

ORDINANCE NO. 26-_____

AN ORDINANCE AMENDING CHAPTER 7 (UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO ADULT OR CHILD DAY CARE CENTERS

WHEREAS, the City of Colorado Springs desires to increase the number of childcare opportunities within its jurisdiction; and

WHEREAS, the City of Colorado Springs has identified gaps within Chapter 7 of the City Code (the "Unified Development Code" or "UDC") that have led to constraints in permitting and constructing new childcare centers; and

WHEREAS, the conversion to the Unified Development Code on June 5, 2023, decreased the number of zone districts that allow childcare as a permitted use, and solutions are needed to allow a greater diversity in the kinds of childcare that can exist in Colorado Springs; and

WHEREAS, the City of Colorado Springs seeks to revise its Unified Development Code to ease the burden on potential childcare providers and reduce the childcare deficit in the region.

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

Section 1. Section 7.3.201 (Base and NNA-O District Use Table) of Part 2 (Allowed Use Tables) of Article 3 (Use Regulations) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

7.3.201: BASE AND NNA-O DISTRICT USE TABLE:

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Table 7.3.2-A Base and NNA-O District Use Table
 P = Permitted A = Accessory to primary use
 C = Conditional Use T = Temporary use
 R = Allowed pursuant to regulating plan

	Residential										Mixed-Use						Indus.			Spec P.			NNA-O			Use-Specific Standards			
Zone District →	A	R-E	R-19	R-16	R-2	R-4	R-5	R-Flex Low	R-Flex Med.	R-Flex High	OR	MX-N	MX-T	MX-M	MX-L	MX-I	FBZ	BP	LI	GI	APD	PF	PK	South	Central	North			
Land Use ↓																													
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CIVIC, PUBLIC, AND INSTITUTIONAL USES																													
Adult or Child Day Care Center, Large	P	P	P	P	P	P	P	P	P	P	CP	CP	P	P	P	P	R	CP	CP	CP	P	C	C	P	P	P			7.3.302A
Adult or Child Day Care Center, Small	P	P	P	P	P	P	P	P	P	P	CP	CP	P	P	P	P	R	CP	CP	CP	P	C	C	P	P	P			7.3.302A
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ACCESSORY USES																													
Adult or Child Day Care Center, Large, Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	R	A	A	A	A	A	A	A	A	A	A		7.3.304.G
Adult or Child Day Care Center, Small, Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	R	A	A	A	A	A	A	A	A	A	A		7.3.304.G
Antenna or Satellite Dish, Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	R	A	A	A	A	A	A	A	A	A	A		
* * *																													
Home Adult or Child Day Care Center, Large, Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	R	A	A	A	A	A	A	A	A	A	A		7.3.304.H
Home Adult or Child Day Care Center, Small, Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	R	A	A	A	A	A	A	A	A	A	A		7.3.304.H
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Section 2. Part 3 (Use-Specific Standards) of Article 3 (Use Regulations) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

7.3.302: CIVIC, PUBLIC, AND INSTITUTIONAL USES:

A. Adult or Child Day Care Center:

1. **The primary access for this use shall not be a residential street.** ~~This use shall be located on a collector street with direct access to a Major or Minor arterial roadway and shall meet all requisite state and City licensure requirements.~~

2. ~~In the A or R-E zone districts, an Adult or Child Day Care Center, Small shall only be permitted as accessory to a principal residential use.~~

~~3. In the A zone district, an Adult or Child Day Care Center, Large shall only be permitted as accessory to a principal residential use.~~

~~4. This use shall provide the minimum square footage of indoor and outdoor space pursuant to state requirements. No part of the required outdoor space shall be situated within any front building setback. The required outdoor space shall be screened from adjacent residential properties when necessary to reduce play area sounds.~~ **This use must meet all applicable state and City licensing requirements.**

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7.3.304: ACCESSORY USES:

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G. ~~[Reserved]~~. **Adult or Child Day Care Center, Accessory.**

1. **Adult or Child Day Care Centers are permitted as an accessory use, conditioned on:**

a. Colocation with one of the following uses: Religious Institution; School, Elementary or Secondary; School, Higher Education; Club, Lodge, or Service Organization; Semipublic Community Recreation; Dwelling, Multi-family; Tiny House Community; Office; Medical Office; Vocational or Skills Education; Hospital; Light Industry; Warehousing and Wholesale; or Special Industry; and

b. The subject property must meet applicable Code standards for the zone district and all use-specific standards, including but not limited to those for the Adult or Child Day Care Center, Accessory. A review by the Manager will determine whether a Development Plan or Development Plan Modification is needed to support the addition of the accessory use.

2. When permitted as an accessory use that meets the applicable standards, neither providers nor participants of an Adult or Child Day Care Center need be affiliated with the primary use.

3. The primary access for this use shall not be a residential street.

4. This accessory use must provide the minimum square footage for indoor and outdoor space, if any, mandated by state law and regulation. No part of the required outdoor space may be situated within any front yard setback. The required outdoor space must be screened from adjacent residential properties when necessary to reduce play area sounds, as determined by the Manager.

H. Home Adult or Child Day Care **Center**, Accessory: ~~In-home daycare may be provided as an accessory use in dwellings provided all activities comply with all applicable state licensing requirements.~~

1. In-home adult or child day care may be provided as an accessory use in dwellings, provided that all activities therein comply with all applicable state and City licensing requirements.

2. This accessory use must provide the minimum square footage of indoor and outdoor space, if any, mandated by state law and regulation. No part of the required outdoor space may be situated within any front yard setback. The required outdoor space must be screened from adjacent residential properties when necessary to reduce play area sounds, as determined by the Manager.

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Section 3. Section 7.4.1003 (Parking Space Requirements by Use) of Part 10 (Parking and Loading) of Article 4 (Development Standards and Incentives) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

7.4.1003: PARKING SPACE REQUIREMENTS BY USE:

* * *

B. * * *

3. * * *

Table 7.4.10-A Minimum Off-Street Parking Requirements DU= Dwelling Unit GFA = Gross Floor Area N/A = Not Applicable	
Use Types	Minimum Spaces
* * *	
* * *	
Group Living	
Adult or Child Day Care Center , Large	1 per 400 sf of GFA-1 per 600 sf of GFA
Adult or Child Day Care Center, Small	1 per 400 sf of GFA-1 per 600 sf of GFA
Accessory and Temporary	
* * *	
Adult or Child Day Care Center, Large, Accessory	Per development plan
Adult or Child Day Care Center, Small, Accessory	Per development plan
* * *	
Home Adult or Child Day Care Center , Large, Accessory	1 per DU

Home Adult or Child Day Care Center , Small, Accessory	No requirement
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Section 4. Section 7.6.301 (Definitions) of Part 3 (Definitions) of Article 6 (Definitions and Rules of Construction) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

7.6.301: DEFINITIONS:

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ADULT OR CHILD **DAY CARE CENTER FACILITY**, LARGE: A facility that provides care for sixteen (16) or more children under the age of sixteen (16) years, or not more than sixteen (16) elderly adults, who are not related to the owner, operator, or manager of the facility.

ADULT OR CHILD **DAY CARE CENTER FACILITY**, SMALL: A facility that provides care of between six (6) to fifteen (15) children under the age of sixteen (16) years, or five (5) to fifteen (15) elderly adults, who are not related to the owner, operator, or manager of the facility.

ADULT OR CHILD DAY CARE CENTER, ACCESSORY: A state-licensed facility that is maintained, for the whole or a part of the day, for the care of children under the age of sixteen (16) years or for elderly adults. This is an accessory use that is subordinate to a principal use per section 7.3.304 and may not be located within a residential unit. The day care center shall be considered a large or small day care center based upon the definitions for Adult or Child Day Care Center, Small and Large, as applicable.

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HOME ADULT OR CHILD DAY CARE **CENTER**, ACCESSORY: * * *

HOME ADULT OR CHILD DAY CARE **CENTER**, ACCESSORY, SMALL: * * *

HOME ADULT OR CHILD DAY CARE **CENTER**, ACCESSORY, LARGE: * * *

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Section 5. This Ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 6. Council deems it appropriate that this Ordinance be published by title and summary prepared by the City Clerk and that this Ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2026

Finally passed: _____

Lynette Crow-Iverson, Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Blessing A. Mobolade, Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Lynette Crow-Iverson, Council President

ATTEST:

Sarah B. Johnson, City Clerk