

Article 4 Special Requirements

17.4.010. Flood Plain Regulations

- (a) The Town of Palmer Lake, having adopted the regional building code (RBC) in 2018, has thereby adopted the Regional Building Department's (RBD) Section 313- Floodplain Regulations.
- (b) The floodplain administrator for the Town of Palmer Lake shall be the Regional Floodplain Administrator, housed at the Pikes Peak Regional Building Department (PPRBD)

Commented [SK1]: Barb: The term "regional building code" needs to be more specifically described or defined, as an average citizen would not know what this means or how to find it.

Commented [BC2R1]: ADDED TO DEFINITIONS- July 20th

17.4.110 Conditional Review Uses.

- (a) Conditional review uses may be permitted if the applicant can demonstrate that the location and the site proposed for the use is appropriate, facilitating the use in a manner that supports the purposes of the zone district, and which is compatible with the surrounding area. The review process is intended to assure compatibility and harmonious development between conditional review uses, surrounding properties, and the Town at large. Because of their unusual or special characteristics, conditional review uses require review and evaluation so that they may be located properly with respect to their effects on surrounding properties.
- (b) Permit Required. No conditional review use shall be conducted without a valid and current conditional review use permit issued by the Town.
- (c) Application. A conditional review use permit application shall be processed under Section 17-5-350.
- (d) Criteria. In reviewing a conditional review use permit application, the Planning Commission and Board of Trustees shall consider the following criteria:
 - (1) Compatibility with and effect on the existing and permitted uses in the neighborhood.
 - (2) Mitigation measures used to alleviate on- and off-site impacts.
 - (3) Impact on property values.
 - (4) Likelihood of a nuisance being created.
 - (5) The demands the use will place upon Town services.
 - (6) The public safety consequences of the proposed use.
 - (7) Traffic volume and adequacy of parking and access.
 - (8) Whether the proposed use will conform with all applicable building codes and regulations, and other applicable provisions of the Code.
- (e) Conditions. The Planning Commission may recommend and the Board of Trustees may impose reasonable conditions on any conditional review use, including, by way of example, time limits, provision for future review, limits on quantities of material allowed on the site, pollution control measures, and additional screening.



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- (f) Permit. If the conditional review use is approved, a conditional review use permit with any conditions and plans attached, shall be issued by the Town.
- (g) Abandonment. If the permittee fails to operate the conditional review use for a period of one hundred eighty (180) consecutive days, the conditional review use shall be deemed to have been abandoned, the right to operate or conduct the conditional review use shall be immediately terminated and the conditional review use permit shall be void and of no further effect. This does not apply to a conditional review use which is used intermittently.
- (h) Revocation. The Town board of trustees may revoke a conditional review use permit for any violation of this Code or any of the conditions of the permit, after notice to the permittee and an opportunity to be heard. Upon revocation, the conditional review use shall immediately cease.

17.4.230 Manufactured Homes Design and Building Requirements.

The following design and building requirements apply to manufactured homes and all single-family dwellings throughout the Town of Palmer Lake.

- (a) All manufactured homes must be certified and installed in accordance with the State of Colorado Division of Housing's "Manufactured Housing Installation Program" and adopted building codes.
- (b) The manufactured home must have quality materials of similar brick, wood, or cosmetically equivalent exterior siding on all exterior walls, which provides a consistent, continuous facade from the bottom of the soffit (top of the wall section) downward to the top of the exposed perimeter foundation. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings. Metal siding must be painted or anodized.
- (c) The manufactured home must have a pitched roof with a pitch of at least a nominal 3/12. The roof must be covered with shingles, shakes or tile. Eaves of the roof must extend at least ~~one~~ 16" from the intersection of the roof and the exterior walls.
- (d) The manufactured home must have color-coordinated body and trim. The colors of both the factory components and the site-built components shall be the same.
- ~~(e)~~ The main entrance to the manufactured home must face or be oriented toward an adjacent street.
- (f) The transportation mechanisms, including the wheels and hitch, must be removed.
- (g) No manufactured home shall be occupied for dwelling purposes unless it is properly placed in a manufactured home space and connected to water, sewerage, electric and gas utilities, as appropriate.

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- (h) Additions to increase the floor area of the manufactured home shall not be permitted except for patios, porches, garages, decks, or carports. Garages may be detached or attached.
- (i) Prior to occupancy, the PPRBD shall permit and inspect each manufactured home to determine compliance with the Town Code. No occupancy shall be permitted, or a certificate of occupancy issued until said inspection and all connections to public utilities have been made. The owner or home builder shall pay to the Town a building permit fee for each residential structure as may be required by the Town Code.
- (j) All manufactured homes, additions and accessory structures as identified above in this section shall comply with minimum yard requirements, and a building permit shall be required in advance for any such addition and all other dimensional requirements for each zone district and a building permit shall be required in advance for any such addition.
- (k) No factory-built home, manufactured home, or mobile home shall be allowed to be in a dilapidated state. This includes units that are partially or totally damaged by fire, earthquake, flood, wind, or other natural causes, or are in a state of general dilapidation, deterioration, or decay resulting from improper lack of maintenance, vandalism, or infestation with insects or rodents. Any such dilapidated structure shall be returned to and maintained in the condition as originally established on site and as inspected by the PPRBD, or it shall be removed from the site. Repair of non-conforming structures or uses shall be in accordance with non-conforming structure provisions found in this Title.
- (l) Connex, **cargo, or shipping containers** shall not be used as a dwelling, nor as permanent use for storage or other uses. The temporary use of any Container shall be considered a conditional review use.

17.4.240 Operational Performance Standards

The operational performance standards of this Section are intended to protect the health, safety, and welfare of the citizens of the Town by regulating potential nuisance features associated with certain land uses.

17.4.245 Applicability.

The operational performance standards of this Section shall apply to all uses, buildings and structures within the Town unless otherwise specifically indicated.

17.4.250 Exemptions.

- (a) The following are exempt from the operational performance standards of this Section:
 - (1) Temporary construction, excavation and grading associated with development for which applicable permits have been issued and remain in effect, and with the installation of streets or utilities; and
 - (2) Demolition activities that are necessary and incidental to permitted development on the same lot, on another of several lots being developed at the same time, or in public rights-of-way or easement.



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17.4.255 Standards

Under this Section, the following standards shall apply:

- (a) Noise. Sites shall be laid out and uses shall be operated to prevent noise from becoming a nuisance to adjacent single-family and duplex uses, and residential district zoned sites as required by CRS 25-12-103, C.R.S., and Town Code section 9.36.050 Prohibition of noises disturbing the public peace.
- (b) Vibration. All uses shall be operated so that ground vibration is not perceptible outside the lot lines of the site on which the use is located.
- (c) Smell. All uses shall be operated so that smell is not perceptible outside the lot lines of the site on which the use is located.
- (d) Fire and explosive hazards.
 - (1) Underground storage tanks for flammable liquids and gases shall be located at least fifty (50) feet from the lot line of lots with residential zoning or that contain a single-family or duplex use.
 - (2) Above ground tanks shall be set back at least one hundred (100) feet from such lot lines, unless the Board of Adjustment determines, based on information provided by the applicant, that a fifty-foot setback will ensure compliance with all applicable State standards. The storage tank setback requirements of this Section shall not apply to tanks that are necessary to single-family or duplex units.
- a) Electromagnetic interference. No operations or activities shall be conducted that cause electrical disturbances to be transmitted across lot lines.

17.4.260. Compliance

Any use existing at the time of the adoption of this Title that does not comply with one (1) or more of the operational performance standards of this Section shall not be deemed a nonconforming use for the purposes of this Title.