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ORDINANCE NO. 30
SERIES OF 2026

COUNCIL BILL NO. 36
INTRODUCED BY COUNCIL MEMBER PRANGE

AN ORDINANCE AMENDING TITLE 16 OF THE ENGLEWOOD MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS, RESIDENTIAL BUILDING AND LOT STANDARDS, ACCESSORY STRUCTURES, LANDSCAPE REQUIREMENTS, AND DEFINED TERMS, INCLUDING REVISIONS REQUIRED FOR COMPLIANCE WITH STATE LAW

WHEREAS, pursuant to the Englewood Municipal Code ("EMC") and applicable law, the City of Englewood Community Development Department initiated Case No. 2024-004(a) to amend various provisions of Title 16 (Land Use and Development) of EMC; and

WHEREAS, the proposed amendments include:

- Amending Section 16-4-4.B (Accessory Dwelling Units);
- Renaming Table 4-4 (Lighting Performance Standards) to Table 4-5 (Lighting Performance Standards);
- Amending Table 5-2 (Residential Building and Lot Standards);
- Amending Section 16-5-3.B (Accessory Buildings – Residential);
- Amending Table 5-3 (Residential Accessory Structures);
- Amending Section 16-8-3 (Landscape Requirements) to add Section 16-8-3.E regarding nonfunctional turf, artificial turf, and invasive plant species, and renumbering existing Section 16-8-3.E to Section 16-8-3.F (Administrative Adjustments); and
- Amending Section 16-13-2 (Defined Terms) to add definitions for Accessory Dwelling Unit (ADU), Invasive Plant Species, Artificial Turf, Functional Turf, Functional Artificial Turf, Nonfunctional Turf, and Nonfunctional Artificial Turf, and to revise the definition of Household; and

WHEREAS, the Colorado General Assembly has adopted multiple land use and landscaping laws requiring local governments to update municipal codes for compliance; and

WHEREAS, the City has conducted multiple public study sessions and hearings regarding these amendments, including:

- November 12, 2024 – City Council Study Session;
- February 10, 2025 – City Council Study Session;
- August 19, 2025 – Planning and Zoning Commission Study Session;
- August 25, 2025 – City Council Study Session;
- February 2, 2026 – City Council Study Session; and

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WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on March 17, 2026, considered testimony and the staff report, and recommended approval of the proposed amendments; and

WHEREAS, the City Council finds that the proposed amendments are consistent with applicable state law, promote the public health, safety, and welfare, and further the City's Strategic Plan goals related to sustainability and community wellbeing, including water conservation, environmental protection, and expanded housing opportunities.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ENGLEWOOD, COLORADO, AS FOLLOWS:

Section 1. Approval of Case No. 2024-004(a). City Council hereby approves Case No. 2024-004(a) and adopts the amendments to Title 16 of the Englewood Municipal Code as set forth herein.

Section 2. Amendments to Section 16-4-4.B – Accessory Dwelling Units. Section 16-4-4.B of the Englewood Municipal Code is hereby amended as set forth in **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 3. Renaming of Table 4-4. Table 4-4, entitled "Lighting Performance Standards," is hereby renumbered and redesignated as Table 4-5, "Lighting Performance Standards," and all internal references within Title 16 are amended accordingly.

Section 4. Amendments to Table 5-2 – Residential Building and Lot Standards. Table 5-2 is hereby amended as set forth in **Exhibit B,** attached hereto and incorporated herein by this reference.

Section 5. Amendments to Section 16-5-3.B – Accessory Buildings (Residential). Section 16-5-3.B is hereby amended as set forth in **Exhibit B,** attached hereto and incorporated herein by this reference.

Section 6. Amendments to Table 5-3 – Residential Accessory Structures. Table 5-3 is hereby amended as set forth in **Exhibit B,** attached hereto and incorporated herein by this reference.

Section 7. **Amendments to Section 16-8-3 – Landscape Requirements**. A new subsection, Section 16-8-3.E, is hereby added to address nonfunctional turf, artificial turf, and invasive plant species, and existing Section 16-8-3.E is renumbered as Section 16-8-3.F (Administrative Adjustments), as set forth in **Exhibit C,** attached hereto and incorporated herein by this reference.

Section 8. **Amendments to Section 16-13-2 – Defined Terms**. Section 16-13-2 is hereby amended to add definitions for:

- Accessory Dwelling Unit (ADU);
- Invasive Plant Species;
- Artificial Turf;
- Functional Turf;
- Functional Artificial Turf;

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- Nonfunctional Turf;
- Nonfunctional Artificial Turf; and

To revise the definition of "Household," as set forth in **Exhibit D,** attached hereto and incorporated herein by this reference.

Section 9. General Provisions

The following general provisions and findings are applicable to the interpretation and application of this Ordinance:

A. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance or its application to other persons or circumstances.

B. Inconsistent Ordinances. All other Ordinances or portions thereof inconsistent or conflicting with this Ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

C. Effect of repeal or modification. The repeal or modification of any provision of the Code of the City of Englewood by this Ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purposes of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

D. Safety Clauses. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Englewood, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained. This Safety Clause is not intended to affect a Citizen right to challenge this Ordinance through referendum pursuant to City of Englewood Charter 47.

E. Publication. Publication of this Ordinance may be in the City's official newspaper, the City's official website, or both. Publication shall be effective upon the first publication by either authorized method.

F. Actions Authorized to Effectuate this Ordinance. The Mayor is hereby authorized and directed to execute all documents necessary to effectuate the approval authorized by this Ordinance, and the City Clerk is hereby authorized and directed to attest to such execution by the Mayor where necessary. In the absence of the Mayor, the Mayor Pro Tem is hereby authorized to execute the above-referenced documents. The execution of any documents by said officials shall be conclusive evidence of the approval by the City of such documents in accordance with the terms thereof and this Ordinance. City staff is further authorized to take additional actions as may be necessary to implement the provisions of this Ordinance, and has authority to correct formatting and/or typographical errors discovered during codification.

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G. Enforcement. To the extent this ordinance establishes a required or prohibited action punishable by law, unless otherwise specifically provided in Englewood Municipal Code or applicable law, violations shall be subject to the General Penalty provisions contained within EMC § 1-4-1.

Introduced and passed on first reading on the 4th day of May, 2026; and on second reading, in identical form to the first reading, on the 18th day of May, 2026.

Signed by:
A45D14783F7C4C7...

Othoniel Sierra, Mayor

ATTEST:

Signed by:
Andreina Prado
4F62B14617AE4DF...

Andreina Prado, Acting City Clerk

I, Andreina Prado, Acting City Clerk of the City of Englewood, Colorado, hereby certify that the above and foregoing is a true copy of an Ordinance, introduced and passed in identical form on first and second reading on the dates indicated above; and published two days after each passage on the City's official website for at least thirty (30) days thereafter. The Ordinance shall become effective thirty (30) days after first publication on the City's official website.

Signed by:
Andreina Prado
4F62B14617AE4DF...

Andreina Prado