



**Quick Facts**

**Impact**

City-wide

**Initiating Entity**

City Administration

**Applicable Code**

Table 7.3.2-A; Section 7.3.302; Section 7.3.304; Section 7.4.1003; and Section 7.6.301

**Project Summary**

The City of Colorado Springs' Adult and Child Day Care Ordinance (See Exhibit 1 – Ordinance) revises the City's Unified Development Code (UDC) pertaining to Adult and Child Day Cares. Prior to the implementation of the UDC on June 5, 2023, the Adult or Child Day Care use was a permitted and conditional use in a greater number of zone districts under the old Chapter 7. Additionally, the Colorado Springs community and the City has acknowledged that access to childcare is a key issue to raising the City's livability standards. The State of Colorado has also taken steps to increase access to facilities and care by increasing the number of facilities. As such, this ordinance expands permitted locations for Adult or Child Day Care and allows it as an accessory use in certain commercial settings.

File Number	Application Type	Decision Type
CODE-25-0006	UDC Text Amendment	Legislative

### History

Following the City's implementation of the Unified Development Code ("UDC") on June 5, 2023, the requirements and processing standards approved in the UDC created less opportunities for easy, efficient permitting of Adult or Child Day Care Centers (to be referred to as "childcare" throughout this report). The UDC contains processes and requirements that makes Land Use Review a challenge for providers to set up new or expand and relocate their existing childcare facilities. While the State of Colorado has recently required local governments to allow accessory home daycares to exist in all residential units which has been reflected in the UDC in an earlier change, the City is seeing an increased number of challenges for providers who wish to establish their services outside the home or are looking to make changes to legally non-conforming childcare centers (refer to Attachment C – Existing Childcare in Residential Zones Map).

In the last several years, there has been an increase in the number of land use applications required to legally support the creation of new and expansion, relocation, or remodel of existing commercial childcare facilities. These applications create a major hurdle by adding costs, significant time commitments, the potential need to acquire professional consultants, and extra stress time, uncertainty, etc. Many of the most challenging situations observed by Planning staff have been childcare providers who desired to co-locate with religious institutions being precluded from doing so because the use is not permitted in the underlying zone district, resulting in laborious Use Variance applications.

With the City's dedication to ensuring that the Unified Development Code's standards and procedures align with the goals and needs of the City and at the urging of community partners, the Planning Department has sought to refine the Adult or Child Day Care Center use-specific standards and its allowance in Table 7.3.2-A. While this update was originally planned to be included within Phase 2 of the "UDC Updates" project that is presently ongoing, Planning staff saw that these revisions warranted advancing these revisions for public discussion independent of the UDC Update project.

Under the proposed ordinance, the daycare use types have been expanded and further defined to allow for childcare use to be more flexible and specific to certain situations, which will hopefully open the doors to a wider variety of childcare offerings and service set-ups in the future. The draft ordinance proposes the below childcare use types which will all be included in the UDC and further defined through the ordinance:

1. Adult or Child Day Care Center, Small
2. Adult or Child Day Care Center, Large
3. Home Adult or Child Day Care Center, Small, Accessory
4. Home Adult or Child Day Care Center, Large, Accessory
5. Adult or Child Day Care Center, Small, Accessory
6. Adult or Child Day Care Center, Large, Accessory

Attachment A – Allowed Use Table Comparison shows the history that has led to the proposed changes. This comparison table shows the old Chapter 7 table with its respective zone districts, the current use UDC allowances, and the proposed changes. The tables show improvements across all childcare use types, whether as a principal use or an accessory use. If the proposed tables are adopted as shown, childcare would be either permitted by right or considered as a conditional use in all zone districts, thus cutting out the costly need for City Council hearings while still providing the City with additional review and consideration for situations where childcare may not always be the most compatible use within its prospective location.

In addition to expanding use allowance in zone districts for childcare, the major proposed changes include the following:

1. A reduction in use-specific standards for Adult or Child Care Center largely due to conflicts with other changes such as changes to Table 7.3.2-A.

2. Refining language that controls which kinds of City streets childcare may use as its primary access
3. Dividing Adult or Child Day Care, Accessory into two subtypes – “Home Adult or Child Day Care, Accessory” and “Adult or Child Day Care Center, Accessory”
4. Creation of the “Adult or Child Day Care Center, Accessory” to allow commercial daycare as an accessory use under certain circumstances pursuant to new use-specific standards:
  - a. This specific accessory use is to be permitted in all zone districts when co-located with specific primary uses: Religious Institution; School (elementary or secondary; higher education); Club, Lodge, or Service Organization; Semipublic Community Recreation; Multi-family, residential; Tiny House Community; Office, Medical Office, or Vocational Skills Education; Hospital; Light Industry; Warehousing and Wholesale; or Special Industry
  - b. This accessory use will require Planning Department review to confirm that the location can meet all applicable UDC requirements with the addition of the accessory use
5. A reduction in required parking for Adult or Child Day Care Center (Small / Large) from 1 per 400 square feet of gross floor area to 1 per 600 square feet of gross floor area
6. The addition of Adult or Child Day Care Center, Accessory (Small / Large) to Table 7.4.10-A and establishing its required parking calculation
7. Revision of “Adult or Child Day Care Facility (Small / Large)” to “Adult or Child Day Care Center” to provide a consistent naming convention across all childcare use types
8. Addition of a new definition in Section 7.6.301 for “Adult or Child Day Care Center, Accessory” to account for the new accessory use type
9. Addition of a new definition in Section 7.6.301 for “Home Adult or Child Day Care Center, Accessory (Small / Large)” to be specific to home daycares only

While this specific use-type in Code does also include all adult day care centers in addition to childcare, the primary motivation for these changes is related to the demand expressed by the general public regarding childcare issues. Staff received far fewer requests related to adult daycare services and thus do not have a well-rounded perspective on what needs this industry may have. All changes proposed under this ordinance also considered potential impacts on adult day care providers to ensure that there are no adverse impacts on older populations’ access to care.

## Applicable Code

The subject Amendment to UDC Text application was initiated by the City of Colorado Springs Planning Department at the request of the City Administration and City Council after the implementation date (June 5, 2023) of the City’s Unified Development Code. All subsequent references within this report that are made to “the Code”, “UDC” and related sections are references to the Unified Development Code. Per UDC Section 7.5.702 Amendment to UDC Text, this section establishes standards and provides a mechanism for the City to review and decide on an application to amend the text of this UDC.

## Project Timeline

Stakeholder Engagement	Ongoing
City Planning Commission	April 8, 2026
City Council	May 2026 (tentative)
Implementation	June 2026 (tentative)

## Stakeholder Involvement

### Public Notice

#### *Stakeholder Engagement*

Staff have attended brain-storm meetings with representatives from advocacy groups to discuss the largest barriers that childcare providers face when developing new or expanded facilities. Other ongoing discussions about the Ordinance language have been held with the Historic Neighborhood Partnership to ensure the proposed changes will have limited impact on historic and traditional neighborhoods.

City Planning held a community open house on February 3, 2026, and launched a community survey to gain input on this issue and feedback on the draft Ordinance. Staff utilized the information gained from these outreach activities to make changes to the Ordinance that will be presented at public hearings. The project has a website page for the public to learn about the project and be able to review the project documents.

## Amendment to UDC Text

### Summary of Application

This Amendment to UDC Text application corrects the known complications caused by childcare's removal from several zone districts when the City adopted the Unified Development Code. The proposed code language is reflective of much of the stakeholder suggestions, childcare provider feedback and staff's observations. As such, the amendment clearly defines where these uses are permitted to locate and their respective use-specific standards. These changes are reflected in Exhibit 1 – Adult or Child Day Care Ordinance lay out every change in detail.

### Ordinance Changes

The proposed Adult or Child Care ordinance adds language to Table 7.3.2-A, Section 7.3.303, and Section 7.3.304 of the City's Unified Development Code that allows childcare in association with residential, commercial, and industrial land uses, as an accessory use to residential homes or within commercial uses, and reduces the number of use-specific standards. The convention for changes is indicated by the following rules: added language is **BOLD** and language to be removed from city code is indicated by a ~~STRIKETHROUGH~~. It should be noted that no language has been removed, and this update merely includes the addition of code language (see Exhibit 1 – Ordinance).

### Application Review Criteria

#### UCD Section 7.5.702 Amendments to UDC Text

An application for an Amendment to UDC Text shall be subject to the following criteria for approval:

1. *The Colorado Springs Comprehensive Plan and other plans adopted by City Council.*

The current Colorado Springs Comprehensive Plan (herein "PlanCOS") places significant emphasis on ensuring a strong, diverse local economy and high living standards. Provided that childcare land uses are an asset to the overall community and the local economy, this Amendment to UDC Text complies with the Colorado Springs Comprehensive Plan and other plans adopted by City Council.

2. *The current conditions and character of current structures and uses in each zone district.*

The proposed changes to the various childcare use-types allow Adult or Child Day Care Centers in a greater variety of locations such as residential and industrial zone districts while maintaining compatibility within all zone

districts. The proposed changes would allow childcare to be established as a use by right in most of the City's zone districts and as a conditional use in zones where compatibility is more likely to be a concern. By ensuring that childcare is either permitted by right or a conditional use, Applicants will have an easier pathway to legalization while retaining necessary oversight. These changes are proposed with the intent that childcare can operate in a greater number of locations, including closer to residential areas and near caregiver's workplaces, which is presently a cumbersome process under the UDC.

For properties converted from a "Residential" land use to a "Civic" land use to support new childcare that is not a Home Adult or Child Day Care Center, Accessory, the applicant will be required to submit a development plan to support the conversion. In these instances, public notice will be provided to those property owners within one thousand feet, and the decision will be appealable. Additional protection for residential neighborhoods will be provided through a refined Use-Specific Standard that states that a childcare center may not use a "Residential Street" as its primary access. "Residential Streets" are defined by City Engineering based upon the street's standard width, anticipated trips per day, and other aspects and are called out on the City's GIS mapping service, "PlanningView".

Additionally, with the creation of Adult or Child Day Care, Accessory (Small/Large), childcare has the potential to establish in locations where the need is greater but with less hurdles than if it were to establish as a singular primary use. The protections provided through the Use-Specific Standards will only allow an accessory daycare in conjunction with compatible civic, office, retail, and limited industrial uses. To collocate, Applicants will still be required to go through a pre-application meeting with staff, similar to other childcare uses, and this will allow staff to verify that the addition of daycare will be able to comply with the UDC.

3. *The most desirable use of land in each zone district.*

By easing the burden of future childcare providers to be able to legally establish childcare services in a variety of zone districts, property owners and businesses have a greater opportunity to use their properties to their full benefit. Many religious institutions, schools, office buildings, etc.... are struggling with low-occupancy or under use of their spaces. By allowing childcare as an accessory use when collocated with select land uses, childcare can locate in more existing neighborhoods closer to where the most need is and land can be used more efficiently and comprehensively.

4. *The conservation of sensitive environmental features.*

Childcare land uses do not inherently have any more impact on our local environment than the average commercial and residential uses. However, the intention of some of the changes to the child day care land uses is to make adaptive re-use, compatible co-location, and increase accessibility to childcare. Together these impacts can reduce the need for new development and lower the average time spent by caregivers commuting to and from their childcare providers.

5. *Promotion of responsible development and growth.*

The City and its local partners recognize the importance of accessible and affordable childcare to the City's future wellbeing and economic vitality. Childcare is a key indicator of a healthy and growing workforce and for a resident quality of life. The proposed changes will enable strategic adaptive reuse of existing buildings, co-use of a building by multiple uses, and enable businesses to locate in spaces previously unavailable. By making more zone districts able to accommodate this type of use, the Colorado Springs community will be able to meet the needs of childcare with less emphasis on new development or increased costs to meet these needs.

## Statement of Compliance

### **CODE-25-0006**

After evaluation of the UDC Text Amendment application for the Adult and Child Day Care Ordinance, the application meets the approval criteria as set forth under City Code Section 7.5.702.D *Approval Considerations*.