



**ARTICLE 2 Final Draft for PC reviewers
REVISIONS DUE FROM REVIEWERS ON JULY 14**

ARTICLE 2: DISTRICTS AND USES

- 17.2.010 Zone districts established.
- 17.2.020 Unlisted Uses
- 17.2.030 Official Zoning Map.
- 17.2.040 Minimum Size for New Zone Districts
- 17.2.060 Dimensional Requirements Table
- 17.2.70 Residential Agricultural (RA-5)
- 17.2.80 Residential Large Lot (R-2.5)
- 17.2.85 Residential Low Density (R-1)
- 17.2.90 Residential 1/2 Acre (R-1/2)
- 17.2.100 Residential Medium Density Zone (R-10,000)
- 17.2.110 Residential Small Lot (R-5,000) *current R-3*
- 17.2.120 Residential Multi-Family (R-MF) *current R-4*
- 17.2.130 Business and Industrial Center Mixed Use (B-I MU)
- 17.2.140 Village Mixed-Use (V-MU) *current C-2 General Business and Commercial*
- 17.2.150 Downtown Mixed Use (D-MU) *current CC*
- 17.2.160 Recreation and Open Space (REC-OS) *current O-1 Recreation*
- 17.2.170 Planned Development District (PD) **(already adopted see 17.72)**



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17.2.010. ZONES ESTABLISHED.

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

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

Current Zone District	Description or Minimum lot or parcel size
RA	RA -5 - Residential Agricultural
RE Estate (2½ acres or more)	R-2.5 - Residential Large Lot
R1 (1 acre or more)	R-1 -1-acre Single Family Detached
R-2- ½ ACRE OR MORE	R-2- 1/2 acre or more
R-10,000 Intermediate Medium Density Residential Zone (10,000 sq. ft. or more)	R-10,000 - Medium Density Residential Zone (10,000 square feet)
R3 (5,000 sq. ft. or more)	R-5,000 - Small Lot Residential (5,000 square feet)
R4 - High Density Residential	R-MF (R-15,000)
CC Convenience Commercial Zone (6,600 sq. ft. or more)	Downtown Mixed Use (DMU)
C1 - General Business and Commercial (6,600 sq. ft. or more)	(North End) Business Industrial Mixed-use (BI-MU)
C2 - General Business and Commercial Zone (6,600 sq. ft. or more)	Village Mixed Use (VMU)
M1 - General Industrial	(North End) Business Industrial <i>combines M-1 with C1 per Future Land Use Plan</i>
O1 - Open	REC- OS Recreation and Open Space
PD - Planned Development	Planned Development

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

(c) **Use Regulations.** No use shall be allowed in any zoning district unless it is specifically enumerated as an allowed principal use or accessory use in the particular zoning district or has been approved as a Conditional Review Use following public hearings by Planning Commission and the Board of Trustees. Each zone district includes the following categories:

(1) Permitted principal uses are uses by right, permitted within the particular zone district subject to required permits or other approval processes. Permitted principal uses for



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single-family or duplex dwelling unit/structures, and require a plot plan and building permit approval. All multi-family and non-residential uses (including but not limited to commercial and Industrial uses) require site plan approval and building permit approval.

(2) Permitted accessory uses and structures are a use by right customarily incidental to the permitted principal use, provided that they meet all applicable regulations. Permitted accessory uses require a plot plan where the principal use is a single dwelling unit or duplex and building permit approval. All other accessory uses require site plan approval and building permit approval.

(3) Conditional Review Uses are uses that may be allowed in the zone district subject to any applicable regulations. Conditional Review Uses may be permitted if it can be demonstrated that the location and the site proposed for the use is appropriate, supports the purposes and intent of the zone district, and is compatible with the surrounding area. Conditions to mitigate impacts may be attached to the Conditional Review Use Permit. Conditional Review Uses require the issuance of a permit approved by resolution after a duly noticed public hearing by both the Planning Commission and Board of Trustees.

(d) **Dimensional Requirements.** Dimensional requirements are minimum requirements which apply to the siting and massing of buildings and structures on the lot. Dimensional requirements include:

- (1) Minimum lot area.
- (2) Minimum lot width.
- (3) Maximum gross density.
- (4) Setbacks: front, rear, and side yard setbacks.
- (5) Maximum impervious coverage.
- (6) Maximum building height.
- (7) Separation between building structures.

(e) **Development Standards.** Development standards are minimum standards that apply to development and uses within the zone district. A site plan or plot plan approval is required. Development standards specific to each zone district are listed within the zone district. General standards pertaining to all zone districts are found in Article 3 of this Chapter and apply to residential, nonresidential development, and special purpose districts.



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17.2.020 UNLISTED USES.

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

Sec. 17.2.030. Official Zoning Map.

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



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

Sec 17.2.040 Minimum Size for New Zone Districts

Unless contiguous to the same zone district, all newly created zone districts or zone changes shall be greater than five (5) acres in size. Planned Development (PD) zone districts shall be a minimum of 5 acres. The five (5) acre minimum size limitation for newly created zone districts, zone changes, and Planned Development (PD) zone districts shall not apply if the Board of trustees adopts a resolution making specific findings indicating why the presumptive five (5) acre minimum size limitation should not apply to a specific application. When contiguous to an existing district of the same designation, the minimum dimensional requirements from the zoning district to the proposed zone change shall apply.¹

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Commented [BC1]: Scott added this because we have a few old PUDs that do not meet the minimum 5-acre size. However, CMI did discover during the drafting of the Community Master Plan that most of the existing PUDs did not meet the then requirements- i.e., no recorded site plan, no dimensional requirement, nor any rules. CMI agrees with this added sentence as it allows the BOT to make an informed decision in specific cases.

Use Table (TO BE INSERTED BY MUNICODE ONCE ORDINANCE IS ADOPTED)

Sec. 17.2.060 Dimensional Requirements Table

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Table of Dimensional Standards											
Key: ac - acre ' - feet du - dwelling units sf - square feet	RA	R-2.5	R-1	R-1/2	R-5,000	R-MF	R-10,000	DMU	B-I-MU	V-MU	Rec-OS ³
Minimum lot area (ac.)	5 ac.	2.5 ac.	1 ac.	0.5 ac.	5,000 sf	15,000 sf	10,000 sf	6,600 sf	6,600 sf	6,600 sf	
Minimum lot width (street frontage)	250'	150'	150'	75'	50'	100'	50'	35'	35'	35'	
Maximum net density (du/ac)	1 du/5 ac	1 du/2.5 ac	1 du/1 ac	1 du/1/2 ac	1 du/5000 sq. ft.	12 du/ac	1 du/10,000 sq. ft.				
Maximum front setback from back of sidewalk (feet)								10'			
Minimum setback:											
From Highway 105 (feet) ¹	200 ⁵	200 ⁵									
From front property line (feet)	50'	25'	25'	25'	25'	25'	25'	See note 7	20'	20'	
From side property line (feet)	25'	10'	10'	10'	7.5 ⁶	10'	7.5'	see note 1	see note 1	see note 1	
From rear property line (feet)	25'	25'	25'	25'	25'	25'	25'	10' from any ROW	25'	25'	



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From property line on each adjacent street on a corner lot (feet)	25'	25'	25'	25'		25'			25'	25'	
From a different zone district (feet)						25'					
Maximum impervious coverage (percent)	15%	20%	30%	15%	45%	65%	25%	None	65%	65%	10% ⁴
Maximum building height (feet)	30'	30'	30'	30'	30'	32' 30' ²	30'	see note 2	30'	30'	25'

¹ No side yard setback if side wall construction is at least four-hour fire resistance; otherwise, 5 feet.
² ~~32 feet only if the 3rd story is stepped back on all four sides~~
³ There are no lot requirements in an REC-OS zone, except that uses shall be in line with the locally adopted open space and recreation standards.
⁴ Structures shall not exceed cover more than 10% of the proposed area, with the exception of indoor skating rinks and stadiums.
⁵ ~~An average of two hundred (200) feet but not closer than 150 ft. in any area. Staggered setbacks shall be reviewed by the Planning Commission.~~
~~200 feet for new development only. Existing structures may remodel or rebuild in the same location. Setbacks may be staggered upon approval by the Planning Commission.~~
⁶ Minimum side yard setback from property line: 7.5 feet per floor.
⁷ Minimum zero (0) feet from back of sidewalk to ten (10) feet maximum from the back of the sidewalk.

- Commented [BC2]:** PC determined 15% which allows 32,670 sq. ft. of impervious surface.
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- Commented [BC4]:** This now applies to all zone districts- someone could rezone to R-1 and the rule would not apply

SEC 17.2.70 RESIDENTIAL AGRICULTURAL ZONE (RA-5)

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

(b) Use Regulations

- (1) Principal Permitted Uses.
 - a. One (1) single detached dwelling unit per lot.
 - ~~b. Farm houses for resident owners and laborers actually engaged in the principal permitted use or accessory uses.~~
 - c. Husbandry of domesticated farm or ranch animals.
 - d. Field operations including field preparation, planting, fertilizing, cultivating, harvesting, tilling, herbicide/pesticide spraying, haymaking, mowing, crop storage, hauling, and agricultural uses, including family farms and ranching businesses on slopes of less than 15%.
 - e. Nursery/tree farm that involves the planting, growing, cultivating, cutting, and harvesting of nursery stock or sod growing on a site, and the loading, unloading, and sorting of nursery stock or sod on slopes of less than 15%.

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- f. Animal boarding, including kennels, and veterinary facilities, and clinics.
 - g. Equestrian riding stables and arenas, public or private.
 - h. Equestrian stabling and grazing.
 - i. Small Solar energy systems.²
 - j. Public parks, recreation, trails, and open space.
 - k. Public buildings, including police and fire stations or facilities, and civic facilities.
 - l. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter 17.XX Off-Street Parking.
 - m. Cemetery.
 - n. Public schools for primary education (K-12).
 - o. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use.
 - p. An owner-occupied or nonprofit group home, as these terms are defined by Section 31-23-303, C.R.S., as a principal use if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.
- (2) Permitted Accessory Uses and Structures.
- a. Private garages subordinate in size to the principal structure.
 - b. Home-based businesses as specified in Chapter 17.3.XX
 - c. Shelter for agricultural implements and tools used to maintain premises.
 - d. Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot.
 - e. Sporting courts, tennis courts, swimming pools, and other similar recreational facilities
 - f. Solar energy systems – accessory and small
- (3) Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot
- (4) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
- a. Accessory dwelling unit of at least 500 limited to 750 square feet.
 - b. Bed and breakfast establishments
 - c. Animal hospitals*
 - d. Daycare center, adult or child

Commented [BC5]: Based on comments, CMI will add home childcare per the state-established limit up to 6, with no more than 2 under 18 months to home occupations.

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Commented [BC6]: The new state law does not allow you to regulate size, etc.

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



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e. Caretaker unit

f. Any permanent accessory structure that exceeds 720 square feet.

(c) Dimensional Requirements

- (1) Minimum lot size: five (5) acres.
- (2) Minimum lot frontage: two hundred and fifty (250) feet.
- (3) Minimum front yard setback from property line, fifty (50) feet.
- (4) Minimum setback from State Highway 105: An average of two hundred (200) feet but not closer than 150 ft. in any area. Staggered setbacks shall be reviewed by the Planning Commission.
- (5) Minimum setback from each adjacent street on a corner lot: twenty-five (25) feet.
- (6) Maximum impervious coverage: 15%
- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (8) Maximum building height, 30 feet.
- (9) Minimum Side Yard Setback: twenty-five (25) feet only if applicable nuisance standards are met.
- (10) Minimum Rear Yard Setback: twenty-five (25) feet.
- (11) Minimum Distance between structures: fifteen (15) feet

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(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX
- (2) Structures and areas where animals are kept shall comply with the requirements of Chapter 7.20 Keeping of Animals.
- (3) Development shall be located, sited and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes and any other distinctive natural features. In addition, the site layout shall protect and preserve wetlands and riparian areas, critical wildlife habitats and natural features and landmarks.
- (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (6) On lots of five acres or more, individual sewer facilities may be installed according to regulations herein and the appropriate County and state laws, however, where a public sanitary sewer is accessible by gravity flow within 500 feet of a lot, the property shall connect to the Palmer Lake Sanitation District sewer system. (See 16.40.100).

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~~(6)(7)~~ Any required central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and the state health department.

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17.2.80 RESIDENTIAL 2.5 (R 2.5)

(a) Intent. The Residential Large Lot district is designed to accommodate very low-density single-family residential uses on large lots that may allow the keeping of animals at specified density limits as set forth in 7.20 Keeping of Animals. The R-LL zoning district promotes the continuance of single-family neighborhoods by:

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

(b) Use Regulations.

(1) Principal Permitted Uses.

a. One (1) single detached dwelling unit per lot.

~~b. Farm houses for resident owners and laborers actually engaged in the principal permitted use or accessory uses.~~

c. Husbandry of domesticated farm or ranch animals.

d. Animal boarding, including kennels, and veterinary facilities, and clinics.

e. Equestrian stabling and grazing, private.

f. Public parks, recreation, trails and open space

g. Public buildings, including police and fire stations or facilities, and civic facilities.

h. Cemetery.

i. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use.

j. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.

k. Public schools for primary education (K-12)

(4) Permitted Accessory Uses and Structures.

a. Accessory dwelling unit of at least 500 sq. ft.³

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- b. Accessory structures that are customarily incidental to the permitted principal use, and are subordinate in size to the principal structure and are located on the same lot.
- c. Private garages subordinate in size to the principal structure.
- d. Shelter for agricultural implements and tools used to maintain premises.
- e. Sporting courts, tennis courts, swimming pools, and other similar recreational facilities.
- f. Home-based businesses as specified in Chapter 17.3. **XX**.
- g. Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot.
- h. Solar energy systems – accessory and small

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

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

d. Daycare center, adult or child

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e. Caretaker unit

- f. Any permanent accessory structure that exceeds 720 square feet per acre of land.
- g. Animal hospitals provided the principal structures or uses are not less than 100 feet from any residential district, and provided that adequate buffer or screen protection is provided.
- h. Bed and breakfast establishments.

(c) **Dimensional Requirements.**

- (1) Minimum lot size: two and one-half (2.5) acres.
- (2) Minimum lot width: one hundred and fifty (150) feet street frontage.
- (3) Minimum front yard setback from property line: twenty-five (25) feet.

(12) Minimum setback from State Highway 105: An average of two hundred (200) feet but not closer than 150 ft. in any area. Staggered setbacks shall be reviewed by the Planning Commission.

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- (4) Maximum impervious coverage: 20%.
- (5) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average



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slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.

- (6) Maximum building height, 30 feet.
- (7) Minimum Side Yard Setback: ten (10) feet.
- (8) Minimum Rear Yard Setback: twenty-five (25) feet.
- (9) Minimum setback from property line on each adjacent street on a corner lot: twenty-five (25) feet.
- (10) Minimum Distance between structures: fifteen (15) feet.

(e) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.3.XX
- (2) Structures and areas where animals are kept shall comply with the requirements of Chapter 7.20 Keeping of Animals.
- (3) Development shall be located, sited, and designed to blend in with the existing natural environment and minimize disruption to existing terrain, vegetation, drainage patterns, natural slopes, and any other distinctive natural features. In addition, the site layout shall protect and preserve wetlands and riparian areas, critical wildlife habitats, and natural features and landmarks.
- (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (6) On lots of two and one-half acres or more, individual sewer facilities may be installed according to regulations herein and the appropriate County and state laws; however where a public sanitary sewer is accessible by gravity flow within 500 feet of a lot, the property shall connect to the Palmer Lake Sanitation District sewer system. (See 16.40.100.)
- (7) Any required central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and the state health department.
- (8) Design standards for building form and siting are set forth in Section 17-3-X.

SEC 17.2.90 1 ACRE SINGLE FAMILY DETACHED (R-1)

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



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(b) Use Regulations.

(1) Principal Permitted Uses.

- a. One (1) single detached dwelling unit per lot.
- b. Public Parks, recreation, trails, and open space.
- c. Public buildings, including police and fire stations or facilities, and civic facilities.
- d. Cemetery.
- e. Minor Utility Facilities, including pump stations, lift stations, water tanks, electric substations, or any similar use.
- f. Public schools for primary education (K-12).
- g. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.

(2) Permitted Accessory Uses and Structures.

- a. Accessory structures that are customarily incidental to any of the permitted principal uses, are subordinate in size to the principal structure and are located on the same lot.
- b. Uses that are customarily incidental to any of the permitted principal uses and are located on the same lot
- c. Home-based businesses as specified in Chapter 17.3. **XX**
- d. Private garages, subordinate in size to the principal dwelling.
- e. Solar energy systems – accessory and small.

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

- a. Accessory dwelling unit **of at least 500 sq. ft.**
- b. Childcare centers.
- c. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX-Off-street Parking
- d. Any permanent accessory structure that exceeds 720 square feet per acre of land.

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(c) Dimensional Requirements.

- (1) Minimum lot size: one (1) acre.
- (2) Lot width: 150 feet street frontage.
- (3) Minimum front yard setback from property line: 25 feet.
- (4) Minimum side yard setback from property line: 10 feet.
- (5) Rear yard setback from property line: 25 feet.
- (6) Maximum impervious coverage: 30%.



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- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas, all measurements shall be made on the horizontal.
 - (8) Maximum building height: 30 feet.
 - (9) Minimum Distance between structures: fifteen (15) feet.
 - (10) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.
- (d) Development Standards.
- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.3X.
 - (2) Structures and areas where animals are kept shall comply with the requirements of Chapter 7.20 Keeping of Animals.
 - (3) Development shall be located, sited, and designed to blend in with the existing natural environment and minimize disruption to the existing terrain, vegetation, drainage patterns, natural slopes, and any other distinctive natural features.
 - (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
 - (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
 - (6) Individual sewer facilities may be installed according to regulations herein and the appropriate County and state laws, however, where a public sanitary sewer is accessible by gravity flow within 500 feet of a lot, the property shall connect to the Palmer Lake Sanitation District sewer system. (See 16.40.100).
 - (7) Any required central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and the State health department.

SEC 17.2.90 1/2 ACRE DETACHED RESIDENTIAL (R-2)

- (e) **Intent.** The intent of this district is to preserve the established low-density single-family neighborhoods throughout the community. The lots should continue to be of sufficient size to allow for off-street parking⁴. This residential category allows for a range of housing choices. Residential density should be at least one dwelling unit per 1/2 acre which assists in retaining the rural character of Palmer Lake. Residences in the single-family category are generally characterized by a mix of compatibly designed detached single-family houses, sufficient landscaping, variety in architectural design, and usable open space that helps ensure compatibility with existing residences and the natural environment.
- (f) **Use Regulations.**
- (4) Principal Permitted Uses.

⁴ Off-street parking requirements can be found in Article 3.



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- h. One (1) single detached dwelling unit per lot.
- i. Public Parks, recreation, trails, and open space.
- j. Public buildings, including police and fire stations or facilities, and civic facilities.
- k. Cemetery.
- l. Public schools for primary education (K-12).
- m. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use.
- n. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.

(5) Permitted Accessory Uses and Structures.

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

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

- a. Accessory dwelling unit **of at least 500 square feet**
- b. Childcare centers – 5 to 16 children.
- c. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX-Off-street Parking
- d. Any permanent accessory structure that exceeds 720 square feet per acre of land.

(g) Dimensional Requirements.

- (1) Minimum lot size: one-half acre.
- (2) Lot width: 75-foot street frontage.
- (3) Minimum front yard setback from property line: 25 feet.
- (4) Minimum side yard setback from property line: 10 feet.
- (5) Rear yard setback from property line: 25 feet.
- (6) Maximum impervious coverage: 15%.
- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average



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slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.

(8) Maximum building height: 30 feet.

(9) Minimum Distance between structures: fifteen (15) feet.

(10) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(h) Development Standards.

(1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.

(2) Structures and areas where animals are kept shall comply with the requirements of Chapter 7.20 Keeping of Animals.

(3) Development shall be located, sited, and designed to blend in with the existing natural environment and minimize disruption to the existing terrain, vegetation, drainage patterns, natural slopes, and any other distinctive natural features.

(4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.

(5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.

(6) Individual sewer facilities may be installed according to regulations herein and the appropriate County and state laws, however, where a public sanitary sewer is accessible by gravity flow within 500 feet of a lot, the property shall connect to the Palmer Lake Sanitation District sewer system. (See 16.40.100).

(7) Any required central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District and the State health department.

~~(8) Design standards for building form and siting are set forth in Section 17-3-X.~~

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

(a) **Intent.** The intent of this district is to allow limited residential development on smaller lots that meet the Stormwater Quality Control measures and can be served with centralized services.

(b) **Use Regulations.**

(1) Principal Permitted Uses.

1. One (1) single detached dwelling unit per lot.
2. Public schools for primary education (K-12)
3. Public parks, recreation, trails, and open space.
4. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use if there is no non-residential location within 1,000 linear feet.

(2) Permitted Accessory Uses and Structures.



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1. Accessory structures that are customarily incidental to any of the permitted principal uses, are subordinate in size to the principal structure and are located on the same lot.
 2. Home-based businesses as specified in Chapter 17.X.XX.
 3. Private garages subordinate in size to the principal dwelling unit.
 4. Uses that are customarily incidental to any of the permitted uses and are located on the same lot.
 5. Solar energy systems – accessory and small.
- (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
1. Accessory dwelling unit of **at least 500 square feet.** ~~limited to 750 square feet.~~
 2. Childcare center – ~~5 to 16 children.~~
 3. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
 4. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Article 3, Chapter XX- Off-street Parking.
 5. ~~Any permanent accessory structure that exceeds 720 square feet per acre lot.~~

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(c) Dimensional Requirements

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

(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.



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

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

- (a) **Intent.** The intent of this district is to continue to allow infill development on platted smaller lots that meet the Stormwater Quality Control measures and can be served with centralized services. The lots should be of sufficient size to allow off-street parking, and should strive to preserve the character of well-established neighborhoods.
- (b) **Use Regulations.**
 - (1) Principal Permitted Uses.
 - a. One (1) single detached dwelling unit per lot.
 - b. Public parks, recreation, trails and open space.
 - c. Public buildings, including police and fire stations or facilities, and civic facilities.
 - d. Public schools for primary education (K-12).
 - e. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use or any similar use if there is no non-residential location or larger residential lots within 1,000 linear feet.
 - (2) Permitted Accessory Uses and Structures.
 - a. Accessory structures that are customarily incidental to the permitted principal single family residents, are subordinate in size to the principal structure and are located on the same lot.
 - b. Any permanent accessory structure that exceeds 720 square feet per lot.
 - c. Uses that are customarily incidental to any of the permitted uses and are located on the same lot.
 - d. Home-based businesses as specified in Chapter 17.X.XX
 - e. Private garages subordinate in size to the principal dwelling unit.
 - f. Solar energy systems – accessory and small.
 - (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
 - a. Duplexes



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

(c) Dimensional Requirements.

- (1) Minimum lot size: 5,000 square feet.
- (2) Minimum lot width: 50 feet street frontage.
- (3) Front yard setback from property line: 25 feet.
- (4) Minimum side yard setback from property line: 7.5 feet per floor.
- (5) Rear yard setback from property line: 25 feet.
- (6) Maximum impervious coverage: 45%.
- (7) The percentage of the site that shall remain in a natural state shall comply with Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas, all measurements shall be made on the horizontal.
- (8) Maximum building height: 30 feet.
- (9) Minimum Distance between structures: 10 feet.

(d) Development Standards.

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



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17.2.120 MULTI-FAMILY RESIDENTIAL (R-MF).

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

(b) Use Regulations.

(1) Principal Permitted Uses.

- a. Public parks, recreation, trails and open space.
- b. Public buildings, including police and fire stations or facilities.
- c. Public schools for primary education (K-12).
- d. Minor Utility Facilities including pump stations, lift stations, water tanks, electric substations, or any similar use or any similar use if there is no non-residential location or larger residential lots within 1,000 linear feet.
- e. Multi-unit attached residential dwellings not to exceed 4 units per structure with or without zero property lines
- f. An owner-occupied or nonprofit group home as these terms are defined by Section 31-23-303, C.R.S., as a principal use, if it serves no more than eight (8) persons, is not located within seven hundred fifty (750) feet of another group home, and the owner or operator resides and maintains primary residency within the group home.

(2) Permitted Accessory Uses and Structures.

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

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

- a. Any permanent accessory structure that exceeds 720 square feet per lot.
- b. Any residential development that is not mixed use or any residential development greater than 12 units per net residential acre.
- c. Accessory dwelling unit of **at least 500 sq. ft.**
- d. Duplexes
- e. Offices



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- f. Institutional and quasi-public uses: community center, family care home, group home as defined by Section 31-23-303, C.R.S., as a principal use, serving more than eight (8) persons, and health care support facilities.
- g. Religious institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.
- ~~h. Childcare centers — 5 to 16 children.~~
- i. Bed and breakfast establishments
- j. Professional offices.

(c) Dimensional Requirements.

- (1) Minimum lot size: 15,000 sq. ft.
- (2) Maximum density: not to exceed 12 units per net residential acre.
- (3) Lot width: 100-foot street frontage.
- (4) Minimum front yard setback from property line: 25 feet.
- (5) Minimum side yard setback from property line: 10 feet
- (6) Rear yard setback from property line: 25 feet.
- (7) A 25 ft buffer setback is required between zone districts.
- (8) Maximum impervious coverage: 65%.
- (9) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- (10) Maximum building height: 30feet.
- (11) Minimum Distance between structures: fifteen (15) feet
- (12) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.3.XX.
- (2) All development shall be designed so that for the given location, egress points, grading and other elements of the development, in order to:
 - a. Reduce disruption to the existing terrain, vegetation, or other natural site features;
 - b. Minimize adverse impacts on any existing or planned residential uses;
 - c. Improve pedestrian or vehicle safety within the site and exiting from it;
 - d. Reduce the visual intrusion of parking areas, screened outdoor storage areas, and similar accessory areas and structures;



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- e. Site all development including buildings, walls, and fences to complement existing development in scale and location of elements; and
 - f. Minimize traffic impacts on the existing road system by directing trips generated to collector and arterial streets.
- (3) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.
- (4) Public sanitary sewer and centralized water shall be required.
- (5) Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.
- (6) The central system for sewage treatment shall be provided, designed, and built in a manner approved by the Palmer Lake Sanitation District(PLSD).

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

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

(b) Use Regulations.

- (1) Principal Permitted Uses.
- a. Eating and Drinking Establishments.
 - b. Warehouses and wholesale business.
 - c. Light equipment sales and repair.
 - d. Micro-brewery, Micro-distillery or Micro-winery.
 - e. Financial Institutions.
 - f. Offices.
 - g. Personal or Business Service.
 - h. Bed and breakfast establishments.
 - i. Funeral homes and mortuaries.
 - j. Building materials and supply sales, provided any outdoor storage is screened from view.
 - k. Public or community uses including public facilities, libraries, parks, museums, art galleries, and post offices.
 - l. Public schools for primary education (K-12).
 - m. Public parks, recreation, trails, and open space.
 - n. Retail sales.
 - o. Medical and dental clinics.
 - p. Light assembly including arts/crafts shops such as woodworking, pottery, jewelry or other craft-based industries.



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- q. Light assembly of prefabricated parts, or arts/crafts shops such as woodworking, pottery, jewelry or other craft-based industries.
 - r. Light manufacturing.
 - s. Contractor shop and yard.
 - t. Vehicle Fuel Sales.
 - u. Industrial, Artisan.
 - v. Industrial, Light.
 - w. Warehouses and wholesale businesses.
 - x. Utility Facility, Minor.
 - y. Utility Facility Major.
 - z. Composting facility.
 - aa. Wireless Communication Facilities (WCF).
 - bb. Caretaker Unit.
 - cc. Live/Work.
 - dd. Mixed, residential dwelling and commercial uses occurring in the same building.
 - ee. Recreation and cultural facilities, public or non-public.
 - ff. Recreation and Entertainment, Indoor.
 - gg. Small businesses that provide services and limited and specialty retail establishments on the ground level.
 - hh. Childcare centers
- (2) Permitted Accessory Uses and Structures.
- a. Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot.
 - b. Multi-family housing not to exceed 12 units per acre on the same lot as the principal use.
 - c. Home-based businesses as specified in Chapter 17.X. XX.
 - d. Solar energy systems– accessory and small.
- (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
- a. Accessory dwelling unit of **at least 500** square feet.
 - b. Any permanent accessory structure that exceeds 720 square feet.
 - c. Outdoor storage.
 - d. Vehicle wash-self service.
 - e. Vehicle repair, major.
 - f. Vehicle Sales, leasing, rental, and service.
 - g. Emergency services including ambulance services.



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- h. Any establishment with drive-thru facility.
- i. Recreation and entertainment, outdoor.
- j. Golf courses and low-impacted recreational uses.
- k. Recycling or donation drop off.
- l. Multi-family residential, Density greater than 6 units per acre.
- m. Animal hospitals and Kennels, provided that a minimum area of five acres is available for said kennel.
- n. Nursing homes, hospitals.
- o. Optional premises cultivation operations as such term is defined in chapter 5.30 as and if otherwise allowed and regulated by chapter 5.30.
- p. Lodging and meeting facilities, including hotels, motels and extended stay lodging, reception and banquet halls, event and conference centers, and excluding RV parks.
- q. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
- r. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.

(c) Dimensional Requirements.

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

(d) Development Standards.

ARTICLE 2- JULY 20 INCLUDES FINAL EDITS PER JULY 16TH PC MEETING AND SPK AND GMS EDITS



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- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) All development, including buildings, walls, and fences, shall be so sited to:
 - a. Complement the scale and location of existing development;
 - b. Provide sidewalks as specified in the subdivision standards or an off-road system of pedestrian and bicycle trails of greater than six (6) feet in width;
 - c. Reduce the number of access points onto an arterial or collector street;
 - d. Minimize adverse impacts on any existing or planned residential uses;
 - e. Improve pedestrian or vehicle safety within the site and exiting from it;
 - f. Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping; and
 - g. Minimize unused or unusable public or private areas in the side and rear yards in new development.
- (3) Parking and loading areas for all uses must be paved and screened from view, by the use of either fences or landscaping.
- (4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.

(5) Public sanitary sewer and centralized water shall be required.

~~(5)(6)~~ A central system for sewage treatment shall be provided, designed, and built in a manner approved by the state health department and Palmer Lake Sanitation District.

~~(6)(7)~~ Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level.

~~(7)(8)~~ All outdoor storage must be screened from view by landscaping or fences. Landscaping and/or buffering must also be provided between commercial and residential areas.

~~(8)(9)~~ Design standards for building form and siting are set forth in Section 17-3-X.

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17.2.140 Village Mixed Use (V-MU)

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



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- (1) Principal Permitted Uses.
 - a. Eating and drinking establishments
 - b. Micro-brewery, Micro-distillery or Micro-winery.
 - c. Financial Institutions.
 - d. Offices.
 - e. Personal or Business Services.
 - f. Small businesses that provide services and limited and specialty retail establishments on the ground floor level.
 - g. Public or community uses including public facilities, libraries, parks, museums, art galleries, and post offices.
 - h. Public parks, recreation, trails and open space.
 - i. Public schools for primary education.
 - j. Retail sales.
 - k. Vehicle fuel sales.
 - l. Light equipment sales and repair.
 - m. Light assembly including arts/crafts shops such as woodworking, pottery, jewelry or other craft-based industries.
 - n. Light assembly of prefabricated parts; or arts/crafts shops such as woodworking, pottery, jewelry or other craft-based industries.
 - o. Medical and dental clinics.
 - p. Utility Facility, Minor.
 - q. Wireless Communication Facilities (WCF).
 - r. Live/Work.
 - s. Mixed, residential dwelling and commercial uses occurring in the same building.
 - t. Daycare center, Adult or child.
- (2) Permitted Accessory Uses and Structures.
 - a. Dwelling units subordinate in size to the principal use and located on the second floor of a permitted principal use or in the rear of a permitted accessory uses.
 - b. Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot.
 - c. Home-based businesses in any dwelling unit as specified in Chapter 17.X.XX.
 - d. Solar energy systems– accessory and small.
- (3) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified:
 - a. Any permanent accessory structure that exceeds 720 square feet per lot.
 - b. Accessory dwelling unit of **at least 500** square feet.



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- c. Outdoor storage.
- d. Mini-warehouses and storage rental spaces.
- e. Light manufacturing.
- f. Any establishment with a drive-thru facility.
- g. Emergency services including Ambulance services.
- h. Multi-family residential, density greater than 12 units per acre
- i. Animal hospitals.
- j. Nursing homes, assisted living
- k. Type I manufactured homes.
- l. Lodging and meeting facilities, including hotels, motels and extended stay lodging, reception and banquet halls, event and conference centers, and excluding RV parks.
- m. Wholesale operations provided that traffic impacts can be mitigated.
- n. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.
- o. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Article 3 Parking.

(c) Dimensional Requirements

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



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(10) Minimum corner lot setback: Twenty-five (25) feet from each adjacent street.

(d) Development Standards.

(1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.

(2) All development including buildings, walls, and fences shall be so sited to:

- a. Complement the scale and location of existing development;
- b. Provide sidewalks as specified in the adopted road standards or an off-road system of pedestrian and bicycle trails greater than six (6) feet in width;
- c. Reduce the number of access points onto an arterial or collector street;
- d. Reduce the number of removed trees measuring four (4) inches in diameter and taller than five (5) feet above ground level;
- e. Minimize adverse impacts on any existing or planned residential uses;
- f. Improve pedestrian or vehicle safety within the site and exiting from it;
- g. Create pocket parks or green spaces that are accessible to the public and at a minimum provide seating and landscaping; and
- h. Minimize unused or unusable public or private areas in the side or rear yards.

(3) Parking and loading areas for all uses must be paved and screened from view through the use of either fences or landscaping.

(4) Solar panels and other alternative energy devices must minimize the visual impact on adjacent properties to the extent possible.

(5) Public sanitary sewer and centralized water shall be required.

~~(5)~~(6) A central system for sewage treatment shall be provided, designed, and built in a manner approved by the state health department and the Palmer Lake Sanitation District.

~~(6)~~(7) All outdoor storage must be screened from view by landscaping or fences. Landscaping and/or buffering must also be provided between commercial and residential areas.

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17.2.150 Downtown Mixed Use (DMU)

(a) **Intent.** The Downtown Mixed Use zone district is intended to promote Palmer Lake's historic downtown area district for retail, service commercial, recreational, institutional, and secondary residential uses and to enhance the visual character, scale, and vitality of the downtown by allowing for specialized business and other services for area residents and visitors. The district is designed to encourage a broad mix of uses within a compact pedestrian-oriented environment and facilitate small business development and vitality. This district limits direct approaches onto Highway 105 unless a permit is granted by CDOT and pedestrian movement is not curtailed.

(b) **Use Regulations.**

ARTICLE 2- JULY 20 INCLUDES FINAL EDITS PER JULY 16TH PC MEETING AND SPK AND GMS EDITS



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- (1) Principal Permitted Uses.
 - a. Eating and drinking establishments.
 - b. Small businesses that provide services and limited and specialty retail establishments on the ground floor level.
 - c. Offices.
 - d. Personal or Business Services.
 - e. Micro-brewery, Micro-distillery or Micro-winery.
 - f. Financial Institutions.
 - g. Light assembly including arts/crafts shops such as woodworking, pottery, jewelry, or other craft-based industries.
 - h. Bed and breakfast establishments.
 - i. Recreation and cultural facilities, public or non-public.
 - j. Retail sales.
 - k. Small inns and lodges ranging from five (5) to twenty (20) rooms only if located above ground floor of nonresidential uses.
 - l. Live/work residences.
 - m. Public or community uses including public facilities, libraries, parks, museums, art galleries, and post offices.
 - n. Public schools for primary education (K-12).
 - o. Public parks, recreation, trails and open spaces.
 - p. Medical and dental clinics/offices.
- (2) Permitted Accessory Uses and Structures.
 - a. Dwelling units subordinate in size to the principal use and located on the second floor or in the rear of a permitted principal use.
 - b. Accessory structures that are customarily incidental to the permitted principal use and are subordinate in size to the principal structure and are located on the same lot.
 - c. Home-based businesses as specified in Chapter 17.X. XX.
 - d. Solar energy systems– accessory and small.
- (4) Conditional Review Uses. The following Conditional Review Uses may be permitted as specified.
 - a. Any permanent accessory structure that exceeds 720 square feet per lot.
 - b. Accessory dwelling unit of **at least 500** square feet.
 - c. Commercial accommodations only if parking can be provided onsite.
 - d. Non-public schools provided that a frontage of 100 feet will be necessary and that there will be 50 feet between the principal structure and the neighboring lot line and that appropriate screening will be provided and that the design of the use and grounds will be in keeping with the residential character of the neighborhood may be permitted



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if the traffic impacts can be mitigated and if adequate parking arrangements are made on site in accordance with Chapter XX- Off-street Parking.

- e. Lodging and meeting facilities, including hotels, motels and extended stay lodging, reception and banquet halls, event and conference centers, and excluding RV parks.
- f. Religious Institutions may be permitted if the traffic impacts can be mitigated and if adequate parking arrangements are made on-site in accordance with Chapter XX- Off-street Parking.
- g. Residential dwelling not to exceed four (4) total dwellings per lot.
- h. Commercial accommodations only if parking can be provided onsite.
- i. Any establishment with a drive-thru facility.

(c) Dimensional Requirements.

- (1) Minimum lot size: 6,600 square feet.
- (2) Lot width: 35-foot street frontage.
- (3) Minimum front yard setback from property line: All buildings shall be placed within the build-to zone. This zone is defined as the area that is a minimum of 0 feet from the back of the sidewalk to a maximum of 10 feet from the back of the sidewalk. The area between the buildings and the sidewalk shall be either landscaped or shall be a continuation of the sidewalk surface. If no sidewalk exists, a concrete sidewalk shall be installed that conforms to the requirements of the town's adopted public works standards manual. Parking is not permitted in the build-to zone. [NOTE: a maximum of 10 feet back from sidewalk to building face may limit front patio seating for restaurants and food / drink establishments, do front patio seating areas need to be considered in the front setback limitation?]
- (4) Minimum side yard setback from property line: No side yard setback shall be required provided the building's side wall is constructed of at least four-hour fire resistance. If building material has less than four-hour fire resistance, a minimum side yard of five feet shall be required.
- (5) Rear yard setback from property line: 10 feet from any public ROW.
- (6) Maximum impervious coverage: No maximum.
- (7) The percentage of the site that shall remain in a natural state is contained within Section 17.68.040 Stormwater Quality Control and is dependent on the percent of the average slope of the entire parcel of land. For purposes of measurement regarding areas all measurements shall be made on the horizontal.
- ~~(8) Maximum building height: 30 feet, 32 feet with 3rd story stepped back.~~
- (9) Minimum Distance between structures: five (5) feet.

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(d) Development Standards.

- (1) Off-street parking for the principal use shall be provided as specified in Chapter 17.XX.
- (2) All development including buildings, walls, and fences shall be so sited to:
 - a. Complement the scale and location of existing development.



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- b. Provide sidewalks as specified in the adopted road standards or an off-road system of pedestrian and bicycle trails greater than six (6) feet in width.
 - c. Reduce the number of access points onto an arterial or collector street.
 - d. Minimize adverse impacts on any existing or planned residential uses.
 - e. Improve pedestrian or vehicle safety within the site and exiting from it.
- (3) Street Appeal. All developments shall provide at least three or more of the following design features as a condition of development approval.
- a. Public or private outdoor seating.
 - b. Usable public space or sidewalk extended.
 - c. Pathways to civic uses and amenities.
 - d. Primary structure built to the sidewalk.
 - e. Public art and/or public plaza.
 - f. Parking placed totally behind the primary structure.
 - g. Landscape planters.

Sec. 17.72- Planned Development (Adopted)

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