



Community Matters Institute

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M E M O

To: Palmer Lake Planning Commission
Thru: Dawn Collins, CMC, Town Administrator/Clerk
From: Barb Cole, Executive Director, CMI
CC: Mike Davenport, CMI, Mark Morton, GMS, and Scott Krob, Town Attorney
Date: Wednesday, July 3, 2024
RE: Title 16- Subdivision- Responses to Bill's Comments

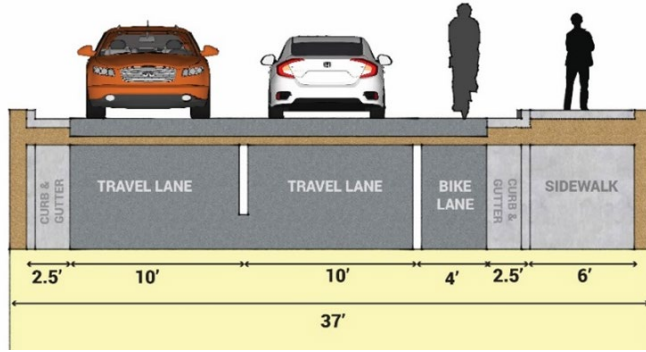
The following memo is a response to the questions raised by Commissioner Bill Fisher. As Bill noted, our response may result in a shorter work session.

- 1) **16.10.030:** should "governing body of the municipality in which the activity is proposed" be replaced w/ "Town of Palmer Lake?"
 - Excellent suggestion
 - We will make a global replacement but we only found this term once.

- 2) **16.10.070:** This should say "currently adopted road standards in [TOPL]" *the EPCO ECM is designed for and INDUCES the suburban sprawl that surrounds us. This was rejected by the citizens in the Town MP. Palmer Lake has unique existing conditions for which the ECM does not and cannot apply. These standards make roads more expensive for TOPL to build and maintain, less safe for drivers and pedestrians (many studies show this), and must be amended to apply to local conditions and comply w/ our MP.*
 - **CMI agrees with this suggestion.** By changing the ECM reference to 'currently adopted Town of Palmer Lake Road Standards or as discussed further in this memo change it to the *Town of Palmer Lake Public Works Standards Manual* will allow the Town to amend as necessary the ECM so that it fits with the terrain and character of Palmer Lake. We had a similar issue with the ECM in Manitou Springs when CMI was serving as the Interim Planning Director. The City adopted a new set of street standards that are contained in their Land Use Code.
 - **Mark Morton noted that** "whatever we call it here we must accept as the document Title forever." Planning Commissioners should determine the most appropriate name.



- Manitou Springs does have several street cross sections where the lanes are 10 ft. wide.



https://library.municode.com/co/manitou_springs/codes/code_of_ordinances?nodetid=TIT18LAUSDECO See 18.05.2 - Design and Improvement Standards.

- 16.20.090 (b) (2) b: "avoid tract housing" ?** *this term is undefined. It's usually used pejoratively and applied to any housing that people don't want for any reason. What does this mean? Does it mean no repetition of model style? Does it mean no cheap unimaginative design? Do we need some sort of design guidelines (Palmer Lake Vernacular?). Jim Fitzgerald originally submitted a housing proposal for the Red Barn property that had a lot of cool (and repetitive) new housing including some multi-family. PC at the time liked it and said he could pursue site entitlement. His more recent proposal appeared to be uninspired 4 plex apartment buildings. I'd call it tract (pejoratively). We need a definition on which to base approvals*

 - The term is defined in the definitions:** "Tract Housing means a type of housing development in which multiple similar houses are built on a tract (area) of land that is subdivided into smaller lots."
- 16.20.120 (d):** *says Vaca's of ROW must satisfy ALL of the listed requirements, including "The ROW...will be replaced" we usually vacate r.o.w.'s when they are unnecessary or errant and WON'T be replaced*

 - Deleted:** All of the following criteria must be satisfied.
- 16.40.020: same comment as (2) This section reads as follows:** *The text in the adopted Title 16 stated: "The design standards for the Town of Palmer Lake are the El Paso County Engineering Criteria Manual (ECM), as amended and adopted by reference." This was changed by GMS to the following:*

 - Option 1:** *The design standards for the Town of Palmer Lake are the El Paso County Engineering Criteria Manual, and the Regulations of the El Paso County Board of Health El Paso County, Colorado Chapter 8 On-Site Wastewater Treatment Systems (OWTS) Regulations, as amended and adopted by reference. These are available online, and one (1) copy is on file in the Town Clerk's office. Subdivision designs shall also be governed by the design standards specified in other titles of the Town of Palmer Lake's Municipal Codes and should be consistent with the Town's Community Master Plan.*



- **Option 2 Preferred:** The engineering design standards for the Town of Palmer Lake are the currently adopted Town of Palmer Lake Public Works Standards (OR Town of Palmer Lake Design Criteria and Construction Specifications Manual) which includes road standards, as well as the currently adopted El Paso County Engineering Criteria Manual as may be amended and the regulations of the El Paso County Board of Health El Paso County, Colorado Chapter 8 On-Site Wastewater Treatment Systems (OWTS) Regulations, as amended and adopted by reference. These are available online, and one (1) copy is on file in the Town Clerk's office. Subdivision designs shall also be governed by the design standards specified in other titles of the Town of Palmer Lake's Municipal Code and should be consistent with the Town's Community Master Plan. The Public Works Standards are cardinal to the El Paso County Engineering Criteria Manual and are consistent with the adopted Community Master Plan.
- 6) **16.40.030 (2) i. 2: how does this apply to 105 on main street**
 - **Added:** unless waived by the Town Engineer. The other option would be *"shall adhere to the street standards found in the Town of Palmer Lake Public Works Standards."*
- 7) **16.40.060: same comment as (2)**
 - **See 16.52.** Currently, there is a long section on street names. The new text is a simplified paragraph. This could be moved to the new Public Works Standards Manual once completed.
- 8) **16.40.070 (a) same comment as (2).**
 - **Amended to reference TOPL Public Works Standards Manual.**
- 9) **16.40.070 (c) where is ISD defined? In the El Paso County**
 - **Added to definitions as follows: Removed the word Intersection and added the word triangle from this section so it is called a *Sight Distance Triangle and is defined as follows: Sight distance triangle means the area at the four (4) corners of an intersection that is to be kept free of shrubs, ground covers, berms, fences, signs, structures or other materials or items greater than thirty (30) inches in height. Trees shall not be planted in the triangular area.***
- 10) **16.40.070 (f) protecting through and local traffic - what about pedestrians**
 - **This is an existing section current subdivision ordinance:** *"Where a subdivision abuts or contains an existing or proposed arterial street, the planning commission may require marginal access streets, reverse frontage lots with screen planting contained in a non-access reservation along with the property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of through and local traffic"*
 - **The following has been added to the end of the sentence:** and ensure that pedestrian access is safe and sufficient in width through the provision of sidewalks, trails, or paths.



- 11) **16.040.140 (a) Drainage Fees aren't in the master fee schedule. They should be.**
- **These are charged at Building Permit.** The drainage fee calculation can be found on the building permit application form. The fee listed is \$9,747 per acre but includes a reference to code section 16.80.070. This code section does not exist. GMS also needs to review the fees because the drainage basin fee may have changed.
- 12) **Item 6c in the changes commentary at the end: what about multi-family subdivisions all on 1 lot**
- **I believe Bill is referencing the Land Dedication requirements of 20%.**
 - **The code states as follows:** *shall equal 20 percent of the total land area (gross area). This is what is currently in the Subdivision regulations and remains. SEE 16.50.020. Land for Public Uses.*
 - **I suggest that we add another trigger-** the following has been inserted into the description of a major subdivision: Major Subdivisions. A major subdivision consists of 5 or more lots, five or more residential dwelling structures, or five or more non-residential habitable structures and its review process consists of three (3) separate phases: sketch plan, preliminary plat, and final plat.

FINAL DRAFTING NOTE: Once the final draft is in a form acceptable to the Planning Commission, CMI will undertake a final clean-up. While we conducted a thorough review of this final draft and GMS reviewed this July version, Scott Krob will review for any legal issues that we may have missed. Any substantive changes will be reported to the Commissioners before the ordinance is scheduled for review and adoption by the Trustees.

/bc

