



City of Castle Pines, Colorado

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION
360 Village Square Lane, Event Hall, Castle Pines, CO 80108
Thursday, December 3, 2020 – 6:00 PM

Chair
David Goode
01/2022

Chair Pro Tem
Andrew Hendel
01/2021

Commissioner
Lisa Glynn
01/2023

Seth Katz
01/2022

Leanna Palmer
01/2023

Don Tosby
01/2021

Michelle Wiley
01/2021

VIEWING THE PUBLIC MEETING: THE DECEMBER 3, 2020 PLANNING COMMISSION MEETING WILL BE CONDUCTED AS AN ELECTRONIC VIRTUAL MEETING. TO REGISTER TO WATCH THE 6:00 P.M. VIRTUAL MEETING FROM YOUR COMPUTER OR SMARTPHONE CLICK [HERE](#)

1. **CALL TO ORDER**

2. **ROLL CALL**

3. **APPROVAL OF AGENDA**

4. **DISCLOSURE OF CONFLICTS OF INTEREST**

5. **PLANNING COMMISSION ACTION ITEMS**

5.a. Approval of the October 22, 2020 Planning Commission Minutes
[2020-10-22 Planning Commission Minutes Draft.docx](#)

6. **PLANNING COMMISSION DISCUSSION ITEMS**

6.a. Continuation of the Comprehensive Plan Update Presentation
[Comp Plan Public Involvement Summary.pdf](#)
[Comprehensive Plan Questionnaire2_report.pdf](#)

6.b. Continuation of the Unified Land Development Code Update and DRAFT Overview
[ULDC Module #1 11.24.20.pdf](#)

6.c. Expiring Terms

7. **ADJOURNMENT**

City Council Meetings are held on the second and fourth Tuesday of each month at the Douglas County Library, 360 Village Square Lane, Castle Pines, CO 80108. Please call City Offices, (303) 705-0200 a minimum 48 hours prior to the Council meeting if you believe you will need special assistance or any reasonable accommodation to be in attendance or participate in any such meeting.

THIS AGENDA IS SUBJECT TO CHANGE



City of Castle Pines, Colorado Minutes

REGULAR MEETING OF THE PLANNING COMMISSION & BOARD OF ADJUSTMENT Held Virtually via Zoom Thursday, October 22, 2020 - 6:00 PM

Planning
Commission/
Board of Adjustment

David Goode
Chair

Andrew Hendel
Chair Pro Tem

Lisa Glynn

Seth Katz

Leanna Palmer

Michelle Wiley

Don Tosby

1. ROLL CALL

The regular meeting of the Planning Commission of the City of Castle Pines, Colorado, was called to order by Commissioner Goode at 6:01 p.m.

Those present were: Commissioner David Goode
Commissioner Andrew Hendel
Commissioner Seth Katz
Commissioner Don Tosby
Commissioner Leanna Palmer
Commissioner Michelle Wiley

Those absent were: Commissioner Lisa Glynn

Also present with the Commission:
Sam Bishop, Community Development Director
Tobi Basile, City Clerk
Nicholas Hufford, Planner II
Megan Palizzi, Management Analyst

2. APPROVAL OF AGENDA

Motion: A motion was made by Commissioner Tosby to approve the agenda. Commissioner Katz seconded. Motion approved by unanimous consent.

3. DISCLOSURE OF CONFLICTS OF INTEREST AS TO ANY ITEM ON THE AGENDA

- No disclosures of conflicts were submitted.

4. PLANNING COMMISSION – Action Items

- a. **Approval of the September 24, 2020 Planning Commission Minutes**
- Commissioner Goode moved to approve the September 24, 2020 Planning Commission Minutes. Commissioner Hendel seconded. Commissioner Katz abstained. Motion approved by unanimous consent of voting members.

5. PLANNING COMMISSION – Discussion Items

- a. **Comprehensive Plan Update Presentation**
- Miriam McGilvray of Logan Simpson gave a presentation.
- b. **Unified Land Development Code Update and DRAFT Overview of Articles I & II**
- Sam Bishop, Community Development Director provided background of the item.
 - Mr. Bishop introduced David Baird of Kendig Keast Collaborative who provided an overview of Articles I & II.
- c. **Expiring Terms**
- Sam Bishop, Community Development Director, spoke regarding the expiring terms.



d. Next Meeting December 3, 2020

8. ADJOURNMENT OF REGULAR MEETING

Motion: Commissioner Katz moved to adjourn the meeting. Commissioner Tosby seconded.

- Commissioner Goode adjourned the meeting at 8:05 p.m.

RESPECTFULLY SUBMITTED:

APPROVED:

Tobi Basile, City Clerk

David Goode, Chairperson



Public Involvement Summary

Updated: November 13, 2020

In order to ensure maximum public participation, the public engagement process to develop the Castle Pines Comprehensive Plan utilized a multi-pronged approach designed to include and engage as many stakeholders as possible. In 2016, the Castle Pines community helped to focus the Plan on key issues and topics that are important to them through active engagement. The 2020 update asked residents what has changed in the past 5 years and targeted key elements to refine, add, to remove in order to ensure that the Comprehensive Plan remained relevant and reflective of community values.

Notification and Web-Based Engagement

The City’s website was the central location for project information, event notification, and plan documents. Social media platforms and regular email newsletter updates provided consistent and continuous information, providing notifications about meetings, surveys, comment deadlines, and the release of new documents. Residents and community members were notified of project information and ways to participate through several communication channels:

- E-mail updates to the City’s contact list
- Notifications on City website
- Social Media updates (Facebook, Twitter, and NextDoor)
- Posters and flyers
- Yard Signs
- Advertisements in the Castle Pines Connection
- News and Notes Online Newsletter

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Stakeholder Interview Summary

Introduction

The consultant team conducted one-on-one stakeholder interviews to gather valuable feedback from community stakeholders regarding the perception of what has changed since 2016, and what new issues should be addressed in the Comprehensive Plan Update. The purpose of the stakeholder interviews was to not only start a dialog with local and regional partners, but to:

- Stimulate community-wide interest in the Plan Update;
- Solicit candid feedback from those who know the community best; and
- Identify initial themes, opportunities, local values, and future goals for the City.

The stakeholders interviewed during this update included representatives from the following groups:

- Residents
- Business owners and employees
- City Council Members
- Planning Commissioners
- Landowners
- Developers

This report outlines the questions asked and summarizes the feedback gathered during the interviews.

Methodology

A total of 15 individuals were interviewed by phone in September 2020. The conversations lasted, on average, 30 minutes each. The summarized findings presented in the following pages of this report are organized according to the following questions:

1. What is your relationship with Castle Pines?
2. How long have you lived/worked here?
3. How has Castle Pines changed in the past 5 years?
 - a. Has the City met your expectations or hopes in the last 5 years? What needs our focus?
 - b. How would you expect or hope the City to change in the next 5 years? Next 10?
4. Are your community values still represented in this vision statement? "Enhance our unique character through livable neighborhoods, a strong sense of community, vibrant gathering places, a robust open space and trails system, and ease of mobility."
 - a. What's missing? Or what needs more focus/more work?
5. What are the City's top challenges to achieving that vision?
6. Are there geographic areas in the city that need our focus/more investment?
7. How can we best support existing businesses? What industries should we try to attract?
8. Are there barriers or limitations to services and/or future development?
9. What expansions or improvements to recreational facilities should the City make?
10. Are there housing options that meet your needs?

How Will This Information Be Used?

The findings from the stakeholder interviews provided context and nuances on local issues. The candid conversations with the stakeholders provide context and insights to issues otherwise not formally documented. The feedback collected helped inform what specific topics should be considered for the update.

Summarized Feedback

1. Has the City and Comprehensive Plan met your expectations or hopes in the last 5 years?

<i>Yes</i>	<i>No</i>
<ul style="list-style-type: none"> • both the implementation and policy that the Comp Plan established have been helpful. Staff has used it to make sound decisions • Comprehensive Plan worked really well, and the Canyons have used it a lot as a guiding document. • So glad we have it in place; so, there's no question of interpretation for new developers. Consistency across the board. • Use it all the time • The Comp Plan is a great resource • Design guidelines was a big push and the Comp Plan helped guide that 	<ul style="list-style-type: none"> • Hasn't met expectations in terms of commercial development; still need to redevelop Business District • Didn't expect City to do a lot

2. What has changed in the past 5 years?

- City hasn't really changed
- New homes being built and movement on the east side of I-25
- Not enough has changed/improved
- City was in a tough place 5 years ago, so as funds start coming available, would expect to see more brick and mortar development.
- Change has been good –communication and transparency has gotten much better
- Metro District turned over management of parks to City

3. How would you expect or hope the City to change in the next 5-10 years?

- Want more plan implementation with on-the-ground results
- City should continue organizing community events
- See movement toward redeveloping the Business District to create a definitive city center
- Need to focus on sustainability and over develop
- Need dark sky policies where all new builds have lights that are fully shielded.
- City continue to work toward being a central authority, assuming some control from the Metro District and Master HOA
- Continue to focus on what Castle Pines is all about; small town, don't lose our established identity with trails and open space buffers between neighborhoods.
- Focus on local retail areas and businesses
- Bridge old and new commercial areas with same look/branding and a better pedestrian connection.
- New Preserve area in the Canyons will connect to Rueter-Hess trails
- Road improvements are the biggest issue right now
- Work to have more affordable commercial leasing costs
- Work on improving walkability with a more vibrant downtown core

- Hope that the new growth on east isn't detrimental to west side area
- Measured and sustainable growth that comes with infrastructure and services
- Use the planning documents to implement on the ground. Need short and long-term projects.
- Don't need new city hall since city offices don't need to be highly visible/accessible to the general public

4. Are your community values still represented in the 2016 Comprehensive Plan Vision statement?

Yes

- It's a clear vision
- Sense of community and vibrant gathering places is essential to what we want to accomplish
- Direction is helpful
- Don't spend a lot of time updating this
- These are still our values
- Changing the vision mid-stream would be detrimental
- Make sure that trails and ease of mobility doesn't change
- We really want to be a community

No

- Parks are enough of a "gathering place"
- We should use what we have in place before spending more money

5. What's missing to the Vision? Or what needs more focus/more work?

- Add the update City Council vision: "Castle Pines is an inclusive and unified Colorado community that embraces our unique neighborhood character, creates outdoor and active lifestyle living amenities, and supports conscientious development where we live, work, play, and shop."
- Want a walkable community, but right now there's no reason to walk anywhere
- Even with trails, we aren't really a bike community – but we could be
- We pride ourselves on the beauty of the community, which isn't really reflected in the vision
- Water will continue to be a huge issue
- Conserve native plants/vegetation and maintain the wildlife corridors
- Focus on redevelopment
- Need a pedestrian connection across the highway, connected to trail system
- Lacking economic/businesses angle

6. What are the City's top challenges to achieving that Vision?

- Don't lose sight of the long-term vision for short-sighted opportunities
- Still need wayfinding and gateway features to establish community identity
- New Marketplace/Canyonside on east side might overshadow the existing Business District. Need to somehow keep the west side feeling fresh and new too.
- Redevelopment of Business District isn't financially viable for developers and too expensive for City to buy the land
- New commercial development will be driven by the new population/homes being built
- Implementation chapter can get lost in the document; needs to be more front and center

Current 2016 Comprehensive Plan Vision

"Enhance our unique character through livable neighborhoods, a strong sense of community, vibrant gathering places, a robust open space and trails system, and ease of mobility."

- Castle Pines Village residents still use the Castle Pines' amenities, schools and library
- People are desperate to gather, and it should be in a City Center; lacking robust gathering places right now
- We lack a historic sense of place, but that can be created with the right kind of planning
- Commercial property taxes have really escalated in the last few years, driving businesses out of business
- Pandemic has unknown impacts; need to be able to adapt quickly
- Communication to the public needs to be improved
- Need to establish funding mechanisms, cost sharing plan for everything in the plan.

7. Are there geographic areas in the city that need our focus/more investment?

- Business District on west side of I-25
 - Better circulation
 - More restaurants, retail, community destinations
 - Redevelopment is the only way to make this work
 - Needs a Main Street
 - Our gateway is just a gas station; doesn't represent our high-quality community
- Commercial area/Marketplace on east side of I-25
 - Show a detailed vision
 - Will take a while for the Canyons to feel the same as west side. Use the same gateway and wayfinding features on both sides to unify.
 - Develop with high standards so it's not just "Anywhere USA"
 - Visually connect this to the west side and improve pedestrian connections
- Farm area in the Canyons
 - Add/expand allowable uses such as employment, institutions, education, recreation etc.
- There are traffic issues at the school sites

8. How can we best support existing businesses? What industries should we try to attract?

- We aren't seeing the growth for commercial
- Leases are really high; hard to attract new businesses
- Want to keep money in the city, but there aren't a lot of shopping options
- Consider tax cuts or incentives to offset high leases.
- Entice businesses that draw more people in: coffee shops, boutiques, wine bars
- Focus on service retail, since offices will never be the same after COVID
- Initiate a "Shop local" campaign
- A community center attracts residents to the area (could help bring foot traffic)
- Dress up the city for Christmas
- Build a new gateway monument sign
- Help with the business' Common Area Maintenance expenses
- Help connect resources to businesses
- Continue to partner with Chamber
- Profile local businesses on the city website/newsletter
- Property management is the biggest barrier; hard to keep things fresh
- Partnership with City Council and partnership with residents is vital

9. Are there barriers or limitations to services and/or future development?

- Happy Canyon interchange issues make it hard to develop down there
- Water is controversial and now we have to work with Parker. They continue to say they can serve the new growth, but it would be comforting to see the analysis behind that—need some more security before approving new development.
- May need to consider joining RTD in the future
- Fire service; when will they serve the east side?
- Limited available land to develop on west side
- Having a wired community with fiber is really important
- Need to improve cell service

10. What expansions or improvements to recreational facilities should the City make?

- People will drive, even if there is a bike path across I-25
- Stay more natural with lots of open space
- Would love to see more trails: wide, paved trails
- Need trail from CP Parkway to Yorkshire
- Connect trails to City Center
- Reuter-Hess already has 15 miles of planned trails –we need to be able to connect
- We don't need to compete with the great parks in Castle Rock
- More designated bike lanes
- Do we need equestrian trails?
- Need parks maintenance plan
- Recreation Center is exciting; hope that can come online in the next few years
- Fill trail gaps to the north
- Mature trees and shrubs support the identity of the city
- Ice skating rink would be cool
- Multi-sport complex, maybe as part of the Rec Center
- Pickleball is a big craze right now; wasn't addressed in the PaRC plan
- Want public pools (especially for neighborhood that don't have one)

11. Are there housing options that meet your needs?

- New development shouldn't swing the pendulum too far with the multifamily/smaller lots. Need a balance so the east side still looks like ""Castle Pines.
- Cost of development is too high. Starter home is \$600k; we've priced out new families/new home buyers
- Even the multifamily is too expensive (starting at \$495k)
- Need some condos, apartments and more affordable housing options
- Diversity of type and price point are both important
- COVID is stressing the housing market, because people now need places with more space to work from home.
- People from the bigger cities are moving to Castle Pines --now that they can work anywhere
- Townhomes didn't go over as well as they thought they would
- May need a housing analysis
- Mixed income neighborhoods are needed

Open Houses and Questionnaire #1

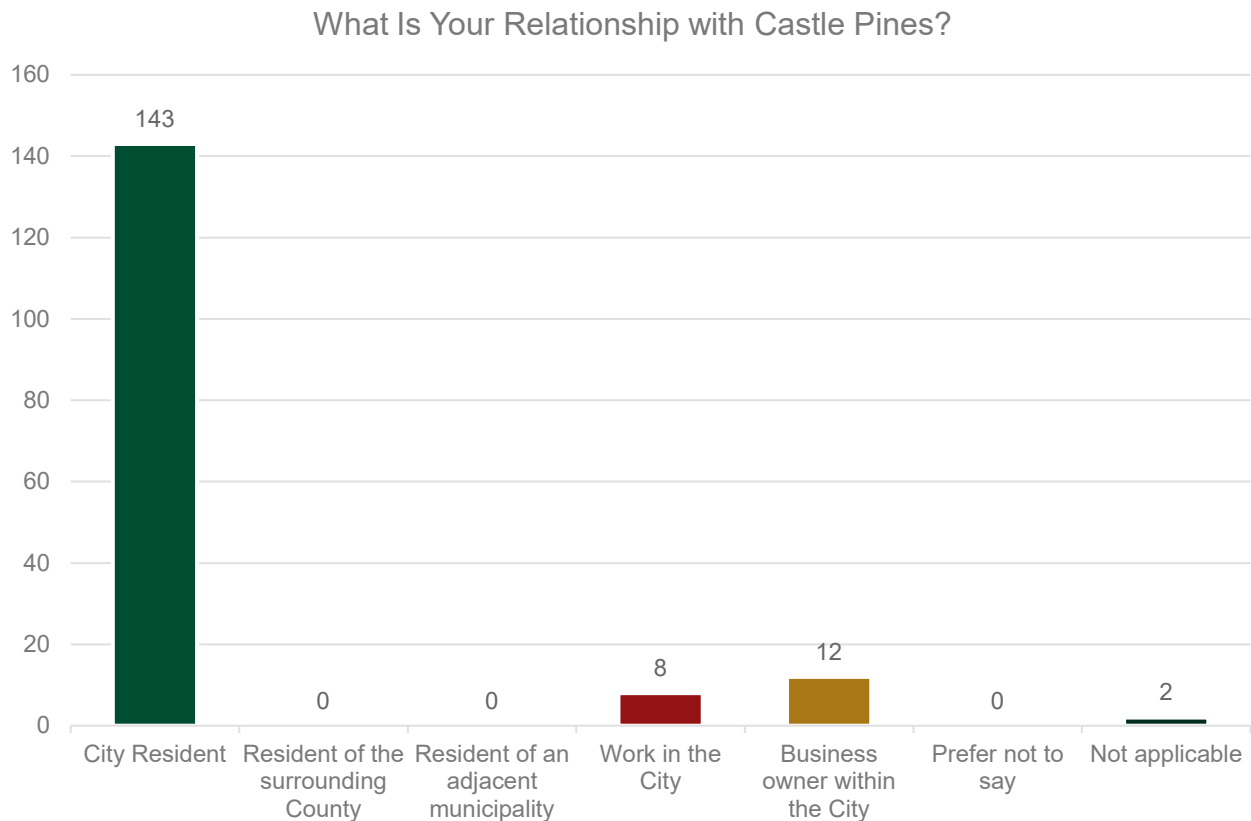
Introduction

Two public open houses were held in August to solicit feedback from community members. Input was collected at these events through a short online questionnaire, which was then distributed after the meetings to continue to gather feedback from people that were unable to attend the events in person.

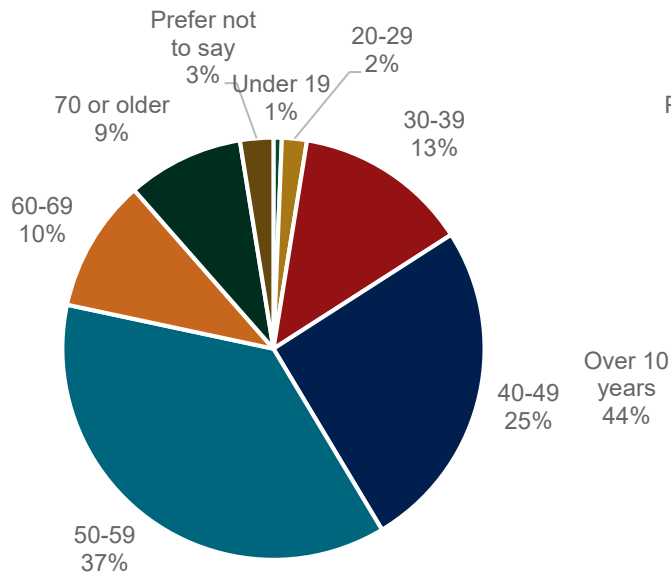
The questionnaire was open from the beginning of August through the beginning of November and collected a total of 230 responses, including the participation at the in-person events. The questions generally asked what the community thought of the existing Comprehensive Plan’s Vision, what values and priorities have changed since 2016, and what the community hopes for in the future. Below is a summary of responses.

Who Participated?

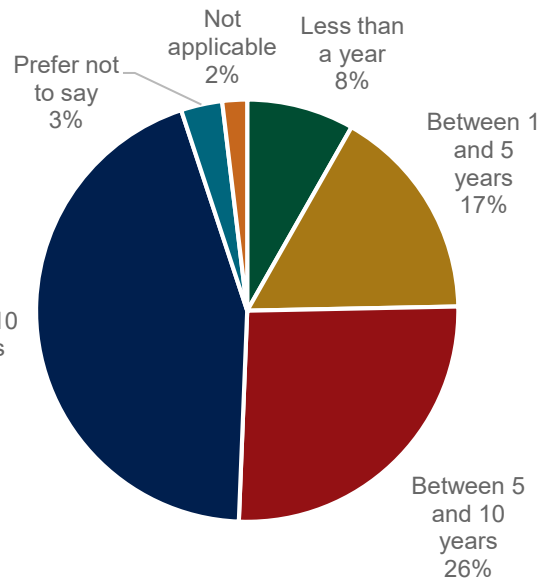
Most of the questionnaire participants are long-term residents of Castle Pines. Only a handful of participants indicated that they are both residents and own a business or work in Castle Pines. We heard from residents of all ages, but most of the participation came from people aged 40-60yrs old. There is a fairly even distribution of participation from all three Districts of Castle Pines; however, 24% of respondents indicated that they didn’t know which District they lived in.



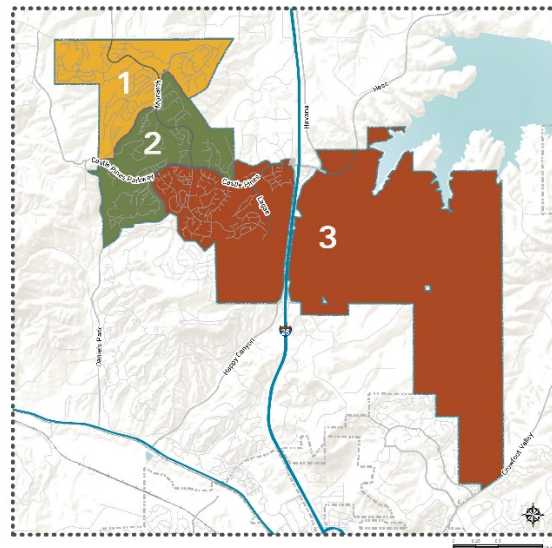
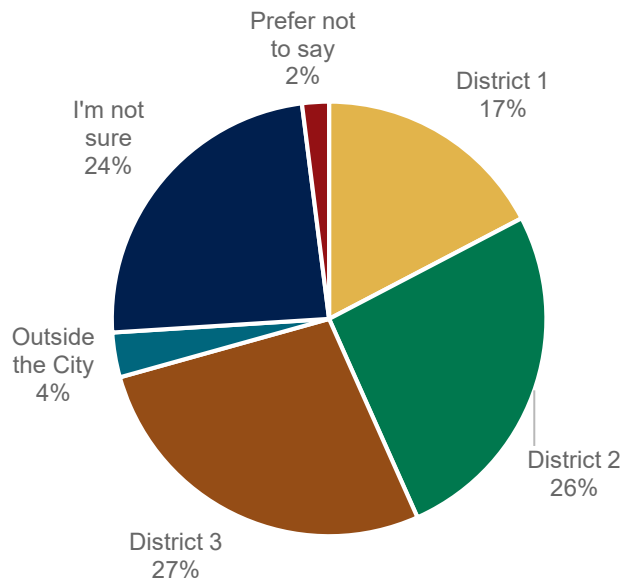
What is Your Age?



How Long Have You Lived or Worked in Castle Pines?

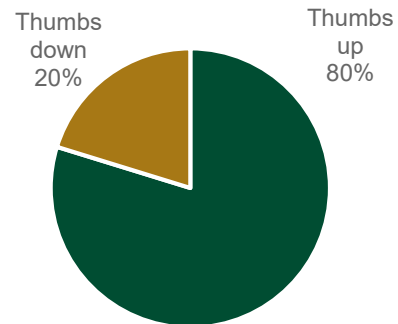


Where Do You Live?



3. Are our community values and character still represented in the current Comprehensive Plan Vision?

“Enhance our unique character through livable neighborhoods, a strong sense of community, vibrant gathering places, a robust open space and trails system, and ease of mobility.”



4. Are there any elements/ words that you feel should be integrated in this statement?



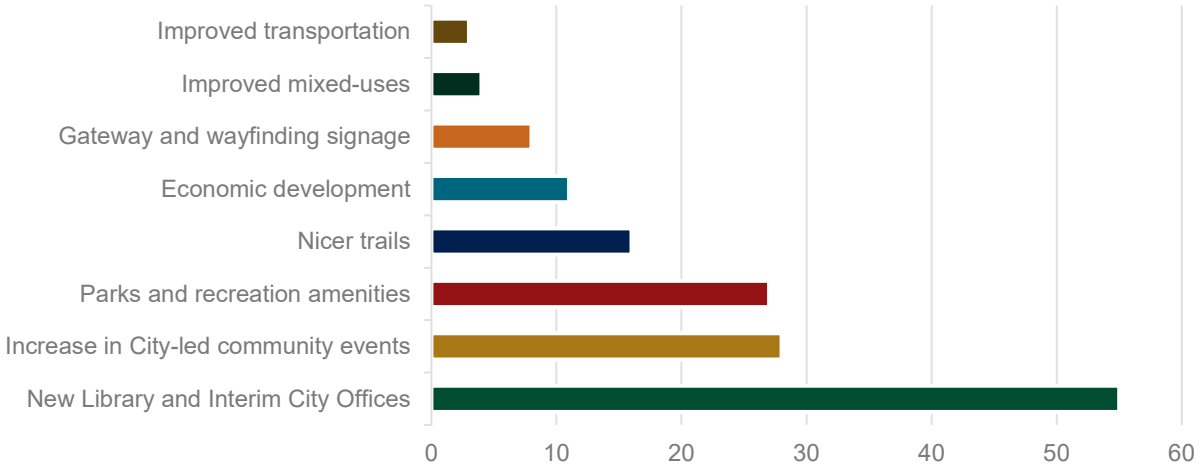
Many participants indicated that this Vision statement represented their values and didn't recommend any changes or additions. Additions to consider included the following:

- Business-friendly
- Protect nature/wildlife
- Safe community
- Affordable
- Attractive/welcoming
- Sustainable
- Diverse/inclusive
- Family-friendly
- Classy/upscale
- Healthy
- Peaceful/quiet
- Responsible growth
- Better infrastructure
- Transparent and responsive government

5. Are there any elements/ words you feel should not be included?

The results of this question were inconclusive; most participants either left it blank, indicated that no changes were necessary, or misunderstood the premise of the question or the intention of the future Vision. Several participants wrote that “vibrant gathering places” should be removed, adding that they do not support a new city hall and the existing parks work well enough to gather. Others indicated confusion over what “livable neighborhoods” means, and suggested to change “livable” to “welcoming” or “friendly.”

6. What are the most positive changes you have observed in Castle Pines over the last five years?



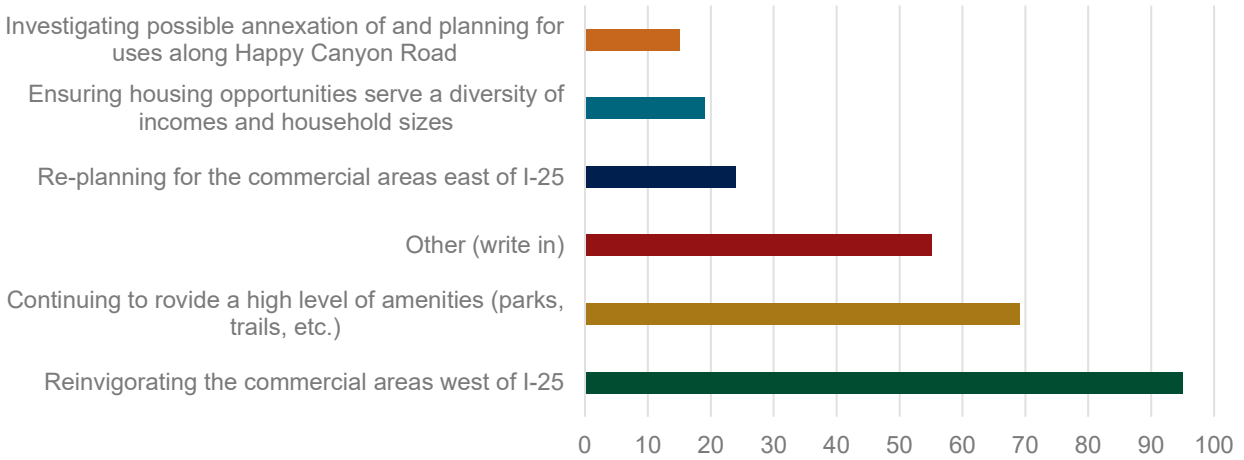
7. What's the next great project or program you'd like to see?

Top Ideas

- Road Construction and Maintenance
- Recreation Center
- Business Attraction/ Commercial Development
- Trails, Parks, and Playgrounds



8. What are the most critical issues to address in Castle Pines today?



Summary of "Other" issues that were written in:

- Road construction and maintenance
- Fire hazards and mitigation
- Pace of growth
- Inclusivity
- Affordability
- More up time frame for ice rink
- Aesthetics, design, and property maintenance
- Support existing businesses
- Convert vacant Safeway site for public uses
- Infrastructure investment to keep pace with growth
- Water rights
- Traffic calming measures
- Ensure low-density character of new neighborhoods
- Protecting wildlife
- Addressing racism and white supremacy in its citizens and communities
- Fiscal responsibility in all decisions
- Access to Regional Transportation District (RTD)

PRELIMINARY REPORT

CASTLE PINES COMMUNITY CHOICES QUESTIONNAIRE

Report date: Nov. 23, 2020

This questionnaire was launched on November 11, 2020. It is the second questionnaire as part of the update process for the Castle Pines Comprehensive Plan. The questionnaire was still live and receiving responses when this report was created.

Response Counts

Completion Rate:

76.7%



Complete



23

Partial



7

Totals: 30

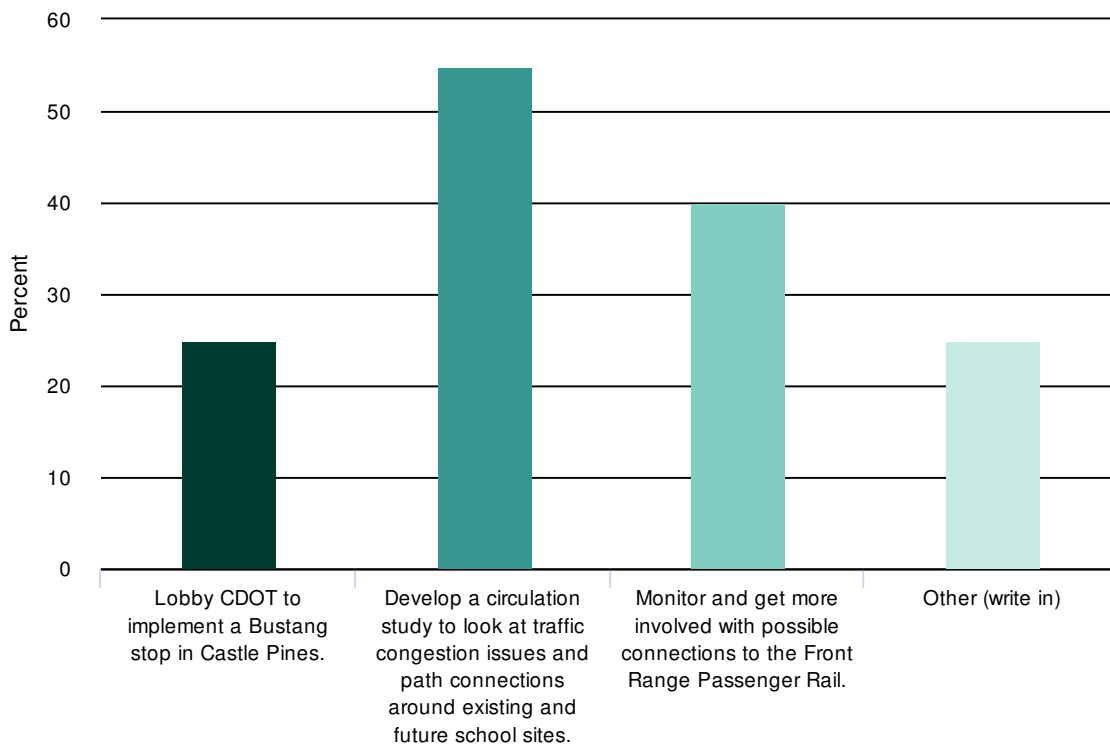
1. Rank the level of priority for each of the following strategies in the existing Comprehensive Plan that have not yet been implemented:

	Low Priority	Medium Priority	High Priority	Responses
Initiate a feasibility study to examine type, location, community benefit, and cost of a new outdoor civic space. Count Row %	10 35.7%	14 50.0%	4 14.3%	28
Join the Regional Transportation District (RTD). Count Row %	17 60.7%	4 14.3%	7 25.0%	28
Develop streetscape standards along all major arterials. Count Row %	8 28.6%	12 42.9%	8 28.6%	28
Build a pedestrian and bicycle overpass/underpass across I-25 to safely connect the City. Count Row %	6 21.4%	17 60.7%	5 17.9%	28
Provide pedestrian-oriented landscape and streetscape improvements including benches, trash receptacles, banners, lighting, wider sidewalks, or striped crosswalks. Count Row %	3 10.7%	10 35.7%	15 53.6%	28
Initiate a feasibility study to assess appropriate locations, cost, and partnerships for local community gardens. Count Row %	16 59.3%	9 33.3%	2 7.4%	27
Totals Total Responses				28

2. How aggressive should the City be in implementing the following strategies indicated in the Transportation Master Plan?

	Not aggressive	Somewhat aggressive	Very aggressive	Responses
Establish a circulator or shuttle bus to connect with RidgeGate Parkway RTD station. Count Row %	18 66.7%	5 18.5%	4 14.8%	27
Constructs sidewalks and paths to fill in gaps along Monarch Blvd Count Row %	2 7.4%	14 51.9%	11 40.7%	27
Formalize shoulders as bicycle lanes along Buffalo Trail Rd. Count Row %	12 44.4%	10 37.0%	5 18.5%	27
Improve pedestrian infrastructure and crossings on Buffalo Trail Rd. Count Row %	13 48.1%	9 33.3%	5 18.5%	27
Add a pedestrian crossing on Castle Pines Pkwy at Timber Trail Elementary School Count Row %	6 22.2%	14 51.9%	7 25.9%	27
Totals Total Responses				27

3. Should the City prioritize any of the following new strategies? The following ideas were suggested through recent public engagement.



Value	Percent	Responses
Lobby CDOT to implement a Bustang stop in Castle Pines.	25.0%	5
Develop a circulation study to look at traffic congestion issues and path connections around existing and future school sites.	55.0%	11
Monitor and get more involved with possible connections to the Front Range Passenger Rail.	40.0%	8
Other (write in)	25.0%	5

Other (write in)	Count
Create incentives for businesses to locate to Castle Pines - until this happens we will continue having major problems as a city. Can't believe you are prioritizing RTD stations over businesses where you are only going to bring in more homeless vagrants to our once nice community.	1
Get a Recreation Center	1
Is this the correct category for ROADS!	1
Recreation Center	1
Study traffic solutions to ease congestion along Monarch to Rock Canyon and Rocky Heights	1
Totals	5

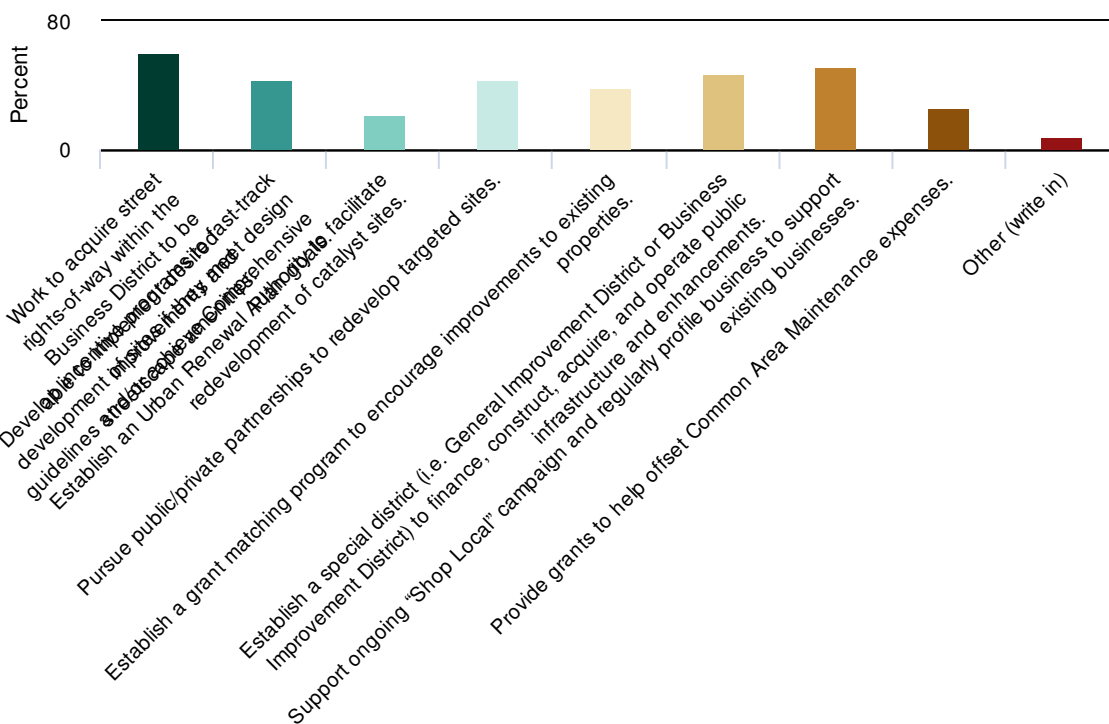
4. How aggressive should the City be in implementing the following strategies indicated in the Parks and Recreation Comprehensive Plan and Trails Master Plan?

	Not aggressive	Somewhat aggressive	Very aggressive	Responses
Complete gaps in the trail system. Count Row %	3 11.1%	13 48.1%	11 40.7%	27
Complete feasibility study to assess appropriate locations, cost, and partnerships for local community gardens. Count Row %	20 80.0%	5 20.0%	0 0.0%	25
Expand park, recreation and open space opportunities east of I-25. Count Row %	7 26.9%	12 46.2%	7 26.9%	26
Improve Coyote Ridge Park with a basketball court, trail connections, shade trees, and a mountain-biking skills course. Count Row %	8 29.6%	12 44.4%	7 25.9%	27
Improve Daniel's Gate Park with multiuse trail connections. Count Row %	7 25.9%	13 48.1%	7 25.9%	27
Update the Subdivision Ordinance to include the PaRC Plan's recommendations for park and open space dedication, universal access, trail design, and level of service. Count Row %	12 44.4%	10 37.0%	5 18.5%	27
Totals Total Responses				27

5. How aggressive should the City be in implementing the following strategies indicated in the Economic Action Plan and Urban Land Institute report?

	Not aggressive	Somewhat aggressive	Very aggressive	Responses
Streamline development review and approval processes. Count Row %	8 32.0%	12 48.0%	5 20.0%	25
Strategic acquisition of infill parcels for desired development and redevelopment consistent with expressed objectives. Count Row %	10 40.0%	13 52.0%	2 8.0%	25
Create a dedicated funding source for economic development efforts. Count Row %	6 24.0%	15 60.0%	4 16.0%	25
Hire an Economic Development Specialist to guide recommended initiatives and actions. Count Row %	9 36.0%	12 48.0%	4 16.0%	25
Create a document stating community goals and aspirations for the business district that businesses sign on to as they join the district. Count Row %	11 44.0%	8 32.0%	6 24.0%	25
Totals Total Responses				25

6. While redevelopment and improvements to the Business District continue to be a hot topic in the community, progress has been stalled in large part because the City doesn't own or manage any properties or even the street rights-of-way. Without the necessary cooperation and engagement from all property owners, should the City prioritize any of the following new strategies?



Value	Percent	Responses
Work to acquire street rights-of-way within the Business District to be able to implement desired improvements and streetscape amenities.	60.9%	14
Develop incentive programs to fast-track development of sites if they meet design guidelines and/or achieve Comprehensive Plan goals.	43.5%	10
Establish an Urban Renewal Authority to facilitate redevelopment of catalyst sites.	21.7%	5
Pursue public/private partnerships to redevelop targeted sites.	43.5%	10
Establish a grant matching program to encourage improvements to existing properties.	39.1%	9
Establish a special district (i.e. General Improvement District or Business Improvement District) to finance, construct, acquire, and operate public infrastructure and enhancements.	47.8%	11
Support ongoing "Shop Local" campaign and regularly profile business to support existing businesses.	52.2%	12
Provide grants to help offset Common Area Maintenance expenses.	26.1%	6
Other (write in)	8.7%	2

Other (write in)**Count**

Fire abatement requirements for HOAs and The Ridge Golf course.

1

We really NEED business here. I have to leave town most of the time to get food etc why are you not attracting businesses ?? That develops then people will make a better community

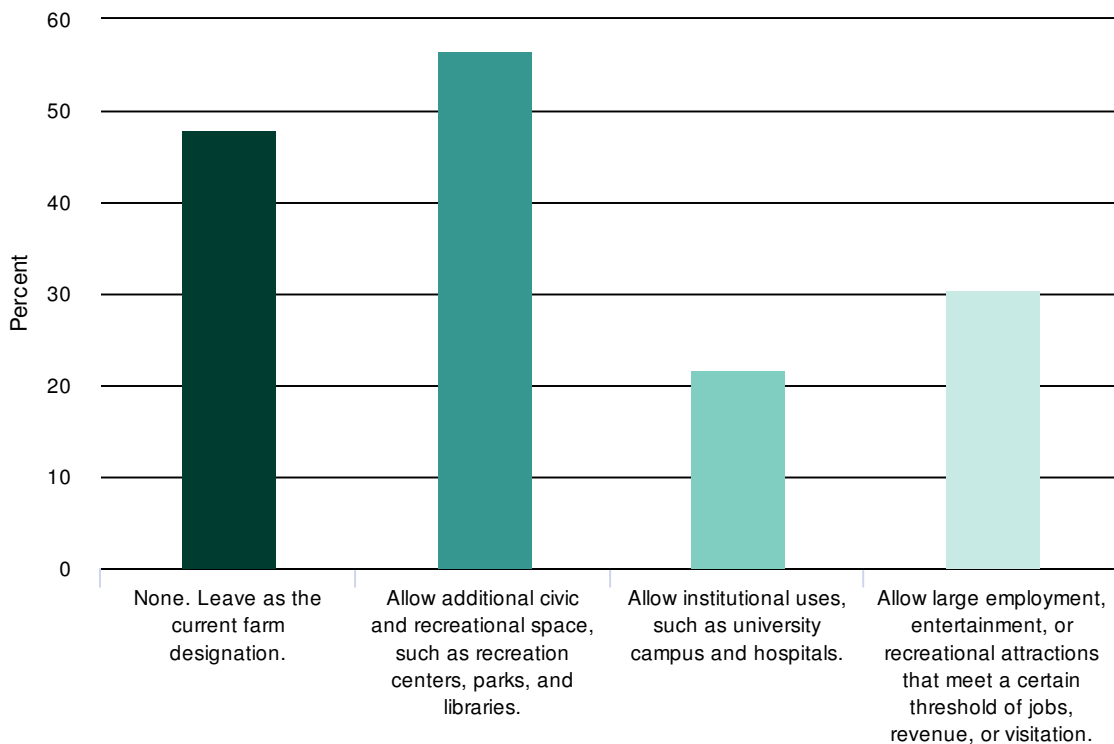
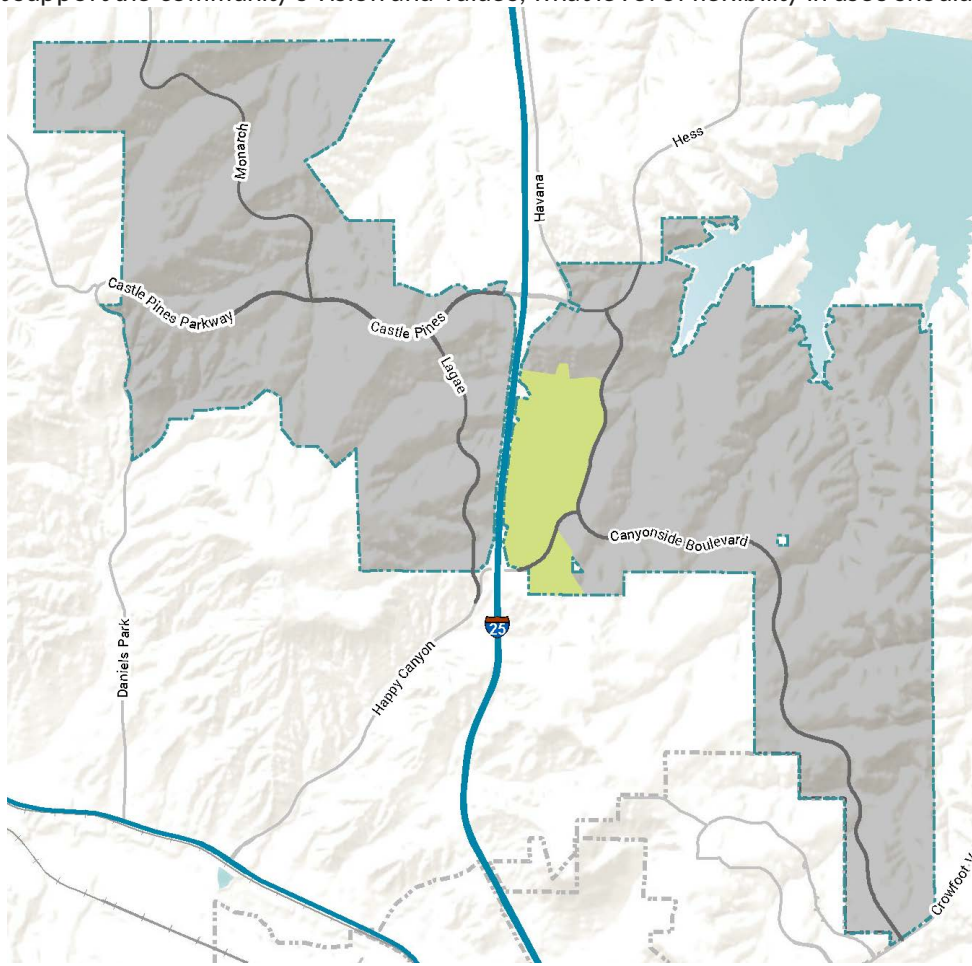
1





Totals

2

7. Over 300 acres are designated for future farm land uses against the east side of I-25. Currently, that would allow for agriculture production, farm sales, trails, equestrian facilities and some civic/community uses. This site may not have soil conducive to high production agriculture uses. In order to develop this area in a manner that support the community's vision and values, what level of flexibility in uses should be considered

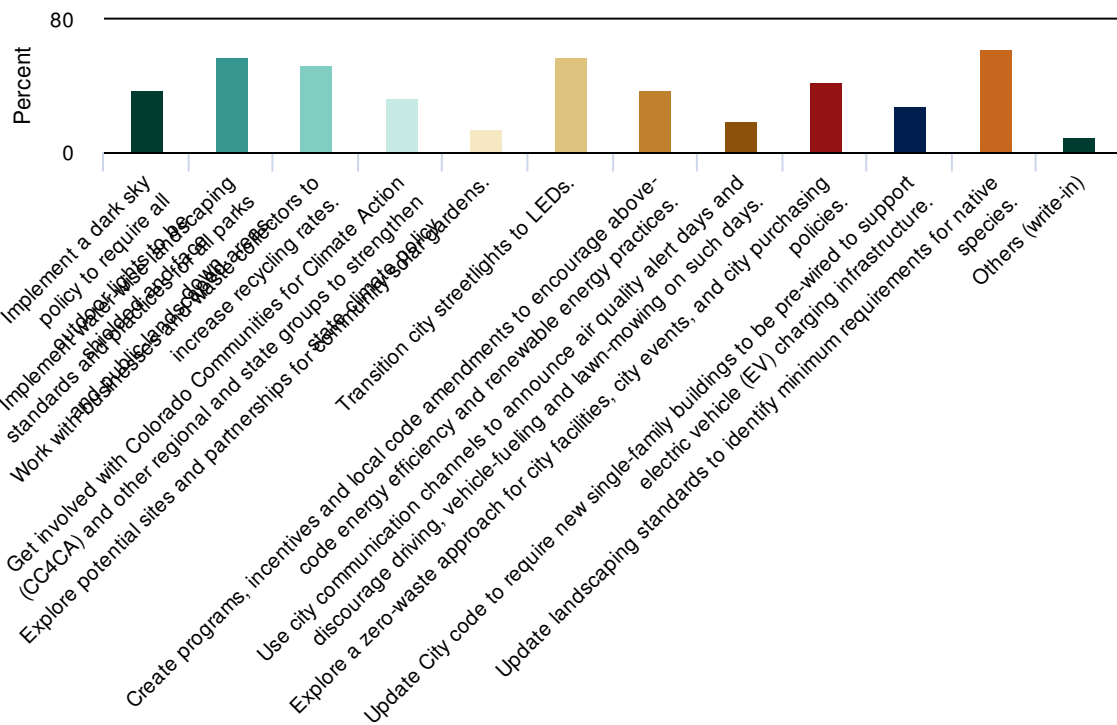
on the site?



Value		Percent	Responses
None. Leave as the current farm designation.		47.8%	11
Allow additional civic and recreational space, such as recreation centers, parks, and libraries.		56.5%	13
Allow institutional uses, such as university campus and hospitals.		21.7%	5
Allow large employment, entertainment, or recreational attractions that meet a certain threshold of jobs, revenue, or visitation.		30.4%	7

Other (write in)	Count
Totals	0

8. Should the City consider taking any of the following steps to work toward a more sustainable community?



Value	Percent	Responses
Implement a dark sky policy to require all outdoor lights to be shielded and face down.	38.1%	8
Implement water-wise landscaping standards and practices for all parks and public-landscaped areas.	57.1%	12
Work with businesses and waste collectors to increase recycling rates.	52.4%	11
Get involved with Colorado Communities for Climate Action (CC4CA) and other regional and state groups to strengthen state climate policy.	33.3%	7
Explore potential sites and partnerships for community solar gardens.	14.3%	3
Transition city streetlights to LEDs.	57.1%	12
Create programs, incentives and local code amendments to encourage above-code energy efficiency and renewable energy practices.	38.1%	8
Use city communication channels to announce air quality alert days and discourage driving, vehicle-fueling and lawn-mowing on such days.	19.0%	4
Explore a zero-waste approach for city facilities, city events, and city purchasing policies.	42.9%	9
Update City code to require new single-family buildings to be pre-wired to support electric vehicle (EV) charging infrastructure.	28.6%	6
Update landscaping standards to identify minimum requirements for native species.	61.9%	13
Others (write-in)	9.5%	2

Others (write-in)**Count**

Native species landscaping should be top priority. Much money is currently waisted here.

1

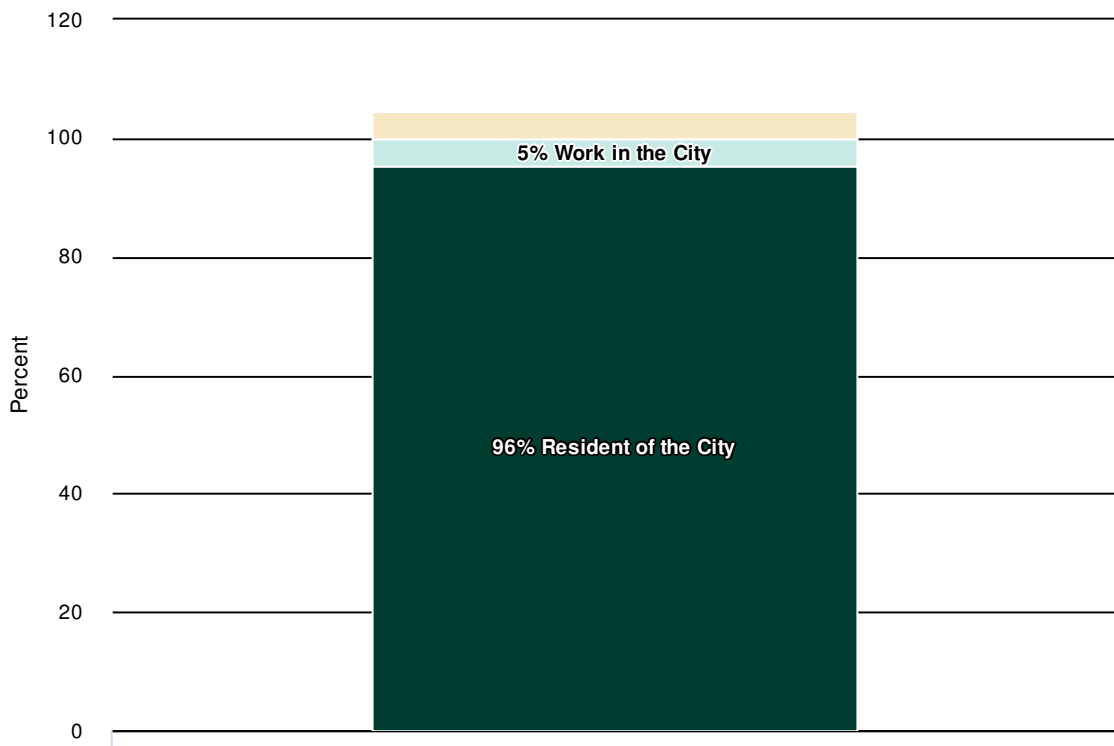
Require all open space to be fire brush clearance and weed abated annually.

1

Totals

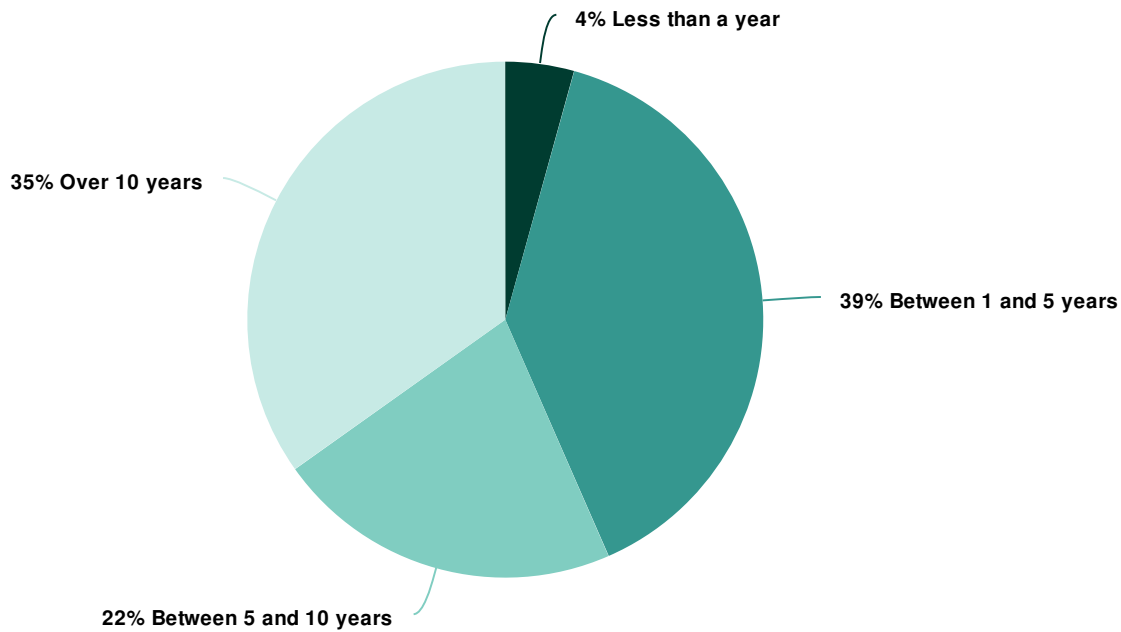
2

9. What is your relationship with Castle Pines?



Value	Percent	Responses
Resident of the City	95.5%	21
Work in the City	4.5%	1
Business owner within the City	4.5%	1

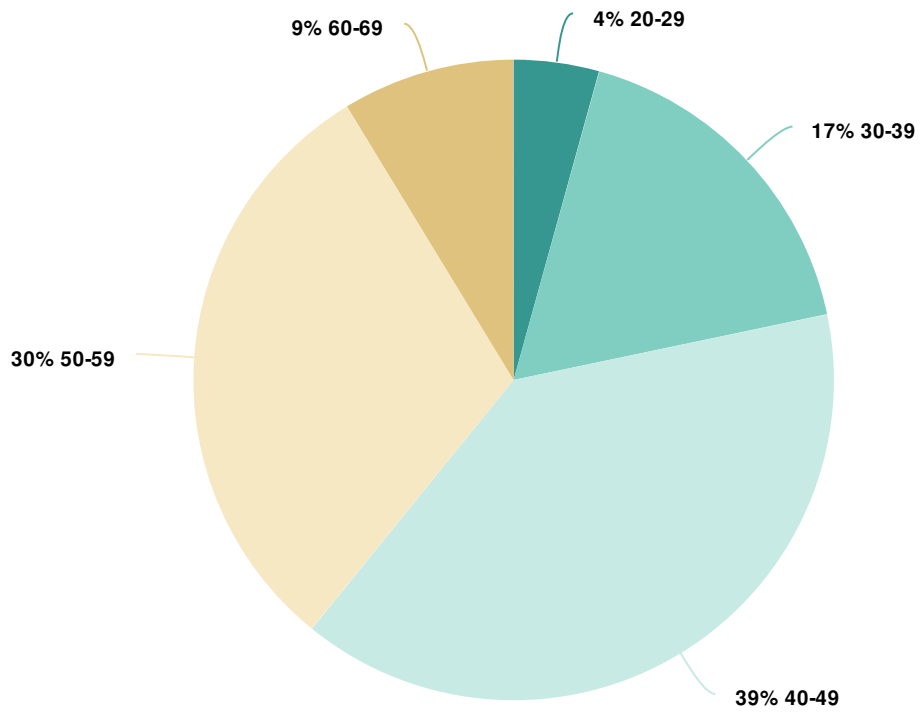
10. How long have you lived or worked in the Castle Pines area?



Value	Percent	Responses
Less than a year	4.3%	1
Between 1 and 5 years	39.1%	9
Between 5 and 10 years	21.7%	5
Over 10 years	34.8%	8

Totals: 23

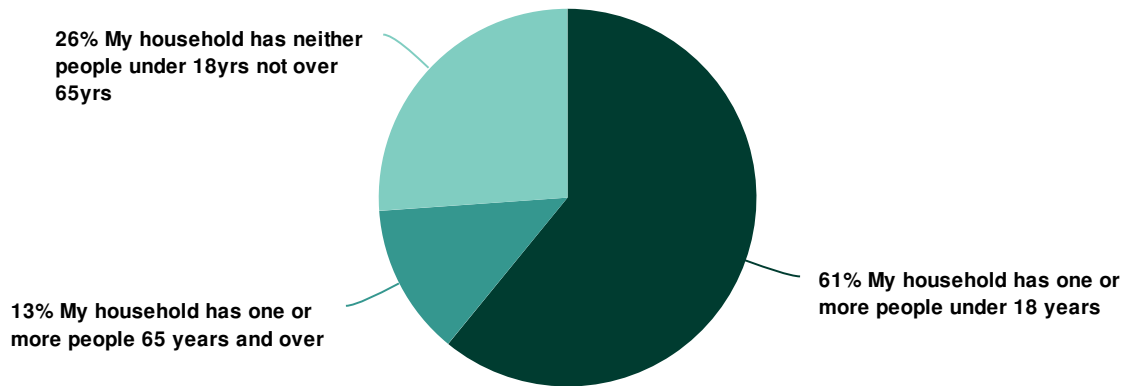
11. What is your age group?




Value	Percent	Responses
20-29	4.3%	1
30-39	17.4%	4
40-49	39.1%	9
50-59	30.4%	7
60-69	8.7%	2

Totals: 23

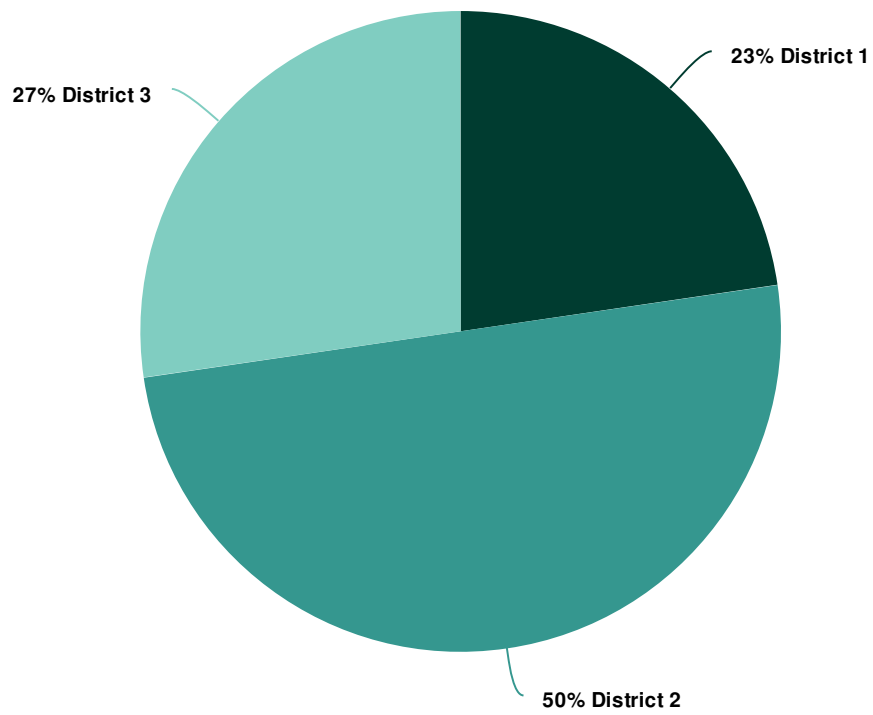
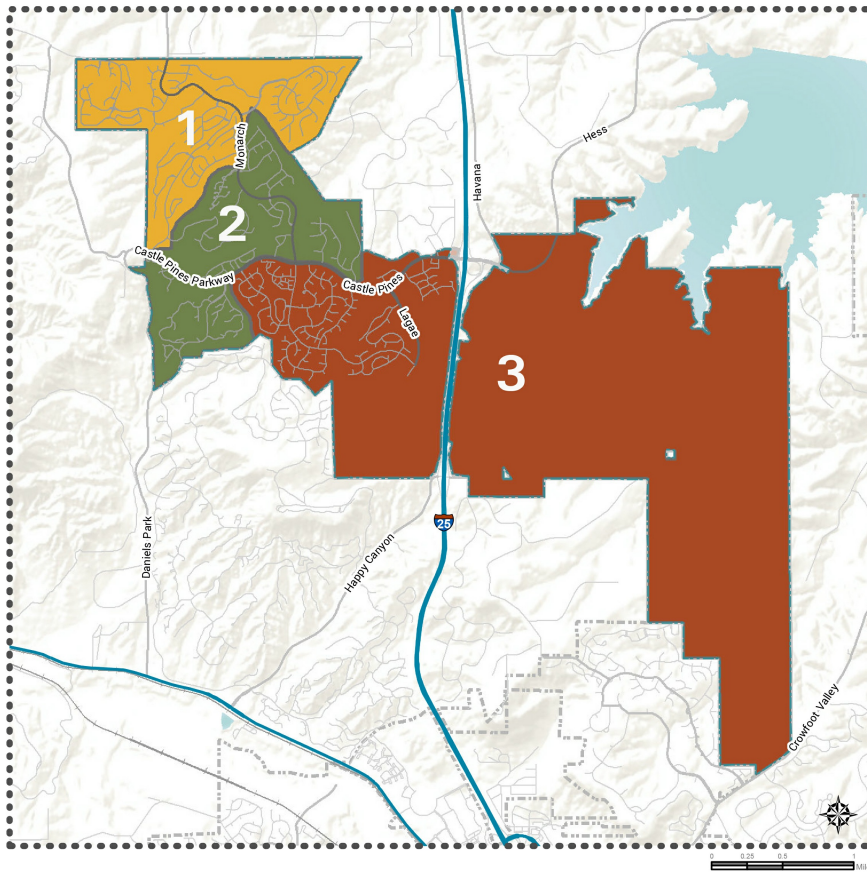
12. What is your household composition?






Value		Percent	Responses
My household has one or more people under 18 years		60.9%	14
My household has one or more people 65 years and over		13.0%	3
My household has neither people under 18yrs not over 65yrs		26.1%	6

Totals: 23

13. In which of our three council districts do you live or work?



Value		Percent	Responses
District 1		22.7%	5
District 2		50.0%	11
District 3		27.3%	6
Totals: 22			

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CHAPTER 13 UNIFIED LAND DEVELOPMENT CODE

ARTICLE 1. PRELIMINARIES

Division 1.1 General Provisions

Sec. 1.1.1 Title

- A. **Title.** This Unified Land Development Code (ULDC) shall be officially known and cited as the Castle Pines Unified Land Development Code.
- B. **Short Title.** This Unified Land Development Code may be referred to herein as “the ULDC” or “this ULDC”.

Sec. 1.1.2 Purposes

The provisions of this ULDC are adopted for the purposes of:

- A. Promoting the public health, safety, and general welfare of the residents of the City of Castle Pines (City);
- B. Implementing the most recent edition of the City's Comprehensive Plan as amended;
- C. Guiding the future growth and economic development of the City while balancing the protection of community resources and individual property rights;
- D. Achieving orderly, functional, and attractive development through land use and subdivision controls;
- E. Enhancing the special characteristics that complement both the City's natural and built landscape;
- F. Creating a unique sense of place through proactive planning and contemporary regulations;
- G. Achieving compatibility and balance between residential and nonresidential land uses;
- H. Mitigating environmental and visual impacts on the natural terrain;
- I. Fostering preservation and conservation of environmental systems and sense of place;
- J. Following good land management and construction practices that recognize natural geologic conditions and protect against natural hazards;
- K. Promoting consistent high-quality architecture and urban design that is visually attractive and contributes positively to the desired community character;
- L. Ensuring the provision of necessary services and infrastructure concurrently with development in an efficient and cost-effective manner;
- M. Sustaining the quality natural environment of the region through resource protection, open space preservation, and the establishment of public space or gathering places in new and existing neighborhoods; and
- N. Establishing fair and efficient procedures that respect property rights and ensure quality development.

Sec. 1.1.3 Authority

- A. **Home Rule Charter.** Pursuant to the [Constitution of the State of Colorado, Article XX, Section 6, Home Rule for Cities and Towns](#), the principal authority for this ULDC is the [Home Rule Charter of the City of Castle Pines](#), originally approved on May 14, 2019, as may be amended from time to time,.
- B. **Colorado Statutes.** The provisions of this ULDC are also authorized by the Colorado Revised Statutes (CRS) as amended from time to time, including, but not limited to:
 - 1. [Title 24, Government - State, Article 65.1, Areas and Activities of State Interest](#);
 - 2. [Title 24, Government - State, Article 67, Planned Unit Development Act of 1972](#);
 - 3. [Title 24, Government - State, Article 68, Vested Property Rights](#);
 - 4. [Title 29, Government - Local, Article 20, Local Government Regulation of Land Use](#);
 - 5. [Title 31, Government - Municipal, Article 23, Planning and Zoning](#); and

6. Title 31, Government - Municipal, Article 12, *Municipal Annexation of Act of 1965*.

Sec. 1.1.4 Jurisdiction

Unless otherwise stated as such, these regulations are applicable to all land located within the municipal boundaries of the City.

Sec. 1.1.5 Effective Date and Enactment

- A. **Effective Date.** The effective date of [REDACTED], 2021 shall be the date when this ULDC enters into the full force of law.
- B. **Enactment.** Except as otherwise stated in this ULDC or State of Colorado statutes, on the effective date and thereafter, this ULDC shall supersede all prior regulations governing the development of land, buildings, and structures in the corporate limits of the City.

Division 1.2 Interpretation, Transition Standards, and Severability

Sec. 1.2.1 Interpretation

- A. **Generally.** The standards of this ULDC are to be interpreted as minimum standards. The ULDC should be interpreted in light of the purposes as listed in Sec. 1.1.2, *Purposes*.
- B. **More Restrictive Provision Applies.** Whenever a provision of this ULDC and any other provision in any law, ordinance, rule, or regulation of the City contains restrictions covering the same subject matter, that which is most restrictive or imposes the higher standards shall govern.
- C. **Easements or Private Agreements.** This ULDC is not intended to repeal or nullify any easement or any other private agreement or restriction.

Sec. 1.2.2 Transitional Provisions

- A. **Generally.** It is the intent of the ULDC to respect pending applications and development approvals.
- B. **Scope of Approvals.** This Section shall not be interpreted to confer rights upon any applicant that is not set out within the scope of a development's approval.
- C. **Pending Applications.** Any and all applications submitted to the City pursuant to an approval process within [Division 6.4, Administrative Decisions](#), or [Division 6.5, Public Hearing Decisions](#) shall be evaluated only by the adopted ordinances and technical regulations in effect at the time that each complete application was submitted.
- D. **Development Applications that Precede this ULDC.** Approved developments may be carried out within the scope of the development approval, including applicable standards in effect at the time of approval, provided that the approval has not expired and remains valid.
- E. **Planned Unit Developments.**
1. *Generally.* Final development plans for planned unit developments approved prior to the effective date of this ULDC may be carried out and are governed according to the terms and conditions of their approvals unless expressly repealed or modified as provided in [Sec. 6.5.5, Planned Unit Development](#).
 2. *Phased Approval.* With respect to a Planned Unit Development (PUD) approved prior to the effective date of this ULDC, but concerning which phases thereof will require approval of a final development plan after the effective date of this ULDC, an applicant may request that such final development plan be processed, acted upon, and governed by the standards and procedures of this ULDC.
- F. **Prior Conditions of Approval.** Conditions of development approvals that were granted prior to the effective date remain in full force, regardless of the standards of this ULDC.
- G. **Right to Complete Construction.** This ULDC does not require any change in the plans, construction, or designated use of any structure if:
1. A building permit for the structure was lawfully issued prior to the effective date of this ULDC;
 2. The building permit had not by its own terms expired prior to the effective date of this ULDC, or as set out in [Sec. 6.3.11, Expiration of Approvals](#); and
 3. Construction pursuant to the building permit was commenced prior to the expiration of the permit and within 90 days of the effective date of this ULDC, or an amendment to this ULDC, and was thereafter diligently pursued to completion.

- H. **Expired Applications.** Applications for development approval that are not pursued with due diligence may expire pursuant to [Sec. 6.3.11, Expiration of Approvals](#).
- I. **Existing Violations.** Any violations of previous versions of any code or ordinance of the City shall continue to be a violation under this ULDC and shall be subject to the penalties and enforcement set forth in [Division 6.6, Enforcement, Violations, and Remedies](#).

Sec. 1.2.3 Severability

The provisions of this ULDC shall be severable, in accordance with the following:

- A. **Invalid Provision within ULDC.** If any provision of this ULDC is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared that:
 - 1. The effect of such decision shall be limited to that provision or provisions which are expressly stated in the decision to be invalid; and
 - 2. Such decision shall not affect, impair, or nullify the ULDC as a whole or the application thereof. The remainder of the ULDC shall continue in full force and effect.
- B. **Invalid Development Approval Condition.** If any court of competent jurisdiction judges invalid any condition attached to the approval of any land development application, then such judgment shall not affect any other conditions or requirements attached to the approval of any similar application that is not specifically included in that judgment.

ARTICLE 2. ZONING DISTRICTS AND USE STANDARDS

Division 2.1 Purpose and Applicability

Sec. 2.1.1 Purpose

The purpose of this Article is to establish the City's zoning districts; the permitted, limited, special, and prohibited uses in each zoning district; the additional standards that apply to limited and special uses; accessory uses and associated standards; along with temporary uses and associated standards. This Article also provides any development standards by zoning district such as dimensional standards and building setback standards.

Sec. 2.1.2 Applicability

- A. **Effect.** The districts set out in this Article apply to all land, buildings, structures, and appurtenances within the corporate boundaries of the City.
- B. **Zoning Districts.** Listed in [Sec. 2.2.1, Zoning Districts Established](#), are the separate and unique zoning districts that exist within the City limits. The zoning districts are shown on the official zoning map, which is established in [Sec. 2.2.3, Official Zoning Map](#). Each district provides for uses that are either permitted by-right (permitted), permitted subject to compliance with additional standards (limited), permitted subject to a public hearing (uses by special review), or prohibited (not allowed).
- C. **Land Uses.**
 - 1. *Limited Uses and Uses by Special Review.* Set out in [Sec. 2.3.1, Limited Uses](#), and [Sec. 2.3.2, Uses by Special Review](#), are the additional standards and/or procedures that are necessary for a land use to be approved as a limited use or use by special review.
 - 2. *Accessory and Temporary Uses.* Set out in [Sec. 2.3.3, Accessory Structures](#), and [Sec. 2.3.4, Temporary Uses](#), are the standards for the approval of accessory and temporary uses, including, but not limited to, commercial, community, and neighborhood events, and temporary construction, storage, and refuse collection uses.
 - 3. *Unlisted Uses.* Set out in [Sec. 2.3.5, Unlisted Uses](#), are criteria that the Administrator shall use in order to classify a proposed land use that is not specifically regulated in this ULDC.

Division 2.2 Establishment of Zoning Districts

Sec. 2.2.1 Zoning Districts Established

Established in Table 2.2.1, *Zoning Districts*, are the zoning districts for the City. The table identifies the district name, district abbreviation, a prior district abbreviation (if applicable), and a purpose statement for each district.

District		Prior District Abbreviation	The purpose of the district is to provide for:
Name	Abbreviation		
Open Space	OS	A1	A system of passive recreation spaces that maintain the natural character with minimal disturbance of the land and will protect viewsheds and important community buffers. The district is designed for parkland, playgrounds, trails, and other recreational uses.
Estate Residential	ER	--	Rural estate living on lots with minimal farming or ranching value while preserving native vegetation, significant geological features, wildlife habitat/corridors, and views. The district is designed to incorporate significant open space while providing for single-family detached housing.
Mixed-Use	MU	B	An urban environment with a variety of uses mixed both vertically and horizontally and scaled for neighborhood or community access. Buildings are placed close to the pedestrian-oriented street to help define the space and connection on the pedestrian level. The district is designed to accommodate multifamily residential units and nonresidential uses in close proximity to each other.

**Table 2.2.1
Zoning Districts**

District		Prior District Abbreviation	The purpose of the district is to provide for:
Name	Abbreviation		
Planned Unit Development	PUD	PD	The flexibility to design innovative and creative sites that facilitate a mix of use in the development of a balanced community, including residential, business, commercial, recreational, open space, and other selected secondary uses. Prior to the effective date of this ULDC, the City approved a large number of its residential uses through a Planned Unit Development (PUD) process. This district incorporates approvals prior to the effective date of this ULDC and any subsequently approved PUDs. A summary of the land use regulations approved prior to the effective date of this ULDC is available in Appendix A, Planned Unit Developments .

Sec. 2.2.2 Overlay Zoning District

An overlay zoning district is a special status or designation applicable to a specific land area and superimposed over the underlying zoning district to add additional standards, limitations, or other regulations applicable to the land area contained within such overlay zoning district. The City maintains the Centennial Airport Review Area (See [Appendix B](#)) as an overlay district.

Sec. 2.2.3 Official Zoning Map

- A. **Integration of the Map into ULDC.** Zoning districts are shown on the map entitled "Official Zoning Map" of the City of Castle Pines which is made part of this Unified Land Development Code (ULDC). The zoning map and all notations, references, and other information shown on it are a part of this ULDC and have the same legal force and effect as the ULDC.
- B. **Conflict Between Ordinance and Map.** In the event of a conflict between the district boundaries on the Official Zoning Map and the zoning of property provided by a duly enacted rezoning ordinance adopted before the effective date of this ULDC, the Official Zoning Map shall control.
- C. **Interpretation of the Map.** Where the map appears to be unclear regarding the location of district boundaries, the Administrator, or at the Administrator's discretion the Planning Commission, shall make a determination using the following criteria:
1. *Rights-of-Way or Easements.* Where boundary lines appear to follow existing streets, alleys, railroad tracks, utility lines, or similar features, the zoning boundary shall be construed to follow the centerline of the rights-of-way or easement. Where the location of these features on the ground differs from that shown on the Official Zoning Map, the features on the ground control.
 2. *Corporate Limits.* Where district boundaries are indicated as approximately following corporate limits, such corporate limits shall be considered the district boundaries.
 3. *Property Lines.* Where the boundaries are indicated as approximately following property or other lot lines, such lines shall be construed to be the boundaries.
 4. *Watercourses.* Boundaries shown as following, or approximately following, the centerline of drainage ways, streams, water bodies, or other watercourses shall be construed as following the channel centerline. In the event of a natural change in the location of such streams or other watercourses, the zoning district boundary shall be construed as moving with the channel centerline.
 5. *Unsubdivided Land or No Identifiable Feature.* On unsubdivided land, or where a district boundary follows no identifiable feature, the location of the boundary, unless the same is indicated by dimensions, shall be determined by applying, in order, the following rules:
 - a. *Legal Description.* The boundary shall be according to the legal description in the ordinance establishing the district boundaries.
 - b. *Text Dimensions.* The boundary shall be located by reference to dimensions shown in the text on the Official Zoning Map, if any.
 - c. *Map Scale.* The boundary shall be located using the map scale appearing on the Official Zoning Map.
 6. *Vacation or Abandonment.* Where a public street, alley, or parcel of land is officially vacated or abandoned, the regulations applicable to the abutting property apply equally to the vacated or abandoned street or alley.

Sec. 2.2.4 Prohibited Uses

- A. **Generally.**
1. Uses not specifically listed or reasonably similar according to the provisions in [Sec. 2.3.5, Unlisted Uses](#), to those uses listed in any particular zoning district shall be deemed to be prohibited in the particular zoning district.
 2. Uses listed in any particular zoning district shall be deemed to be excluded from any other zoning district, unless such use is specifically listed in the other zoning district.
- B. **Specific Prohibited Uses.** The following uses are prohibited in all zoning districts in the City and are not eligible for an Administrator's interpretation as being a new or unlisted use in accordance with [Sec. 2.3.5, Unlisted Uses](#):
1. Body Art Service;
 2. Junk Yard;
 3. Marijuana Cultivation Facility,

4. Marijuana Product Manufacturing Facility,
5. Marijuana Testing Facility;
6. Medical Marijuana Business;
7. Short-Term Rentals; and
8. Vape Shop.

Sec. 2.2.5 Open Space District

- A. **Purpose.** Refer to Sec. 2.2.1, *Zoning Districts Established*.
- B. **Applicability.** The standards in this Section apply to areas denoted as Open Space (OS) on the Official Zoning Map.
- C. **Permitted Uses.** Table 2.2.5-1, *Land Uses in the Open Space (OS) District*, lists the land uses that are permitted by-right (permitted) and permitted subject to additional standards and public hearing (uses by special review). Land uses not listed are generally prohibited. See Sec. 2.3.5, *Unlisted Uses*.

Table 2.2.5-1 Land Uses in the Open Space (OS) District		
Use Category	Use Type	Additional Standards Cross Reference
Legend: P = Permitted; USR = Special		
Park	P	--
Utility, Major	USR	Sec. 2.3.2
Utility, Minor	P	--
Wireless Communications Facility (WCF)	USR	Sec. 2.3.2

- D. **Parking.** See Division 3.1, *Parking, Loading, and Access*.
- E. **Landscaping.** See Division 3.2, *Landscaping, Buffering, and Screening*.
- F. **Signs.**
1. *Permitted Sign Types.* The sign types listed in Table 2.2.5-2, *Permitted Sign Types*, are permitted only if the requirements of Division 3.3, *Signs*, are met.
 2. *Prohibited Sign Types.* Sign types not listed are prohibited in this zoning district.

Table 2.2.5-2 Permitted Sign Types		
Sign Type	Nonresidential Use	Standards
Legend: P = Permitted		
Monument	P	Sec. 3.3.4 and Sec. 3.3.5
Wall	P	
Temporary	P	
TABLE NOTES: Reserved		

- G. **Outdoor Lighting.** See Division 3.4, *Outdoor Lighting*.

Sec. 2.2.6 Estate Residential District

- A. **Purpose.** Refer to Sec. 2.2.1, *Zoning Districts Established*.
- B. **Applicability.** The standards in this Section apply to areas denoted as Estate Residential (ER) on the Official Zoning Map.
- C. **Permitted Uses.** Table 2.2.6-1, *Land Uses in the Estate Residential (ER) District*, lists the land uses that are permitted by-right (permitted), permitted subject to compliance with additional standards (limited), or permitted subject to additional standards and public hearing (uses by special review). Land uses not listed are generally prohibited. See Sec. 2.3.5, *Unlisted Uses*.

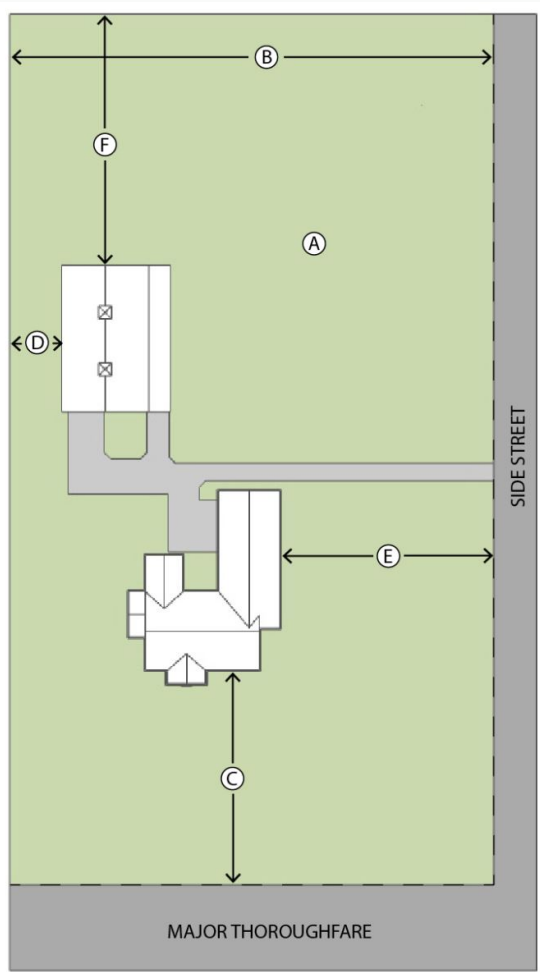
**Table 2.2.6-1
Land Uses in the Estate Residential (ER) District**

Use Category	Use Type	Cross Reference
Legend: P = Permitted; L = Limited; USR = Special;		
Government Office Facility	P	--
Park	P	--
Place of Assembly, Indoor	L	Sec. 2.3.1
Single-Family Detached Dwelling	P	--
Utility, Major	USR	
Utility, Minor	P	
Wireless Communications Facility (WCF)	USR	Sec. 2.3.2

D. **Development Standards.** Displayed in Table 2.2.6-2, *Development Standards*, are the standards for conventional developments providing for the uses listed below.

**Table 2.2.6-2
Development Standards**

Development Standards		Illustrative
A	Min. Lot Area	1 acre
B	Min. Lot Width	None
Minimum Building Setbacks		
C	Street and Exterior Side: Abutting a major arterial or higher street type	100 ft.
E	Street and Exterior Side: Abutting a minor arterial, collector, or local street type	25 ft.
D	Interior Side	25 ft.
F	Rear	25 ft. ¹
--	115+KV Power Line	100 ft.
Maximum Building		
--	Coverage	N/A
--	Height	35 ft.



The diagram shows a lot layout with a 'MAJOR THOROUGHFARE' at the bottom and a 'SIDE STREET' on the right. A building is shown with setbacks labeled A (rear), B (width), C (front), D (interior side), E (side to side street), and F (front to thoroughfare). A utility line is shown with setbacks D and F.

TABLE NOTES: N/A = Not Applicable
 1. Accessory: 15 ft. for lots less than 2.3 acres.

- E. **Parking.** See [Division 3.1, Parking, Loading, and Access.](#)
- F. **Landscaping.** See [Division 3.2, Landscaping, Buffering, and Screening.](#)

G. Signs.

1. *Permitted Sign Types.* The sign types listed in Table 2.2.6-3, *Permitted Sign Types*, are permitted only if the requirements of [Division 3.3, Signs](#), are met.
2. *Prohibited Sign Types.* Sign types not listed are prohibited in this zoning district.

Table 2.2.6-3 Permitted Sign Types			
Sign Type	Residential Use	Nonresidential Use	Standards
Legend: P = Permitted; NP = Not Permitted			
Monument (Entrance Sign)	P	P	Sec. 3.3.4 and Sec. 3.3.5
Wall	NP	P	
Temporary	P	P	

H. Outdoor Lighting. See [Division 3.4, Outdoor Lighting](#).


Sec. 2.2.7 Mixed-Use District

- A. **Purpose.** Refer to Sec. 2.2.1, *Zoning Districts Established*.
- B. **Applicability.** The standards in this Section apply to areas denoted as Mixed-Use (MU) on the Official Zoning Map.
- C. **Land Uses.**
1. *Generally.* Table 2.2.7-1, *Land Uses in the Mixed-Use (MU) District*, lists the land uses that are permitted by-right (permitted), permitted subject to compliance with additional standards (limited), or permitted subject to additional standards and public hearing (uses permitted by special review).
 2. *Prohibited Uses.* Land uses not listed are generally prohibited. See Sec. 2.2.4, *Prohibited Uses*, and Sec. 2.3.5, *Unlisted Uses*.
 3. *Accessory Uses.* Accessory Uses without specific use standards in Sec. 2.3.3, *Accessory Structures*, are permitted by-right according to use category.

Table 2.2.7-1 Land Uses in the Mixed-Use (MU) District			
Use Category	Subtype	Use Type	Use-Specific Standards
Legend: P = Permitted; L = Limited; USR = Use by Special Review			
Residential Uses			
Household Living	Accessory Dwelling Unit	P	--
	Dwelling, Live-Work	L	Sec. 2.3.1
	Dwelling, Multi-Family	L	Sec. 2.3.1
	Dwelling, Single-Family Attached	L	Sec. 2.3.1
Group Living	Assisted Living Facility	P	--
	Group Home	USR	Sec. 2.3.2
	Nursing or Convalescent Home	P	--
Public, Institutional, and Civic Uses			
Adult and Child Care Facilities	Adult Day Care	P	--
	Day Care Center/Preschool	L	Sec. 2.3.1
Community and Cultural Facilities	Open Space	P	--
	Park	P	--
	Place of Assembly, Indoor	L	Sec. 2.3.1
Educational Facilities	School, High or Vocational	P	--
	School, Primary	P	--
Health Care Facilities	Hospital	P	--
	Medical or Dental Clinic	P	--
Utilities	Major Utility	USR	Sec. 2.3.2
	Minor Utility	P	--
	Wireless Communications Facility	USR	Sec. 2.3.2
Commercial Uses			
Animal Related Services	Animal Boarding	USR	Sec. 2.3.2
	Veterinary Clinic/Hospital	L	Sec. 2.3.1
Automotive Uses	Vehicle Service, Minor	L	Sec. 2.3.1
Sales and Service	Sales-Oriented Uses	P	--
	Service-Oriented Uses	P	--
Food and Drink	Bar/Lounge	P	--
	Brew Pub, Distillery Pub, or Limited Winery	P	--
	Restaurant	P	--
Entertainment Uses	Commercial Amusement, Indoor	P	--
	Commercial Amusement, Outdoor	P	--
	Sexually-Oriented Businesses	USR	Sec. 2.3.2
Offices and Banking	Bank/Financial Institution	P	--
	Office	P	--

Table 2.2.7-1 Land Uses in the Mixed-Use (MU) District			
Use Category	Subtype	Use Type	Use-Specific Standards
Legend: P = Permitted; L = Limited; USR = Use by Special Review			
Overnight Accommodations	Hotel	P	--
Parking, Free-Standing	Parking Structure	P	--
	Parking Lot, Off-Site	L	Sec. 2.3.1
Industrial Use			
Industrial Uses	Micro-Manufacturing	L	Sec. 2.3.1
	Research and Development Facility	L	Sec. 2.3.1
Accessory Uses			
Accessory Uses	Drive-Thru Facility	L	Sec. 2.3.1
	Solar Collectors	L	
	Wind Energy Conversion System (WECS), On-Site Usage	L	
Temporary Uses			
Temporary Uses	Construction Dumpster	L	Sec. 2.3.4
	Construction Office	L	
	Construction Yard	L	
	Farmer's Market	L	
	Food Truck	L	
	Special Event	L	

D. **Development Standards.** Displayed in Table 2.2.7-2, *Development Standards*, are the standards for conventional developments providing for the uses listed below.

Table 2.2.7-2 Development Standards		Illustrative ¹
Dimensional Standards		
Min. Lot Area	1,000 sq. ft.	
Min. Lot Width	None	
Minimum Building Setbacks: Front and Exterior Side		
Adjacent to Arterial Streets	10 ft.	
Adjacent to Collector and Local Streets	0 ft.	
Minimum Building Setbacks: Interior and Rear Side		
When abutting a residential use	60 ft.	
When abutting a nonresidential use	5 ft.	
Building Height		
Height (Min. / Max.)	30 / 75 ft. ^{2,3}	
Min. Ground Floor Height (Retail/Office)	15 ft./12 ft.	
<p>TABLE NOTES: N/A = Not Applicable</p> <p>1. The illustrative provided is a potential revitalization scenario identified by the City of Castle Pines Business District Revitalization flyer. It is only a development scenario and is not considered legally binding. Other development scenarios may ultimately be determined to be the route chosen.</p> <p>2. The maximum building height shall not apply to belfries, cupolas, penthouses or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles, and necessary mechanical appurtenances usually carried above the roof level.</p> <p>3. Portions of a building that are over 60 feet in height shall be set back from the property line a minimum of 15 feet.</p>		

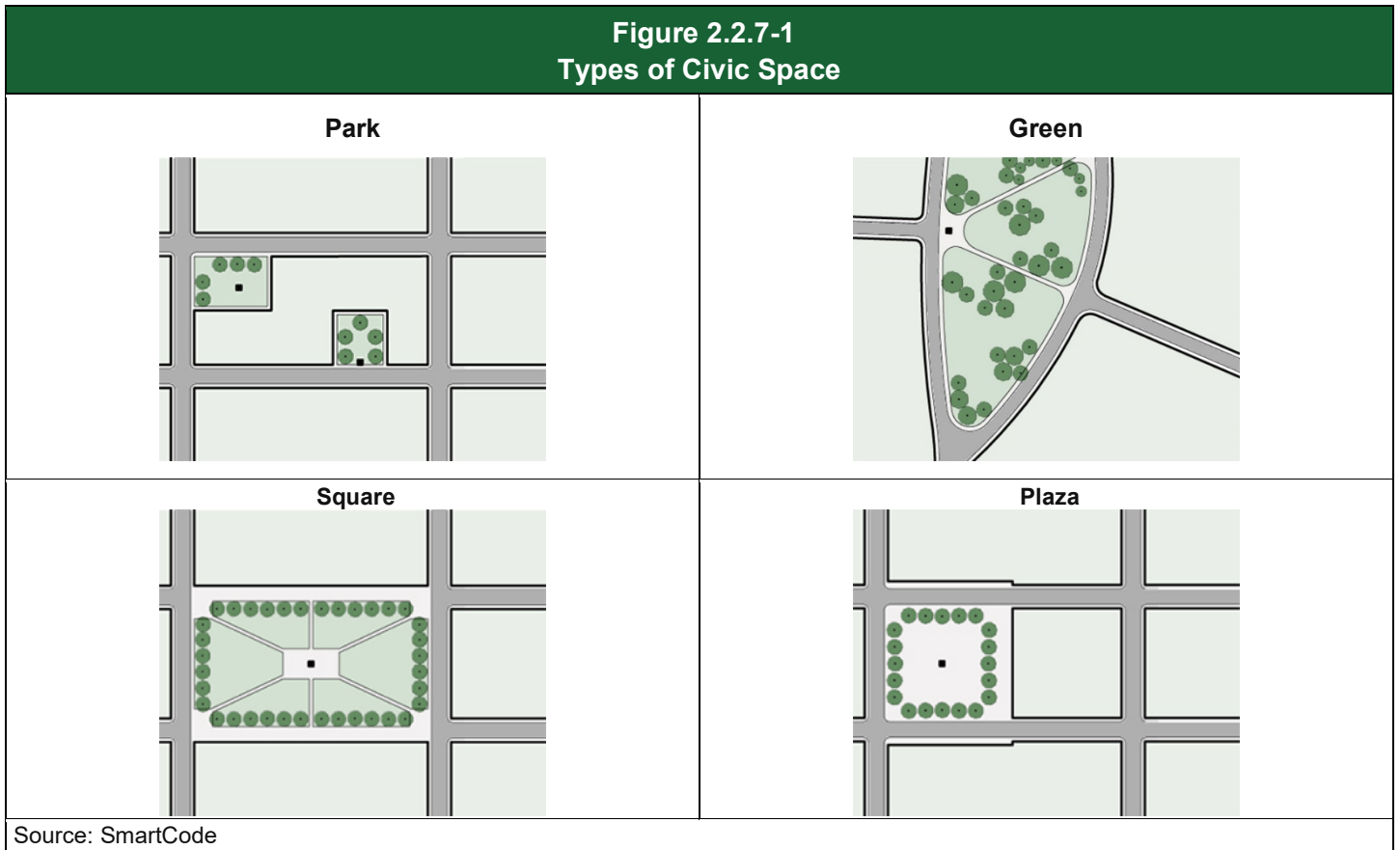
E. **Streets and Civic Space.**

1. **Blocks.** Blocks in the MU district may be no more than 800 feet in length, with mid-block public pedestrian access, in the form of an easement in accordance with Sec. 4.1.8, *Easements*, to perimeter residential and common parking areas.

2. **Streets.**

- a. Streets must be interconnected via a grid, or modified grid, pattern, and connected to adjacent neighborhoods.
- b. Cul-de-sacs are prohibited.
- c. Street cross-sections must provide for on-street angled and parallel parking in and near the core, with on-street and driveway parking at the edges. Similarly, wide sidewalks must be against the street curb in the core and narrower and separated from the street in the peripheral areas.

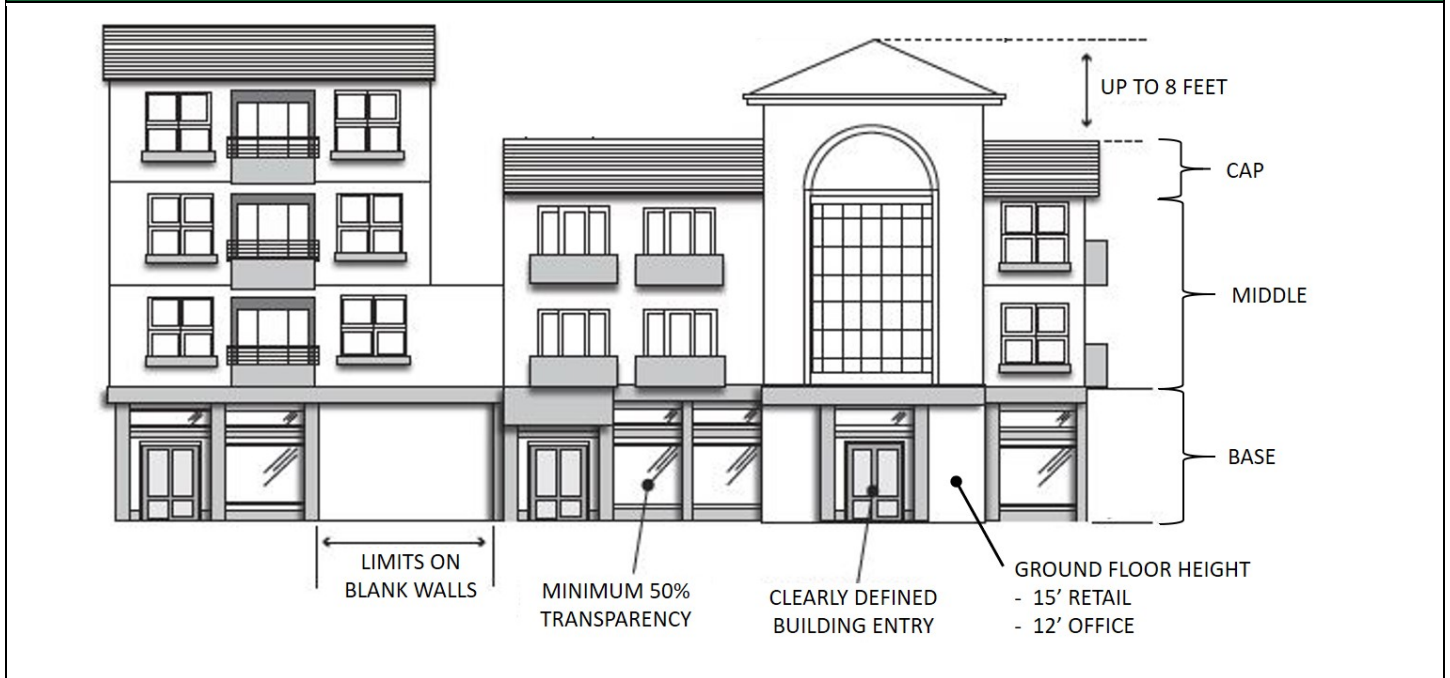
3. **Civic Space.** Civic space is an important organizing element within the MU district. Both public and private civic space are encouraged throughout the district and should provide not only an aesthetic quality, but serve recreational and civic functions as well. Various types of civic space may be provided, but must include a central space such as a park, square, green, or plaza, as displayed in Figure 2.2.7-1, *Types of Civic Space*).



F. **Building Design.**

- 1. **Generally.** Buildings must be articulated, modulated, and fenestrated to create a visually distinct building base, middle, and cap. (See Figure 2.2.7-2, *Building Design Details*).

**Figure 2.2.7-2
Building Design Details**



2. **Massing and Scale.** Where multiple freestanding buildings are proposed as part of a single project, the massing of buildings should be coordinated and show continuity across the site but varied enough to provide interest and distinction between buildings. Building facades shall be architecturally differentiated with at least three of the following:
 - a. Color change;
 - b. Material or texture change;
 - c. Height change;
 - d. Expression of architecture through a change in plane, such as an offset, reveal, or projecting rib; and/or
 - e. Other articulation details (e.g., arcade, balcony, gallery, oriel or bay windows, pavilion, pergola, porches, porticos, terrace, tower, or vestibules, etc.).
3. **Corner Intersections.** Buildings situated at the corner of an intersection must be of greater height and accentuated with a feature such as a tower, turret, or cupola that is up to eight feet in height.
4. **Building Design.**
 - a. **Awnings and Canopies.** Weather protection is required for core street frontages with ground floor nonresidential uses. Such building elements must have a minimum depth of four feet and clearance of eight feet and a maximum height of 12 feet. Internally illuminated awnings are prohibited.
 - b. **Entryways.** Each building must have a clearly visible entrance with either an overhang, canopy or portico, recess or projection, arcade, raised corniced parapet over the door, peaked roof form, arch, patio, display windows, or architectural detailing.
5. **Fenestration.**
 - a. **Transparency.** Street-facing facades of nonresidential buildings must have at least 50 percent transparency on the ground floor. Glass curtain walls and reflective or dark-tinted glass are prohibited.
 - b. **Blank Walls.** No building wall or individual tenant shall extend over 75 feet in length without incorporating at least one architectural feature of at least twenty-four 24 feet in length total and at least 12 feet in height or one-third of the building height, whichever is greater. Treatment on blank walls meeting these criteria shall have a design treatment such as striated brick patterns, tile insets, sculptural forms, decorative panels framed by molding, artwork, planted trellises, or other such adornments.

- 6. *Articulation.* Buildings must be vertically articulated at a depth equal to 20 percent of the building height. Vertical articulation may include projections, recesses, arcades, porticos, or other features that provide for different wall planes.
 - 7. *Modulation.* Street-facing building elevations greater than 50 feet must be partitioned into a series of smaller wall segments and planes that correspond to or give the appearance of, individual tenant spaces. The partitioned wall segments must vary in width and height, with the narrowest being 25 feet and the widest being no greater than 40 percent of the largest (anchor) tenant space. Such wall segments must relate to the required articulation.
 - 8. *Nonresidential and Mixed-Use Buildings.*
 - a. Mixed-use buildings shall be a minimum of two stories in height.
 - b. The gross floor area of a single commercial establishment shall not exceed 25,000 square feet.
 - 9. *Residential Buildings.*
 - a. Buildings must have the primary entrance on a street-facing facade.
 - b. The build-to line for street-facing buildings shall be 10 feet, for which a porch or stoop may extend to the front property line.
 - c. The required parking may be on-street or in a rear parking court or garage.
- G. **Parking.** See [Division 3.1, Parking, Loading, and Access.](#)
- H. **Landscaping.** See [Division 3.2, Landscaping, Buffering, and Screening.](#)
- I. **Signs.**
- 1. *Permitted Sign Types.* The sign types listed in Table 2.2.7-3, *Permitted Sign Types*, are permitted only if the requirements of [Division 3.3, Signs](#), are met.
 - 2. *Prohibited Sign Types.* Sign types not listed are prohibited in this zoning district.

Table 2.2.7-3 Permitted Sign Types		
Sign Type	Nonresidential Use	Standards
Access	P	Sec. 3.3.4 and Sec. 3.3.5
Awning	P	
Directory	P	
Marquee	P	
Monument	P	
Projecting	P	
Wall	P	
Window	P	
Temporary	P	
TABLE NOTES: P = Permitted		

- J. **Outdoor Lighting.** See [Division 3.4, Outdoor Lighting.](#)

Sec. 2.2.8 Planned Unit Developments

- A. **Purpose.** Planned Unit Developments (PUD) exist to provide for a greater amount of flexibility in the mixing of compatible uses and the location and type of structures for those uses while setting aside permanently protected common open space and facilities.
- B. **Applicability.** All PUDs approved after the effective date of this ULDC shall meet the requirements of this Section.
- C. **Standards.**
1. *Permitted Uses.* The applicant may propose any mixture of land uses, including permitted, limited, special, accessory, and temporary uses set out in this ULDC provided such proposed uses are consistent with the City's Comprehensive Plan.
 2. *Established Zoning Presumption.* Where an established zoning district is available for the type of development proposed, the established zoning district shall be used to the extent practicable.
 3. *Dimensional Standards.* Dimensional standards including front, rear, and side yard setbacks, and structure height should be consistent with the adjacent properties, but may be altered for a specific site as proposed by the applicant and approved as part of the adopted site plan.
 4. *Signs.* The applicant may propose a master signage plan to become part of the PUD. See [Sec. 3.3.8, Master Signage Plans](#).
 5. *Parking.* Off-street parking and loading areas will be provided for all uses within a PUD in accordance with the requirements of [Division 3.1, Parking, Loading, and Access](#).
 6. *Guarantees.* See Article 4, *Subdivision Design, Dedications, Fees-in-Lieu, and Public Improvements*.
 7. *Guarantees.* The following guarantees must be provided by the applicant prior to issuance of a building permit:
 - a. Landscaping and underground irrigation approved with the Final Development Plan will be guaranteed by the applicant, by providing a letter of credit or in the discretion of the Administrator an alternative form of security, to assure all landscaping and underground irrigation is installed; and
 - b. A performance guarantee for proposed recreational facilities and improvements that will be provided in subsequent phases of development.
- D. **Review Criteria and Procedures.** See [Sec. 6.5.5, Planned Unit Development](#).
- E. **Existing Planned Unit Developments.**
1. *Standards of Existing PUDs.* See [Appendix A, Planned Unit Developments](#).
 2. *Final Plan Approval.* PUDs that were granted prior to the effective date of this ULDC may be carried out according to the terms and conditions of their approvals. Unless otherwise stated in their conditions of approval, if final plan approval has not been obtained by ordinance within one year of the preliminary plan approval, the Development approval is expired.
 3. *Official Zoning Map Notation.* PUDs that meet the requirements of Subsection E(2) above, shall be noted on the Official Zoning Map as a "PUD" thus coinciding with the PUD designation as set out in [Sec. 2.2.1, Zoning Districts Established](#).
 4. *Provisions Reasonably Believed to be No Longer Constitutionally Valid.* Notwithstanding anything in this Subsection E, [Appendix A](#), an existing PUD, or an existing Planned Development Agreement to the contrary, no specific term, condition, standard, or component thereof deemed by the City Attorney to represent a reasonable probability of violating controlling federal or state constitutional, statutory, or case law shall govern the matter addressed thereby. In such event, the relevant provisions of this ULDC shall control.
 5. *Option to Defer to Requirements of the ULDC.* Any and all property owners who are zoned as PUD may ask the City Council to be permitted to use the standards of the ULDC instead of the standards found within their PUD. See [Sec. 6.5.5, Planned Unit Developments](#), for the procedural requirements necessary to apply for this accommodation.
 6. *Land Use Definitions.* When a land use is listed, but not defined, in an existing PUD and there is a definition for the land use within this ULDC then the ULDC definition shall govern.

Division 2.3 Land Use

Sec. 2.3.1 Limited Uses

- A. **Generally.** The standards of this Section apply to all limited uses identified as limited as set forth in Sec. 2.2.6, *Estate Residential District* or Sec. 2.2.7, *Mixed-Use District*. Unless otherwise specifically stated, an applicant must meet all of the limited use standards within each land use to receive approval by the Administrator.
- B. **Application.**
1. *Generally.* The Administrator may approve uses shown as limited only if they meet the standards of this Article and other applicable standards and requirements of this ULDC.
 2. *Timing of Compliance.* These standards apply at the time a limited use is requested for an existing or new structure, or when an existing limited use is proposed to be expanded by more than 10 percent of the gross square footage currently devoted to the use.
 3. *Expansions.* This Section applies to an expansion of use whether it is to or within an existing building, in an outdoor area devoted to the use, or a combination of thereof.
 4. *Uses Not Listed.* If there are limited uses specified in Division 2.2, *Establishment of Zoning Districts*, that are not included in this Section, all applicable standards of this ULDC shall apply.
 5. *Procedures.* For limited uses, the Administrator shall use the criteria set out in this Section to determine whether to authorize a land use requested by an applicant or whether to recommend it for a decision of the Planning Commission.
 6. *Other Applicable Standards.* The standards of this Section are applied in addition to the other applicable standards of this ULDC, specifically including:
 - a. *Article 3, Site Design Standards;*
 - b. *Article 4, Subdivision Design, Dedications, Fees-in-Lieu, and Public Improvements;* and
 - c. *Article 5, Environmental Quality.*
- C. **Standards.**
1. *Day-Care Center, Preschool.* A large home day-care center, preschool, or day-care home may be permitted provided that the use shall be:
 - a. On a lot of not less than 10,000 square feet; and
 - b. A solid fence or wall six feet in height shall completely enclose any yard that is to be used for playground purposes.
 2. *Drive-Thru Facility.*
 - a. *Accessory Use.* Drive-thru facilities are permitted only as an accessory use to a principal use.
 - b. *Access.* The facility shall take access from an arterial or collector street.
 - c. *Design.*
 - i. The drive-in, drive-thru facility shall not be located within the front yard.
 - ii. Ordering stations facing abutting residentially zoned or used property shall be buffered with a five to six foot high masonry wall and landscaping.
 3. *Dwelling, Live-Work.*
 - a. *Location.* Residential areas shall be located above or behind nonresidential portions of the structure.
 - b. *Space Limitation.* The floor area of the nonresidential portion of the use shall not exceed 3,000 square feet;
 - c. *Employees.* No more than two nonresident employees are permitted in addition to the residents of the dwelling; and
 - d. *Ownership.* The business owner and the residents' occupant in the residential portion of the live-work unit must be the same person.
 4. *Dwelling, Multi-Family.* All multifamily dwellings shall provide bicycle parking at a rate of one parking spot per five units and be located no farther than 50 feet from the main entrance of the building.

5. *Dwelling Single-Family Attached.* All single-family attached dwellings shall provide bicycle parking at a rate of one parking spot per five units and be located no farther than 50 feet from the main entrance of the building.
6. *Micro-Manufacturing.*
 - a. No odor, glare, noise, dust, fumes, or vibrations shall extend beyond the confines of the actual premises upon which the micro-manufacturing use is located.
 - b. Micro-manufacturing shall be limited to goods or products for sale or consumption on site.
 - c. Micro-manufacturing uses shall be limited to 10,000 square feet.
 - d. Outside storage of materials not held for retail sale is allowed only in areas completely screened from the outside view of the premises.
7. *Parking Lot, Off-Site.* An off-site parking lot which is proposed to be located in the MU district is subject to the following standards:
 - a. Necessity. The parking lot shall serve a use for which it is not possible for the applicant to provide sufficient structured, off-street, or on-street parking.
 - b. Distance. The lot shall be located within 300 feet of the property on which the building to be served is located measured by the shortest walking distance (using sidewalks and designated crosswalks) from the entrance of the building to the center point of the parking lot.
8. *Place of Public Assembly, Indoor.* Such uses shall be located at least 50 feet from all lot lines or the zoning district minimum setback, whichever is greater, as measured in a straight line from the front door of the use.
9. *Research and Development Facility.*
 - a. All research, development, and testing activities conducted on-site shall take place within a fully enclosed building; and
 - b. All materials and equipment shall be stored in areas screened from public view.
10. *Solar Collectors.*
 - a. Solar collectors shall be roof-mounted on principal and accessory buildings.
 - b. Ground- or structure mounted solar collectors shall be set back from property lines a distance equal to that of detached accessory buildings.
 - c. Solar panels that cover carports and walkways shall be set back from the front property line as required for principal buildings if located in a specific zoning district.
 - d. If solar collectors are damaged, such that the damage is obvious when viewed from a public right-of-way, then the collectors shall be removed or replaced within 30 days of the event that caused the damage.
11. *Vehicle Service, Minor.*
 - a. Outdoor Display and Storage. Outdoor display, storage, or sale of merchandise, vehicles, trailers, or other equipment on a permanent, temporary, or seasonal basis shall not be permitted. All vending machines shall be placed within the building. No vehicle awaiting service may be stored on-site for longer than two days.
 - b. Access, Circulation, and On-Site Parking.
 - i. Access, circulation, and on-site parking shall be designed with sufficient drive aisles and parking areas to avoid potential conflicts between loading and unloading, trash collection and other facility operations, use of emergency access easements and fire lanes, and pedestrian access. On-site circulation shall be adequate to allow vehicles to stack in a line for fuel dispensing services without using or obstructing any portion of an adjacent sidewalk or right-of-way.
 - ii. To the greatest extent possible, access points and driveways must be planned and shared between adjacent properties and access easements must be noted on the site plan.
 - iii. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access must be provided from the perimeter of the property to the convenience store or gasoline station.
 - c. Servicing. All servicing shall be conducted wholly within a completely enclosed building.
12. *Veterinary Clinic/Hospital.* Animals shall be confined in an enclosed building which is part of the principal structure.
13. *Wind Energy Conversion System (WECS), On-Site Usage.*

- a. There shall be no more than one WECS allowed on a residential lot.
- b. A WECS shall be located behind the principal use and set back from the property lines of abutting properties one and one half feet for each foot in height.
- c. The vertical clearance of the blades of tower-mounted horizontal axis turbines shall be not less than 15 feet when the blades are at their lowest point.

Sec. 2.3.2 Use by Special Review

- A. **Purpose.** The purpose of this Section is to promote compatibility among land uses by establishing standards for Use by Special Review (USR) in the use tables in [Division 2.2, Established Zoning Districts](#).
- B. **Application.**
 1. *Generally.* Uses shown as USR may be permitted only if they meet the standards of this Section and other applicable standards and requirements of this ULDC.
 2. *Planned Unit Developments.* The provisions and uses outlined in this Section shall not apply to the Planned Unit Development (PUD) district. The development plan for a specific PUD shall set forth the permitted uses. However, should an existing PUD state that there are additional land uses that can be permitted only by a use by special review process then the standards set forth in [Sec. 6.5.7, Use by Special Review Permit](#), shall apply.
 3. *Timing of Compliance.* These standards apply at the time a use by special review is requested for an existing or new structure, or when an existing special review use is proposed to be expanded by more than 10 percent of the gross square footage currently devoted to the use.
 4. *Expansions.* This Section applies to an expansion of a use whether it is to or within an existing building, in an outdoor area devoted to the use, or a combination of thereof.
 5. *Uses Not Listed.* If there are uses by special review specified in [Division 2.2, Established Zoning Districts](#), that are not included in this Section, all applicable standards of this ULDC shall apply.
 6. *Procedures.* All uses by special review shall be approved through [Sec. 6.5.7, Use by Special Review Permit](#).
 7. *Other Applicable Standards.* The standards of this Section are applied in addition to the other applicable standards of this ULDC, specifically including:
 - a. [Article 3, Site Design Standards](#);
 - b. [Article 4, Subdivision Design, Dedications, Fees-in-Lieu, and Public Improvements](#); and
 - c. [Article 5, Environmental Quality](#).
- C. **Standards Applicable to All Uses by Special Review.** An application for a use by special review permit may be permitted if it is demonstrated that:
 1. *Compliance with Zoning District Specific Regulations.* The proposed use shall comply with the minimum zoning requirements of the zoning district in which the special use is to be located;
 2. *Conflict with Plans.* The proposed use in its proposed location will not conflict with the implementation of the City's currently adopted plans;
 3. *Compatibility.* The use is compatible with surrounding land uses, the natural environment, and will not materially detract from the character of the immediate area nor will the use negatively affect the anticipated development or redevelopment plans for surrounding land uses;
 4. *Site Improvements.* Provisions for hours of operation, parking and loading areas, driveways, lighting, signs, landscaping, buffering, and other site improvements have been provided;
 5. *Public Services and Infrastructure.* Adequate public services and infrastructure (e.g., streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, police, and fire protection) shall be available without the reduction of services to any existing uses;
 6. *Over-Intensive Use of Land.* The proposed use will not result in an over-intensive use of land;
 7. *Pollution.* The proposed use will not cause significant air, water, or noise pollution;
 8. *Capital Improvement Programs.* The proposed use will not have a material adverse effect on community capital improvement programs.
- D. **Standards for Specific Special Uses.**
 1. *Animal Boarding.* The following standards apply to animal boarding in the MU zoning district as permitted:
 - a. The use shall not be located in a mixed-use building that contains dwelling unit;

- b. Noise from the use shall not be audible outside of the building in which the use is located;
 - c. No operations, including dog runs or recreation areas, shall be conducted outdoors; and
 - d. If the use is located in a multi-tenant building, the building shall have ventilation systems to prevent odors and allergens from circulating to other parts of the building.
2. *Group Homes*. The following standards apply to group homes in the MU zoning district as permitted:
- a. General. Certain group homes are subject to state and federal fair housing and disability legislation for protected populations that may require application for, and consideration of a reasonable accommodation;
 - b. Service Restrictions. Services provided within the group home shall be restricted to the residents of the facility;
 - c. License Required. Any group home that requires a state license to operate shall be so licensed before operation commences; and
 - d. Operations.
 - i. The owner/operator of a group home shall notify the City within 15 days of any changes to the operating program, facility ownership, and management, parking plan, contact information for the facility manager, or any significant changes to the site or structure. A change in ownership or management of the group home shall require amendment of the use by special permit.
 - ii. The proposed facility shall operate as a group home, as intended by the owner/operator, and in the best interest of residents of the facility. The group home facility shall not be made available to any individual whose tenancy, based on specific past acts, and not general assumptions or fears about a class of disabled or handicapped persons, would constitute a direct threat to the health and safety of other individuals.
3. *Sexually Oriented Businesses*. A sexually oriented business shall be permitted as a use by special review only in the MU zoning district subject to the following requirements:
- a. No sexually oriented business shall be located within 350 feet of the following:
 - i. Residential zoning district;
 - ii. Single-family, two-family or multifamily dwelling;
 - iii. Place of public assembly, park, or library;
 - iv. State-licensed day-care facility (child or adult);
 - v. School primarily serving persons age 18 or younger, or
 - vi. Any other sexually oriented business.
 - b. It is unlawful to cause or permit the operation or maintenance of more than one sexually oriented business in the same building, structure, lot, parcel or portion thereof regardless of whether such businesses would be owned or operated by the same owner or lessee.
 - c. For purposes of this Section, distance requirements between structures and uses specified shall be measured in accordance with the following:
 - i. The distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business. The distance between any sexually-orientated business and any place of public assembly, school primarily serving persons age 18 or younger, library, park, dwelling unit (single or multiple) or residential zoning district shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where the sexually oriented business is conducted to the nearest lot line of the premises of a place of public assembly, school or dwelling unit (single or multiple) or the nearest boundary of an affected public park or residential district.
 - d. A sexually oriented business lawfully operating is not rendered in violation of this Section by the subsequent location of an area zoned for residential use; single-family, two-family, or multifamily dwelling; place of public assembly, park or library; state-licensed day-care facility (child or adult); school, primarily serving persons age 18 or younger within 350 feet of the sexually oriented business.
 - e. The location and siting requirements of paragraph 4(a), above, shall not apply to the following:

- i. Any sexually oriented business expressly described as an approved use in an annexation agreement or planned development approved by ordinance of the City.
 - ii. Any sexually oriented business for which a vested property right (within the meaning of Colorado law) was lawfully conferred or established provided that such right remains valid and effective.
- f. It shall be unlawful for the owner or operator of a sexually oriented business to allow exterior portions of the sexually oriented business to be painted any color other than shades of brown, beige, tan, or grey. Substitutes may be proposed by the owner or operator which may be accepted by the City upon an administrative determination by the City that such substitute color is compatible with and similar to other neighboring buildings' colors; provided, however, the use of high-intensity colors, primary colors, metallic colors, black or fluorescent colors shall be prohibited. This provision shall not apply to any sexually oriented business if the following conditions are met:
- i. The sexually oriented business is a part of a commercial or industrial multi-unit center; and
 - ii. The exterior portions of each individual unit in the commercial or industrial multi-unit center, including the exterior portions of the sexually oriented business, are painted the same color as one another or are painted in such a way so as to be a component of the overall architectural style or pattern of the commercial multi-unit center.
- g. No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the exterior of the building.
4. *Wireless Communications Facilities.* A wireless communication facility may be permitted subject to the following:
- a. *Camouflage/Concealment.* All WCFs and any Related Accessory Equipment shall, to the maximum extent possible, use camouflage/concealment design techniques including, but not limited to the use of materials, colors, textures, screening, undergrounding, landscaping, or other design options that will blend the WCF to the surrounding natural setting and built environment. Design, materials and colors of WCFs shall be compatible with the surrounding environment. Design elements shall be compatible with structures and vegetation on the same parcel and adjacent parcels.
 - i. Where WCFs are located in areas of high public visibility, they shall, where physically possible, be designed to minimize their profile through placement of equipment fully or partially underground, or located behind landscape berms.
 - ii. A camouflage design may include the use of Alternative Tower Structures should the Community Development Director determine that such design meets the intent of this Zoning Ordinance and the community is better served thereby.
 - iii. All WCFs, such as antennas, vaults, equipment rooms, equipment enclosures, and Towers shall be constructed of non-reflective materials (visible exterior surfaces only).
 - b. *Siting.*
 - i. No portion of any WCF may extend beyond the property line.
 - ii. WCFs may be required to be designed and constructed to permit the facility to accommodate WCFs from at least two wireless service providers on the same WCF unless the City approves an alternative design. No WCF owner or operator shall unfairly exclude a competitor from using the same facility or site.
 - iii. WCFs shall be sited in a location that does not reduce the parking for the other principal uses on the parcel below zoning ordinance standards.
 - iv. WCFs shall not encroach into any required sight triangles.
 - c. *Lighting.* WCFs shall not be artificially lighted, unless required by the FAA or other applicable governmental authority, or the WCF is mounted on a light pole or other similar structure primarily used for lighting purposes. If lighting is required, the City may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. Lighting shall be shielded or directed to the greatest extent possible so as to minimize the amount of glare and light falling onto nearby properties, particularly residences.
 - d. *Landscape and Fencing Requirements.*

- i. WCFs shall be sited in a manner that does not reduce the landscaped areas for the other principal uses on the lot or parcel, below any applicable Zoning Ordinance or Planned Unit Development (PUD) standards.
- ii. The site of the WCF shall be landscaped with a buffer of plant materials that effectively screen the view of the WCF from adjacent residential property. The standard buffer shall consist of the front, side, and rear landscaped setback on the perimeter of the site.
- iii. In locations where the visual impact of the WCF would be minimal, the landscaping requirement may be reduced or waived in whole or in part by the Community Development Director.
- iv. Existing mature tree growth and natural landforms on the Site shall be preserved to the maximum extent possible. In some cases, such as WCFs sited on large, wooded lots, natural growth around the Site perimeter may be sufficient to buffer.
- v. No trees larger than four inches in diameter measured at 4½ feet high on the tree may be removed, unless authorized by the Community Development Director. To obtain such authorization the applicant shall show that tree removal is necessary, the Applicant's plan minimizes the number of trees to be removed and any trees removed are replaced at a ratio of 2 to 1.

Sec. 2.3.3 Accessory Structures

- A. **Purpose.** The purpose of this Section is to authorize the approval of certain accessory structures that are incidental to, and customarily associated with, a principal use, which requires standards to manage impacts to surrounding properties.
- B. **Applicability.**
 1. Accessory structures are permitted in all zoning districts in connection with a principal use that is designated as either a permitted, limited, or special use in the zoning district that it is located. (See use tables in [Division 2.2, Establishment of Zoning Districts](#)).
 2. The accessory structure requirements of this Section apply to all Planned Unit Developments (PUDs) regardless of whether the PUD was adopted prior to or subsequent to the effective date of this ULDC.
- C. **All Accessory Structures.**
 1. *Compatibility.* Accessory structures (in excess of 200 square feet) shall be designed to be compatible with the primary building in terms of use, color, and building materials.
 2. *Timing.* In all districts, no garage, or other accessory structure shall be erected for residential purposes prior to construction of the principal building.
 3. *Scale.* The accessory structure shall not have a footprint greater than 10 percent of the principal building's footprint.
 4. *Height.* An accessory structure shall not exceed the greater of 15 feet or the height of the principal building, whichever is less.
 5. *Setbacks.* Unless otherwise set out in a Planned Unit Development, an accessory structure shall be located within five feet to an interior side lot line, provided it is not within an easement, and stormwater does not drain onto an adjacent property.
- D. **Garage, Private.**
 1. A detached garage shall be permitted only when a principal use has been established on a lot and shall be no more than 1,000 sq. ft.
 2. A paved driveway to the use is required.
- E. **Rain Barrels.** Rain Barrels shall:
 1. Comply with all State of Colorado requirements as set forth in C.R.S. 37-96.5-103;
 2. Be located behind the principal building or, if in an interior side yard or corner yard, they shall be screened by an opaque fence or landscaping that is one foot taller than the barrel;
 3. Be located no closer than two feet from an interior side or rear property line; and
 4. Be covered with a screen to allow water to filter in but to prevent access to wildlife if the top is open and no lid is used. If the rain barrel contains an overflow, it too shall be screened. If a rain barrel lid is fitted to feed directly from a gutter drain spout, and it has no other openings, then a screen is not required.

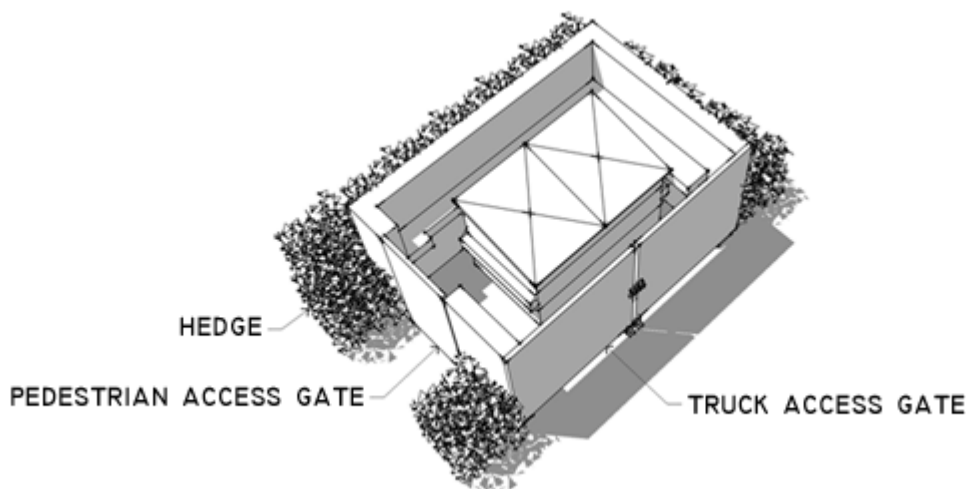
F. Retaining Walls.

1. Retaining walls shall be approved to encroach into required setbacks in the following circumstances:
 - a. They are an appropriate engineering solution needed to mitigate risk to life or property;
 - b. They are necessary to retain soils or stabilize sites; or
 - c. Their use is part of an approved erosion control plan, slope stability plan, or stormwater management plan.
2. Permitted retaining walls will blend with the natural setting as follows:
 - a. Retaining walls will be finished with timbers, native rock, or masonry.
 - b. Retaining walls over four feet in height shall be designed and stamped by a Colorado Registered Professional Engineer, specializing in Structural Engineering, as required by the City's Building Code.
3. On slopes twenty percent or greater, a foundation wall that is no more than 12 feet in height above the adjacent grade shall be used as a retaining wall for the building.
4. Retaining walls shall be limited to three tiers with a maximum height of four feet per tier. Tiers should be staggered at least four to six feet apart horizontally and each tier shall be screened by:
 - a. One five-gallon shrub per every four linear feet; and
 - b. One six-foot evergreen tree per every fifteen linear feet.

G. Trash Enclosures. Refuse and recycling containers and enclosures shall be provided for all multiple-family, nonresidential, and mixed-use development for the collection of solid wastes. All containers are subject to the following standards:

1. The solid waste container enclosures shall be located no more than 200 feet from the individual uses they are intended to serve;
2. Access to the solid waste enclosure shall be configured to meet the requirements of the solid waste hauler;
3. The solid waste enclosure shall have an opaque fence or wall constructed of wood or masonry and designed to match or complement the architecture of the principal building.
4. As shown in Figure 2.3.3, *Trash Enclosure*, the enclosure shall have:
 - a. Solid walls no less than six feet in height;
 - b. Solid wood or metal service gates that remain closed except when the container is being serviced;
 - c. Solid covers or lids on each solid waste container that can be secured to prevent easy access;
 - d. A separate solid wood or metal pedestrian access gate that screens the container(s) from view; and
 - e. An adequate size to accommodate one or more solid waste containers of a sufficient size to serve the use, based on the frequency of solid waste collection.
5. The setbacks shall be as follows:
 - a. Front and corner yards: No less than the required building setback for the principal structure.
 - b. Interior Side Yard: Five feet.
 - c. Rear Yard: Five feet.

**Figure 2.3.3
Trash Enclosure**



H. Storage Shed.

1. Storage structures that are incidental to a permitted use shall not exceed 200 square feet in gross floor area.
2. All storage sheds shall be consistent with the regulations of Chapter 18, *Building Regulations*, of the City's Municipal Code.

Sec. 2.3.4 Temporary Uses

A. Generally. Temporary uses shall:

1. Have legal access to the site on which the use is to be conducted, as authorized by the property owner in writing;
2. Be conducted in areas designated by an approved temporary use permit (See Sec. 6.4.9, *Temporary Use Permit*);
3. Be within the required minimum setbacks set for each zoning district within Division 2.2, *Establishment of Zoning Districts*; and
4. Be permitted in all zoning districts (see Sec. 2.2.1, *Zoning Districts Established*, including planned unit developments (PUDs)).

B. Buildings and Structures

1. All temporary buildings and structures shall be in compliance with the City's Building Code.
2. Temporary buildings or structures shall comply with the district height limits and setbacks.
3. A temporary building to be used for an office or storage is permitted as part of a contractor's or owner's equipment during the construction of a building or structure, provided it is located on the lot or development parcel on which the construction is occurring, and provided further that all applicable City Code requirements are met.
4. A temporary building shall be removed from the lot or development parcel prior to a Certificate of Occupancy or if construction ceases on the lot or development parcel for 30 days or longer.

C. Access, Circulation, and Parking. Temporary uses shall:

1. Have adequate sight distances for safe vehicular ingress and egress;
2. Not obstruct vehicular circulation nor access by emergency service providers;
3. Provide safe circulation by:
 - a. Maintaining access to permanent uses operating simultaneously to the temporary use;
 - b. Providing directional signage; and
 - c. Minimizing points of conflict between vehicles and pedestrians; and
4. Have sufficient on-site parking for the principal and temporary use.

D. Utilities. Temporary uses, depending upon the specific use, may be required to provide sufficient potable water and adequate sewage disposal.

E. Outdoor Lighting. All light sources must comply with the standards set out in Sec. 3.4.3, *Lighting Standards*.

- F. **Public Convenience and Litter Control.** Adequate public restroom facilities and waste containers may be required on-site.
- G. **Specific Temporary Use Standards.**
1. *Construction Dumpsters.*
 - a. Dumpsters shall be located behind buildings, where possible, and shall not obstruct required parking lot requirements;
 - b. Refuse shall be contained within the dumpster and shall be secured to prevent it from being removed from the dumpster by wind or wildlife; and
 - c. The dumpster may remain in place for one week after the project completion.
 2. *Construction Office.* A temporary structure for the storage of construction materials and a construction office to be used for managing a construction job shall be allowed in all districts provided that:
 - a. A building permit has been issued for a permanent structure or in the case of a road construction project, approval has been granted by the Public Works Department.
 - b. The structure is used only during normal construction hours by construction employees.
 - c. The structure shall not be used for living quarters.
 - d. The structure is located within the area of a recorded plat or an approved site improvement plan.
 - e. A permit for a temporary electrical meter has been issued by the Building Division.
 - f. The temporary structure shall be removed upon issuance of a certificate of occupancy or completion of the permanent structure.
 3. *Construction Yard.* A construction yard used as a temporary facility for the build storage of construction materials shall be allowed in all districts provided that:
 - a. The construction yard is located on an active construction site or within one-half mile of the construction to which the construction yard serves;
 - b. Hours of use shall be consistent with Section 7-3-140, *Permissible Construction Times*, of the City's Municipal Code establishing construction hours;
 - c. The facility shall be used only for a construction site or an infrastructure project that is wholly or partially located within the City;
 - d. The yard is established by approval and coincide with the use of the facility for a specific construction project; and
 - e. Shall be vacated prior to the issuance of a Certificate of Occupancy for the last building constructed on the site.
 4. *Farmer's Market.* Hours of operation shall be limited to Saturdays and only during daylight hours.
 5. *Food Truck.*
 - a. The license granted to operate the business per Chapter 6, *Business Licenses and Regulations*, of the City's Municipal Code shall be firmly attached and visible on the food truck at all times.
 - b. Any and all noise made by the use shall comply with Sec. 7-9-50, *Noise in Excess of Permissible Levels*, of the City's Municipal Code.
 - c. The use shall not be left unattended or stored at any time on an open vending site when vending is not taking place.
 6. *Residential Sales Office.* A temporary residential sales office shall be allowed provided that:
 - a. Sales are limited to those units within the subdivision or residential development in which the office is located;
 - b. Adequate access, off-street parking, and sanitary facilities shall be provided; and
 - c. The temporary office structure shall be removed after two years or when the last lot is sold, whichever occurs first.

7. *Special Event*. Special events shall be allowed provided that all relevant information for the event as prescribed in the permit application per Sec. 6.4.9, *Temporary Use Permit*, is submitted.

Sec. 2.3.5 Unlisted Uses

- A. **Authorization of Unlisted Uses**. If a proposed use is not specified in a specific zoning district within [Division 2.2, Establishment of Zoning Districts](#), including all Planned Unit Development (PUD) Districts and the Administrator has made a determination that the use is either a subcategory of a permitted, limited, or special use, or a use that is functionally similar to a permitted, limited, or special use, the Administrator may authorize the proposed use, and apply all standards that would have applied to the similar use.
- B. **If Not Authorized Then Prohibited**. If the Administrator determines that a proposed use does not fit within a listed land use and is not functionally the same as a permitted, limited, or special use, then the use is prohibited.
- C. **Referral to Planning Commission**. At the Administrator's discretion, the issue of whether a proposed land use is a subcategory of another use may be brought before the Planning Commission to make a decision as to its interpretation.
- D. **Decision Criteria**. In making such determinations, the Administrator and/or Planning Commission may consider but not be limited to the following criteria:
 1. The actual or projected characteristics of the activity in relation to those of the listed land use;
 2. Nature and impacts of operation;
 3. Character of associated buildings and structures;
 4. The amount of site area or floor space and equipment devoted to the use;
 5. Vehicle parking demand;
 6. Average daily and peak hour trip generation (people, personal vehicles, and delivery vehicles);
 7. Types of vehicles used and their parking requirements;
 8. Building impervious surface coverage;
 9. Regulated air or water emissions;
 10. Noise, lighting, dust, vibration, electronic interference, and odors;
 11. Solid waste generation;
 12. The number of employees on a typical shift;
 13. Use and storage of hazardous materials; and
 14. Hours of operation.

ARTICLE 3. SITE DESIGN STANDARDS

Division 3.1 Parking, Loading, and Access

Sec. 3.1.1 Purpose

- A. **Generally.** The purpose of this Division is to ensure that:
1. Adequate off-street vehicle and bicycle parking are provided as accessory uses to uses and structures that are permitted by this ULDC;
 2. Sufficient vehicle parking is provided in nonresidential areas that are near residential neighborhoods such that the character and quality of life in the residential neighborhoods are protected from excessive overflow parking;
 3. Development sites with a mix of uses are encouraged to share off-street parking spaces during different peak parking demand times to reduce the number of required parking spaces;
 4. Appropriate parking areas and accessible routes will be provided for disabled persons when parking lots or structures are developed, expanded, or reconfigured;
 5. Adequate loading areas and stacking areas (where appropriate) are provided that do not interfere with the function of adjacent streets and on-site vehicular use areas; and
 6. Sites that are used for infill, adaptive re-use, or redevelopment have the flexibility and multiple alternatives for compliance with this Division, such that investments in upgrades to real property are promoted.
- B. **Districts.** This Division groups different zoning districts together to apply parking requirements. This is necessary because certain areas of the City generate more automobile trips than other areas, and therefore, have different parking demands.
- C. **Parking Reductions.** In addition to establishing parking requirements that provide for convenience and mobility, this Division provides several ways to reduce the number of parking spaces that are required for development to promote the efficient use of land and reduce paved locations.

Sec. 3.1.2 Applicability

- A. **Calculation of Parking and Loading Spaces.**
1. *Required Parking.* The number of parking and loading spaces that must be provided for a proposed development is calculated as provided in [Sec. 3.1.3, Required Parking](#).
 2. *Accessible Parking.* The number of accessible parking and loading spaces that are required in addition to the overall number of parking spaces for a proposed development are provided in [Sec. 3.1.4, Required Accessible Parking](#).
 3. *Parking Reductions.* [Sec. 3.1.5, Parking Reductions](#), sets out the permissible reductions to the general requirements of [Sec. 3.1.3, Required Parking](#).
 4. *Fractions.* If the final calculated number of required parking, loading, or stacking spaces includes a fractional space, the number of required spaces shall be increased to the next whole number if the fraction is five-tenths or more. If the fraction is less than five-tenths, the next lower whole number shall apply.
 5. *Variables for Calculating Required Spaces.* The variables used for calculating spaces are measured as shown in [Table 3.1.2, Parking, Loading, and Stacking Variable Meanings](#).
 6. *Multiple Nonresidential Uses.* If several nonresidential uses occupy a single parcel or building, the parking requirements shall be calculated separately for each use within the development, or as set out in [Sec. 3.1.5, Parking Reductions](#), whichever results in a lesser number of required spaces.

**Table 3.1.2
Parking, Loading, and Stacking Variable Meanings**

Variable	The number of required spaces is calculated based on the number of:
Per Dwelling Unit	Dwelling units on the subject property.
Per Bed	Beds in the facility (not bedrooms).
Per Bedroom	Total number of bedrooms in the dwelling unit (not the individual number of beds).
Per Employee	Employees during the shift in which the maximum number of employees are present.

**Table 3.1.2
Parking, Loading, and Stacking Variable Meanings**

Variable	The number of required spaces is calculated based on the number of:
Per Seat	Seats affixed to the floor that are provided to guests (patrons, members, etc.), with benches or pews measured as one seat per two feet of width. Space requirements for uses with unaffixed seats shall be based on the seating capacity permitted by the Fire Code and approved by the Fire Marshal's office.
Per Student	Students that the facility is permitted to have according to the appropriate licensing agency.
Per Vehicle Bay	Locations to store vehicles.

- B. **Design of Parking and Loading Areas.** The size and configuration of parking and loading spaces shall be as set out in [Sec. 3.1.6, Parking Design Standards](#) and [Sec. 3.1.8, Off-Street Loading](#).
- C. **Vehicle Stacking Areas.** Vehicle stacking areas (spaces for vehicles that are waiting for drive-up or drive-through services) are required as provided in [Sec. 3.1.7, Vehicle Stacking Areas](#).
- D. **Surfacing, Use, and Maintenance of Parking and Loading Areas.** Standards for the surfacing, use, and maintenance of parking and loading areas are set out in [Sec. 3.1.9, Access Management and Circulation](#).

Sec. 3.1.3 Required Parking

- A. **Applicability.** This Section applies to all uses and structures in all zoning districts, unless specified stated otherwise.
- B. **General Requirements.** All parking areas shall be set back:
 1. 15 feet from all rights-of-way; and
 2. Seven feet from an adjacent property.
- C. **Minimum and Maximum Spaces.** Off-street parking spaces must be provided for the uses listed in Table 3.1.3, *Minimum and Maximum Automobile Parking*, below. The uses must provide the minimum number of off-street parking spaces, and parking spaces may not exceed the maximum number of spaces.
- A. **Multiple Uses.** Except as otherwise provided, where there are multiple uses on the same site, the required parking shall include a combination of the site's activities. For example, an upper-story residential use exists above a restaurant then the minimum and maximum parking totals will be determined by adding together the values for both uses.
- B. **Planned Unit Developments.** Any planned unit development that is approved, after the effective date of this ULDC shall be required to adhere to the parking requirements of Table 3.1.3, *Minimum and Maximum Automobile Parking*.

**Table 3.1.3
Minimum and Maximum Automobile Parking**

sf = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable			
Use Category	Subtype	Minimum Spaces	Maximum Spaces
Residential Uses			
Household Living	Dwelling, Single-Family Attached	1 per dwelling unit	2 per dwelling unit
	Dwelling, Single-Family Detached	1 per dwelling unit	2 per dwelling unit
	Dwelling, Live-Work	1 per dwelling unit	2 per dwelling unit
	Dwelling, Multifamily	1 per dwelling unit	1.5 per dwelling unit
	Manufactured Home Park	1 per dwelling unit	1.5 per dwelling unit
Group Living	Assisted Living Facility	0.3 per unit + 0.75 per employee	0.3 per unit + 0.75 per employee
	Group Home	--	--
	Nursing or Convalescent Home	3 per 5 beds	4 per 5 beds
Residential Accessory Uses	Accessory Dwelling Unit	1 per dwelling unit	1 per dwelling unit
	Group Day Care (6 to 12 children)	1 per dwelling unit	--
	Residential Accessory Use (Other than Listed)	--	--
Public, Institutional, and Civic Uses			
Adult and Child Care Facilities	Adult Day Care	1 per employee	1.75 per employee
	Day Care Center/Preschool	1 per employee	1.75 per employee

Table 3.1.3
Minimum and Maximum Automobile Parking

sf = square feet GFA = Gross Floor Area -- = No minimum or no maximum, as applicable

Use Category	Subtype	Minimum Spaces	Maximum Spaces
Community and Cultural Facilities	Cemetery	2 per one acre; minimum of 10	5 per one acre; minimum of 10
	Open Space	--	--
	Park	2 per one acre; minimum of 10	5 per one acre; minimum of 10
	Place of Public Assembly, Indoor	Greater of: 1 space per 500 sf. or 1 per 4 seats in the assembly area	Greater of: 1 per 300 sf. or 1 per 3 seats in the assembly area
	Transit Terminal	.5 per expected ridership	1 per expected ridership
Educational Facilities	School, High or Vocational	1 per employee + 1 per four students	1 employee + 1 per two students
	School, Primary	1 per employee + 1 per five students	1 employee + 1 per three students
Health Care Facilities	Hospital	.5 per bed + 1 per full- and part-time employee	1 per bed + 1.5 per full- and part-time employee
	Medical or Dental Clinic	1 per 500 sf. GFA	1 per 250 sf. GFA
Utilities	Major Utility	1 per employee	1.5 per employee
	Minor Utility	--	--
	Wireless	--	--
	Telecommunications Facility	--	--
Commercial Uses			
Animal Related Services	Animal Boarding	1 per 600 sf. GFA	1 per 300 sf. GFA
	Veterinary Clinic/Hospital	1 per 600 sf. GFA	1 per 300 sf. GFA
Automotive Uses	Car Wash	1 per 4 vehicle bays for self-service washes; 1 per unattended automated wash; 5 per attended wash with detailing services	1 per 2 vehicle bays for self-service washes; 2 per unattended automated wash; 8 per attended wash with detailing services
	Gas Station	1 per 400 sf. GFA	1 per 200 sf. GFA
	Vehicle Sales, Rental, and Leasing	1 per 500 sf. GFA	1 per 200 sf. GFA
	Vehicle Service, Major	3 per vehicle bay	5 per vehicle bay
	Vehicle Service, Minor	3 per vehicle bay	5 per vehicle bay
Sales and Services	Sales-Oriented Uses	1 per 500 sf. GFA	1 per 200 sf. GFA
	Service-Oriented Uses	1 per 450 sf. GFA	1 per 150 sf. GFA
Food and Drink	Bar/Lounge	1 per 200 sf. GFA	1 per 100 sf. GFA
	Brew Pub, Distillery Pub, or Limited Winery	1 per 200 sf. GFA	1 per 100 sf. GFA
	Restaurant	1 per 200 sf. GFA	1 per 100 sf. GFA
Entertainment Uses	Commercial Amusement, Indoor	1 per 6 seats or 1.5 per 450 sf. of GFA if no permanent seats	1 per 4 seats or 1.5 per 150 sf. of GFA if no permanent seats
	Commercial Amusement, Outdoor	Greater of: 1 space per 500 sf. or 1 per 4 seats in the assembly area	Greater of: 1 per 300 sf. or 1 per 3 seats in the assembly area
	Sexually-Oriented Businesses	1 per 200 sf. GFA	1 per 100 sf. GFA
Offices and Banking	Bank/Financial Institution	1 per 400 sf. GFA	1 per 300 sf. GFA
	Office	1 per 400 sf. GFA	1 per 300 sf. GFA
Overnight Accommodations	Bed and Breakfast	1 per bedroom	1 per bedroom
	Hotel	.8 per guest room + 1 per 800 SF public meeting area and restaurant space	0.8 per guest room + 1 per 800 SF public meeting area and restaurant space
Industrial Uses			
Industrial	Micro-Manufacturing	1 per 500 sf. GFA	1 per 400 sf. GFA
	Research and Development Facility	1 per 500 sf. GFA	1 per 400 sf. GFA

Notes:

' In addition to the required and maximum for the primary use.

E. Bicycle Parking.

1. *Required Spaces.* Within the MU District or within a PD that categorizes a specific portion of its property as mixed-use, two bicycle spaces are required per 200 sf. GFA.
2. *Design Standards.* If provided, bicycle parking shall be designed with the following characteristics:
 - a. The bicycle frame and one wheel can be locked to the rack with a high security, U-shaped lock with both wheels left on the bicycle (designs that only allow one locking point at the wheel are prohibited);
 - b. A bicycle that is six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheel components; and
 - c. The racks are securely anchored to a hard surface.

F. Change of Use (Minimum Parking). The minimum number of off-street parking spaces required for a commercial use resulting from a change of use in an existing building is not applicable if all of the following criteria are met:

1. *Existing Parking.* The number of required spaces for the new use does not exceed twice that of the off-street parking available on site; and
2. *No Reduction or Elimination.* Modifications to the building or site related to the new use do not result in a reduction or elimination of required spaces.

G. Change of Use (Maximum Parking). Uses with off-street parking in excess of the maximum allowed for a nonresidential use resulting from a change of use in an existing building are not required to remove the excess parking spaces.

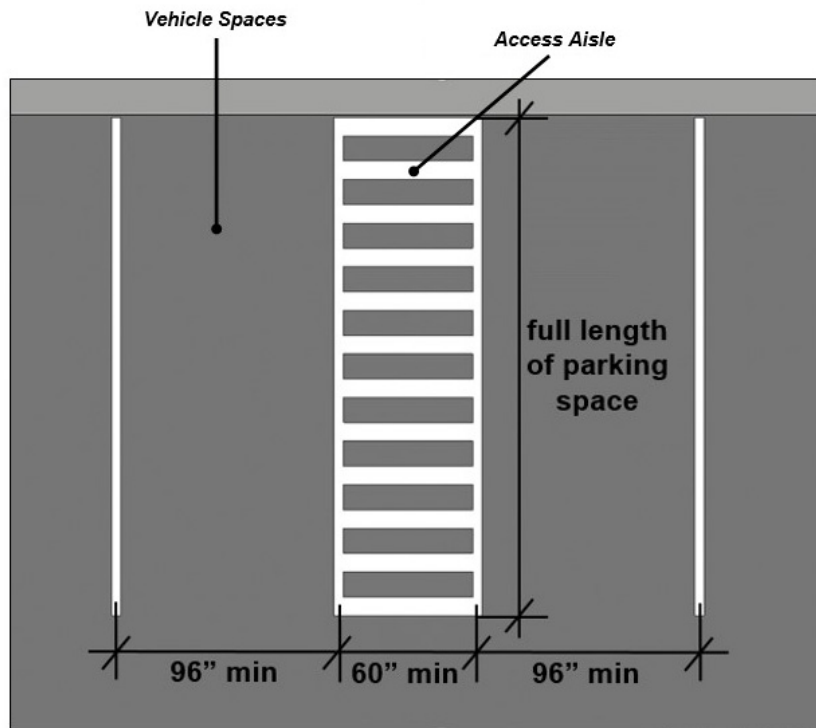
Sec. 3.1.4 Required Accessible Parking

A. Number of Required Spaces. Parking for disabled persons shall be provided as set out in Table 3.1.4, *Accessible Parking Requirements*, or as required by the Americans with Disabilities Act (ADA) Standards for Accessible Design and ADA Accessibility Guidelines for Buildings and Facilities published by the United States Access Board. If any of the standards within this Section and the United States Access Board are in conflict then whichever requires more spaces shall be used. Required accessible parking spaces are included in the total number of required parking spaces per Sec. 3.1.3, *Required Parking*.

Table 3.1.4 Accessible Parking Requirements		
Number of Required Parking Spaces	Minimum Number of Accessible Parking Spaces	Minimum Number of Van-Accessible Parking Spaces
1 to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
501 to 1000	2 percent of total parking provided in each lot or structure	1 out of 6 accessible spaces, rounded up
1001 and over	20 plus 1 for each 100 over 1000	1 out of 6 accessible spaces, rounded up

B. Parking Space Size Specifications. Figure 3.1.4, *ADA Parking Space Dimensions*, details the specific size requirements for both standard automobile and van accessible ADA accessible parking spaces.

**Figure 3.1.4
ADA Parking Space Dimensions**



Sec. 3.1.5 Parking Credit and Reductions

- A. **Generally.** This Section provides multiple ways to reduce or receive credit for the number of required off-street parking spaces that must be provided according to [Sec. 3.1.3, Required Parking](#).
- B. **Administrative Credits and Reduction.** The Administrator may approve the following parking credit and reduction options for a property. The administrative credit and reduction options are cumulative if more than one is used on a property.
1. *On-Street Parking Credit.*
 - a. On-street parking spaces may provide credit to satisfy the minimum parking space requirements in the Mixed-Use (MU) district on streets designed or redesigned for on-street parking. The use of on-street parking spaces to satisfy minimum parking requirements does not guarantee the use of such parking spaces to customers, employees, or visitors of the subject property.
 - b. On-street spaces shall be:
 - i. Located on a public or private street;
 - ii. Available to the general public; and
 - iii. Directly abutting the subject property.
 - c. Bus stops, clear zones adjacent to curb cuts, and other areas in which parking is prohibited shall not be included in the calculation of available on-street parking spaces.
 - d. An on-street parking space shall be a minimum of 20 feet in length. A minimum of 16 linear feet of an on-street parking space shall be directly abutting the subject property in order to be counted as a parking space.
 2. *Shared Parking Reduction.*

- a. Shared parking allows a reduction of up to 25 percent in the total number of required parking spaces when a property is occupied by two or more uses that typically do not experience peak use of parking areas at the same time. When any land or building is used for two or more uses that are listed in Table 3.1.5-1, *Shared Parking Demand*, below, the minimum total number of required parking spaces may be determined by the following procedures, which are followed by Table 3.1.5-2, *Illustrative Shared Parking Credit Calculation*, showing an example of how to calculate shared parking reductions.
- Select the column with the highest total to find the required number of shared spaces. The lesser of this number and 25 percent of the normally required total number of parking spaces shall be the number of spaces required.
 - Calculate the total for each time period;
 - Multiply the sum of required parking spaces for each use by the corresponding percentages for each of the five time periods set forth in Columns (B) through (F) of Table 3.1.5-1, below; and
 - Determine the minimum parking requirements for each use category in Column (A) as if it were a separate use excluding spaces reserved for use by specified individuals or classes of individuals (for example, accessible spaces or spaces posted as “reserved”).

Table 3.1.5-1 Shared Parking Demand					
(A) Use Category	Weekday		Weekend		(F) Night: Weekday and Weekend (midnight to 6 AM)
	(B) Day (6 AM to 6 PM)	(C) Evening (6 PM to midnight)	(D) Day (6 AM to 6 PM)	(E) Evening (6 PM to midnight)	
Residential	60%	90%	80%	90%	100%
Offices	100%	10%	10%	5%	5%
Retail Repair, Sales, and Service	60%	90%	100%	70%	5%
Overnight Accommodations	75%	100%	75%	100%	75%
Restaurants	50%	100%	100%	100%	10%
Entertainment (Indoor) or Entertainment (Outdoor)	40%	100%	80%	100%	10%
All Others	100%	100%	100%	100%	100%

Table 3.1.5-2 Illustrative Shared Parking Reduction Calculation Examples					
EXAMPLE: A mixed-use building in the MU zoning district has 50 apartments, 50,000 square feet of general office space, and 50,000 square feet of retail space. Separately, these uses would require a minimum of 300 parking spaces ((50 sp. x 1 sp. / unit) + (50,000 sf. x 1 sp. / 400 sf.) + (50,000 sf. x 1 sp. / 400 sf.) = 300). However, combined, they could share 248 parking spaces.					
(A) Use Category (See Table 3.1.3 for minimum parking requirements)	Weekday		Weekend		(F) Night (midnight to 6 AM)
	(B) Day (6 AM to 6 PM)	(C) Evening (6 PM to midnight)	(D) Day (6 AM to 6 PM)	(E) Evening (6 PM to midnight)	
Dwelling, Multifamily 50 spaces	60% x 50 = 30	90% x 50 = 45	80% x 50 = 40	90% x 50 = 45	100% x 50 = 50
Office 125 spaces	100% x 125 = 143	10% x 125 = 13	10% x 125 = 13	5% x 125 = 6	5% x 125 = 6
Sales-Oriented Uses and Service-Oriented Uses 125 spaces	60% x 125 = 75	90% x 125 = 113	100% x 125 = 125	70% x 125 = 88	5% x 125 = 6
COLUMN TOTALS	248	171	178	139	62

**Table 3.1.5-2
Illustrative Shared Parking Reduction Calculation Examples**

TABLE NOTE:

The largest number, 248, is the number of parking spaces required. This example is a 17 percent reduction compared to individual calculations.

- b. Where a shared parking reduction is to be applied to uses on two or more lots under different ownership, the following shall be provided to the Administrator:
 - i. A plan that provides for interconnected parking lots and required residential spaces to be clearly designated and separated from spaces provided for employees, customers, and service; and
 - ii. Recorded easements, in a form acceptable to the City Attorney, that provide, at a minimum:
 - a. A guarantee of each owner’s rights to the use of the parking facility;
 - b. A requirement that any termination of or amendment to the agreement shall be subject to the approval of the City;
 - c. Cross-access among the parking areas and connections to allow parking by the different uses anywhere on the connected properties;
 - d. Allocation of maintenance responsibilities;
 - e. A pedestrian circulation system that connects uses and parking areas, making it easy and convenient for pedestrians to move between uses; and
 - f. A right of enforcement by the City.
- 3. *Off-Site Parking Credit.* Parking spaces contained within an off-site parking lot may receive credit to satisfy the minimum parking space requirements in any nonresidential or mixed-use zoning district subject to the following:
 - a. The parking lot complies with all applicable requirements of this ULDC;
 - b. The parking lot is wholly within a nonresidential or mixed-use zoning district; and
 - c. The off-site parking lot is within 300 feet of the subject property, measured from the nearest property lines.
- 4. *Bicycle Parking Credit.* An approved bicycle parking facility may be substituted for off-street vehicle parking on a ratio of three bicycle parking spaces for one vehicle parking space; provided, that such substitution shall not replace more than ten percent of the total vehicle parking required [Sec. 3.1.3, Required Parking](#).

Sec. 3.1.6 Parking Design Standards

A. Design and Construction Requirements.

- 1. *Tandem Parking.* Each parking space shall be accessible from a street or alley through aisles and/or driveways, except that tandem parking arrangements are permitted for single-family and multi-family home uses or as allowed based on an approved parking study as described in [Sec. 3.1.3, Required Parking](#).
- 2. *Marking.* All parking spaces for nonresidential and mixed-uses shall be clearly marked on the pavement with yellow or white traffic paint or raised pavement markers approved by the Public Works Director.
- 3. *Access.* All driveways and other access shall meet the applicable driveway requirements of [Sec. 3.1.9, Access Management and Circulation](#).
- 5. *Parking Module Dimensions.* Parking modules shall be dimensioned as shown in Table 3.1.6, *Parking Module Dimensions*. The dimensions that are set out in the table are illustrated in Figure 3.1.6, *Illustrative Parking Module Configurations*.

**Table 3.1.6
Parking Module Dimensions**

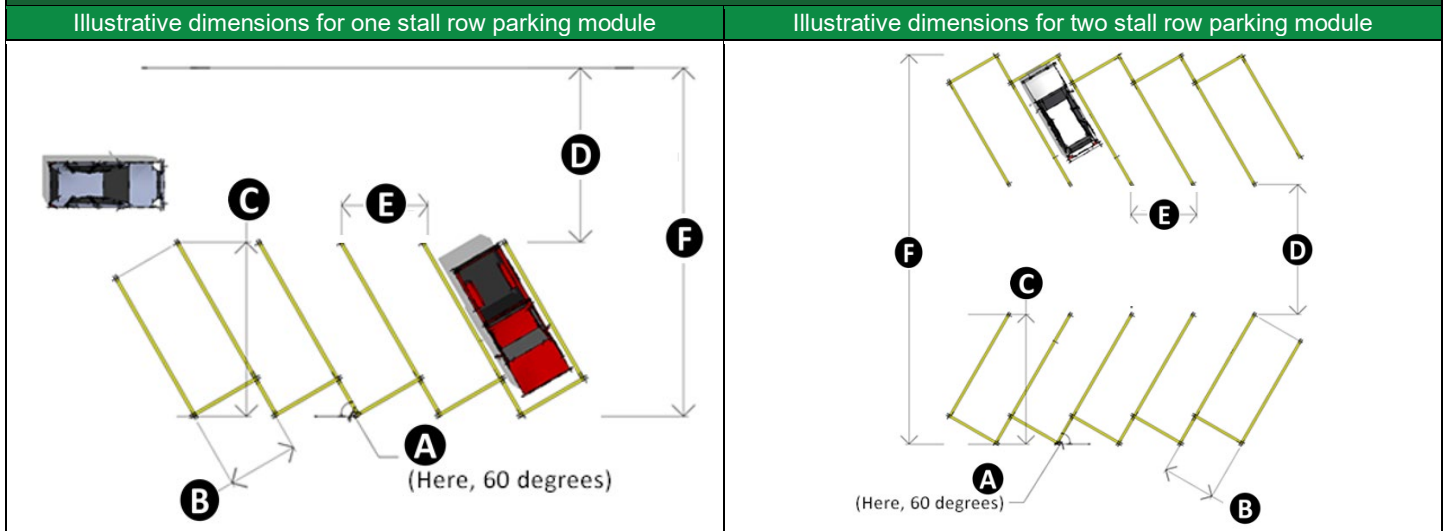
A	B	C		D		E	F	
Angle of Parking (Degrees)	Width of Stall	Depth of Stall 90 Degrees to Aisle		Width of Aisle		Width of Stall Parallel to Aisle	Module Width	
		One Way Traffic	Two Way Traffic	One Way Traffic	Two Way Traffic		One Way Traffic	Two Way Traffic
30	9	16.8	12.9	11	18	18	44.6	43.8
45	9	19.1	15.9	13	18	12.7	51.2	49.8
60	9	20.1	17.8	18	18	10.4	58.2	53.6
90	9 ¹	18	18	24	24	9	42	60
Parallel	9	21 ² (length)	21 ² (length)	12	18	N/A	30	36

TABLE NOTES:

¹End spaces must be 12 feet

²End spaces may be 18 feet

**Figure 3.1.6-1
Illustrative Parking Module Configurations**



B. Surfacing and Drainage.

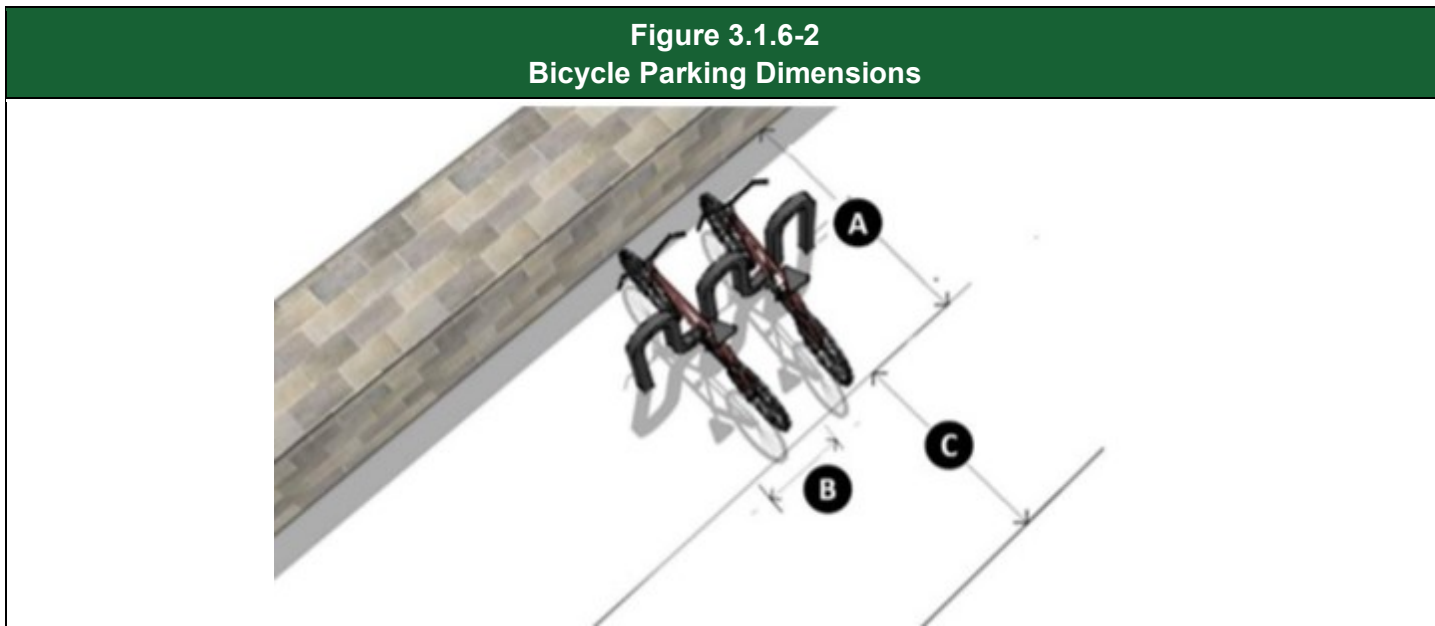
1. *Paving and Grading.* Except as set forth in Subsection D, *Alternative Paving Materials*, below, all off-street parking areas, driveways, and access drives must be paved with an all-weather surface, graded and drained to dispose of all surface water accumulations within the area.
2. *Equipment and Service Vehicles.* Areas used to store equipment or service vehicles used in connection with the operation of a business located on the premises, may be surfaced with gravel or grass that is maintained to eliminate blowing dust and erosion.

C. **Setback.** No part of any parking area shall be closer than five feet to any established street right-of-way, alley, or property line. Where a parking area of a nonresidential use or district adjoins any residential use or district, it shall be screened in accordance with the standard of [Sec. 3.2.5, Bufferyards](#).

D. **Alternative Paving Materials.** The may approve alternative paving materials for parking areas not specified in Subsection B, *Surfacing and Drainage*, above, if the Public Works Director determines that the alternative, compared to the permitted materials, is substantially equal to or better in quality and durability.

E. **Pedestrian Pathways.** Plans for the design of parking lots exceeding 50 parking spaces must include the following for pedestrian circulation and connectivity:

1. *Delineation*. A clearly delineated pedestrian pathway extending from the primary building entrance(s) to the outer perimeter(s) of the parking lot;
 2. *Connectivity*. Connection to adjacent public street sidewalks and those of abutting or adjacent land uses;
 3. *Lighting*. Pedestrian-scale lighting; and
 4. *Safety*. Pavement markings, crosswalks, and signage to alert motorists of pedestrian crossings.
- F. **Bicycle Parking Design Standards.** The following standards shall apply where a development site provides bicycle parking:
1. As depicted in Figure 3.1.6-2, *Bicycle Parking Dimensions*, a bicycle parking space shall be a minimum of six-feet long (A) and two-feet wide (B) with five feet of access area adjacent to the set of spaces (C).
 2. All bicycle parking spaces shall be constructed in accordance with the latest version of the [Association of Pedestrian and Bicycle Professionals Bicycle Parking Guidelines](#).



- G. **Snow Storage.** Parking lots and landscaping and buffering required by [Division 3.2, Landscaping, Buffering, and Screening](#), shall be designed so that snow can be efficiently plowed into on-site storage areas. Snow storage areas shall be located and designed so that:
1. *Reduction of Spaces*. The amount of parking on the site is not reduced below 80 percent of the number of spaces required by [Table 3.1.3-1, Minimum and Maximum Off-Street Parking](#), when snow is stored on-site;
 2. *Circulation and Visibility*. Storage of snow does not interfere with circulation on the site or with visibility at points of ingress or egress or at street intersections;
 3. *Risk Mitigation*. The location of the snow storage area does not create an unreasonable risk of snow being pushed into street rights-of-way;
 4. *Heavy Snowfall*. The snow storage area is located and configured so that snow can be removed from the site during periods of heavy snowfall that are combined with sub-freezing temperatures; and
 5. *Stormwater Management*. The area under the stored snow is a pervious landscape area, and runoff from snowmelt is directed through stormwater best management practices (BMPs) to slow water and improve its quality.
- H. **Americans with Disabilities Act (ADA) Compliance.** See [Sec. 3.1.4, Required Parking for Disabled Persons](#).
- I. **Parking Lot Landscaping.** See [Sec. 3.2.4.C, Parking Lot Landscaping](#).

Sec. 3.1.7 Vehicle Stacking Areas

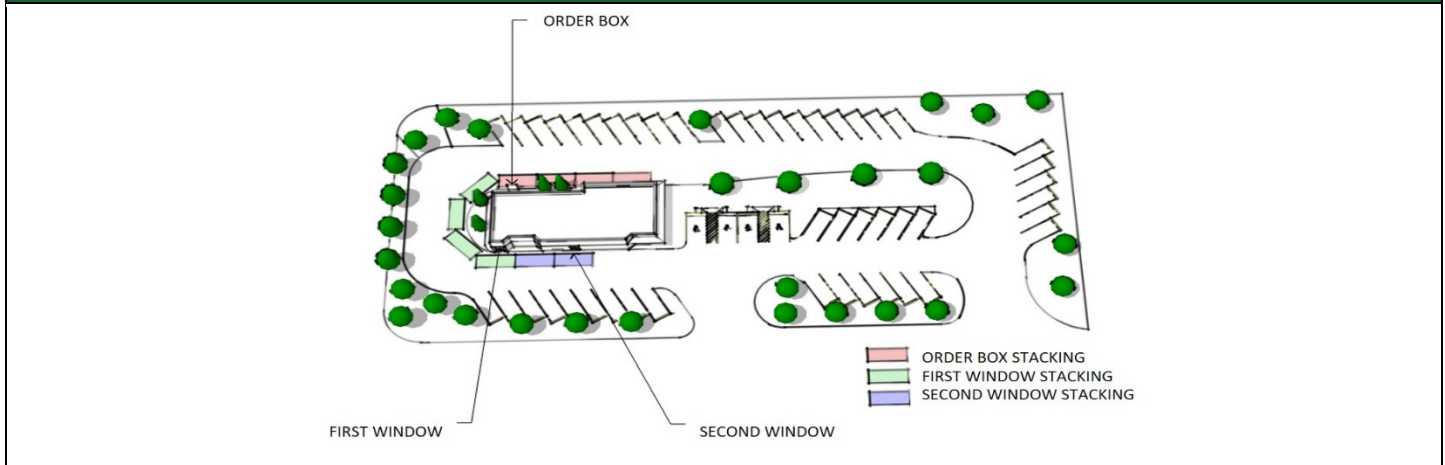
- A. **Generally.** Stacking spaces create the capacity of a drive-through lane to hold vehicles while transactions are taking place at drive-through facilities. Stacking spaces shall provide direct access to a service window or other improvement. The position in front of a drive-through station (e.g., a service window, ATM, or station at a drive-through bank) is counted as a stacking space.

B. Requirements.

1. *Minimum Number.* Uses that include drive-through service shall not have fewer than the number of stacking spaces established in Table 3.1.7, *Stacking Requirements*.
2. *Bypass Lane.* A 10-foot-wide bypass lane shall be required adjacent to stacking lanes to allow vehicles to travel around the drive-through activity and exit the site.
3. *Turn-Around Area.* Controlled entrances shall be designed so that vehicles may turn around without backing out into the public right-of-way.
4. *Dimensions.* Each stacking space shall be nine feet in width and 20 feet in length.
5. *Blocking Prohibited.* Stacking areas shall be designed to avoid, if reasonably possible, and otherwise minimize, the blocking of access to driveways or parking areas.

Table 3.1.7 Stacking Requirements		
Activity	Minimum Spaces	Measured From
Automated teller machine (ATM)	3	ATM keypad
Bank teller lane	5	Teller window or pneumatic tube station
Carwash stall, automatic	4	Entrance to wash bay
Carwash stall, self-service	3	
Day care drop-off (between 7 to 11 children or adults)	3	Facility passenger loading area
Day care drop-off (11 or more children or adults)	3 plus 1 per every 500 square feet of heated floor area	
School, primary or secondary (public or private)	Determined by Traffic Impact Study	
Fuel pump island	2	Pump island
Parking lot, controlled entrance	4	Keycode box
Restaurant, drive through (or functionally similar use) ¹	4	Order box ²
	4	Order box to first window
	2	First window to second window
Vehicle servicing	2	Entrance to stall
Other	Determined by Administrator	
TABLE NOTE:		
A. If one window is provided (for both payment and pick-up), then six stacking spaces are required measured at the order box and five stacking spaces are required between the order box and the window.		
B. If the restaurant has dual order boxes then 3 spaces are required per order box.		

**Figure 3.1.7
Illustrative Stacking Requirements**



Sec. 3.1.8 Off-Street Loading

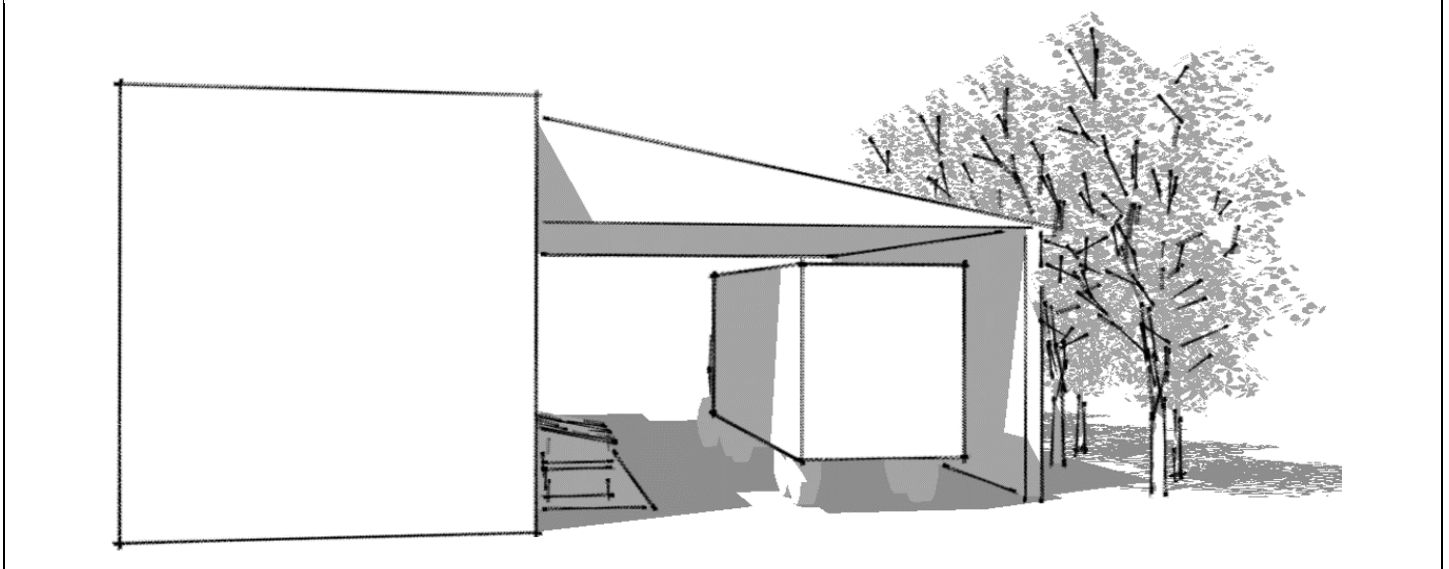
- A. **Generally.** All uses shall provide off-street loading as required by this Section and shall be configured as follows:
- B. **Dimensions.**
1. *Minimum width of loading bay (side to side):* 12 feet.
 2. *Minimum length of loading bay (front to back):*
 - a. For semi-trailers: 60 feet.
 - b. All other loading spaces: 25 feet.
 3. *Minimum vertical clearance:* 14 feet.
- C. **Use of Rights-of-Way.** Where off-street loading areas are required, at no time shall any part of a vehicle be allowed to extend into a public right-of-way while the vehicle is being loaded or unloaded.
- D. **Maneuvering Space.** Adequate off-street vehicle maneuvering space shall be provided on-site (and not within any public street right-of-way or other public lands) so that vehicles can maneuver to the docking area.
- E. **Location.**
1. Loading areas are required to be located on the same lot as the building or lot served by the loading area.
 2. Loading areas shall be located behind the principal building in the MU district.
 3. All uses may utilize over-the-curb loading from local streets or alleys, provided that the loading occurs during off-peak hours and the areas that are used for loading are approved by the Public Works Director.
 4. Loading areas may be shared if:
 - a. The development is laid out as blocks with alleys; the size and number of loading spaces are calculated based on the development in each block; and the shared loading spaces are accessed via the alleys of the blocks they are intended to serve; or
 - b. All of the following criteria are met:
 - i. The permitted land uses meet all of the requirements of this subsection (E);
 - ii. The permitted land uses are adjacent;
 - iii. Convenient hours are established for loading and unloading, and such hours are posted;
 - iv. The loading spaces are easily accessible and well-lit;
 - v. The loading areas are not located on through traffic streets; and
 - vi. The loading areas are located behind one of the buildings served by the loading areas.
- F. **Design.** Off-street loading facilities shall be designed so as not to interfere with any fire exits or emergency access facilities to either a building or the site.

- G. **Service Areas Adjacent to District Boundaries or Open Space.** If loading areas, truck access, or solid waste collection facilities are located between a principal building and property that is used or zoned for residential purposes or open space, then the following additional standards apply:
1. The loading or service area shall be screened along the entire boundary by a bufferyard that is at least 10 percent more opaque than required at the zone boundary by [Sec. 3.2.5, Bufferyards](#).
 2. The loading, truck access, or waste storage area is located under a roof as indicated in [Figure 3.1.8, Illustrative Example of Enclosed Loading](#). If this option is used, the buffer along the length of the loading shed may be reduced from the requirement of [Sec. 3.2.5, Bufferyards](#), by 10 percent opacity.
- H. **Minimum Number of Off-Street Loading Spaces Required.** Off-street loading facilities shall be provided in accordance with the requirements in [Table 3.1.8, Minimum Off-Street Loading Spaces Required](#).

Table 3.1.8 Minimum Off-Street Loading Spaces Required		
Use Categories	Gross Floor Area in Square Feet	Number of Required Loading Spaces
Commercial, Civic, and Institutional	Less than 10,000	0
	10,000–100,000	1
	100,001–200,000	2
	Each additional 100,000	1
All Other Use Categories	N/A	N/A
N/A = Not Applicable		

- I. **Buffering.**
1. *Location Behind Buildings.* Docks and loading spaces shall be located behind buildings and screened from view from abutting properties and public right-of-way.
 2. *Location Truck access and loading areas that are located directly adjacent to a residential use shall comply with the following additional standards:*
 - a. *Use of Enclosed Loading.* The loading area shall be enclosed by a roof and a wall between the principal building and the property boundary line (as depicted in [Figure 3.1.8, Illustrative Example of Enclosed Loading](#), below) so that the portion of the bufferyard between the enclosed loading and the property line may be reduced by one level of opacity with the remainder of the bufferyard being the opacity level required by [Table 3.2.5, Bufferyard Types](#), for the applicable zoning district; or
 - b. *Absence of Enclosed Loading.* The loading area shall be screened along its length by a district bufferyard that has one additional level of opacity (for example, from a Type B bufferyard to a Type C bufferyard) than required by [Table 3.1.8, Illustrative Example of Enclosed Loading](#) and the loading area shall contain an eight-foot-tall masonry wall that is designed and constructed with the same primary exterior finish materials of the principal building.

Figure 3.1.8
Illustrative Example of Enclosed Loading



Sec. 3.1.9 Access Management and Circulation

- A. **Access.** Each required off-street parking area shall have adequate access to a public street. Alleys, where utilized, shall only be used as secondary means of access to a lot or parcel.
- B. **Continuous Traffic Flow.** Circulation systems within parcels proposed for development shall provide for continuous traffic flow with efficient, non-conflicting movement throughout the site.
- C. **Vehicular-Pedestrian Conflict Areas.** Conflicts between areas of significant pedestrian movement and vehicular circulation shall be minimized. Areas that are accessible to vehicles but likely to be put to significant use by pedestrians (as determined by the Public Works Director) shall be striped or otherwise differentiated (e.g., with decorative pavers).
- D. **Surfacing.** Off-street parking areas shall be:
 - 1. Graded and surfaced with concrete or bituminous asphalt unless otherwise provided for in this Section;
 - 2. Surfaced to protect against potholes, erosion, and dust;
 - 3. Surfaced for grass pavers, crushed stone, or gravel for off-street parking facilities that serve agricultural, commercial amusement (outdoor), storage, general utility, and telecommunication uses and overflow parking for all land uses, provided that:
 - a. The perimeter of such parking area is defined by curb and gutter, bricks, stones, or other similar devices; and
 - b. Surfaces with loose materials are set back at least 25 feet from the edge of pavement of the connecting public street; and
 - 4. Approved pursuant to Sec. 6.5.4, *Site Improvement Plan*, prior to construction.
- E. **Maintenance.**
 - 1. Off-street parking surfaces shall be kept in good condition, free of weeds, dust, trash, debris, and/or snow.
 - 2. All parking space lines or markings shall be kept clearly visible and distinct to not reduce the required number of off-street parking spaces.
- F. **Off-Site Access to Roads Maintained by the Colorado Department of Transportation (CDOT).** A landowner whose property directly accesses to a state highway will be required to contact the CDOT regarding specific permit and design requirements to obtain ingress/egress.

Sec. 3.1.10 Special Studies

- A. **Generally.**
 - 1. Special studies may also be submitted to support a request to reduce the number of required parking, loading, or stacking spaces to a requirement that is lower than what is set out in this Division. The special study must include and support all requested reductions in parking. Further parking credits and reductions that are otherwise available

pursuant to Sec. 3.1.5, *Parking Reductions*, may not be applied when parking reductions are granted pursuant to this Section unless the reductions are supported by the special study.

B. Special Study Requirements.

1. A special study must be conducted by a qualified transportation planner or traffic engineer at the applicant's expense.
2. The special study must provide:
 - a. A peak parking, loading, or stacking analysis (as applicable) of at least five functionally comparable uses; and
 - b. Documentation regarding the comparability of the referenced uses, including: name; function; location; gross floor area; parking availability; access to transportation network (including vehicular, bicycle, pedestrian, and transit); use restrictions; and other factors that could affect the parking demand.

C. Approval of Special Study.

1. The Administrator may rely upon the special study or may request additional information or analysis, including, but not limited to: alternative or new data points; consideration of additional or alternative factors related to comparability; or peak demand, as supported by sound engineering principles.
2. As a condition of approval of a special study, the Administrator may require that land be reserved as an undeveloped area for additional future parking, loading, or stacking if there is a demonstrably high probability the use could change, resulting in a higher demand for parking, loading, or stacking.

Division 3.2 Landscaping, Buffering, and Screening

Sec. 3.2.1 Purpose

The standards and requirements set out in this Division are intended to:

- A. Establish landscaping standards that protect and preserve the appearance and character of the City;
- B. Improve the compatibility of adjacent uses;
- C. Protect the ecological and recreational value of the City's natural resources;
- D. Conserve scarce water resources through requirements regarding the planting of native and drought-resistant trees and shrubs; and
- E. Provide long-term adherence to principles that will create a landscape that is both functional and aesthetically pleasing.

Sec. 3.2.2 Applicability

- A. **Generally.** This Division sets out requirements for plant requirements, landscaping, bufferyards, and screening for all properties within the City.
 1. *General Requirements.* See Sec. 3.2.3, *General Requirements*. The requirements listed in this Section are applicable to each type of site improvement regardless of whether it is classified as landscaping, bufferyards, or screening.
 2. *Landscaping.* See Sec. 3.2.4, *Landscaping*. There are two types of landscaping:
 - a. Site landscaping; and
 - b. Parking lot landscaping.
 3. *Bufferyards.* See Sec. 3.2.5, *Bufferyards*. Bufferyards are required based on the development type and/or right-of-way type that is adjacent to the proposed development.
 4. *Screening.* See Sec. 3.2.6, *Screening*. Screening is required to shield unsightly uses such as trash or refuse containers and receptacles and landfills from the view of the public right-of-way and/or adjacent properties.
 5. *Installation and Maintenance.* See Sec. 3.2.7, *Installation and Maintenance*. This Section sets out the required site preparations necessary for the installation of plantings and the required on-going maintenance after the installation process is complete. The requirements listed in this Section are applicable to landscaping, bufferyards, and screening.
- B. **Applicability of Standards.** This Division applies to all new development, redevelopment, and substantial improvements, and where specifically indicated, to existing trees and landscaping.
- C. **Modifications.** Any and all modifications to an approved site improvement plan. see Sec. 6.4.5, *Minor Modification*.
- D. **Exceptions.** The following are exceptions to the standards of this Division:

1. Individual lots of record that are used for existing single-family attached and detached dwellings unless required by this Division.
2. Sites that are proposed for redevelopment or substantial improvement, where compliance cannot be reasonably obtained due to the geometry, steep grades, extensive rock outcroppings, or another physical characteristic that is peculiar to the property on the site. In these cases the City may approve a lesser landscaping requirement, provided that the reduction of landscaping standards is only to the extent necessary to make the installation reasonably obtainable. In no case shall this exception be interpreted to lessen these requirements for reasons other than those provided.

Sec. 3.2.3 General Requirements

A. Approved, Allowed, and Prohibited Plants.

1. *Approved Plant Materials.* Only approved plant materials count towards the landscape requirements of this Division. A list of approved plants are set out in Appendix C.1, *Approved Tree List* and Appendix C.2, *Approved Shrub List*.
2. *Allowed Plants.* Plants that are not listed in Appendix C.1, *Approved Tree List* or Appendix C.2, *Approved Shrub List*, will be allowed but do not count toward compliance with the requirements this Division provided that the plant material is not prohibited by Appendix C.3, *Prohibited Plant List*.
3. *Additions to Approved Plant List.* The Administrator may add plants to the approved plant list if the applicant demonstrates by credible evidence that the species:
 - a. Is not on any of the following lists:
 - i. Appendix C.3, *Prohibited Plant List*;
 - ii. The [Colorado State-Listed Noxious Weed List, U.S. Department of Agriculture](#); or
 - iii. The [Colorado Noxious Weed List](#), promulgated by the Colorado Department of Agriculture.
 - b. Is either native to the region or not invasive; and
 - c. Provides habitat for native wildlife or migratory birds.
4. *Prohibited Plants.* The administrator shall have the authority to add species to the prohibited plant list to make it consistent with either the [Colorado State-Listed Noxious Weed List, U.S. Department of Agriculture](#) or the [Colorado Noxious Weed List](#).

B. Required Biodiversity.

Diversity of the genera and species of trees and shrubs is required in order to prevent monocultures which could result in large-scale losses in the event of disease or blight. Therefore:

1. Within each category of required landscaping (i.e., large trees, small trees, and shrubs):
 - a. Not more than 40 percent shall be of any one genera; and
 - b. Not more than 20 percent shall be of any one species.
2. Each street block shall have at least three genera of street trees. Street trees shall include all trees that are planted within 10 feet of the public street right-of-way.
3. Not more than 40 percent of the street trees in the City shall be of the same genus.

C. Required Xeric Plantings.

At least 50 percent of the total landscaping shall be listed as xeric on the approved plant lists in either Appendix C.1, *Approved Tree List* and Appendix C.2, *Approved Shrub List*.

D. Minimum Size of Plants at Installation.

Plants that are installed must comply with the requirements of this Division and shall be of the sizes set out in Table 3.2.3-1, *Minimum Size of Plants at Installation*.

Table 3.2.3-1 Minimum Size of Plants at Installation	
Type of Plant Material	Minimum Size at Installation
Deciduous Trees ¹	
Single Stem Trees	Minimum one-inch caliper with an overall average caliper of two inches ²
Multi-Stem Trees	Minimum of eight feet in height with an overall average height of 10 feet ²

Table 3.2.3-1 Minimum Size of Plants at Installation	
Type of Plant Material	Minimum Size at Installation
Evergreen Trees	
Minimum Height	Six feet
Evergreen and Deciduous Shrubs	
Minimum Size	Five-gallon root base for 80 percent of the shrubs used. Shrubs as small as one gallon may be used for the remainder.
Other Plant Material	
Vines	1-gallon container
Groundcover	5 gallon if horizontal shrubs (maturity less than 24") 1 gallon if perennials Space to provide 80% ground coverage in 2-3 yrs.
Mulch	Minimum 4" depth for all plant groupings and trees 3
Notes:	
A. No more than one-fourth of the trees shall be less than the average height.	
B. See Table 3.2.3-2, <i>Tree Caliper and Height Equivalency</i> , for tree caliper to tree height equivalency calculations.	

- E. **Tree Caliper to Height Equivalency.** Table 3.2.3-2, *Tree Caliper and Height Equivalency*, establishes a framework to compare an approximate height of trees at the time of installation to the corresponding trunk caliper.

Table 3.2.3-2 Tree Caliper and Height Equivalency	
Caliper	Height
1.0 inches	8 feet to 8.9 feet
1.5 inches	9 feet to 9.9 feet
2.0 inches	10 feet to 11.9 feet
2.5 inches	12 feet to 13.9 feet
3.0 inches	14 feet to 15.9 feet

- F. **Distance from Utilities.**
- No tree (does not include shrubs) shall be planted within 10 lateral feet of any overhead utility lines.
 - No tree or shrub shall be planted over or within five lateral feet of any underground utility line.
- G. **Sight Distance Triangles.** Plant materials shall not be installed where they may compromise the sight distance requirements of Sec. 4.1.13, *Access Management*.
- H. **Landscape Plan Required.** Landscape plans are required as part of Sec. 6.5.4, *Site Improvement Plan*, and shall be prepared by a professional landscape architect licensed in the State of Colorado.

Sec. 3.2.4 Landscaping

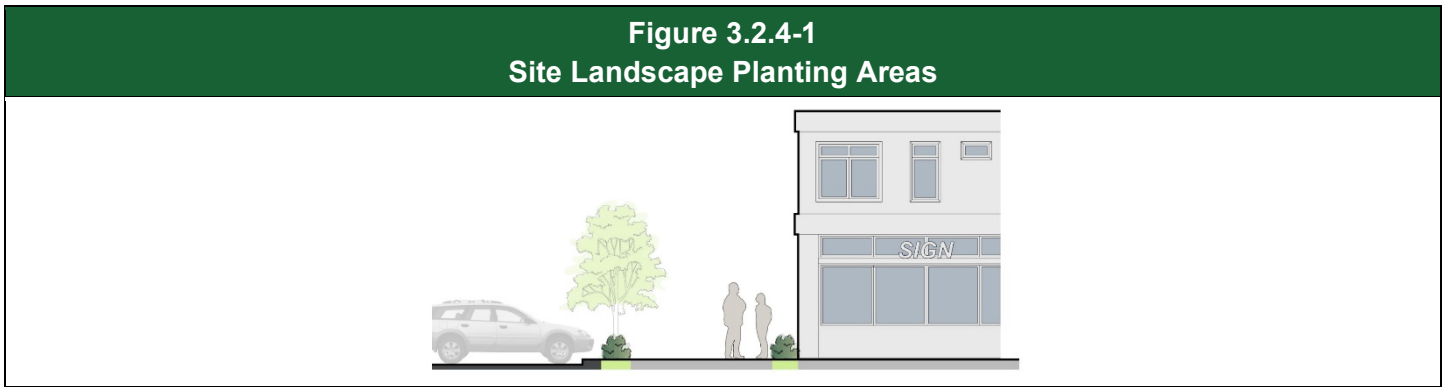
- A. **Generally.**
- Landscaping is required on any portion of a property or development site that is disturbed for construction or development activities.
 - Required bufferyards, parking lots, designated open space tracts, and parkways used for street tree plantings are not counted as locations that can be used to fulfill the requirements of this Section.
- B. **Site Landscaping.**
- Minimum Landscaping Required.* Landscaped areas shall:
 - Have at least 20 percent of both the required trees and shrubs be evergreens; and

- b. Adhere to the minimum standards set out in Table 3.2.4-1, *Site Landscaping Requirements*.

Table 3.2.4-1 Site Landscaping Requirements	
Site Landscaping Area	Minimum Landscaping Required
Areas located within 75 feet of a building, recreational structure, parking lot, driveway, or road.	One tree and five shrubs per every 1,500 square feet of disturbed area
Areas not located within 75 feet of a building, recreational structure, parking lot, driveway, or road.	One tree and five shrubs per every 3,000 square feet of disturbed area

2. *Planting Areas.*

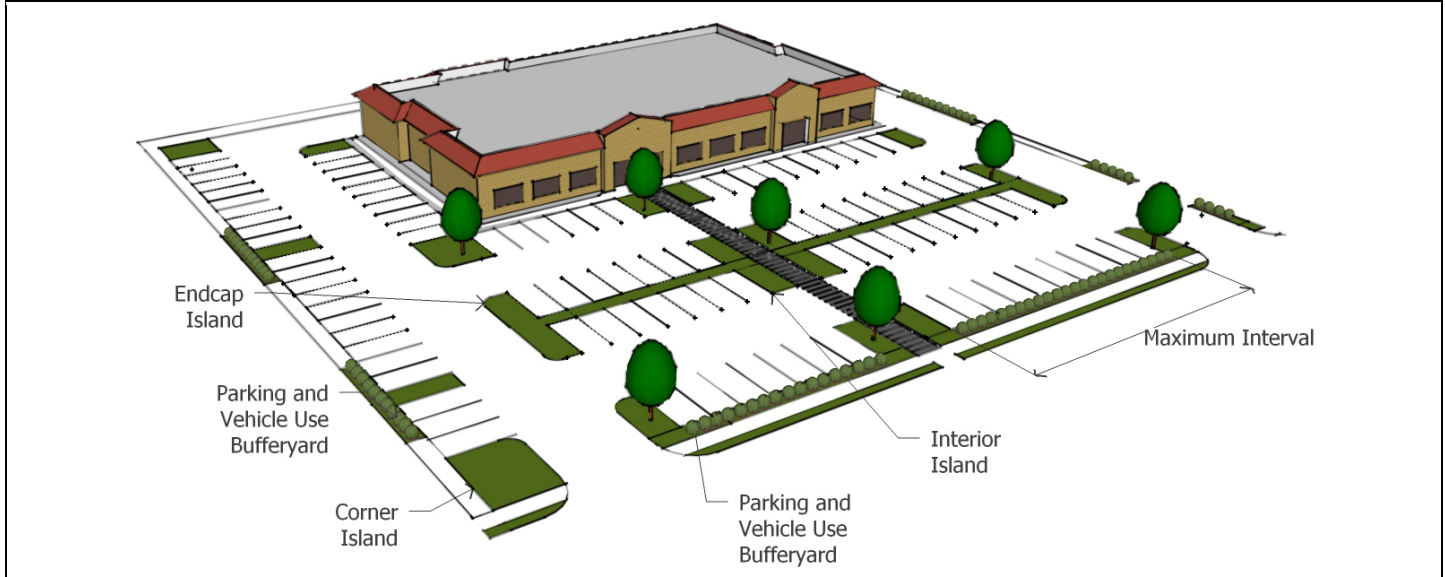
- a. *Required Locations.* Planting areas shall be installed adjacent to the building foundation and between the parking and vehicular use areas and the property line (see Figure 3.2.4-1, *Site Landscape Planting Areas*).
- b. *Exception to Required Locations.* Planting areas are not required in areas that are designed for direct vehicular access to the building, such as loading bays, service bays, and drive-through lanes on the side of the building with a service window.



C. **Parking Lot Landscaping.**

- 1. *Parking Lot Landscape Areas.* As illustrated in Figure 3.2.4-2, *Parking Lot Landscape Areas*, landscaping is required in all of the following areas for parking lots with 40 or more total parking spaces:
 - a. At both ends of parking aisles, planted in islands that are not less than nine feet wide and 36 feet long, with 10-foot curb radii on the side that faces outward from the parking aisle (See endcap island in Figure 3.2.4-2.
 - b. In the middle of the landscape islands at intervals required by Subsection C.4., below, and planted in interior islands that are not less than eight feet wide and 32 feet long, with five-foot curb radii at both ends.
 - c. At the corners of parking lots, planted in corner islands, which is the area defined by the extension of the edges of intersecting parking modules.
- 2. *Snow Storage.* Snow storage areas shall be in conformance with [Sec. 3.1.6.G](#), *Snow Storage*.

**Figure 3.2.4-2
Parking Lot Landscape Areas**



4. **Planting Requirements.** Parking lot landscape islands shall be provided at an interval of one island for each 10 parking spaces, or fraction thereof, planted as follows:
 - a. No bay of parking spaces may extend for more than 100 feet without a landscaped island.
 - b. Islands shall be protected by curbs and contain the following minimum amount of vegetative and ground cover materials:
 - i. One deciduous shade tree; and
 - ii. Eight shrubs.

Sec. 3.2.5 Bufferyards

- A. **Generally.** The bufferyards that are required by this ULDC are based on the amount of screening they provide. A bufferyard, when required, may count toward a maximum 25 percent of the applicable landscaping requirement. Bufferyards are classified from less screening (Type A) to more screening (Type C).
- B. **Applicability.** Bufferyards may be required along:
 1. Areas between different types of permitted land uses;
 2. Street rights-of-way;
 3. The perimeters of parking lots; and
 4. In mixed-use development, between individual land uses.
- C. **Bufferyard Types.** There are three types of bufferyards, each of which vary in width and the numbers and types of plants required per 100 linear feet, or portion thereof. The minimum planting requirements for each type and composition of bufferyard are set out in Table 3.2.5-1, *Bufferyard Classifications*.
- D. **Composition of Bufferyards.**
 1. Bufferyards may be classified as:
 - a. Structural bufferyards, which include the use of a wall or a fence to achieve the required level of screening.
 - b. Natural bufferyards, which include the use of an earthen berm and plant materials to achieve the required level of screening.
 2. A blend of deciduous and evergreen shrubs is strongly recommended. The size of the plants required is set out in [Sec. 3.2.3.D, Minimum Size of Plants at Installation](#).
 3. All evergreen plant material should be planted in clusters to increase their chance of survival. Existing plant material that is retained in good health and meets the minimum size requirements may be included in the plant requirement calculation for the proposed landscape plan.

4. If solar access for an adjacent parcel is either existing, planned or deed-restricted, shrubs or small trees may be substituted for canopy trees that would otherwise block solar access.
5. Where solar access or views are not a concern by adjacent property owners, evergreen trees may be substituted for deciduous trees in bufferyard category "C".
6. For bufferyard category "C", berms are encouraged as part of the landscape improvements.

**Table 3.2.5-1
Bufferyard Classifications**

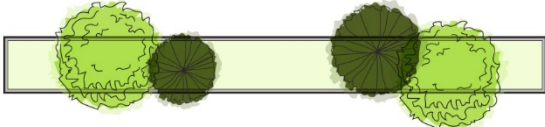
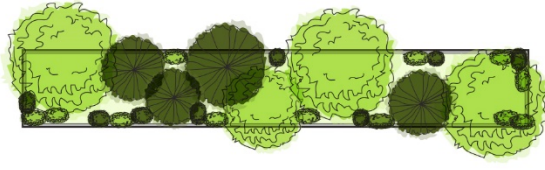
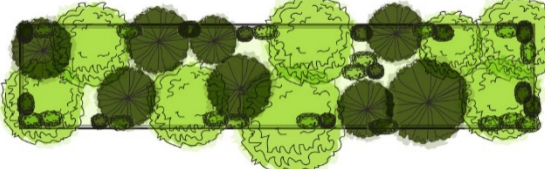
Type	Width	Required Plantings per 100 Linear Feet (Structural / Natural)			Height of Berm/Wall or Fence ¹	Bufferyard Example Diagram
		Deciduous Trees	Evergreen Trees	Shrubs		
Type A	10'	2	2	N/A	-	
Type B	15'	4	4	20	4'/6'	
Type C	20'	8	8	30	4'/6'	

TABLE NOTE:

¹A berm, wall, or fence is not required for naturalized buffers.

- E. Existing Trees, Fences, and Walls.** Existing trees, fences, and walls may be counted towards the development and bufferyard landscaping requirements, as applicable, provided that:
1. The applicant records an agreement with the City that includes appropriate assurances that if the existing fence or wall deteriorates, or is damaged, destroyed, or removed, the applicant will repair or replace it with a fence or wall that meets the bufferyard standards set forth in this Section;
 2. The height and level of screening of the fence or wall meets the intent of this Division with regard to buffering;
 3. The Administrator verifies that the fences or walls are structurally sound, in good repair, and of an upright condition;
 4. The trees are in good health;
 5. The trees, fences, and walls comply with the standards of this Division; and
 6. The plants used are an approved species per Appendix C.1, *Approved Tree List* or Appendix C.2, *Approved Shrub List*.
- F. District Bufferyard Standards.** Set out in Table 3.2.5-2, *District Bufferyard Standards*, is the classification of bufferyards that are required for newly proposed development when it is adjacent to an abutting zoning district (for bufferyard types, see Table 3.2.5-1, *Bufferyard Classifications*).

**Table 3.2.5-2
District Bufferyard Standards**

Proposed for Development Zoning District	Abutting District		
	OS, ER	PUD	MU
OS, ER	-	-	-
PUD	A	A	B
MU	A	B	B

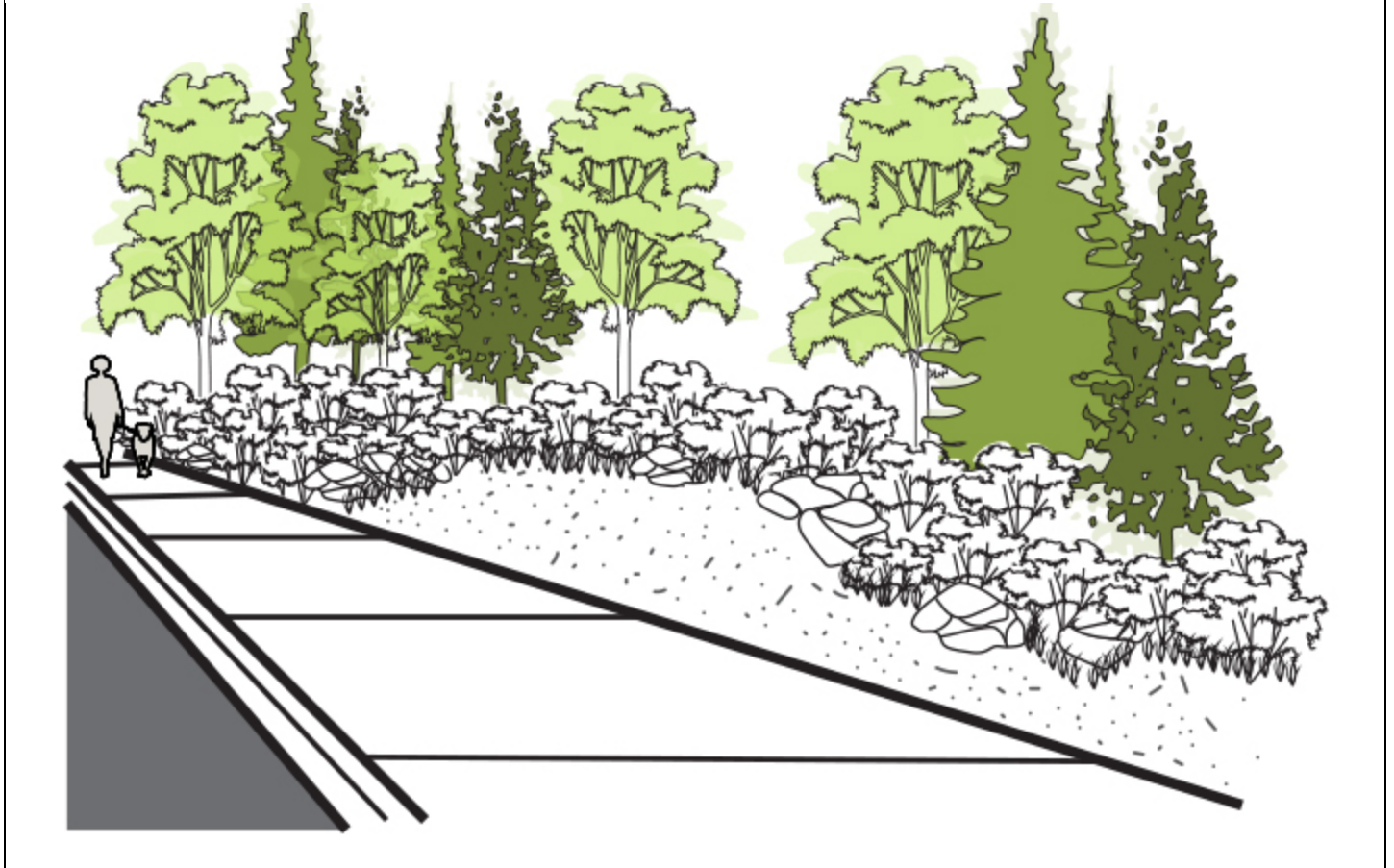
- G. **Relationship to Other Bufferyard Requirements.** If bufferyards are required by another provision within this ULDC, then the greater bufferyard requirement may supersede the lesser one (only one bufferyard is required).
- H. **Buffering Existing Residential Development.** New residential development is required to provide an increase in the level of screening of a bufferyard (e.g., from Type A to Type B) when adjacent to an existing single-family detached, duplex, multiplex, or single-family attached residential property or development, if:
 1. The existing development does not have a required bufferyard in conformance with the requirements of the ULDC;
 2. The lot widths of the new development are less than 80 percent of the lot widths of the nearest lots of the existing development;
 3. The building height(s) of the new development is more than eight feet taller than the building height(s) of the existing property or development; or
 4. The housing type that is located on the lots that are adjacent to the existing development is denser than the housing type of the existing development (e.g., new townhome lots adjacent to existing single-family detached lots).
- I. **Street Bufferyards.** Set out in Table 3.2.5-3, *Bufferyard Requirements for Streets*, are the bufferyard standards of any development adjacent to arterial, collector, and local streets (for bufferyard types, see Table 3.2.5-1, *Bufferyard Classifications*).

**Table 3.2.5-3
Bufferyard Requirements for Streets**

Use of Proposed Development	Adjoining Street Rights-of-Way	
	Arterial	Collector
OS, ER	--	--
PUD	B	B
MU	C	C

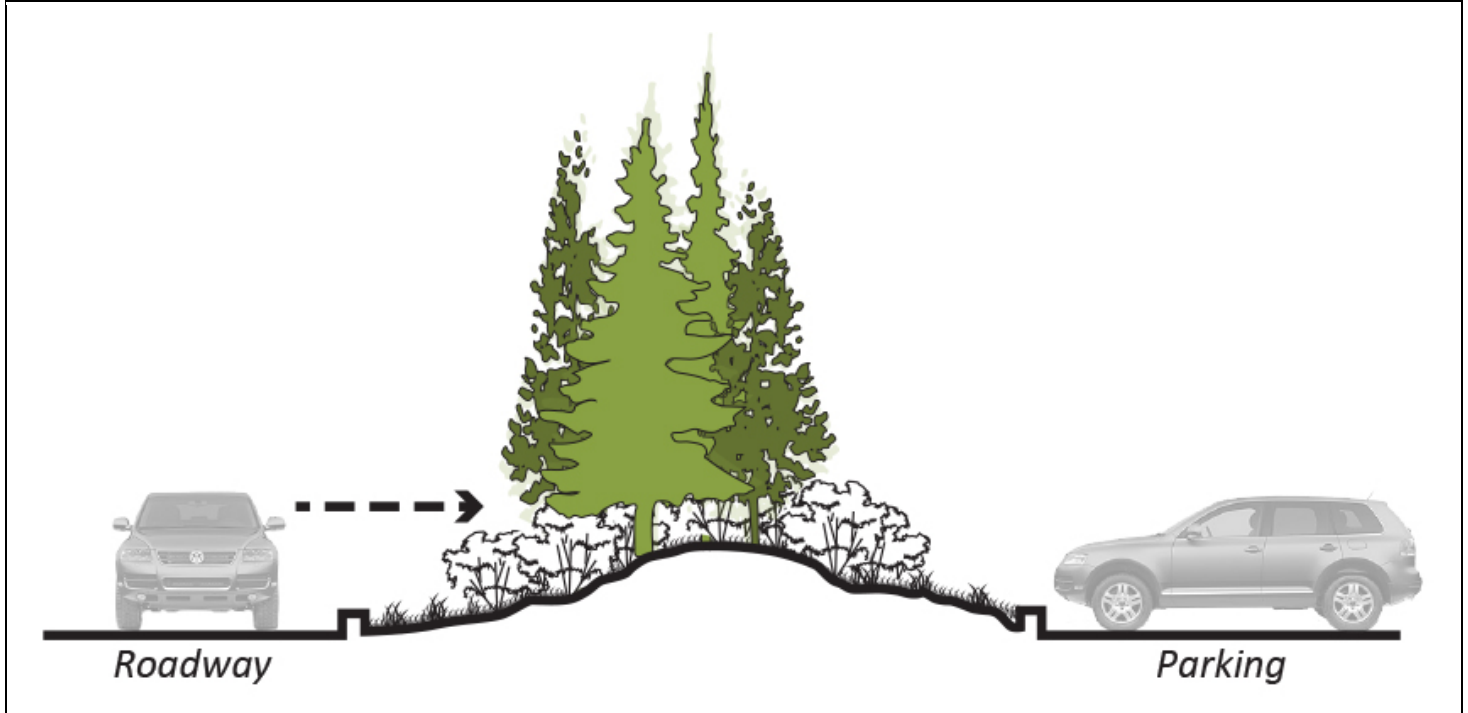
- J. **Public or Private Street Plantings.** Trees may be installed in landscaped areas within the right-of-way in either formal or informal patterns. Additional trees also may be installed outside the right-of-way.
 1. Deciduous trees may be planted at least five feet from the edge of road pavement to minimize breakage from snow plowing operations.
 2. Evergreen trees may be planted at least ten feet from the edge of pavement (see Figure 3.2.5-1, *Edge of Pavement Plantings*).

Figure 3.2.5-1
Edge of Pavement Plantings



- K. **Surface Parking Lots.** Bufferyards that are located at the edges of surface parking lots shall include a Type C Bufferyard between parking spaces and the street. This requirement may be waived by the Administrator in areas where:
1. The elevation of the parking lot is four feet or more below the elevation of the curb of the street;
 2. Buildings or other structures provide the same or better screening effect; or
 3. The bufferyard opacity is at least 40 percent.

Figure 3.2.5-2
Surface Parking Lot Landscaping



Sec. 3.2.6 Screening

- A. **Trash and Refuse, Storage, and Collection.**
1. All trash containers and receptacles shall be animal-resistant.
 2. Commercial pick up (dumpsters) shall be covered, screened, and the area around said dumpsters shall be kept free of debris.
 3. Residential pick-up (trash cans) shall be metal or plastic with tightly attached covers.
- B. **Screening Mechanical Equipment.** All mechanical equipment, either ground-mounted or located on a rooftop, shall be screened from the view of a person standing on the property line on the far side of an adjacent public street. Individual screening of rooftop mechanical equipment is prohibited. Units shall either be grouped together or screened with a parapet wall the entire length of the building. Such a parapet wall shall be designed to be integral to the overall architecture of the building.
- C. **Obstructions.** No fence, screen, wall, or hedge shall be erected and maintained in a manner that obstructs the vision of automobile traffic on the adjacent streets, rights-of-way, or driveways in accordance with Sec. 4.1.13, *Access Management*.
- D. **Wall Finish.** All required screening walls shall be equally finished on both sides of the wall.
- E. **Adjacency to Public Street.** When a side or rear yard of a multiple-family, civic, institutional, commercial or mixed-use is adjacent to a public street, a Type B Bufferyard shall be erected. Side yards on corner lots are exempt from this requirement.
- F. **OS, ER, and PUD Districts Maximums.** The following standards shall apply in the OS, ER, or PUD districts:
1. *Rear and Side Yards.* No fence or wall shall exceed a height of six feet above grade.
 2. *Front Yard.* The maximum height of a fence or wall shall not exceed four feet. A minimum opacity of 50 percent is required.
 3. *Corner Lot.* Where a corner lot is platted with two front yards, and a house is constructed facing one of the front yards, the second front yard shall also be deemed to be a front yard.

Sec. 3.2.7 Installation and Maintenance

- A. **Responsibility.** The owner of the lot or parcel or the manager or agent of a 'homeowners', 'property owners', or 'business district' association shall be responsible for the maintenance of all landscape areas.
- B. **Maintenance Standards.**
1. All landscaped areas shall be kept free from refuse and debris.
 2. Maintenance and care of landscaping shall be according to the most current version of the Tree Care Industry Association (TCIA) [ANSI A300 Standards for Tree Care Operations](#).
 3. For maintenance purposes, property that is within the right-of-way and directly adjacent to an owner's property is the responsibility of said property owner.
- C. **Landscape Plan.** A landscape plan shall identify the plant installation methods and landscape maintenance program for all landscaped areas.
- D. **Approval and Timing of Approval.**
1. In reviewing plans, adjustments in the location of plants may be required where such alterations will better serve the purposes for which they are intended.
 2. Landscape plans containing street trees, open spaces, site features, bufferyards, and required landscaping shall be submitted for approval at the preliminary plat application stage. See Sec. 6.5.8, *Preliminary Plat*.

Division 3.3 Signs

Sec. 3.3.1 Purpose

- A. **Purposes.** The purposes of this Division are to:
1. Set out reasonable regulations for the design, location, installation, operation, repair, and maintenance of signs;
 2. Provide for reasonable regulation while also safeguarding the constitutionally protected right of free speech;
 3. Create content-neutral sign regulations that balance the legitimate needs of individuals, entities, and organizations to convey messages with the legitimate objectives of the City to promote public safety, enhance community character and enhance private property values;
 4. Prevent and reduce sign clutter which can have negative consequences to the City which include, but are not limited to the following:
 - a. Undue visual distractions which may create a public safety hazard for motorists, bicyclists, and pedestrians;
 - b. Degrading the aesthetic character of the City and therefore making the City less attractive for residents, visitors, commerce, and private investment; and
 - c. Physical obstructions within the public right-of-way which create public safety hazards.
 5. Provide timely, fair, and consistent permitting and enforcement of signage throughout the City.
- B. **Intent.** It is the intent of these regulations to provide for the proper control of signs in a manner consistent with the First Amendment guarantee of free speech. It is not the intent of these regulations to regulate signs based on the content of their messages. Rather, this Division advances important, substantial, and compelling governmental interests.
1. The City has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists and pedestrians). Sign clutter:
 - a. Creates visual distraction and obstructs views, potentially creating a public safety hazard for motorists, bicyclists, and pedestrians;
 - b. May cause physical obstructions of streets or sidewalks, creating public safety hazards;
 - c. Degrades the aesthetic and essential historic character of the City, making the City a less attractive place for tourism, commerce, and private investment; and
 - d. Dilutes or obscures messages displayed along the City's streets through the proliferation of distracting structures and competing messages.
 2. The City has a substantial and/or compelling interest in preventing traffic accidents. The City has a substantial and/or compelling interest in preventing negative impacts associated with temporary signs. Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the City if they are not removed.

3. Certain types of speech are not constitutionally protected due to the harm that they cause to the individual or the community.
4. The incidental restriction on the freedom of speech that may result from the regulation of signs hereunder is no greater than is essential to the furtherance of the important, substantial, and compelling interests that are advanced by this Division.

Sec. 3.3.2 Applicability

A. Generally.

1. All construction, relocation, enlargement, alteration, and modification of signs within the City shall conform to the requirements of this Division.
2. This Division applies only to signs that are integrated into, attached to, installed upon, or set upon the ground, a structure, landscaping, or a building.

B. Signs within Planned Unit Developments. Signage within all existing and future Planned Unit Development (PUD) districts shall be governed by this Division.

C. Exemptions. The following signs are exempt from the regulations of this Division:

1. Signage affixed to or painted on vehicles provided that the vehicle is operable and not parked in a location near the roadway to be used as a sign instead of a means of transportation;
2. Signage carried by people;
3. Signage regulated by law or regulation in furtherance of the performance of a public duty or function (e.g., temporary or permanent traffic controls and street signs); or to give legal notice (e.g., notices of pending action pursuant to City ordinances);
4. Signage legally installed through a Planned Unit Development provided that the regulations are reasonably construed to be constitutional and content-neutral.

D. Relationship to Other Regulations.

1. Nothing contained in this Division shall be deemed a waiver or variance of the provisions of any other Divisions or Sections in this ULDC applicable to signs.
2. The City recognizes other regulations pertaining to signage (i.e., State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, and as may be amended).
3. Where any provision of this Division covers the same subject matter as other City, State or federal regulations, the more restrictive regulation shall apply.

Sec. 3.3.3 General Requirements

A. Generally. The requirements of this Division shall apply to signs in all zoning districts unless otherwise indicated.

B. Sign Permit Required.

1. A sign permit shall be required for the placement and construction of all new signs, except as exempted in [Sec. 3.3.5, Signs not Requiring a Permit](#).
2. No permit shall be issued for a proposed sign that is not in conformance with this Division.
3. All electrical signs shall be issued an electrical permit prior to the issuance of the sign permit.
4. The "construction of a new sign" shall include:
 - a. The painting of wall signs.
 - b. Erection, placement, moving, reconstruction, alteration, or display of a sign; and
 - c. The alteration of sign faces by painting or overlay.

C. Maintenance. The touching up or repainting of existing letters, symbols, graphics, and colors, shall be considered maintenance and repair and shall not require a permit.

D. Location. All signs shall be located on-premise.



E. Sight Triangle. No sign may encroach into the sight triangle established in [Sec. 3.3.11, Measurements](#).

F. Building and Fire Codes. All signs shall meet adopted building and fire codes as applicable and as amended from time to time.





- G. **Obsolete Signs.** Signs which identify businesses, goods, or services no longer provided on the premises shall be removed by the owner or operator within 30 days after the business ceases to operate.
- H. **Signs Constructed Of Certain Materials.** Signs with metallic surfaces and/or plastic signs made of fiberglass or other synthetic materials shall be treated to reduce reflection from sunlight or artificial illumination on residential properties in the vicinity and on the vision of passing motorists and pedestrians.

Sec. 3.3.4 Signs Requiring a Permit



- A. **Generally.** This Section identifies the signs that are permitted only if a permit is obtained via [Sec. 6.4.6, Sign Permit](#), and the requirements of this ULDC are met.
- B. **Applicability.** The standards of this Section apply to all new development, redevelopment, substantial improvement, and expansion of signs regardless of applicable zoning district.
- C. **Total Number of Signs Permitted for Nonresidential Uses.** Nonresidential uses shall be permitted a maximum number of signs per individual businesses. The business may choose a combination of any of the permitted sign types stated in Table 3.3.4-1, *Permanent Signs Requiring a Permit*, so long as no more than four total signs are permitted unless a single tenant has a gross floor area (GFA) of more than 100,000 sq. ft. In this case, an additional sign is permitted for each additional 20,000 sq. ft. of GFA. Additionally, a business shall only be permitted one sign per sign type unless the business has two street frontages or one street frontage and the primary entrance to the business does not face the street. In these circumstances, the businesses shall be granted a maximum of two wall signs, and two monument signs.
- D. **Permanent Signs.** All permanent signs shall follow the standards established in Table 3.3.4-1, *Permanent Signs Requiring a Permit*. For additional signage permitted within the City limits without requiring a permit see [Sec. 3.3.5, Signs not Requiring a Permit](#).

Table 3.3.4-1 Permanent Signs Requiring a Permit			
"sf." = Square Feet "ft." = Feet "--" = Not Permitted DW=Down Lighting EX=External Lighting IN=Internal Lighting			
Sign Type and Limitations	Nonresidential Uses	Residential Uses ¹	Illustrative
Access			
Number Allowed	1 per vehicle use area entrance and exit	--	
Maximum Area	4 sf.	--	
Maximum Height	3 ft.	--	
Minimum Setback ¹	3 ft./0 ft.	--	
Illumination	EX or IN	--	
Awning			
Number of Signs Permitted	1 per each business of institution with its own ground floor entryway or storefront	--	
Maximum Sign Area	1 sf. per every ft. of awning or 50 sf. whichever is smaller	--	
Maximum Sign Height (Sign Lettering)	3 ft.	--	
Minimum Sign Clearance	8 ft.	--	
Maximum Projection (Distance from Facade)	4 ft.	--	
Illumination Type	EX	--	
Other Standards	A. Awning signs shall only be externally illuminated. B. No awning or awning sign shall be internally illuminated.		
Directory			
Number of Signs Permitted	1 per property with a multi-tenant building	--	
Maximum Sign Area	1 sf. per 3 linear feet of street frontage or 150 sf. whichever is smaller	--	
Maximum Height	8 ft.	--	


**Table 3.3.4-1
Permanent Signs Requiring a Permit**

"sf." = Square Feet "ft." = Feet "--" = Not Permitted DW=Down Lighting EX=External Lighting IN=Internal Lighting			
Sign Type and Limitations	Nonresidential Uses	Residential Uses ¹	Illustrative
Minimum Setback ¹	5 ft.	--	
Illumination Type	EX, IN	--	
Other Standards	<p>A. The bottom portion of the sign shall rest flush against the ground, allowing no space between the ground and the bottom of the sign structure.</p> <p>B. The base or support structure shall complement the design of the building to which it is accessory by incorporating materials such as brick, stone, decorative block, or similar materials used in the construction of the building.</p>		
Hanging			
Number of Signs Permitted	1 per main entrance to building or tenant space	--	
Maximum Sign Area	6 sf.	--	
Changeable Copy Permitted	--	--	
Minimum Clearance	8 ft.	--	
Maximum Height	2 ft.	--	
Maximum Width	3 ft.	--	
Illumination Type	DW	--	
Marquee			
Number of Signs Permitted	1 per street-facing facade	--	
Maximum Height	4 ft.	--	
Minimum Clearance	8 ft.	--	
Changeable Copy Permitted	Yes	--	
Illumination Type	DW, IN	--	
Other Standards	<p>A. No marquee sign shall extend more than six feet from the facade of a building.</p> <p>B. Marquee signage may be distributed to all three visible sides of the marquee.</p>		
Monument			
Maximum Number of Signs	1 per property street frontage	1 per subdivision or residential complex entrance	
Maximum Sign Area	1 sq. ft./3 lineal feet of frontage to a total of 200 sq. ft.	48 sf.	
Maximum Sign Height	15 ft.	6 ft.	
Maximum Sign Width	12 ft.	12 ft.	
Setback (minimum/maximum) ¹	5 ft./10 ft.	5 ft. /5 ft.	
Sign Separation (separate/same lots)	50 ft./100 ft.	--	
Changeable Copy Permitted	Yes	--	
Illumination Type	EX, IN	EX, IN	

**Table 3.3.4-1
Permanent Signs Requiring a Permit**

"sf." = Square Feet "ft." = Feet "--"= Not Permitted DW=Down Lighting EX=External Lighting IN=Internal Lighting			
Sign Type and Limitations	Nonresidential Uses	Residential Uses ¹	Illustrative
Other Standards	<ul style="list-style-type: none"> A. The bottom portion of the sign shall rest flush against the ground, allowing no space between the ground and the bottom of the sign structure. B. Monument signs permitted at the entrance of residential developments shall only display the name of the residential development. 		
Projecting			
Number of Signs Permitted	1 per building frontage or tenant space, per street frontage	--	
Maximum Sign Area	12 sf.	--	
Maximum Height	8 ft.	--	
Minimum Clearance	8 ft.	--	
Maximum Projection (from principle facade)	4 ft.	--	
Other Standards	<ul style="list-style-type: none"> A. Projecting signs shall be fastened to the principle building facade. B. Projecting signs shall be professionally produced/printed on a durable material that can withstand external winter weather conditions and/or withstand the maximum wind pressure for the area in which they are located. 		
Wall			
Number of Signs Permitted	1 per public street-facing facade or 1 per individual tenant	--	
Maximum Sign Area	50 sq. ft., plus 1 sq. ft./lineal foot of building frontage in excess of 50' to a maximum of 450 sq. ft.	--	
Changeable Copy Permitted	--	--	
Illumination Type	EX, IN	--	
Other Standards	<ul style="list-style-type: none"> A. Wall signs shall not extend above fascia, facade, or parapet wall upon which that sign is located. B. The outer portion of any wall signs shall not be closer than two feet to the edge of the facade of the building upon which that sign is located. C. Recognizable sign features that display corporate colors/logos, etc. count as signage square footage. D. the maximum character or logo height for any portion of the sign shall not exceed 10' in height. 		
Window			
Number of Signs Permitted	1 per window frame	--	
Maximum Sign Area	50 percent of the sf. of the window on which the sign is located	--	
Changeable Copy Permitted	--	--	

**Table 3.3.4-1
Permanent Signs Requiring a Permit**


"sf." = Square Feet "ft." = Feet "--" = Not Permitted DW=Down Lighting EX=External Lighting IN=Internal Lighting			
Sign Type and Limitations	Nonresidential Uses	Residential Uses ¹	Illustrative
Illumination Type	--	--	
Notes: 1. Measured from the edge of pavement or property line, whichever provides the greater.			

E. **Temporary Signs.** Table 3.3.4-2, *Temporary Signs Requiring a Permit*, sets out the standards for temporary signs for residential and nonresidential uses where a permit is required. For additional signage permitted within the city limits without requiring a permit see [Sec. 3.3.5, Signs not Requiring a Permit](#).

**Table 3.3.4-2
Temporary Signs Requiring a Permit**

"sf." = Square Feet | "ft." = Feet | "--" = Not Permitted |

Sign Type and Limitations	Nonresidential Uses	Residential Uses	Illustrative
Temporary Window Signs			
Maximum Area	50 percent of the display windows or building face on which the sign is displayed	--	
Additional Requirements	Temporary window signs shall be constructed of quality materials.	--	
Banner and Temporary Attached Signs			
Maximum Number Permitted	1 per nonresidential use	1 per residential complex	
Maximum Square Footage	24 sf.		
Placement	Banner signs shall be fastened to the principal building facade or railings.		
Materials	Banners must be professionally produced/printed on a durable material that can withstand external weather conditions.		
Maximum Duration	14 days (Limited to 3 permits per calendar year)		
Temporary Freestanding Signs			
Maximum Number Permitted	1 per business	1	
Maximum Square Footage	50 sf.	6 sf.	
Materials	Professionally produced/printed on a durable material that can withstand external weather conditions		
Maximum Duration	90 days (Limited to 3 permits per calendar year)		
Maximum Height	8 ft.		
Feather, Teardrop, or Wind Flag Signs			
Maximum Square Footage	12 sf.	--	
Maximum Height	6 ft. from the ground or snow pack		
Maximum Number	Each business may display 2 flags, the cumulative square footage for both flags shall not exceed 12 square feet		
Placement	Must be located on the same property as the principal use requesting the sign permit		

Maximum Duration	10 days (Limited to 3 permits per calendar year)	--	
------------------	--	----	---

Sec. 3.3.5 Signs not Requiring a Permit

The following signs, if non-illuminated and non-animated, shall be exempt from the application, permit, and fee requirements of the ULDC; however, conformity with specific additional regulations, as listed below, is required for certain types of signage.

- A. **Memorial Tablets And Plaques.** Memorial tablets and plaques installed and authorized by a duly constituted governmental agency or recognized historical society.
- B. **Official And Legal Notices.** Official and legal notices issued by any court, public body, or officer in the performance of a public duty or in giving any legal notice.
- C. **Sandwich Boards.** Sandwich boards are permitted provided that:
 - 1. Such signs are limited in size to six square feet;
 - 2. The sign shall be placed in a location that will cause an issue for the average pedestrian traffic walking to an abutting property;
 - 3. The sign shall not block any access point, pedestrian path, or ingress/egress point provided to meet the standards of the Americans with Disabilities Act (ADA);
 - 4. The sign display area of all sandwich board signs shall be made of a material that can be written or drawn on and erased on a daily basis and not have letters that are printed or permanently affixed to the face of the sign (e.g. a chalkboard or dry erase board); and
 - 5. During winter months, the location of each sign must not interfere with snow removal.
 - 6. The sign must be removed immediately if damaged or in disrepair for any reason.
- D. **Directional, Warning, Informational, Pedestrian Signs, or Structures.** Directional, warning, informational, or pedestrian signs or structures required or authorized by either federal, state, county, or City law.
- E. **Building Identification Signs.** Building identification signs used to identify individual units shall:
 - 1. Not exceed two square feet in size;
 - 2. Only display the name of the occupant and address of the premises; and
 - 3. Not exceed five feet above grade if the sign is freestanding and not affixed to the building.
- F. **Flags.** No side of any flag may be greater than a maximum of six feet, except flags on poles over 35 feet high may have a flag with a width of not more than 25 percent of the height of the pole.
- G. **Yard signs on private property.**
 - 1. Yard signs shall not exceed six square feet in size and shall be limited to one sign per lot.

2. In the event that a lot has frontage on two or more streets, a yard sign shall be allowed on each frontage, and if frontage is greater than one hundred 100 linear feet, one additional sign shall be allowed per every 400 linear feet.
 3. Yard signs shall be temporary in nature and shall be removed from the subject property within thirty days after being placed in the yard.
- H. **Prohibited Activities Signs.** Prohibited activities signs located on private property that provide for warning or other prohibitions on trespassing, hunting, fishing, swimming or other prohibited activities. Such signs shall:
1. Be no greater than one square foot in area;
 2. Be spaced no closer than 50 feet apart; and
 3. Have no setback regulations that are applicable.
- I. **Interior Signs.** Signs located on the interior of a building or structure and are not visible under normal viewing conditions from outside the building and are primarily designed for the information of persons within said building or structure.
- J. **Convenience Signs.** Convenience signs that display public information for the purpose of convenience or safety, on the door and/or windows provided the total combined signage area of all convenience signs for one business does not exceed four square feet.
- K. **Vacancy/No Vacancy.** All "Vacancy" or "No Vacancy" signs are not to exceed two square feet, and not more than one of each per business is permitted.
- L. **Seasonal Decorations.**
1. *Seasonal Displays.* Temporary, non-commercial decorations or displays, when such are clearly incidental to, and are customarily or commonly associated with, any national, local, or religious celebration provided, that such decorations or displays are maintained in an attractive condition and do not constitute a fire hazard.
 2. *Seasonal Lighting.* Outline lighting, decorative strings of lights in trees, holiday string lights, or colored tree lights may be used for decorative purposes to coincide with a holiday season and shall be exempt from permit requirements if displayed for no more than 60 days and removed following that time period. Clear or white string lights may be used the remainder of the year only for purposes of landscape decoration, window decoration, outline lighting, and display. Bulbs on such lights shall not exceed 10 watts and shall not twinkle or flash and shall be installed according to Chapter 18, Article 3, National Electrical Code, of the City's Municipal Code.
- M. **Signage On Motor Vehicles.** Signs permanently or magnetically attached to motor vehicles or trailers which are being operated or stored in the normal course of business, such as signs on delivery trucks or trucks involved in construction activities indicating the name of the owner or business provided that:
1. The primary purpose of such vehicles is not for the display of signs; and
 2. Such vehicles are parked or stored in areas appropriate to their use as vehicles.
- N. **Signs Not Visible From Beyond Lot/Parcel Boundaries.** Signs not visible beyond the boundaries of the lot or parcel upon which they are located or from any public thoroughfare, right of way, or outdoor public area.
- O. **Bumper Stickers.** Bumper stickers or similar words, graphics, or illustrations affixed to motor vehicles.
- P. **Nameplates.** Residential nameplates affixed to a structure.

Sec. 3.3.6 Prohibited Signs

- A. **Generally.** Prohibited signs are not allowed within the City regardless of the zoning district.
- B. **Prohibited Sign Types.**
1. Revolving or moving signs;
 2. Signs located on a roof or otherwise attached to or painted on a building if it projects above the highest point on the building;
 3. Signs or any portion thereof, that are located on or project or extend over any public sidewalk, street, alley, or other public property; provided, however, that if signs are located within the Mixed-Use (MU) district and mixed use areas of a PUD, they may project over the sidewalk so long as they comply with the standards found in [Sec. 3.3.4, Signs Requiring a Permit](#);
 4. Signs that are deteriorated, dilapidated, or unsafe;
 5. Signs that contain statements, words, or pictures that are obscene and would offend public morals or decency of the average person;

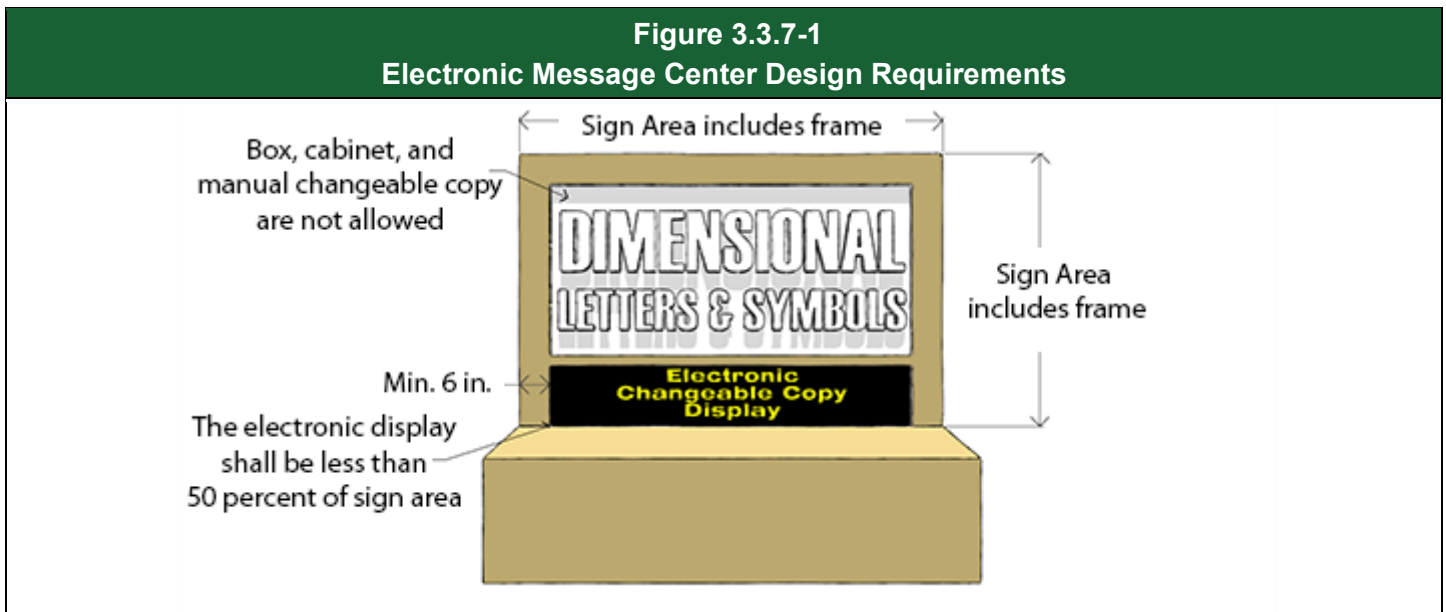
6. Signs located on or attached to a streetlight, utility pole, fire hydrant, bridge, traffic control device, street sign, or other building, facility, structure or equipment owned by the City without the prior written consent of the City;
7. Signs located or illuminated so that they obscure or interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or interfere with the view of approaching, emerging or intersecting traffic, or prevent any traveler on any street from obtaining a clear view of approaching vehicles;
8. Illuminated signs which:
 - a. Are illuminated to such intensity or without proper shielding so as to constitute a hazard to the operation of motor vehicles upon a public street or substantially interfere with the reasonable enjoyment of residential property; or
 - b. Have any type of intermittent illumination, including flashing, fading, revolving or blinking lights, or any type of moving, traveling or changing message by means of lights or illumination.
9. Any sign that violates any sight visibility regulations of the City;
10. Signs located in public rights-of-way unless otherwise permitted within the City's Municipal Code;
11. Signs placed on private property without the consent of the owner or person in possession of the real property;
12. Pylon Signs;
13. Roof Signs; and
14. Billboards, including digital billboards.

Sec. 3.3.7 Electronic Message Centers

Electronic message centers (EMCs) may be incorporated into signage as follows:

A. Design Requirements.

1. EMCs are only permitted on monument signs or marquee signs which enclose the EMC component on all sides with a finish of brick, stone, stucco, powder-coated (or comparably finished) metal, or the surface of the sign face. The enclosure shall extend not less than six inches from the EMC in all directions.
2. EMCs shall make up not more than 50 percent of the sign area of a monument sign or 75 percent of the sign area of a marquee sign. The balance of the sign area shall utilize permanent, dimensional letters or symbols.
3. No sign structure that includes a cabinet, box, or manual changeable copy sign may also include an EMC. See Figure 3.3.7-1, *Electronic Message Center Design Requirements*.



B. Operational Requirements. EMCs shall:

1. Contain static messages only;
2. Display messages for a period of not less than eight seconds (multiple EMCs, if used on the same sign, shall be synchronized to change messages at the same time);

3. Not use transitions or frame effects between messages;
4. Include an automatic dimmer that reduces the brightness of the sign in low light conditions (e.g., heavy cloud cover, rain, or snow; sunset; and evening hours), so that it does not cause glare or interfere with the use and enjoyment of residential property; and
5. Be turned off each day by the later of 10:00 PM or upon closing of the associated land use (signs may be turned back on at 5:00 AM).

Sec. 3.3.8 Sign Illumination

- A. **Generally.** Signs shall be internally illuminated or, if external illumination is used, the source of illumination shall be shielded.
- B. **Hours of Illumination.** Signs shall be turned off each day by the later of 10:00 PM or upon closing of the associated land use (signs may be turned back on at 5:00 AM).
- C. **Permitted Illumination Types.** The following rules and standards apply in establishing the type of illumination that may be used for signs:
 1. Indirect lighting of all types of signs is permitted. The light fixture shall be downcast toward the sign and the light source shall be shielded.
 2. The light from any illuminated sign shall be shaded, shielded, or directed so that the light intensity or brightness will not be disruptive to a residential use or property, or create a distraction to a motorist.
 3. Internally lighted signs shall have an opaque background so that only the letters and logos shine through at night.
 4. Individual letter illumination by neon and similar type of lighting is permitted.
- D. **Prohibited Illumination.** An illuminated sign shall not:
 1. Be illuminated by flashing, intermittent, or moving lights;
 2. Contain or display animated, moving video, or scrolling advertising;
 3. Display messages for a period of fewer than eight seconds and use transitions or frame effects with an interval of more than two seconds;
 4. Include audio, pyrotechnic, or Bluecasting (Bluetooth advertising) components; or
 5. Consist of a static image projected upon a stationary object.
- E. **Sign Illumination.** Signs shall not exceed the following illumination levels:

Table 3.3.8-1 Maximum Sign Illumination Standards				
Type of Illumination	Distance from nearest residential use ¹			Not Visible from residential use ¹
	Less than 200 ft.	200 ft. to 500 ft.	More than 500 ft.	
Direct, Internal, or Backlit	90 foot-lamberts	150 foot-lamberts	250 foot-lamberts	250 foot-lamberts
Indirect or Reflected	10 foot-candles	25 foot-candles	50 foot-candles	50 foot-candles
Notes:				
1. Does not include residential uses within the Mixed-Use District.				

Sec. 3.3.9 Master Sign Program

- A. **Purpose.** The purpose of a master sign program is to allow for a unified presentation of signage throughout parcels proposed for development that are designed to function as one single unified development, as well as the flexibility to provide for unique environments.
- B. **Applicability.** The master sign program alternative is applicable to a single-tenant development that exceeds 25,000 square feet of gross floor area or a multi-tenant development that exceeds 10,000 square feet of gross floor area in the Mixed-Use (MU) zoning district and any PUD districts that allow for mixed use development.
- C. **Approval Criteria.** The Administrator may approve a master sign program for a multi-tenant or mixed-use development if as proposed it will result in a substantially improved, comprehensive, and unified proposal, as provided in Subsections 1 through 7 below, compared to what is allowed through strict compliance with all other provisions of this Division. The Administrator shall review all sign types (e.g., permanent or temporary) for the parcel or parcels proposed for development, to determine the degree of compliance with this Division as a supplement to, or in lieu of the sign standards otherwise applicable. Any deviations to the number, dimensions, locations, or design characteristics of

permanent signage that is sought by an applicant shall be justified in writing, and shall clearly demonstrate a standard of design and quality that exceeds those set out in this Division. Such demonstration may include any or all of the following:

1. Construction of brick or natural stone;
2. Consistent sizes, styles, and colors across the development;
3. Use of landscaping around the sign base;
4. Use of channel lettering;
5. Greater spacing between signs along street frontages;
6. Fewer total number of signs; and/or
7. Signs of reduced heights and areas.

D. **Standards for all Master Sign Programs.** Standards and permissions of master sign programs are as follows:

1. *Generally.* Subject to compliance with a master sign program that is approved according to the flexibility criteria set out in this Division, signs that are proposed as part of a master sign program may deviate from the standards of this Division in terms of the:
 - a. Types and numbers of signs allowed;
 - b. Maximum sign area; and
 - c. Materials and illumination standards (including electronic message centers).
2. *Prohibited Signs and Sign Elements.* Prohibited signs and sign elements are not eligible for inclusion in a master sign program unless specifically indicated in this Division.
3. *Architectural Theme.* All signs shall be architecturally integrated into or complementary to the design of the buildings and character of the site, and shall use similar and coordinated design features, materials, and colors. The master sign program shall establish an integrated architectural vocabulary and cohesive theme for the parcel(s) proposed for development.
4. *Uniform Signs in Multi-Use Developments.* Wall signs displayed by two or more businesses using common parking facilities shall be uniform in construction (i.e. channel letters, plaques) and lighting (i.e. direct, indirect).

E. **Contents of Master Sign Program.** All master signage programs shall include the following:

1. An accurate artistic representation of the proposed signage including color scheme and materials for each sign type.
2. A detailed listing of the number of signs by type (temporary, permanent, way-finding, etc.).
3. Inclusion of traffic control and public safety signage.
4. A map indicating the proposed signage's location within the development.
5. A comparison analysis showing how the master plan sign allows differentiation for the typical requirements.

F. **Phasing.** A developer may divide, update and modify the plan based on phased development so long as it provides an updated plan to the commission for review and approval no less than 60 days following the approval of a final plat for a new phase to be developed.

G. **Conditions of Approval.** The Planning Commission may impose reasonable conditions on the master sign program relating to the design, materials, locations, placements or orientations, and sign specifications that are not related to the content of the signs or the viewpoints of the sign users, in order to ensure continuing compliance with the standards of this Division.

H. **Duration.** An approved master sign program shall expire two years from the date of such approval if no substantial progress has been made towards completion of the project.

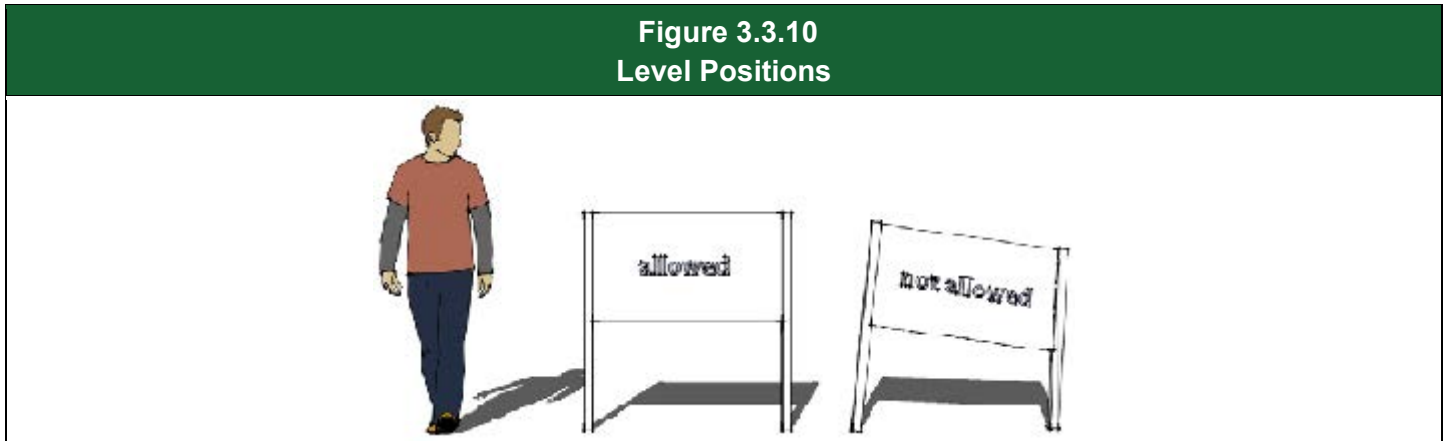
I. **Amendment.** Prior to the expiration of an approved master sign program, the applicant may apply for an amendment that alters the design, materials, locations, placements and orientations, and specifications of the signs. The Planning Commission may approve the amended master sign program if it is consistent with this Division, and does not increase the area or height of any sign by more than 10 percent.

J. **Submittal Requirements.** See Sec. 6.4.6, *Sign Permit*.

Sec. 3.3.10 Maintenance and Removal

A. **Generally.** Signs and sign structures of all types (attached, detached, and temporary) shall be maintained as provided in this Section.

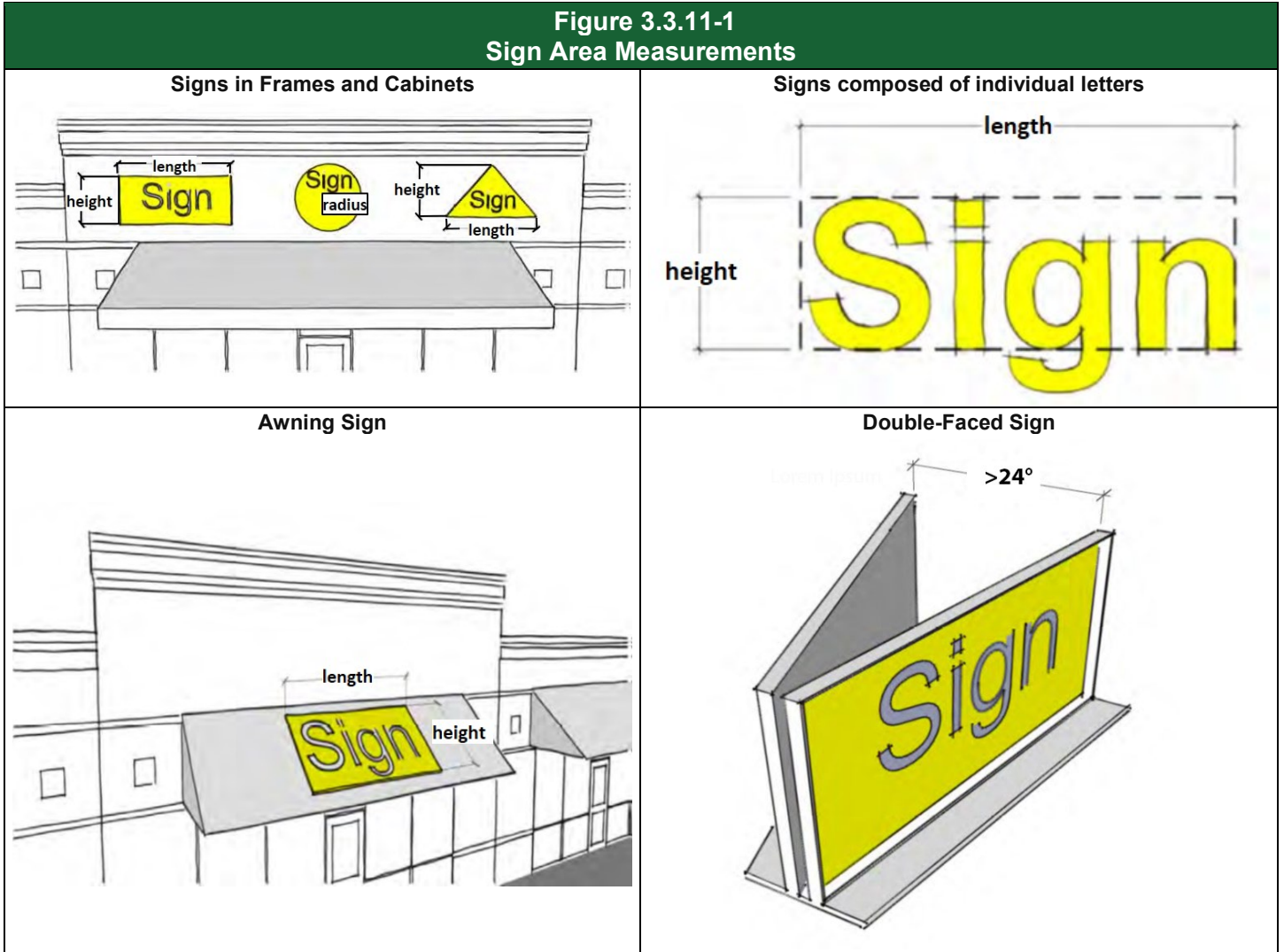
- B. **Message.** Signs shall display messages. Signs that do not display a message for a period of more than 30 days shall be deemed to be abandoned. Abandoned signage may be removed by the City at the owner's expense provided that the owner who was originally notified and given a reasonable time to comply does not remove the signage. See [Division 6.6, Enforcement Violations, and Remedies](#).
- C. **Paint and Finishes.** Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired promptly. Signs with running colors shall be repainted, repaired, or removed if the running colors were not a part of the original design.
- D. **Mineral Deposits and Stains.** Mineral deposits and stains shall be promptly removed.
- E. **Corrosion and Rust.** Permanent signs and sign structures shall be finished and maintained to prevent corrosion and rust.
- F. **Level Position.** Signs that are designed to be level, whether temporary or permanent, shall be installed and maintained in a level position. See Figure 3.3.10, *Level Position*



Sec. 3.3.11 Measurements

- A. **Generally.** The regulations of this Division shall be applied using the measurements set out in this Section.
- B. **Sign Area.** (See Figure 3.3.11-1, *Sign Area Measurements*)
 1. *Signs in Frames or Cabinets.* The area of a sign enclosed in a frame or cabinet shall be determined on the basis of the outer dimensions of the frame or cabinet surrounding the sign face(s).
 2. *Signs Composed of Individual Letters, Figures or Elements on a Wall, Window, or Similar Surface of a Building or Structure.* The area and dimensions of the sign shall be encompassed by a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, and any applied background that is not part of the architecture of the building or structure. When separate elements are organized to form a single message but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which encompass all of the display areas, including the space between different elements.
 3. *Monument Signs.* The sign area shall be determined by the regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes that encompass the perimeter of the sign display or message and all portions of a background surface that differentiate the message display area from the overall monument structure.
 4. *Three Dimensional Signs.* The sign face area shall be determined on the basis of the maximum surface area visible from any one perspective.
 5. *Awnings and Marquees.* When signs are incorporated into awnings and marquees, the sign area shall be determined by measuring the area encompassed by a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the sign display or message.
 6. *Temporary Signs.* The sign area shall be determined on the basis of the perimeter dimensions of the temporary sign.
 7. *Double-Faced Signs.*

- a. When two identical sign faces are placed back-to-back so that both faces cannot be viewed from any single perspective at the same time, and are part of the same sign structure, the sign area shall be computed by measurement of one of the two faces. When a sign has more than two display surfaces, the area of the sign shall be the area of the largest display surfaces that are visible from any single perspective.
- b. When a double-faced sign having nonparallel faces such that the angle between the faces exceeds 24 degrees, the sign area shall be calculated as the total of both sign faces.



C. **Sign Clearance.** Sign clearance is the distance between the bottom of a sign face or structural element that is not affixed to the ground and the nearest point on the surface under it. See Figure 3.3.11-2, *Sign Clearance Measurement*.

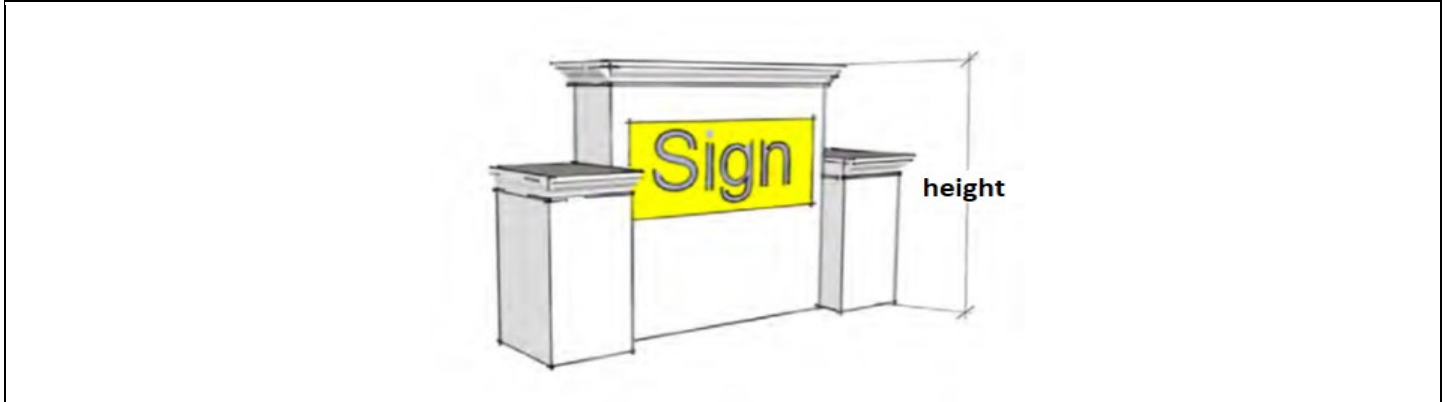
**Figure 3.3.11-2
Sign Clearance Measurement**



D. Sign Height. (See Figure 3.3.11-3, *Sign Height Measurements*)

1. The height of a monument sign shall be measured from the base of the sign's supportive structure at its point of attachment to the ground to the highest point of the sign structure.
2. The height of a wall sign shall be measured from the point where the supporting wall meets the ground to the top of the highest point of the wall sign.

**Figure 3.3.11-3
Sign Height Measurements**



Division 3.4 Outdoor Lighting

Sec. 3.4.1 Purpose

The purposes of this Division are to provide regulations for outdoor lighting that will:

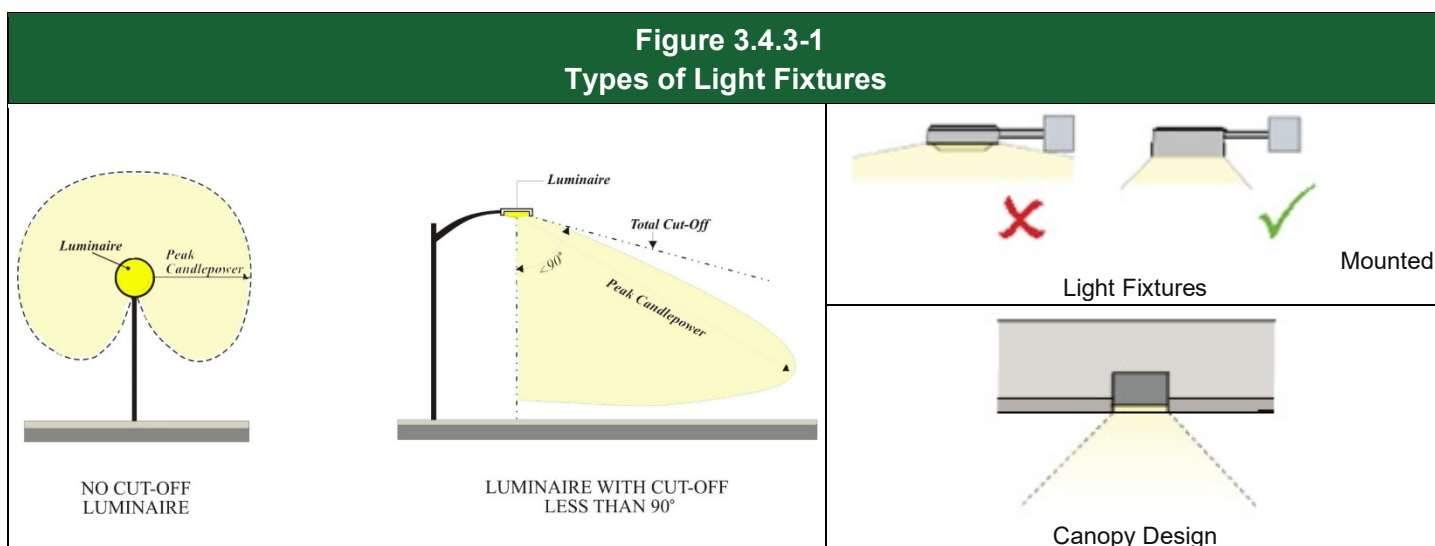
- A. Serve to create a safe and comfortable nighttime environment, while protecting the public's ability to view the night sky;
- B. Permit the use of outdoor lighting that does not exceed the minimum levels specified for nighttime safety, utility, security, productivity, enjoyment, and commerce;
- C. Minimize adverse offsite impacts of lighting such as light trespass, and obtrusive light;
- D. Curtail light pollution, reduce skyglow and improve the nighttime environment for astronomy;
- E. Help protect the natural environment from the adverse effects of night lighting from gas or electric sources; and
- F. Conserve energy and resources to the greatest extent possible.

Sec. 3.4.2 Applicability

- A. **Applicability.** The standards of this Section apply to all property in the City, except as provided in subsection B.
- B. **Exemptions.** The following types of exterior lighting are exempt from the requirements of this Division provided they shall not produce light trespass onto adjacent properties or create glare to motorists:
1. *Municipal Lighting.* Municipal lighting installed for the benefit of public health, safety and welfare including, but not limited to, traffic control devices, street lights and construction lighting;
 2. *Required Lighting.* Lighting required by the Federal Aviation Administration (FAA) or the Federal Communications Commission (FCC);
 3. *Sign Lighting.* Lighting solely for signs, which is regulated by [Division 3.3, Signs](#);
 4. *Single-Family Uses.* Soffit or wall-mounted luminaires that are permanently attached to residential dwellings, downcast and directed not to exceed the height of the roofline or eave of the face the light is affixed;
 5. *Holiday or Seasonal Decorative Lighting.* Temporary decorative seasonal lighting provided that individual lamps have a light output of less than 10 watts and 70 lumens;
 6. *Underwater Lighting.* Underwater lighting in swimming pools and other water features; and
 7. *Temporary Lighting.*
 - a. Emergency or night time work and construction;
 - b. Temporary lighting for theatrical, television, and performance areas, or for special events authorized through a temporary use permit; or
 - c. Temporary lighting used by law enforcement, fire, and other emergency services for the benefit of public health, safety, and welfare.

Sec. 3.4.3 Lighting Standards

- A. **Generally.** All lighting shall be shielded so the source of illumination (bulb or direct lamp image) is not visible from the property line. This reduces glare and interference with boundary streets and adjacent properties. No lamp shall extend past the housing of a light fixture.
- B. **Light Fixture Type.** Light fixtures shall be:
1. "Full cut-off" fixtures as defined by the Illuminating Engineers Society of North America (IESNA);
 2. Of constant intensity;
 3. Reflected or shielded so as not to:
 - a. Be of excessive brightness;
 - b. Cause hazardous glare to pedestrians or drivers;
 - c. Create any public or private nuisance; or
 - d. Unreasonably interfere with an adjacent property owner's right to enjoy their property.



- C. **Full Cut-Off.** All lighting (including, but not limited to vehicle use areas, canopies, security, walkway, landscaping, signs, outdoor display areas, and building) shall have 100 percent of its output below 90 degrees from a vertical line through the fixture as illustrated in Figure 3.4.3-1, *Types of Light Fixtures*.
- D. **Adjacent to Residential Use or District.** All light fixtures mounted within 15 feet of any residential property line of the site shall be classified as Illuminating Engineering Society (IES) Type II or Type III, or fixture demonstrated to provide similar distribution patterns and shielding properties. Fixtures shall be fitted with "house side shield" reflectors on the sides facing the residential property line. Light levels shall not exceed 0.1 foot-candles 20 ft. from the abutting property line as a direct result of the on-site lighting.
- E. **Flags and Statutes.** Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light that will not extend beyond the illuminated object.
- F. **Not Visible Above Roofline.** For upward-directed architectural, landscape, and decorative lighting, direct light emissions shall not be visible above the primary building roofline.
- G. **Outside Wall-Mounted Lighting.** Outside wall-mounted lighting must also comply with the standards of this Section.
- H. **Maximum Fixture Height.**
 1. *Freestanding Fixtures.* No freestanding light fixture shall be greater than 24 feet in height, except as set out in subsection J, *Illumination*, of this Section.
 2. *Fixtures Mounted on Residential Buildings and Accessory Structures.* Fixtures that are mounted on residential buildings or accessory structures shall be located no higher than 16 feet or above the lowest point of the roof eave, whichever is lower.
 3. *Fixtures Mounted on Nonresidential Buildings.* Fixtures that are mounted on nonresidential buildings shall not be located above the highest point of the roofline of any building.
 4. *Full Cut-Off Fixtures Attached to Buildings.* Full cut-off fixtures shall have a maximum height of 21 feet.
- I. **Minimum Spacing.** All freestanding light pole fixtures shall be separated by a minimum of 60 feet, as measured from the base of the pole.
- J. **Illumination.** Outdoor lighting installed after the effective date of this ULDC shall not exceed the footcandle values in Table 3.4.3-1, *Illumination Standards*, and Table 3.4.3-2, *Parking Lot Lighting*.

Table 3.4.3-1 Illumination Standards				
Zoning Districts	Maximum Footcandle adjacent to a Residential Property Line	Maximum Footcandle adjacent to a Nonresidential Property Line	Maximum Footcandle adjacent to a Public Right of Way	Average Permitted Horizontal Footcandles
All values are stated in horizontal footcandles (fc)				
MU, PUD (mixed-use)	0.5 fc	2.0 fc	1.0 fc	5.0 fc
ER, OS, PUD (residential)	0.5 fc	5.0 fc	2.0 fc	20.0 fc
Table Note: 1. Footcandles are measured horizontal from the surface of the property by holding a light meter parallel to the ground approximately one foot off the surface.				

- K. **Parking Lot Lighting.** Parking facilities, including structured and open parking lots, spaces, drive aisles, entrances, stairways, and elevator lobbies must meet the illumination standards set out in Table 3.4.3-2, *Parking Lot Lighting*. Light fixtures must be designed and installed to prevent glare from being cast outside of any parking structure or parking lot, and shall not exceed the limits stated in Table 3.4.3-1, *Illumination Standards*.

Table 3.4.3-2 Parking Lot Lighting	
Standard	Footcandle (fc) Requirement ¹
Minimum Horizontal Illuminance ¹	0.2 fc
Average Horizontal Illuminance ¹	2.0 fc
Uniformity Ratios (Horizontal Illumination) Average to Minimum	4:1
Maximum to Minimum Ratio	15:1
Table Notes: A. Measured on the parking surface, without any shadowing effect from parked cars or trees.	

- L. **Canopy Lighting.** Canopy lighting for uses that have sheltered outside work or service areas, such as convenience stores and gasoline stations, must recess all luminaries into the canopy so that they cannot be viewed off-site from an eye height of four feet (to protect automobile drivers from glare) and shall meet the standards set out in Table, 3.4.3-1, *Illumination Standards*.
- M. **Lighting for Commercial Amusement, Outdoor Facilities.**
1. *Average Permitted Horizontal Footcandle Exemption.* Illumination levels for commercial amusement, outdoor uses (including athletic fields) may exceed the maximum permitted horizontal footcandle requirements and shall be:
 - a. Designed to be no higher than recommended for the appropriate class of play, as defined by the current version of the IESNA publication IES RP-6-15; and
 - b. Comply with the maximum footcandles adjacent to residential and nonresidential property lines standards established in Table 3.4.3-1, *Illumination Standards*.
 2. *Shielding.*
 - a. Fixtures used for non-aerial sports shall be fully-shielded.
 - b. Fixtures used for aerial sports, such as baseball and softball, shall be shielded to the fullest extent possible while also allowing the minimum vertical illuminance needed to track the ball.
 3. *Certification.* Lighting systems for outdoor recreational facilities shall be designed and certified by an engineer registered in the State of Colorado as conforming to all applicable restrictions of this Code before construction commences. After installation is complete, the lighting system shall be again certified by a registered engineer in the State of Colorado to verify that the installation is consistent with the certified design.
 4. *Curfew.* No outdoor athletic facility shall be illuminated between 10:30 p.m. and sunrise, except to conclude any officially sanctioned and scheduled recreational or sporting event in progress prior to the aforementioned curfew time.
- N. **Prohibited Lighting Fixtures, Sources, or Types.** The following types of outdoor lighting fixtures, sources, or types are prohibited in the City:
1. Upward directed lighting that allows spillage of light pollution into the sky;
 2. Exposed illumination source (e.g. light bulbs);
 3. Blinking, flashing, or changing intensity lights including those proposed for signage;
 4. Lighting that could be confused with a traffic control device;
 5. Lighting of a type, style, or intensity determined to interfere with the safe flow of traffic;
 6. Lighting creating a public hazard, including lighting that creates a glare has a detrimental effect on motor vehicle traffic;
 7. Strobe lights, searchlights, beacons, and laser light, or similar upward- or outward-oriented lighting;
 8. High-pressure sodium, mercury vapor, and fluorescent lamps or bulbs;
 9. Exposed neon, exposed LED, or similar exposed lighting;
 10. High-intensity floodlighting exceeding 200,000 initial luminaire lumens or intensity in any direction of more than 2,000,000 candelas, except as approved for sports facility lighting; and
 11. Wall pack light fixtures that are not classified as full cut-off.
- O. **Installation and Maintenance Standards.**
1. *Generally.* The operation and maintenance cost of the exterior lighting system shall be the responsibility of the property owner.
 2. *Maintenance Requirements.* Exterior lighting systems shall be maintained in good working order. Maintenance shall include replacement of bulbs and light fixtures that are not working, and regular cleaning of light fixtures as needed.