

ORDINANCE NO. _____
INTRODUCED BY: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO,
TO AMEND CERTAIN ARTICLES OF THE LAND USE AND DEVELOPMENT CODE
RELATING TO FUELING STATIONS

WHEREAS, the *Land Use & Development Code* (the “LUDC”) establishes the law governing land use, zoning, design standards, and the process for applications; and

WHEREAS, the existing definitions and zoning of “gas stations” within the LUDC do not adequately reflect the current design, scale, and operational characteristics of modern fueling stations, which often include multiple fuel dispensers and alternative fuel sources such as electric; and

WHEREAS, to support the development of fueling stations in the City of Brighton (the “City”), City staff has determined that it is necessary to update the definitions of “gas stations” to align with current design standards and revise zoning designations to more appropriately align such uses to prohibit larger fueling stations in less intense commercial districts adjacent to residential housing; and

WHEREAS, the City Planning Commission held a public hearing on December 11, 2025, unanimously approved the code amendments (Resolution #25-13), and recommend approval to City Council; and

WHEREAS, in accordance with the public notice requirements of the LUDC, a notice of public hearing was published on the City’s website for no less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, at the public hearing, the City Council received and considered all relevant evidence and testimony from City staff and other interested parties, including the public at large; and

WHEREAS, the City Council has reviewed the proposed amendments and finds that such amendments are consistent with the LUDC, are necessary for the LUDC to reflect current and best practices concerning fueling stations, and are in the best interest of the public health, safety, and welfare.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Brighton, Colorado, as follows:

Section 1. Section 4.02 Allowed Uses, Table 4-2: Zoning Districts & Uses, of the LUDC is hereby amended as follows:

Table 4-2: Zoning Districts & Uses

Uses	A/R	AE	RE	R1	R1A	R1B	R2	R3	MH	DT	MU-NC	MU-CC	MU-R/EC	CO	C1	C2	C3	BP	I1	I2	S4CR	S4GW	ME	FC	PL	OPEN
<i>Detached house *</i>	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-
<i>Duplex *</i>	-	-	-	-	P	P	P	P	-	-	P	P	P	-	-	-	-	-	-	P	P	-	-	-	-	-
<i>Row house *</i>	-	-	-	-	-	P	P	P	-	-	P	P	P	-	-	-	-	-	-	P	P	-	-	-	-	-
<i>Apartment *</i>	-	-	-	-	-	-	P	P	-	P	P	P	P	-	-	-	-	-	-	-	P	-	-	-	-	-
<i>Live/Work</i>	P	P	-	-	-	-	P	-	-	P	P	P	P	-	-	-	-	-	-	P	P	-	-	-	-	-
<i>Mixed use *</i>	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-
<i>Manufactured / Small Format Home Community</i>	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<i>Senior Living – Independent</i>	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-
<i>Senior Living – Assisted</i>	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-
<i>Senior Living – Nursing</i>	-	-	-	-	-	-	-	P	P	P	-	P	P	-	P	P	P	-	-	-	-	-	-	-	P	-
<i>Group Home – Assisted Living</i>	P	P	P	P	P	P	P	P	-	P	-	P	P	-	-	-	-	-	-	P	P	-	-	C	-	-
<i>Group Home - Protective</i>	P	P	P	P	P	P	P	P	-	P	-	P	P	-	-	-	-	-	-	-	-	-	-	-	C	-
<i>Group Home – Rehabilitative</i>	C	C	-	-	-	-	C	C	-	C	-	C	C	-	-	-	-	-	-	-	-	-	-	-	C	-
<i>Group Home – Emergency Shelter</i>	-	-	-	-	-	-	-	-	-	C	-	C	C	-	-	C	C	-	C	-	-	-	-	-	C	-
<i>Assembly – Small (under 250)</i>	C	C	C	C	C	C	C	C	C	P	P	P	P	C	P	P	P	-	C	-	C	P	-	-	P	-
<i>Assembly – Neighborhood (250 – 750)</i>	C	C	-	-	C	C	C	C	-	C	P	P	P	C	P	P	P	-	C	-	C	P	-	-	P	-
<i>Assembly – Community (750 - 1500)</i>	-	-	-	-	-	-	-	C	C	-	C	-	P	P	-	-	P	P	-	C	-	-	-	-	P	-

Assembly – Regional/Convention Center (1500+)	-	-	-	-	-	-	-	-	C	-	-	P	-	-	-	P	-	-	-	-	-	-	P	-		
Public Safety / Services	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	C	C	-	-	P	P	
Library / Museum	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	P	P	
School – Small (under 1 acre)	C	C	-	-	-	-	-	-	C	P	P	C	P	P	P	P	P	P	P	-	C	C	-	-	P	-
School – Neighborhood (1-5 acres)	C	C	C	C	C	C	C	C	-	C	P	P	C	P	P	P	P	P	P	-	C	C	-	-	P	-
School – Community (5-15 acres)	C	C	-	-	-	-	C	C	C	-	-	C	P	-	-	P	P	P	P	-	-	-	-	-	P	-
School – Regional / Campus (15+ acres)	C	C	-	-	-	-	-	-	-	-	-	C	-	-	-	P	C	-	-	-	-	-	-	-	P	-
Cemetery and Columbarium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C
Morgue	-	-	-	-	-	-	-	-	C	-	-	P	-	-	-	C	C	P	P	-	-	-	-	-	P	-
Transportation – Bus Station	-	-	-	-	-	-	-	-	C	-	C	P	-	-	-	P	P	P	P	-	-	-	-	-	P	-
Transportation – Commuter Rail Station	-	-	-	-	-	-	-	-	P	-	C	P	-	-	C	P	P	P	P	-	-	-	-	-	P	C
Transportation – Light Rail Station	-	-	-	-	-	-	-	-	P	-	P	P	C	C	P	P	P	P	P	-	-	-	-	-	P	C
Transportation – Airport, heliport / helipad	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	C	C	C	-	-	-	-	-	C	C	C
Transportation – Public Parking	-	-	-	-	-	-	-	-	C	C	C	C	C	C	P	P	P	P	P	P	-	-	C	C	P	-
Park and Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public Lands	P	P	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-	P	P	P
Power Plant	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	C	P	-	-	-	-	-	C	-	-
Public Utility Facilities	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	-	C	C	P	P	-	-	C	C	P	-

Public Utility Storage Yard / Service Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	C	C	P	-	
Water and/or Wastewater Treatment Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	-	-	-	-	P	--	
Retail - Micro (under 1.5K)	-	-	-	-	-	-	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	
Retail - Small (1.5K - 4K)	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	P	P	P	P	P	P	P	-	-	
Retail - General (4K - 10K)	-	-	-	-	-	-	-	-	-	P	C	P	P	-	P	P	P	-	C	-	C	C	-	-	
Retail - Medium (10K - 50K)	-	-	-	-	-	-	-	-	-	C	-	C	P	-	-	P	P	-	-	-	-	-	-	-	
Retail - Large (50K - 100K)	-	-	-	-	-	-	-	-	-	C	-	C	P	-	-	C	P	-	-	-	-	-	-	-	
Retail - Warehouse (100K+)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	
Animal Care - Limited	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	P	P	-	P	C	
Animal Care - General	-	-	-	-	-	-	-	-	-	-	C	P	-	-	P	P	P	P	P	P	P	-	-	C	C
Animal Care - Large	C	C	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C	-	C	-	-	C	C	C
Day Care - Center	-	-	-	-	-	-	-	-	-	P	P	P	P	C	P	P	P	P	-	-	C	C	-	-	
Grocery - Market (under 10K)	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	-	-	-	-	-	-	
Grocery - Small (10K - 35K)	-	-	-	-	-	-	-	-	-	C	C	P	P	-	C	P	P	C	-	-	-	-	-	-	
Grocery - General (35K - 90K)	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	C	-	-	-	-	-	-	-	
Grocery - Large (90K +)	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	-	-	-	-	-	
Lodging - Bed & Breakfast (2-5 rooms)	C	C	C	-	-	-	C	C	-	P	P	P	P	P	P	P	P	P	-	-	-	P	P	-	
Lodging - Inn (6 - 30 rooms)	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	P	-	-	-	P	-	-	

Recreation and Entertainment – Indoor, General	-	-	-	-	-	-	-	-	P	-	P	P	-	-	P	P	-	P	P	-	-	-	P	-
Recreation and Entertainment – Indoor, Large	-	-	-	-	-	-	-	-	C	-	-	P	-	-	-	P	-	P	C	-	-	-	P	-
Recreation and Entertainment – Outdoor, Limited	-	-	-	-	-	-	-	-	C	C	P	P	-	C	P	P	C	P	P	-	-	P	P	P
Recreation and Entertainment – Outdoor, General	-	-	-	-	-	-	-	-	C	P	-	-	C	P	C	P	P	-	-	C	C	C	C	
Recreation and Entertainment – Outdoor, Large	-	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	C	-	-	-	C	C	C	
Recreation and Entertainment – Campground	C	C	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	C	C	C	C	
Restaurant – Small (under 3K)	-	-	-	-	-	C	C	C	P	P	P	P	-	P	P	P	P	P	-	-	P	-	-	
Restaurant – General (3K-5K)	-	-	-	-	-	-	-	-	P	P	P	P	-	C	P	P	C	P	-	-	P	-	-	
Restaurant – Large (5K+)	-	-	-	-	-	-	-	-	C	-	P	P	-	-	P	P	-	-	-	-	-	-	-	
Restaurant – Bar	-	-	-	-	-	-	-	-	C	C	P	P	-	C	C	C	C	-	-	-	-	-	-	
Service – Small (under 3K)	-	-	-	-	-	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	
Service – General (3K – 10K)	-	-	-	-	-	-	-	-	P	-	P	P	-	-	P	P	P	P	-	-	-	-	P	
Service – Large (10K +)	-	-	-	-	-	-	-	-	C	-	C	P	-	-	-	P	-	-	-	-	-	-	P	
Vehicle – Fueling Station	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	
Vehicle – Travel Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	
Vehicle – Service & Repair, Limited	-	-	-	-	-	-	-	-	C	C	P	P	-	C	P	P	P	P	P	-	-	-	-	
Vehicle – Service & Repair, General	-	-	-	-	-	-	-	-	-	C	P	-	-	P	P	P	P	P	P	-	-	-	-	

Vehicle – Service & Repair, Major	-	-	-	-	-	-	-	-	-	-	C	P	-	-	C	P	-	P	P	-	-	-	-		
Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	C	P	-	-	-	-		
Check Cashing Business	-	-	-	-	-	-	-	-	-	-	C	P	P	-	-	C	C	-	-	-	-	-	-		
Bail Bonds Business	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	C	-	-	-	-	-	-	-		
Sexually oriented business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-		
Marijuana Store (see Municipal Code for location restrictions)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	-	-	-	-	-		
Manufacturing – Artisan / Limited	P	P	-	-	-	-	C	C	C	P	P	P	P	P	P	P	P	P	P	P	-	-	-		
Manufacturing - Light	-	-	-	-	-	-	-	-	-	C	-	-	P	-	-	-	C	C	P	P	-	-	-		
Manufacturing - General	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-		
Manufacturing - Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-		
Mineral Extraction	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-		
Asphalt Concrete mixing plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	C	C	-	
Storage and Warehousing – Personal, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	P	P	-	-	-	-	
Storage and Warehousing – Personal, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C	P	P	-	-	-	-	
Storage and Warehousing – Commercial, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	
Storage and Warehousing – Outdoor, Minor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	C	P	-	-	P	C	-
Storage and Warehousing – Outdoor, Major	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	P	-	-	P	C	-	

Storage of Gasses or Liquefied Petroleum	P	P	C	-	-	-	-	-	-	-	-	-	C	-	-	-	C	C	P	P	-	-	P	C	-	-
Railroad / Freight Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	C	-	-	
Oil and Gas – Drilling	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Waste Processing – General	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	P	P	-	-	-	C	-	
Waste Processing - Landfill	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	-	-	C	C	C	-	
Waste Processing – Junk yard / salvage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	
Natural Medicine Cultivation, Manufacturing and Testing Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	P	-	-	-	-	-	
Agri-tourism	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	
Roadside Stands	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	
Farmers Market	P	P	P	-	-	-	-	-	P	-	P	P	-	-	P	P	P	P	P	-	-	P	P	P	P	
Farming – Small/Limited	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-
Farming - General	P	P	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	C	P	-
Farming – Large / Industrial	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	C	-	-	
Fish Hatchery	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	C	C	C	-	
Nursery – Greenhouse, Small	P	P	-	-	-	-	-	-	C	-	C	P	-	-	C	P	-	P	-	-	-	-	-	-	-	
Nursery – Greenhouse, Large	P	P	-	-	-	-	-	-	-	-	P	-	-	-	P	-	P	P	-	-	-	-	-	-	-	
Animal Care – Animal hospital, livestock	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	
Grain Elevator	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	C	-	-	
Roof and Wall Mounted WCF	-	-	-	-	-	-	-	C	-	C	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	

Section 2. Section 6.02(D)(3) of the LUDC is hereby amended as follows:

3. *Detached Building — Non-residential.* In any non-residential district, a detached accessory building or roofed structure over 120 square feet or over 12 feet tall shall meet the following standards:

a. No more than 1 per lot or 1 per each 10,000 square feet of lot, whichever is more, up to a maximum of 4.

b. Located at least 30 feet from the front lot line or behind the front building line of the principal building, whichever is greater, except that canopies for Vehicle - Fueling Station and Vehicle - Travel Center or other covered parking area may be located in front of the front building line provided the canopy overhang structure is at least 30 feet from any lot line and no more than 20 feet tall.

c. Maximum height of 2 stories, up to 24 feet, but no higher than the principal building.

d. Maximum of 1,000 square feet or 50% of the principal building footprint, whichever is greater, except that canopies for Vehicle - Fueling Station and Vehicle - Travel Center may be sized to cover all fueling dispensers, and except that Public/Civic Uses listed in Section 4.02, Table 4-2 without a principal structure may be up to 5,000 square feet.

e. Any portion of the building or structure potentially visible from the street or other public areas shall use materials, colors, scale and forms (roofs and massing), and details that are compatible with the principal structure, or otherwise be screened according to Article 8.

f. Any building or structure larger than this shall be treated as a second principal building and meet all lot and building design standards applicable to principal buildings.

g. Accessory buildings shall not be located within an easement area.

Section 3. The following definitions contained in Section 11.01(C) of the LUDC are hereby repealed:

“Vehicle – Gas Station. A specific retail use engaged in the sale of fuel to the general public, and may involve limited accessory sales of vehicle accessories and convenience goods. This use may be combined with vehicle service and repair uses but is subject to the service bay limitations below. Vehicle - Gas Station uses are further refined by the scale, format and intensity as follows.”

“Vehicle – Gas Station, Small (1-8 pumps). The use is limited to no more than 8 fueling stations, no more than 2 service islands, no more than 2 vehicle service

bays and no more than 1,500 square feet of accessory retail or service areas. Examples include small, neighborhood service stations.”

“Vehicle – Gas Station, General (9-16 pumps). The use is limited to between 9 and 16 fueling stations, no more than 4 service islands, no more than 3 vehicle service bays and no more than 5,000 square feet of accessory retail or service areas. Examples include general stores and gas stations.”

“Vehicle – Gas Station, Large (16-24 pumps). The use is limited to 16—24 fueling stations, 4 to 8 islands, no more than 4 vehicle service bays and no more than 5,000 square feet of accessory retail or service areas. Examples include a large convenience center and gas station.”

“Vehicle – Gas Station, Truck Stop (24 or more pumps). The use contains more than 24 fueling stations, or any other gas station that exceeds the vehicle service bay or accessory retail and service areas of other categories. Examples include a truck stops and travel centers.”

Section 4. The following definitions are hereby added to Section 11.01(C) of the LUDC:

“Vehicle – Fueling Station. An establishment primarily engaged in the sale of gasoline, diesel, or other forms of fuel for vehicles. Additional on-site uses may include a convenience store with food sales and/or a car wash. Fueling stations may not include the lease or sale of automobiles, or maintenance related activities such as auto body painting, minor repair, and/or tire replacement. A fueling station shall have no more than eight (8) dispensers. A dispenser is a unit that offers fuel and allows payment on two sides. Fueling stations that are associated with a grocer may have an additional two (2) dispensers. Fueling stations that are located adjacent to a highway may have up to eighteen (18) dispensers. Electric vehicle charging points shall not count towards the maximum allowed dispensers.”

“Vehicle – Travel Center. An establishment that provides a variety of services for travelers, particularly those on extended road trips and/or those that are commercial truck drivers. Allowed on-site uses may include a vehicle fueling station, convenience store, restaurant, food court, restroom and shower facilities, recreational facilities, parking areas, lodging, and vehicle services. Vehicle services may include oil changes, tire changes and minor repairs, but may not include heavy vehicle servicing such as engine replacement, transmission repair or auto body cosmetic work. A travel center’s vehicle fueling station shall have no more than twenty (20) dispensers. A dispenser is a unit that offers fuel and

allows payment on two sides. Electric vehicle charging points shall not count towards the maximum allowed dispensers."

Section 5. All sections and subsections not expressly amended or modified herein shall remain in full force and effect.

Section 6. As provided in City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published in full as it was adopted after the initial reading. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 20th DAY OF JANUARY 2026.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY ON THIS 3rd DAY OF FEBRUARY 2026.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

JAMES GALLAGHER, Assistant City Attorney