

ARTICLE 2: DISTRICTS AND USES

Drafting note- Inconsistencies and formatting will be addressed upon the Town Attorney and DRT review

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- 17.2.020 Unlisted Uses
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- 17.2.120 Residential Multi-Family (R-MF) *current R-4*
- 17.2.130 Business and Industrial Center Mixed Use (B-I MU) *current C-1 General Business and Commercial [North End]*
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- 17.2.170 Planned Development District (PD)

17.2.010. ZONES ESTABLISHED.

(a) In order to carry out the provisions of this Code, the Town is divided into the following zoning districts:

District names shall include lot size where applicable- we also need to consider what will fit on the Official Zoning Map

Current Zone District	Description or Minimum lot or parcel size
RA	RA - Residential Agricultural (5 acres) <i>this includes Scenic Highway 105 corridor per Master Plan and lands on the edge of town that are called Environmentally Sensitive</i>
RE Estate (2½ acres or more)	R-2.5 - Residential Large Lot (2.5 acres)
R1 (1 acre or more) R-2- (½ acre or more)	R-1/2 Low Density Residential (1/2 acre)
R3 – (5,000 sq. ft. or more)	R-5,000 - Small Lot Residential (5,000 square feet)
R-10,000 Intermediate Medium Density Residential Zone (10,000 sq. ft. or more)	R-10,000 - Medium Density Residential Zone (10,000 square feet)
R4 - High Density Residential	R-MF (R-15,000)
CC Convenience Commercial Zone (6,600 sq. ft. or more)	Downtown Mixed Use (DMU)
C1 –General Business and Commercial (6,600 sq. ft. or more)	(North End) Business Industrial Mixed-use (BI-MU)
C2 – General Business and Commercial Zone (6,600 sq. ft. or more)	Village Mixed Use (VMU)
M1 – General Industrial	(North End) Business Industrial <i>combines M-1 with C1 per Future Land Use Plan</i>
O1 – Open	REC- OS Recreation and Open Space
F1 – Floodplain	<i>Moves to Article 4</i>
HO – Hillside Overlay	<i>This is the stormwater quality ordinance and applies to all land in TOPL-this will move from 17.68 to Article 3 or Article 4</i>

(b) **Intent.** Each zone district includes a description of location, natural and built characteristics, and attributes applicable to zoned land parcels which carries out the intent of the Community Master Plan. Appropriate uses shall be located and designed to fulfill the desired characteristics and objectives of the zone district.

(c) **Use Regulations.** No use shall be allowed in any zoning district unless it is specifically enumerated as an allowed principal use or accessory use in the particular zoning district or has been approved as a Conditional Review Use following public hearings by Planning

Commission and the Board of Trustees. Each zone district includes the following categories:

- (1) Permitted principal uses are uses by right, permitted within the particular zone district subject to required permits or other approval processes. Permitted principal uses for single-family or duplex dwelling unit/structures, and require a plot plan and building permit approval. All multi-family and non-residential uses (including but not limited to commercial and Industrial uses) require site plan approval and building permit approval.
 - (2) Permitted accessory uses and structures are a use by right customarily incidental to the permitted principal use, provided that they meet all applicable regulations. Permitted accessory uses require a plot plan where the principal use is a single dwelling unit or duplex and building permit approval. All other accessory uses require site plan approval and building permit approval.
 - (3) Conditional Review Uses are uses that may be allowed in the zone district subject to any applicable regulations. Conditional Review Uses may be permitted if it can be demonstrated that the location and the site proposed for the use is appropriate, supports the purposes and intent of the zone district, and is compatible with the surrounding area. Conditions to mitigate impacts are attached to the Conditional Review Use Permit. Conditional Review Uses require the issuance of a permit approved by resolution after a duly noticed public hearing by both the Planning Commission and Board of Trustees.
- (d) **Dimensional Requirements.** Dimensional requirements are minimum requirements which apply to the siting and massing of buildings and structures on the lot. Dimensional requirements include:
- (1) Minimum lot area.
 - (2) Minimum lot width.
 - (3) Maximum gross density.
 - (4) Setbacks: front, rear, and side yard setbacks.
 - (5) Maximum impervious coverage.
 - (6) Maximum building height.
 - (7) Separation between building structures.
- (e) **Development Standards.** Development standards are minimum standards that apply to development and uses within the zone district. A site plan or plot plan approval is required. Development standards specific to each zone district are listed within the zone district.

General standards pertaining to all zone districts are found in Article 3 of this Chapter and apply to residential, nonresidential development, and special purpose districts.

17.2.020 UNLISTED USES.

- (a) **Uses not listed in a zone district.** The Planning Commission will consider new uses not listed in any zone district. If a use is not listed in the Use Table, the Planning Commission shall use the following criteria to determine the appropriate category for a use.
- (1) North American Industrial Classification System (NAICS) to assist in the interpretation of the similarity of uses.
 - (2) Uses similar in nature but not listed shall be considered a conditional review use that goes before Planning Commission for a recommendation and Board of Trustees to decide on approval.
 - (3) All other uses are prohibited.
- (b) Upon making a determination if the use may be allowed as a Conditional Review Use, the Planning Commission shall forward their recommendation to the Board of Trustees for a final finding.

Sec. 17.2.030. Official Zoning Map.

- (a) The boundaries of the districts established by this LDC shall be shown on a map entitled "Official Zoning Map". A signed and up-to-date copy shall be maintained at the Palmer Lake Town Hall. Original copies of the official map and all amendments thereto shall be maintained by the Town Clerk. In any dispute regarding the classification of property subject to this LDC, the original map maintained by the Town Clerk shall control.
- (b) **Interpretation of District Boundaries.** Where uncertainty exists as to the boundaries of any district shown on the Official Zoning Map, the following rules shall apply:
- (1) Except where otherwise indicated, zone district boundaries shall follow municipal corporation limits, section lines, $\frac{1}{4}$ section lines, $\frac{1}{2}$ section lines, center lines of major rivers or tributaries, lot lines of platted blocks, center lines of all platted roads, highways, and right-of-way lines, including railroad right-of-way, or extensions thereof.
 - (2) For non-subdivided property or where a zone district boundary divides a lot or parcel, the location of such boundary, unless indicated by dimension, shall be determined by the scale of the Official Zoning District Map.
 - (3) Where a zone district boundary coincides with a right-of-way line and the right-of-way is abandoned, the zone district boundary shall then follow the centerline of the former right-of-way.
 - (4) Land not part of a public, railroad, or utility right-of-way which is not indicated as being in any zone district shall be considered to be included in the most restricted adjacent zone district even when such district is separated from the land in question by a public, railroad, or utility right-of-way.

(5) In the event of any other uncertainty not mentioned in this Section, the Town Administrator shall recommend the location of such boundaries to the Board of Adjustment, and the Board of Adjustment shall make the final determination.

(c) Amendments to Official Zoning Map. Changes in the boundaries of any zone district shall be made only upon a zone amendment pursuant to the procedures of this Chapter. An amendment shall be promptly entered on the Official Zoning Map with an entry on the map giving the number of the amending ordinance and the date with the signature of the Mayor, attested by the signature of the Town Clerk.

Sec 17.2.040 Minimum Size for New Zone Districts

Unless contiguous to the same zone district, all newly created zone districts or zone changes shall be greater than five (5) acres in size. Planned Development (PD) zone districts shall be a minimum of 5 acres. When contiguous to an existing district of the same designation, the minimum dimensional requirements from the zoning district to the proposed zone change shall apply.¹

¹ The minimum size requirement will prevent spot zoning.

Sec. 17.2.050 Use Table

Table of Uses in Each Zone District										
<p>Note: Asterisk (*) – See Definitions for more specific description of this use.</p> <p>Use Key: A – Accessory C – Conditional Review P - Permitted</p>	RA	R-2.5	R-1	R-5,000	R-MF	R-10,000	DMU	B-1-MU	V-MU	Rec-OS
	Agricultural Uses									
Accessory structures and/or shelter for agricultural implements and tools used to maintain premises and uses that assist in the production of value-added agricultural products	A	A								
Agricultural field operations*	P									
Animal boarding including kennels, veterinary facilities, and clinics	P	P								
Animal hospitals*	C	C							C	
Animal hospitals and kennels, provided that a minimum area of five acres is available for said kennel								C		
Equestrian riding stables and arenas, public or private	P	C								
Equestrian stabling and grazing	P	P								
Husbandry of domesticated farm or ranch animals	P	P								
Nursery/tree farm*	P									
Optional premises cultivation operations as such term is defined in chapter 5.30 as and if otherwise allowed and regulated by chapter 5.30.								C		
Residential Uses										
Accessory dwelling unit limited to 750 square feet (<i>per State Law this may need to be an administrative review but we could add pre-determined criteria</i>)	C	C	C	C	C	C	C	C	C	C
Any residential development that is not mixed use or any residential development greater than 6 units per building and/or 12 units per net residential acre					C					

<p>Note: Asterisk (*) – See Definitions for more specific description of this use.</p> <p>Use Key: A – Accessory C – Conditional Review P - Permitted</p>	RA	R-2.5	R-1	R-5,000	R-MF	R-10,000	DMU	B-1-MU	V-MU	Rec-OS
	Residential Uses (continued)									
Caretaker unit	A							P		
Dwelling units subordinate in size to the principal use and located on the second floor of a permitted principal use or in the rear of a permitted accessory use							A		A	
One single detached dwelling per lot	P	P	P	P		P				
Duplexes (defined as two-family)				C	C					
Home based businesses as specified in Chapter 17.X.XX	A	A	A	A	A	A	A	A	A	
Live/work							P	P	P	
Mixed, residential dwelling and commercial uses occurring in the same building								P	P	
Multi-family housing not to exceed twelve units per acre on the same lot as the principal use								A		
Multi-family residential, density greater than 12 units per acre								C	C	
Multi-unit attached residential dwellings not to exceed 4 units per structure with or without zero property lines					P					
Owner-occupied or nonprofit group home*	P	P	P		P					
Residential dwelling not to exceed 4 total dwelling units per lot							C			
Type I manufactured homes									C	
Commercial Uses										
Bed and breakfast establishments	C	C			C					
Childcare centers – 5 to 16 children) per CRS XXX			C		C	C		P	P	
Childcare in home (less than 5 children per CRS XXX	P	P	P	P		P				
Commercial accommodations only if parking can be provided onsite							C			
Daycare center, adult or child									P	
Eating and drinking establishments							P	P	P	
Financial Institutions							P	P	P	
Funeral homes and mortuaries								P		

<p>Note: Asterisk (*) – See Definitions for more specific description of this use.</p> <p>Use Key: A – Accessory C – Conditional P - Permitted</p>	RA	R-2.5	R-1	R-5,000	R-MF	R-10,000	DMU	B-I-MU	V-MU	Rec-OS
	Commercial Uses (continued)									
Light assembly including arts/crafts shops such as woodworking, pottery, jewelry or other craft-based industries							P	P	P	
Light equipment sales and repair								P	P	
Lodging and meeting facilities, including hotels, motels and extended stay lodging, reception and banquet halls, event and conference centers, and excluding RV parks							C	C	C	
Medical and dental clinics							P	P	P	
Micro-brewery, Micro-distillery, or Micro-winery							P	P	P	
Offices					C		P	P	P	
Personal or Business Services							P	P	P	
Recreation and cultural facilities, public or non-public							P			
Recreation and entertainment, indoor								P		
Recreation and entertainment, outdoor								C		
Retail sales							P	P	P	
Small inns and lodges ranging from 5 to 20 rooms only if located above ground floor of nonresidential uses							P			
Any establishment with a drive-thru facility							C	C	C	
Vehicle fuel sales (no trucks)								P	P	
Vehicle sales, leasing, rental, and service (no trucks)								C		
Vehicle car wash								C		
Industrial Uses										
Building materials and supply sales, provided any outdoor storage is screened from view								P		
Composting facility								P		
Contractor shop and yard								P		
Industrial, artisan								P		

Note: Asterisk (*) – See Definitions for more specific description of this use. Use Key: A – Accessory C – Conditional P - Permitted	RA	R-2.5	R-1	R-5,000	R-MF	R-10,000	DMU	B-I-MU	V-MU	Rec-OS
	Industrial Uses (continued)									
Industrial, light								P		
Light assembly of prefabricated parts; arts/crafts shops such as woodworking, pottery, jewelry or other craft-based industries							C	P	P	
Light manufacturing								P	C	
Mini-warehouses and storage rental spaces									C	
Outdoor storage								C	C	
Vehicle repair, major								C		
Warehouses and wholesale businesses								P		
Wholesale operations provided that traffic impacts can be mitigated									C	
Public and Institutional Uses										
Cemetery	P	P	P							
Emergency services including ambulance services								C	C	
Institutional and quasi-public uses*					C					
Non-public schools*		C		C		C	C	C	C	
Nursing homes, hospitals								C	C	
Public buildings, including police and fire stations or facilities, and civic facilities	P	P	P	P	P					
Public or community uses including public facilities, libraries, parks, museums, art galleries, and post offices										
Public schools for primary education (K-12)	P	P	P	P	P	P	P	P	P	
Religious institutions*	P	C	C	C	C	C	C	C	C	
Parks, Recreation, and Open Space Uses										
low-impact recreational uses								C	C	P
Picnic grounds with facilities										P
Public parks, recreation, trails and open space	P	P	P	P	P	P	P	P	P	P

Note: Asterisk (*) – See Definitions for more specific description of this use.											
Use Key: A – Accessory C – Conditional P - Permitted	RA	R-2.5	R-1	R-5,000	R-MF	R-10,000	DMU	B-1-MU	V-MU	Rec-OS	
Parks, Recreation, and Open Space Uses (continued)											
Skating rinks, which shall be, if covered or with seating stands, in accordance with the Community Master Plan											C
Sporting courts, tennis courts, swimming pools, and other similar recreational facilities	A	A									P
Outdoor Arena with seating for no more than 150 patrons											C
Trails including use by bicycle, horse riding, hiking											P
Utilities											
Solar energy systems - accessory and small	A	A	A	A	A	A	A	A	A	A	A
Solar energy systems - community scale									P		
Utilities, major facilities									P		
Utilities, minor facilities	P	P	P	P	P	P			P	P	
Wireless communication facilities (WCF)									P	P	C
Accessory Uses and Structures											
Accessory structures or uses that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot	A	A	A	A	A	A	A	A	A	A	A
Any permanent accessory structure that exceeds 720 square feet per lot	C	C	C	C	C	C	C	C	C	C	C
Private garages subordinate in size to the principal structure	A	A	A	A	A	A					

Sec. 17.2.060 Dimensional Requirements Table

Table of Dimensional Standards										
Key: ac - acre ' - feet du – dwelling units sf – square feet	RA	R-2.5	R-1	R-5,000	R-MF	R-10,000	DMU	B-1-MU	V-MU	Rec-OS ³
Minimum lot area (ac.)	5 ac.	2.5 ac.	0.5 ac.	5,000 sf	15,000 sf	10,000 sf	6,600 sf	6,600 sf	6,600 sf	
Minimum lot width (feet)	250'	150'								
Minimum lot frontage (feet)			75'	50'	100'	50'	35'	35'	35'	
Net density (du/ac)					12 du /ac					
Maximum front setback from back of sidewalk (feet)							10'			
Minimum setback:										
From Highway 105 (feet) ¹	200 ¹	200 ¹								
From front property line (feet)	50'	25'	25'	25'	25'	25'		20'	20'	
From side property line (feet)	25'	10'	10'	7.5'	10'	7.5'	see note ¹	see note ¹	see note ¹	
From rear property line (feet)							10'			

SEC 17.2.70 RESIDENTIAL AGRICULTURAL ZONE (RA)

(a) Intent. The intent of the Agriculture Ranch Residential district is to protect and preserve the area’s agricultural heritage and allows for larger lot development that assists in retaining the rural character of Palmer Lake, helps ensure that new development retains the natural conditions of the environment, and allows for home-based businesses to help provide homeowners with additional economic means for maintaining permanent residency. The RA zone also includes areas that are characterized by forested steep slopes that are difficult to develop. This district is intended to preserve primarily open lands that are five (5) acres or larger and includes areas that may be difficult to serve by gravity sanitary sewer.

(b) Use Regulations

(1) Principal Permitted Uses.

- a. One (1) single detached dwelling unit per lot.
- b. Husbandry of domesticated farm or ranch animals.
- c. Field operations including field preparation, planting, fertilizing, cultivating, harvesting, tilling, herbicide/pesticide spraying, haymaking, mowing, crop storage, hauling, and agricultural uses, including family farms and ranching businesses on slopes of less than 15%.
- d. Nursery/tree farm that involves the planting, growing, cultivating, cutting, and harvesting of nursery stock or sod growing on a site, and the loading, unloading, and sorting of nursery stock or sod on slopes of less than 15%.
- e. Animal boarding, including kennels, and veterinary facilities, and clinics.
- f. Equestrian riding stables and arenas, public or private.
- g. Equestrian stabling and grazing.
- h. Bed and breakfast establishments.
- i. Small Solar energy systems.²
- j. Parks and Open Space.
- k. Public buildings, including police and fire stations or facilities, and civic facilities.
- l. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter 17.XX Off-Street Parking.
- m. Cemetery.
- n. Public schools for primary education (K-12).
- o. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use.
- p. An owner-occupied or nonprofit group home, as these terms are defined by Section 31-23-303, C.R.S., as a principal use if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.

(2) Permitted Accessory Uses and Structures.

- a. Accessory structures and uses that assist in the production of value-added agricultural products.

² The size will be defined in the definitions e.g. 15 kw is 36 panels while 500 kw is 1177 panels

- b. Accessory dwelling unit limited to seven hundred and fifty (750) square feet.³
 - c. Private garages.
 - d. Shelter for agricultural implements and tools used to maintain premises
 - e. Home based businesses as specified in Chapter 17.X.XX
 - f. Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot.
 - g. Sporting courts, tennis courts, swimming pools, and other similar recreational facilities
 - h. Solar energy systems – accessory and small.
- (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
- a. Childcare facilities
 - b. Group homes exceeding eight (8 persons)
- (c) Dimensional Requirements
- (1) Minimum lot size: five (5) acres.
 - (2) Minimum lot width: two hundred and fifty (250) feet.
 - (3) Minimum front yard setback from property line, fifty (50) feet.
 - (4) Minimum setback from State Highway 105: one hundred (100) feet or the average setback on all parcels within 750 ft. whichever is greater.
 - (5) Maximum impervious coverage: 15%
 - (6) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
 - (7) Maximum building height, 30 feet.
 - (8) Maximum area to be covered by buildings, twenty-five (25) percent.
 - (9) Minimum Side Yard Setback: twenty-five (25) feet only if applicable nuisance standards are met.
 - (10) Minimum Rear Yard Setback: twenty-five (25) feet.
 - (11) Minimum Distance between structures: fifteen (15) feet
- (d) Development Standards.
- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX

³ This could include guest or worker's quarters- I don't think we need to list this as the impact is the same as an ADU.

- (2) Structures and areas where animals are kept shall comply with the requirements of Chapter 17.XX Animal Raising and Keeping.
- (3) Development shall be located, sited and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features. In addition, the site layout shall protect and preserve wetlands and riparian areas, critical wildlife habitats and natural features and landmarks.
- (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (6) On lots of five acres or more, individual sewer facilities may be installed according to regulations herein and the appropriate County and state laws, however where a public sanitary sewer is accessible by gravity flow within 500 feet of a lot, the property shall connect to the sewer system. (See 16.40.100)
- (7) Design standards for building form and siting are set forth in Section 17-3-X.

SEC 17.2.80 RESIDENTIAL LARGE LOT (R-LL)

(a) Intent. The Residential Large Lot district is designed to accommodate very low-density single-family residential uses on large lots that may allow the keeping of animals at specified density limits as set forth in 17.XX Animal Raising and Keeping. The R-LL zoning district promotes the continuance of single family neighborhoods by:

- Allowing for larger lot development that assists in retaining the rural character of Palmer Lake.
- Allowing for agricultural and home-based businesses to help provide homeowners with additional economic means for maintaining permanent residency.
- Ensuring that new development retains the natural conditions of the environment and land.

(b) Use Regulations.

- (1) Principal Permitted Uses.
 - a. One (1) single detached dwelling unit per lot.
 - b. Husbandry of domesticated farm or ranch animals.
 - c. Animal boarding, including kennels, and veterinary facilities, and clinics.
 - d. Equestrian stabling and grazing, private.
 - e. Bed and breakfast establishments.

- f. Small accessory solar energy systems.⁴
 - g. Parks and Open Space.
 - h. Public buildings, including police and fire stations or facilities, and civic facilities.
 - i. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter 17.XX Off-Street Parking.
 - j. Cemetery.
 - k. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use.
 - l. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.
- (2) Permitted Accessory Uses and Structures.
- a. Accessory dwelling unit limited to seven hundred and fifty (750) square feet.⁵
 - b. Private garages.
 - c. Shelter for agricultural implements and tools used to maintain premises.
 - d. Sporting courts, tennis courts, swimming pools, and other similar recreational facilities.
 - e. Home based businesses as specified in Chapter 17.X.XX.
 - f. Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot.
 - g. Solar energy systems – accessory and small.
- (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
- a. Equestrian riding stables and arenas, public or private.
 - b. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.

⁴ Defined term per Statute

⁵ This could include guest or worker's quarters- I don't think we need to list this as the impact is the same as an ADU.

- c. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX-Off-street Parking
- d. Any permanent accessory structure that exceeds 720 square feet per acre of land.
- e. Animal hospitals provided the principal structures or uses are not less than 100 feet from any residential district and provided that adequate buffer or screen protection is provided.
- f. Group homes exceeding eight (8 persons).

(c) Dimensional Requirements.

- (1) Minimum lot size: two and one-half (2.5) acres.
- (2) Minimum lot width: one hundred and fifty (150) feet.
- (3) Minimum front yard setback from property line: twenty-five (25) feet.
- (4) Minimum setback from State Highway 105: two hundred (200) feet
- (5) Maximum impervious coverage: 35%.
- (6) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (7) Maximum building height, 30 feet.
- (8) Minimum Side Yard Setback: ten (10) feet.
- (9) Minimum Rear Yard Setback: twenty-five (25) feet.
- (10) Minimum Distance between structures: fifteen (15) feet.

(e) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) Structures and areas where animals are kept shall comply with the requirements of Chapter 17.XX Animal Raising and Keeping.
- (3) Development shall be located, sited and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features. In addition, the site layout shall protect and preserve wetlands and riparian areas, critical wildlife habitats, and natural features and landmarks.
- (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (6) On lots of two and one-half acres or more, individual sewer facilities may be installed according to regulations herein and the appropriate County and state laws, however

where a public sanitary sewer is accessible by gravity flow within 500 feet of a lot, the property shall connect to the sewer system. (See 16.40.100.)

- (7) Any required central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and the state health department.
- (8) Design standards for building form and siting are set forth in Section 17-3-X.

SEC 17.2.90 LOW DENSITY SINGLE FAMILY DETACHED RESIDENTIAL (R-1)

(a) **Intent.** The intent of this district is to preserve the established low-density single-family neighborhoods throughout the community. The lots should continue to be of sufficient size to allow for off-street parking. This residential category allows for a range of housing choices. Residential density should be at least one dwelling unit per 1/2 acre which assists in retaining the rural character of Palmer Lake. Residences in the single-family category are generally characterized by a mix of compatibly designed detached single-family houses, sufficient landscaping, variety in architectural design, and usable open space that helps ensure compatibility with existing residences and the natural environment.

Commented [SM1]: Of how many cars?

(b) Use Regulations.

- (1) Principal Permitted Uses.
 - a. One (1) single detached dwelling unit per lot.
 - b. Parks and Open Space.
 - c. Public buildings, including police and fire stations or facilities, and civic facilities.
 - d. Cemetery.
 - e. Public schools for primary education (K-12).
 - f. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use.
 - g. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.
- (2) Permitted Accessory Uses and Structures.
 - a. Accessory structures that are customarily incidental to any of the permitted principal uses, are subordinate in size to the principal structure and are located on the same lot. Examples of residential accessory uses and structures include, but are not limited to sheds, play areas and equipment, landscape areas and gardens and well houses, pools.
 - b. Home-based businesses as specified in Chapter 17.X.XX.
 - a. Private garages, subordinate in size to the principal dwelling.
 - b. Solar energy systems – accessory and small.

- c. Sporting courts, tennis courts, swimming pools, and other similar recreational facilities provided they are located in the rear yard of the lot.
- d. Keeping of animals as specified in Chapter XX.X.XX.

(3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:

- a. Accessory dwelling units subordinate in size to the principal structure.
- b. Duplexes and multifamily attached units not to exceed a four-plex.
- c. Childcare facilities.
- d. Group homes exceeding eight (8 persons).
- e. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
- f. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking
- g. Any permanent accessory structure that exceeds 720 square feet per acre of land.

(c) Dimensional Requirements.

- (1) Minimum lot size: one-half acre.
- (2) Lot width: 75-foot street frontage.
- (3) Minimum front yard setback from property line: 25 feet.
- (4) Minimum side yard setback from property line: 10 feet.
- (5) Rear yard setback from property line: 25 feet.
- (6) Maximum impervious coverage: 15%.
- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (8) Maximum building height: 30 feet.
- (9) Minimum Distance between structures: fifteen (15) feet.
- (10) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) Structures and areas where animals are kept shall comply with the requirements of Chapter 17.XX Animal Raising and Keeping.

- (3) Development shall be located, sited and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features.
- (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (6) Individual sewer facilities may be installed according to regulations herein and the appropriate County and state laws, however, where a public sanitary sewer is accessible by gravity flow within 500 feet of a lot, the property shall connect to the sewer system. (See 16.40.100).
- (7) Any required central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and the State health department.
- (8) Design standards for building form and siting are set forth in Section 17-3-X.

SEC 17.2.100 MEDIUM DENSITY RESIDENTIAL ZONE (R-10,000)

- (a) **Intent.** The intent of this district is to allow limited residential development on smaller lots that meet the Stormwater Quality Control measures and can be served with centralized services.
- (b) **Use Regulations.**
 - (1) Principal Permitted Uses.
 1. One (1) single detached dwelling unit per lot.
 2. Parks and Open Space.
 3. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use if there is no non-residential location within 1,000 linear feet.
 4. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.
 - (2) Permitted Accessory Uses and Structures.
 1. Accessory structures that are customarily incidental to any of the permitted principal uses, are subordinate in size to the principal structure and are located on the same lot. Examples of residential accessory uses and structures include, but are not limited to sheds, play areas and equipment, landscape areas and gardens and pools.
 2. Home-based businesses as specified in Chapter 17.X.XX.
 3. Private garages subordinate in size to the principal dwelling unit.
 4. Solar energy systems – accessory and small.

(3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:

1. Duplexes
2. Accessory dwelling units subordinate in size to the principal structure.
3. Childcare facilities .
4. Group homes exceeding eight (8 persons).
5. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
6. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.
7. Any permanent accessory structure that exceeds 500 square feet per acre of land.

(c) Dimensional Requirements

- (1) Minimum lot size: 10,000 sq. ft.
- (2) Lot width: 50-foot street frontage.
- (3) Minimum front yard setback from property line: 25 feet.
- (4) Minimum side yard setback from property line: 7.5 feet per floor.
- (5) Rear yard setback from property line: 25 feet.
- (6) Maximum impervious coverage: 25%.
- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (8) Maximum building height: 30 feet.
- (9) Minimum Distance between structures: fifteen (15) feet.
- (10) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(d) **Development Standards.**

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) Development shall be located, sited and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features.
- (3) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (4) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.

- (5) A central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and state health department.
- (6) Design standards for building form and siting are set forth in Section 17-3-X.

SEC 17.2.110 SMALL LOT RESIDENTIAL ZONE (R-5,000)

- (a) **Intent.** The intent of this district is to continue to allow infill development on platted smaller lots that meet the Stormwater Quality Control measures and can be served with centralized services. The lots should be of sufficient size to allow off-street parking, and should strive to preserve the character of well-established neighborhoods.
- (b) **Use Regulations.**
 - (1) Principal Permitted Uses.
 - a. One (1) single detached dwelling unit per lot.
 - b. Parks and Open Space.
 - c. Public buildings, including police and fire stations or facilities, and civic facilities.
 - d. Public schools for primary education (K-12).
 - e. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use or any similar use if there is no non-residential location or larger residential lots within 1,000 linear feet.
 - f. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.
 - (2) Permitted Accessory Uses and Structures.
 - a. Accessory structures that are customarily incidental to the permitted principal single family residents, are subordinate in size to the principal structure and are located on the same lot.
 - b. Home-based businesses as specified in Chapter 17.X.XX
 - c. Private garages subordinate in size to the principal dwelling unit.
 - d. Solar energy systems – accessory and small.
 - (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
 - a. Duplexes
 - b. Any permanent accessory structure that exceeds 500 square feet per acre of land including accessory dwelling units subordinate in size to the principal structure.
 - c. Accessory dwelling units subordinate in size to the principal structure.

- d. Childcare facilities.
- e. Group homes exceeding eight (8 persons).
- f. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
- g. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.

(c) Dimensional Requirements.

- (1) Minimum lot size: 6,500 square feet.
- (2) Minimum lot width: 50 feet street frontage.
- (3) Front yard setback from property line: 18 feet.
- (4) Minimum side yard setback from property line: 7.5 feet per floor.
- (5) Rear yard setback from property line: 10 feet.
- (6) Maximum impervious coverage: 45%.
- (7) The percentage of the site that shall remain in a natural state shall comply with Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas, all measurements shall be made on the horizontal.
- (8) Maximum building height: 30 feet.
- (9) Minimum Distance between structures: 10 feet.

(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) Development shall be located, sited and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features.
- (3) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (4) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (5) A central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and the state health department.
- (6) Design standards for building form and siting are set forth in Section 17-3-X.

17.2.120 MULTI FAMILY RESIDENTIAL (R-MF).

(a) **Intent.** The intent of this district to allow for the limited development of multi-unit residential dwellings and single-family attached units in areas where such development would be compatible with surrounding uses and where such intensive use will not create service or traffic problems. Incidental recreational, institutional, public, and accessory uses customarily found in proximity to medium and higher-density residential areas may be permitted. Such development must conform to Stormwater Quality Control regulations and must be served with centralized services. Higher-density residential dwellings and neighborhoods shall include measures to preserve the character of well-established neighborhoods.

(b) Use Regulations.

(1) Principal Permitted Uses.

- a. Single Family Residential
- b. Bed and breakfast establishments.
- c. Parks and Open Space.
- d. Public buildings, including police and fire stations or facilities.
- e. Public schools for primary education (K-12).
- f. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use or any similar use if there is no non-residential location or larger residential lots within 1,000 linear feet.
- g. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.

(2) Permitted Accessory Uses and Structures.

- a. Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot.
- b. Home-based businesses as specified in Chapter 17.X.XX.
- c. Private garages subordinate in size to the principal structure.
- d. Solar energy systems – accessory and small.

(3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:

- a. Any permanent accessory structure that exceeds 500 square feet per acre of land and is subordinate in size to the principal structure.
- b. Any residential development that is not mixed use or any residential development greater than 12 units per net residential acre.
- c. Institutional and quasi-public uses: community center, family care home, group home as defined by Section 31-23-303, C.R.S., as a principal use, serving more than eight (8) persons, and health care support facilities.

- d. Religious institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.
- e. Childcare facilities.
- f. Professional offices.

(c) Dimensional Requirements.

- (1) Minimum lot size: 15,000 sq. ft.
- (2) Maximum density: not to exceed 12 units per net residential acre.
- (3) Lot width: 100-foot street frontage.
- (4) Minimum front yard setback from property line: 25 feet.
- (5) Minimum side yard setback from property line: 10 feet
- (6) Rear yard setback from property line: 15 feet.
- (7) A 25 ft buffer setback is required between zone districts.
- (8) Maximum impervious coverage: 65%.
- (9) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (10) Maximum building height: 35 feet.
- (11) Minimum Distance between structures: fifteen (15) feet
- (12) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) All development shall be designed so that for the given location, egress points, grading and other elements of the development, in order to:
 - a. Reduce disruption to the existing terrain, vegetation, or other natural site features;
 - b. Minimize adverse impacts on any existing or planned residential uses;
 - c. Improve pedestrian or vehicle safety within the site and exiting from it;
 - d. Reduce the visual intrusion of parking areas, screened outdoor storage areas, and similar accessory areas and structures;
 - e. Site all development including buildings, walls, and fences to complement existing development in scale and location of elements; and
 - f. Minimize traffic impacts on the existing road system by directing trips generated to collector and arterial streets.

- (3) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (4) Public sanitary sewer and centralized water shall be required.
- (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (6) The central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District.
- (7) Design standards for building form and siting are set forth in Section 17-3-X.

17.2.130 BUSINESS INDUSTRIAL MIXED USE CENTER (B-I MIXED USE)

(a) **Intent.** The intent of this district is to promote mix of higher-intensity uses including light industries, retail, office uses, and higher-density housing on the same lot as other allowed uses.

(b) Use Regulations.

- (1) Principal Permitted Uses.
 - a. Eating and Drinking Establishments.
 - b. Warehouses and wholesale business.
 - c. Light equipment sales and repair.
 - d. Micro-brewery, Micro-distillery or Micro-winery.
 - e. Financial Institutions.
 - f. Office.
 - g. Personal or Business Service.
 - h. Bed and breakfast, ten units or smaller.
 - i. Funeral homes and mortuaries.
 - j. Building materials and supply sales, provided any outdoor storage is screened from view.
 - k. Public or community uses including public facilities, libraries, parks, museums, art galleries, and post offices.
 - l. Bed and breakfast, ten units or smaller.
 - m. Retail sales.
 - n. Medical and dental clinics.
 - o. Light assembly of prefabricated parties.
 - p. Light manufacturing.
 - q. Contractor shop and yard.
 - r. Vehicle Fuel Sales.
 - s. Vehicle Sales, leasing, rental, and service.
 - t. Vehicle Wash.

- u. Industrial, Artisan.
 - v. Industrial, Light.
 - w. Wholesale, Warehouse or Fulfillment center.
 - x. Utility Facility, Minor.
 - y. Utility Facility Major.
 - z. Composting facility.
 - aa. Recycling or Donation Drop-off.
 - bb. Wireless Communication Facilities (WCF).
 - cc. Caretaker Unit.
 - dd. Live/Work.
 - ee. Mixed, residential dwelling and commercial uses occurring in the same building.
 - ff. Daycare center, Adult or child.
 - gg. Storage containers and pods.
 - hh. Recreation and Entertainment, Indoor.
 - ii. Recreation and Entertainment, Outdoor.
 - jj. Solar energy systems- community scale.
- (2) Permitted Accessory Uses and Structures.
- a. Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot.
 - b. Multi-family housing not to exceed 12 units per acre on the same lot as the principal use.
 - c. Home-based businesses in any dwelling unit as specified in Chapter 17.X.XX.
 - d. Solar energy systems– accessory and small.
- (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
- a. Any permanent accessory structure that exceeds 750 square feet per acre of land.
 - b. Outdoor storage.
 - c. Kennels, provided that a minimum of five acres is available for said kennel.
 - d. Vehicle repair, Major. (No commercial vehicles)
 - e. Vehicle Sales, leasing and rental, Major. (No commercial vehicles)
 - f. Drive-in commercial use.
 - g. Nursing homes, hospitals.
 - h. Emergency services including Ambulance services.
 - i. Multi-family residential, Density greater than 6 units per building and/or 12 units per acre.

- j. Animal hospitals and Kennels, provided that a minimum area of five acres is available for said kennel.
- k. Nursing homes, hospitals.
- l. Optional premises cultivation operations as such term is defined in chapter 5.30 as and if otherwise allowed and regulated by chapter 5.30.
- m. Lodging and meeting facilities, including hotels, motels and extended stay lodging, reception and banquet halls, event and conference centers, and excluding RV parks.
- n. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
- o. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.

(c) Dimensional Requirements.

- (1) Minimum lot size: 6,600 square feet.
- (2) Lot width: 35-foot street frontage.
- (3) Minimum front yard setback from property line: 20 feet.
- (4) Minimum side yard setback from property line: No side yard setback shall be required provided the building's side wall is constructed of at least four-hour fire resistance. If building material has less than four-hour fire resistance, a minimum side yard of five feet shall be required.
- (5) Rear yard setback from property line: 25 feet.
- (6) Maximum impervious coverage: 65%.
- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (8) Maximum building height: 30 feet.
- (9) Minimum Distance between structures: fifteen (15) feet.
- (10) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) All development including buildings, walls and fences shall be so sited to:
 - a. Complement the scale and location of existing development;
 - b. Provide sidewalks as specified in the subdivision standards or an off-road system of pedestrian and bicycle trails of greater than six (6) feet in width;

- c. Reduce the number of access points onto an arterial or collector street;
 - d. Minimize adverse impacts on any existing or planned residential uses;
 - e. Improve pedestrian or vehicle safety within the site and exiting from it;
 - f. Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping; and
 - g. Minimize unused or unusable public or private areas in the side and rear yards in new development.
- (3) Parking and loading areas for all uses must be paved and screened from view, by the use of either fences or landscaping.
 - (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
 - (5) A central system for sewage treatment shall be provided, designed, and built in a manner approved by the state health department and Palmer Lake Sanitation District.
 - (6) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
 - (7) All outdoor storage must be screened from view by landscaping or fences. Landscaping and/or buffering must also be provided between commercial and residential areas.
 - (8) Design standards for building form and siting are set forth in Section 17-3-X.

17.2.140 Village Mixed Use (V-MU)

- (a) Intent. The intent of this district is to provide goods and services for surrounding neighborhoods and to create a pedestrian-friendly, mixed-use node that strives to integrate two or more land uses, such as residential, commercial, and office on one lot or within a subdivision, with a defined pedestrian orientation. The commercial area should include well-planned attractive clusters or nodes of commercial development that complement each other. This zone district is characterized by the ability to walk or drive and park to access several complementary service and retail uses with limited shared access points off major roads such as Highway 105 or County Line Road. The development contains pedestrian connections and amenities that are complementary to surrounding neighborhoods and open spaces, thereby promoting one-stop shopping in a pedestrian environment.
- (b) Use Regulations
 - (1) Principal Permitted Uses.
 - a. Eating and drinking establishments
 - b. Micro-brewery, Micro-distillery or Micro-winery.
 - c. Financial Institutions.
 - d. Office.
 - e. Personal or Business Service

- f. Public or community uses including public facilities, libraries, parks, museums, art galleries, and post offices.
 - g. Retail sales
 - h. Light/small equipment sales and repair.
 - i. Light assembly including arts/crafts shops such as woodworking, pottery, jewelry or other craft-based industries.
 - j. Medical and dental clinics.
 - k. Utility Facility, Minor.
 - l. Wireless Communication Facilities (WCF).
 - m. Live/Work.
 - n. Mixed, residential dwelling and commercial uses occurring in the same building.
 - o. Daycare center, Adult or child.
- (2) Permitted Accessory Uses and Structures.
- a. Dwelling units subordinate in size to the principal use and located on the second floor of a permitted principal use or in the rear of a permitted accessory uses.
 - b. Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot.
 - c. Home-based businesses in any dwelling unit as specified in Chapter 17.X.XX.
 - d. Solar energy systems– accessory and small.
- (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
- a. Any permanent detached accessory structure that exceeds 500 square feet per acre of land.
 - b. Outdoor storage.
 - c. Mini-warehouses and storage rental spaces.
 - d. Light manufacturing.
 - e. Nursing homes, hospitals.
 - f. Emergency services including Ambulance services.
 - g. Multi-family residential, Density greater than 12 units per acre.
 - h. Animal hospitals.
 - i. Nursing homes, hospitals.
 - j. Type I manufactured homes.
 - k. Lodging and meeting facilities, including hotels, motels and extended stay lodging, reception and banquet halls, event and conference centers, and excluding RV parks.
 - l. Wholesale operations provided that traffic impacts can be mitigated.

- m. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
- n. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.

(c) Dimensional Requirements

- (1) Minimum lot size: 6,600 square feet.
- (2) Lot width: 35-foot street frontage.
- (3) Minimum front yard setback from property line: 20 feet.
- (4) Minimum side yard setback from property line: No side yard setback shall be required provided the building's side wall is constructed of at least four-hour fire resistance. If building material has less than four-hour fire resistance, a minimum side yard of five feet shall be required.
- (5) Rear yard setback from property line: 25 feet.
- (6) Maximum impervious coverage: 65%.
- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (8) Maximum building height: 30 feet.
- (9) Minimum Distance between structures: fifteen (15) feet.
- (10) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) All development including buildings, walls, and fences shall be so sited to:
 - a. Complement the scale and location of existing development;
 - b. Provide sidewalks as specified in the adopted road standards or an off-road system of pedestrian and bicycle trails greater than six (6) feet in width;
 - c. Reduce the number of access points onto an arterial or collector street;
 - d. Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level;
 - e. Minimize adverse impacts on any existing or planned residential uses;
 - f. Improve pedestrian or vehicle safety within the site and exiting from it;

- g. Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping; and
 - h. Minimize unused or unusable public or private areas in the side or rear yards.
- (3) Parking and loading areas for all uses must be paved and screened from view through the use of either fences or landscaping.
 - (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
 - (5) A central system for sewage treatment shall be provided, designed, and built in a manner approved by the state health department and Palmer Lake Sanitation District.
 - (6) All outdoor storage must be screened from view by landscaping or fences. Landscaping and/or buffering must also be provided between commercial and residential areas.
- (7) Design standards for building form and siting are set forth in Section 17-3-X

17.2.150 Downtown Mixed Use (DMU)

- (a) **Intent.** The Downtown Mixed Use zone district is intended to promote Palmer Lake's historic downtown area district for retail, service commercial, recreational, institutional, and secondary residential uses and to enhance the visual character, scale, and vitality of the downtown by allowing for specialized business and other services for area residents and visitors. The district is designed to encourage a broad mix of uses within a compact pedestrian-oriented environment and facilitate small business development and vitality. This district limits direct approaches onto Highway 105 unless a permit is granted by CDOT and pedestrian movement is not curtailed.
- (b) **Use Regulations.**
 - (1) Principal Permitted Uses.
 - a. Eating and drinking establishments.
 - b. Small businesses that provide services and limited and specialty retail establishments on the ground floor level.
 - c. Office.
 - d. Personal or Business Service
 - e. Micro-brewery, Micro-distillery or Micro-winery.
 - f. Financial Institutions.
 - g. Light assembly including arts/crafts shops such as woodworking, pottery, jewelry, or other craft-based industries in the rear or upper floors of any small retail business.
 - h. Bed and breakfast establishments, having ten or fewer rooms.
 - i. Recreation and cultural facilities, public or non-public.
 - j. Small inns and lodges ranging from five (5) to twenty (20) rooms only if located above ground floor of nonresidential uses.
 - k. Live/work residences.

- l. Public or private open spaces, parks, and common areas.
- m. Medical and dental clinics/offices.

(2) Permitted Accessory Uses and Structures.

- a. Dwelling units subordinate in size to the principal use and located on the second floor or in the rear of a permitted principal use.
- b. Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot.
- c. Home-based businesses in any dwelling unit as specified in Chapter 17.X.XX.
- d. Solar energy systems– accessory and small.

(4) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified.

- a. Any permanent detached accessory structure that exceeds 500 square feet per acre of land.
- b. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
- c. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.
- d. Residential dwelling units including accessory dwelling units not fronting on Highway 105 and not to exceed four (4) total dwellings per lot.
- e. Commercial accommodations only if parking can be provided onsite.
- f. Any establishment with a drive-thru facility.

(c) **Dimensional Requirements.**

- (1) Minimum lot size: 6,600 square feet.
- (2) Lot width: 35-foot street frontage.
- (3) Minimum front yard setback from property line: All buildings shall be placed within the build-to zone. This zone is defined as the area that is a minimum of 0 feet from the back of the sidewalk to a maximum of 10 feet from the back of the sidewalk. The area between the buildings and the sidewalk shall be either landscaped or shall be a continuation of the sidewalk surface. If no sidewalk exists, a concrete sidewalk shall be installed that conforms to the requirements of the town's adopted public works standards manual. Parking is not permitted in the build-to zone.
- (4) Minimum side yard setback from property line: No side yard setback shall be required provided the building's side wall is constructed of at least four-hour fire resistance. If building material has less than four-hour fire resistance, a minimum side yard of five feet shall be required.

- (5) Rear yard setback from property line: 10 feet from any public ROW.
 - (6) Maximum impervious coverage: No maximum.
 - (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
 - (8) Maximum building height: 40 feet or 3 stories whichever is less.
 - (9) Minimum Distance between structures: five (5) feet.
- (d) Development Standards.
- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
 - (2) All development including buildings, walls, and fences shall be so sited to:
 - a. Complement the scale and location of existing development.
 - b. Provide sidewalks as specified in the adopted road standards or an off-road system of pedestrian and bicycle trails greater than six (6) feet in width.
 - c. Reduce the number of access points onto an arterial or collector street.
 - d. Minimize adverse impacts on any existing or planned residential uses.
 - e. Improve pedestrian or vehicle safety within the site and exiting from it.
 - (3) Street Appeal. All developments shall provide at least three or more of the following design features as a condition of development approval.
 - a. Public or private outdoor seating.
 - b. Usable public space or sidewalk extended.
 - c. Pathways to civic uses and amenities.
 - d. Primary structure built to the sidewalk.
 - e. Public art and/or public plaza.
 - f. Parking placed totally behind the primary structure.
 - g. Landscape planters.