

SUGGESTED REORGANIZATION OF PALMER LAKE'S LAND USE REGULATIONS (CHAPTERS 16 AND 17) VERSION 2: JULY 22ND, 2024

SENT AND AGREED TO BY PLANNING COMMISSION: July 22, 2024; January 22, 2024, November 15, 2023, October 2023

The agreed-upon Table of Contents was based on the Code Diagnosis conducted by CMI and Planning Commission worksheet results on what needed to be updated in the Code, dated October of 2023, and the Planning Commission meeting on October 25, 2023. Preceding this was a virtual workshop and PowerPoint presentation with the Planning Commission on April 26, 2023.

This part of the diagnosis contains an example of how the organization of land use regulations can be improved by combining all of the land use regulations into one Chapter. Such a reorganization would help to reduce redundancy and ensure consistency in the review of all types of applications.

TITLE = 16 LAND USE CODE UPDATE ORGANIZATION (BOTH 16 AND 17 IN ONE CHAPTER)

ARTICLE 1: GENERAL PROVISIONS

16-1-10	Title of provisions
16-1-20	Jurisdiction-
16-1-30	Authority
16-1-40	Reserved
16-1-50	Purpose
16-1-60	Interpretation and Rules of Construction
16-1-70	Repeal of Prior Regulations and Effective Date
16-1-80	Relationship to the Comprehensive Plan, Other Plans and Other Regulations
16-1-90	Expiration of Land Use Approvals
16-1-100	Vested Property Rights
16-1-110.	Fees. Application Fees and Cost Reimbursement Required ¹
16-1-120	Correction of Obvious Errors

¹ In order to save staff time and the headache of accounting for deposits, we recommend that each applicant pay a non-refundable fee and then sign a cost reimbursement agreement to cover actual costs.

- 16-1-130 Enforcement
- 16-1-140 Violation Penalties
- 16-1-150 Severability

ARTICLE 2: DISTRICTS AND USES

16-2-10 Zoning districts established.

16-2-20 Minimum Size for New Districts

16-2-30. Official Zoning Map.

16-2-40 Special classification of hillside lands and floodplain areas.

16-2- 50 Use Table

16-2-60 Unlisted uses.

16-2-65 Dimensional Requirements Table

16-2-80 – Planned Development or PUD Planned Unit Development District.

16-2-90. - HSP Hillside/Ridgeline Protection Overlay District. (If not mapped move to Special Requirements)

ARTICLE 3 - GENERAL STANDARDS APPLICABLE TO ALL DISTRICTS

- A. Site Design Standards (such as zoning and site functions, setback encroachments, transition between residential and non-residential uses, street appeal, grading, and site specifications)
- B. Parking, Loading Vehicle and Pedestrian Regulations
- C. Landscaping Standards (includes Fences, Walls, Screens, and Buffers)
- D. Building Design Standards (discussed by PC and Advisors)
- E. Lighting Standards
- F. Noise and Other External Effects (*glare, vibration, odor, smoke, etc.*)
- G. Signs
- H. Historic Landmarks and Historic Districts

ARTICLE 4: SPECIAL REQUIREMENTS

- A. Flood Hazard and Other Critical Areas
- B. Watercourse Alteration
- C. Master Plan (*for multi-parcel developments that are mixed use or involve several phases*)
- D. Industrial and Commercial Performance Standards

- E. Hillside Development Regulations (this is not an overlay on specific land- it applies to all land in town- might move to Article 3- discuss with GMS)
- F. Flood Hazard and environmentally constrained (should also deal with changes in Floodplain from FEMA or CLOMAR/LOMR)
- G. Cluster Development- new concept
- H. Wireless Communication Facilities (MOVE FROM Chapter 14-Matt Krob indicated he would draft we have a recent template)
- I. RV Parks and Campgrounds (is this needed in Palmer Lake)
- J. Manufactured Homes and Modular Homes
- K. Variances
- L. Sexually Oriented Businesses and Service- do we want to move from Title 5
- M. Temporary and seasonal uses- NOT NEEDED IN PALMER LAKE PER Dawn???
- N. Home Occupations
- O. Animal Raising and Keeping (do we want to move from Title 7)
- P. Solar Energy Installments

ARTICLE 5: SUBDIVISION REQUIREMENTS- ADOPTED AS TITLE 16- PC NEEDS TO DECIDE IF IT IS WORTH THE TIME TO MOVE INTO THE LAND DEVELOPMENT CODE)

- A. General Provisions
- B. Purpose
- C. Applicability
- D. Fee and Cost Reimbursement
- E. Administration and Interpretation
- F. Types of Subdivisions
 - 1. Major Subdivision
 - 2. Minor Subdivision
 - 3. Replat/Resubdivision
 - 4. Plat Amendment/Plat Correction
 - ~~5. Subdivision Waiver~~
 - 6. Vacation of a Plat, Right of Way, or Easement
- G. Application Process

1. Sketch Plan (*master plan for multiple lot mixed use project or multi-phase development*)
2. Preliminary Plat
3. Final Plat
4. Condominium Plat

H. Public Improvements

1. Scope
2. Agreement Required
3. Security
4. Required Improvements
5. Conditional Acceptance and Warranty
6. Guarantees
7. Maintenance and Repair
8. Final Acceptance
9. Construction of Facilities by the Town
10. Reimbursement

I. Standards (*anything not in the Construction and Design Standards*)

J. Easements

K. Land Dedication (*Parks, Trails, Open Space, Schools, Public Facilities, and Drainage*)

ARTICLE 6: TYPES OF APPROVAL REQUIRED – SUBMITTAL REQUIREMENTS AND REVIEW PROCESS

- A. Administration and Boards (need references to Board of Adjustment and Planning Commission found in Chapter 2)
- B. Public Hearings
- C. Notice of Public Hearing
- D. Administrative Approvals
- E. Site Plan Requirements
- F. Conditional Review Uses
- G. Planned Unit Development Procedures

- H. Rezoning and Amendments
- I. Appeals
- J. Variances
- K. Administrative Exceptions

ARTICLE 7: ANNEXATION

- A. Purpose and Legislative Declaration
- B. Eligibility
- C. Review Process
- D. Criteria for Approval
- E. Standards
- F. Submittal Requirements
- G. Public Notice Requirements

ARTICLE 8: DEFINITIONS

Definitions (but should not include any rules, simply define the term)