



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

ARTICLE 3: General Standards Applicable to All District

Drafting notes:

- **Items in purple typeface** have been resolved by the Planning Commission members. This includes several landscaping amendments sent to the Planning Commission on July 1, 2025 (see below).
- GMS comments have been inserted and show as tracked changes in **dark blue**
- **Landscaping-** Currently, the Town has NO landscaping requirement. A Planning Commissioner suggested that the Town use the EPCO landscape requirements, which are currently found in the County's Landscaping and Planting Manual, not Appendix D, which CMI incorrectly cited. This manual is only a supplement to the County's Land Development Code and provides rules as well as suggestions. CMI has utilized a portion of this manual, but the amount of landscaping required has also been derived from landscape requirements adopted by both Manitou Springs and Monument, two jurisdictions with which CMI has consulted.

- (1) Items **in blue are from Bill Fisher's additions** as emailed on July 1 to the Town Clerk and distributed to the Planning Commission at their workshop.
- (2) There are a few minor areas where CMI is uncertain what the PC prefers. I have tried to flag those items. We are at the point in the process where the Reviewers need to direct CMI on exactly what they want. We can hopefully turn it around in one day for the PC meeting (see below).
- (3) After reflecting on lighting comments, and doing more research, I am recommending that the town require the following: All exterior lighting shall utilize fixtures that are fully shielded, emitting 0 lumens above 90 degrees from nadir, and have a BUG upright rating of U0, as defined by the Illuminating Engineering Society (IES), and shall be installed and maintained to minimize light pollution, light trespassing, and skyglow.
- (4) As you review, especially with some additions, please ensure that we have no competing rules or standards.

Commented [BC1]: IES dropped the North America- this is the proper citation. Per numerous comments, this is a stricter standard than the IES full cut off as it addresses the issue of skyglow.

Sec.17.3.100 General provisions.

- (a) Applicability. All development applications and building permit applications must comply with the applicable standards contained in this Article.
- (b) Relation to Zone District Standards (Article 2). In the event of a conflict between a standard or requirement contained in Article 2 and this Article, the more restrictive shall prevail.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (c) This Article includes all standards related to how development is sited, designed, and serviced to create vital, cohesive, and well-designed developments that enhance the small-town character and conforms to the adopted Community Master Plan.

Sec. 17.3.210. Intent.

Off-street parking, stacking, and loading requirements lessen congestion upon the public streets of the town by requiring the owners and operators of land, structures, and uses to provide parking on their premises in accordance with the demand generated by such land, structure, or use.

Sec. 17.3.220. Parking Requirements

- (a) In all zone districts, off-street parking facilities for the storage of vehicles for the use of occupants, employees, and patrons of the building or structure hereafter erected, altered, or extended must be provided and maintained as herein prescribed.
- (b) At the time a property changes use, the applicant must demonstrate that the existing parking is adequate to serve the proposed use. It shall be the responsibility of the new user to provide additional parking if the existing parking does not meet the needs of the proposed use.
- (c) All parking and driveway areas and primary access to parking facilities shall be graded and surfaced to be dust-free and properly drained. Non-residential spaces shall be surfaced with asphalt, concrete, or similar materials. Except within the right-of-way, the planning commission may approve grass-crete or similar pervious pavement that is similar to the other materials listed in this section if function, durability, maintenance, and appearance are met.
- (d) Location. Except in the Downtown Mixed-Use District, the required off-street parking space shall be located on the same legal lot as the principal use or not over 400 feet from the principal use. No parking stall or driveway except in residential zones shall be closer than 25 feet to a residential zone lot line.
- (e) All off-street parking spaces shall be unobstructed and free of other uses.
- (f) Vehicles parked on private property shall be parked within or upon a paved or graveled driveway.
- (g) Any off-street parking area must be designed so that vehicles may exit without backing onto a public street unless no other practical alternative is available. Off-street parking areas must be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks or strike against or damage any wall, vegetation, utility, or other structure.
- (h) Circulation areas must be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (i) All exterior lighting shall utilize fixtures that are fully shielded, emitting 0 lumens above 90 degrees from nadir, and have a BUG upright rating of U0, as defined by the Illuminating Engineering Society (IES), and shall be installed and maintained to minimize light pollution, light trespassing, and skyglow.
- (j) Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from nearby residential properties and away from the vision of passing motorists. Parking lot lighting levels shall not exceed 0.1 footcandles at the edge of the property. For additional lighting requirements, see Section 16.3.05 Lighting.
- (k) Unless the outdoor light is used to illuminate the entry or exits of the structure, parking areas, or driveways, or is on a motion sensor that shuts off after five minutes of activation, all outdoor lights must be extinguished as soon as there are no longer people present in exterior areas.
- (l) If there are more than five parking spaces, the spaces shall be marked and maintained on the pavement, and any other directional markings or signs shall be installed as permitted or required by the town to ensure the approved utilization of space, direction of traffic flow, and general safety.
- (m) Loading and unloading facilities shall be located in the rear or side of buildings and shall be screened from public view.
- (n) Storage and refuse containers must be screened with impervious fencing or plantings and shall not front onto any street. Refuse storage and pickup areas shall be combined with other service and loading areas.
- (o) To promote a pedestrian scale and encourage a perception of safety in the Downtown Mixed-Use District, parking may be satisfied using adjacent on-street parking or shared rear-lot parking areas. A parking study and shared parking agreement(s) must be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements as outlined in Section 17-3-X Joint Use and in Section 17-3-Y Downtown Parking.

Sec. 17.3.230. Parking Lot Standards.

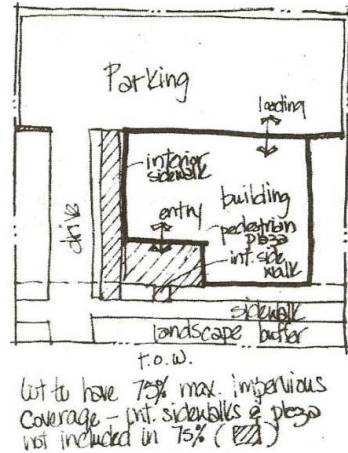
- (a) Parking Space and Access Drive Requirements. Except as may be provided for compact cars elsewhere in this Section, the minimum size of off-street parking space and parking lot drives shall be in accordance with the following:
 - 1. Minimum stall size: Nine (9) feet by nineteen (19) feet.
 - 2. Minimum access drive width: Twelve (12) feet per lane for non-residential uses; ten (10) feet wide for any single-family or two-family dwellings.
 - 3. Minimum backing area width for non-residential uses and multi-family dwellings: Twelve (12) feet to twenty-four (24) feet (two [2] drive lanes).
 - 4. Angled parking spaces: See 17.3.270.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

(b) Location and Design of Parking Areas.

1. All parking areas shall be set back a minimum of ten (10) feet from any public rights-of-way.
2. Parking lots shall be so designed as to appear as an accessory use to the principal use. Where a parking lot faces an arterial or collector street, parking lots shall be screened from view by low walls, fences, trees & shrubs, berms, and other landforms that effectively conceal parked cars.
3. In all newly developed and redeveloped nonresidential areas and multi-family residential developments, all off-street parking areas must be accessed by a defined access lane off the main public right-of-way. This access lane must be separated from the traveled portion of the roadway by at least a seven-foot setback. Backing parked cars into public road drive lanes from off-street parking areas is not allowed.
4. All parking areas shall be provided with adequate drainage to accommodate increased runoff from the site and shall be designed to comply with the town's adopted MS-4 standards.
5. A twenty-five-percent allowance for compact cars may be applied to commercial, cultural, and civic uses in any district. These spaces shall be properly marked and grouped within the overall parking plan. Space size shall be a minimum of eight (8) feet by sixteen (16) feet.
6. All parking areas shall be maintained.
7. Parking lot setbacks, islands, and other open spaces shall be landscaped to the greatest extent possible. [NOTE: promote xeriscape landscape principles for low water usage and overall water conservation] Landscaped areas may also be used for snow storage as long as they are maintained and vegetation is replaced when necessary.
8. Parking areas may not be used for the dismantling of vehicles, storage of nonworking vehicles, or storage of commodities. Sales of commodities from parking lots are not allowed except with a valid peddler's license issued by the town clerk or for special events, which are approved by the town.
9. Layout. Parking lots should provide well-defined circulation for both vehicles and pedestrians.





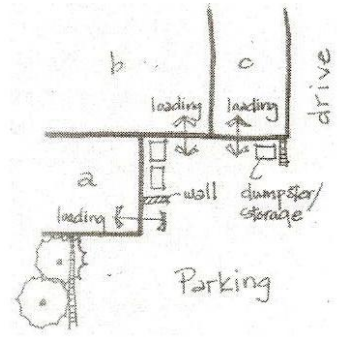
ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

10. Vehicles shall not overhang any public property, pedestrian access, including sidewalks, or landscaped area. **Curbs or barriers shall be installed to prevent the parked vehicle from extending over any lot lines.**

11. Standard traffic control signs shall be used to direct traffic where necessary within a parking lot.

12. Entrance drives shall be readily observable to the first-time visitor. Parking lot entrances, the ends of parking aisles, and the location and pattern of primary internal access drives shall be well-marked by signs or landscaped islands with raised curbs or other defined edges.



(c) Parking Lot Landscaping and Lighting.

(1) Any parking lot accommodating ten or more spaces shall have:

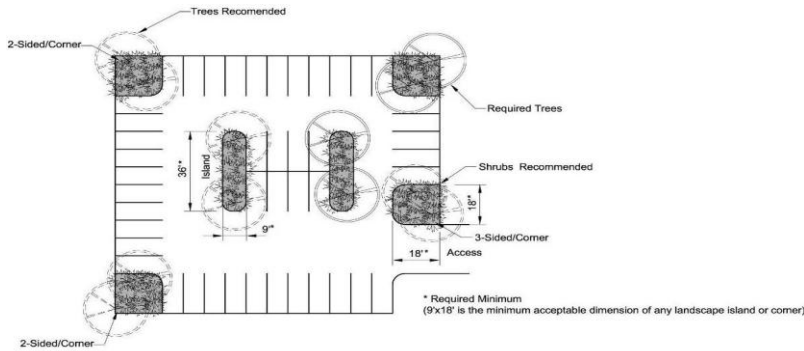
- Landscape areas with low water demand vegetation, including both trees and shrubs.
- 10' min. landscape area strip at an arterial or collector street frontage and on commercial non-residential property adjacent to residential uses.
- A 10 foot minimum landscape area is required all-around the entire parking lot perimeter, excluding the entrance drive.
- Screening: All off-street parking and loading areas associated with non-residential uses or structures shall be screened from view from arterial or collector streets and adjacent residential uses. The minimum height of the screening shall be 4' using new and existing trees, shrubs, berms, and landforms in a manner that effectively conceals parked cars. Screening shall cover 80% of the street and residential edges and comply with the El Paso County Landscaping and Planting Manual. Screening shall be properly maintained so as to not interfere with visual sight lines for vehicles and pedestrians, or otherwise create unsafe conditions for vehicular or pedestrian movements.

(2) The interior of a parking lot is considered to be the traffic islands and areas around the actual parking spaces; it does not include the required perimeter treatment. All parking lots shall be landscaped with low water demand vegetation and include both trees and shrubs. A minimum of five percent (5%) of the interior area of a parking lot accommodating ten (10) or more spaces must be planted.

- Landscaped areas within new and redeveloped parking lot interiors shall include islands and fingers located in a manner to divide and break up expanses of paving and long rows of parking and create a canopy effect over the parking lot.
- There shall be no more than fifteen (15) parking spaces in a continuous row on one (1) side without being broken by a landscape island.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections



- c. Landscaped islands that have parking on both sides may be permitted as an alternative to individual landscape islands, as long as no more than fifty percent (50%) of the required islands and the equivalent area of said islands are incorporated into landscaping aisles.

(3) The type of landscape materials that is required can be found in Section 17.3.3xx.

(4) Parking and loading areas for all non-residential uses must be paved and, if located adjacent to residential and educational properties, screened from view. Parking areas within the Open Space and Recreation District are exempt from this requirement.

(5) The pedestrian crossings shall be clearly differentiated from the rest of the parking surface.

(6) Screening. All off-street parking and loading areas associated with non-residential uses or structures shall be screened when the parking spaces or area abuts a residential use through the use of landscaping and fencing. The minimum height of the screening shall be 4' feet and may be accomplished by using new and existing trees, shrubs, and landforms. 80 % of the parking lot perimeter shall be screened. All parking lot screening shall comply with the El Paso County Landscaping and Planting Manual, as may be amended. Screening shall be properly maintained so as to not interfere with visual sight lines for vehicles and pedestrians or otherwise create unsafe conditions for vehicular or pedestrian movements.

(7) Landscaping shall be designed and maintained to meet the minimum sight visibility triangle requirements.

(8) All lights used to illuminate parking spaces, driveways, or maneuvering areas shall be designed, arranged, and screened to minimize light spillage on adjoining lots or streets. Light trespass on adjoining lots and streets shall be a maximum of 0.1 Fc at the property line and shall comply with Section 17-3-X Lighting.

(9) Parking Lot light intensity shall not unreasonably disturb adjacent properties and shall be a maximum of 5 Fc at all areas.

(10) No parking lot lighting shall be installed above a maximum height of sixteen (16) feet.

Commented [WF2]: Parkland parking need not be paved. Remove screening language here. THIS STAYS added note about open space district.



Sec. 17.3-240 Parking, Stacking, and Loading Requirements.

- (a) General. For every building hereafter erected or structurally altered, off-street parking spaces, spaces for loading and unloading, vehicle stacking, and proper ingress and egress shall be provided. Parking requirements shall apply to all districts unless specifically exempt and are considered a required use associated with a principal use. All required off-street parking, stacking and loading spaces shall be maintained in the manner herein set forth.
- (b) Minimum Parking Requirements. The minimum off-street parking requirements for all uses in all districts are enumerated in the following table. In no instance shall a parking space be used for the storage of vehicles. All parking spaces must be used for vehicles that can be driven unless otherwise noted in this Article.
- (c) Table of Parking Requirements

Table 17-3-1: Number of Spaces Required by Use	
Use	Number of Spaces Required
Residential Dwelling units/structures	
Studio or 1-bedroom	1.5 spaces per dwelling unit/structure
2- or more bedrooms In addition, multi-family dwellings	2 spaces per dwelling unit/structure plus 1 guest space per 5 dwelling units/structures
Group Living	
Assisted living facilities for the care of the elderly or infirmed, includes nursing homes	1 space per 4 beds plus 1 space per 2 employees
Group homes (up to 8 residents)	2 spaces per group home, plus 2 spaces per 3 employees
Congregate living facilities	1 space per bed
Commercial accommodations, including bed and breakfast, hotel/motel units regardless of how owned and managed, and timeshare units. On-site services (restaurants, public meeting areas, etc.) require additional parking	1 space per individual exit of accommodations unit plus 1 space per employee on the largest shift plus 1 space per 400 sq. ft. Gross Floor Area of public meeting area and restaurant
Automobile Service, Repair and Sales	
Gas station	2 spaces per service bay plus required stacking spaces



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

Service station, auto lube center	2 spaces per service bay plus required stacking spaces
Auto repair or body shop	2 spaces per service bay, spaces for each bay may park tandem
Auto, truck, boat, RV, motorcycle repair, sales and rental	1 space per 400 sq. ft. Gross Floor Area of showroom, office, vehicle repair and parts sales areas, plus 1 space per 1,000 sq. ft. Gross Floor Area for outdoor display
Car wash, self-service	2 stacking spaces in front of each bay, plus parking for employees if any
Retail, Entertainment, Office, and Professional Service	
Bank (including branch and drive-through)	1 space per 300 sq. ft. of Gross Floor Area plus required stacking space for drive-through
Bowling alley	5 spaces for each alley
Convenience store	1 space per 200 sq. ft. of Gross Floor Area plus stacking for drive-up window
Convenience store with gas sales	1 space per pump island, plus 1 space per 150 sq. ft. of Gross Floor Area plus, plus 2 spaces per 3 employees
Restaurants, eating and drinking establishments	1 space per 150 sq. ft. of dining and waiting area (including private clubs, restaurants)
If dancing and/or entertainment is provided	1 space per 50 sq. ft. of dining, waiting and entertainment area
General retail sales including sale, rental and repair	1 space per 300 sq. ft. of Gross Floor Area, including storage areas
Health and athletic club, aerobics, recreational amusement and entertainment facility	1 space per 125 sq. ft. of Gross Floor Area, excluding storage areas
Medical and dental office, clinic	1 space per 250 sq. ft. of Gross Floor Area
Office (including finance, real estate, business professional offices and telecommunication facilities with employees but not medical or dental)	1 space per 300 sq. ft. of Gross Floor Area



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

Personal service shop (examples include beauty, barber, tanning and nail salons, spas, massage therapists, shoe repair)	1 space per 300 sq. ft. of Gross Floor Area
Rental service; equipment, small tools, home furnishings, supplies	1 space per 300 sq. ft. of Gross Floor Area
Theater	1 space per 40 sq. ft. of Gross Floor Area in the main assembly area
Office Warehouse with storage	1 space per 1,000 sq. ft. for the first 10,000 sq. ft., then 1 space per 10,000 sq. ft. for the remaining area
Public, Quasi-Public, and Institutional	
Community service facility (e.g., post office, courts, community health building). All other community service facilities shall be determined by the Town Administrator based on an analysis of parking requirements for similar uses or on anticipated parking demands.	1 space per 250 sq. ft. of Gross Floor Area
Childcare facility, preschool	1 space per 8 students, plus 1 space per employee
Group Living Facilities	1 space per 5 beds
Library, museum or gallery	1 space per 300 sq. ft. of Gross Floor Area
Religious institutions	1 space per 4 seats in primary meeting room or 1 space per 300 sq. ft. whichever is greater
Public assembly and civic association hall (includes all facilities used for receptions and conventions)	1 space per 40 sq. ft. of Gross Floor Area in the primary meeting room or assembly area
Schools:	
Through junior high	2 spaces per classroom
High schools and colleges	10 per classroom
School auditoriums	1 space per 3 seats in auditorium



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

Repair, Manufacturing and Industrial	
Utilities	1 space per 300 sq. ft. of Gross Floor Area plus 1 for each company vehicle
Contractor yard, business service	1 space per 500 sq. ft. of Gross Floor Area
Laboratory and research and development	The greater of 1 space per 300 sq. ft. of Gross Floor Area or 1 space per employee on maximum shift
Manufacturing, processing or assembly:	
20,000 sq. ft. or less Gross Floor Area	1 space per 2,000 sq. ft. of Gross Floor Area
More than 20,000 sq. ft.	10 spaces plus 1 space per 4,000 sq. ft. of Gross Floor Area above 20,000 sq. ft.
Self-service storage facility	1 space per 5,000 sq. ft. of Gross Floor Area
Warehouse with freight movement	1 space per 1,000 sq. ft. of Gross Floor Area
Wholesale Trade	
Builders' supply office and yard - wholesale	2 spaces per 3 employees
Market showroom (furniture, apparel, etc.)	1 space per 2,000 sq. ft. of Gross Floor Area
Wholesale uses:	
10,000 sq. ft. or less of Gross Floor Area	1 space per 1,600 sq. ft. of Gross Floor Area
10,001 sq. ft. to 100,000 sq. ft.	16 spaces plus 1 space per 800 sq. ft. area between 10,000 sq. ft. and 100,000 sq. ft. of Gross Floor Area
More than 100,000 sq. ft.	128 spaces plus 1 space per 1,000 sq. ft. of Gross Floor Area above 100,000 sq. ft.

- (d) Determination of Requirements for Uses Not Listed. Requirements for types of buildings and uses not specifically listed in this Article shall be determined by the planning commission, after study and recommendation, which should include all relevant factors, including but not limited to:

1. Vehicle occupancy studies.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

2. Comparable requirements from other similar municipalities.
3. Requirements of comparable uses listed in this Article.
4. Suitable and adequate means will exist for provision of public, community, group, or common facilities.
5. Provision of adequate loading facilities and a system for the distribution and pickup of goods.
6. The use is in the interest of the area to be affected and in the interests of the town at large.
7. The use will not be detrimental to adjacent properties or improvements in the vicinity of the area.
8. The proposed use will not confer any special privilege or benefit on the properties or improvements in the area, which privilege or benefit is not conferred upon similarly situated properties elsewhere in the town.

(e) Calculation of Parking Space Requirements.

1. Number of spaces. Separate parking spaces shall be provided for each use.
2. Where parking facilities are combined and shared by two (2) or more uses, the off-street parking space required for two (2) or more uses having different standards for determining the amount of required off-street parking space shall be the sum of the standards of all the various uses.
3. When any parking calculation results in a required fractional space, such fraction shall be rounded up to the next whole number.
4. Measurement of floor area. Floor areas used in calculating the required number of parking spaces shall be the gross floor area of the building calculated from the exterior outside wall without regard to a specific inside use unless specifically exempt. In mixed-use facilities:
 - a. Calculations shall be based on the gross ~~net~~ square footage of each identifiable use within the building, and the total square footage of each identifiable use shall be the same as the gross floor area calculated from outside wall to outside wall.

Sec. 17.3-250 Downtown Mixed Use (D-MU) District Parking Requirements.

- (a) In the historic Downtown Mixed-Use District, it is the intent of the town of Palmer Lake to encourage the development of a pedestrian-oriented commercial shopping environment oriented along Highway 105 and along all streets within the Downtown Mixed-Use District. To do so, the town anticipates developing public parking areas in the district. Therefore, applicants in this district may reduce their off-street parking requirements at the time of site plan approval using one or more of the following options. In addition to



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

relaxed parking ratios within this district, parking requirements in this district may also be satisfied by:

- a. Allowance to provide off-street parking off-site as long as the alternative parking lot is within the Downtown Mixed-Use district.
 - b. Payment in lieu of fee for parking.
 - c. On-street parking credits on streets within the downtown mixed-use district, exclusive of alleys and alleyways; and/or
 - d. Tuck-under parking.
- (2) Off-Site Parking. Fifty (50) percent of the commercial parking requirement may be met off-site as long as such parking is within the Downtown Mixed-Use district.
- (3) Use of the off-site parking provisions as provided for in this subsection shall be granted upon the approval of the board of trustees. An approved site plan showing the location and layout of the parking spaces is required.
- (4) Once approved by the board of trustees, the property owner, using this provision, shall give the town a revocable easement for the off-site parking lot with the only cause for revocation being agreement of the parties. The off-site parking lot parking space count shall be based upon the square footage of the easement given to the town, with the number of spaces for which credit shall be given being equal to the square footage of the easement divided by 200 square feet (the standard size of a parking space accounting for access), excluding required drive aisles.
- (5) The snow storage is required pursuant to this section shall be provided in the easement.
- (6) The easement agreement, and the terms for satisfying the required off-site parking under this subsection in each particular case, shall be recorded as set forth in this section.
- (7) No building permit shall be issued without proof that the revocable easement has been recorded.
- (8) Payment of Fees in Lieu of Providing Parking. These payments are to be made to the town or by participation in other alternative parking programs being implemented by the town at the time of application.
- (9) Fees in lieu of parking payments will be made to the town and deposited in the town parking fund reflecting the number of spaces reduced from the off-street requirement for each use class. Fees will be calculated using a formula established by the town.
- (10) Fees in lieu of parking may be made for up to 100 percent of the required off-street parking for all business and office uses. Fees in lieu of parking will not be allowed for residential uses; all parking must be provided on site. The percentage of buy-out will be negotiated with the town subject to the following criteria:
- a. Type of use.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- b. Degree of need for auto access.
 - c. Distance from public parking facility.
 - d. Relation to surrounding land area.
 - e. Site constraints in relation to existing land use.
 - f. Other criteria deemed appropriate.
- (11) Any reduction in parking requirements as provided for in this subsection shall be granted upon the approval of the board of trustees and payment of the required in-lieu-of fee. No building permit shall be issued without proof that said in-lieu-of fee has been paid.
- (12) On-Street Parking Credit. An on-street parking credit may be issued to a property owner to utilize the public right-of-way adjacent to the owner's property to meet the minimum nonresidential parking space requirements in the D-MU zone district. If all the following conditions are satisfied, the property owner may develop said parking spaces and associated improvements in the public right-of-way to reduce the parking requirements of a downtown development. On-street parking may not be used to meet residential parking requirements.
- a. The right-of-way immediately adjacent to the subject property allows for and can accommodate on-street parking.
 - b. The subject property has a minimum lot width or length of 30 feet adjacent to the street containing the on-street parking spaces.
 - c. If there is no existing on-street parking on the street immediately adjacent to the property, the property owner must construct the parking spaces on the adjacent street to be credited for on-street parking, provided all standards found in the public works manual are met. If the parking space to be provided is on Highway 105, CDOT approval is also required.
 - d. The scope, scale, and other characteristics of the proposed use(s) are such that counting on-street parking toward the minimum off-street parking requirement would not create a traffic hazard and is approved by the town engineer, and CDOT if on Highway 105.
 - e. The parking credit shall be one space per 20 feet of linear frontage for parallel spaces fronting on a public right-of-way. Head-in spaces shall be granted for every 10 feet of width. Angle parking credits shall be credited based on the angle of the space as shown on the parking plan. When any parking calculation results in a required fractional space, such fraction shall be rounded down to the next whole number.
 - f. Use of On-Street Parking. On-street parking spaces shall be used only for vehicle parking. No sales, rental, storage, repair, servicing of vehicles,



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

equipment, or materials, dismantling, or other activities shall be conducted or located in such areas. On-street spaces cannot be designated as private or reserved for adjacent uses.

- g. On-Street Parking Credit Submittal Requirements. Any request for on-street parking credit shall be included as part of the project statement and shown on a new or amended site plan. The request for on-street parking credit shall provide the following information:
1. A written project statement detailing the request and addressing how the site meets the applicable conditions.
 2. A parking plan that shows the calculations of the required number of parking spaces including the on-street parking spaces, dimensions, locations of all on-site parking spaces including drive aisles, any abutting alley width, and required alley setbacks if applicable, and an on-street parking analysis that describes local on-street demand.
 3. Use of on-street parking to meet parking requirements under this section shall be approved by the board of trustees, after review and comment by the planning commission.
 4. Any owner utilizing this subsection shall enter into an improvements agreement which shall obligate the owner to install or cause to be installed all parking spaces and related improvements. No building permit shall be issued without approval by the board of trustees of an improvement agreement related to the on-street parking improvements.
 5. Tuck-Under Parking. Each two on-site tuck-under parking spaces shall count as three off-street parking spaces toward satisfying the minimum required off-street parking. Tuck-under parking must be located in the rear of the lot and adjacent to an accessible alley.
- (b) The parking requirements for the following uses in the Downtown Mixed Use (D-MU) have been reduced as follows:

Restaurants and eating and drinking establishments	1/ 450 250 square feet of gross floor area OR 1/ 250 300 square feet of gross floor area if mixed use
Carryout restaurant	1/300 square feet with no more than 8 seats, indoors or outdoors. An establishment with more than 8 seats (and without a drive-through) constitutes a restaurant
If no seating or dining area provided	1/350 square feet of building area, plus required stacking spaces for drive-through facility



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

General retail sales including sale, rental, and repair	1/400 square feet of gross floor area 1/1,000 square feet of gross floor area for appliance and furniture stores
Office, business, personal, and professional services	1/450 square feet of gross floor area, or portion thereof 0.0 if not located on the ground level or street level floor
Commercial accommodations, including bed and breakfast, lodging, and short-term rentals	1/guestroom or bedroom
All other uses in the D-MU zone	Refer to subsection (c) of this section, Parking, stacking, and loading requirements, for all other uses

- (f) Joint Use of Parking Facilities or Shared Parking. When two (2) or more businesses, structures and/or uses are served by the same parking area, the applicant may apply for special parking approval. The off-street parking area or shared parking facilities shall not exceed twenty percent (20%) of the required parking. Applicants wishing to utilize joint or shared parking facilities or areas shall provide satisfactory legal evidence to the town Administrator in the form of deeds, leases or contracts to establish joint use or shared parking. Upon submission of documentation by the applicant of how the project meets the following criteria, the town Administrator may approve reductions of up to and including twenty percent (20%) of the parking requirements upon approval of the planning commission, if the planning commission finds that:
1. The parking needs of the use will be adequately served.
 2. A mix of residential uses with either office or retail uses is proposed, and the parking needs of all uses will be accommodated through shared parking.
 3. If joint use of common parking areas is proposed, varying time periods of use will accommodate proposed parking needs.
 4. The applicant provides an acceptable proposal for a transportation demand management program, including a description of existing and proposed facilities and assurances that the use of alternate modes of transportation will continue to reduce the need for on-site parking on an ongoing basis.



17.3.250 Handicap Parking Requirements.

The required number of parking spaces for the disabled for all land uses shall be provided in accordance with federal and state law. Each parking space for the disabled shall be in conformance with applicable requirements of the Americans with Disabilities Act (ADA) and American National Standards Institute (ANSI) ICC 117.1-2017.

Sec. 17-3-260 Stacking Space Requirements.

- (a) Intent of stacking space. A stacking space is an area for motor vehicles to line up in while waiting to go through a drive-through facility, or within a designated drop-off or pickup zone. The purpose of stacking space requirements is to promote public safety by alleviating on-site and off-site traffic congestion that might otherwise result from the operation of such a facility.
- (b) *On a case-by-case basis, the Planning Commission will consider stacking space requirements if a drive-thru business is proposed. If the stacking spaces require access to Hwy 105 or I-25, a CDOT Access Permit is required.*

. Sec. 17.3.270 Loading Space Requirements.

- (a) Off-Street Loading Requirements. Whenever the normal operation of any development requires that goods, merchandise, or equipment be routinely delivered to or shipped from that development, a sufficient off-street loading and unloading area must be provided in accordance with this Section to accommodate the delivery or shipment operation in a safe and convenient manner.
- (b) Space requirements and standards for loading berths.
 - (1) Width and clearance: Each loading berth shall not be less than ten (10) feet in width and shall provide not less than fourteen (14) feet of vertical clearance.
 - (2) Length: Each loading berth shall be at least forty-five (45) feet in length and shall not extend beyond the property line.
 - (3) The loading and unloading area must be of sufficient size to accommodate the numbers and types of vehicles that are likely to use this area, given the nature of the use and development.
 - (4) Number of loading spaces required for nonresidential uses:

Table 17-3-3: Loading Spaces for Nonresidential Uses	
Gross Floor Area of Building	Number of Spaces
1,000—19,999	1



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

20,000—79,999	2
80,000—127,999	3
128,000—191,999	4
192,000—255,999	5
256,000—319,999	6
320,000—391,999	7
392,000 or more	7 plus 1 for every 72,000 sq. ft. or fraction thereof

- (c) Location. Loading and unloading areas shall be located and designed so vehicles intended to use them can maneuver safely and conveniently to and from the street right-of-way and complete their operations without interfering with any public rights-of-way, parking space or parking lot aisle.

Sec. 17-3-270 Location of residential parking spaces.

- (a) Tandem parking is not allowed to meet required off-street parking requirements.
- (b) Garages or required off-street parking spaces shall be set back twenty-two (22) feet from the back of any sidewalk or public right of way.

Sec. 17.3.280 Minimum Standards Parking Space and Aisle Dimensions.

Standard parking spaces and aisles shall meet the dimensional requirements in Table 17.3.4

Table 17.3.4 Parking Space Dimensional Requirements

Parking Angle ¹	Width of Space	Depth ² of Space	Aisle Width ³ 2-Way	Aisle Width 1-Way	Depth of Interlocking Space ⁴	Overhang ⁵
0° (parallel)	9 feet ⁶	24 feet	24 feet	12 feet	24 feet	0 feet
45°	9 feet	19.1 feet	20 feet	12 feet	31.9 feet	1.5 feet
60°	9 feet	20.1 feet	20 feet	16 feet	22 feet	2 feet
75°	9 feet	19.9 feet	22 feet	18 feet	15 feet	2 feet
90°	9 feet	18 feet	24 feet	24 feet	9 feet	2 feet
¹ Parking angle is measured as the angle defined by the line of travel of a drive aisle and the line of the longest side of a parking space.						

Commented [BC3]: FROM GMS- table updated by GMS



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

² Depth of space dimensions given are perpendicular to the curb line which accommodate a vehicle space of 18' with 0' overhang

³ Unless otherwise depicted above, the drive-aisle shall be a minimum of 24 feet. In the instance where the fire department standards are greater than dimensions depicted above, the fire department standards shall be applied.

⁴ Depth of interlocking space is measured along the curb line across opposite lines of one space

⁵ Overhang design shall be 0' for a vehicle space 18'. Dimensions depicted above are maximum allowable if area cannot accommodate 0' overhang for a vehicle space 18'. If overhang is greater than 0', the overhang may not protrude over pedestrian paths, walkways, sidewalks or otherwise block or impede pedestrian movement.

⁶ Width of space may be reduced to 8' along local streets if approved by the Town

⁷ Refer to graphic for layout of table dimensions

Sec. 17-3-290 Parking restrictions for commercial vehicles.

It is unlawful to park any vehicle with prominent commercial advertising, logos or insignia (more than half the vehicle's surface is fully covered with design) for longer than a total of seventy-two (72) hours in any thirty-day period in a driveway or on private property, in any area zoned residential.

Sec. 17-3-295 Parking restrictions for vehicles displaying a for-sale-type sign.

It is unlawful to park a vehicle displaying a "For Sale" sign on any public roadway, right-of-way, parking area or alley. It is similarly unlawful to park on private property any more than two (2) vehicles displaying "Vehicle for sale" signs.

Sec. 17.3.300 Landscaping, Buffering, Fence and Wall Standards

(a) The purpose of this section is to provide landscaping standards for sites undergoing development and for the continued maintenance of landscaping in non-residential areas. It is the town's goal that landscape design improve the general appearance of the community and enhance its aesthetic appeal. Landscaping should complement both the built and natural environments while retaining the integrity and character of the surrounding mountain environment. These landscaping standards are intended to promote quality landscape design that:

1. Reinforces the identity of the community and each neighborhood.
2. Provides adequate buffers between potentially incompatible uses.
3. Reduces impervious coverage to improve water quality and reduce runoff.
4. Preserve existing significant trees and existing vegetation on a site and protect significant existing trees and vegetation during the construction process.

Commented [BC4]: Portions of this section have been renumbered- b, c and d.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

5. Improves air quality by preserving and providing adequate tree canopy.
6. Conserves water by requiring landscaping plans to utilize xeriscape concepts thereby promoting the efficient use of water and reduces water waste.
7. Conserves water resources by using sustainable design and maintenance techniques and plant species that are low water-use and regionally appropriate.
8. Recognizes and implements defensible space requirements to mitigate wildfire hazards around homes and structures.
9. Enhances and restores valuable habitat.
10. Maximizes the use of native species in landscape design, so that native species continue to dominate the environment.
11. Mitigates the impacts of site development with landscape designs that will buffer or screen the development from abutting properties and from the public right of way.
12. Ensures that buffering and screening features are designed so they complement the existing natural character and context of the site and blend with the setting.

(b) Applicability.

- (1) Landscaping plans shall provide for the installation of plant materials consistent with the purpose and intent of this section and the revegetation of any disturbed areas that will be left in an unimproved state.
- (2) Detached single-unit dwellings and duplex dwellings shall be exempt from the standards in this section, except that landscaping for such dwellings shall comply with the maintenance requirements, and the fence and wall standards in this section.
- (3) The standards in this section apply to all new developments. New development includes the construction of new structures on a currently vacant lot, the reconstruction of structures that have been razed, and the reconstruction of structures that have been damaged.
- (4) Except for existing single-family and duplex dwellings, the standards in this section apply to renovations, additions, and expansions of any use or structure requiring an amended or new site plan, approval of a conditional review use, or an amendment of an existing Planned Development.

(c) Landscaping evaluation procedures.

Landscaping submittal requirements and evaluation procedures are listed in Article 6: "Types of Approval Required."

(d) Amount of landscaping required for new development or redevelopment.

- (1) Existing landscaped areas that conform to the landscaping standards in this Section may be counted towards satisfying the landscaping requirements, except that preservation of existing trees must comply with Section 17-3-XX and applicable development standards in each zone district.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

(2) Specific requirements for parking lot landscaping can be found in Section 17.3.230.

(3) All landscaped areas shall consist of one hundred percent (100%) ground coverage in living vegetation (trees, ground covers, perennials, wildflower mix, shrubs, ornamental grasses, bulbs, and grass mixes, organic mulch, or rock mulch per the following specifications:

- a. A perimeter zone with a minimum width of five (5) feet shall be protected around any permanent principal or accessory structure and remain free of organic mulch and living vegetation.
- b. At least seventy-five percent (75%) of each landscaped area shall be covered in living vegetation, which may include trees, ground covers, perennials, wildflower mix, shrubs, ornamental grasses, bulbs, and grass mixes; and
- c. The tree canopy shall not be counted in the seventy-five percent (75%) calculation of vegetative cover.

(4) Up to twenty percent (20%) of required trees may be substituted with shrubs or large ornamental grasses at a ratio of ten (10) shrubs or twenty (20) ornamental grasses per one (1) tree.

(5) Minimum planting sizes on all required landscaping shall be as follows:

Sec. 17.3.310 Size of Plant materials.

(a) Minimum tree and shrub planting sizes shall be as follows measured six (6) inches off the ground:

- (1) Deciduous Canopy Trees: two-inch (2") caliper
- (2) Deciduous Ornamental Trees: one-and-one-half-inch (1.5") caliper
- (3) Evergreen Trees: six-foot (6') tall
- (4) Shrubs and Large Ornamental Grasses: five (5) gallon size
- (5) Perennials and Small Ornamental Grasses: one (1) gallon size

(b) Plant selection shall include those with low fuel volume and/or low flammability.

(c) All plants shall conform to standards for measurements, grading, branching, quality, ball, and burlapping as stated in the American Standard for Nursery Stock, American Association of Nurserymen, Inc. (AAN-ASNS), and the Colorado Nursery Act of 1965 (CNA), as amended.

(d) Native grass seed mixes shall be certified as weed-free.

(e) Trees shall not be located within five (5) feet of underground electric and cable lines, within six (6) feet of underground gas lines, and nor within ten (10) feet of underground water and sewer lines.

Commented [BC5]: Fire safety

Commented [BC6]: This section was 17.3.370- it has been moved for better placement.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (f) All planting areas shall be mulched. Mulch shall be contained in the planting bed. Organic mulch shall not include a weed-control barrier under the mulch.
- (g) All irrigation systems shall consist of water-efficient equipment.
- (h) Guarantee of installation. Required landscape improvements shall be installed within one year of completion of site construction. If the construction is phased, landscape improvements associated with each phase shall be installed within one year of completion of the associated phase of construction.
- (i) Financial Surety. A financial surety shall be collected and held for the cost of materials and labor associated with the landscape and irrigation improvements if Certificates of Occupancy are sought before installation. The financial surety shall be released upon complete installation of such improvements.
- (j) Maintenance. To provide for the ongoing health and appearance of landscape improvements, all landscaping and irrigation shall be maintained and replaced by the landowner or occupant as necessary. All property owners or occupants shall be responsible for the maintenance of landscaping within the portion of the public right-of-way between the back of the curb or street pavement and the adjacent property unless the Town has specifically agreed in a development agreement to take over maintenance.

Sec. 17.3.330 Flexibility in Landscape Standards- Alternative Methods of Compliance

- (a) The standards in this subsection provide measures for development that, if complied with, will be deemed sufficient proof that the design standards of this section have been met. However, these standards may not be the only method by which the town's landscaping objectives can be achieved. It is the town's intent to provide flexibility to applicants in landscape design in order to avoid landscaping requirements that are inconsistent with the natural environment. By way of example, development in a sage meadow may not necessitate the planting of trees when no trees existed in the meadow prior to development of the site but may necessitate the planting of alternative vegetation more reflective of the natural environment. Applicants may propose, and the town may approve, alternative methods for landscaping a site, provided the applicant can demonstrate, and the planning commission determines, that the alternative will meet or exceed the level of design that is expressed in the objectives listed above while complying with all applicable defensible space requirements unless waived by the planning commission when the specific conditions and individual circumstances (i.e. slope, aspect, vegetation types, availability of firefighting infrastructure, and other relevant factors as identified in the Palmer Lake Community Wildfire Protection Plan (CWPP), of a given project do not warrant imposition of this standard.

Sec. 17.3.340 Landscaping required for buffering and screening

- (a) Landscaping required for buffering and screening new development or redevelopment shall meet the following minimum planting requirements:

Commented [BC7]: Sorry for the incorrect reference- these requirements were updated by EPCO in November of 2023. These can be found in the El Paso County Landscape and Planting Manual. These are only the planting requirements for buffering.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

- (1) Buffering plants between non-residential and residential zones or between multi-family residential uses and single-family or duplexes.
 - a. Minimum buffer width: 15 feet.
 - b. 1 tree per 15 feet of road frontage or 1 tree per 25 ft of common lot line
- (2) Plantings shall be clustered to reflect the patterns found in nature, as opposed to being thinly distributed throughout the site.
- (3) Buildings often have the strongest visual impact on a site and often are the visually dominant vertical element. Plantings around buildings shall be used to soften their appearance, tie them to the site, and reduce their perceived bulk and mass. The planning commission may require taller trees adjacent to buildings to soften their appearance, tie them to the site and reduce their perceived bulk and mass.

Sec. 17.3.350 Preservation of Significant Trees. *(also see Stormwater Quality Control 17.3.600)*

- (a) For sites where there are trees present, a site survey shall be conducted to inventory the significant trees. For the purposes of this Code, significant trees are defined as conifers with a caliper of eight (8) inches or greater and deciduous trees with a caliper of four (4) inches or greater. In no event is any developer expected to survey trees on an adjoining parcel. The survey of existing significant trees shall be depicted on an existing condition plan that shows the site's topography, property lines, and other existing features as required by the site plan review process. The Town Administrator or designee may reduce the amount of area to be surveyed for large development sites.
- (b) Every effort shall be made to preserve all significant trees on any property outside the building footprint, as identified on the Forested Land Map in the adopted Community Master Plan.
- (c) Vegetation to be preserved shall be protected by the following methods:
 - (1) During construction, significant trees that are to be preserved shall be protected for an area two (2) feet beyond their drip lines (i.e., the area the branches spread). Adequate protection devices shall be installed to ensure that trunks, branches and root structures are not damaged by construction equipment.
 - (2) No equipment shall be driven or parked within the vegetation to be preserved or within two (2) feet of the dripline of trees to be preserved.
 - (3) Vegetation to be preserved shall also be protected by temporary fencing that is maintained throughout the construction process.
 - (4) If a significant tree that has been identified for preservation is damaged or destroyed during construction or does not survive during the 24 month warranty period following completion of the landscaping improvements, it shall be replaced with a tree of comparable (though not necessarily identical) size based on a caliper-for-caliper basis



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

(e.g. a 24 inch caliper tree is replaced with three (3) eight (8) inch caliper trees). The new trees shall be planted in the same location as the damaged tree if the town determines that the new trees can survive in this location.

- (5) If vegetation to be preserved is damaged or destroyed, such damaged or destroyed area shall be replanted to a natural state.
- (6) No vegetation or tree removal can occur on a lot until the planning commission reviews and approves of such removal in accordance with these regulations except that dead or diseased trees, such as those infested with the Mountain Pine Beetle, may be removed without prior town approval.
- (7) If required by the Fire Department, a forest management/fuels reduction plan shall be submitted for any project that has significant areas of trees or forested areas to be preserved, as determined by the planning commission. It is the intent of this requirement to ensure that diseased trees are removed, and trees are thinned to ensure a healthy growing condition and to ensure adequate fire mitigation measures are implemented on site in a timely manner. The forest management/fuels reduction plan shall identify forest management practices in accordance with the defensible space zones as set forth in the town's adopted Building Code and shall include a phasing plan for implementing the recommendations of the forest management/fuels reduction plan. The obligation to carry out the recommendations shall be included in a Site Plan Improvements Agreement and through a financial guarantee. Additionally, all such forest management/fuels reduction activities shall be included in any Covenants, Conditions, and Restrictions ("CC&Rs") governing the property.

Sec. 17.3.360 Site landscape design.

- (a) Landscape improvements shall be an integral part of the overall site design for each property. Landscape improvements shall be designed to complement and enhance the character of neighborhoods and shall follow these standards:
 - (1) Landscaped areas shall be configured to *maximize their interconnectivity* within the site, to natural areas, and to landscaped areas in adjacent developments. Small, isolated islands of landscaping should be avoided except as required in parking lots and for screening along roadways.
 - (2) Landscaped areas shall enhance functional open space through the *creation of outdoor rooms* appropriate to the location and purpose of the open space within the development.
 - (3) Landscape improvements in all developments shall be *consistent with the character* of the surrounding area to reinforce neighborhood identity. For example, if the prevailing character of the surrounding area and neighborhood is mountain grassland, then fewer trees will be required while more shrubs and grasses will be required for the proposed development.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (4) Landscape design shall enhance natural features, drainage ways, and environmental resources.
- (5) All landscape improvements shall be designed for mature landscapes and shall provide appropriate visibility for cars and pedestrians. Landscaping shall be no more than thirty (30) inches high when located in a sight distance triangle.
- (6) Preserve and frame views both into and out of the neighborhood.
- (7) Comply with the requirements of the International Fire Code, as adopted by the town, including but not limited to three (3) foot clear distance from fire hydrants.

Sec. 17.3.365 Water efficiency in landscape design guidelines.

- (a) Landscape improvements shall be designed and installed with water efficiency as a primary goal.
- (b) Landscapes shall use the following xeriscape design principles as a guideline to facilitate water conservation:
 - (1) Use of mulch to maintain soil moisture and reduce evaporation.
 - (2) Improvement of the soil with organic matter if needed.
 - (3) Efficient and well-maintained irrigation systems.
 - (4) Design of landscaping to help minimize steep grades and reduce water runoff.
 - (5) Plants shall be selected appropriately based upon their adaptability to the climatic, geologic, and topographical conditions of the site. Protection and preservation of native species and natural areas are encouraged.
 - (6) Recirculating water shall be used for decorative water features.
 - (7) Plants shall be selected to blend with the native vegetation for projects at the interface between developed areas and undeveloped land.

Sec. 17.3.375 Landscaping within Storm drainage facilities. (also see Stormwater Quality Control)

- (a) Intent. The intent of this Section is to promote innovative and effective land and water management techniques that protect and enhance water quality.
- (b) Drainage improvements must comply with the MS-4 requirements.
 - (1) Stormwater drainage facilities shall be designed, installed, and maintained to prevent erosion, minimize mosquito habitat, and improve water quality of stormwater runoff. (See Figure 3-XX below.)
 - (2) Storm drainage facilities may be allowed to function as open space for active recreation, trail corridors, or habitat enhancement areas if they are designed appropriately pursuant to the Town Engineer and the Town's Stormwater Management consultant. In making such a determination of the applicable development review procedure shall consider the



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

safety of end users of such facility, potential impacts to adjacent properties, and any recommendations provided by the Town Engineer and the Town's Stormwater Management consultant.

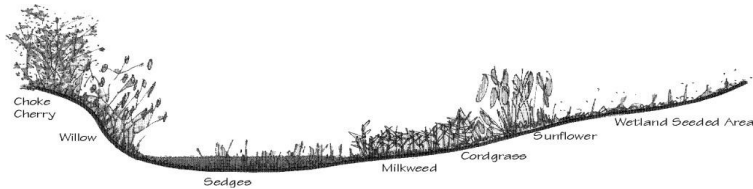


Figure 3-XX. *Develop storm drainage systems as landscape amenities.*

- (1) Maximum slope on drainage facilities shall be 4:1, that is one foot rise for every four-foot run, and the minimum slope of the bottom of a drainage facility shall be one-half percent (0.5%).
- (2) Landscape improvements shall be designed to enhance the function of the facility. Areas designed for recreation shall include clusters of trees to provide shade, located so they do not impair the function of the facility.
- (3) Habitat and water quality enhancement, including wetland plantings in low wet areas, is encouraged.

Sec. 17.3.380 Landscape Low-impact development (LID) practices

(a) Purpose and incentives.

- (1) The town encourages the use of low-impact development (LID) practices as part of an integrated water management strategy to promote infiltration, remove pollutants, regenerate the groundwater supply, and encourage the use of native plants.
- (2) Applicants proposing LID options as part of a development may be eligible for a reduction in the number of required parking spaces by up to ten percent (10%), following a case-by-case review by the planning commission.

(b) Disconnecting drainage from impervious surfaces. Drainage from buildings (through gutters and downspouts) may be disconnected from piped infrastructure to prevent draining onto impervious surfaces without first passing through a green infrastructure option, as listed below.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (1) Bioswales. Bioswales are vegetated swales planted with wet tolerant species of plants or ornamental grasses. They transport, store, and allow infiltration of water, and can be designed as a landscape feature. Bioswales are not grassed but are planted with a variety of plant species that can withstand occasional water inundation for short periods of time. (See Figure 3-XX below.)

Figure 3-XX. Example of a bioswale within a parking area.



- (2) Grassed swales. Grassed swales are designed conveyance devices used to transport water over the surface of the ground to a point of disposal that may be a catch basin, ditch, or water body that will filter, infiltrate, evaporate, and clean water of total suspended solids, and other pollutants. Swales are often appropriate along property lines, public streets, and around buildings.
- (3) Rain Gardens. Rain gardens are small shallow depressions planted with a variety of native or ornamental plants that can treat small amounts of runoff to improve water quality. Rain gardens are generally small collections of water-loving plants planted on a low-site area to collect rainfall.
- (4) Sand filters. Sand filters are filtering or infiltrating systems that consist of a surcharge zone underlain by a sand bed with an underdrain system (when necessary). Examples may include depressions, trenches, barriers, or sand lenses constructed of porous mineral matter that improve groundwater recharge to filter, clean, and trap waterborne pollutants.
- (5) Other options. In addition, other LID standards include extended detention basins that may be used in open space tracts to treat the runoff from multiple lots, roads, trails, and pathways.
- (6) Other LID options may be allowed as approved by the town.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

Sec. 17.3.385 Installation and Maintenance of Landscape Improvements.

- (a) General installation standards.
 - (1) Required landscape improvements shall be installed prior to issuance of a certificate of occupancy. If required installation falls outside the planting season, the town administrator or designee may authorize a deferred landscaping installation to the next planting season with posting of a sufficient financial security for the improvements. Such financial security shall be released upon installation, inspection, and approval of the landscaping. All required landscaping shall be installed within one (1) year of issuance of a certificate of occupancy.
 - (2) All landscaping shall be installed and maintained pursuant to an approved landscape plan and the standards in this Article. Property owners/occupants shall be responsible for the maintenance of landscaping within the portion of the public right-of-way between the back of the curb or street pavement and the adjacent property.
 - (3) All landscaping shall be installed to comply with required sight distance triangles, as defined in the adopted Town of Palmer Lake Public Works Standards.

Sec. 17.3.390. Wildlife and Natural Areas.

- (a) Intent. The intent of this Section is to ensure that new development limits and mitigates its impact to wildlife and wildlife habitat.
- (b) Protection of Wildlife and Natural Areas.
 - (1) New development shall minimize impacts on wildlife and natural areas by incorporating buffer zones, designing with ecological sensitivity, and mitigating any environmental disturbances. Buffer sizes shall be determined with input from wildlife experts, including Colorado Parks and Wildlife (CPW), and may be adjusted in cases of undue hardship. Limited activity may be allowed in natural areas for specific purposes such as restoration, public safety, or habitat enhancement.
 - (2) To the maximum extent practical, development shall be designed to ensure that disturbances that occur to any natural area as a result of development shall be minimized. If any development materially disturbs a natural area, the development project shall mitigate such lost natural resource either on or off-site. Any such mitigation shall be roughly proportional to the loss suffered as a result of the disturbance.
 - (3) Developments in areas with known wildlife presence shall include measures to reduce conflicts, with review by appropriate wildlife agencies when deemed necessary by the Planning Commission.

Sec. 17.3.395 Buffering and Screening.

- (a) Landscaped buffers and fences or walls shall be provided to buffer non-residential uses from residential uses or multi-family development. ~~or screen development from abutting properties and the public right-of-way.~~ Such buffers or screens shall be designed to



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

complement the natural character of the site by using natural materials and landforms that follow the natural undulations or other natural forms of the land. The scale and density of any buffers and screens that are provided shall have an appropriate relationship to the building and its setting.

- (b) Buffering. Landscaped buffers shall be designed to soften the view and edge of a site, so that it blends into its surrounding context. The specifications for landscaped buffers are provided below. Such buffers shall be installed in the following areas:
- (1) At the edges (perimeter) of a parking lot and between parking lots.
 - (2) Between building development and recreational trails or open space.
 - (3) Between multi-family development and a roadway or adjacent single-family or duplex development. ~~a road or other public spaces.~~
 - (4) Between industrial uses and residential or commercial uses.
 - (5) Between commercial and residential areas.
 - (6) The following represent three (3) acceptable buffering standards to ensure compliance:
 - a. One (1) deciduous tree with a minimum caliper of one and one-half (1 ½) inches for every two (2) lineal feet of buffering; or,
 - b. One (1) collected or nursery-grown conifer with an average height of eight (8) feet for every six (6) lineal feet of buffering; or,
 - c. One (1) nursery-grown conifer with an average height of eight (8) feet for every ten (10) lineal feet of buffering.
- (c) Screens shall be installed around the following areas:
- (1) Service areas, including dumpsters.
 - (2) Parking lots
 - (3) Storage areas.
 - (4) Utility boxes and gas meters provided such landscaping meets any written utility provider requirements.
 - (5) Service entrances; and,
 - (6) Ground-level heating, ventilating, and other related equipment.
- (d) Any fence or wall installed as a screen shall:
- (1) Be built of natural or naturally appearing materials and be constructed of durable materials, such as stone, masonry, wood, or non-reflective metal.
 - (2) Have muted colors that blend in with the natural environment.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (3) Incorporate architectural treatments on the side(s) of the fence that abuts a public right-of-way, recreational pathway, or other access way. Architectural treatments may include, but are not limited to stamped concrete, stucco, or natural or cultured stone.
- (4) Incorporate columns and offsets to break up long expanses.
- (5) Not exceed eight (8) feet in height when screening a dumpster, provided that this height limit may be exceeded, to a maximum height of 16 feet, if the screening device is a roofed structure

Sec. 17.3.395. Fences and walls.

- (a) Intent. The intent of this section is to ensure that walls and fences are attractive and in character with the neighborhood.
- (b) General provisions.
 - (1) A fence permit is required by the Pike Peak Regional Building Department for any fence over seven (7) feet.
 - (2) Compatibility.
 - a. Walls and fences shall be architecturally compatible with the style, materials, and colors of the principal buildings on the same lot.
 - b. Fences and walls along collector and arterial streets shall be made visually interesting by integrating architectural elements such as brick or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings or through similar techniques.
 - c. Fences used in front yards and adjacent to public streets, open spaces, or parks along a side or rear yard shall be at least fifty percent (50%) open. Allowable fences are split rail, wrought iron, picket, or other standard residential fences of a similar nature approved by the town Administrator or designee.
 - (3) Solid fences shall be constructed to meet the wind design criteria of the adopted Building Code.
 - (4) Prohibited materials. Security fencing such as concertina or razor wire, barbed wire, or electrically charged fences, is prohibited unless specifically allowed by the board of trustees. *Chain link fencing is allowed for sporting courts and in certain non-residential zone districts as a conditional review use.*
- (c) Retaining walls. Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property. Any retaining wall greater than forty-eight (48) inches in height, *tiered walls with a cumulative height greater than forty-eight (48) inches, or any wall that supports a surcharge load,* shall be engineered and allowed only with prior approval from the town Engineer.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (d) Maintenance. Fencing shall be maintained in an acceptable appearance. Missing and broken segments of the fence shall be repaired promptly. Dilapidated, unsightly, or dangerous fences shall be removed or repaired when so ordered by the town.
- (e) Fences, walls, and hedges shall comply with International Fire Code requirements, as adopted by the town, as they relate to maintaining unimpeded access to existing and proposed fire hydrants.
- (f) Fences, walls, and hedges may be required to have a reduced height in order to comply with applicable sight-visibility regulations such as sight triangle requirements at intersections.
- (g) Warranty period. The warranty period for perimeter fences along arterial and collector streets shall be two (2) years. Provision for compliance shall be as outlined in the warranty section of the subdivision improvement agreement or development agreement.

Sec. 17.3.500. Water, sewer, and drainage improvements.

Offsite and onsite water, sewer, and drainage improvements must comply with the town of Palmer Lake Public Works Standards and Section 16.40.020 Engineering design standards

Sec. 17.3.510. Lighting.

- (a) Intent. All new development shall utilize lighting techniques that minimize the impact of lighting on the night sky. Exterior lighting shall be used for purposes of identification, security, and safety, and illumination in areas of pedestrian circulation and vehicular traffic. These standards apply to all development within the town. The purposes of the lighting standards are as follows:
 - (1) Promote safety and security.
 - (2) Reduce the escalation of nighttime light pollution.
 - (3) Reduce glaring and offensive light sources.
 - (4) Provide clear guidance to builders and developers.
 - (5) Encourage the use of improved technologies for lighting.
 - (6) Conserve energy.
 - (7) Prevent inappropriate and poorly designed or installed exterior lighting.
 - (8) To minimize up-lighting, spill-lighting, glare, and unnecessary diffusion onto adjacent property.
 - (9) Minimize interference with the use or enjoyment of property through unnecessary nighttime illumination and the loss of scenic night sky views due to increased urban sky-glow.
 - (10) Maintain the safety and security of people and wildlife.
 - (11) Maintain the view of the stars in the night sky.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (b) Exemptions. The provisions of this section shall not apply to the following:
 - (1) Emergency lighting.
 - (2) Holiday lighting: Temporary holiday lighting is permitted conditioned on such lighting not blinking all at once, flashing, or rotating, or creating a hazard or nuisance from glare.
 - (3) Lighting of the Star on Sundance Mountain: The historic star is lit between Thanksgiving and New Year's Day, on designated holidays, and for special acknowledgement as determined by the Town Board of Trustees.
 - (4) Landscape lighting: Lighting used on trees, gardens and other landscaping features that does not trespass on property other than that for which it is intended
 - (5) Lighting of Flags: The lighting of national, state, or local municipal flags is permitted when lit with a maximum of two fixtures of not more than eighty watts each. This exemption shall not apply to any other type of flag.
 - (6) Lighting of Public Art: The lighting of public art is permitted with a maximum of two fixtures of not more than sixty watts each.
 - (7) Architectural Accent Lighting: Lighting to accent an architectural element that is aimed or shielded to prevent lighting of the night sky with a maximum of one fixture of not more than 40 watts.
 - (8) Sign Lighting: The lighting of a sign when done in accordance with the requirements of the sign standards contained in this Article.
- (c) Prohibited Lighting. The following are prohibited within the Town:
 - (1) Unshielded fixtures or lamps for outdoor lighting.
 - (2) Searchlights.
 - (3) Laser lights, and
 - (4) Semi-opaque or transparent backlit canopies or awnings.
- (d) Lighting Standards
 - (1) Neither the direct nor reflected light from any light source may create a traffic hazard to operators of motor vehicles on public roads, nor may colored lights be used in such a way as to be confused or construed as traffic control devices. Background spaces, such as parking lots and circulation drives, shall be illuminated to be as unobtrusive as reasonably possible while meeting the functional needs of safe circulation and of protecting people and property.
 - (2) All exterior lighting shall utilize fixtures that are fully shielded, emitting 0 lumens above 90 degrees from nadir, and have a BUG uplight rating of U0, as defined by the Illuminating Engineering Society (IES), and shall be installed and maintained to minimize light pollution, light trespassing, and skyglow.
 - (3) Light sources must minimize contrast with the light produced by surrounding uses and must produce an unobtrusive degree of brightness in both illumination levels and color rendition. Lamps shall be color corrected to be less than 3500-3000 Kelvin color temperature, except for seasonal lighting.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- (4) Light fixtures shall be arranged and positioned such that the light sources are concealed and fully shielded so that no direct light or reflection creates a nuisance or hazard to any adjacent ownership or right-of-way and that up-light, spill-light, glare, and unnecessary diffusion are minimized. Full cut-off fixtures may not be tilted or aimed in a manner that results in light distribution above the horizontal plane. Glare shields may be required to meet footcandle (Fc) limits.
- (5) Maximum on-site lighting levels shall not exceed five (5) foot-candles, except for loading and unloading platforms. For reasons of security, a maximum of one and one-half (1.5) foot-candles at entrances, stairways, and loading docks is permitted unless required by any federal, state, or local jurisdiction.
- (6) Light levels measured at the property line of the development site onto adjacent residential uses or public rights-of-way shall not exceed one-tenth (0.1) foot-candle as a direct result of on-site lighting.
- (7) Light fixtures associated with canopies, including but not limited to fuel islands, seasonal outdoor sales areas, shopping areas, theaters, bank drive-thrus, and commercial accommodations, shall be full cutoff or mounted so that the bottom of the lens is recessed or flush with the bottom surface of the canopy. All light emitted from the canopy shall be substantially confined to the ground directly beneath the perimeter of the canopy. No lighting of any kind, except as permitted by sign regulations, shall be allowed on the top or sides of a canopy. The design of the canopy in terms of height above grade and the spacing between the fixtures within the canopy shall be such that the illuminance level under the canopy does not exceed 20 foot-candles.
- (8) Photometric plan of estimated foot-candle levels with maximum and average illumination are required for parking lots with ten or more parking spaces. Emitted light shall not be greater than 0.1 (zero point one) foot-candle at the property line, except at site entry points if determined by the Planning Commission to be necessary for safety. Cutsheets for all exterior light fixtures shall also be submitted with the photometric plan.
- (9) Hours of Lighting Operation. All parking lot lighting fixtures and exterior building lights, except those required for security purposes, shall be extinguished within one (1) hour after the end of business hours and remain extinguished until one (1) hour prior to the beginning of business hours. If a portion of a parking lot is used after dark, only that portion shall be lighted.
- (10) Height and Material Standards for Lighting.
 - a. Residential Zone Districts. Light fixtures shall be mounted on concrete, fiberglass, or painted metal poles no higher than fifteen (15) feet from the ground. Lighting mounted on a building or structure shall not exceed the height of the building or structure. Bollard-type lighting fixtures shall be between three (3) and four (4) feet high.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- b. Nonresidential Zone Districts. Light fixtures shall be mounted on concrete, fiberglass, or painted metal poles no higher than 16 feet from finished grade the ground, unless a greater height, not to exceed the maximum building height in the applicable zone district, is recommended by the planning commission and approved board of trustees through a development application review process.
- c. Lighting mounted on a building or structure shall not exceed the height of the building or structure. Bollard-type lighting fixtures shall be between three (3) and four (4) feet high. Streetlights are exempt from this requirement.
- d. Pedestrian pathways: 10 ft.
- e. Upper-Story Decks 7 feet above deck
- f. Lighting Standards for Specific Uses.
- g. Security lighting: Security lighting should use the lowest possible illumination to effectively allow surveillance, be shielded, and directed downward toward designated areas. The use of motion sensors, timers, photocells, or other means to activate lighting during times when it is needed is encouraged to conserve energy and provide safety and promote compatibility between different land uses. However, photocells are permitted only at primary entrances and where the light source is fully shielded. Security light intensity shall be a maximum of ten footcandles. Security lights are not exempt from the light trespassing rules as defined in this ordinance.
- h. Architectural accent lighting: Fixtures must be fully shielded and downcast. Fixtures used to accent architectural features, materials, colors, style of buildings, landscaping or art shall be located, aimed and shielded so that light is directed downward onto those features. Up-lighting is permitted if the illumination is effectively contained within an overhanging architectural element and is no more than forty (40) watts.
- i. Recreational facilities: Lighting for fields, courts or tracks shall not exceed maximum luminance criteria as defined by the Illuminating Engineering Society of North America. Exterior sports arenas with exterior luminaries for the playing area shall be extinguished by 10:00 p.m. or within one half hour after the conclusion of the final event of the day, whichever is later. The remainder of the facility lighting, except for reasons of security, shall be extinguished at 10:00 p.m. or within one hour after the event, whichever is later.
- j. Signage illumination: All signage shall comply with Chapters 14.50 of the Town Code. Signage utilizing lighting shall have fixtures mounted to the top of the Signel structure aimed downward onto the sign from above. Fixtures shall be fully shielded so that light is directed only onto the sign facade and not aimed at the sky, adjacent streets, roads or properties.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- k. Exemption for Outdoor Recreational Uses. Because of their limited hours of operation and their unique requirements for nighttime visibility, playing fields, tennis courts, pickle ball courts, and other similar outdoor recreational uses (both public and private), unless otherwise restricted by the board of trustees, shall be exempt from the general provisions of this Section. However, exterior lighting for such uses shall be extinguished no later than 11:00 p.m.

(10) Blinking, flashing, or changing intensity lights are prohibited; except for temporary holiday displays or lighting required by the FAA.

(11) Up-lighting is prohibited except for the up-lighting of flags within nonresidential projects and with a limit of two (2) fixtures per flagpole with a maximum of one hundred fifty (150) watts each. The fixtures must be shielded.

17.3.610. Slope and Stormwater Quality Control Ordinance.

This chapter shall be known as the " **Slope and Stormwater Quality Control Ordinance** of the town of Palmer Lake."

17.3.620. Purpose.

The purpose of this Section is to protect the health, safety and welfare of the citizens of the town by:

- (a) Ensuring that the development of each site occurs in a manner harmonious with adjacent lands so as to minimize problems of drainage, erosion, earth movement, and similar hazards as well as visually unpleasant relationships.
- (b) Ensuring that the planning, design and construction of a development will be done in a manner which provides both maximum safety and human enjoyment, while making it as unobtrusive in the natural terrain as possible.
- (c) Ensuring, insofar as practical in permitting reasonable development of land and minimizing fire hazard, the maximum retention of natural vegetation to aid in protection against erosion, earth movement and other similar hazards and to aid in preservation of natural scenic qualities of the town.
- (d) Reducing air pollution caused by dust blown from areas under development.
- (e) Implementing the control measure requirements of, and ensuring compliance with, the town's municipal separate storm sewer system (MS4) permit to protect water quality.

(Code 1973, § 17.50.020; Ord. No. 2-1986, § 2, 1986; Ord. No. 3-1989, § 1, 1989; Ord. No. 04-2020, § 14, 6-11-2020)

17.3.630 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commented [BC8]: This section is outdated and will need to be updated by John Chavez. Town's stormwater quality control and MS4 permitting consultant.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

Applicable construction activities means construction activities that result in a land disturbance of greater than or equal to one acre or that is less than one acre, but is part of a larger common plan of development or sale that would disturb, or has disturbed since March 2, 2001, one acre or more, unless excluded in subsection (1) or (2) of this definition or the disturbed areas have been finally stabilized.

- (1) Construction activities with an R-factor waiver approved by the water quality control division are excluded from the definition of applicable construction activities.
- (2) Facilities associated with oil and gas exploration, production, processing, or treatment operations, or transmission facilities, including activities necessary to prepare a site for drilling and for the movement and placement of drilling equipment, whether or not such field activities or operations may be considered to be construction activity. These facilities might still be covered under the state general permit for stormwater discharges associated with construction activity.

Average slope means a slope that shall be computed as follows:

$$S = 100 IL/A$$

I = Contour interval in feet.

L = The summation of the length of all contour lines, in feet.

A = Area in square feet of the parcel considered.

Best management practices means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "state surface waters." BMPs also include treatment requirements for and operating procedures and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. The term BMP is used interchangeably with the term control measure, and can include other methods such as the installation, operation, and maintenance of structural controls and treatment devices.

Common development improvement means improvements under the ownership or control and maintained by a private or public entity other than the town, including greenways, drainage systems and permanent stormwater management facilities.

Construction activity refers to ground surface disturbing and associated activities (land disturbance), which include, but are not limited to, clearing, grading, excavation, demolition, installation of new or improved haul roads and access roads, staging areas, stockpiling of fill materials, and borrow areas. Construction does not include routine maintenance to maintain the original line and grade, hydraulic capacity, or original purpose of the facility. Activities to conduct repairs that are not part of regular maintenance or for replacement are construction activities and are not routine maintenance. Repaving activities where underlying and/or surrounding soil is cleared, graded, or excavated as part of the repaving operation are considered construction activities unless they are an excluded site described in section



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

16.12.020. Construction activity is from initial ground breaking to final stabilization regardless of ownership of the construction activities.

Control measure means any best management practice or other method used to prevent or reduce the discharge of pollutants to waters of the state. Control measures include but are not limited to best management practices. Control measures can include other methods such as the installation, operation, and maintenance of structural controls and treatment devices. The following requirements apply to all control measures:

(1) Control measures must be selected, designed, installed, implemented, and maintained in accordance with "good engineering, hydrologic, and pollution control practices" to prevent or reduce "pollution" as defined in this section.

(2) *Maintenance*. Control measures must be maintained in effective operating condition.

(3) *Inadequate control measures*. Any control measure shall be considered an "inadequate control measure" if it is not designed, implemented, or operating in accordance with the requirements of the permit, including the specific requirements in each program area in Part I.E or requirements for specific permittees in Part III.

(4) *Control measure requiring routine maintenance*. Any control measure shall be considered a "control measure requiring routine maintenance" if it is still operating in accordance with its design and the requirements of this permit but requires maintenance to prevent associated potential for failure during a runoff event.

Cut means removal of existing soil without replacing or backfilling the removed earth.

Excavation means any manual or mechanical removal of earth materials from the ground and may or may not be replaced or backfilled

Fill means the adding of soil to the surface without later removal.

Final stabilization means the condition reached when all ground surface disturbing activities at the site have been completed, and for all areas of ground surface disturbing activities a uniform vegetative cover has been established with an individual plant density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed.

Good engineering, hydrologic and pollution control practices means methods, procedures, and practices that:

(1) Are based on basic scientific facts.

(2) Reflect best industry practices and standards.

(3) Are appropriate for the conditions and pollutant sources.

(4) Provide appropriate solutions to meet the associated permit requirements, including practice based and numeric effluent limits.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

Land disturbing activity means any activity that results in a change in the existing land surface (both vegetative and non-vegetative). Land disturbing activities include, but are not limited to clearing, grading, excavation, demolition, installation of new or improved haul roads and access roads, staging areas, stockpiling of fill materials, and borrow areas. Compaction that is associated with stabilization of structures and road construction shall also be considered a land disturbing activity.

Municipal separate storm sewer system (MS4) means the system of conveyances owned or operated by the town designed or used for collecting or conveying stormwater, including but not limited to roads with drainage systems, inlets, catchbasins, curbs, gutters, pipes, manmade channels, ditches, detention and water quality basins, or storm drains.

Percent slope means the ratio of the vertical rise (or elevation differential) divided by the horizontal run (or distance) times 100 percent.

Pollution means manmade or man-induced, or natural alteration of the physical, chemical, biological, and radiological integrity of water. See 5 CCR 1002-61.2(77).

Waters of the state (state waters) means any and all surface and subsurface waters which are contained in or flow in or through this state, but not including waters in sewage systems, waters in treatment works of disposal systems, waters in potable water distribution systems, and all water withdrawn for use until use and treatment have been completed. This definition can include water courses that are usually dry. For the purposes of this chapter, waters of the state do not include subsurface waters.

(Code 1973, § 17.50.030; Ord. No. 2-1986, § 3, 1986; Ord. No. 3-1989, § 1, 1989; Ord. No. 5-2006, § 1, 2006; Ord. No. 04-2020, § 15, 6-11-2020)

17.3.630 Lot coverage.

The following percentage of the site shall remain undisturbed and in a natural state depending 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.

Percent Average Slope	Percent of Site to Remain Undisturbed in a Natural State
0—15.9	Limited to Development Standards
16—19.9	50%
20—24.9	60%



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

Percent Average Slope	Percent of Site to Remain Undisturbed in a Natural State
25—29.9	70%
30 & Over	85%

17.3.640 Merger of contiguous lots.

Contiguous parcels under one ownership, not including parcels separated by existing improved streets, may be merged at the option of the property owner for the purpose of computing the average slope. Any lots so merged shall be permanently joined as one building site by covenant filed and recorded in the records of the clerk and recorder of county.

17.3.650 Development standards.

(a) Grading.

(1) No earthwork cut shall have finished slope steeper than a ratio of three horizontal to one vertical.

(2) No earthwork fill shall have a finished slope steeper than a ratio of three horizontal to one vertical.

(3) The tops of fills and the bottoms of cuts shall be separated by at least five feet of horizontal distance.

(4) The bottoms of fills and the tops of cuts shall be separated by at least five feet of horizontal distance.

(5) No cut or fill shall at any point be closer to any property line than five feet, except as provided herein relative to driveway placement.

(6) No cut or fill shall exceed eight feet in height measured vertically at the maximum distance between the original existing natural grade and the finished grade except for basements, footings, retaining walls, and utility trenches, provided that the finished grade is that required by town rules and regulations or the regional building authority.

(7) That workers and equipment be provided at the site during storms to prevent incomplete work from endangering life or property.

(8) Adequate protection shall be required of excavations, cuts or fills which would be hazardous without such protection.

(9) All organic matter and topsoil shall be stripped prior to placement of any fill material exceeding one foot.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

(10) All grading shall comply with items in subsections (a)(1) through (9) of this section and with the El Paso County Engineering Criteria Manual Chapter 3 and Appendix E.

(b) Drainage.

- (1) Initial site grading shall be done in such a manner that the drainage across the property, either historic or the approved direction is maintained. Drainage ways or channels shall be kept operational during the construction process. If the construction process causes any of the drainage ways or roadside ditches to fill with sediment, the owner/builder shall immediately reconstruct the impacted drainage ways to the preconstruction contours and shall clean out and open any culvert or conveyance device which may have been plugged. All areas outside of drainage ways which are negatively impacted shall likewise be cleaned and restored to preconstruction conditions.
- (2) The surface runoff water shall be controlled by piping, swales, ditches and control measures capable of handling the designs flows.
- (3) It must be demonstrated that excess outside flows onto the lot will not impair the suitability of the proposed construction and that the new flow patterns will not be directed onto adjacent properties in a manner that will impair those properties.
- (4) Flows from paved areas or roofs shall be directed to existing drainage easements. In the event the only alternative is to discharge directly into the town MS4, permanent downstream drainage improvements of the receiving structures shall be required for sediment and erosion control. If the location of the proposed project blocks a natural drainageway, the developer shall redirect the flows in accordance with these regulations.
- (5) All culverts whether on-site or on town right-of-way shall be sized in accordance with the drainage requirements and shall be approved for location, type and size by the town engineer or his representative. Unless otherwise approved, culverts shall be a minimum of 18 inches in diameter, shall be minimum of 20 feet in length, and shall be corrugated metal or reinforced concrete pipe and shall extend upstream and downstream a minimum of 2½ feet from the edges of the driveway and shall be placed so as not to damage the roadway and the side ditches. Cross pan driveways are generally not acceptable.
- (6) The owner shall maintain the culvert below the driveway in such a manner as to allow the passage of flows without impairment. Should the owner fail to maintain the culvert, the town will perform the necessary maintenance of the culvert and shall charge the owner for the labor and any necessary materials.
- (7) Efforts shall be made to abate the dust caused by the development of sites.
- (8) During construction of the project, it is mandatory that measures be taken to minimize any adverse effects on the neighboring properties.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

- (9) Ingress and egress to the project shall be only by way of the approved driveway, etc.
- (10) All applicable development sites shall submit a master development drainage report consistent with the criteria presented in Chapter 4 of the Drainage Criteria Manual Volume 1.

(c) Landscaping.

- (1) During construction and always thereafter, particularly prior to the establishment of vegetation, all disturbed areas not covered by structures, driveway or other hard surfaces shall be protected from erosion.
- (2) All disturbed areas shall be vegetated with erosion control grasses, shrubs and/or trees.
- (3) All ~~required landscaping including~~ revegetation and retaining walls shall be constructed and/or installed prior to occupancy of the premises ~~except as~~ Landscaping shall be provided pursuant to ~~17-3-2 and 17-68-100(c).~~
- (4) All plans and supporting documentation shall be prepared by a Colorado Registered Professional Engineer, except as provided otherwise herein. Control measures shall be implemented prior to the start of construction activity, must control potential pollutants during each phase of construction and must be maintained through final stabilization. Appropriate structural control measures must be maintained in operational condition. For the purposes of selection, designing, installation, implementation and maintenance of control measures, the following criteria are hereby incorporated by reference:
- a. The El Paso County Engineering Criteria Manual (ECM), latest update through Supplement No. 3 adopted July 18, 2023 as may be amended from time to time with the most current version hereby being adopted: Chapter 3 - Drainage: in its entirety; Appendix E - Checklist and Permits: Grading and Erosion Control Plan Checklist and Standard Notes; Stormwater Management Plan Checklist; the following sections of Appendix I:
1. I.2: Overview.
 2. I.3: Adoption of Drainage Criteria Manuals by El Paso County.
 3. I.4.1.B: Permit Holder Responsibilities.
 4. I.4.1.C: Transfer of Property and Permit Holder Responsibilities.
 5. I.5: El Paso County Construction Site Inspections.
 6. I.7: Post Construction Stormwater Management.
 7. I.9.: Supplemental Information: Urban Drainage Flood Control District's (renamed: Mile High Flood District) Hydrology and Hydraulics Design Tools.

Commented [BC9]: This reference in the current code is incorrect and has nothing to do with landscaping.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- b. All references to "El Paso County," "county," and "un-incorporated areas of El Paso County," etc., shall correspond to "town of Palmer Lake." All references to "ESQCP" shall correspond to "Land Use Permit."

(d) Stormwater management during construction.

- (1) *Applicability.* All applicable construction activities shall submit with the land use permit application a stormwater management plan (SWMP) consistent with the content requirements identified in Appendix E of the El Paso County Engineering Criteria Manual. The SWMP must locate and identify all structural and non-structural control measures for the applicable construction activities. The SWMP must contain installation and implementation specifications for all structural control measures. A narrative description of non-structural control measures must also be included in the SWMP.

- (2) Stormwater management plan. The purpose of a SWMP is to identify all possible pollutant sources from an applicable construction activity that may contribute to stormwater pollution, and to address the selection, installation, implementation and maintenance of control measures (also known as best management practices (BMPs) that, when implemented, will prevent pollution or degradation of state waters.

- a. Control measures identified in the SWMP must be appropriate for the specific construction activity, the pollutant sources present, and the phase of construction. There is a wide variety of structural and non-structural control measures that can be used.

- b. The SWMP shall be submitted as a stand-alone document separate from the engineering plan set submitted for review and approval. El Paso County uses a checklist to perform a completeness review of the initially submitted SWMP. Unlike the grading and erosion control plan, the SWMP is intended to be a dynamic document and must be revised as construction proceeds to accurately reflect the current conditions and control measures in use at the site. Therefore, El Paso County does not "approve" the SWMP. A copy of the SWMP review checklist can be found in Appendix E.

- c. During construction, the SWMP is the responsibility of the designated qualified stormwater manager or certified erosion control inspector and shall be located on site at all times during construction and shall be kept up to date with work progress and changes in the field.

- (3) *Control measure requirement.* For all applicable construction activity control measures must be selected, designed, installed, implemented, and maintained in accordance with good engineering, hydrologic, and pollution control practices. Control measures must be selected, designed, installed, implemented, and maintained to provide control of all potential pollutants, such as but not limited to sediment, construction site waste, trash, discarded building materials, concrete truck washout, chemicals, sanitary waste, and contaminated soils in discharges to the



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

MS4. At a minimum, pollutant sources associated with the following activities (if part of the applicable construction activity) must be addressed:

- a. Land disturbance and storage of soils.
- b. Vehicle tracking.
- c. Loading and unloading operations.
- d. Outdoor storage of construction site materials, building materials, fertilizers, and chemicals.
- e. Bulk storage of materials.
- f. Vehicle and equipment maintenance and fueling.
- g. Significant dust or particulate generating processes.
- h. Routine maintenance activities involving fertilizers, pesticides, detergents, fuels, solvents, and oils.
- i. Concrete truck/equipment washing, including the concrete truck chute and associated fixtures and equipment.
- j. Dedicated asphalt and concrete batch plants.
- k. Other areas or operations where spills can occur.
- l. Other non-stormwater discharges including construction dewatering not covered under the construction dewatering discharges general permit and wash water that may contribute pollutants to the MS4.

(4) *Inspections.* During construction, all applicable construction activity shall be inspected according to the inspection types, frequencies and scopes identified in the El Paso County Engineering Criteria Manual Appendix I, section I.5. The purpose of inspections conducted by town inspectors is to ensure compliance with the control measure requirements in this chapter and [title 16](#).

(e) *Post construction stormwater management.* All applicable development sites, as defined in [title 16](#), shall implement post construction (permanent) stormwater quality control measures consistent with the requirements of this chapter and title. For the purposes of selection and design of post construction stormwater control measure, the criteria presented in Appendix I, section I.7 of the ECM shall be used. Control measures for new development and redevelopment shall meet one of the minimum base design standards listed in Appendix I, section I.7.C. of the ECM.

17.3.670. Site plan.

A map shall be prepared by a registered professional engineer, registered architect, or licensed surveyor licensed in the state which is drawn to the scale of at least one inch to 20 feet and shows contours at intervals of no more than one foot. The map shall contain the location, height,



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

and dimensions of existing and proposed structures and uses in relation to natural water courses, proposed landscaping, revegetation and publicly dedicated streets.

17.3.680. - Grading and erosion control plan.

A grading and erosion control plan shall be prepared by a Colorado registered professional engineer and shall be based on the criteria included in Chapter 3 of the El Paso County ECM and shall include the content identified in the grading and erosion control plan checklist provided in Appendix E of the ECM. Any revisions to a grading and erosion control plan approved by the town engineer, which effect hydrology or hydraulics of any component of the approved plan, shall require review and approval of the proposed changes prior to implementation.

17.3.690 Exceptions.

- (a) A driveway and its related cut or fill slopes necessary for the construction of the driveway may extend to the front or closest street property line, provided that it meets engineering design requirements and is designed by a registered engineer.
- (b) A temporary occupancy permit may be issued by the zoning officer if in his opinion the season will not permit construction/installation of retaining barriers or revegetation required. Such temporary occupancy permit shall run for six months or through one full growing season.
- (c) The provisions relating to the dedication of land, payment of fees or both (as described in the town ordinances) shall be applicable to land affected by this chapter.
- (d) In computing the "average slope" for any parcel placed in the town, any average slope not meeting the requirements of this chapter may be modified by elimination from the calculation of "average slope" that portion of the parcel placed by the lot owner in a conservation easement in favor of the town as contemplated by C.R.S. title 38, art. 30.5, provided that the conservation easements is accepted by the town. Said easement remains the sole responsibility of the property owner.
- (e) No construction shall commence until the land use permit and associated required plans are reviewed and approved by the town engineer. A "notice to proceed," will be provided in writing by the planning commission upon successful completion of an initial inspection.

17.3.710. - Submittal requirements.

- (a) All project plans shall be submitted to the planning commission and conform to the requirements of this chapter and shall show the following:
 - (1) Name, address, legal description, and street address of applicant and professional designer.
 - (2) Plans shall be drawn at a scale of at least one-inch equals 20 feet or scale approved prior to submittal by the zoning officer.
 - (3) Sheet size.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- a. Minimum: 8½ by 11 inches. Project plans and plan elements may be shown on one or more sheets.
- b. Maximum size: 36 inches by 48 inches.
- (4) Lot size. Show square footage of property if less than one acre. If more than one acre, show acreage to two decimal places.
- (5) Setback dimensions clearly show the distance from the proposed structure to the property lines, as well as setback dimensions of any existing structures (measurements to be made perpendicular to the lot lines).
- (6) Structure location, existing and proposed.
- (7) Driveway location, width, grade and surfacing material.
- (8) Culvert size, material and location.
- (9) Sewer line. Location, material and size of main and house connection.
- (10) Water line. Location, material and size of main and house connection.
- (11) Easements. Show and identify all easements affecting the property.
- (12) Grading. Show all contours at a minimum interval of one foot plus all other necessary information in accordance with the requirements of this chapter.
- (13) Drainage. Show necessary information in accordance with the requirements of this and other ordinances.
- (14) Parking. Show minimum required by ordinance and actual quantity shown on plan.
- (15) Average lot slope calculation
- (16) Percentage of lot coverage not permanently disturbed.
- (b) At a minimum, the following documents shall be submitted for applicable construction activity and applicable development sites.
 - (1) *Applicable construction activity.* All applicable construction activity occurring within the town jurisdiction shall obtain a land use permit prior to the start of construction. The following shall be submitted for review and approval by the planning commission prior to the start of construction.
 - a. Completed land use permit application.
 - b. Grading and erosion control plan.
 - c. Stormwater management plan.
 - (2) *Applicable development site.* All applicable development sites within the town shall obtain a land use permit prior to the start of construction.
 - a. Completed land use permit application.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

- b. Grading and erosion control plan.
- c. Master development drainage plan.
- d. Stormwater management plan.
- e. Design details for all structural post construction stormwater management control measures.
- f. A narrative reference for all non-structural control measures.
- g. Documentation of operation and maintenance procedures to ensure the long-term observation, maintenance and operation of permanent control measures.
- h. Documentation of easements or other legal means for town access of the control measure site for operation, maintenance and inspection of each control measure.

17.3.720. - Enforcement.

(a) No permit shall be issued for the construction, erection or moving of any building or structure in the town unless the provisions of this Code are followed. It is a violation of this title not to follow the site plan, grading and erosion control plan, stormwater management plan and drainage plan as approved by the town. The town is required by its MS4 permit to have an enforcement process and sanctions designed to minimize the occurrence of violations and obtain compliance from chronic and recalcitrant violators of stormwater control measure requirements. Escalation of enforcement must occur as necessary based upon the severity of the violation and/or the recalcitrance of the violator to ensure that violations of a similar nature are enforced consistently. As a general outline, the following process will be followed up to the point where an adequate response to non-compliance is obtained:

- (1) Documented inspection.
- (2) Verbal warning of noncompliance (documented in inspection report).
- (3) Letter of noncompliance.
- (4) Stop work order.
- (5) Revocation of permit.
- (6) Performance of remedial work.
- (7) Court order.

(b) The town retains its right, however, to exercise its discretion in applying enforcement mechanisms as circumstances warrant. Any individual or person acting as a subcontractor or as an agent for a subdivider who is found guilty of violating any of the provisions of this title is guilty of a misdemeanor and shall, upon conviction, be punished according to [chapter 1.12](#). These penalties shall be in addition to any others that may be imposed.

(Code 1973, § 17.50.120; Ord. No. 2-1986, § 12, 1986; Ord. No. 3-1989, § 1, 1989; Ord. No. 04-2020, § 21, 6-11-2020)



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

17.3.730. - Fees.

The minimum fee for issuance of a permit under this chapter shall be as set forth in the application for land use. In addition, costs incurred by the town for review shall be as outlined in 17.12.055 Application fees and cost reimbursement agreement.

Sec. 17.80 Home Occupations

17.80.010. Accessory use.

Home occupations are permitted as an accessory use in any residential zoning district, subject to the standards contained in this chapter.

17.80.020. - Residential use

Where a residential use is permitted or has been permitted either by conditional review use or by prior nonconforming use in a nonresidential zone, the provisions of this chapter shall apply

17.80.030. - No alteration.

There shall be no alteration of the structure or building to in any way accommodate the home occupation or to indicate in any way that a home occupation activity is being conducted on the premises, nor shall there be any activity conducted in connection with the home occupation that in any way alters the residential character of the neighborhood.

17.80.040. - No signs permitted.

No signs shall be permitted other than a house number or name plate not more than two square feet in area, which sign must be attached to the principal building. In addition, there shall be no illumination of said sign, either internally or externally. House numbers may be illuminated.

17.80.050. - No outside storage.

No outside storage, parking, or maintenance of materials or equipment of any type shall be permitted in connection with a home occupation.

17.80.060. - Activity entirely within dwelling.

The home occupation use must be conducted entirely within a structure.

17.8.065 Licensed Family Childcare Homes. Childcare homes are allowed in all residential districts upon receipt of a license pursuant to Section 26-6-102. Home childcare allow for care for up to six (6) children with a maximum of two (2) children under the age of 2.17.80.070. - No exterior display. No exterior visible display shall be permitted that would indicate a use other than a residential dwelling.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS
JULY 20TH with SPK and GMS additions or corrections

17.80.090. - Area not to exceed one-half.

The total area used for a home occupation shall not exceed one-half of the principal floor area of the user's dwelling unit.

17.80.100. - No adverse effect.

The home occupation use shall not adversely affect the principal permitted uses in the residential district.

17.80.110. - No objectionable use.

No home occupation shall be permitted when the same is objectionable due to expulsion of noise, dust, smoke, gas, odor or other objectionable or obnoxious causes.

17.80.120. - No retail, wholesale or warehousing activity.

There shall be no retail, wholesale or warehouse activity other than that which is clearly incidental to the direct provision of the home occupation activity.

17.80.130. - No additional parking space.

There shall be no home occupation permitted that requires additional parking spaces or causes undue vehicular traffic above that which is normally incidental to a residential use or interferes with the public use of adjoining streets or alleys or the private use of driveways.

17.80.140. - Maximum of two employees.

No home occupation shall be permitted which employs more than two other persons who are not residents of the premises.

17.80.150. - Off-street parking area not to be occupied.

A home occupation use shall not occupy the required off-street parking area of the principal use.

17.80.160. - Business license requirements.

In addition to the requirements of this chapter, all home occupations are required to obtain a business license from the town in accordance with the business license municipal Code of the town.

17.80.170. - Sales tax collection and other fees.

All home occupation uses engaged in any way in the retail sale of any product or service shall comply with the sales tax ordinance of the town regarding the collection of retail sales taxes and other particular fees related to business activity.

17.76.010. Sign Regulations

Commented [BC10]: MuniCode will take care of the proper numbering when this is codified.

Commented [BC11]: The sign regulations were carefully drafted by the Planning Commission and were already adopted. No changes have been made to these regulations.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

(a) *Purpose.* Signs can obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The regulations in this chapter are intended to coordinate the use, placement, physical dimensions, design, and maintenance of all signs within the town.

(1) The following regulations recognize that signs are a necessary means of visual communication for the convenience of the public and provide flexibility within the sign review/approval process to allow for unique circumstances and creativity.

(2) These regulations recognize and ensure the right of those concerned to identify businesses, services, and other activities by the use of signs, and limit commercial signs to those which are accessory, and incidental to the use on the premises where such signs are located.

(3) These regulations provide a reasonable balance between the right of an individual to identify his or her business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of commercial signs and devices.

(4) This chapter allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. This chapter must be interpreted in a manner consistent with the first amendment guarantee of free speech and decisions by the Colorado Supreme Court and the United States Supreme Court.

(5) The intent of this chapter is to establish limitations on signs in order to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in this chapter. A sign placed on land or a building for the purpose of identification, protection, or directing persons to a use conducted is deemed to be an integral but accessory and subordinate part of the principal use of land or building.

(6) This chapter is not intended to and does not apply to signs erected, maintained, or otherwise posted, owned, or leased by the state, the federal government, or the town. This includes Colorado Department of Transportation (CDOT) tourist-oriented signs governed by C.R.S. § 43-1-420, as amended, and in accordance with all rules and regulations of CDOT. The inclusion of "government" in describing some signs does not intend to subject the government to regulation but instead helps illustrate the type of sign that falls within the immunities of the government from regulation.

(b) The intent of these regulations is:

(1) To maintain and enhance the aesthetic environment of the town.

(2) To provide a means for organizations and businesses to effectively advertise or communicate to the public.

(3) To assist in wayfinding.

(4) To lessen visual clutter caused by improper placement, excessive illumination, or animation.



ARTICLE 3 FINAL DRAFT BASED ON JULY 16 PC WORKSHOP CORRECTIONS

JULY 20TH with SPK and GMS additions or corrections

(5) To establish sign size depending on the use in relation to the scale of the lot's frontage from which the sign is viewed.

(6) To encourage signs that are responsive to the aesthetics and character of their particular locations and uses and the surrounding neighborhood and are compatible with the building's architectural design.

(7) To protect the public from damage or injury caused by signs that are poorly designed or maintained and from distractions or hazards to pedestrians or motorists caused by indiscriminate placement or use of signs.

(8) To develop minimum standards to safeguard life, health, property, and public welfare by regulation of structural requirements for all signs.

(9) To bring nonconforming signs into compliance with these regulations when the use of the property changes or is discontinued, when a new business license is issued, or as a condition of approval of a land use action approved by the town, such as a rezoning, variance, or other land use action.

(10) Provide fair and consistent permitting and enforcement.

(Ord. No. 24-2023, § 1(Exh. A), 12-14-2023)

17.76.020. General provisions and restrictions.

(a) *Compliance required.* It is unlawful to display, construct, erect, alter, use, or maintain any sign, except in conformance with the provisions of this title. It is unlawful to alter, maintain, enlarge, use, or display any such sign erected or constructed before the enactment of this chapter, except in conformance with the provisions herein set forth.

(b) *Sign permit required.* All non-exempt signs must receive a sign permit.

(c) *Owner consent.* No sign shall be placed on private property without the written consent of the property owner or the owner's authorized agent. This applies to permitted signs as well as temporary and exempt signs.

(d) *Sign installation.* All signs shall be structurally sound and designed to resist any and all Code-specified gravity and lateral loads. Sign structures and sign faces shall be installed in compliance with all building and electrical Codes.

(e) *Signs along Highway 105 or other CDOT jurisdictions.* CDOT does not necessarily recognize the same sign standards as the town. It is the responsibility of the property owner and applicant to determine the CDOT regulations as they apply to the property and ensure compliance with those regulations.

(f) *Nonconforming signs.*

(1) Nonconforming signs in existence on the effective date of this chapter will be identified by the town. Owners of these signs will be notified of the existence of the regulations in this chapter and the provisions thereof.

(2) Existing signs for which a sign permit was issued pursuant to the previous provisions of this chapter, and which have become non-conforming because of subsequent amendments to said chapter, shall be maintained in good condition and are considered legally non-conforming signs. No such sign shall be:

- a. Structurally changed or altered, except to meet safety requirements.
- b. If a sign is modified or altered beyond that allowed and noted above, the non-conforming sign shall be brought into compliance.

(3) The right to retain any legally nonconforming sign shall be terminated by any one of the following:

- a. Abandonment of the legally nonconforming sign for a continuous period of 30 days.
- b. Any dimensional changes of the legally nonconforming sign after the effective date of this chapter.

(4) Obsolete or deceptive signs are not entitled to continue in existence as legally nonconforming signs.

(5) All legally nonconforming signs must conform with sign maintenance standards.

(g) *Sign maintenance.* The owner of the sign and the owner of the premises on which the sign is located shall be jointly liable to maintain the sign, including any illumination. Signs shall be kept painted, in good repair, and in compliance with all building and electrical Codes including supporting structures. Banners shall not be torn. Repairs to signs shall be of an equal or better quality of materials and design as the original sign. The town may inspect any sign and order the painting, repair, alteration, or removal of a hazardous sign. Except in cases of health or safety hazards, which shall be addressed immediately, the sign owner and/or owner of the premises shall have 30 days to comply with the maintenance orders, or the sign shall be removed at the owner's expense. Should the owner fail to remedy a health or safety hazard, the town may, in its sole discretion, abate the health or safety hazard and bill the owner of the sign and/or the owner of the premises for such abatement.

(h) *Retail and medical marijuana businesses.* All signage associated with a medical marijuana business shall meet the standards established in this sign Code and chapter 5.20, marijuana (medical and retail), as well as any and all other applicable regulations from the federal or state level.

(i) *Sexually oriented businesses.* All signage associated with a sexually oriented business shall meet the standards established in this sign Code and chapter 5.32, sexually oriented businesses, as well as any and all other applicable regulations from the federal or state level.

(j) *Severability.* If any subsection of this sign Code is found to be invalid by a court of competent jurisdiction, all remaining provisions shall be deemed valid.

17.76.030. Prohibited and exempt signs.

(a) *Prohibited signs.* The following signs are prohibited in all zoning districts and deemed inconsistent with the purposes and standards in this chapter. Signs for which no valid permit has

been issued by the town of Palmer Lake, and which are not exempt from this chapter are explicitly prohibited.

- (1) Distracting signs.
- (2) Animated signs.
- (3) Flashing signs.
- (4) Searchlights and revolving beacons.
- (5) Electronic signs.
- (6) Roof signs.
- (7) Inflated signs or balloons.
- (8) Any sign designed to wave, flap, or rotate including attention-getting devices, wave banners except for government and service flags as provided for in this chapter.
- (9) Visual obstructions.
 - a. Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic, pedestrian traffic, or traffic-control devices, including any sign that obstructs clear vision in any direction from any street intersection or driveway.
 - b. Any sign located in such a way as to substantially deny an adjoining property owner's visual access to an existing sign.
 - c. Right-of-way signs.
 - d. Any sign other than traffic control devices erected, constructed, or maintained within, over, or upon the right-of-way of any public road, street, or highway, except in the case of a sign for which a permit has been issued in accordance with the requirements of this article.
- (10) Off-premises signs unless otherwise permitted in this chapter.
- (11) Any sign with light sources that are not shielded such that the bulbs, floodlights, or tubes are visible off the property on which the sign is located.
- (12) Any sign that is painted upon retaining walls, rocks, vegetation, or other natural features.
- (13) Any projected image sign emitting a sound or virtually projected image onto a surface.
- (14) Any sign which interferes with the free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder, or opening intended as a means of ingress or egress or window or opening providing light or air.
- (15) Unsafe signs. Any sign or sign structure which:
 - a. Is structurally unsafe.
 - b. Constitutes a hazard to safety or health because of inadequate maintenance or dilapidation.
 - c. Is not kept in good repair.
 - d. Is not designed or constructed in a professional manner.

e. Is capable of causing electrical shocks to persons likely to come in contact with it.

f. Presents a danger to the health, safety, or welfare of the town or its citizens.

g. Obstructs a driver's view or line of sight; or on public right-of-way without proper authorization from the town of Palmer Lake or CDOT.

(16) Portable signs (except for sandwich board signs).

a. Portable signs or signs not permanently affixed or attached to the ground or to any structure, except for real estate or yard signs attached to posts driven into the ground.

b. Commercial signs mounted, attached, or painted on motor vehicles, trailers, or boats used as advertising, but excluding vehicles used in the normal course of business, whether parked or not, including signs painted on or attached to semi-trailers or cargo containers, when exhibited on private property adjacent to a public right-of-way and advertising business or services offered on the property. Vehicle-mounted commercial signs on property used for special events are exempt from the requirements of this section during the special event only. Upon the conclusion of the special event, such signs must be dismantled.

c. Inflatable signs or tethered balloons.

(17) Obsolete or discontinued commercial use signs. Whenever a business, industry, service, or other use is discontinued, all signs advertising the discontinued use shall be removed or obscured within 60 days after the discontinuance of such use. Signs advertising discontinued commercial uses are misleading, unnecessarily contribute to visual clutter, and can obstruct views and distract motorists. Such signs shall constitute a nuisance as defined in chapter 8.04, nuisance and abatement procedure.

(18) Abandoned signs. A sign which is located on property that becomes vacant and unoccupied for a period of 60 days or more, or a sign which pertains to a time, event, or purpose which no longer applies, shall be considered abandoned.

(19) Roof signs.

(20) Billboards.

(21) Pylon signs.

(22) Handbills and posted advertisements are not allowed without written permission of the planning commission and shall not be attached to trees, fences, utility poles, street furniture, or automobiles.

(23) Exterior neon signs, digital signs, and LED light tubes are prohibited.

(24) Signs specifying price are not allowed unless advertising the price of vehicle fuel or gasoline at a gas station or convenience store that dispenses fuel for vehicles.

(25) Signs using reflective surfaces are prohibited except for official government or traffic signs.

(b) *Exempt signs.* The following signs are exempt from permitting but must not exceed the height and size specified in the sign type standards section of this sign Code.

- (1) The existing town of Palmer Lake electronic message board.
- (2) Flags of any state, nation, or government including service flags, if the latter is flown in conjunction with any of the preceding flags. No single flag may exceed four feet by six feet in size and flags may not exceed 24 square feet in cumulative area. Flags may not exceed 50 square feet in size and no flagpole shall be higher than 20 feet.
- (3) Official town of Palmer Lake, El Paso County, State of Colorado, or federal government/traffic signs.
- (4) Signs not legible or visible from a public right-of-way or adjacent property.
- (5) Signs on athletic fields and scoreboards intended for on-premises viewing. Scoreboards shall not exceed 20 feet in height and 150 square feet in size.
- (6) Commemorative plaques.
- (7) Displayed merchandise shall not be considered a sign.
- (8) The display of street numbers. Street numbers must be affixed to the structure they are meant to identify.
- (9) Signs not exceeding three square feet in area that are customarily associated with residential uses, such as property identification names and numbers, signs on mailboxes or newspaper tubes, and signs posted on private property warning the public against trespassing or danger from animals.
- (10) Informational signs indicating as a courtesy "credit cards accepted," hours, open/closed, retail vehicle fuel price, or similar with a cumulative total area of six square feet or less.
- (11) Building directory signs with a cumulative total area of eight square feet or less.
- (12) Public notices or signs relating to an emergency or hazard.
- (13) Yard signs. Up to two temporary yard signs no greater than three square feet in area each, for a total of six square feet per lot.
- (14) Real estate signs. Temporary signs on an individual real estate parcel currently offered for sale, lease, or rent, provided that there is only one sign per street frontage and is not greater than eight square feet in area in a residential district and 32 square feet in area in nonresidential districts, and the sign is located on the offered property behind the street right-of-way line. All such temporary signs shall be removed within seven days after the real estate closing or lease transaction for the subject parcel or expiration of the listing, whichever occurs first.
- (15) Restaurant menu signs provided there is no more than one per establishment not to exceed four square feet.

17.76.040. Sign permits and administrative procedures.

(a) Sign permits.

- (1) Permits are not required to repair or maintain existing signs which wholly comply with this sign Code.

(2) A sign permit requires an application submittal, non-refundable fee, and review and approval by the planning commission.

(3) No work shall commence on signs requiring a permit until said permit has been issued by the town.

(4) Upon receipt of a sign permit, the sign permit expires if not erected within one year.

(b) *Permanent sign permit application.* The applicant shall provide the following information:

(1) Name, address, and telephone number of the applicant and property owner.

(2) Written consent of the property owner.

(3) A sign plan composed of a scaled drawing(s) indicating the following:

a. Site plan showing on-site drives, parking, buildings, sign type(s), proposed sign location(s) with dimensions to property and setback lines and required sign landscaping.

b. When the sign permit application is for common site signage in a multiple tenant commercial project then this information must be shown on the sign plan. The applicant has the option of applying for a master sign plan.

c. A summary of all sign sizes, quantities, and areas corresponding to sign type standards criteria.

d. Sign drawing(s) showing size, shape, design layout, an elevation of the sign on the building, materials, content, and mounting method.

e. Light fixture specifications and illumination values.

f. If the submittal is for a tenant on a multi-tenant site, provide a copy of the property owner's sign permit for the common site signage.

g. Such additional information as requested by the town administrator.

h. The date when the applicant intends to erect the sign(s).

(c) *Master sign plan.* Any mixed-use development or multi-tenant building complex containing three or more units shall submit a master sign plan that consists of a coordinated, shared signage plan for the entire development.

(1) Signs in the master sign plan shall have mutually unifying elements, which may include uniformity in materials, color, size, height, letter style, sign type, shape, lighting, location on buildings, and design motif.

(2) A master sign plan application shall include all of the following:

a. A table allocating sign area to each tenant, lot, or pad site.

b. A description and/or illustration of the materials to be used in wall signage; and

c. Elevations and materials for any standard signs for the site.

(3) In reviewing an applicant's submittal of a master sign plan in conformance with the provisions of this chapter, the planning commission may vary the following standards:

a. Sign area for individual signs, and maximum sign area for all allowable signs.

b. Sign height for individual signs.

c. Sign setback or separation signs; and

d. Maximum number of signs, types of signs, or approved wall areas for purposes of sign location.

e. In exchange for a creative and quality design, one of the above-listed standards may be altered up to 25 percent at the discretion of the planning commission. The planning commission may approve a greater change in a dimensional standard based on the applicant demonstrating that the change is warranted by a master sign plan and development that represents an exceptional design, the use of quality materials, increased landscaping, and/or other amenities.

(d) Sign permit process and application.

(1) The sign permit application submittal will be reviewed for completeness. When deemed complete it will be reviewed for compliance with applicable town ordinances and the applicant will be notified of any discrepancies. If it is determined that the sign is not in conformance with these requirements, the town administrator shall recommend changes necessary to bring the sign into such conformance. If the applicant does not make such changes and prefers to submit the design as originally submitted, the town administrator shall forward the application to planning commission for review.

(2) The sign permit application must be submitted to the administrator at least ten days prior to the scheduled planning commission meeting to be considered.

(3) Within 30 days of submission of a completed application, allowing for one continuation of the application review for additional information or modification, the planning commission shall approve, approve with conditions, or deny the application. If the permit is denied, the town administrator shall provide a written explanation of the reasons for the denial by the planning commission.

(4) Approval criteria. A sign permit application submittal shall comply with the following:

a. The sign(s) conforms to the requirements of all applicable Codes.

b. The sign does not interfere with pedestrian or vehicular safety and is not located within the clear vision triangle area per the adopted town roadway specifications.

c. The sign conforms to the design standards of this chapter.

d. The planning commission may approve minimal variations in size and quantity standards if the applicant demonstrates exceptional design and/or compliance with the purpose and intent of this chapter.

e. The planning commission shall evaluate sign compliance and work with the applicant to resolve any issues or concerns.

f. Commission may approve as submitted, approve with conditions, deny the application, or request revisions or additional information for further consideration.

(e) Approval of deviations from sign Code.

(1) *Applicability.* Deviations of the standards set forth in this chapter may be granted only in accordance with this section.

(2) *Process.*

a. Applicant submits a complete sign deviation application and pays all applicable fees.

b. The town clerk shall set a time for the planning commission to consider the request at a public hearing.

c. Notice of the public hearing shall be provided as outlined in C.R.S. § 24-65.5-103, notice requirements.

(3) A deviation may be granted following review and approval by the planning commission of the following:

a. A written narrative describing the nature of the sign variance request as well as the hardship placed on the applicant resulting in the request.

b. Applicant demonstrates that strict application of this chapter would produce-peculiar and exceptional practical difficulties or undue hardships upon the property owner.

c. Such difficulties or hardship is not shared generally by other properties in the same zoning district and the same vicinity but are peculiar to the subject property.

d. The authorization of such variance will not result in substantial detriment to adjacent property or the public good, materially change the character of the district, or substantially impair the intent and purpose of the chapter.

e. The granting of such variance is based upon demonstrable and exceptional hardship as distinguished from variance for convenience, profit, or caprice.

(f) Appeal of denial of sign application or deviation request.

(1) The planning commission may deny a sign application or deviation request for any one of the following reasons:

a. The applicable provisions of this Code have not been met.

b. The required application fees have not been paid.

c. The application is incomplete or contains false, misleading, or fraudulent statements.

d. The deviation request does not satisfy the requirements necessary for a deviation from the sign Code.

(2) Upon denial of an application for a sign permit, the applicant has ten calendar days from the date of the decision to file an appeal with the town clerk.

(3) The applicant may appeal the planning commission's decision to the town board of trustees. The decision of the town board of trustees shall be considered a final decision for purposes of Colorado Rules of Civil Procedures (C.R.C.P.) 106.

(g) *Enforcement.*

(1) Any sign found not to be in conformance with this chapter shall be subject to revocation of the sign permit.

(2) Any work on the sign as allowed that has not commenced within a period of one year from the date the sign permit was issued shall automatically expire. The town administrator may allow an extension of up to 30 days for construction delays that are not the result of willful acts or neglect by the permittee. Authority to grant further extensions rests with the board of trustees.

(3) No refund of any fees will be made if the sign permit is revoked or expired under the provisions of this section.

(4) Town administrator review. The town administrator or their designee shall cause any sign that does not comply with the standards set forth in this chapter, including any sign that is not registered in accordance with this section, to be removed immediately and without notice.

(h) Fines and penalties.

(1) Except as provided by subparagraph b. below, any person who is convicted of, or pleads guilty or no contest to, a violation of this chapter shall be punished by a fine not to exceed the jurisdiction of the municipal court. Each and every day on which any violation of this chapter is committed, exists, or continues shall be deemed a separate and distinct offense.

a. First violation. Minimum fine: \$100.00.

b. Second violation. Minimum fine: \$200.00.

c. Third violation. Minimum fine: \$300.00.

(i) Nothing in this sign Code shall limit or preclude the town's ability in any manner to pursue the enforcement of the town's sign Code using any and all available remedies available or cumulatively.

(Ord. No. 24-2023, § 1(Exh. A), 12-14-2023)

17.76.050. Sign standards.

(a) *Sign illumination.* Unless otherwise specified by these regulations, all permanent signs in nonresidential zone districts may be illuminated consistent with the adopted exterior lighting standards. No sign illumination is allowed in residential zone districts except for address numbers.

(b) *Light source.*

(1) All exterior sign lighting shall be accomplished with fully shielded light fixtures. Upward-directed sign lighting is prohibited. The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way.

(2) Energy-efficient light sources are encouraged.

(3) All sign illumination shall have a timer that turns off the light source no later than 10:00 p.m. or business closing time—whichever is later.

(4) Externally lit signs.



- a. Lighting fixtures shall be simple in form and shall not clutter the building.
- b. The fixtures must be directed only at the sign. Gooseneck or other building-mounted fixtures are encouraged.
- (5) Internally illuminated signs.
 - a. Internally illuminated signs are discouraged and subject to special review by the planning commission.
 - b. Application for a sign permit for any internally illuminated sign shall include clear and accurate illumination levels and specifications.
- (c) Temporary signs.
 - (1) Temporary signs are intended to display information for a limited time duration but in no case shall the temporary sign exceed 90 days after first being installed.
 - (2) Temporary signs shall not be used to add permanent signage in addition to what is allowed. The time period for temporary signs varies by sign type and shall be removed on or before the allowable time period.
 - (3) Temporary signs are required to complete a sign registry with the town clerk. If a temporary sign will be in place for longer than 90 days, a town sign review process and a permanent sign permit is required.
 - (4) Temporary signs must not pose a health or safety hazard. If they do, must be removed immediately.
- (d) General design standards.
 - (1) Signs shall be integrated with and not overpower the façade of the building or streetscape.

(2) Signs including their supporting structure and components shall be integrated with the design of the building or structure on which they are placed. The scale, size, and shape of any sign shall be proportionate to the building and the area in which it is located. Signs shall not obscure architectural features and shall be designed in a manner that provides an artistic accent or visual point of interest for the building. The town may reduce the sign size and/or quantity allowed when signs do not meet this standard.

(3) Signs are not subject to the setback requirements of the zoning district where they are located.

(4) Signs related to building uses on upper floors shall attempt to make use of lower floor directories or other lower floor space for signage. However, upper-floor window signs are allowed.

(5) Sign bands on buildings should be utilized for compatibility with the building façade.

(6) Sign colors should complement the building façade and nearby structures. Borders and frames should be utilized to give the sign a finished appearance.

(7) No letter, symbol, or numeral shall exceed two feet in height.

(8) 3-D signs are encouraged particularly for projecting signs in pedestrian-oriented areas.

(9) Signs shall not obstruct scenic views from public rights-of-way, residences, or businesses.

(10) The sign shall not have a negative impact on neighboring businesses or property. This includes: the sign shall not block entrance(s), impede vehicular or pedestrian traffic, block signage of the neighboring property, or otherwise create a nuisance or safety hazard.

(11) Utilities to signs shall be concealed. Overhead electrical feeds are prohibited.

(12) All business premises shall have street and or suite numbers easily viewed from the adjacent right-of-way or from the primary point of access.

(13) Signs shall not impair visibility for traffic movement and shall not impede drainage or snow storage.

(14) Product or trade names are permitted as a part of an exterior sign only when that part of the occupant's name or product identified is integral to the use of the premises. No more than ten percent of the area of such exterior sign shall be used to advertise the brand name of any products or commodities sold on the premises. In addition, an aggregate total of no more than 25 percent or six square feet, whichever is lesser, of the total window area may be used to advertise product or trade names in the form of window signs.

(Ord. No. 24-2023, § 1(Exh. A), 12-14-2023)

17.76.060. Sign types.

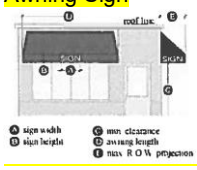
All signs are permanent unless otherwise noted.

(1) 3-D sign.

Type	Quantity	Max area	Height/Clearance
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3-D Sign 	1 per tenant, business, or other entity	Maximum Volume (W x H x D) 36 cubic feet	No higher than the wall (single-story building)/bottom of the second-story window (multi-story building) 8.5 feet minimum clearance height (C)
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(2) Awning signs.

Type	Quantity	Max area	Height/Clearance
Awning Sign 	Unlimited, within maximum area requirements	0.5 square feet of signage for each linear foot of awning (D), up to a maximum of 32 square feet (A x B)	No higher than the roofline 8.5 feet minimum height pedestrian clearance (C)

a. Signs may be placed only on awnings that are located on the first story fronting a street, parking lot, or pedestrian way.

b. An awning may include a printed or mounted sign. No sign mounted to an awning shall project beyond, above, or below the face of an awning.

c. Awning signs are not allowed in a residential zone district.

d. Lighting. Awning signs shall not be internally illuminated.

(3) Banners.

a. Banners are temporary signs for special events, sales, or other short-term events. They are exempt from permitting but must meet all other criteria including temporary sign registration.

b. Location. Banners may be displayed in any non-residential zone district subject to the following:

1. The banner shall not block entrance(s), impede vehicular or pedestrian traffic, block signage, or otherwise create a nuisance or safety hazard for neighboring properties.

2. The banner shall not be placed to obstruct any portion of a window, doorway, or other architectural detail.

c. Size. Banners installed on walls shall be limited in size to one-half square foot for each linear foot of exterior wall frontage up to a maximum area of 30 square feet.

d. An individual business shall hang no more than one banner at a time. If a tenant space has multiple business licenses for the same tenant space, then the tenant space shall only be allowed to hang one banner at a time.

e. Banners shall be in good condition, without rips, tears, or fading, and all corners must be fastened securely.

f. Duration. Banners may be displayed for a maximum of 30 days without a sign permit. Banners may be displayed for an additional maximum of 60 days with a sign permit but not to exceed a total of 90 days.

(4) Business courtesy signs.

a. Business courtesy signs may be temporary or permanent. They are exempt from permitting but must meet all other criteria.

b. Location. Business courtesy signs may be located at any location.

c. Number. The total number of such signs is not limited as long as the cumulative total is not exceeded.

d. Size. The cumulative total of all such signs shall not exceed four square feet.

(5) Directional signs.

a. Directional signs shall not count toward the aggregate sign area for the business, use, or tenant space displaying the directional signs.

b. Directional signs shall be on-premises signs and shall not exceed six square feet per face.

c. Directional signs shall not be used for additional advertising but may include the business name or logo.

d. Directional signs shall be clearly coordinated and utilize common design cues including color, shape, logo, material, or nomenclature.

e. Directional signs that do not meet the standards listed above shall be considered freestanding, projecting, hanging, or wall signs and regulated according to this chapter.

(6) Event signs.

a. Event signs are temporary signs for special events, sales, or other short-term events. They are exempt from permitting but must meet all other criteria.

b. Location. Event signs may be displayed at any location approved by public or private property owners that does not affect public safety in any manner.

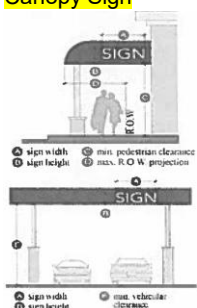
c. Duration. Event signs shall be erected no sooner than 45 days prior to the event and must be removed no later than seven days after the event.

(7) Home occupation signs.

a. No signs shall be permitted other than a house number or name plate not more than two square feet in area and must be attached to the principal building. In addition, there shall be no illumination of said sign, either internally or externally. House numbers may be illuminated.

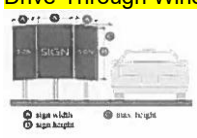
(8) Canopy signs.

Type	Quantity	Max Area	Height/Clearance
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Canopy Sign 	Unlimited, within maximum area requirements	0.5 square feet of signage for each linear foot of canopy, up to a maximum of 32 square feet (A x B)	No higher than the roofline 8.5 feet minimum height pedestrian clearance (C) 14 feet minimum height vehicular clearance (E) where necessary
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- a. Signs may be placed on-canopies located on the premises.
- b. A canopy may include a printed or mounted sign.
- c. No sign mounted to a canopy shall project above or below the face of a canopy.
- d. A canopy sign may project horizontally from the face of a canopy only the distance necessary to accommodate sign material and letter thickness.
- e. No canopy sign shall extend above the roof line of any building. No canopy sign shall project above the top of the canopy upon which it is mounted. However, a sign may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical /or lighting equipment, but not more than 12 inches.
- f. Canopy signs are not permitted in a residential zone district.
- g. Lighting. Supported canopy signs shall adhere to the lighting standards contained in this chapter.

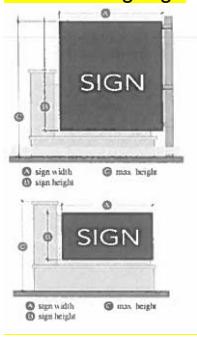
(9) Drive-through window sign.

Type	Quantity	Max Area	Height
Drive-Through Window Sign 	1 sign per tenant, business, or other entity	Free-standing intended for vehicular viewing: 24 square feet (A+A+A) x B	Drive-thru: 7 feet overall clearance

- a. Drive-through window signs shall only occur where the drive-through window is approved by a town of Palmer Lake (TOPL) Development Plan.
- b. Drive-through window signs shall be oriented to occupants of a vehicle in a drive-through aisle.

- c. Drive-through window signs may include changeable copy.
- d. Drive-through window signs shall not be designed to be read from the public right-of-way nor to attract attention to the site from the right-of-way.
- e. Drive-through access along State Highway 105 is prohibited.
- f. Drive-through access shall not impede pedestrian movement.

(10) Freestanding signs.

Type	Quantity	Max Area	Height/Clearance
Freestanding Sign 	1 per property or complex with multiple buildings, businesses, or other occupancies Businesses listed in a multi-tenant sign are counted toward the 2-sign maximum unless permitted through a Master Sign Plan	50 square feet (A x B)	(C) No higher than an average of 6 feet in residential districts and 8 feet in non-residential districts measured at finished grade

- a. Location. Freestanding signs shall be set back from all lot lines a minimum of five feet.
- b. Adjacent lot owners may erect a joint freestanding sign on their common lot line if both property owners have provided written permission.
- c. Metal poles or column sign supports without a decorative cover shall be prohibited.
- d. Freestanding signs shall be placed at least two feet from sidewalks and outside of the public right-of-way, clear vision sight triangles, and easements, unless an alternative location is authorized with a town approved revocable encroachment agreement.
- e. A monument sign shall be located on a site frontage adjoining a public or private street, or right-of-way but not within a dedicated easement without a revocable encroachment agreement. The minimum horizontal spacing between monument signs shall be 300 feet.
- f. The base of freestanding signs shall be landscaped a minimum of 24 inches all around the sign pole or monument.
- g. Freestanding signs, except directional signs, shall be separated by a distance of no less than 50 feet unless the freestanding signs are separated by a street right-of-way.

h. A monument sign shall not count towards the two allotted signs per tenant on a multi-tenant property.

i. The monument sign base shall be constructed of stone, brick, or similar natural material.

(11) Menu sign.

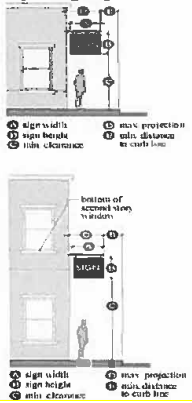
a. Menu signs are exempt from permitting unless they are larger than four square feet.

b. Menu signs do not count towards total allocation per business.

c. Menu signs shall not be wall signs or window signs.

d. Menu signs are limited to four square feet.

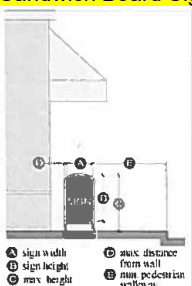
(12) Projecting signs.

Type	Quantity	Max Area	Height/Clearance
Projecting Sign 	1 per tenant, business, or other entity	10 square feet (A x B) Only one side of the sign shall count toward the aggregate sign area.	No higher than the wall (single-story building)/bottom of the second-story window (multi-story building) 8.5 feet minimum clearance height (C)

a. **Location.** Projecting signs shall be attached to a building façade and shall not project above the roof or parapet and shall not extend more than four feet from the face of a supporting wall.

b. **Encroachment.** A projecting sign that extends into a right-of-way is subject to town approval of a revocable encroachment agreement.

(13) Sandwich board signs.

Type	Quantity	Maximum area	Height/Clearance
Sandwich Board Sign 	1 per tenant, business, or other entity	6 square feet (A x B)	No higher than 4 feet (C)

a. **Sandwich board signs** are temporary portable signs not permanently affixed to the ground but secured against tipping or being blown over.

b. Sandwich board signs may be displayed in all non-residential areas but are prohibited in all residential zone districts.

c. The sign may not be located within a public street right-of-way or on public property with the exception of a public sidewalk only upon issuance of a revocable encroachment permit by the town.

d. Sandwich board signs shall not reduce the clear width of a public sidewalk to less than 60 inches.

e. Businesses are limited to one sandwich board or portable sign per business and shall only display such signs only when the business is open for business.

f. Sandwich board signs must be removed each day at the close of business.

g. Portable sandwich board signs must have a well-maintained appearance. Chalkboard insets and dry-erase boards are permitted.

(14) *Public displays and murals.* Public displays including art and murals are regulated by chapter 5.36 of the Town Code.

(15) Wall signs permanent.

Type	Quantity	Maximum area	Height/Clearance
Wall Sign 	1 per tenant, business, or other entity	1.0 square foot x linear footage of business frontage (C)	No higher than the roofline

a. A wall sign shall not obstruct any portion of a window, doorway, or other architectural detail.

b. Wall signs shall be contained within any single wall panel or other architectural component upon which they are placed and shall not extend above the height of the building wall to which the sign is affixed.

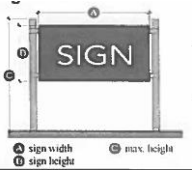
c. No sign part, including cut-out letters, may project out from the building wall more than 12 inches excluding the sign light fixture.

d. Painted wall signs with a commercial message, business name, and business logo are allowed as a wall sign and shall be limited in area and extent as defined in the sign allocation section.

e. Signs inside a building that are clearly visible and oriented towards a public street shall be treated as a wall sign and shall be counted towards the allowable sign area.

f. In multi-tenant buildings the signs shall be located on the tenant space being identified or as depicted in a master sign plan.

(16) Site announcement sign and construction signs.

Type	Quantity	Maximum area	Height/Clearance
Site Announcement Sign 	1 per street frontage	32 square feet (A x B)	8 feet (C)

a. Location. Site announcement signs and construction signs are permitted only on vacant land parcels or lots under construction and are not permitted on parcels with existing residential or non-residential uses. The sign shall be setback a minimum of five feet from any property line.

b. Site announcement signs shall be displayed on a temporary basis and shall be removed within 14 days after the issuance of a certificate of occupancy for the building or structure or within 30 days after completion of the activity associated with the purpose of the sign, whichever occurs first.

(17) Window/door signs.

a. Location. On glazed surfaces of doors or windows. Allowed area may be distributed on up to three window and or door signs per business frontage.

b. Size. Total sign area shall not exceed 25 percent of the glass area of windows and doors.

c. Illumination directed at window signs is prohibited.

(17) Yard signs.

a. Yard signs are temporary signs and include garage and estate sales.

b. The sign shall be setback a minimum of five feet from any property line.

c. Only one sign per property street frontage is allowed.

d. Area and height. A yard sign shall be a maximum of four-square feet and no higher than five feet above the ground surface to the highest point of the sign.

e. Garage sale signs which announce the sale of items from a residence shall be removed on the last day of the sale and shall not create a nuisance as defined in the town Municipal Code, section 8.04.010, nuisance.

f. Election season signs shall be in place only for the time period that begins 45 days prior to and ends seven days after a regular or special Town, county, state, or federal primary or general election.

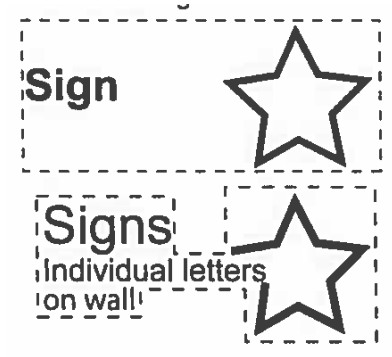
(Ord. No. 24-2023, § 1(Exh. A), 12-14-2023)

17.76.070. Sign measurement and sign orientation.

(a) *General.* Sign measurement shall be as indicated in the following subsections.

(1) Determination of sign area. In determining the allowable aggregate sign area for any business, use, or tenant space the area of each sign face shall be added together.

(2) Computation of sign area.



a. The area of a sign face shall be measured to the border of a constructed sign or the smallest rectangle that encompasses the extreme limits of the message or graphics for a sign painted or otherwise applied to a surface.

b. Supporting framework, other structure, or landscaping that is clearly incidental to the sign display shall not be computed as sign area.

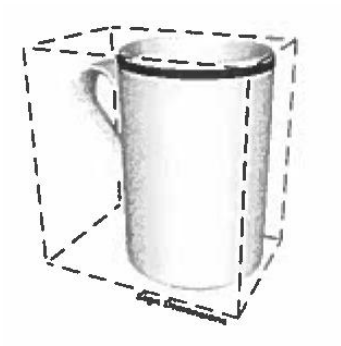
c. Architectural treatments enhancing architecture/signage integration are encouraged. Such treatments shall not be created for the purpose of visually enlarging sign size. Where a building component is treated in a manner that serves as a sign, such component shall be included in the overall sign area calculation.

d. All sign faces of all signs visible from one point shall be included in the aggregate sign area. Signs around a corner shall be allocated to their respective street frontage.

e. When two identical sign faces are placed back-to-back and are not more than 12 inches apart the sign area calculation shall only include one face. This applies to projecting and freestanding signs.

f. Whenever more than one sign is placed on a freestanding structure the entire overall area of all signs to the extreme outside borders shall be included in the overall sign area measurement.

g. For the purpose of determining sign area and the allowable number of wall signs, a wall shall be considered the projected building elevation area exclusive of the separate articulated wall faces per building side or elevation.



h. 3-D signs including spherical, free-form, sculptural, and other non-planar signs are encouraged. The sign volume shall be the W x H x D.

(3) Computation of sign height and sign clearance.

a. The height of any freestanding sign shall be determined by the distance between the topmost portion of the sign structure and the average ground elevation measured two feet from the base of the sign or two feet from the adjacent street, access drive, or sidewalk/trail grade.

b. The ground elevation at the base of a freestanding sign shall not be artificially changed solely to affect the sign height measurement.



c. Projecting, hanging, and awnings signs. Clearance for signs shall be measured at the smallest vertical distance between the finished grade and the lowest point of the sign, including any framework or other embellishments.

(b) Sign orientation.

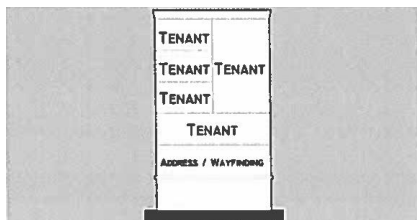
(1) *Downtown core and along public sidewalks and trails.* Signs shall be located and sized to be viewed by pedestrians and cyclists. Projecting, hanging, or awning signs are permitted if there is a minimum of eight and one-half feet clearance above the ground.

(2) *Along public streets.* Signs shall be located and sized to be viewed by motorists.

(Ord. No. 24-2023, § 1(Exh. A), 12-14-2023)

17.76.080. Sign allocation and aggregate sign area.

(a) Each business or entity may have up to two of the following signs provided that the aggregate sign area is not exceeded:

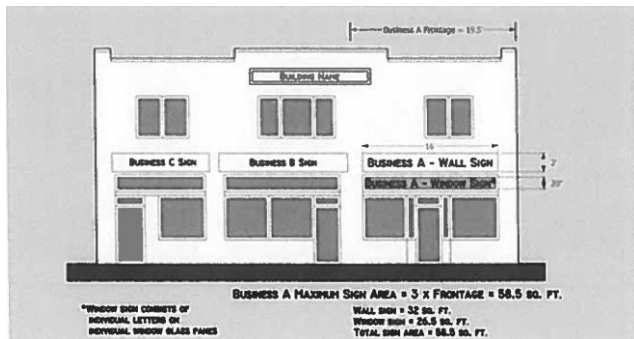


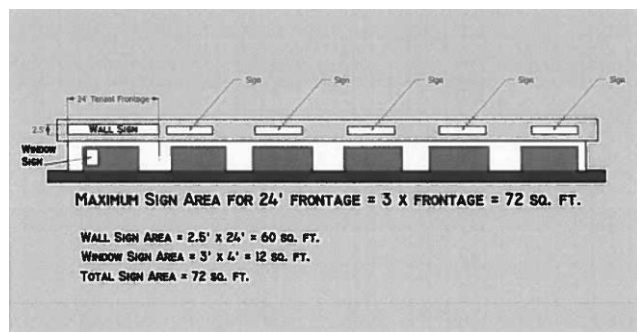
- (1) Wall sign.
- (2) Projecting sign.
- (3) Awning sign.
- (4) Canopy sign.
- (5) Window sign.
- (6) Freestanding sign.

(b) Common site signs shall not count towards the two allotted signs per tenant. These include directional signs, informational signs, and building directory signs.

(c) The aggregate sign area for each business frontage may be the lesser of three-square feet per lineal foot of business frontage but no more than 75 square feet.

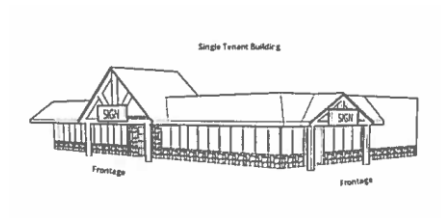
(d) Multi-tenant signs count toward the two-sign maximum per business.





(e) Businesses, entities, or tenant spaces without business or street frontage shall be allowed a maximum of 32 square feet of aggregate sign area.

(f) Window signs are allowed above street level and are limited to 25 percent of the glazing area per window. These window signs shall not be included in the allowed number of signs or the allowed overall sign area.



(g) Signs visible through the glazing area of any window shall not be included in the allowed number of signs or the allowed overall sign area. One neon open size is permitted for each business.

(h) Businesses or entities that are located on a corner lot or that have more than one street frontage (not including alleys, driveways, or parking lots) shall be allowed to have an additional sign that is 66 percent of the primary building frontage but no more than 50 square feet on each additional street frontage.

(Ord. No. 24-2023, § 1(Exh. A), 12-14-2023)

17.76.100. Definitions.

Generally, a sign is considered a graphic device with writing, symbols, logos, etc. subject to view from a public right-of-way, and used to advertise, identify, direct, and/or inform the public. For the purpose of this chapter, certain words and phrases used are defined as follows:

3-D Sign means three-dimensional signs that have a depth or relief on their surface greater than six inches.

Abandoned sign means an obsolete sign that no longer serves any purpose or is located on property that becomes vacant and unoccupied or a sign that pertains to a time, event, or purpose that no longer applies.

Aggregate sign area means the total available sign area of all sides or portions of a sign.

Allowed sign means a sign that is neither prohibited nor exempt.

Animated sign means a sign that includes the optical illusion of movement of any part of its structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity.

Attention-getting device means any flag, streamer, spinner, pennant, feathers, costumed character, light, balloon, continuous string of pennants, flags or fringe, audible components or similar device or ornamentation used primarily for the purpose of attracting attention for promotion or advertising a business or commercial activity which is visible by the general public from any public right-of-way or public area.

Awning means an overhead roof cover or structure projecting beyond and attached to the exterior wall of a building and has no ground support.

Awning sign means a sign that is permanently attached to an awning.

Back lit sign. See "internally illuminated sign." A sign which contains an illumination source entirely inside the sign construction which makes the sign content visible by light shining outward from the sign.

Banner means A temporary sign composed of logo, design, or text on a flexible lightweight fabric, plastic, or similar material.

Billboards. See "off-premises sign."

Building Code means the most recently adopted version of the Pikes Peak Regional Building Code.

Building directory sign means a sign that serves as a common or collective identification of multiple businesses on the same property and is attached to a building.

Building name sign means a permanent architectural component of the building that names the structure but does not advertise a specific business. Similar to a plaque.

Business means a single commercial enterprise or group of enterprises housed within one or more buildings, or which utilizes the same business frontage.

Business courtesy signs means miscellaneous signs incidental to doing business and not intended as advertising such as credit card signs, security system, and information signs (toilets, deliveries, etc.).

Business frontage means that portion of a building frontage occupied by a single tenant space or lease area in a single or multi-tenant building facing a street, alley, parking area, or other public right-of-way. For businesses located on the interior of a building without business

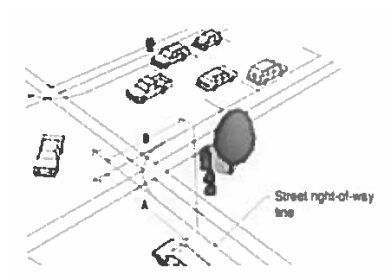
frontage, the building elevation providing customer access shall be considered the business frontage for the purposes of determining signage.

Canopy means an overhead roof cover or structure that may or may not be attached to the building and contains posts or other ground support.

Canopy sign means a sign attached to a canopy.

Changeable message means digital or non-digital text or graphics that changes at intervals.

Common site signage means signage not specific to an individual tenant on a multi-tenant property such as directional signs.



Clear vision triangle means an area where a driver's field of view may not be obstructed. The size of this area is defined by the town's adopted roadway specifications.

Deceptive sign means a sign which is false or misleading.

Directional sign means signs for traffic or pedestrian movement on or adjacent to the property. Logos or text are allowed only as required for the directional message.

Drive-through sign means a sign intended for the display of information for pedestrians or drive-through vehicles.

Election season signs means signs promoting political candidates or ballot issues that are in for a regular or special Town, county, state, or federal primary or general election.

Electronic signs means any sign that uses solid, electronic technology such as incandescent lamps, LEDs, LCDs, or some other electronic means of changing copy to produce bright displays that typically involve moving copy, animation, or other graphics.

Event sign means a temporary promotional sign on public or private property for an upcoming event.

Exempt sign means a sign that does not require a sign permit but must still comply with applicable sign type standards.

External illumination means illumination of a sign that is affected by an artificial source of light not contained within the sign itself.

Flashing illumination means illumination in which the artificial source of light is not maintained stationary or constant in intensity and color at all times when the sign is illuminated.

Freestanding sign means a self-supporting sign, not attached to the building and permanently anchored to the ground.

Fully shielded light fixture means a light fixture that directs light away from any public vantage point and covers the bulb or light source to prevent it from being seen.

Gasoline or fuel price sign means a sign that identifies the type and price of gasoline for sale on the premises of a legally established gasoline service station.

Historic sign means a sign that has historic significance as determined by the board of trustees on the recommendation of the Palmer Lake Historic Society or for properties listed on the National or State Register of Historic Places.

Home occupation sign means a sign intended to identify a private enterprise occurring in a residential occupancy.

Ideological sign means any temporary sign announcing an idea, opinion, or position on a social or political issue and containing no commercial message.

Information signs means a sign used to indicate or provide information and direction with respect to permitted uses on the property, including but not limited to signs indicating the hours of operation, and such signs as "no smoking", "vacancy", "office", "private warning", "open", "closed", "restrooms", "no solicitation", or "no parking".

Internally illuminated sign means a sign face which is lit or outlined by a light source located within the sign.

Light post banner means a banner intended to be installed on municipal light posts.

Light source means the actual bulb or other light emitting element contained within any light fixture.

Master sign plan means a sign plan which identifies the number, description, size, and location of all signs for businesses on the same property or within the same project which constitutes a visual entity as a whole.

Menu sign means a sign showing a restaurant menu.

Monument sign means a freestanding sign with a base integrated with the ground and landscaping.

Multi-tenant site means a property, building, or group of buildings with more than one tenant.

Mural means two-dimensional works of art applied directly to vertical surfaces not intended to advertise or promote commercial services or products, also known as a public display.

Neon sign means a sign integral w/ electric tube light source(s) that form letters, symbols, or other graphic shapes.

Nonconforming sign means an existing sign which does not conform to the regulations of this chapter, either at the effective date of the regulation establishing this chapter or as a result of subsequent amendments which may be incorporated into this chapter.

Obsolete sign means a sign, except a historic sign, which is misleading in terms of identifying a business, service, or attraction, that no longer exists or advertising one or more events that are all concluded.

Off-premises sign means an advertising sign or billboard placed at a location, not on the parcel where the subject entity or activity occurs.

Official sign means a sign required by law or authorized for public or quasi-public institutions to meet the needs of public information, health, safety, and welfare including traffic signs.

Parking sign means a sign indicating parking or directing vehicular traffic to a parking area.

Plaques means a permanent building component cut into or attached to the building designating names of buildings, occupants, dates, or other entities involved in the building creation.

Permanent sign means a sign made of durable materials applied or installed to be immovable.

Portable sign means a sign not permanently attached to the ground or building or not designed to be permanently attached to the ground or a building.

Prohibited sign means a sign not permitted within the corporate limits of Palmer Lake.

Projecting sign means a sign hanging from or attached to a building and extending out from the exterior wall surface, including signs suspended under an awning or other exterior building element.

Projected image sign means the illuminated projection of imagery on a surface.

Public realm means public right-of-way or publicly owned property.

Public right-of-way means a parcel or portion of land which allows for public pedestrian or vehicular access thereupon.

Pylon sign means a tall freestanding-mounted sign higher than ten feet (typically associated with an adjacent higher-speed roadway).

Real estate sign means a sign advertising property for sale, rental, or lease.

Residential complex means a residential complex means a building or related group of buildings in which one or more member units are located and typically includes common areas and services available for the use of its residents.

Right-of-way sign means signs occurring within the public right-of-way.

Roof sign means a sign erected above the roofline or parapet of any building.

Sandwich board sign means a portable moveable sign constructed in an A-frame style with message content on one or both sides.

Searchlight means an apparatus containing a light and/or reflector for projecting a strong, far-reaching beam in any direction.

Sign area means the area that includes the entire face of the sign, frame, artwork, and any spacing between letters, figures, and designs, but not including the sign structure or base. For window signs, the "sign area" shall be measured at the extremities of the lettering and/or graphics.

Sign face means the side of a sign on which text or graphics are placed. A sign may have more than one sign face.

Sign permit means a permit issued for the erection, construction, enlargement, alteration, moving, or conversion of any sign, issued pursuant to this chapter.

Site announcement sign means a temporary sign announcing a new business, construction, or other similar activity.

Structure means anything built that requires a permanent location. This term includes buildings and signs.

Temporary sign means a sign that is only allowed for a defined temporary period of time and is exempt from permitting but must meet registry and sign type standards. Designed to be used for a temporary period of time, not permanent in nature.

TOPL means town of Palmer Lake.

Traffic signs means stop signs, yield signs, one-way signs, exterior traffic exit and enter signs, and other signs intended for vehicular traffic control.

Wall sign means a sign attached to, painted on, or erected against the exterior of a building or structure.

Yard sale sign means a temporary sign such as garage sale or other temporary sale at any residential or commercial property.

Window/door sign means a sign applied to or attached to glazing or located in close proximity to the glazing on the interior, which can be seen through the window from the building exterior.

Works of art including symbol signs means 2-D graphics or 3-D objects mounted to the building or contained in a projecting sign on-site intended for aesthetic purposes only that do not advertise or promote a particular business, service, or product.