arvada Medium Density Residential.

Section 2. This Resolution shall be effective upon the ratification and approval by the City Council of the Comprehensive Plan amendment described herein.

APPROVED AND ADOPTED this 4th day of February, 2026.

CITY OF ARVADA PLANNING COMMISSION

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Tim Knapp, Chairman

ATTEST:

\_\_\_\_\_  
Thomas Aljinovich, Secretary

\_\_\_\_\_  
Lauren Simpson, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Rachel A. Morris, City Attorney

By: \_\_\_\_\_



## REPORT TO PLANNING COMMISSION

AGENDA ITEM  
8.A.5.

TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: Rezoning a portion of Candelas Parcels 1-5 from PUD-BP (Planned Unit Development Plan-Business, Professional) to R-13 (Medium Density Residential), generally located at the northeast intersection of Highway 72 and Highway 93.

### Motion

I move that rezoning a portion of Candelas Parcels 1-5 from PUD-BP (Planned Unit Development Plan- Business, Professional) to R-13 (Medium Density Residential), generally located at the northeast intersection of Highway 72 and Highway 93., be recommended to City Council for (approval subject to the condition stated in the Staff Report, Page 14) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 13 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:

Josie Suk, Development Systems and Administrative Manager

Reviewed by:

Approved by:

Julia Duncan, Senior Planner

01/29/2026

Rob Smetana, Planning Manager

01/29/2026

Jessica Garner, Director of Community and Economic Development

Enclosure, exhibits & attachments required to support the report



## REPORT TO PLANNING COMMISSION

AGENDA ITEM  
8.A.6.

TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation of Candelas Parcel 1-6 from City Of Arvada Neighborhood/Community Commercial to City of Arvada Suburban Residential, A Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 And Highway 93

### Motion

I move that, CP2026-0003 A Resolution by the Planning Commission for the City of Arvada, Colorado to Amend the 2014 Arvada Comprehensive Plan Land Use Designation of Candelas Parcel 1-6 from City Of Arvada Neighborhood/Community Commercial to City of Arvada Suburban Residential, A Parcel of Land Located at the Northeast Corner of the Intersection of Highway 72 And Highway 93, be approved and ratified by the City Council subject to the condition stated in the Staff Report, Page 14 (denied).

This motion is based on the findings of fact and approval criteria on Page(s) 11 & 12 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:

Josie Suk, Development Systems and Administrative Manager

Reviewed by:

Approved by:

Julia Duncan, Senior Planner

Rob Smetana, Planning Manager

Jessica Garner, Director of Community and Economic Development

Enclosure, exhibits & attachments required to support the report

RESOLUTION NO. R26-

A RESOLUTION BY THE PLANNING COMMISSION FOR THE CITY OF ARVADA, COLORADO TO AMEND THE 2014 ARVADA COMPREHENSIVE PLAN LAND USE DESIGNATION OF CANDELAS PARCEL1-6 FROM CITY OF ARVADA NEIGHBORHOOD/COMMUNITY COMMERCIAL TO CITY OF ARVADA SUBURBAN RESIDENTIAL, A PARCEL OF LAND LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF HIGHWAY 72 AND HIGHWAY 93

WHEREAS, Planning Commission, by Resolution No. CP2014-0003, adopted the 2014 Arvada Comprehensive Plan on September 19, 2014 and City Council ratified the resolution on October 6, 2014; and

WHEREAS, pursuant to § 8-1-2-1(E)(4) of the Land Development Code, City Council has final ratification and approval authority with respect to the Comprehensive Plan and any amendments thereto; and

WHEREAS, pursuant to Chapter 74, Article III, Section 74-64 of the code of the City of Arvada, the Planning Commission has held a public hearing as required by law, notice thereof being duly published in the Wheat Ridge Transcript and Arvada Press on January 15, 2026, and said public hearing being held before the Planning Commission for the City of Arvada on February 4, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF ARVADA, COLORADO:

Section 1. The 2014 Comprehensive Plan is hereby amended by changing the land use designation for the designated portion of Candelas Parcel 1-6 from City of Arvada Neighborhood/Community Commercial to City of Arvada Suburban Residential.

Section 2. This Resolution shall be effective upon the ratification and approval by the City Council of the Comprehensive Plan amendment described herein.

APPROVED AND ADOPTED this 4th day of February, 2026.

CITY OF ARVADA PLANNING COMMISSION

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Tim Knapp, Chairman

ATTEST:

\_\_\_\_\_  
Thomas Aljinovich, Secretary

\_\_\_\_\_  
Lauren Simpson, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Rachel A. Morris, City Attorney

By: \_\_\_\_\_



## REPORT TO PLANNING COMMISSION

AGENDA ITEM  
8.A.7.

TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: Rezoning of Candelas Parcels 1-6 from PUD-BP (Planned Unit Development Plan- Business, Professional) to R6 (Residential 6 District), generally located at the northeast intersection of Highway 72 and Highway 93.

### Motion

I move that a rezoning of Candelas Parcels 1-6 from PUD-BP (Planned Unit Development Plan- Business, Professional) to R6 (Residential 6 District), generally located at the northeast intersection of Highway 72 and Highway 93., be recommended to City Council for (approval subject to the condition stated in the Staff Report, Page 14) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 13 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:

Josie Suk, Development Systems and Administrative Manager

Reviewed by:

Approved by:

Julia Duncan, Senior Planner

01/29/2026

Rob Smetana, Planning Manager

01/29/2026

Jessica Garner, Director of Community and Economic Development

Enclosure, exhibits & attachments required to support the report



# REPORT TO PLANNING COMMISSION

AGENDA ITEM  
8.B.

TO: PLANNING COMMISSION

DATE: February 4, 2026

SUBJECT: An Ordinance Repealing and Reenacting or Amending Various Sections of the Land Development Code of the City of Arvada City Code Relating to Short-Term Rentals

## Motion

That an Ordinance Repealing and Reenacting or amending various sections of the Land Development Code of the City of Arvada City Code Relating to Short-Term Rentals, Be Recommended To City Council For (Approval)(Denial).

This motion is based on the findings of fact and approval criteria in the staff report pages 3-4 .

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

Prepared by:

Heidi Van Gieson, Administrative Specialist

Reviewed by:

Approved by:

Josie Suk, Development Systems and Administrative Manager 01/27/2026

Jessica Garner, Director of Community and Economic Development 01/28/2026

Kelsy Sargent, Assistant City Attorney

Nora Steenson, Deputy City Attorney

Enclosure, exhibits & attachments required to support the report

**City of Arvada**  
**Community and Economic Development Department**  
**PUBLIC HEARING STAFF REPORT**

An Ordinance Repealing and Reenacting or Amending Various Sections of the Land Development Code of the Arvada City Code Relating to Short-Term Rentals

**NATURE OF REQUEST**

The Land Development Code (LDC) requires that any change to the LDC be brought before the Planning Commission. The change being submitted today involves the City's Short-term Rental (STR) ordinance.

The STR ordinance was first adopted in 2020. As a result of several administrative and enforcement challenges, the City Council asked City team members to review the LDC and revise it to make it less burdensome to implement and administer, and to ensure that enforcement provisions were more transparent. As a result, City team members are proposing changes to the STR ordinance. This ordinance impacts just three sections of the LLC:

- 1) Section 3-1-5-3, which contains the Short-term Rental (STR) regulations. The proposed changes include:
  - a. Requiring that an STR permit be held by a real person. Legal entities, such as corporations, LLCs, or partnerships, etc., may still own an STR property -- as is the case now. The ordinance simply ensures that the permittee is a real person.
  - b. Requiring that a person hold only one STR license.
  - c. Creating more transparency around administrative and enforcement provisions and processes.
  
- 2) Subsection 8-1-1-1B.1, which contains information about the CED director's authority. The proposed changes specifically outline the authority of the CED director to implement, administer, and enforce the STR ordinance and related STR Program Rules.
  
- 3) Section 11-3-3-1, Definitions. Certain definitions have been amended and others added to provide more clarity for readers.

As part of this project, the City team also drafted proposed STR Program Rules. The Rules are *not* before the Planning Commission for consideration but are provided as part of this agenda packet for informational purposes. The Program Rules will be considered by the City Council following a separate public hearing. The Rules are intended to provide more

transparency about STR application processes, about STR permittee responsibilities, and about how administrative enforcement actions are handled.

## BACKGROUND

The primary responsibility for implementing, administering, and enforcing the STR ordinance rests with the CED director and the Chief of Police through the City's Code Enforcement office. They will be assisted by the City Attorney's office. The Planning Commission does not review STR applications or renewal applications and is not otherwise responsible for any aspect of implementing, administering or enforcing the STR ordinance or the Program Rules.

## PUBLIC NOTIFICATION

Division 8-2-4 of the Land Development Code requires public notification for all public hearings as follows:

Published Notice: At least 15 days prior to all public hearings, notice of the hearing must be published in a newspaper of general circulation in the City. The required notice has been published.

The City Council hosted one study session about STRs in February of 2025, and a second one in January of 2026. The January study session was devoted to discussing possible revisions to the current STR ordinance. The CC provided high-level policy direction about the ordinance during that meeting. The draft STR ordinance was on the City Council's February 3, 2026, agenda for first reading. It has been placed on the City Council's meeting agenda for second reading and public hearing on February 17. The related STR Program Rules are set for a separate public hearing on February 12. These events were noticed to the public.

## ALIGNMENT WITH CITY COUNCIL STRATEGIC PLAN

Arvada depends on a well-managed, fiscally responsible, and transparent City government. This item aligns with SC 4: Applies inspection, enforcement, community support, and neighborhood engagement services to residents, businesses, and neighborhood partners to preserve a safe community, with CED 4: Maintains and protects the health, safety, and welfare of the public by ensuring safe buildings in the community while providing excellent customer service, and with OSE 7: Provides information and data to the community to support engagement in community governance, civic responsibility, and easy access to public information.

**PROJECT ANALYSIS**

The City team recommends approval of the motion to send An Ordinance Repealing and Reenacting or Amending Various Sections of the Land Development Code of the Arvada City Code Relating to Short-Term Rentals to the City Council

**LAND DEVELOPMENT CODE APPROVAL CRITERIA**

It is the responsibility of the applicant to justify the requested land use application. The Planning Commission should make a recommendation to the City Council based on its findings regarding the approval criteria shown in the table(s) below and upon testimony heard during the public hearing as it applied to the criteria.

Staff performed an analysis of the proposal, based on the approval criteria listed in Chapter 8 of the Land Development Code, and presents the following findings:

<b>DIVISION 8-3-2. - LAND DEVELOPMENT CODE TEXT AMENDMENTS</b>	<b>Finding</b>	<b>Rationale</b>
The proposed amendment is consistent with the Arvada Comprehensive Plan, or reflects conditions that have changed since the adoption of the Comprehensive Plan;	Complies	The proposed amendments to the LDC are consistent with the Comprehensive Plan in the sense that they do not impact the Comprehensive Plan. To the extent City Council has directed the team to review and bring forth revisions to the existing STR ordinance, the proposed amendments reflect conditions that have changed since the adoption of the Comprehensive Plan.
The proposed amendment is consistent with the Purposes of this Code.	Complies	The proposed amendments to the LDC are consistent with the purposes of the Code in that they: promote the public health, safety, convenience, comfort, prosperity, and general welfare; protect the quality and character of stable residential neighborhoods; provide for the consistent,

		predictable, and equitable administration of City land use and development regulations; and provide protection from nuisances and hazards.
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**NEXT STEPS**

February 12 4-6 p.m. -- Public hearing on the STR Program Rules, Anne Campbell Room, City Hall

February 17 6:15 p.m. -- Second reading and public hearing on the STR ordinance, City Council Chambers, City Hall

COUNCIL BILL NO. 26-\_\_\_\_  
ORDINANCE NO. [\_\_\_\_\_]

AN ORDINANCE REPEALING AND REENACTING OR AMENDING VARIOUS  
SECTIONS OF THE LAND DEVELOPMENT CODE OF THE ARVADA CITY CODE  
RELATING TO SHORT-TERM RENTALS

WHEREAS, the City has the power and authority as a home rule city under Article XX of the Colorado Constitution, and under article 20 of Title 29 and article 23 of Title 31 of the Colorado Revised Statutes to zone and otherwise regulate land within its boundaries; and

WHEREAS, the City has for many years regulated the business use of residential properties and currently regulates short-term rental (STR) properties; and

WHEREAS, the City Council wishes to take reasonable steps to prevent the loss of rental housing stock and otherwise support affordable housing efforts in Arvada; and

WHEREAS, Arvada wishes to more fully integrate STR units into existing neighborhoods while preserving the residential character of these neighborhoods by addressing the potential adverse impacts of STRs including increased noise and traffic; and

WHEREAS, the City Council finds it necessary to put into place minimum health and safety requirements to protect STR occupants who may not be familiar with Arvada's laws as well as to protect the health, safety, and welfare of residents; and

WHEREAS, the City wishes to provide prospective and current STR permittees with clear guidance about permitting requirements and how to lawfully operate an STR in Arvada to support their desire for economic gain; and

WHEREAS, understanding that STRs are a business use of residential properties, the City wishes to ensure that STR owners pay taxes like other transient lodging facilities including hotels, motels, inns, and bed and breakfast facilities; and

WHEREAS, the City Council wishes to balance the needs and rights of neighbors and property owners and otherwise create a more sustainable STR Program; and

WHEREAS, by repealing and reenacting a more robust STR ordinance and creating an STR Program, the City's practices will be more closely aligned with these findings and goals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. Section 3-1-5-3, Short Term Rentals, of Division 3-1-5, Business Use of the Home, of Article 3-1, Primary Land Use Regulations, of Chapter 3, Use Regulations, of Part III, Land Development Code, of the Arvada City Code is hereby retitled, repealed, and reenacted to read as follows:

**“3-1-5-3. Short-term rentals.**

A. *Short title.* This section of the Land Development Code (LDC) may be known as the Short-term Rental or STR ordinance.

B. *Legislative declaration and purpose.* The purpose of this section is to authorize the operation and regulation of Short-term Rentals (STRs) as a land use within Arvada. The City Council finds that STRs support a vibrant economy and provide real property owners with significant financial benefits. They influence property values and impact neighborhood character by allowing the business use of dwellings in residential neighborhoods. They also reduce the potential availability of long-term rental housing to support the local economy and community.

The City Council also finds that STRs require services and infrastructure to operate. They require regulation as a distinct land use to ensure the health, safety, and welfare of the community through the application of zoning police powers. This section supports the operation of STRs by balancing the need to preserve neighborhood quality of life with the protection of private property rights. The City Council finds that this ordinance and the establishment of STR Program Rules are necessary to protect the health, safety, and welfare of the public.

This section is intended to ensure the health and safety of STR Occupants while preserving neighborhood character by mitigating the negative impacts of STRs on the neighborhoods where they are located. This section is also intended to ensure that STR operations are conducted lawfully, and that the activities of Marketplace Facilitators are appropriately regulated. Finally, this section is intended to ensure that the City utilizes this and other applicable provisions in the City Code including the LDC to enforce the provisions of this section as appropriate through the exercise of civil and criminal remedies.

C. *Authority.* The authority to establish and implement an STR Program is set forth in section 1-1-1-3 of this LDC.

D. *Applicability.* This section applies to any Property located in Arvada that is being offered for Rent as or being used as an STR whether or not it is permitted. STR licenses that are valid at the time this ordinance goes into effect will remain in effect until the date they expire, or are suspended, revoked, or abandoned, whichever occurs first. Nothing in this section precludes the rental of a Dwelling for 30 or more consecutive days.

E. *Definitions.* Certain terms used in this STR ordinance are defined in section 11-3-3-1 of the Land Development Code.

F. *Duties and responsibilities of the Director.* The Director shall implement, administer, and enforce this section of the LDC and the STR Program Rules (Rules) as set forth in section 8-1-1-1 of this LDC.

G. *Permit and business license required.*

1. *STR permit.* Each Property being offered for Rent, rented, or being used as an STR must have an STR Permit as required under this section 3-1-5-3. A Permit may be for either a primary or a non-primary residence.
2. *Business license.* A Permittee holding an STR Permit must also hold a valid city-issued business license while the STR Permit is in effect. A business license application will be processed and a business license may be issued by the director of finance as set forth in the City Code.

H. *Permit requirements – generally.* An STR Permittee must comply with all the requirements of this section 3-1-5-3. In addition, the following requirements must be met to hold and maintain an STR Permit:

1. *Natural person.* Except as otherwise noted in this section 3-1-5-3 or in the Rules, a Permit may only be issued in the name of one natural person 18 years of age or older who has an Ownership Interest of 20 percent or more in the Property for which the Permit is issued or who is the named beneficiary of a trust holding the Property to be permitted.
  - 1.1 Legacy Permits: An entity that holds a Permit or license issued on or before December 1, 2025 (a “legacy” Permit) may continue to hold that Permit for the duration of its term. Should an entity apply to renew a Permit, the entity must designate a natural person to be its Permittee. Should a Permit held by an entity lapse, expire, be abandoned, or be revoked, or should the Property be sold or otherwise transferred, a new Permit issued for that Property must be issued in the name of a natural person. Except as noted in subsections H.1 and H.2, a legacy Permittee is subject to all other provisions of this section 3-1-5-3.
2. *Limit.* Except as noted below, no person may hold more than one STR Permit at a time.
  - 2.1 Exemption for legacy Permits: An individual or entity that holds more than one STR Permit or license issued on or before December 1, 2025 (a “legacy” Permit), is exempt from the one-Permit-per-person limit stated in this subsection H.2. The individual or entity is eligible to apply to renew those Permits as noted herein. If a legacy Permit holder held Permits or licenses to operate three STRs as of December 1, 2025, and if one of the Permits is abandoned, lapses, expires, terminated, or is revoked, or if any interest in any of the STR units is sold or otherwise transferred, the exemption will be lost as to that Permit. The Permittee will then be eligible to apply to renew only the two remaining Permits if the Permittee meets all other eligibility requirements. If a legacy Permit holder held Permits or licenses to operate two STRs as of December 1, 2025, or only holds Permits two STR licenses as a result of the loss of their third Permit, then, if one of the two remaining Permits is abandoned, lapses, expires, terminated, or is revoked, or if any interest in either of the STR units or properties is sold or otherwise transferred, the exemption will be lost as to that Permit. The Permittee will then be eligible to apply to renew only the remaining Permit if the Permittee meets all other eligibility requirements. Except as noted in subsections H.1 and H.2, a legacy Permit holder is subject to all other provisions of this section 3-1-5-3.
3. *Number.* Each Permit will be assigned a unique number. The Permit number must be clearly displayed in all advertising and listings of the STR, including but not limited to all digital and print advertising.

4. *Term.* Each Permit is valid for one year from the date of issuance. As an example, a Permit issued on March 20 of a year will be valid through March 19 of the following year unless it is suspended, revoked, or abandoned. Each Permit may be renewed annually according to the provisions set forth in this section 3-1-5-3 and in the Rules.

5. *Non-transferable.* A Permit will be issued solely to the Permittee to whom it is issued and only for the Property for which it is issued. A Permit does not run with the Property but is issued to a specific person. A Permit is not transferable or assignable to any other person, entity, address, or location.

a. *Effect of sale or transfer of property rights.* If at any time during the term of a Permit, the Permittee sells or otherwise transfers their Ownership Interest in the Property, or if the Permittee's Ownership Interest in the Property falls below 20 percent, the Permit will be deemed terminated and revoked as of the date of the sale or transfer.

6. *Contingent upon compliance.* Each Permit is contingent on compliance with this section 3-1-5-3, with any conditions placed on the Permit by the Director, with the provisions of the Rules, with the city's property maintenance, fire, and other building codes, with the provisions of this LDC, and all other applicable municipal and State laws.

7. *Taxes paid.* The Permittee must ensure that all Lodging, sales, and other taxes due as a result of the use of the Property as STR are submitted to the city in a timely manner.

I. *Permit applications – generally; actions by the Director.* STR Permit Applications must be submitted in accordance with this section 3-1-5-3 and the Rules.

1. *Application not accepted.* The Director may not accept an incomplete Application. The Director may not accept an Application for a Permit from a person or entity that has, within one year prior to the date of the Application, had any Arvada STR Permit revoked, or who has been found guilty in the municipal court of operating an STR without a Permit, of not posting an STR Permit inside a Property being offered for Rent, rented, or used as an STR, of falsifying, defacing, or altering an STR Permit, of not having a business license while offering an STR for Rent, Renting, or using a Property as an STR, or of non-payment of Lodging, sales, and other taxes as required under this section 3-1-5-3 and Chapter 98 of the City Code.

2. *Actions by the Director.* The Director may issue a Permit, issue it with conditions, or deny it. The Director may issue a permit electronically or may require that a Permit or renewal Permit be issued to the Permittee in person.

J. *Emergency contact.* A Permittee must designate an emergency contact (EC) whose responsibilities are set forth in the Rules.

K. *Inspections.* By filing an Application, the Applicant is deemed to have consented to inspections of the Property to determine eligibility for a Permit, or for the purpose of determining compliance with all other applicable laws. Inspections may be made as a part of the initial or renewal permitting process and will be made upon reasonable notice. The Director may, at their sole discretion, allow any inspection required or necessitated under this section 3-1-5-3 to be conducted by a city inspector or by a third party licensed or certified inspector. Nothing in this

section may be deemed to affect the ability of a Peace Officer or other first responder to respond to a call for service or other incident at a Property being offered for Rent, rented, or being used as an STR.

L. *Operating requirements.* A Permittee must comply with the following operating requirements:

1. *Parking requirement.* Any property being offered for Rent, rented, or used as an STR must have one additional on-site parking space.

Exception. If the entire premises are being used or rented as an STR, no additional on-site parking space is required.

2. *Property maintenance requirements.* The Permittee must maintain weekly rubbish and garbage removal services for the STR and otherwise comply with all provisions of the International Property Maintenance Code (IPMC) as adopted by Arvada. This includes but is not limited to complying with lawn mowing, weed removal, and snow and ice removal requirements.

3. *Nuisances not allowed.* A Permittee may not allow or permit the STR to create a nuisance as that term is defined in Chapter 38 of the City Code.

4. *Limits on overnight occupancy.* STRs are limited to a total overnight Occupancy of two Occupants per bedroom plus two additional Occupants; studios are limited to a total overnight Occupancy of three Occupants. Each Permit Application must list the number of bedrooms in the STR unit at its largest configuration. The maximum number of overnight Occupants for an STR must be included in all advertising for that STR.

5. *Property to be rented.* A Permittee may rent the entire permitted Property or a bedroom, lock-off, or other portion of the permitted Property.

6. *Maximum nights in operation.* No STR may be occupied by Guests or Occupants for more than any 240 days in any 365-day period.

M. *Building and zoning restrictions generally.*

1. *Permitted buildings.* An STR may be allowed in a primary Dwelling. A Dwelling designated as affordable housing or that is otherwise deed-restricted may not be used as an STR.

2. *Number of STRs per lot.* Only one STR Permit may be issued per Lot.

N. *Records.*

1. *Permittee.* Each Permittee must maintain the following records from the date their Permit was issued. If the Permit is a renewal permit, the Permittee must also maintain these records for one year before the current permit was issued:

a. Total number of nights the STR was rented to a Guest;

b. The dates on which the STR was rented to a Guest; and

c. Other records necessary to comply with the provisions of this section 3-1-5-3.

2. *Marketplace facilitator.* Each Marketplace Facilitator must maintain the following information for STR transactions for each Property being offered for Rent on or through their platform in Arvada for five years from the date of the transaction:

a. The name of the Permittee who offered the STR for Rent;

b. The address of the STR;

- c. The dates on which the STR was booked by a Guest;
- d. The price paid by the Guest for each STR transaction; and
- e. The STR Permit number.

O. *Fees.* Each Applicant may be charged an Application fee, an annual Permit or renewal Permit fee, and other fees as noted in the applicable fees schedule.

P. *Lodging, sales, and other tax payments required.* A Permittee must obtain and maintain a City of Arvada business license in addition to an STR Permit and must remit Lodging, sales, and other taxes in accordance with article V of Chapter 98 of the Arvada City Code.

1. *Financial audits.* To ensure ongoing eligibility for an STR Permit, Permittees are subject to audits by the City's finance department as set forth in article V of Chapter 98 of the Arvada City Code.

Q. *Enforcement.* Arvada actively enforces this section and STR Program Rules through inspections, responding to complaints, audits, and permitting activities. Enforcement activities play a vital role in assisting Occupants in supporting neighborhood values and Permittees in complying with applicable laws and the Rules. This section 3-1-5-3 may be enforced by the Director and by those employees designated as Peace Officers under section 58-2 of the Arvada City Code. By applying for an STR Permit, the Applicant is deemed to have acknowledged and to understand that both criminal penalties and administrative consequences may flow from the same act or failure to act. Enforcement mechanisms and appeal rights are as set forth in this section and in the Rules.

1. *No warning required.* Notwithstanding any other provision of the LDC, and understanding the crucial role enforcement plays in public safety and in maintaining the peaceful enjoyment of the city's neighborhoods, a Peace Officer is not required to issue a warning or similar notice of violation, or a stop work order before issuing a summons and complaint for any of the following violations:

- a. Not having an STR Permit;
- b. Not posting the STR Permit inside the Property;
- c. Falsifying, defacing, or altering an STR Permit;
- d. Not having a business license when offering an STR for Rent, renting, or while using a Property as an STR;
- e. Exceeding overnight Occupancy limits under the STR's Permit;
- f. Allowing or permitting a Large Social Gathering at a Property while it is being rented or used as an STR;
- g. Not having a functioning smoke detector, carbon monoxide detector, or fire extinguisher in or upon the permitted premises;
- h. Not obtaining a building or other permit required under Chapter 18 of the Arvada City Code before beginning the work for which the building permit is required;
- i. Unlawfully removing a Red Tag placard;
- j. Unlawfully entering or occupying a property that has been posted with a Red Tag placard; or
- k. Non-payment of Lodging, sales, and other taxes as required under this section 3-1-5-3 and Chapter 98 of the City Code.

R. *Unlawful acts – generally.* It shall be unlawful for a Permittee to fail to comply with any requirement or provision of or to engage in any act that is declared to be unlawful under this section 3-1-5-3.

1. *Advertising.* It shall be unlawful for any person or Marketplace Facilitator to knowingly advertise or list an STR without the STR Permit number clearly displayed on the face of the advertisement or listing. In this subsection, the term “advertise” means the act of drawing the public’s attention to a Property for the purpose of offering the Property for Rent as or for using it as an STR. The advertisement may be made by or through any platform or medium.

2. *Unlawful to rent or use unpermitted property as an STR.* It shall be unlawful for any person, whether a principal or agent, clerk, or employee, either for themselves, or for any other person to knowingly Rent, offer for Rent, or use Property as an STR without first obtaining an STR Permit.

3. *Unlawful transactions.* It shall be unlawful for any person or Marketplace Facilitator to knowingly advertise or facilitate the rental or use of an unpermitted STR, or to receive payment, directly or indirectly, for renting or allowing the use of an unpermitted STR located in the city.

4. *Minimum rental period.* It shall be unlawful for any person or Marketplace Facilitator to knowingly offer a Property for Rent, Rent, or use a Property as an STR for fewer than two consecutive days.

5. *Permit displayed.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use a Property as an STR without affixing a valid STR Permit near the primary entrance to the STR in such a way as to be clearly visible to an ordinarily observant person entering the STR.

6. *Unlawful to alter permit.* It shall be unlawful for any person to knowingly falsify, deface, or alter an STR Permit.

7. *Video recording devices prohibited.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use as an STR Property that contains or is equipped with a device that records moving or still images of the inside of the Property. A video recording device that captures only images of outdoor locations upon Property used as an STR, such as a porch, driveway, lawn, garden, patio, or deck is allowed.

a. This subsection does not prohibit a Guest or Occupant from using a video recording device to record images of the inside of the Property if the recording is made in or from an area they are otherwise allowed to be in, and if the recording is otherwise legal.

b. This subsection does not prohibit a Peace Officer, fire official, emergency medical responder, city inspector, or other city official from using a video recording device to record images of the inside of the Property while acting within the course and scope of their employment.

c. This subsection does not prohibit a Permittee or Permittee’s agent from using a video recording device to record images of the inside of the Permitted Property if each Guest or Occupant on or within the Property at the time of the recording has been notified of and has consented to the recording before it occurs, or prohibit a Permittee or Permittee’s agent from using a video recording device to record images of the inside of the Property when no one is renting it.

8. *Marketplace facilitator – business license.* It shall be unlawful for any person to knowingly broker or facilitate an STR reservation online and receive payment for this service without first obtaining a business license from the city.

9. *Marketplace facilitator – removal of listing.* It shall be unlawful for any person or Marketplace Facilitator to knowingly fail to remove an unpermitted STR from the person's or Marketplace Facilitator's website or other digital platform within 7 calendar days of receiving notification from the Director that the STR is not permitted or that the Permit has been suspended or revoked.

10. *Records.* It shall be unlawful for any person offering a Property for Rent, renting, or using a Property as an STR to knowingly fail to keep or maintain STR records as required under this section 3-1-5-3.

S. *Unlawful acts – business operations.*

1. *False statement of fact.* It shall be unlawful for any person to knowingly make a false statement of a material fact on an STR Permit Application or renewal Permit Application or in any document accompanying an Application.

2. *Safety requirements.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use Property as an STR if the Property is not equipped with a functioning smoke detector, carbon monoxide detector, and fire extinguisher.

3. *Unlawful to remove red tag placard.* It shall be unlawful for any person to knowingly deface or alter a Red Tag placard, or for any person to knowingly remove a Red Tag placard except at the direction of the Director or the chief building official or designee thereof.

4. *Unlawful to enter red tagged property.* It shall be unlawful for any person to knowingly enter or occupy any Property, structure, or portion of any Property or structure upon which a Red Tag placard has been posted except for the purpose of repairing or otherwise bringing the Property into compliance with this section 3-1-5-3 or into compliance with any other provision of the City Code, including but not limited to the city's property maintenance, fire, and other building codes.

5. *Compliance with city and state laws.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use a Property that does not comply with all applicable city and state laws as an STR.

6. *Insurance.* It shall be unlawful to knowingly Rent, offer for Rent, or use Property as an STR without fire, hazard, and liability insurance within the coverage limits set by the Director.

7. *Business license required.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use Property as an STR without first having obtained a city-issued business license.

8. *Taxation.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use Property as an STR to fail to pay Lodging, sales, and other taxes owed to the City as required under Chapter 98 of this Code.

T. *Unlawful acts – good neighbor provisions.*

1. *Exceeding overnight occupancy.* It shall be unlawful for any person including but not limited to a Guest or Occupant to knowingly allow or permit more people to occupy an STR than are allowed as set forth on the STR's Permit.

2. *Unreasonable noise prohibited.* It shall be unlawful for any person including a Guest of or Occupant at or upon a Property being rented or used as an STR to knowingly make, allow, or permit unreasonable Noise from or upon the Property or Noise that is otherwise in violation of any provision of Chapter 38 of this Code.
3. *Rubbish and garbage.* It shall be unlawful for any person, including but not limited to the Permittee, Guest of, or Occupant at or upon a Property being rented or used as an STR to knowingly fail to dispose of rubbish and garbage at the STR no less often than once per week.
4. *Snow and ice removal.* It shall be unlawful for any person, including but not limited to the Permittee, Guest of, or Occupant at or upon a Property being rented or used as an STR to knowingly fail to remove snow and ice from the Property within 24 hours of the end of any snow fall or ice storm as set forth in the International Property Maintenance Code as adopted by the City.
5. *Large social gatherings prohibited.* It shall be unlawful for any person, including but not limited to the Permittee, Guest of, or Occupant at or upon a Property being rented or used as an STR to knowingly allow or permit a Large Social Gathering on the Property while the Property is being rented as or used as an STR.
6. *Failure to physically report upon request.* It shall be unlawful for the Permittee to knowingly fail to physically report to the STR for which they hold a Permit within one hour of being asked to do so by a Peace Officer, or, if the Permittee is unavailable, for the designated EC to fail to physically report to the STR within one hour of being asked to do so by a Peace Officer.

U. *Criminal penalties; other remedies; concurrent remedies.*

1. *Criminal penalty.* Except as otherwise noted herein, a violation of this section shall be punished by a fine or imprisonment not to exceed the limits established in section 1-5 of the City Code, except that the penalty for any violation under this section for which there is a counterpart in Chapter 62 or elsewhere in the City Code will be the same as the penalty for the counterpart violation.
2. *Determination of guilt.* Guilt may be found as a result of a no contest plea, a plea of guilty, or by conviction in the municipal court.
3. *Minimum fines.* A person who is found guilty in the municipal court of offering an unpermitted Property for Rent as an STR, of renting, or of using an unpermitted Property as an STR, of not posting the STR Permit inside the Property, or of falsifying, defacing, or altering an STR Permit shall be fined a minimum of \$2000.00 per violation. A person guilty of a violation of any other provision of this section 3-1-5-3 shall be fined according to the following minimum fine schedule:
  - a. First conviction. Minimum fine of \$500.00 per violation.
  - b. Second conviction within any 365-day period. Minimum fine of \$1000.00 per violation.
  - c. Third or subsequent conviction within any 365-day period. Minimum fine of \$2000.00 per violation.

The operative date for calculating the date of the second or third conviction is the date of the violation for which the person is convicted or pleads guilty or no contest, not the date of the conviction or plea. No portion of these minimum fines may be suspended. A

municipal court judge may impose conditions in connection with the minimum penalties set forth herein and may impose a greater sentence including imprisonment based on the facts and circumstances of the case and in accordance with section 1-5 of the City Code.

4. *Continuing violation.* In accordance with section 1-5 of the City Code, every day any violation of this section continues or is permitted or allowed to continue shall constitute a separate violation.

V. *Other administrative and civil remedies.* The Director may institute administrative proceedings against a Permittee, including but not limited to a Permittee who has been found guilty of a violation of this section 3-1-5-3, as set forth in the Rules. In addition, the city attorney may institute injunctive, abatement, or other appropriate action to prevent, restrain, enjoin, correct, abate, or remove a violation of this section 3-1-5-3 or any other section of the Code when it occurs.

W. *Concurrent remedies.* The initiation of a prosecution in the municipal court for a violation of this section shall not preclude the city from instituting administrative proceedings against a Permittee or from taking other appropriate action to restrain, enjoin, correct, or abate, or remove a violation, or to stop an illegal act or conduct. Enforcement of the provisions of this ordinance may be conducted by a Peace Officer as a criminal matter, by the Director as an administrative matter, and by other city officials as appropriate.

X. *Liens.* Until paid, any delinquent charges, assessments, or taxes made or levied by the City pursuant to this section against a Property being offered for Rent as or used as an STR shall, as of recording, be a lien against the property on which the violation has been found to exist. If not paid within 30 calendar days from the date of the statement, the city clerk may certify any unpaid charges, assessments, or taxes to the county treasurer to be collected and paid over by the county treasurer in the same manner as taxes are authorized to be by statute together with a ten percent penalty for costs of collection. Any lien placed against the property pursuant to this section will be recorded with the county clerk and recorder.”

Section 2. Subsection 8-1-1-1B.1, Duties and Responsibilities, of section 8-1-1-1, Director of community and economic development, of Division 8-1-1, City Staff and Referral Agencies, of Article 8-1, Development Review Bodies, of Chapter 8, Development Review Process, of Part III, Land Development Code, of the Arvada City Code is hereby amended by adding a new subsection g to subsection B.1 to read as follows:

“B. *Duties and Responsibilities.* The Director shall be responsible for the administration of this LDC and the regulations contained therein.

1. The Director shall have the authority to:

.....

g. Implement, administer, and enforce the STR ordinance and Program Rules and in relation thereto, may:

- i. Require access to each Property being used or operated as an STR or for which an STR Permit is sought to conduct a pre-permitting, renewal or compliance inspection, and to implement, administer, and enforce section 3-1-5-3 of this LDC and STR Program Rules. The Director may require minimum insurance coverage for STRs in types and amounts to be determined in consultation with the city’s insurance and risk program director;
- ii. Cause a Red Tag placard to be posted on an unpermitted Property or structure when the Director has good cause to believe it is being offered for Rent, rented, or being used as an STR, or on any permitted STR that has been or is being operated in a manner that adversely affects the health, safety, or welfare of any occupant or the neighborhood in which it is located or that has been or is being operated in violation of any provision set forth in this section 3-1-5-3;
- iii. Issue orders to show cause and notices to appear, make compliance determinations, and impose administrative consequences on Permittees including but not limited to suspending or revoking a permit;
- iv. Ensure that Marketplace Facilitators offer only permitted properties for Rent as STRs by requiring a Marketplace Facilitator to remove an advertisement or listing for an STR from the Marketplace Facilitator’s website or other digital platform if the STR Permit for the Property has been suspended or revoked or otherwise as appropriate;
- v. Maintain and make publicly available a registry of all permitted STRs within the city; and
- vi. Take or delegate any other action reasonably necessary to implement, administer, and enforce the STR ordinance. Nothing in this section affects the ability of a Peace Officer to investigate suspected offenses involving STRs and initiate prosecutions of cases involving STRs.”

The remaining portions of subsection 8-1-1-1B.1 shall remain unchanged.

Section 3. Section 11-3-3-1, Definitions, of Division 11-3-3, Definitions, of Article 11-3 Definitions, of Chapter 11, Measurements, Rules of Construction, and Definitions, of Part III, Land Development Code, of the Arvada City Code is hereby amended by repealing and reenacting or adding certain definitions to read as follows:

*“Applicant.* Unless otherwise specified, an owner or other person with a legal property interest, including heirs, successors, and assigns, or an owner’s authorized agent, who has filed an application for subdivision or development. Applicant also includes a natural person with an ownership interest in a property that has filed an application for an STR permit for that property, and a wireless provider, infrastructure owner or any other entity, agent, employee, and contractor thereof that applies for permission to site, install, construct, collocate, modify or operate a WCF.

*Application, Complete.* A complete application means a form, either electronic or paper, and all accompanying fees, submittal documents, and exhibits required of an applicant by an approving authority for review of proposed site plans, conditional uses, subdivisions, planned unit developments, STR permits or renewal permits, and other similar development or land use purposes.

*City Code.* City Code means the Code of Ordinances adopted by the City of Arvada and includes this LDC.

*Emergency Contact or EC.* Emergency contact or EC means a natural person aged 18 years of age or older who is capable of physically responding to the STR within one hour of being asked to do so by a peace officer, who has access to the STR, and who is authorized by the permittee to make decisions about it.

*Guest.* Guest means a person who is occupying or may occupy an STR or a property being used as an STR by reason of license, right of access, or by executing a rental agreement for a period of less than 30 consecutive calendar days.

*Large Social Gathering.* Large social gathering means a wedding, any gathering consisting of more than the total number of overnight occupants allowed on or within the property under the STR permit plus no more than six additional people, any gathering for which an admission, entry, door, cover, or similar fee is assessed, or any gathering that a reasonable person would believe would disrupt the quiet and peaceful enjoyment of a neighbor or neighbors.

*Lodging.* Lodging has the same meaning as that set forth in section 98-243 of the City Code.

*Marketplace Facilitator.* Marketplace facilitator has the same meaning as that set forth in section 98-243 of the City Code, and, as used in section 3-1-5-3 of this LDC, it includes any person, entity, or platform that facilitates an STR reservation or similar Lodging services between a prospective guest and a person or entity offering an STR. It does not include a property management or other company that collects cleaning or other fees on behalf of STR permittees but that does not facilitate STR reservations.

*Noise or Unreasonable Noise.* Noise or unreasonable noise means any sound that is unwanted or which causes or tends to cause an adverse psychological or physiological effect on human beings, and includes any sound that a reasonable person would believe would disturb those on an adjoining residential property considering the nature of the sound, the volume of the sound, the length of time the sound continued, the time of day at which the sound occurs, and any other factor a reasonable person would deem relevant to whether the sound was unreasonable. It also includes any sound that is in violation of any provision of Chapter 38 of the City Code.

*Occupancy.* Occupancy means the use or possession, or the right to use or possession of a dwelling for dwelling, lodging, or sleeping purposes.

*Occupant.* Occupant means a person of any age who is present upon an STR permitted property.

*Ownership Interest.* Ownership interest means a legally recognized stake in a property including sole ownership, or at least 20 percent of a legal interest in the property through shared ownership with other individuals, or at least a 20 percent shared legal interest in the property through ownership of an LLC or other corporate entity that owns the property. It includes a named beneficiary of a trust that holds the property.

*Peace Officer.* Peace officer has the same meaning as that set forth in section 58-2 of the City Code.

*Permit.* Permit means a document issued by the Director authorizing an applicant to use property for a specific type of use identified in this LDC. As used in section 3-1-5-3 of this LDC, it includes an STR renewal permit.

*Permitted Property.* As used in section 3-1-5-3 of this LDC, permitted property means the property specified in an STR permit that is owned by or in possession of the permittee and within which the permittee is allowed to provide STR accommodations. The permitted property may consist of the entire property or lot upon which the STR is located as in the case of a dwelling rented out along with driveways, lawns, and other areas appurtenant to the dwelling, or may consist of the area upon or within a property that is being held out for rent, as in the case of a townhome or condominium, or a bedroom and bathroom, or other similar area.

*Permittee.* Permittee means a person or entity to whom the City has issued a permit authorizing a property for a specific type of use.

*Property.* Property may be a single lot, parcel, tract, a condominium, or plot of land or may be a combination of abutting lots or parcels that will be bound by the approval.

*Red tag.* Red tag means a placard issued by the Director or the city's chief building official or designee thereof that is affixed upon or within the property to notify occupants or potential occupants that the building is not safe for occupancy or that the property is not available to be rented or used as an STR.

*Rent.* Rent means consideration of any type provided in exchange for the use of a structure or property or portion thereof. As used in section 3-1-5-3 of this LDC, it includes the total consideration charged for short-term residential occupancy as shown on the guest's receipt.

*Short-term Rental, Short-term Rental Unit, or STR.* Short-term rental, short-term rental unit, or STR means a furnished dwelling or portion thereof in a single-unit, duplex, multiplex, or multifamily dwelling that is offered, provided, operated, or rented for occupancy for dwelling, lodging, or sleeping purposes for guests in exchange for remuneration for a period of less than 30 consecutive calendar days, counting portions of days as full calendar days. STR does not include a hotel, motel, tent, recreational vehicle, commercial office area, retail space, warehouse, industrial space or area, or other structure designed or used primarily for temporary or transient occupancy, including but not limited to a sleeping space in an outdoor area, a garage, a shed, or a tree house.

*STR Program.* STR program means and includes provisions of this LDC that relate to STRs and the STR Rules. The program includes any additions, revisions, and amendments to the city's STR laws and STR Rules as these documents may be from time to time amended.

*STR Program Rules or Rules.* STR Program Rules or Rules means those rules adopted under the City Code to provide clarity and context about the city's STR laws and how they operate.”

All other definitions set forth in section 11-3-3-1 of this LDC will remain unchanged.

Section 4. Savings clause. This repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed prior to the effective date of this ordinance and that is in violation of the section repealed by this ordinance.

Section 5. Severability. Should any provision of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared unconstitutional or invalid. The City Council declares it would have adopted this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 6. This ordinance shall be effective on May 1, 2026.

INTRODUCED, READ, AND ORDERED PUBLISHED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

PASSED, ADOPTED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Lauren Simpson, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:  
Rachel A. Morris, City Attorney

BY: \_\_\_\_\_

Publication Dates: \_\_\_\_\_  
\_\_\_\_\_

***REDLINE/STRIKETHROUGH VERSION***

**FOR INFORMATION ONLY -- NOT PART OF THE ORDINANCE**

Underlined indicates new material  
~~Strikethrough~~ indicates deleted material

**3-1-5-3. ~~Short-term~~ rentals.**

A. *Short title.* This section of the Land Development Code (LDC) may be known as the Short-term Rental or STR ordinance.

B. *Legislative declaration and purpose.* The purpose of this section is to authorize the operation and regulation of Short-term Rentals (STRs) as a land use within Arvada. The City Council finds that STRs support a vibrant economy and provide real property owners with significant financial benefits. They influence property values and impact neighborhood character by allowing the business use of dwellings in residential neighborhoods. They also reduce the potential availability of long-term rental housing to support the local economy and community.

The City Council also finds that STRs require services and infrastructure to operate. They require regulation as a distinct land use to ensure the health, safety, and welfare of the community through the application of zoning police powers. This section supports the operation of STRs by balancing the need to preserve neighborhood quality of life with the protection of private property rights. The City Council finds that this ordinance and the establishment of STR Program Rules are necessary to protect the health, safety, and welfare of the public.

This section is intended to ensure the health and safety of STR Occupants while preserving neighborhood character by mitigating the negative impacts of STRs on the neighborhoods where they are located. This section is also intended to ensure that STR operations are conducted lawfully, and that the activities of Marketplace Facilitators are appropriately regulated. Finally, this section is intended to ensure that the City utilizes this and other applicable provisions in the City Code including the LDC to enforce the provisions of this section as appropriate through the exercise of civil and criminal remedies.

*Authority modified*

A.

*License Required.* Short Term Rentals are prohibited within the City unless a license has been duly issued therefore pursuant to this Section 3-1-5-3 and in compliance with the Code, including without limitation, Chapter 98, Article V, Division 2, Lodging License.

B.

~~*Application.*~~

~~1.~~

~~*Requirements.* An application for a license shall be submitted to the Director and shall be signed by the fee owner of record of the property to be licensed or an individual authorized in writing by the fee owner of record. All license applications shall be submitted on a form supplied by the Director, which shall include such information as is reasonably necessary for the Director to act on such application, together with an application fee as authorized under Section 74-31 of the Code. The applicant must specify which portions of the Dwelling Unit, Dwelling Unit or Accessory Dwelling Unit, Residential ("ADUR") will constitute the licensed premises available for use by renters. A license is not valid until the application fee is paid and accepted by the City.~~

~~2.~~

~~*Certification.* The applicant shall self-certify that the information on the application is accurate and truthful under penalty of perjury under the laws of the State of Colorado. Applicants shall inform the Director in writing of any material change to the information submitted on an application for a license within 30 calendar days of such change.~~

~~C.~~

~~*Term of License and Renewal.* Licenses issued pursuant to this Section shall be valid for a period of one calendar year from the date of issuance. Licenses must be renewed annually. Applications for renewals of a Short Term Rental license are subject to all application, fees, licensing, and operation requirements set forth in this Section that apply to new licenses. In the Financial Officer's discretion, after consultation with the Director, the Financial Officer may impose conditions upon a license at the time of renewal to address non-compliance with the terms of the license, the provisions of this Section, or any other applicable provision of federal, state, or local law. Failure to comply with such conditions may result in suspension, revocation, or non-renewal of the license.~~

~~D.~~

~~*License Regulations.*~~

~~1.~~

~~C. *Compliance.* The licensee shall comply with all applicable Code provisions and state and federal law including, but not limited to, Chapter 18, Buildings and Building Regulations, Chapter 38, Article III, Nuisances, and Chapter 98. The authority to establish and implement an STR Program is set forth in section 1-1-1-3 of this LDC.~~

~~D. *Applicability.* This section applies to any Property located in Arvada that is being offered for Rent as or being used as an STR whether or not it is permitted. STR licenses that are valid at the time this ordinance goes into effect will remain in effect until the date they expire, or are suspended, revoked, or abandoned, whichever occurs first. Nothing in this section precludes the rental of a Dwelling for 30 or more consecutive days.~~

~~E. *Definitions.* Certain terms used in this STR ordinance are defined in section 11-3-3-1 of~~

the Land Development Code.

F. *Duties and responsibilities of the Director.* The Director shall implement, administer, and enforce this section of the LDC and the STR Program Rules (Rules) as set forth in section 8-1-1-1 of this LDC.

G. *Permit and business license required.*

1. *STR permit.* Each Property being offered for Rent, rented, or being used as an STR must have an STR Permit as required under this section 3-1-5-3. A Permit may be for either a primary or a non-primary residence.

2. *Business license.* A Permittee holding an STR Permit must also hold a valid city-issued business license while the STR Permit is in effect. A business license application will be processed and a business license may be issued by the director of finance as set forth in the City Code.

H. *Permit requirements – generally.* An STR Permittee must comply with all the requirements of this section 3-1-5-3. In addition, the following requirements must be met to hold and maintain an STR Permit:

1. *Natural person.* Except as otherwise noted in this section 3-1-5-3 or in the Rules, a Permit may only be issued in the name of one natural person 18 years of age or older who has an Ownership Interest of 20 percent or more in the Property for which the Permit is issued or who is the named beneficiary of a trust holding the Property to be permitted.

1.1 *Legacy Permits:* An entity that holds a Permit or license issued on or before December 1, 2025 (a “legacy” Permit) may continue to hold that Permit for the duration of its term. Should an entity apply to renew a Permit, the entity must designate a natural person to be its Permittee. Should a Permit held by an entity lapse, expire, be abandoned, or be revoked, or should the Property be sold or otherwise transferred, a new Permit issued for that Property must be issued in the name of a natural person. Except as noted in subsections H.1 and H.2, a legacy Permittee is subject to all other provisions of this section 3-1-5-3.

2. *Limit.* Except as noted below, no person may hold more than one STR Permit at a time.

2.1 *Exemption for legacy Permits:* An individual or entity that holds more than one STR Permit or license issued on or before December 1, 2025 (a “legacy” Permit), is exempt from the one-Permit-per-person limit stated in this subsection H.2. The individual or entity is eligible to apply to renew those Permits as noted herein. If a legacy Permit holder held Permits or licenses to operate three STRs as of December 1, 2025, and if one of the Permits is abandoned, lapses, expires, terminated, or is revoked, or if any interest in any of the STR units is sold or otherwise transferred, the exemption will be lost as to that Permit. The Permittee will then be eligible to apply to renew only the two remaining Permits if the Permittee meets all other eligibility requirements. If a legacy Permit holder held Permits or licenses to operate two STRs as of December 1, 2025, or only holds Permits two STR licenses as a result of the loss of their third Permit, then, if one of the two remaining Permits is abandoned, lapses, expires, terminated, or is revoked, or if any interest in either of the STR units or properties is sold or otherwise transferred, the exemption will

be lost as to that Permit. The Permittee will then be eligible to apply to renew only the remaining Permit if the Permittee meets all other eligibility requirements. Except as noted in subsections H.1 and H.2, a legacy Permit holder is subject to all other provisions of this section 3-1-5-3.

3. *Number.* Each Permit will be assigned a unique number. The Permit number must be clearly displayed in all advertising and listings of the STR, including but not limited to all digital and print advertising.

4. *Term.* Each Permit is valid for one year from the date of issuance. As an example, a Permit issued on March 20 of a year will be valid through March 19 of the following year unless it is suspended, revoked, or abandoned. Each Permit may be renewed annually according to the provisions set forth in this section 3-1-5-3 and in the Rules.

5. *Non-transferable.* A Permit will be issued solely to the Permittee to whom it is issued and only for the Property for which it is issued. A Permit does not run with the Property but is issued to a specific person. A Permit is not transferable or assignable to any other person, entity, address, or location.

a. *Effect of sale or transfer of property rights.* If at any time during the term of a Permit, the Permittee sells or otherwise transfers their Ownership Interest in the Property, or if the Permittee's Ownership Interest in the Property falls below 20 percent, the Permit will be deemed terminated and revoked as of the date of the sale or transfer.

6. *Contingent upon compliance.* Each Permit is contingent on compliance with this section 3-1-5-3, with any conditions placed on the Permit by the Director, with the provisions of the Rules, with the city's property maintenance, fire, and other building codes, with the provisions of this LDC, and all other applicable municipal and State laws.

7. *Taxes paid.* The Permittee must ensure that all Lodging, sales, and other taxes due as a result of the use of the Property as STR are submitted to the city in a timely manner.

I. *Permit applications – generally; actions by the Director.* STR Permit Applications must be submitted in accordance with this section 3-1-5-3 and the Rules.

1. *Application not accepted.* The Director may not accept an incomplete Application. The Director may not accept an Application for a Permit from a person or entity that has, within one year prior to the date of the Application, had any Arvada STR Permit revoked, or who has been found guilty in the municipal court of operating an STR without a Permit, of not posting an STR Permit inside a Property being offered for Rent, rented, or used as an STR, of falsifying, defacing, or altering an STR Permit, of not having a business license while offering an STR for Rent, Renting, or using a Property as an STR, or of non-payment of Lodging, sales, and other taxes as required under this section 3-1-5-3 and Chapter 98 of the City Code.

2. *Actions by the Director.* The Director may issue a Permit, issue it with conditions, or deny it. The Director may issue a permit electronically or may require that a Permit or renewal Permit be issued to the Permittee in person.

J. *Emergency contact.* A Permittee must designate an emergency contact (EC) whose responsibilities are set forth in the Rules.

K. Inspections. By filing an Application, the Applicant is deemed to have consented to inspections of the Property to determine eligibility for a Permit, or for the purpose of determining compliance with all other applicable laws. Inspections may be made as a part of the initial or renewal permitting process and will be made upon reasonable notice. The Director may, at their sole discretion, allow any inspection required or necessitated under this section 3-1-5-3 to be conducted by a city inspector or by a third party licensed or certified inspector. Nothing in this section may be deemed to affect the ability of a Peace Officer or other first responder to respond to a call for service or other incident at a Property being offered for Rent, rented, or being used as an STR.

L. Operating requirements. A Permittee must comply with the following operating requirements:

1. Parking requirement. Any property being offered for Rent, rented, or used as an STR must have one additional on-site parking space.

Exception. If the entire premises are being used or rented as an STR, no additional on-site parking space is required.

2. Property maintenance requirements. The Permittee must maintain weekly rubbish and garbage removal services for the STR and otherwise comply with all provisions of the International Property Maintenance Code (IPMC) as adopted by Arvada. This includes but is not limited to complying with lawn mowing, weed removal, and snow and ice removal requirements.

3. Nuisances not allowed. A Permittee may not allow or permit the STR to create a nuisance as that term is defined in Chapter 38 of the City Code.

4. Limits on overnight occupancy. STRs are limited to a total overnight Occupancy of two Occupants per bedroom plus two additional Occupants; studios are limited to a total overnight Occupancy of three Occupants. Each Permit Application must list the number of bedrooms in the STR unit at its largest configuration. The maximum number of overnight Occupants for an STR must be included in all advertising for that STR.

5. Property to be rented. A Permittee may rent the entire permitted Property or a bedroom, lock-off, or other portion of the permitted Property.

6. Maximum nights in operation. No STR may be occupied by Guests or Occupants for more than any 240 days in any 365-day period.

M. Building and zoning restrictions generally.

1. Permitted buildings. An STR may be allowed in a primary Dwelling. A Dwelling designated as affordable housing or that is otherwise deed-restricted may not be used as an STR.

2. Number of STRs per lot. Only one STR Permit may be issued per Lot.

N. Records.

1. Permittee. Each Permittee must maintain the following records from the date their Permit was issued. If the Permit is a renewal permit, the Permittee must also maintain these records for one year before the current permit was issued:

a. Total number of nights the STR was rented to a Guest;

b. The dates on which the STR was rented to a Guest; and

c. Other records necessary to comply with the provisions of this section 3-1-5-3.

2. Marketplace facilitator. Each Marketplace Facilitator must maintain the following information for STR transactions for each Property being offered for Rent on or through their platform in Arvada for five years from the date of the transaction:

- a. The name of the Permittee who offered the STR for Rent;
- b. The address of the STR;
- c. The dates on which the STR was booked by a Guest;
- d. The price paid by the Guest for each STR transaction; and
- e. The STR Permit number.

O. Fees. Each Applicant may be charged an Application fee, an annual Permit or renewal Permit fee, and other fees as noted in the applicable fees schedule.

P. Lodging, sales, and other tax payments required. A Permittee must obtain and maintain a City of Arvada business license in addition to an STR Permit and must remit Lodging, sales, and other taxes in accordance with article V of Chapter 98 of the Arvada City Code.

1. Financial audits. To ensure ongoing eligibility for an STR Permit, Permittees are subject to audits by the City's finance department as set forth in article V of Chapter 98 of the Arvada City Code.

Q. Enforcement. Arvada actively enforces this section and STR Program Rules through inspections, responding to complaints, audits, and permitting activities. Enforcement activities play a vital role in assisting Occupants in supporting neighborhood values and Permittees in complying with applicable laws and the Rules. This section 3-1-5-3 may be enforced by the Director and by those employees designated as Peace Officers under section 58-2 of the Arvada City Code. By applying for an STR Permit, the Applicant is deemed to have acknowledged and to understand that both criminal penalties and administrative consequences may flow from the same act or failure to act. Enforcement mechanisms and appeal rights are as set forth in this section and in the Rules.

1. No warning required. Notwithstanding any other provision of the LDC, and understanding the crucial role enforcement plays in public safety and in maintaining the peaceful enjoyment of the city's neighborhoods, a Peace Officer is not required to issue a warning or similar notice of violation, or a stop work order before issuing a summons and complaint for any of the following violations:

- a. Not having an STR Permit;
- b. Not posting the STR Permit inside the Property;
- c. Falsifying, defacing, or altering an STR Permit;
- d. Not having a business license when offering an STR for Rent, renting, or while using a Property as an STR;
- e. Exceeding overnight Occupancy limits under the STR's Permit;
- f. Allowing or permitting a Large Social Gathering at a Property while it is being rented or used as an STR;
- g. Not having a functioning smoke detector, carbon monoxide detector, or fire extinguisher in or upon the permitted premises;

- h. Not obtaining a building or other permit required under Chapter 18 of the Arvada City Code before beginning the work for which the building permit is required;
- i. Unlawfully removing a Red Tag placard;
- j. Unlawfully entering or occupying a property that has been posted with a Red Tag placard; or
- k. Non-payment of Lodging, sales, and other taxes as required under this section 3-1-5-3 and Chapter 98 of the City Code.

R. *Unlawful acts – generally.* It shall be unlawful for a Permittee to fail to comply with any requirement or provision of or to engage in any act that is declared to be unlawful under this section 3-1-5-3.

11. *Advertising.* It shall be unlawful for any person or Marketplace Facilitator to knowingly advertise or list an STR without the STR Permit number clearly displayed on the face of the advertisement or listing. In this subsection, the term “advertise” means the act of drawing the public’s attention to a Property for the purpose of offering the Property for Rent as or for using it as an STR. The advertisement may be made by or through any platform or medium.

12. *Unlawful to rent or use unpermitted property as an STR.* It shall be unlawful for any person, whether a principal or agent, clerk, or employee, either for themselves, or for any other person to knowingly Rent, offer for Rent, or use Property as an STR without first obtaining an STR Permit.

13. *Unlawful transactions.* It shall be unlawful for any person or Marketplace Facilitator to knowingly advertise or facilitate the rental or use of an unpermitted STR, or to receive payment, directly or indirectly, for renting or allowing the use of an unpermitted STR located in the city.

*Minimum rental period. ~~Taxation.~~*

2.

*Restrictions.* The licensee shall ensure that renters of a Short Term Rental Unit shall only be allowed access to the portions of the Dwelling, Dwelling Unit or ADUR identified in the license.

3.

*Local Contact Person.* The licensee must designate on the application a local contact person who shall be available to respond within one hour of being notified by the city of a complaint about the condition of the property or the conduct of short term tenants. The local contact person must be available to respond as set forth herein 24 hours per day, seven days per week during any term the Short Term Rental Unit is occupied by or rented to a short term tenant, must be able to provide access to the licensed premises, and must be authorized to make decisions about the licensed premises. The local contact may be an individual or an organization or company that specializes in such services and otherwise meets the requirements of this Section. Should the local contact change, the licensee must, within seven days of the change, update the license on file with the city.

4.

*Brochures.* Each Short Term Rental Unit shall provide two brochures to its guests:

a.

The first brochure shall include the licensee's contact information, the local contact party's contact information, and any necessary emergency contact information. The brochure shall also provide information pertinent to the neighborhood where the Short Term Rental Unit is located including, but not limited to, parking restrictions, trash collection schedule, relevant water restrictions, fire evacuation routes, and any other information, as required by the Director, applicable to the Short Term Rental Unit and the surrounding neighborhood.

b.

The second brochure will be provided by the City and include relevant local ordinances, rules, and regulations that apply to all residences in the City. The licensee must display the City's brochure in each Short Term Rental Unit as it is made available and updated by the City.

E.

*Licensing Requirements.*

1.

*Number of Short Term Rentals Units per lot.* Licensees are limited to one Short Term Rental per property. If a property contains more than one legal Dwelling, Dwelling Unit or ADUR, only one Dwelling, Dwelling Unit or ADUR on such lot is eligible for licensure as a Short Term Rental Unit.

2.

*Permitted buildings.* Short Term Rental Units are allowed in primary and accessory buildings with finished living space. All buildings shall comply with the regulations for primary and accessory buildings, including maximum size, height, lot coverage, and setbacks, for the property's zoning district. In the case of a multifamily property, the licensee is allowed one Short Term Rental Unit. In the case of condominiums or buildings held in similar common ownership, each licensee shall be limited to one Short Term Rental Unit per property.

3.

*Reservations.* Only one Short Term Rental reservation to one party at a time is allowed.

4.

*Parking requirements.* One additional on-site parking space shall be required if a portion of a primary structure is used for Short Term Rental. The on-site parking space shall comply with the requirements in Article 4-5 Parking and Loading.

5.

*Safety requirements.* Each Short Term Rental Unit shall be equipped with an operational smoke detector, carbon monoxide detector, and fire extinguisher on the licensed premises.

6.

*Occupancy.* The occupancy of a Short Term Rental Unit shall not exceed the occupancy limits set forth in

~~applicable fire and safety codes.~~

~~7.~~

~~*Prohibited uses.* Use of the Short Term Rental Unit for any commercial or large social events or gatherings, such as weddings, is prohibited.~~

~~8.~~

~~*Trash collection.* The licensee shall maintain weekly residential trash collection services for the Short Term Rental Unit.~~

~~9.~~

~~*Number of days in use.* No Short Term Rental may be occupied by guests for more than 240 days in any 365 day period. Upon renewal of the license, the licensee shall provide to the City the number of days that the Short Term Rental was occupied by guests during the previous 365 days. The Owner shall certify that the number reported is accurate.~~

~~10.~~

~~*Number of Short Term Rentals per Licensee.* No applicant may operate more than three individual properties as short term rentals within the City at any one time. Licensee shall certify compliance with the requirement on each application submitted to the City.~~

~~F.~~

~~*Refusal to Grant, Suspension, Revocation, Nonrenewal of License.* The Director may refuse to grant an initial license, or suspend, revoke, or not renew any license requested or issued pursuant to this Section if the Director determines that any of the following have occurred: (i) fraud, material misrepresentation or false statement in the initial application for the license or any renewal application; or (ii) failure to comply with the terms or conditions of the license, the provisions of this Section, or any other application provision of federal, state, or local law including, but not limited to, the Arvada City Code.~~

~~1.~~

~~*Authority.* In addition, the Director may issue any order reasonably calculated to ensure compliance with this Section.~~

~~2.~~

~~*Remedies.* The Director's authority under this Section is in addition to any other authority the Director has to enforce this Section, and election of one remedy by the Director shall not preclude resorting to any other remedy as well.~~

~~a.~~

~~The Director shall not accept a new application from the same licensee for the same Dwelling, Dwelling Unit or ADUR after revocation of a license:~~

~~(i)~~

~~For at least one year following the revocation; and~~

(ii)

~~Unless the applicant demonstrates compliance with all applicable laws and licensing requirements.~~

~~3.~~

~~*Appeal.* An applicant or licensee may appeal any decision to refuse to grant, not renew, or suspend his or her license to the City Manager within 14 days from the City providing notice of the decision. The City Manager's decision shall be final.~~

~~4.~~

~~*Administrative Hearing.* A licensee may appeal any decision to revoke his or her license through the City's Administrative Hearing procedure as provided in Chapter 2, Article V, Division 3 of the Arvada City Code. The appeal must be received within 14 days from the City providing notice of the revocation.~~

~~G.~~

~~*Administration.* The Financial Officer and Director shall administer the provisions of this Article and are authorized to jointly promulgate rules and regulations for its administration and implementation.~~

~~1.~~

~~*Authority to Inspect.* The Director may inspect the property, dwelling, dwelling unit, or ADUR prior to the issuance of a license or a license renewal to ensure compliance with the provisions of this Section or with any other applicable local, state, or federal laws. The Director may inspect the licensed premises for the purpose of investigating and determining compliance with the requirements for a license issued under this Section, the provisions of this Section, or with any other applicable local, state, or federal law. Where any part of the property, dwelling, dwelling unit, ADUR, or licensed premises consists of a locked area, such area shall be made available for inspection as provided hereunder, without delay, upon request. Refusal to allow an inspection may result in the non-issuance of a license, or in the suspension, revocation, or non-renewal of the license for that licensed premises.~~

~~a.~~

~~*Right of Entry.* Where it is necessary to make an inspection to enforce the provisions of this code during a license period, or where the Director has reasonable cause to believe that there exists in a property, dwelling, dwelling unit, or ADUR a condition that is contrary to Arvada City Code that makes the dwelling or property unsafe, dangerous, or hazardous, the Director is authorized to enter the property, dwelling, dwelling unit, or ADUR at reasonable times to inspect, provided that if such property, dwelling, dwelling unit, or ADUR be occupied that credentials be presented to the occupant and entry requested. If such property, dwelling, dwelling unit, or ADUR is unoccupied, the Director shall first make a reasonable effort to locate the owner or local contact person and request entry. If entry is refused, the Director shall have recourse to the remedies provided by law to secure entry.~~

~~2.~~

14. *Violations and Penalty.* It shall be unlawful for any person to violate aor Marketplace Facilitator to knowingly offer a Property for Rent, Rent, or use a Property as an STR for fewer than two consecutive days.

15. *Permit displayed.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use a Property as an STR without affixing a valid STR Permit near the primary entrance to the STR in such a way as to be clearly visible to an ordinarily observant person entering the STR.

16. *Unlawful to alter permit.* It shall be unlawful for any person to knowingly falsify, deface, or alter an STR Permit.

17. *Video recording devices prohibited.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use as an STR Property that contains or is equipped with a device that records moving or still images of the inside of the Property. A video recording device that captures only images of outdoor locations upon Property used as an STR, such as a porch, driveway, lawn, garden, patio, or deck is allowed.

a. This subsection does not prohibit a Guest or Occupant from using a video recording device to record images of the inside of the Property if the recording is made in or from an area they are otherwise allowed to be in, and if the recording is otherwise legal.

b. This subsection does not prohibit a Peace Officer, fire official, emergency medical responder, city inspector, or other city official from using a video recording device to record images of the inside of the Property while acting within the course and scope of their employment.

c. This subsection does not prohibit a Permittee or Permittee's agent from using a video recording device to record images of the inside of the Permitted Property if each Guest or Occupant on or within the Property at the time of the recording has been notified of and has consented to the recording before it occurs, or prohibit a Permittee or Permittee's agent from using a video recording device to record images of the inside of the Property when no one is renting it.

18. *Marketplace facilitator – business license.* It shall be unlawful for any person to knowingly broker or facilitate an STR reservation online and receive payment for this service without first obtaining a business license from the city.

19. *Marketplace facilitator – removal of listing.* It shall be unlawful for any person or Marketplace Facilitator to knowingly fail to remove an unpermitted STR from the person's or Marketplace Facilitator's website or other digital platform within 7 calendar days of receiving notification from the Director that the STR is not permitted or that the Permit has been suspended or revoked.

20. *Records.* It shall be unlawful for any person offering a Property for Rent, renting, or using a Property as an STR to knowingly fail to keep or maintain STR records as required under this section 3-1-5-3.

S. *Unlawful acts – business operations.*

1. *False statement of fact.* It shall be unlawful for any person to knowingly make a false statement of a material fact on an STR Permit Application or renewal Permit Application or in any document accompanying an Application.

2. *Safety requirements.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use Property as an STR if the Property is not equipped with a functioning smoke detector, carbon monoxide detector, and fire extinguisher.

3. *Unlawful to remove red tag placard.* It shall be unlawful for any person to knowingly deface or alter a Red Tag placard, or for any person to knowingly remove a

Red Tag placard except at the direction of the Director or the chief building official or designee thereof.

4. *Unlawful to enter red tagged property.* It shall be unlawful for any person to knowingly enter or occupy any Property, structure, or portion of any Property or structure upon which a Red Tag placard has been posted except for the purpose of repairing or otherwise bringing the Property into compliance with this section 3-1-5-3 or into compliance with any other provision of the City Code, including but not limited to the city's property maintenance, fire, and other building codes.

5. *Compliance with city and state laws.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use a Property that does not comply with all applicable city and state laws as an STR.

6. *Insurance.* It shall be unlawful to knowingly Rent, offer for Rent, or use Property as an STR without fire, hazard, and liability insurance within the coverage limits set by the Director.

7. *Business license required.* It shall be unlawful for any person to knowingly Rent, offer for Rent, or use Property as an STR without first having obtained a city-issued business license.

8. *Taxation.* ~~this Section. Violators shall be subject to the penalties as contained in section 1-5 of the Arvada~~ It shall be unlawful for any person to knowingly Rent, offer for Rent, or use Property as an STR to fail to pay Lodging, sales, and other taxes owed to the City as required under Chapter 98 of this Code ~~and may also.~~

T. *Unlawful acts – good neighbor provisions.*

1. *Exceeding overnight occupancy.* It shall be ~~subject~~unlawful for any person including but not limited to ~~civil~~a Guest or Occupant to knowingly allow or permit more people to occupy an STR than are allowed as set forth on the STR's Permit.

2. *Unreasonable noise prohibited.* It shall be unlawful for any person including a Guest of or Occupant at or upon a Property being rented or used as an STR to knowingly make, allow, or permit unreasonable Noise from or upon the Property or Noise that is otherwise in violation of any provision of Chapter 38 of this Code.

3. *Rubbish and garbage.* It shall be unlawful for any person, including but not limited to the Permittee, Guest of, or Occupant at or upon a Property being rented or used as an STR to knowingly fail to dispose of rubbish and garbage at the STR no less often than once per week.

4. *Snow and ice removal.* It shall be unlawful for any person, including but not limited to the Permittee, Guest of, or Occupant at or upon a Property being rented or used as an STR to knowingly fail to remove snow and ice from the Property within 24 hours of the end of any snow fall or ice storm as set forth in the International Property Maintenance Code as adopted by the City.

5. *Large social gatherings prohibited.* It shall be unlawful for any person, including but not limited to the Permittee, Guest of, or Occupant at or upon a Property being rented or used as an STR to knowingly allow or permit a Large Social Gathering on the Property while the Property is being rented as or used as an STR.

6. *Failure to physically report upon request.* It shall be unlawful for the Permittee to knowingly fail to physically report to the STR for which they hold a Permit within one hour of being asked to do so by a Peace Officer, or, if the Permittee is unavailable, for

the designated EC to fail to physically report to the STR within one hour of being asked to do so by a Peace Officer.

U. *Criminal penalties; other remedies-A; concurrent remedies.*

1. *Criminal penalty.* Except as otherwise noted herein, a violation of this section shall be punished by a fine or imprisonment not to exceed the limits established in section 1-5 of the City Code, except that the penalty for any violation under this section for which there is a counterpart in Chapter 62 or elsewhere in the City Code will be the same as the penalty for the counterpart violation.

2. *Determination of guilt.* Guilt may be found as a result of a no contest plea, a plea of guilty, or by conviction in the municipal court.

3. *Minimum fines.* A person who is found guilty in the municipal court of offering an unpermitted Property for Rent as an STR, of renting, or of using an unpermitted Property as an STR, of not posting the STR Permit inside the Property, or of falsifying, defacing, or altering an STR Permit shall be fined a minimum of \$2000.00 per violation. A person guilty of a violation of any other provision of this section 3-1-5-3 shall be fined according to the following minimum fine schedule:

a. *First conviction.* Minimum fine of \$500.00 per violation.

b. *Second conviction within any 365-day period.* Minimum fine of \$1000.00 per violation.

c. *Third or subsequent conviction within any 365-day period.* Minimum fine of \$2000.00 per violation.

The operative date for calculating the date of the second or third conviction is the date of the violation for which the person is convicted or pleads guilty or no contest, not the date of the conviction or plea. No portion of these minimum fines may be suspended. A municipal court judge may impose conditions in connection with the minimum penalties set forth herein and may impose a greater sentence including imprisonment based on the facts and circumstances of the case and in accordance with section 1-5 of the City Code.

4. *Continuing violation.* In accordance with section 1-5 of the City Code, every day any violation of this section continues or is permitted or allowed to continue shall constitute a separate offense shall be deemed committed upon violation.

V. *Other administrative and civil remedies.* The Director may institute administrative proceedings against a Permittee, including but not limited to a Permittee who has been found guilty of a violation of this section 3-1-5-3, as set forth in the Rules. In addition, the city attorney may institute injunctive, abatement, or other appropriate action to prevent, restrain, enjoin, correct, abate, or remove a violation of this section 3-1-5-3 or any other section of the Code when it occurs.

W. *Concurrent remedies.* The initiation of a prosecution in the municipal court for a violation of this section shall not preclude the city from instituting administrative proceedings against a Permittee or from taking other appropriate action to restrain, enjoin, correct, or abate, or remove a violation, or to stop an illegal act or conduct. Enforcement of the provisions of this ordinance may be conducted by a Peace Officer as a criminal matter, by the Director as an administrative matter, and by other city officials as appropriate.

X. Liens. Until paid, any delinquent charges, assessments, or taxes made or levied by the City pursuant to this section against a Property being offered for Rent as or used as an STR shall, as of recording, be a lien against the property on which the violation has been found to exist. If not paid within 30 calendar days from the date of the statement, the city clerk may certify any unpaid charges, assessments, or taxes to the county treasurer to be collected and paid over by the county treasurer in the same manner as taxes are authorized to be by statute together with a ten percent penalty for costs of collection. Any lien placed against the property pursuant to this section will be recorded with the county clerk and recorder.”

8-1-1-1B.1

“B. Duties and Responsibilities. The Director shall be responsible for the administration of this LDC and the regulations contained therein.

1. The Director shall have the authority to:

.....

g. Implement, administer, and enforce the STR ordinance and Program Rules and in relation thereto, may:

i. Require access to each property being used or operated as an STR or for which an STR Permit is sought to conduct a pre-permitting, renewal or compliance inspection, and to implement, administer, and enforce section 3-1-5-3 of this LDC and STR Program Rules. The Director may require minimum insurance coverage for STRs in types and amounts to be determined in consultation with the city’s insurance and risk program director;

ii. Cause a Red Tag placard to be posted on an unpermitted Property or structure when the Director has good cause to believe it is being offered for Rent, rented, or being used as an STR, or on any permitted STR that has been or is being operated in a manner that adversely affects the health, safety, or welfare of any occupant or the neighborhood in which it is located or that has been or is being operated in violation of any provision set forth in this section 3-1-5-3;

iii. Issue orders to show cause and notices to appear, make compliance determinations, and impose administrative consequences on Permittees including but not limited to suspending or revoking a permit;

iv. Ensure that Marketplace Facilitators offer only permitted properties for Rent as STRs by requiring a Marketplace Facilitator to remove an advertisement or listing for an STR from the Marketplace Facilitator’s website or other digital platform if the STR Permit for the Property has been suspended or revoked or otherwise as appropriate;

v. Maintain and make publicly available a registry of all permitted STRs within the city; and

vi. Take or delegate any other action reasonably necessary to implement, administer, and enforce the STR ordinance. Nothing in this section

affects the ability of a Peace Officer to investigate suspected offenses involving STRs and initiate prosecutions of cases involving STRs.”

### 11-3-3-1

“Applicant.- Unless otherwise specified, an owner or other person with a legal property interest, including heirs, successors, and assigns, or an ~~owner's~~owner’s authorized agent, who has filed an application for subdivision or development. ~~For wireless applications, an~~ Applicant ~~is any~~also includes a natural person with an ownership interest in a property that has filed an application for an STR permit for that property, and a wireless provider, infrastructure owner or any other entity, agent, employee, and contractor thereof that applies for permission to site, install, construct, collocate, modify and/or operate a WCF, ~~and shall include, where the context suggests, its agents, employees and contractors.~~

Application, Complete.-~~An~~ A complete application means a form, either electronic or paper, and all accompanying fees, submittal documents, and exhibits required of an ~~Applicant~~applicant by an approving authority for review of proposed site plans, conditional uses, subdivisions, planned unit developments, STR permits or renewal permits, and other similar development or land use purposes.

Property. Property may be a single lot, parcel, tract

City Code. City Code means the Code of Ordinances adopted by the City of Arvada and includes this LDC.

Emergency Contact or EC. Emergency contact or EC means a natural person aged 18 years of age or older who is capable of physically responding to the STR within one hour of being asked to do so by a peace officer, who has access to the STR, and who is authorized by the permittee to make decisions about it.

Guest. Guest means a person who is occupying or may occupy an STR or a property being used as an STR by reason of license, right of access, or by executing a rental agreement for a period of less than 30 consecutive calendar days.

Large Social Gathering. Large social gathering means a wedding, any gathering consisting of more than the total number of overnight occupants allowed on or within the property under the STR permit plus no more than six additional people, any gathering for which an admission, entry, door, cover, or similar fee is assessed, or any gathering that a reasonable person would believe would disrupt the quiet and peaceful enjoyment of a neighbor or neighbors.

Lodging. Lodging has the same meaning as that set forth in section 98-243 of the City Code.

Marketplace Facilitator. Marketplace facilitator has the same meaning as that set forth in section 98-243 of the City Code, and, as used in section 3-1-5-3 of this LDC, it includes any person, entity, or platform that facilitates an STR reservation or similar Lodging services between a prospective guest and a person or entity offering an STR. It does not include a property

management or other company that collects cleaning or other fees on behalf of STR permittees but that does not facilitate STR reservations.

Noise or Unreasonable Noise. Noise or unreasonable noise means any sound that is unwanted or which causes or tends to cause an adverse psychological or physiological effect on human beings, and includes any sound that a reasonable person would believe would disturb those on an adjoining residential property considering the nature of the sound, the volume of the sound, the length of time the sound continued, the time of day at which the sound occurs, and any other factor a reasonable person would deem relevant to whether the sound was unreasonable. It also includes any sound that is in violation of any provision of Chapter 38 of the City Code.

Occupancy. Occupancy means the use or possession, or the right to use or possession of a dwelling for dwelling, lodging, or sleeping purposes.

Occupant. Occupant means a person of any age who is present upon an STR permitted property.

Ownership Interest. Ownership interest means a legally recognized stake in a property including sole ownership, or at least 20 percent of a legal interest in the property through shared ownership with other individuals, or at least a 20 percent shared legal interest in the property through ownership of an LLC or other corporate entity that owns the property. It includes a named beneficiary of a trust that holds the property.

Peace Officer. Peace officer has the same meaning as that set forth in section 58-2 of the City Code.

Permit. Permit means a document issued by the Director authorizing an applicant to use property for a specific type of use identified in this LDC. As used in section 3-1-5-3 of this LDC, it includes an STR renewal permit.

Permitted Property. As used in section 3-1-5-3 of this LDC, permitted property means the property specified in an STR permit that is owned by or in possession of the permittee and within which the permittee is allowed to provide STR accommodations. The permitted property may consist of the entire property or lot upon which the STR is located as in the case of a dwelling rented out along with driveways, lawns, and other areas appurtenant to the dwelling, or may consist of the area upon or within a property that is being held out for rent, as in the case of a townhome or condominium, or a bedroom and bathroom, or other similar area.

Permittee. Permittee means a person or entity to whom the City has issued a permit authorizing a property for a specific type of use.

Property. Property may be a single lot, parcel, tract, a condominium, or plot of land or may be a combination of abutting lots or parcels that will be bound by the approval.

Red tag. Red tag means a placard issued by the Director or the city's chief building official or designee thereof that is affixed upon or within the property to notify occupants or potential

occupants that the building is not safe for occupancy or that the property is not available to be rented or used as an STR.

Rent. Rent means consideration of any type provided in exchange for the use of a structure or property or portion thereof. As used in section 3-1-5-3 of this LDC, it includes the total consideration charged for short-term residential occupancy as shown on the guest's receipt.

Short-Term-term Rental. ~~The use of a, Short-term Rental Unit, or STR. Short-term rental, short-term rental unit, or STR means a furnished dwelling unit, including, without limitation, or portion thereof in a single-unit, duplex, multiplex, or multifamily dwelling unit, mobile home, or any portion of such dwellings, that is offered, provided, operated, or~~ rented for occupancy for dwelling, lodging, or sleeping purposes for guests in exchange for remuneration for a period of less than 30 or fewer consecutive calendar days, counting portions of days as full calendar days. STR does not include a hotel, motel, tent, recreational vehicle, commercial office area, retail space, warehouse, industrial space or area, or other structure designed or used primarily for temporary or transient occupancy, including but not limited to a sleeping space in an outdoor area, a garage, a shed, or a tree house.

STR Program. STR program means and includes provisions of this LDC that relate to STRs and the STR Rules. The program includes any additions, revisions, and amendments to the city's STR laws and STR Rules as these documents may be from time to time amended.

STR Program Rules or Rules. STR Program Rules or Rules means those rules adopted under the City Code to provide clarity and context about the city's STR laws and how they operate."



# **Short-term Rental Program Rules**

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May 1, 2026

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**Community and Economic Development  
Department**

## **1.0 Generally.**

1.1 *Background.* The City of Arvada has for many years regulated the business use of residential properties. This includes residential properties used as short-term rentals (STRs). STRs are residential living spaces available to rent for short periods of time. Shorter than a traditional lease, a short-term rental period ranges from 2-29 consecutive days. STRs are known by various names, including vacation rentals. They are usually made available via a vacation rental platform, also known as a marketplace facilitator, that facilitates or brokers STR reservations online and receives payment for providing this service. STRs exclude hotels and longer-term rentals.

1.2 *STR program.* Arvada's STR Program consists of the implementation, administration, and enforcement of the STR ordinance found at section 3-1-5-3 of Arvada's Land Development Code (LDC), related portions of the LDC and the Arvada City Code, these Rules, those portions of the City's Fees Schedule devoted to STR fees, and related activities. Prospective and current STR permittees are encouraged to be familiar with these and other sections of the City Code that apply to properties that are offered for rent as or being used as an STR.

1.3 *STR program goals.* The goals of the STR Program are to protect the health, safety, and welfare of STR occupants, preserve the residential character of neighborhoods, and provide guidance for STR permittees and emergency contacts (ECs) about how to comply with the law and these Rules.

1.4 *Complaints.* Complaints about an STR or a property thought to be used as an STR may be filed in accordance with section 11.0 below.

## **2.0 Authority and purpose.**

2.1 *Authority.* These administrative Rules have been promulgated in accordance with City Code sections 2-141 – 145.

2.2 *Purpose.* These Rules set forth the standards, procedures, and supplemental information necessary to administer the STR program and provide clarity about the STR program for STR permittees and ECs.

2.3 *Amendment of.* These Rules may be updated, amended, expanded, or otherwise revised in accordance with City Code sections 2-141 – 145.

**3.0 Definitions.** The words, terms, and phrases defined in LDC section 11-3-3-3 that are used in these Rules have the same meaning as set forth in that section. The following words, terms, and phrases used in these Rules shall have the following meanings unless the context clearly requires otherwise:

*Complaint* means a statement alleging a violation of LDC section 3-1-5-3, of these Rules, or another section of the City Code related to the operation of a permitted STR or a property suspected of being offered for rent or used as an STR.

*Contact information* means the physical address, email address, and telephone number of an applicant or a natural person or an entity named in a permit application. In the case of a person filing a complaint about an STR, it means the complainant's name and their email address or telephone number.

*Day* means a calendar day.

*Good standing* means a determination by the director that an applicant or permittee is at the time of the determination not the subject of a pending "Order to Show Cause and Notice to Appear," a summons and complaint or red tag notice related to any STR in the city, has submitted all requested documentation to the director, and has paid all outstanding fees, charges, fines, taxes, and other amounts due to the city as a result of applying for or holding an STR permit.

#### **4.0 Permit application.**

4.1 *Generally.* An applicant must submit an STR permit application to the director on a form supplied by the director and available on the city's website. The director may require that the application and all required associated documents be submitted electronically. Should the director determine that an application is not complete in all respects or that the applicant is not eligible to apply for an STR permit under LDC section 3-1-5-3, the director will return the application to the applicant, except that the application fee is non-refundable. If the applicant is eligible to apply for an STR permit, the applicant may re-file a complete application with the submission of a re-filing fee as noted in the applicable Fees Schedule. The applicant must supply any information deemed reasonably necessary by the director to complete the application process. The applicant will certify that the information on the application and in the accompanying documents is accurate and truthful under penalty of law.

4.2 *Required documentation generally.* Each applicant must submit the following documentation with their completed application form:

4.2.1 The STR property's parcel information and property address;

4.2.2 A diagram or floor plan depicting the property for which the STR permit is being sought. It must show all floors of the dwelling to be permitted both finished and unfinished, use of rooms or areas, door locations, egress window locations and the size of each egress window, the location of fire extinguishers, and the location of smoke and carbon monoxide detectors;

4.2.3 A written property maintenance plan including the permittee's plan for mowing the lawn and removing weeds, for snow and ice removal, and for rubbish and garbage removal including the name and contact information for the permittee's trash hauling service;

4.2.4 The completed and signed EC form;

4.2.5 An acknowledgement that the applicant understands that each STR permit is contingent upon continuing compliance with all State laws, and local ordinances including the city's property maintenance, fire, and other building codes;

4.2.6 A completed STR Property Inspection Form;

4.2.7 Proof of ownership of the property. This may be by a copy of a recorded deed, by a notarized letter signed by the permittee that they hold an ownership interest in the permitted property as the term ownership interest is defined in LDC section 11-3-3-1, or proof that the applicant is a named beneficiary of a trust that owns the property;

4.2.8 A certification that there are no deed restrictions on the property prohibiting it from being used as an STR;

4.2.9 Information about any pending or previous summonses or Orders to Show Cause issued by the director, a peace officer, or a code enforcement official to the applicant or to the designated EC during the past year relating to:

4.2.9.1 The current or any previous STR permit or STR license issued by the city to the applicant; and

4.2.9.2 Any Arvada property that was offered for rent, rented, or used as an STR which was or is owned in whole or in part by the applicant or in which the applicant had a property interest;

4.2.10 A valid government-issued identification or passport;

4.2.11 A valid City of Arvada business license;

4.2.12 Proof of insurance as required under LDC section 3-1-5-3;

4.2.13 The permit application fee and other fees as applicable including the annual permit fee; and

4.2.14 Any other documentation deemed necessary as determined by the director.

4.3 *Renewal application.* A permittee must file a renewal application form and must update documentation already in the permittee's file as required by the director. In addition, the director may require additional information reasonably necessary to confirm that the permittee has been and is in compliance with all applicable laws and these Rules.

4.4 *Personally identifiable information.* By applying for an STR permit or by signing an EC designation form, each permittee and EC must acknowledge and agree that information that might identify them is being gathered for regulatory purposes as part of the city's STR Program. By applying for an STR permit or by signing an EC designation form, each permittee and EC must acknowledge that their names and names and telephone numbers may be released to the public, including but not limited to occupants of the permitted STR. Financial information related to taxation will not be made available to the public except as otherwise noted in Chapter 98 of the City Code.

## **5.0 Actions by the director: approval of permits.**

5.1 *Generally.* In determining whether to approve, deny, not renew, suspend, or revoke a permit, the director may review and consider information submitted by the applicant, from any city employee, any city data system or contractor, from the Arvada Police Department or any other criminal justice agency or system, from a marketplace facilitator, or from the EC, and may consult with any other person or resource reasonably necessary to provide information relevant to the director's decision.

5.1.1 *Conditions.* The director may, as a condition of approval, retention, or renewal of any permit, impose on the permittee any reasonable condition or conditions related to the permit or the operation of the STR that is in accord with the intent of LDC section 3-1-5-3 and these Rules.

5.1.2. *Permit decisions - time limits.* The director should make any permit decision required under LDC section 3-1-5-3 or these Rules within 21 days of submission by the applicant of all information required to complete the STR permit application. This deadline may be extended if the director must arrange to have the property inspected.

5.2 *Approval of initial permit application.* The director may approve a permit or approve a permit with conditions if the director has sufficient information to satisfy the director that the applicant has submitted all required documentation, has met the requirements set forth in LDC section 3-1-5-3 and other applicable provisions of the City Code and these Rules, and is otherwise in good standing.

5.3 *Approval of renewal permit application.* The director may approve the renewal of an STR permit or approve it with conditions if the applicant has met the approval requirements noted in subsection 5.2 above and has met the following requirements:

5.3.1 Provided information about any changes to the previous application for the permit;

5.3.2 Provided the number of days the STR was occupied by guests during the previous 365 days;

5.3.3 Submitted information from the city's finance director that all lodging, sales, and other taxes due to the city have been paid as of the date the renewal application is filed with the city;

5.3.4 Submitted financial records necessary to allow for an audit of the STR's business records unless the permittee lists exclusively on a hosting platform that has an agreement with the city that includes a provision for pass-through registration for permittees;

5.3.5 Submitted proof of insurance as required under LDC section 3-1-5-3; and

5.3.6 Has met the requirements set forth in LDC section 3-1-5-3, other applicable provisions of the City Code, these Rules, and is otherwise in good standing.

## **6.0 Actions by the director: denial of permits.**

6.1 *Generally.* The director may deny a permit or a renewal permit if:

6.1.1 The applicant fails to submit documentation as required;

6.1.2 The director determines there is or has been a material misrepresentation of fact on any document submitted by the applicant;

6.1.3 The applicant has acted or failed to act in conformance with any provision of LDC section 3-1-5-3 or these Rules including but not limited to the failure to pay any fees, taxes, or has failed to comply with any aspect of a sentence imposed by a municipal court judge relating to a case involving a Property being offered for rent, rented, or used as an STR; or

6.1.4 The designated EC does not meet the requirements of LDC section 3-1-5-3.

6.2 *Notice provided.* The grounds for denying a permit will be stated in writing and provided to the applicant or the permittee at the time the action is taken or as soon thereafter as is reasonably practical. The notice will provide information about the right to file a request for reconsideration or an appeal, as appropriate.

## **7.0 Permit – contents, signature.**

7.1 *Generally.* An STR permit will be in a form supplied by the director and must contain the:

- 7.1.1 STR permit number;
- 7.1.2 Property address;
- 7.1.3 Permittee's and the EC's names and telephone numbers;
- 7.1.4 Date of issuance and date of expiration of the permit;
- 7.1.5 Total number of bedrooms in the permitted property;
- 7.1.6 Total number of overnight occupants allowed to stay at the STR;
- 7.1.7 Total number of people allowed on the permitted property (meaning the number of overnight occupants plus no more than six additional people);
- 7.1.8 Location of the fire extinguisher;
- 7.1.9 A notice to call 911 in an emergency; and
- 7.1.10 Any other information deemed relevant by the director.

## **8.0 Abandonment of a permit.**

8.1 A permit will be deemed to be abandoned under the following circumstances:

8.1.1 Failure to apply timely for renewal permit. Understanding the time necessary to process a renewal application, a permittee must submit a complete renewal application to the city not less than 45 days prior to the expiration date of the permit. The failure by a permittee to submit a complete renewal application no less than 45 days before the expiration of the permittee's existing permit will be deemed to be abandonment of the permit. The abandonment will be deemed to have occurred on the day the permit expires. The director will treat an application for renewal of a permit filed within 45 days or less of its expiration date as an application for a new STR permit.

8.1.2 Failure to rent. A permit will be deemed abandoned if the property is not rented at least once per quarter during the term of the permit as shown on tax filings.

8.1.3 Voluntary abandonment. A permit may be abandoned by a permittee at any time by notifying the director in writing of the permittee's intent to abandon the permit.

8.1.4 Failure to pay lodging, sales, or other taxes due to the city. A permit will be deemed abandoned if the permittee fails to submit lodging, sales, or other taxes due to the city in a timely manner. The abandonment will be deemed to have occurred seven days after the taxes are due.

8.1.5 Failure to pay a renewal permit or other fee. A permit will be deemed abandoned if the permittee fails to submit STR permitting or other fees due to the city in a timely manner. The abandonment will be deemed to have occurred seven days after the fee is due.

## **9.0 Permittee responsibilities; EC responsibilities.**

9.1 *Generally.* The permittee is the primary point of contact for the permitted STR. The permittee is responsible for ensuring that the STR operates in compliance with LDC section 3-1-5-3, with these Rules, and with all other applicable ordinances and laws. In addition, the permittee is responsible for responding to STR occupant and community member complaints, inquiries and complaints from city officials, and to other on-site needs related to the STR and its operation.

9.2 *Response to complaints.* A permittee must, within 24 hours, provide a response to a complaint made by the director or a designee thereof, by any third party STR monitoring service designated by the director to process STR complaints, or by a peace officer.

9.3 *Reporting in person to the property.* A permittee must report to the property in person within one hour if asked to do so by a peace officer. If the permittee is unable to respond to the property within one hour, the permittee may designate the EC to report to the property within one hour. All calls from a peace officer for an in-person response to the property will first be made to the permittee at the permittee's telephone number on file and then, if the permittee is unavailable to report to the property within one hour, to the EC at the EC's telephone number on file. A request to report to the property may be made via voice mail.

9.4 *Fire Protection District.* The permittee must also make available to the Arvada Fire Protection District the name and contact information for the permittee and the EC as shown on the STR permit. The permittee must update this information with the Fire District as soon as it is practicable each time this information changes.

9.5 *Emergency contact's responsibilities.* The EC is designated by the permittee as the secondary point of contact for the permitted STR. The EC must be able to report in person to the STR within one hour of a request to do so by a peace officer if the permittee is unable to do so. The EC must be able to access the STR and be authorized to make decisions about the operation of the STR. Failure of an EC to physically report to the STR within one hour of a request from a peace officer may result in enforcement action against the permittee and the EC. Except for provisions in LDC section 3-1-5-3 or these Rules that by their very terms are only applicable to the EC, the permittee remains

liable for compliance with LDC section 3-1-5-3, these Rules, and other applicable municipal and state laws.

## **10.0 Good Neighbor provisions.**

**10.1 *In-unit messaging through the Good Neighbor Guide.*** STRs are required to operate in accordance with all applicable city and state laws and rules. These laws protect the health, safety, and welfare of the community and support the preservation of neighborhood character and values. In-unit messaging about applicable laws and rules is essential to assist STR occupants in supporting the city's STR Program Rules, ensuring STRs in neighborhoods support community character, and assisting in the promotion of Arvada's community character. In addition to posting the STR permit, the permittee must provide within the property a copy of the "Good Neighbor Guide" as published by the director.

**10.1.1 Contents.** The Guide will notify occupants that it is illegal to rent or use property that is not permitted to be an STR as an STR. It will ask occupants to be respectful of the STR's neighbors to help maintain the residential character of the neighborhood. It will note that all occupants are expected to abide by all laws including the city's noise laws that prohibit amplified sounds under Article II of Chapter 38 of the City Code. The Guide will notify occupants that a person who fails to vacate the property upon expiration of the occupancy term may be deemed to be a trespasser and to consult their rental agreement for more detailed information about the length of their rental. The Guide may contain any other information the director deems relevant to support neighborly practices.

**10.2 *Neighborhood notification.*** A permittee must notify the owner or tenant of each lot that shares a property line with the lot on which the permitted STR is located that an STR permit has been issued for the permitted property. The notice must be in writing and must contain the STR permit number and street address, the permittee's name and contact information, and the EC's name and contact information. The notice must be transmitted by first class U.S. Mail within 14 days of the issuance of the permit. Proof of notice will be considered sufficient if the permittee files with the Director within 28 days of the issuance of the permit a statement that the notice was properly transmitted. In the case of a condominium or other multi-family dwelling, the notice must be made to the current owner or tenant of any dwelling that shares a wall, floor, or ceiling with the permitted property. No notice is required for a lot or property that is entirely owned by a public entity, such as a city, county, or special district.

## **11.0 Complaints about STRs.**

**11.1 *Generally.*** An STR complaint may be filed by a member of the public, a city employee, or by a contractor hired by the city to monitor STR activity or provide other services related to the administration or enforcement of LDC section 3-1-5-3. Those making a complaint should provide their name, their telephone number or email address,

the date, time, and location of the alleged violation, and a detailed description of the action or the failure to act that constitutes the alleged violation.

11.2 *Types.* A complaint about an emergency at an STR or a property thought to be offered for rent, rented, or being used as an STR may be made by calling 911. A complaint of a non-emergency nature about activities at an STR or at a property thought to be offered for rent, rented or being used as an STR, such as a complaint about weeds, noise, or trash or snow removal, should be made through the city's 24/7 STR telephone complaint hotline, the city's online complaint system, or the police department's non-emergency number.

11.3 *Procedure, generally.* Complaints made through the 911 system or the police department's non-emergency number will be handled in accordance with established police policies procedures. Complaints made about matters governed by the City's building, fire, and related technical codes may be routed to the City's code enforcement office. Other complaints may be handled by the director or another city official as appropriate. The director or police department may respond to an anonymous STR complaint as circumstances dictate and resources allow.

11.4 *Correction of deficiency allowed.* Except as noted in LDC section 3-1-5-3Q.1, which allows for immediate enforcement of certain violations, a peace officer or the director may contact the permittee or the EC about a complaint and ask that the situation be corrected. In these cases, the peace officer or director may allow the permittee or the EC to correct the situation before taking additional enforcement action.

11.5 *Documentation.* The director will, following consultation as necessary with a third party STR monitoring service designated by the director to process STR complaints, a peace officer, the city attorney's office, or with any other city employee with information relevant to the case, categorize the outcome of any complaint as substantiated or unsubstantiated, and will maintain a record of the outcome. A deficiency that is corrected after a notice from a city employee or a third party STR monitoring service designated by the director to process STR complaints but before the issuance by a peace officer of a summons and complaint in the matter will be deemed to be substantiated. An unfounded complaint will be deemed to be unsubstantiated.

11.6 *Records.* Except for records made or maintained by the Arvada Police Department, the city clerk's office is deemed to be the custodian of records related to STR complaints and the outcome of each complaint, including those determined to be unsubstantiated, in accordance with the city's records retention schedule.

11.7 *Fees.* The director may impose inspection, re-inspection, or other fees in connection with enforcement activities and in accordance with the City's applicable Fees Schedules.

11.8 *Coordination with marketplace facilitators.* The director will work to ensure that marketplace facilitators offer only permitted STRs for rent by requiring a marketplace

facilitator to remove an advertisement or listing for a suspended, abandoned, or otherwise unavailable or unpermitted STR from their website or other digital platform. The director may coordinate with any other city employee and any marketplace facilitator to create processes that streamline the removal of these properties from these platforms. The director's notification should identify the listing's uniform resource locator (URL) or other specified digital location to be removed and state the reason for the removal. Notwithstanding the above, marketplace facilitators are still responsible for complying with all applicable sections of 3-1-5-3 of the LDC.

## **12.0 Administrative actions: notice and process.**

12.1 *Generally; when initiated.* Administrative actions are a crucial tool to help protect the quality of life in neighborhoods, maintain community character, and protect the public's health, safety, and welfare. The director may initiate administrative proceedings against an STR permittee where:

12.1.1 There are three substantiated complaints relating to the same STR in any one-year period;

12.1.2 There exists good cause to believe the permittee has engaged in conduct that violates a provision of this Code;

12.1.3 A permittee has been charged in the municipal court with a violation of any provision of LDC section 3-1-5-3; or

12.1.4 The permitted property has been used or allowed to be in violation of these Rules or of LDC section 3-1-5-3.

12.2 *Initiation of action: contents of notice and order.* The director will initiate administrative proceedings against a permittee by mailing by first class U. S. Mail an Order to Show Cause and Notice to Appear to the permittee's physical address shown on the permittee's STR application. The Order and Notice must identify the STR property by location and permit number. It must set forth a description of the circumstances that necessitated its issuance and contain other relevant documentation, if any. It must also note the date, time, and location of the administrative hearing on the matter. Finally, the Order and Notice must contain a statement about the possible consequences of the failure to appear at the administrative hearing as required by the Order and Notice.

12.3 *Administrative hearing.* The administrative hearing will be set within 14 days of the date of the Order and Notice. To the extent practicable, the director will conduct the hearing under Division 3, Administrative Hearings, of Chapter 2, Administration, of the City Code. If the permittee fails to appear at the hearing, the director will accept into the record any relevant evidence about the allegations noted in the Order and Notice and render a decision on the evidence presented. The city has the burden of moving forward with the presentation of evidence at the hearing and bears the burden of proof to show by a preponderance of the evidence that a violation occurred. The permittee will have

the opportunity to be heard in accordance with the provisions of Division 3 of Chapter 2 noted above.

*12.4 Decision.* The director will issue a written decision on the matter within 14 days of the hearing and issue it to the permittee as noted in subsection 12.2 above. In making their decision, the director may consider any relevant information presented at the hearing, including but not limited to the permittee's past history and any actions the permittee has taken to remedy the violation. The justification for imposing administrative consequences, if any, on the permittee will be stated in the decision. The decision must set forth the permittee's appeal rights.

*12.5 Administrative consequences.* The director is authorized to impose the following consequences for a substantiated violation of any provision of the City Code or these Rules:

12.5.1 First violation: Suspension of the STR permit for up to 90 consecutive days.

12.5.2 Second violation within any one-year period: Suspension of the STR permit for up to 180 consecutive days.

12.5.3 Third violation within any one-year period: Revocation of the STR permit.

12.5.4 Notwithstanding the above, the director may revoke a permit for a violation listed in LDC section 3-1-5-3Q1 that has been committed by the permittee or for which the permittee is responsible. The director may impose other conditions in connection with the suspension of an STR permit. A suspension or revocation may begin at any time after the director's decision is issued.

*12.6 Calculating dates of violation.* The operative date for calculating the date of the second or third violation under this section 12 is the date of the violation or violations.

### **13.0 Requests for reconsideration; appeals.**

*13.1 Reconsideration.* An applicant or permittee may request reconsideration by the director of a decision to deny a permit or not renew a permit by filing with the director a form prescribed by the city and available from the director. The reconsideration form must be filed within seven days of the date of the director's decision, state with specificity the error claimed, and contain documentation supporting the claim, if any. Any grounds or basis not stated on the request form will not be considered as part of the request. A reconsideration request may be granted upon a showing that the decision was based upon a clear or plain error of fact or law. After consultation with the city attorney's office, the director will, within seven days of the date the request was filed, review the request and city records related to the request and issue a written decision on the request. The decision must contain the reason or reasons for the decision and

must set forth the permittee's appeal rights. The decision will be issued to the permittee as noted in subsection 12.2 above. Should the director fail to issue a written decision within seven days, the claim will be deemed denied, and the applicant or permittee may appeal as set forth herein.

13.2 *Appeal.* An applicant or permittee may appeal a decision to deny a request for reconsideration or a decision to suspend or revoke a permit by filing with the city manager an appeal form prescribed by the city and available from the director. The appeal form must be filed within 14 days of the date of the director's decision, must state with specificity the grounds or basis for the appeal, and contain documentation supporting the claim, if any. Any grounds or basis not stated on the appeal form will not be considered as part of the appeal.

Exception. A STR permittee or the owner of a property being offered for rent, rented, or being used as an STR may appeal a decision by the director or designee thereof to post a property with a red tag notice by making application to the building code advisory board in accordance with the provisions of Arvada City Code section 18-36, Board of Appeals.

13.3 *Action by city manager.* All information submitted as part of the appeal will be submitted to the city manager or designee thereof. Notwithstanding any other provision of the Code, the appeal of the director's decision shall consist of a review of all relevant documentation submitted by the applicant or permittee, as well as any other information on file with the city in the matter. All documentation may be reviewed electronically.

13.3.1 *Process.* The city bears the burden of proof in an appeal to show that the director's decision was supported by substantial and competent evidence. The manager will review the documentation submitted, and, within 14 days of the filing of the appeal, issue a written decision on the appeal. The decision must contain the reason or reasons for the decision and set forth the permittee's appeal rights. The decision will be issued to the permittee as noted in subsection 12.2 above. Should the city manager fail to issue a written decision on the appeal within 14 days, the appeal will be deemed denied, and the permittee may proceed as if an adverse decision had been issued.

13.4 *Appeal of the manager's decision.* The city manager's decision, or denial of an appeal because of the manager's failure to issue a written decision, shall be considered a final agency decision. The appeal may proceed under Rule 106 of the Colorado Rules of Civil Procedure.

13.5 *Concurrent actions.* Nothing in these Rules precludes concurrent administrative, civil, investigative, or enforcement actions or as set forth in LDC section 3-1-5-3.

**14.0 Fees.** As is the case with all city fees, STR fees will reflect the direct and indirect costs of providing services reasonably necessary to implement and administer the STR ordinance and the STR Program Rules, including but not limited to the costs of reviewing

and processing applications, inspection costs, and similar costs. STR fees must be remitted at the time the permit application is submitted or at the time a service is requested or rendered, whichever is earliest. Fees are not refundable and will not be pro-rated, even if a permit is suspended, revoked, or abandoned.

Public Comments Received Prior to  
Tuesday, January 28, 2026 at 5 pm



Heidi Van Gieson &lt;hvangieson@arvada.org&gt;

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**Fwd: Pending Short Term Rental Vote**

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**Josie Suk** <jsuk@arvada.org>

Mon, Dec 8, 2025 at 10:35 AM

To: Heidi Van Gieson &lt;hvangieson@arvada.org&gt;, Dixielee Rodriguez &lt;droduiguez@arvada.org&gt;

Can you save this for the PC public hearing on STRs?

----- Forwarded message -----

From: **Michael Griffith** <mgriffith@arvada.org>

Date: Fri, Dec 5, 2025 at 2:34 PM

Subject: Fwd: Pending Short Term Rental Vote

To: Josie Suk &lt;jsuk@arvada.org&gt;, Council &lt;Council@arvada.org&gt;, Rachel Morris &lt;rmorris@arvada.org&gt;, Kristen Rush &lt;kristen@arvada.org&gt;

Hi Jose, Please include the comments from Mr. D'Anastasio below in the STR packet. Also sharing with the rest of council.

Have a great weekend,

Mike

----- Forwarded message -----

From: **Michael Griffith** <michaelforarvada@gmail.com>

Date: Fri, Dec 5, 2025 at 11:04 AM

Subject: Re: Pending Short Term Rental Vote

To: Rob D'Anastasio &lt;[REDACTED]&gt;, &lt;mgriffith@arvada.org&gt;

Hi Rob,

Thank you for your support during the campaign and for reaching on this important issue. Council will be briefed on the results of the community survey in January before moving forward. I am glad you participated in the survey as a STR owner and operator, public feedback is critical on something like this because opinions can vary significantly. I look forward to reviewing the results of the survey in the new year. I am copying my new council email address and encourage you to also share your comments with all council members. The email for all council members is [council@arvada.org](mailto:council@arvada.org) - if you use that one we will all receive it.

Another option for sharing your perspective as an owner/operator is to come and speak during the public comment portion of our council business meetings. Below is a link to our calendar, the next business meeting is December 16. Making public comment can be intimidating, I know (I have done it many times as a private citizen and recognize that it is not everyones cup of tea) - but it is a great way to express concerns directly to council in a formal and public setting. If you are interested, check out the youtube link below to get an idea what it is like.

City Council calendar:

<https://www.arvadaco.gov/calendar.aspx?CID=45>

Public comment video:

<https://www.youtube.com/watch?v=ELtv4XAAF6k&t=9202s>

Feel free to reach out any time!

Best,

Mike Griffith

On Thu, Dec 4, 2025 at 6:51 AM Rob D'Anastasio <[REDACTED]> wrote:

Hi Mike,

I'm an Arvada resident and we spoke over the phone before the recent election and discussed short term rentals. You had said you were in support of them for individuals but not so much for large companies. I agreed, and you got my vote.

I received an email recently to weigh in on proposed changes for STRs, and one of the items to weigh in on was reducing from 3 to 1 the number of STRs for which an individual could be licensed. I strongly disagree with this.

I currently have 1 STR, and am in the permitting process to build an ADU out of my basement. Over the last few years I've invested a lot of time and energy into my STR and have learned a lot about managing an STR, and about complying with the building code as I'm building my ADU. I've never had a complaint from any of my neighbors, and I'm investing tens of thousands into my property to improve it both inside and out. This is all in addition to my full time job, where my salary is under \$100k. I live modestly and am not wealthy by any stretch, and if it wasn't for the ability to supplement my income with the STR, I would not be able to afford to live in Arvada.

After all I've invested and learned about STRs and building an ADU, I'd like to eventually have a second, and after that perhaps a third STR in my name. I'm gaining skills that I enjoy using, and I'd like to reinvest them in the future.

I see comments from full time residents decrying STRs. I'm sure some have reasonable gripes, but others are clearly biased and not arguing in good faith. I'm sure some STRs are not complying with local ordinances, but others like myself go to great lengths to provide a high quality STR that elevates the integrity of the neighborhood by improving my property and vetting renters carefully. If a potential guest is going to be so unruly that it will disturb the neighbors, you can be damn sure I don't want that guest inside my home either.

The neighborhood also benefits in that visitors to a community spend more money per day in that community than full time residents. Full time residents and visitors are both important to a robust economy.

I ask that you vote yes to enacting stronger enforcement provisions and vote no to limiting an individual to 1 STR. More enforcement will reduce the few bad apples out there without punishing the quality STR license holders that improve Arvada and are simply hard working residents trying to achieve financial stability.

If there is going to be town hall type of discussion with the city council, please let me know as I'd like to attend.

Sincerely,  
Rob D'Anastasio

--  
Josie Suk  
Development Systems and Administrative Manager  
Desk: [720-898-7627](tel:720-898-7627)  
Mobile: [720-582-4419](tel:720-582-4419)  
E-Mail: [jsuk@arvada.org](mailto:jsuk@arvada.org)  
**Regular Office Hours: Monday through Friday 8:00 am - 5:00 pm**

