



**DOUGLAS COUNTY COMMISSIONERS
WORK SESSION**

**Monday, February 5, 2024
(In Office and Remote)**

A G E N D A

(Times listed are estimates and may fluctuate depending
on length of discussion.)

Time*

2:00 p.m.

**Proposed Amendments to Fencing and Outdoor Storage
Standards- Post Referral Comments**

American Rescue Plan (ARPA) Updates

Agenda Item

DATE: FEBRUARY 5, 2024
TO: DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS
THROUGH: DOUGLAS J. DEBORD, COUNTY MANAGER
FROM: TERENCE T. QUINN, AICP, DIRECTOR OF COMMUNITY DEVELOPMENT
CC: MARCCO HIGHAM, PLANNER
LAUREN PULVER, PLANNING SUPERVISOR
KATI CARTER, AICP, ASSISTANT DIRECTOR PLANNING RESOURCES
STEVE E. KOSTER, AICP, ASSISTANT DIRECTOR PLANNING SERVICES
SUBJECT: PROPOSED AMENDMENTS TO FENCING AND OUTDOOR STORAGE
STANDARDS – POST REFERRAL COMMENTS
PROJECT FILE: DR2023-004

SUMMARY

Through collaboration with the County's Attorney Office, staff has proposed amendments to the Douglas County Zoning Resolution (DCZR) intended to clarify fencing and outdoor storage standards and how they apply in development review processes, to update related definitions and references, and to update or remove obsolete provisions.

Following direction from the Board of County Commissioners (Board), staff sent the proposed amendment to the DCZR on referral from December 7, 2023, to January 11, 2024.

Staff received questions requesting further clarification from referral agencies and the public, but all responsive contacts and referral agencies provided no comment.

BACKGROUND

Staff provided draft revisions to Section 14 of the DCZR in the initial Board work session as the basis for proposed updates to the following sections:

- 11 – Business District
- 12 – Commercial District
- 13 – Light Industrial District
- 14 – General Industrial District
- 14A – Sedalia Community District
- 14B – Sedalia Downtown District

- 14C – Sedalia Highway Commercial District
- 14D – Sedalia Mixed Industrial District
- 21 – Use by Special Review
- 27 – Site Improvement Plan
- 27A – Personal Wireless Communication Facility Design Standards
- 28 – Parking Standards
- 36 – Definitions

The proposed zoning amendments to fencing and outdoor storage standards are intended to provide consistency and clarity in their interpretation and application for the development review processes. Technical corrections, updated references, and deletions for obsolete references were made in the red-lined sections of the DCZR.

PUBLIC INPUT

Staff sent the proposed amendments to the County-wide contact and referral agency list, which consists of approximately 500 recipients. All referral agency responses are attached. All referral agency and business contact responses received provided no comment.

A public workshop was held on January 16, 2024. Two members of the public attended representing Burning Tree Ranch HOA and Toll Brothers. Staff provided clarification on the zoning amendments and discussed the wider implications of the proposed changes.

POST REFERRAL REDLINE UPDATES

During the referral period, staff identified an opportunity to provide additional clarity to the regulations by formally defining the use “storage area – commercial,” and restating it as “commercial storage area.” This necessitated updates to Sections 12, 13, 14A, 14B, 14C, and 14D, as well as adding the new definition to Section 36 for the Board’s review and approval.

NEXT STEPS

Staff has reviewed and revised the attached redlines based on the need for additional clarification regarding commercial storage. The updated “Post Referral Redlines” are attached. Staff is prepared to discuss next steps with the Board.

The proposed amendment is tentatively scheduled to be heard by the Planning Commission on March 18 and the Board on March 26.

ATTACHMENTS

Referral Comments Summary Report.....	Page 3
Referral Response Letters.....	Page 6
Citizen Comments	Page 17
DCZR Sections 11 - 14, 14A - 14D, 21, 27, 27A, 28, and 26 (red-lined)	Page 22

Referral Agency Response Report**Page 1 of 3****Project Name:** Zoning Resolution Amendment- Outdoor Storage and Screening**Project File #:** DR2023-004**Date Sent:** 12/07/2023**Date Due:** 01/11/2024

Agency	Date Received	Agency Response	Response Resolution
Arapahoe County Engineering Services Division	12/11/2023	See letter – No comment.	No response required.
Arapahoe County Planning Division	01/04/2024	See letter – No comment.	No response required.
Castle Rock Fire and Rescue Department	01/09/2024	No Comment (verbatim).	No response required.
City of Lone Tree	12/28/2023	No Comment (verbatim).	No response required.
Centennial Water and Sanitation District	01/10/2024	No Comment (verbatim).	No response required.
Cherry Creek Basin Water Quality Authority	12/26/2023	"The Cherry Creek Basin Water Quality Authority (Authority) acknowledges notification from Douglas County that the proposed development plans for DR2023-004, Fencing and Outdoor Storage Standards have been or will be reviewed by Douglas County for compliance with the applicable Regulation 72 construction and post-construction requirements. Based on the Authority's current policy, the Authority will no longer routinely conduct a technical review and instead the Authority will defer to Douglas County's review and ultimate determination that the proposed development plans comply with Regulation 72. If a technical review of the proposed development plan is needed, please contact LandUseReferral@ccbwqa.org. The review may include consultation with the Authority's Technical Manager to address specific questions or to conduct a more detailed Land Use Review, if warranted." (Verbatim).	No response required.
Colorado Geological Survey	12/12/2023	No Comment (verbatim).	No response required.
Colorado Parks and Wildlife	12/14/2023	See letter – No concerns.	No response required.
CORE Electric Cooperative	01/09/2024	No Comment (verbatim).	No response required.
Douglas County: Addressing Analyst	12/10/2023	No Comment (verbatim).	No response required.
Douglas County: Assessor	12/17/2023	No Comment (verbatim).	No response required.
Douglas County: Building Services	12/10/2023	No Comment (verbatim).	No response required.
Douglas County: Community Services	12/18/2023	See letter – No comment.	No response required.
Douglas County: Conservation District	01/10/2024	No Comment (verbatim).	No response required.

Referral Agency Response Report**Page 2 of 3****Project Name:** Zoning Resolution Amendment- Outdoor Storage and Screening**Project File #:** DR2023-004**Date Sent:** 12/07/2023**Date Due:** 01/11/2024

Agency	Date Received	Agency Response	Response Resolution
Douglas County: Engineering Services	01/07/2024	No Comment (verbatim).	No response required.
Douglas County Historic Preservation	01/04/2024	No Comment (verbatim).	No response required.
Douglas County: Office of Emergency Management	12/10/2023	OEM has no concerns with this zoning amendment (verbatim).	No response required.
Douglas County: Open Space and Natural Resources	12/17/2023	No Comment (verbatim).	No response required.
Douglas County: Parks and Trails	01/9/2024	No Comment (verbatim).	No response required.
Elbert County Planning and Economic Development	01/17/2023	See letter – No objections to the proposed amendments.	No response required.
Highlands Ranch Community Association	01/03/2024	“The Highlands Ranch Community Association (HRCA) appreciates the opportunity to review and opine on this Application. As a Planned Development, development within the corporate boundary of Highlands Ranch are regulated by the design requirements in our Planned Development Guide (latest edition); however, applicants are still required to prepare, in most instances, a Site Improvement Plan that is compliant with the requirements of §27 - one of the sections being revised with this application. The planned modifications to this section are nominal and do not adversely impact the HRCA. Similarly, the modifications to §28: Parking do not adversely impact the HRCA. Accordingly, the Highlands Ranch Community Association TAKES NO EXCEPTIONS to the modifications proposed with those sections of the Douglas County Zoning Resolution that are relevant to Highlands Ranch.” (Verbatim).	No response required.
Highlands Ranch Town Center Review Committee	01/09/2024	No Comment (verbatim).	No response required.
Larkspur FD	12/10/2023	No Comment (verbatim).	No response required.
Meridian DCC, Meridian Village Metro Districts, Meridian Metro Districts	01/09/2024	No Comment (verbatim).	No response required.
South Metro Fire Rescue	12/14/2023	“South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed updates to the Douglas County Zoning Resolution.” (Verbatim).	No response required.
Southeast Metro Stormwater Authority	12/07/2023	No Comment (verbatim).	No response required.

Referral Agency Response Report**Page 3 of 3****Project Name:** Zoning Resolution Amendment- Outdoor Storage and Screening**Project File #:** DR2023-004**Date Sent:** 12/07/2023**Date Due:** 01/11/2024

Agency	Date Received	Agency Response	Response Resolution
South Platte Renew	12/13/2023	"South Platte Renew (SPR) has reviewed the Zoning Resolution Amendment. There are no concerns. Any questions, contact SPR at wwtppretreatment@englewoodco.gov " (verbatim)	No response required.
South Suburban Parks & Recreation	12/28/2023	See letter – No comment.	No response required.
Stonegate North Villages Metropolitan District	01/11/2024	See letter – No comment.	No response required.
The Pinery HOA	01/18/2024	See letter – No comment.	No response required.
Town of Castle Rock	01/10/2023	See letter – No concerns from the Town Departments.	No response required.
Town of Parker Development Review	01/10/2024	No Comment (verbatim).	No response required.
Town of Parker Public Works	12/13/2023	No Comment (verbatim).	No response required.
West Metro Fire Protection District	12/10/2023	No Comment (verbatim).	No response required.
Xcel Energy Right of Way & Permits	12/13/2023	See letter – No apparent conflicts.	No response required.

BRYAN D. WEIMER, PWLF
Director

Lima Plaza
6924 South Lima Street
Centennial, Colorado 80112-3853
720-874-6500
arapahoeco.gov

Engineering Services Division Referral Comments

December 11, 2023

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104
Attn: Case Manager



RE: Zoning Resolution Amendment- Outdoor Storage and Screening
DR2023-004

Engineering Services Division of Arapahoe County Public Works and Development (Staff) thanks you for the opportunity to review the Zoning Resolution Amendment - Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution. Staff has no comments regarding the referral at this time based on the information submitted.

Please know that other Divisions in the Arapahoe County Public Works Department may submit comments as well.

If you have any questions, please feel free to contact our offices at 720-874-6500.

Respectfully,



Sue Liu
Arapahoe County Public Works & Development
Engineering Services Division
cc Arapahoe County Case No. 023-331

From: [Terri Maulik](#)
To: [Marcco Higham](#); [Referrals](#)
Subject: RE: Douglas County eReferral (DR2023-004) Is Ready For Review
Date: Thursday, January 4, 2024 11:49:53 AM
Attachments: [image001.png](#)

Marcco,

Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.



ARAPAHOE COUNTY

TERRI L MAULIK (she/her/hers)

Planning Technician | PWD - Planning Division

6924 S Lima St., Centennial Co 80112

Direct: 720-874-6840 | Main: 720-874-6650

arapahoeco.gov | [Facebook](#) | [Twitter](#) | [Instagram](#) | [Nextdoor](#)

-----Original Message-----

From: mhigham@douglas.co.us <mhigham@douglas.co.us>
Sent: Friday, December 8, 2023 9:46 AM
To: Referrals <Referrals@arapahoegov.com>
Subject: Douglas County eReferral (DR2023-004) Is Ready For Review

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Date: December 8, 2023

RE: Douglas County Zoning Resolution Amendment - Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Request for Review:

Please review the following proposed updates to the Douglas County Zoning Resolution (Zoning Resolution) Fencing and Outdoor Storage Standards and forward any comments to me by January 11, 2024. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at www.douglas.co.us/PRO and entering the project file number DR2023-004 in the search tool.

Synopsis of Regulation Change:

Douglas County is proposing changes to the Fencing and Outdoor Storage Standards in the Zoning Resolution. The proposed amendments are intended to clarify what the standards are and how the standards are applied through the development review process. The amendments also include technical corrections to various references and definitions. The following Sections are affected:

From: [Olson - DNR, Justin](#)
To: [Marcco Higham](#)
Subject: Re: Douglas County eReferral (DR2023-004) Is Ready For Review
Date: Thursday, December 14, 2023 1:54:28 PM

Mr. Higham,

Thank you for including Colorado Parks and Wildlife in the referral request process for the proposed updates to the Douglas County Zoning Resolution under Project Number DR2023-004. I have reviewed the documents and referral request, and I wanted to inform you that CPW has no concerns with this project as it pertains to any wildlife issues. If you have any further questions or need more information, do not hesitate to let me know. Thank you for your time.

Justin Olson
District Wildlife Manager
Littleton District - Area 5



P 303.291.7131 | F 303.291.7114
6060 Broadway, Denver, CO 80216
justin.olson@state.co.us | cpw.state.co.us



On Fri, Dec 8, 2023 at 9:47 AM <mhigham@douglas.co.us> wrote:

Date: December 8, 2023

RE: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Request for Review:

Please review the following proposed updates to the Douglas County Zoning Resolution (Zoning Resolution) Fencing and Outdoor Storage Standards and forward any comments to me by January 11, 2024. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at [https://urldefense.com/v3/_http://www.douglas.co.us/PRO_!!PUG2raq7KiCZwBk!b6-EYfgFfESYEy4GnUPV-vOp5FRSTRtIeLe6npJfz_-aad0JQKKUvuHxDm-tNgv39tKREjhOWObfjnnAEq7XFWNs\\$](https://urldefense.com/v3/_http://www.douglas.co.us/PRO_!!PUG2raq7KiCZwBk!b6-EYfgFfESYEy4GnUPV-vOp5FRSTRtIeLe6npJfz_-aad0JQKKUvuHxDm-tNgv39tKREjhOWObfjnnAEq7XFWNs$) and entering the project file number DR2023-004 in the search tool.

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Douglas County is proposing changes to the Fencing and Outdoor Storage Standards in the Zoning Resolution. The proposed amendments are intended to clarify what the standards are and how the standards are applied through the development review process. The amendments also include technical corrections to various references and definitions. The following Sections are affected:

From: [Jennifer Eby](#)
To: [Marcco Higham](#)
Subject: RE: Douglas County eReferral (DR2023-004) Is Ready For Review
Date: Monday, December 18, 2023 12:43:10 PM

Thanks Marcco, I have no comments on this.

Jennifer Eby, AICP | Assistant Director of Community Services
Douglas County Department of Community Development
Community Services
Address | 100 Third St., Castle Rock, CO 80104
Direct | 303-814-4355 Main | 303-660-7460
Email | jeby@douglas.co.us

-----Original Message-----

From: mhigham@douglas.co.us <mhigham@douglas.co.us>
Sent: Friday, December 8, 2023 9:46 AM
To: Jennifer Eby <JEby@douglas.co.us>
Subject: Douglas County eReferral (DR2023-004) Is Ready For Review

Date: December 8, 2023

RE: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Request for Review:

Please review the following proposed updates to the Douglas County Zoning Resolution (Zoning Resolution) Fencing and Outdoor Storage Standards and forward any comments to me by January 11, 2024. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at www.douglas.co.us/PRO and entering the project file number DR2023-004 in the search tool.

Synopsis of Regulation Change:

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- 11 – Business District
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- 14C – Sedalia Highway Commercial District
- 14D – Sedalia Mixed Industrial District
- 21 – Use by Special Review
- 27 – Site Improvement Plan
- 27A – Personal Wireless Communication Facility Design Standards
- 28 – Parking Standards
- 36 – Definitions

Amendment Process

Douglas County Staff will conduct a public workshop regarding this proposal on Tuesday, January 16, 2024, at 4p.m. at the Board of County Commissioners Conference Rooms A&B located at 100 Third St. Castle Rock, CO

From: [Catherine Armstrong](#)
To: [Marcco Higham](#)
Cc: [Marc Dettenrieder](#)
Subject: RE: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution
Date: Wednesday, January 17, 2024 9:28:23 AM
Attachments: [image001.png](#)

Hello Marcco,

Apologies for the late reply. At this time, Elbert County Planning and Economic Development has no objections to the proposed amendments.

Please let us know of questions or comments you have for us.

Thank you.

Best regards,

Catherine Armstrong
Elbert County Government
Department of Planning and Economic Development
Land Use Planner

PO Box 7, 215 Comanche St, Kiowa, CO, 80117

Office: 720-595-3612

Cell: 720-815-8784

catherine.armstrong@elbertcounty-co.gov

www.elbertcounty-co.gov

Please note County Offices are closed on Fridays.



From: Marcco Higham <mhigham@douglas.co.us>
Sent: Thursday, December 7, 2023 1:26 PM
To: CDS Department <CDS@elbertcounty-co.gov>
Subject: [External] Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Date: December 7, 2023

RE: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and

SOUTH METRO FIRE RESCUE

FIRE MARSHAL'S OFFICE



Marco Higham, Planner
Douglas County Department of Community Development, Planning Resources
100 Third St
Castle Rock Co 80104
303.660.7460
303.660.9550 Fax

Project Name: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Project File #: **DR2023-004**

S Metro Review #: REFOTH23-00235

Review date: December 15, 2023

Plan reviewer: Aaron Miller
720.989.2246
aaron.miller@southmetro.org

Project Summary: Douglas County is proposing changes to the Fencing and Outdoor Storage Standards in the Zoning Resolution. The proposed amendments are intended to clarify what the standards are and how the standards are applied through the development review process. The amendments also include technical corrections to various references and definitions.

Code Reference: Douglas County Fire Code, 2018 International Fire Code, and 2021 International Building Code with amendments as adopted by Douglas County.

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed updates to the Douglas County Zoning Resolution.

4810 East County Line Road
Littleton, CO 80126
303.483.7026

December 28, 2023

Macco Higham, Planner
Douglas County, Department of Community Development, Planning Services
100 Third Street
Castle Rock, CO 80104

Re: Referral Response – DR2023 – Fencing and Outdoor Storage Zoning Update

Dear Marcco,

South Suburban staff reviewed the referral for DR2023 – Fencing and Outdoor Storage Zoning Update and have no comments.

Sincerely,

Melissa Reese-Thacker
Planning Manager

From: [Krystal Welp](#)
To: [Marcco Higham](#)
Cc: [Gary Welp](#); corpoffice@pcms.net
Subject: RE: Douglas County eReferral (DR2023-004) Is Ready For Review
Date: Thursday, January 11, 2024 9:24:53 AM

Good Afternoon -

On behalf of Stonegate North Villages Metropolitan District, we have no comments.

Krystal Welp
Development Review Coordinator/Engineering and Planning Technician
303-468-8477

-----Original Message-----

From: mhigham@douglas.co.us <mhigham@douglas.co.us>
Sent: Friday, December 8, 2023 9:46 AM
To: Gary Welp <gwelp@rgengineers.com>
Subject: Douglas County eReferral (DR2023-004) Is Ready For Review

Date: December 8, 2023

RE: Douglas County Zoning Resolution Amendment - Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Request for Review:

Please review the following proposed updates to the Douglas County Zoning Resolution (Zoning Resolution) Fencing and Outdoor Storage Standards and forward any comments to me by January 11, 2024. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at www.douglas.co.us/PRO and entering the project file number DR2023-004 in the search tool.

Synopsis of Regulation Change:

Douglas County is proposing changes to the Fencing and Outdoor Storage Standards in the Zoning Resolution. The proposed amendments are intended to clarify what the standards are and how the standards are applied through the development review process. The amendments also include technical corrections to various references and definitions. The following Sections are affected:

- * 11 - Business District
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Amendment Process

Douglas County Staff will conduct a public workshop regarding this proposal on Tuesday, January 16, 2024, at 4p.m. at the Board of County Commissioners Conference Rooms A&B located at 100 Third St. Castle Rock, CO

From: The Pinery HOA
To: Marco Higham
Subject: Re: Douglas County eReferral (DR2023-004) Is Ready For Review
Date: Thursday, January 18, 2024 9:52:22 AM

Good Morning Marco,

We would like to thank you for the opportunity to review this further, but as for now it sounds like we will respond with "No comment".

Thank you!

The Pinery Homeowners' Association Office

From: mhigham@douglas.co.us <mhigham@douglas.co.us>
Sent: Friday, December 8, 2023 9:46 AM
To: The Pinery HOA <pha@pinery.org>
Subject: Douglas County eReferral (DR2023-004) Is Ready For Review

Date: December 8, 2023

RE: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Request for Review:

Please review the following proposed updates to the Douglas County Zoning Resolution (Zoning Resolution) Fencing and Outdoor Storage Standards and forward any comments to me by January 11, 2024. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at https://urldefense.proofpoint.com/v2/url?u=http-3A-www.douglas.co.us_PRO&d=DwICAQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnYfiMM&r=dG6oyLeQLZ6X4jB_8QAnig&m=q4YVETd7XkUJB49J3m93iI3DKspE97WDULUV6aAAZPJkM0rFiI5XqYxUWUGldd3&s=P6mwfcemPWmQOBHhoLFHV2ZovnodZ9PgWcywyV4kCEBw&c= and entering the project file number DR2023-004 in the search tool.

Synopsis of Regulation Change:

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Amendment Process

Douglas County Staff will conduct a public workshop regarding this proposal on Tuesday, January 16, 2024, at 4p.m. at the Board of County Commissioners Conference Rooms A&B located at 100 Third St. Castle Rock, CO 80104. Once comments from this referral process have been received, a work session will be scheduled with the Board of County Commissioners (Board) to review the comments.

Final consideration of the proposed regulations will occur at a public hearing with the Board, following a Planning Commission recommendation. Future hearings dates may be obtained by calling 303-660-7460 or by accessing the project information at https://urldefense.proofpoint.com/v2/url?u=http-3A-www.douglas.co.us_PRO&d=DwICAQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnYfiMM&r=dG6oyLeQLZ6X4jB_8QAnig&m=q4YVETd7XkUJB49J3m93iI3DKspE97WDULUV6aAAZPJkM0rFiI5XqYxUWUGldd3&s=P6mwfcemPWmQOBHhoLFHV2ZovnodZ9PgWcywyV4kCEBw&c=. Please feel free to reach out to me with any questions you may have.

Marco Higham | Planner
mhigham@douglas.co.us
(303)-814-4313



External Referral Comments

TO: Marcco Higham, Douglas County Planning

FROM: Darcie Hartman, Development Services Technician, Development Services Department

DATE: January 11, 2024

SUBJECT: COU23-0029, Project No. DR2023-004

Thank you for the opportunity to review and respond to the proposed zoning resolution amendment for outdoor storage and screening. The application was reviewed by various Town Departments with no concerns from the Town reviewers. Please keep us informed of any changes to the proposal. Thank you.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

December 13, 2023

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: Marcco Higham

Re: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the above-mentioned standards and has no apparent conflict.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

From: [Marcco Higham](#)
To: [Elizabeth West](#)
Cc: rdalewest@outlook.com
Subject: RE: Douglas County eReferral (DR2023-004) Is Ready For Review
Date: Monday, January 8, 2024 1:14:00 PM

Hi Elizabeth,

Before I address your questions, I did want to let Happy Canyon HOA know that we can receive comments after the referral period ends. I know we are close to January 11th as the end date indicated on the courtesy notice letter.

18A Water Supply Overlay District:

The deletion of those references to the 18A Water Supply Overlay District were made to conform with the latest version of that section. Conformance with 18A is still required for SIPs within the overlay district. An amendment was made for 18A in 2017 so the deleted references had become obsolete.

Regulatory v. Advisory Categorization:

The edits provided in the red-lines address more obsolete references. And in this case for the definitions of the two types of referral agencies. The designation of an agency as advisory or regulatory is based on an agency's relationship to the project.

An HOA may be advisory or regulatory depending on the project and the HOA's relationship to said project.

Best,

Marcco Higham

From: Elizabeth West <westfamily@msn.com>
Sent: Tuesday, January 2, 2024 2:24 PM
To: Marcco Higham <mhigham@douglas.co.us>
Cc: Elizabeth West <westfamily@msn.com>; rdalewest@outlook.com
Subject: RE: Douglas County eReferral (DR2023-004) Is Ready For Review

Hello Marcco,

The Happy Canyon HOA board is reviewing the Douglas County eReferral DR2023-004 and will be sending a response shortly. They are asking for clarification on the following:

1. Why is so much of the Water Overlay District requirements being stricken from current zoning regulations? Please elaborate.

Water Overlay District redlining

[https://na01.safelinks.protection.outlook.com/?](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapps.douglas.co.us%2Fplanning%2Fprojects%2Fdownload.aspx%3FPosseObjec)

[url=https%3A%2F%2Fapps.douglas.co.us%2Fplanning%2Fprojects%2Fdownload.aspx%3FPosseObjec](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapps.douglas.co.us%2Fplanning%2Fprojects%2Fdownload.aspx%3FPosseObjec)

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2. Why are HOAs being reduced to “Advisory” status regarding an applicant being required to meet with and/or address communities’ concerns about their projects? Please clarify.

Regulatory v. Advisory redlining

[https://na01.safelinks.protection.outlook.com/?](https://na01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fapps.douglas.co.us%2Fplanning%2Fprojects%2Fdownload.aspx%3FPosseObjectId%3D90739437%26hash%3D71B2BD7D6E39FCF7D1EFC8C610B52811113CEA21&data=05%7C01%7C%7C6867e28376b04008366008dbf82029af%7C84df9e7fe9f640afb435aaaaaaaaaaaa%7C1%7C0%7C638376589242611189%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6I1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=03p9%2FuCnvPPcqDPFy9Jct7SfE%2BMTvaxtkEMqRHercuU%3D&reserved=0)

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Thanks very much,

Elizabeth West (member-at-large) for
Happy Canyon HOA

----- Forwarded message -----

From: <mhigham@douglas.co.us>

Date: Fri, Dec 8, 2023 at 9:47 AM

Subject: Douglas County eReferral (DR2023-004) Is Ready For Review

To: <HappyCanyonHOA@gmail.com>

Date: December 8, 2023

RE: Douglas County Zoning Resolution Amendment – Proposed Amendments to Fencing and Outdoor Storage Standards in the Zoning Resolution

Request for Review:

Please review the following proposed updates to the Douglas County Zoning Resolution (Zoning Resolution) Fencing and Outdoor Storage Standards **and forward any comments to me by January 11, 2024**. The full text of this update can be obtained by contacting this office, or by accessing the Douglas County website at www.douglas.co.us/PRO and entering the project file number DR2023-004 in the search tool.

Synopsis of Regulation Change:

Douglas County is proposing changes to the Fencing and Outdoor Storage Standards in the Zoning Resolution. The proposed amendments are intended to clarify what the standards are and how the standards are applied through the development review process. The amendments also include technical corrections to various references and definitions. The following Sections are affected:

- 11 – Business District
- 12 – Commercial District
- 13 – Light Industrial District
- 14 – General Industrial District
- 14A – Sedalia Community District
- 14B – Sedalia Downtown District
- 14C – Sedalia Highway Commercial District
- 14D – Sedalia Mixed Industrial District
- 21 – Use by Special Review
- 27 – Site Improvement Plan
- 27A – Personal Wireless Communication Facility Design Standards
- 28 – Parking Standards
- 36 – Definitions

Amendment Process

Douglas County Staff will conduct a public workshop regarding this proposal on Tuesday, January 16, 2024, at 4p.m. at the Board of County Commissioners Conference Rooms A&B located at 100 Third St. Castle Rock, CO 80104. Once comments from this referral process have been received, a work session will be scheduled with the Board of County Commissioners (Board) to review the comments.

Final consideration of the proposed regulations will occur at a public hearing with the Board, following a Planning Commission recommendation. Future hearings dates may be obtained by calling 303-660-7460 or by accessing the project information at www.douglas.co.us/PRO. Please feel free to reach out to me with any questions you may have.

Marcoco Higham | Planner

mhigham@douglas.co.us

(303)-814-4313

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Happy Canyon Homeowners Association

Pinery HOA – Sonia Eyre

seyre@comcast.net

303-596-8058

11:35am – 12pm phone call on 1/9/2024

- Called to understand how fencing and outdoor storage standards would impact new site development close to the Pinery RV Lot and the Pinery HOA. East of Denver Southeast Suburban Water & Sanitation District.
- New retaining wall is being constructed east of the lots by a developer.
- Pinery HOA wanted to understand how these new standards would impact existing fencing.

Follow up email sent on 01/11

From: [Marcco Higham](#)
To: seyre@comcast.net
Cc: pha@pinery.org
Subject: Addressing Questions for the Pinery HOA
Date: Thursday, January 18, 2024 4:36:00 PM

Good afternoon,

I worked with my team to address the questions that were brought up during our phone call last week.

There was a question about conforming to the updated fencing standards. In this case, the proposed changes would not involve retroactively applying the new fencing standards. Generally speaking for new development in the Pinery, we would need to look at the specifics of the P.D. to see if any of these standards would be applicable in the planning areas.

In terms of new development and these new standards for fencing and outdoor storage, lots in the Pinery P.D. would only be subject to these standards if the P.D. did not have standards of its own. The responsibility to comply with these development standards falls on the developer of a lot. This is a general overview, if there is a specific situation or circumstance you would like to discuss I can connect you with a planner that is knowledgeable of that planning area.

Thank you,

Marcco Higham | Planner
Douglas County Department of Community Development
Planning Resources
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-814-4313 ext. 4313
Email | mhigham@douglas.co.us

SECTION 11 B – BUSINESS DISTRICT

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1101 Intent (Amended 8/11/09)

To provide areas for retail business uses in balance with residential development as an integral part of the community providing essential services and employment opportunities that are conveniently and efficiently located to reduce unnecessary commuting, protect air quality and facilitate the cost-effective provision of services. Adequate facilities, such as roads, water and sanitation, fire protection, emergency service, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to save on the costly, premature extension of basic infrastructure.

Development within this district is encouraged in compact centers rather than in extended strips of development along roadways so as to provide for orderly development, minimized traffic congestion, and provide for safe pedestrian movement. Business centers shall be located so as to minimize conflicts with residential and agricultural uses, wildlife habitats/corridors, and environmentally and visually sensitive areas in accordance with the intent of the Douglas County Comprehensive Master Plan, as amended. Offices may serve as a transition between urban residential and major commercial or industrial areas.

The B zone district is characterized by retail business buildings situated in a landscaped setting with landscaped off-street parking areas. Site improvements including landscaping shall be provided and designed to minimize the impact on adjacent residential uses and maintain the appearance and visual quality of the County. A site improvement plan is required prior to the use of the lot for any purpose. Typical uses include drug stores, flower shops, book stores and other general merchandise stores, offices, banks, private clubs, and public recreational areas. Development or use of land in this district is permitted only in accordance with the provisions herein. Land disturbance activities may require permit(s).

1102 Principal Uses (Amended 6/22/05)

The following uses shall be allowed upon the approval of, and in accordance with, a Site Improvement Plan in accordance with Section 27 of this Resolution, and shall be conducted entirely within an enclosed building, unless exempted by the Director. The Director may determine other similar uses as appropriate. (Amended 10/14/02)

- 1102.01 Automobile service station with gasoline pumps
- 1102.02 Bank/financial institution *(including drive-up facility)*
- 1102.03 Bar/lounge
- 1102.04 Club/country club

1102.03 Community uses:

- Church
- Cultural facility
- Fire station
- Library
- Open space/trails
- Park/playground
- Recreation facility – Indoor
- School – including college or university and related facilities
- Sheriff substation

1102.06 Day-care center – *(outdoor play area shall be enclosed by 6' fence)*1102.07 Event Center *(Amended 4/28/15)*

1102.08 Firing range – indoor

1102.09 Hospital *(helipad permitted as an accessory use)*

1102.10 Hotel/motel, including conference or convention facilities located within the principal building

1102.11 Nursing or convalescent home and other extended-care facilities

1102.12 Office

- general, medical, dental, professional, governmental
- temporary *(refer to Section 22)*

1102.13 Parking lot – public or private

1102.14 Restaurant/fast-food establishment

1102.15 Retail/service business – indoor

1102.16 Retirement home

1102.17 Seasonal use *(refer to Section 22A)*

1102.18 Theater – indoor

1102.19 Utility service facility

1102.20 Veterinary clinic/ ~~or~~ hospital – animals shall be confined in an enclosed building which is part of the principal structure

1103 Accessory Use

The following shall be allowed only when a principal use has been established on the lot:

- 1103.01 Accessory uses and buildings *(Amended 5/27/14)*
- 1103.02 Satellite dish
- 1103.03 Single or multifamily residence for management or employees *(provided unit is incorporated into principal structure)*

1104 Uses Permitted by Special Review *(Amended 6/22/05)*

The following uses are permitted, upon approval by the Board, in accordance with Section 21, Use by Special Review, ~~and Section 27 Site Improvement Plan~~, of this Resolution. *(Amended 5/14/03)*

- 1104.01 Heliport
- 1104.02 Residence
 - Group home *(Amended 5/10/16)*
 - Group home for registered sex offenders *(Amended 9/12/00)*
 - Group Residential Facility
 - Multifamily – apartments, condominiums
- 1104.03 Utility – major facility

1105 Minimum Lot Area: none

1106 Water and Sanitation Requirement

All uses shall be served by a central water and sanitation facility.

1107 Utilities

All public utility distribution lines shall be placed underground.

1108 Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu of land as required by the Douglas County Subdivision Resolution.

1109 Street Standards

Construction of paved streets in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria manual, and other applicable County regulations.

1110 Parking Standards

Parking shall be provided as shown on the approved **USR Plan Exhibit or Site Improvement Plan**, prepared in accordance with **Section 21, Use by Special Review, or Sections 27, Site Improvement Plan; and 28 Parking Standards**, of this Resolution.

1111 Landscaping Requirement

Each lot shall be landscaped as shown on the approved landscape plan prepared in accordance with **Section 21, Use by Special Review, or Section 27 Site Improvement Plan**, of this Resolution. Areas to be landscaped include the lot area within the required setback from the street, parking areas, and other areas as required.

1112 Minimum Setbacks

SETBACK FROM:			
Street	LSB/B/C	LI/GI	RES/AG/OS
Regional/major arterial: 75' minor arterial: 40' collector/local: 20**	no setback	25'	60'

* No parking shall be located within this setback.

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line. *(See illustration in the Definition Section.)*

1113 Encroachments

- 1113.01 A cornice, canopy, eave, fireplace, wing wall or similar architectural feature may extend 3 feet into a required setback. Fire escapes may extend 6 feet into a required setback.
- 1113.02 A building permit shall not be issued for any structure which is to be located within an easement unless written approval by the easement holder(s) is provided.
- 1113.03 Utility distribution lines and related equipment commonly located along property lines may be located within a required setback. A neighborhood substation, or gas regulator/meter station shall meet the required setbacks.

1114 Building Height

Maximum building height: 60 feet

- 1114.01 The maximum building height shall not apply to belfries, cupolas, penthouses or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles and necessary mechanical appurtenances usually carried above the roof level.
- 1114.02 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church. The church height shall be measured from the main level finished floor (*walk-out level excluded*) to the highest roof peak. The height of the roof-mounted spire shall be measured from the top of the spire to the finished floor of the lowest walkout level of the church. (*refer to Section 36 building height definition – spire height calculation*)
- 1114.03 The maximum height of a parapet wall shall be established on the approved ~~the~~ **USR Plan Exhibit or** Site Improvement Plan based on overall mass and bulk and its compatibility with the surrounding area. (*Amended 4/28/15*)
- 1114.04 The height of a ham radio antenna shall be no greater than the distance to the nearest lot line, except, engineered structures which shall be in compliance with the minimum setbacks. (*refer to Section 27A for cell sites and Section 21 for telecommunication facilities*)
- 1114.05 All roof-mounted equipment (*mechanical, ventilating, antennas*) shall be properly screened, with the exception of solar collectors/heaters.

1115 Fencing Standards

Fencing shall be allowed, as shown on the approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with the following standards:

- 1115.01 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the-a~~ setback, ~~on private land~~. A building permit is required for any retaining wall greater than 4 feet in height or for any fence or wall greater than 6 feet in height, or as required by the Building Code, as amended and adopted by Douglas County. (*Amended 12/18/12*)
- 1115.02 Solid fences, walls, or hedges ~~shall not exceed 6 feet in height and~~ shall not exceed 4 feet in height when located in the required setback from a street.

- 1115.03 Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on ~~the adjacent~~ streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.
- 1115.04 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall, or hedge, which constitutes a **public** safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, ~~or which constitutes a zoning violation.~~
- 1115.05 Fences constructed of woven wire or ornamental iron which are a minimum of 80% open may be constructed with no height limitation; however, a building permit ~~is may be required for any fence greater than 6 feet in height, or as~~ required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- ~~1115.06 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot, and when abutting a residential zone district, such fence shall be of wooden or masonry construction or other screening material as approved through the Site Improvement Plan process. *(Amended 4/28/15)*~~
- 1115.076 Barbed, electrically charged, concertina, or razor wire or other hazardous materials used for fencing shall be prohibited.
- 1115.087 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

1116 Outdoor Storage

Outdoor storage shall be permitted only upon the approval of the **Board or the** Director, as shown on the approved **USR Plan Exhibit or** Site Improvement Plan, **as applicable**, in accordance with the outdoor storage standards set forth in the C – Commercial ~~d~~District of this Resolution.

1117 Sign Standards – Refer to Section 29 of this Resolution

1118 Lighting Standards – Refer to Section 30 of this Resolution

SECTION 12 C – COMMERCIAL DISTRICT

Section Contents

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1217	Sign Standards	12-7
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1201 Intent *(Amended 8/11/09)*

To provide for a full range of retail, commercial, and service uses in balance with residential development as an integral part of the community providing essential services and commercial opportunities and employment opportunities that are conveniently and efficiently located to reduce unnecessary commuting and protect air quality. Adequate facilities, such as roads, water and sanitation, fire protection, emergency service, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to save on the costly, premature extension of basic infrastructure.

Development within this district is encouraged in centers that are planned as a unit rather than in extended strips along roadways so as to provide for orderly development, minimize traffic congestion, and provide for safe pedestrian movement. Commercial centers shall be located so as to minimize conflicts with residential and agricultural uses, wildlife habitats/corridors, and environmentally and visually sensitive areas in accordance with the intent of the Douglas County Comprehensive Master Plan, as amended. Offices may serve as a transition between urban residential, and major commercial or industrial areas. Minimal assembly or manufacturing activities shall be allowed.

The C zone district is characterized by commercial buildings situated in a landscaped setting with landscaped off-street parking areas. Site improvements including landscaping shall be provided and designed to minimize the impact on adjacent residential uses. A site improvement plan is required prior to the use of the lot for any purpose. Typical uses include all the retail-oriented uses listed in the business zone district plus recreation, car sales, mini warehouses, small equipment rental and wholesale activities. Development or use of land in this district is permitted only in accordance with the provisions herein. Land disturbance activities may require permit(s).

1202 Principal Uses

The following uses shall be allowed upon the approval of, and in accordance with, a Site Improvement Plan in accordance with Section 27 of this Resolution. The Director may determine other similar uses as appropriate. *(Amended 10/14/02)*

- 1202.01 All principal uses in the B – Business District
- 1202.02 Equipment rental – small
- 1202.03 Mini warehouse – no storage of dangerous/flammable materials, and no sales or services from any unit
- 1202.04 Motorized vehicle/equipment – sales/service
- 1202.05 Motorsports Facility *(Amended 4/26/16)*

- 1202.06 Recreation facility – outdoor/community
- 1202.07 Retail/service business – including outdoor/wholesale activity
- 1202.08 Sexually oriented business – *Sexually oriented businesses are not permitted as a commercial use in the PD – Planned Development District and are not permitted in any zone district other than the C – Commercial District.*
- 1202.09 Theater – outdoor/indoor

1203 Accessory Uses

The following shall be allowed only when a principal use has been established on the lot:

- 1203.01 Accessory uses and buildings *(Amended 5/27/14)*
- 1203.02 Commercial storage area
- 1203.023 Satellite dish
- ~~1203.03 Storage area commercial~~
- 1203.04 Single or multifamily residence for management or employees

1204 Uses Permitted by Special Review *(Amended 6/22/05)*

The following uses are permitted, upon approval by the Board, in accordance with Section 21, Use by Special Review, ~~and Section 27 Site Improvement Plan~~ of this Resolution. *(Amended 5/14/03)*

- 1204.01 Heliport
- 1204.02 Residence
- Group home *(Amended 5/10/16)*
 - Group home for registered sex offenders *(Amended 9/12/00)*
 - Group Residential Facility
 - Multifamily – apartments, condominiums
- 1204.03 Utility – major facility
- 1204.04 Zoo

1205 Minimum Lot Area: none

1206 Water and Sanitation Requirement

All uses shall be served by a central water and sanitation facility.

1207 Utilities

All public utility distribution lines shall be placed underground.

1208 Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu of land as required by the Douglas County Subdivision Resolution.

1209 Street Standards

Construction of paved streets in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria manual, and other applicable County regulations.

1210 Parking Standards

Parking shall be provided as shown on the approved **USR Plan Exhibit or Site Improvement Plan**; prepared in accordance with **Section 21, Use by Special Review, or Sections 27, Site Improvement Plan; and 28 Parking Standards**, of this Resolution.

1211 Landscaping Requirement

Each lot shall be landscaped as shown on the approved landscape plan prepared in accordance with **Section 21, Use by Special Review, or Section 27 Site Improvement Plan**, of this Resolution. Areas to be landscaped include the lot area within the required setback from the street, parking areas, and other areas as required.

1212 Minimum Setbacks

SETBACK FROM:			
Street	LSB/B/C	LI/GI	RES/AG/OS
Regional/major arterial: 75' minor arterial: 40' collector/local: 20'	no setback	25'	75'

* No parking shall be located within this setback.

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line. *(See illustration in the Definition Section.)*

SEXUALLY ORIENTED BUSINESS – shall be located a minimum of 1500 feet from any:

- area zoned for residential use;
- single-family, two-family, or multifamily dwelling;

- church, park, or library
- state-licensed day-care facility (*child or adult*);
- school or educational facility, serving persons age 18 or younger, or
- any other sexually oriented business.

The distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business. The distance between any sexually oriented business and any church, school, public park, dwelling unit (*single or multiple*) or residential district shall be measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as part of the premises where the sexually oriented business is conducted to the nearest lot line of the premises of a church, school or dwelling unit (*single or multiple*) or the nearest boundary of an affected public park, or residential district.

1213 Encroachments

- 1213.01 A cornice, canopy, eave, fireplace, wing wall, or similar architectural feature may extend 3 feet into a required setback. Fire escapes may extend 6 feet into a required setback.
- 1213.02 A building permit shall not be issued for any structure which is to be located within an easement unless written approval by the easement holder(s) is provided.
- 1213.03 Utility distribution lines and related equipment commonly located along property lines may be located within a required setback. A neighborhood substation, or gas regulator/meter station shall meet the required setbacks.

1214 Building Height

Maximum building height: 60 feet

- 1214.01 The maximum building height shall not apply to belfries, cupolas, penthouses or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles and necessary mechanical appurtenances usually carried above the roof level.
- 1214.042 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church. The church height shall be measured from the main level finished floor (*walk-out level excluded*) to the highest roof peak. The height of the roof-mounted spire shall be measured from the top of the spire to the finished floor of the lowest walkout level of the

church. *(refer to Section 36 building height definition – spire height calculation)*

1214.0~~23~~ The maximum height of a parapet wall shall be ~~as approved by the Site Improvement Plan Review Manager established on the approved USR Plan Exhibit or Site Improvement Plan~~ based on overall mass and bulk and its compatibility with the surrounding area.

1214.0~~34~~ The height of a ham radio antenna shall be no greater than the distance to the nearest lot line except, engineered structures which shall be in compliance with the minimum setbacks. *(refer to Section 27A for cell sites and Section 21 for telecommunication facilities)*

1214.0~~45~~ All roof-mounted equipment *(mechanical, ventilating, antennas)* shall be properly screened, with the exception of solar collectors/heaters.

1215 Fencing Standards

Fencing shall be allowed, as shown on the approved ~~USR Plan Exhibit or Site Improvement Plan~~, in accordance with the following standards:

1215.01 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the-a~~ setback, ~~on private land~~. A building permit is required for any retaining wall greater than 4 feet in height or for any fence or wall greater than 6 feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

1215.02 Solid fences, walls, or hedges ~~shall not exceed 6 feet in height and~~ shall not exceed 4 feet in height when located in the required setback from a street.

1215.03 Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on ~~the adjacent~~ streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.

1215.04 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall, or hedge, which constitutes a ~~public~~ safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, ~~or which constitutes a zoning violation.~~

1215.05 Fences constructed of woven wire or ornamental iron which are a minimum of 80% open may be constructed with no height limitation; however, a building permit ~~is may be required for any fence greater than~~

~~6 feet in height, or as~~ required by the Building Code, as amended and adopted by Douglas County. (Amended 12/18/12)

~~1215.06 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot, and when abutting a residential zone district, such fence shall be of wooden or masonry construction or with the approval of the Site Improvement Review Board Coordinator, a hedge.~~

1215.0~~76~~ Barbed, electrically charged, concertina, or razor wire or other hazardous materials used for fencing shall be prohibited.

1215.0~~87~~ Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. (Amended 12/18/12)

1216 Outdoor Storage Standards

Outdoor storage shall be permitted, as shown on the approved **USR Plan Exhibit** or Site Improvement Plan, in accordance with the following standards:

1216.01 ~~Outside~~ Outdoor storage including but not limited to raw materials, supplies, finished or semi-finished products, or equipment shall be screened from view from abutting properties and public streets or trails bordering the site by a solid fence, wall, or hedge that is a minimum of six (6) feet in height. ~~enclosed and concealed by a solid fence or wall not exceeding 6 feet in height. With the approval of the Site Improvement Plan Review Board Coordinator, a solid fence or wall may be replaced with adequate vegetation (hedge) such that the outside storage shall not be able to be viewed from the adjacent public areas.~~ Employee or customer parking or merchandise display areas shall not be considered outside storage.

1216.02 Operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component may be visible above the height of a six-foot tall fence, wall, or hedge without being additionally screened.

1216.03 Outdoor storage shall not be allowed within the required setback from a street.

1216.0~~24~~ Outdoor storage shall not be allowed within any required landscaped area, detention or water quality facilities, or drainage ways. ~~and shall not be allowed within a required setback from a street, and shall not exceed 6 feet in height.~~

1216.035 Where the topography of the land is such that a solid fence, wall, or hedge would not prevent viewing ~~outside-outdoor~~ storage from abutting properties and public streets or trails bordering the site, ~~adjoining land or public rights-of-way,~~ additional landscaping above the height of the fence, wall, or hedge to mitigate site-specific visual impacts may be required. ~~by the Site Improvement Plan Review Board. In the event that it is not possible to prevent viewing of the outside storage from adjoining land or public rights-of-way, such outside storage area shall be prohibited.~~

1217 Sign Standards – Refer to Section 29 of this Resolution

Sexually explicit advertisements or other promotional displays for sexually oriented businesses that are harmful to minors shall not be visible to minors from pedestrian ways, walkways, or other public areas.

1218 Lighting Standards – Refer to Section 30 of this Resolution

SECTION 13 LI – LIGHT INDUSTRIAL DISTRICT

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1301 Intent *(Amended 8/11/09)*

To provide areas for office, research, warehousing, small product assembly and manufacturing and distribution located to efficiently utilize public investment in infrastructure and to exercise economies of scale. Adequate facilities, such as roads, water and sanitation, fire protection, emergency service, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to save on the costly, premature extension of basic infrastructure.

Development within this district shall be designed to provide for such uses in a low-intensity manner on well-landscaped sites such that they can be located in proximity to business, commercial and residential uses in accordance with the intent of the Douglas County Comprehensive Master Plan, as amended. High performance standards are set forth for this district that will assure that development is compatible with adjoining land uses.

The LI zone district is characterized by office, warehousing, assembly, and distribution. Uses allowed within this district shall operate with minimal dust, fumes, odors, refuse, smoke, vapor, noise, lights, and vibrations. Such impacts shall be mitigated in accordance with applicable County, State, and federal regulations. Any other impacts shall be mitigated to the maximum extent possible. Development or use of land in this district is permitted only in accordance with the provisions herein. Land disturbance activities may require permit(s).

1302 Principal Uses *(Amended 6/22/05)*

The following uses shall be allowed upon the approval of, and in accordance with, a Site Improvement Plan in accordance with Section 27 of this Resolution. The Director may determine other similar uses as appropriate. *(Amended 5/14/03)*

1302.01 Automobile service station with gasoline pumps

1302.02 Bank/financial institution *(including drive-up facility)*

1302.03 Bar/lounge

1302.04 Building materials – wholesale/retail

1302.05 Club/country club

1302.06 Commercial storage area

1302.067 Community uses:

- Church
- Fire station

- Hospital
- Library
- Open space/trails
- Park/playground
- Recreation facility – indoor/outdoor
- School – including college, or university and related facilities
- Sheriff station

1302.0~~78~~ Cultural facility

1302.0~~89~~ Equipment rental

1302.0~~910~~ Firing range – indoor

1302.1~~01~~ Golf course

1302.1~~42~~ Greenhouse/plant nursery – wholesale/retail

1302.1~~23~~ Hotel, including conference or convention facilities located within the principal building

1302.1~~34~~ Industrial/manufacturing operation which does not emit unusual or excessive amounts of dust, smoke, fumes, gas, noxious odors, or noise beyond the lot boundary

1302.1~~45~~ Kennel (*Amended 5/27/14*)

1302.1~~56~~ Mini warehouse – no storage of dangerous or flammable material and no sales or services from any unit

1302.1~~67~~ Motorized vehicle/equipment – service/repair and incidental sales

1302.1~~78~~ Motorsports Facility (*Amended 4/26/16*)

1302.1~~89~~ Office

- general, medical, dental, professional, or governmental
- temporary (*refer to Section 22*)

1302.1~~920~~ Parking lot – public/private

1302.2~~01~~ Product distribution/storage – excluding hazardous materials

1302.2~~42~~ Recreational vehicle storage lot

1302.2~~23~~ Research and development facility

1302.2~~34~~ Restaurant/fast food establishment

1302.2~~45~~ Satellite earth station *(Amended 4/24/02)*

1302.2~~56~~ Seasonal use *(refer to Section 22A)*

~~1302.26 Storage area commercial~~

1302.27 Telecommunication facility

1302.28 Utility service facility

1302.29 Veterinary clinic ~~/ or~~ hospital

1302.30 Warehouse

1302.31 Wholesale business – sales/service

1303 Accessory Uses

The following shall be allowed only when a principal use has been established on the lot:

1303.01 Accessory uses and buildings *(Amended 5/27/14)*

1303.02 Day-care facility for children of employees

1303.03 Residence for management or employee

1303.04 Satellite dish

1304 Uses Permitted by Special Review *(Amended 6/22/05)*

The following uses are permitted, upon approval by the Board, in accordance with Section 21, Use by Special Review, ~~and Section 27 Site Improvement Plan,~~ of this Resolution. *(Amended 5/14/03)*

1304.01 Batch plant – ~~asphalt/concrete/mortar~~concrete, mortar, or asphalt

1304.02 Heliport

1304.03 Recycle/trash transfer facility – indoor *(Amended 5/31/00)*

1304.04 Residence

- Group home *(Amended 5/10/16)*
- Group home for registered sex offenders *(Amended 9/12/00)*

- Group Residential Facility (*Amended 5/14/03*)
 - Single-family attached or multifamily
- 1304.05 Satellite earth station that exceeds the zone district height limitation or exceeds the minimum health standards. (*Amended 4/24/02*)
- 1304.06 Telecommunication equipment (*excluding whip type antennas*) that exceed the zone district height limitation or exceed minimum health standards.
- 1304.07 Utility – major facility

1305 Minimum Lot Area: none

1306 Water and Sanitation Requirement

All uses shall be served by a central water and sanitation facility.

1307 Utilities

All public utility distribution lines shall be placed underground.

1308 Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu of land as required by the Douglas County Subdivision Resolution.

1309 Street Standards

Construction of paved streets in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria manual, and other applicable County regulations.

1310 Parking Standards

Parking shall be provided as shown on the approved **USR Plan Exhibit or Site Improvement Plan**, prepared in accordance with **Section 21, Use by Special Review, or Sections 27, Site Improvement Plan; and Section 28, Parking Standards**, of this Resolution.

1311 Landscaping Requirement

Each lot shall be landscaped as shown on the approved landscape plan prepared in accordance with **Section 21, Use by Special Review, or Section 27, Site Improvement Plan**, of this Resolution. Areas to be landscaped include the lot area within the required setback from the street, parking areas, and other areas as required.

1312 Minimum Setbacks

SETBACK FROM				
Street	LSB/B/C	LI	GI	RES/AG/OS
regional/major arterial: 75' minor arterial: 40' collector/local: 20'*	50'	no setback	25'	75'

* No parking shall be located within this setback.

OR, for Multifamily allowed as a Use by Special Review:

MULTIFAMILY SETBACK FROM:		
Street	LSB/B/C/LI/BI	RES/AG/OS
Same as above	50'	75'

A 30' landscape buffer is required for parking lots abutting all zone districts.

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line. (See illustration in the Definition Section.)

1313 Encroachments

- 1313.01 A cornice, canopy, eave, fireplace, wing wall, or similar architectural feature may extend 3 feet into a required setback. Fire escapes may extend 6 feet into a required setback.
- 1313.02 A building permit shall not be issued for any structure which is to be located within an easement unless written approval by the easement holder(s) is provided.
- 1313.03 Utility distribution lines and related equipment commonly located along property lines may be located within a required setback. A neighborhood substation, or gas regulator/meter station shall meet the required setbacks.

1314 Building Height

Maximum building height: 60 feet

- 1314.01 The maximum building height shall not apply to belfries, cupolas, penthouses, or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices without windows, antennas, utility poles, and necessary mechanical appurtenances usually carried above the roof level.
- 1314.02 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church. The church height shall be measured from the main level finished floor (*walk-out level excluded*) to the highest roof peak. The height of the roof-mounted spire shall be measured from the top of the spire to the finished floor of the lowest walkout level of the

church. *(refer to Section 36 building height definition – spire height calculation)*

1314.03 The maximum height of a parapet wall shall be ~~as approved by the Site Improvement Plan Review Manager established on the approved USR Plan Exhibit or Site Improvement Plan~~ based on overall mass and bulk and its compatibility with the surrounding area.

1314.04 The height of an antenna shall be no greater than the distance to the nearest lot line, except, engineered structures which shall be in compliance with the minimum setbacks. *(refer to Section 27A for cell sites and Section 21 for telecommunication facilities)*

1314.05 All roof-mounted equipment *(mechanical, ventilating, antennas)* shall be properly screened, with the exception of solar collectors/heaters.

1315 Fencing Standards

Fencing shall be allowed, as shown on the approved **USR Plan Exhibit or Site Improvement Plan**, in accordance with the following standards:

1315.01 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the-a~~ setback, ~~on private land~~. A building permit is required for any retaining wall greater than 4 feet in height or a fence greater than 6 feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

1315.02 Solid fences, walls, or hedges shall not exceed 4 feet in height when located within the required setback from a street except when ~~a the~~ fence, wall, or hedge is required in order to ~~conceal outside~~ provide a screen for storage. Then the fence may exceed 4 feet in height for no more than 50% of the lineal frontage of the lot. ~~Fences extending above 6 feet, to a height of 10 feet, may be permitted only with the approval of the Douglas County Site Improvement Review Board.~~

1315.03 Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on ~~the adjacent~~ streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.

1315.04 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall, or hedge, which constitutes a **public** safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, ~~or which constitutes a zoning violation.~~

1315.05 Fences constructed of woven wire or ornamental iron which are a minimum of 80% open may be constructed with no height limitation; however, a building permit may be required by the Building Code, as amended and adopted by Douglas County. *(Amended 4/9/19)*

~~1315.06 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot, or when abutting a residential zoning district, such fence shall be of wooden or masonry construction or with the approval of the Site Improvement Review Board Coordinator, a hedge.~~

1315.076 Electric fences that are part of a non-lethal alarm notification system may be permitted only upon the approval of, and in accordance with, a **USR Plan Exhibit** or Site Improvement Plan in compliance with the following standards: *(Amended 4/9/19)*

1315.067.1 A non-electric perimeter fence at least six (6) feet tall must surround the exterior of an electric fence. Except for gates, the perimeter fence shall be located not less than six (6) inches from the electric fence.

1315.067.2 Warning signs, notifying the public of the existence of the electric fence, shall be posted in a conspicuous manner on the property and at intervals of not less than 30 feet. Warning signs shall have a minimum letter size of two (2) inches and shall include the international symbol for high voltage.

1315.067.3 A key box or other approved method with a mechanism that allows emergency services personnel to disconnect the electrical current and gain entry be provided. The type and location of the disconnecting mechanism, key box, and other components shall be approved the fire department.

1315.067.4 No electric fence shall be installed or operated with a power source other than a storage battery not exceeding 12 volts direct current. Notwithstanding the foregoing, a backup system to maintain security in case of battery failure shall be permitted provided such system will not result in higher voltage being delivered upon contact with the fence.

1315.067.5 Information is required to be included on the **USR Plan Exhibit** or Site Improvement Plan that provides manufacturer information and demonstrates that the electric fence is part of a non-lethal alarm notification system.

1315.078 Barbed wire shall be permitted when located a minimum of 6' 6" in height measured from the ground level outside the fence; however, concertina

or razor wire or other hazardous materials used for fencing shall be prohibited. *(Amended 4/9/19)*

- 1315.089 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

1316 Outdoor Storage Standards

Outdoor storage shall be permitted, as shown on the approved **USR Plan Exhibit** or Site Improvement Plan, in accordance with the following standards:

- 1316.01 ~~Outside~~**Outdoor** storage including but not limited to raw materials, supplies, finished or semi-finished products, or equipment shall be ~~screened from view from abutting properties and public streets or trails bordering the site by a solid fence, wall, or hedge that is a minimum of six (6) feet in height. enclosed and concealed by a solid fence or wall. With the approval of the Site Improvement Plan Review Board Coordinator, a solid fence or wall may be replaced with adequate vegetation (hedge) such that the outside storage shall not be able to be viewed from the adjacent public areas.~~ Employee or customer parking or merchandise display areas shall not be considered ~~outside~~**outdoor** storage.
- 1316.02 Operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component may be visible above the height of a six-foot tall fence, wall, or hedge without ~~additional screening being additionally screened.~~
- 1316.03** Outdoor storage shall be allowed within the required setback from a street provided that the storage area does not occupy more than 50% of the lineal frontage at the right-of-way.
- 1316.0**34** Outdoor storage shall not be allowed within any required landscaped area, ~~detention or water quality facilities, or drainage ways.~~
- 1316.0**45** Where the topography of the land is such that a ~~solid fence, wall, or hedge~~ would not prevent viewing ~~outside~~ **outdoor** storage from ~~abutting properties and public streets or trails bordering the site, adjoining land or public rights-of-way,~~ additional landscaping above the height of the fence, wall, or hedge to mitigate site-specific visual impacts may be required. ~~by the Site Improvement Plan Review Board. In the event that it is not possible to prevent viewing of the outside storage from adjoining land or public rights-of-way, such outside storage area shall be prohibited.~~
- 1316.0**56** A solid fence, wall, or hedge shall not be required at a shared property line which merely separates outdoor storage areas. ~~When outside storage~~

~~areas abut each other and are not visible from public areas, the Site Improvement Plan Review Board may waive the requirement for a solid fence.~~

1317 Sign Standards – Refer to Section 29 of this Resolution

1318 Lighting Standards – Refer to Section 30 of this Resolution

SECTION 14 GI – GENERAL INDUSTRIAL DISTRICT

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1401 Intent *(Amended 8/11/09)*

To provide areas for office, research, warehousing, and product assembly, manufacturing and distribution facilities located to efficiently utilize public investment in infrastructure and to exercise economies of scale. Adequate facilities, such as roads, water and sanitation, fire protection, emergency service, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to save on the costly, premature extension of basic infrastructure.

Development within this district is intended for use by the largest manufacturing operations, heavy equipment, construction and fuel yards, major transportation terminals and other basic industrial activities required in an urban economy, in accordance with the intent of the Douglas County Comprehensive Master Plan, as amended.

The GI zone district is characterized by office, warehousing, assembly, and distribution. By their very nature these uses may emit more noise, dust, fumes, odors, refuse, smoke, vapor, lights, and vibration and other environmental pollutants than permitted in the light industrial district; however, all such impacts shall be mitigated in accordance with applicable County, State, and federal regulations. Any other impacts shall be mitigated to the maximum extent possible. Traffic to and from the district may be intensive. Development or use of land in this district is permitted only in accordance with the provisions herein. Land disturbance activities may require permit(s).

1402 Principal Uses *(Amended 7/8/08)*

The following uses shall be allowed upon the approval of, and in accordance with, a Site Improvement Plan in accordance with Section 27 of this Resolution. The Director may determine other similar uses as appropriate. *(Amended 10/14/02)*

1402.01 All principal uses in the LI district

1402.02 Utility – major facility

1403 Accessory Use *(Amended 7/8/08)*

The following shall be allowed only when a principal use has been established on the lot:

1403.01 **Accessory uses and buildings**

1403.042 Residence – single or multifamily for management or employee/s only

1403.023 Antenna

1404 Uses Permitted by Special Review *(Amended 4/28/15)*

The following uses are permitted, upon approval by the Board, in accordance with Section 21, Use by Special Review, ~~and Section 27 Site Improvement Plan~~, of this Resolution.

- 1404.01 Batch Plant – concrete, asphalt, or mortar (not including temporary batch plants; see Douglas County's Grading, Erosion, and Sediment Control Manual, as amended, for processing details)
- 1404.02 Chemical and hazardous material storage/transfer/disposal facility
- 1404.03 Firing range – outdoor
- 1404.04 Heliport
- 1404.05 Jail/correctional facility
- 1404.06 Junk/scrap yard
- 1404.07 Landfill – private/public
- 1404.08 Mining, quarry, sand and gravel pit or similar extractive land use
- 1404.09 Propane distribution/storage facility
- 1404.10 Recycle/trash transfer facility
- 1404.11 Satellite earth station that exceeds the zone district height limitation or exceeds minimum health standards (*Amended 4/24/02*)
- 1404.12 Telecommunication equipment (*excluding whip type antennas*) that exceed the zone district height limitation or exceed minimum health standards.

1405 Minimum Lot Area: none

1406 Water and Sanitation Requirement

All uses shall be served by a central water and sanitation facility.

Use of individual wells and individual septic systems may be permitted provided:

- the subject land is located within the boundaries of a special district providing water and sewer service;
- the district's water or sewer lines are not within 400' of the subject land [*§32-1-1006(1)(a)(i) C.R.S.*], or if within 400' physical connection is not possible due to lack of legal access to lines;
- the proposed use is a low-water-demand use, as determined by the Director; and

- the district authorizes the use of wells. *(Amended 4/12/00)*

1407 Utilities

All public utility distribution lines shall be placed underground.

1408 Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu of land as required by the Douglas County Subdivision Resolution.

1409 Street Standards and Stormwater Improvements *(Amended 7/8/08)*

Construction of paved streets shall be in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria manual, and other applicable County regulations.

1410 Parking Standards

Parking shall be provided as shown on the approved **USR Plan Exhibit or Site Improvement Plan**, prepared in accordance with **Section 21, Use by Special Review, or Sections 27, Site Improvement Plan**; and **Section 28, Parking Standards**, of this Resolution.

1411 Landscaping Requirement

Each lot shall be landscaped as shown on the approved landscape plan prepared in accordance with **Section 21, Use by Special Review, or Section 27, Site Improvement Plan**, of this Resolution. Areas to be landscaped include the lot area within the required setback from the street, parking areas, and other areas as required.

1412 Minimum Setbacks

SETBACK FROM:				
Street	LSB/B/C	LI	GI	RES/AG/OS
Regional/major arterial: 75'	50'	25'	No setback	75'
Minor arterial: 40'				
Collector/local: 20'*				

* No parking shall be located within this setback.

The setback is measured from the lot line to the wall of the structure horizontally and perpendicular to the lot line. *(See illustration in the Definition Section.)*

1413 Encroachments

- 1413.01 A cornice, canopy, eave, fireplace, wing wall, or similar architectural feature may extend 3 feet into a required setback. Fire escapes may extend 6 feet into a required setback.

- 1413.02 A building permit shall not be issued for any structure which is to be located within an easement unless written approval by the easement holder(s) is provided.
- 1413.03 Utility distribution lines and related equipment commonly located along property lines may be located within a required setback. A neighborhood substation~~;~~ or gas regulator/meter station shall meet the required setbacks.

1414 Building Height

Maximum building height: 60 feet

- 1414.01 The maximum building height shall not apply to belfries, cupolas, penthouses, or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles, and necessary mechanical appurtenances usually carried above the roof level.
- 1414.02 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church. The church height shall be measured from the main level finished floor (*walk-out level excluded*) to the highest roof peak. The height of the roof-mounted spire shall be measured from the top of the spire to the finished floor of the lowest walkout level of the church. (*refer to Section 36 building height definition – spire height calculation*)
- 1414.03 The maximum height of a parapet wall shall be established on the approved **USR Plan Exhibit or** Site Improvement Plan based on overall mass and bulk and its compatibility with the surrounding area. (*Amended 4/28/15*)
- 1414.04 The height of an antenna shall be no greater than the distance to the nearest lot line except, engineered structures which shall be in compliance with the minimum setbacks. (*refer to Section 27A for cell sites and Section 21 for telecommunication facilities*)
- 1414.05 All roof-mounted equipment (*mechanical, ventilating, antennas*) shall be properly screened, with the exception of solar collectors/heaters.

1415 Fencing Standards

Fencing shall be allowed, as shown on the approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with the following standards:

- 1415.01 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the-a~~ setback~~, on private land~~. A building

permit is required for any retaining wall greater than 4 feet including footer, in height or a fence greater than 6 feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

- 1415.02 Solid fences, walls, or hedges shall not exceed 4 feet in height when located within the required setback from a street except when ~~a the fence, wall, or hedge~~ is required in order to ~~conceal outside~~ provide a screen for outdoor storage. Then the fence may exceed 4 feet in height for no more than 50% of the lineal frontage of the lot. ~~Fences extending above 6 feet, to a height of 10 feet, may be permitted through the Site Improvement Plan approval process.~~ *(Amended 4/28/15)*
- 1415.03 Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on ~~the adjacent~~ streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.
- 1415.04 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall, or hedge, which constitutes a public safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, ~~or which constitutes a zoning violation.~~
- 1415.05 Fences constructed of woven wire or ornamental iron which are a minimum of 80% open may be constructed with no height limitation; however, a building permit may be required for any fence greater than 6 feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 4/9/19)*
- ~~1415.06 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot, or when abutting a residential zone district, such fence shall be of wooden or masonry construction or other screening material as approved through the Site Improvement Plan process. *(Amended 4/28/15)*~~
- 1415.076 Electric fences that are part of a non-lethal alarm notification system may be permitted only upon the approval of, and in accordance with, a **USR Plan Exhibit** or Site Improvement Plan in compliance with the following standards: *(Amended 4/9/19)*
- 1415.076.1 A non-electric perimeter fence at least six (6) feet tall must surround the exterior of an electric fence. Except for gates, the perimeter fence shall be located not less than six (6) inches from the electric fence.
- 1415.076.2 Warning signs, notifying the public of the existence of the electric fence, shall be posted in a conspicuous manner on the property and

at intervals of not less than 30 feet. Warning signs shall have a minimum letter size of two (2) inches and shall include the international symbol for high voltage.

1415.076.3 A key box or other approved method with a mechanism that allows emergency services personnel to disconnect the electrical current and gain entry be provided. The type and location of the disconnecting mechanism, key box, and other components shall be approved the fire department.

1415.076.4 No electric fence shall be installed or operated with a power source other than a storage battery not exceeding 12 volts direct current. Notwithstanding the foregoing, a backup system to maintain security in case of battery failure shall be permitted provided such system will not result in higher voltage being delivered upon contact with the fence.

1415.076.5 Information is required to be included on the **USR Plan Exhibit or** Site Improvement Plan that provides manufacturer information and demonstrates that the electric fence is part of a non-lethal alarm notification system.

1415.087 Barbed wire shall be permitted when located a minimum of 6'6" in height measured from the ground level outside the fence; however, concertina, or razor wire or other hazardous materials used for fencing shall be prohibited. *(Amended 4/9/19)*

1415.098 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

1416 Outdoor Storage Standards

Outdoor storage shall be permitted, as shown on the approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with the following standards:

1416.01 ~~Outside-Outdoor~~ storage including but not limited to raw materials, supplies, finished or semi-finished products, or equipment shall be screened from view from abutting properties and public streets or trails bordering the site by a solid fence, wall, or hedge that is a minimum of six (6) feet in height. ~~enclosed and concealed by a solid fence or wall. With the approval of the Site Improvement Plan, a solid fence or wall may be replaced with adequate vegetation (hedge) such that the outside storage shall not be able to be viewed from the adjacent public areas.~~ Employee or customer parking or merchandise display areas shall not be considered ~~outside-outdoor~~ storage. *(Amended 4/28/15)*

1416.02 ~~Outside storage shall not exceed the height of the fence except for~~
~~Operable vehicles, trailers, or other equipment designed to be towed or~~
~~lifted as a single component may be visible above the height of a six-foot~~
~~tall fence, wall, or hedge without being additionally screened.~~

1416.03 Outdoor storage shall be allowed within the required setback from a street provided that the storage area does not occupy more than 50% of the lineal frontage at the right-of-way.

1416.034 Outdoor storage shall not be allowed within any required landscaped area, detention or water quality facilities, or drainage ways. *(Amended 7/8/08)*

1416.045 Where the topography of the land is such that a solid fence, wall, or hedge would not prevent viewing ~~outside outdoor~~ storage from ~~abutting properties and public streets or trails bordering the site, adjoining land or public rights-of-way,~~ additional landscaping above the height of the fence, wall, or hedge to mitigate site-specific visual impacts may be required. ~~through the Site Improvement Plan approval process. In the event that it is not possible to prevent viewing of the outside storage from adjoining land or public rights-of-way, such outside storage area shall be prohibited.~~
~~*(Amended 4/28/15)*~~

1416.056 A solid fence, wall, or hedge shall not be required at a shared property line which merely separates outdoor storage areas. ~~When outside storage areas abut each other and are not visible from public areas, the requirement for a solid fence may not be required as part of the Site Improvement Plan approval.~~
~~*(Amended 4/28/15)*~~

1417 Sign Standards – Refer to Section 29 of this Resolution

1418 Lighting Standards – Refer to Section 30 of this Resolution

SECTION 14A CMTY – SEDALIA COMMUNITY DISTRICT**Section Contents**

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1401A Intent

To provide for a variety of residential uses in balance with neighboring and possible on-site commercial retail and business uses providing services and employment opportunities that are conveniently and efficiently located to serve residents, reduce unnecessary commuting, protect air quality, and facilitate the cost-effective provision of services. Adequate facilities, such as roads, water and sanitation, fire protection, emergency services, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to avoid the costly, premature extension of basic infrastructure.

Development within this District shall support a walkable community, contribute to a neighborhood scale, and be located so as to minimize conflicts with agricultural uses, wildlife habitats and corridors, and environmentally and visually sensitive areas in accordance with the intent of the Douglas County Comprehensive Master Plan.

The CMTY district is characterized by residential mixed with business and commercial uses. Site improvements, including landscaping, shall be provided and designed to enhance the appearance and visual quality of the community. Retail, commercial, and residential uses shall be located in close proximity or integrated in shared buildings.

1402A Principal Uses *(Amended 08/28/18)*

The following uses shall be allowed upon the approval of a Site Improvement Plan in accordance with Section 27 of this Resolution, unless otherwise noted. The following uses shall be conducted entirely within an enclosed building, unless otherwise approved by the Director or designee. The Director or designee may determine other similar uses as appropriate. A building or portion thereof may contain two (2) or more uses, residential, non-residential, or a combination of both.

1402A.01 Community Uses

- Church – maximum seating capacity 350
- Cultural Facility
- Fire Station *(with or without training facilities)*
- Library
- Museum
- Open Space, Trails, or both *(Site Improvement Plan not required)*
- Park, Playground, or both
- Post Office
- School – private or public K-12
- Sheriff Station *(with or without training, or with or without detention)*

1402A.02 Bank or Financial Institution *(no drive-up facility)*

1402A.03 Bed and Breakfast

- 1402A.04 Building Materials – retail, wholesale, or both
- 1402A.05 Construction Office – temporary (*refer to Section 22*)
- 1402A.06 Day-care Center
- 1402A.07 Entertainment Event (*refer to Section 22B*)
- 1402A.08 Equipment Service, Repair, or both
- 1402A.09 Garden – Public – one (1) acre maximum (*Site Improvement Plan not required*)
- 1402A.10 Greenhouse – one (1) acre maximum
- 1402A.11 Industrial or manufacturing operation which does not emit unusual or excessive amounts of dust, smoke, fumes, gas, noxious odors, or noise beyond the lot boundary
- 1402A.12 Motor Vehicle Sales
- 1402A.13 Motor Vehicle Service, Repair, or both
- 1402A.14 Motor Vehicle Service Station with gas pumps
- 1402A.15 Motorcycle Sales, Service, Repair, or all
- 1402A.16 Office – General, Medical, Professional, Government
- 1402A.17 Office – Temporary (*refer to Section 22*)
- 1402A.18 Parking Lot – **Public or Private**
- **Public**
 - **Private**
- 1402A.19 Product Distribution, Storage, or both (*no hazardous materials*)
- 1402A.20 Residence
- Group Home (*Site Improvement Plan not required*)
 - Multifamily
 - Single-Family (*Site Improvement Plan not required*)
 - Single-Family attached
 - Temporary (*refer to Section 22*)

- 1402A.21 Restaurant, Fast Food Restaurant (*no drive-up facility*)
- 1402A.22 Retail Business, Service Business, or both – **Indoor or Outdoor**
- ~~• Indoor~~
- ~~• Outdoor~~
- 1402A.23 Retirement Home
- 1402A.24 Retreat – Religious
- 1402A.25 Sales Office – temporary (*refer to Section 22*)
- 1402A.26 Seasonal Use (*refer to Section 22A*)
- 1402A.27 Training Facility for Horses, Riders, or both (*maximum 14 lessons per week*)
- 1402A.28 Utility Service Facility (*refer to definition*)
- 1402A.29 Veterinary Clinic or Hospital
- 1402A.30 Warehouse
- 1402A.31 Warehouse – mini or self storage up to 500 sq. ft. per storage unit
- 1402A.32 Wholesale Business – sales, service, or both
- 1402A.33 Youth-Oriented Agricultural Activities (*refer to definition*)

1403A Accessory Uses (*Amended 08/28/18*)

The following uses shall be allowed only when a Principal Use has been established on the lot.

Residential:

- 1403A.01 Accessory uses and buildings
- 1403A.02 Animals (*refer to Section 24*)
- Animals are limited to horse, mule, llama, miniature horse, alpaca, sheep, goat, chicken, turkey, duck, dog, cat, pot-bellied pig, bees.
 - Household pets inclusive of, but not limited to, dogs, cats, pot-bellied pigs, chickens, turkeys, and ducks shall be permitted for residential

use provided that not more than four (4) animals of more than four (4) months of age are kept by the occupant of any residential unit.

- The minimum lot size required to keep hooved animals shall be one (1) acre. The maximum density for hooved animals shall be one (1) animal unit per half (½) acre.
- Devegetated areas shall be setback 25 feet from all property lines.
- The location of a corral shall be such that it does not cause harm to septic fields and other on-site physical features and facilities.

1403A.03 Day-care Home – **Small or Large**

- ~~Small~~
- ~~Large~~

1403A.04 Guest House

1403A.05 Greenhouse – one (1) acre maximum (*Site Improvement Plan not required*)

1403A.06 Home Occupation (*refer to Section 23*) – **Class 1 or 2**

- ~~Class 1~~
- ~~Class 2~~

1403A.07 In-home Elder Care

1403A.08 Residence

- Caretaker

1403A.09 Satellite Dish

Non-residential:

1403A.10 Accessory uses and buildings

1403A.11 Commercial storage area

1403A.1~~2~~ Day-care Facility for employees' children

1403A.1~~2~~**3** Residence for management or employee

1403A.1~~3~~**4** Satellite Dish

~~1403A.14 Storage Area – commercial~~

1404A Uses Permitted by Special Review *(Amended 08/28/18)*

The following uses are permitted, upon the approval of the Board, in accordance with Sections ~~21 and 27~~ of this Resolution.

- 1404A.01 Agriculture
- 1404A.02 College or University extension office
- 1404A.03 Bar or Lounge
- 1404A.04 Club or Country Club
- 1404A.05 Equipment Sales, Rental or both – small
- 1404A.06 Event Center
- 1404A.07 Hotel
- 1404A.08 Greenhouse – greater than one (1) acre
- 1404A.09 Group Residential Facility
- 1404A.10 Horse Rental Stable
- 1404A.11 Kennel
- 1404A.12 Motel
- 1404A.13 Propane Distribution, Storage, or both
- 1404A.14 Recreation Facility – community or neighborhood
- 1404A.15 Recreation Facility – indoor, outdoor, private
- 1404A.16 Telecommunication Facility
- 1404A.17 Theater ~~re~~ – Indoor or Outdoor
 - ~~Indoor~~
 - ~~Outdoor~~
- 1404A.18 Water Treatment and Storage

1405A Minimum Lot Area

None

1406A Minimum Setbacks

In certain instances, where separation distance cannot be met as required by the International Building Code, more restrictive construction standards may be required.

Street:

- 1406A.01 No minimum or maximum setback from the property line for the principal structure.

Side and Rear Yard:

- 1406A.02 Minimum 10-foot separation from principal structures on adjacent lots.
- 1406A.03 Minimum five (5)-foot separation from accessory structures on adjacent lots.
- 1406A.04 Minimum six (6)-foot setback (*principal and accessory structures*) from the property line on lots with a platted alley.

1407A Building Height

Maximum building height:

- Residential building – 35 feet
- Commercial building – 35 feet

1407A.01 The maximum building height shall not apply to belfries, cupolas, penthouses, or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles and, necessary mechanical appurtenances usually carried above the roof level.

1407A.02 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church (*refer to Section 36 building height definition – spire height calculation*).

1407A.03 The maximum height of a parapet wall shall be as approved by staff based on overall mass and bulk and its compatibility with the surrounding area.

1407A.04 All roof-mounted equipment (*mechanical, ventilating, antennas*) shall be properly screened, with the exception of solar collectors/heaters.

1408A Encroachments

- 1408A.01 A cornice, canopy, eave, fireplace, wing wall, or similar architectural feature may extend three (3) feet into a required setback.
- 1408A.02 Fire escapes may extend six (6) feet into a required setback.
- 1408A.03 Structures that do not require building permits may encroach into a rear setback. Any encroachment into an easement requires permission from the easement holder.

1409A Water and Sanitation *(Amended 08/28/18)*

All uses shall be served by a central sanitation facility at the time a regional sanitary sewer solution is in place.

- 1409A.01 Until such time, the use of on-site wastewater treatment systems (OWTS) may be permitted provided the proposed use does not create more than a design flow of 2,000 gallons of effluent per day, as determined by ~~Tri-~~ **Douglas** County Health Department's OWTS Regulation.
- 1409A.02 The proposed use and associated OWTS is evaluated by the ~~Tri-~~ **Douglas** County Health Department, and other applicable agencies, to determine if the use is compatible with an OWTS:
- The evaluation will be based on land characteristics, including, but not limited to, lot size, lot configuration, setbacks, parking areas, floodways and floodplains, detention facilities, soil suitability, site topography, proximity to wells and other on-site physical features and facilities.
- 1409A.03 If a Responsible Management Entity (RME) exists at the time of land use application, the subject land will be served by the RME.
- 1409A.04 All uses shall be served by a central water system. The use of individual wells may be permitted provided:
- The subject land is located within the boundaries of a special district providing water service.
 - The District's water lines are not within 400 feet of the subject land [§32-1-1006(1)(a)(I), C.R.S.] or, if within 400 feet physical connection is not possible due to lack of legal access to lines;
 - The proposed use is a low-water-demand use, as determined by the Director or designee in consultation with the special district providing water service; and
 - The District authorizes the use of wells.

1410A Utilities

All public utility distribution lines shall be placed underground.

1411A Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu as required by the Douglas County Subdivision Resolution.

1412A Street Standards

Construction of paved streets shall be in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and other applicable County regulations.

1413A Parking Standards

1413A.01 For a principal use on lands less than one (1) acre in size, there is no minimum off-street parking requirement for non-residential uses in the CMTY District. For a principal use on lands greater than one (1) acre in size, or for any use permitted by special review, parking shall be provided in accordance with Section 28 of this Resolution. For any use permitted by special review, the Board of County Commissioners may modify off-street parking requirements. *(Amended 08/28/18)*

1413A.02 The minimum off-street parking requirement for residential uses is two (2) spaces per dwelling unit unless there are severe site constraints or other extraordinary circumstances, as determined by the Director or designee.

1413A.03 For retail, commercial, and mixed-use development, parking shall be located to the rear or side of buildings. Buildings shall include façade breaks in passageways, or alleys to connect parking to street entrances.

1413A.04 ~~For residential uses, inoperable or Unlicensed~~, operable ~~or inoperable~~ vehicles parked outside shall be concealed by a solid fence, berm, vegetative barrier, or a combination thereof.

1413A.05 Parking for non-residential uses *(if provided)* shall be shown on the approved ~~USR Plan Exhibit or~~ Site Improvement Plan, in accordance with Sections ~~s-27 and~~ 28 of this Resolution.

1413A.06 ~~Unconcealed-Unscreened~~ parking of unlicensed, operable vehicles may be allowed in association with Motor Vehicle Sales as shown on an approved Site Improvement Plan in accordance with Sections 27 and 28 of this Resolution.

1414A Fencing Standards

Fencing shall be allowed for residential and non-residential uses in accordance with the following standards. Fencing provided for non-residential uses shall be shown on an approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with **Section 21 or** Section 27 of this Resolution.

- 1414A.01 Barbed, concertina, razor wire, or other hazardous materials used for fencing shall be prohibited.
- 1414A.02 Electrically charged fencing material shall be permitted when it is installed for the purpose of containing animals within the boundaries of the lot.
- Electric fencing materials must be installed on the inside of the fence, within the lot area.
 - Electric fencing shall use an interrupted flow of current at intervals of about one (1) second on and two (2) seconds off and shall be limited to 2,000 volts at 17 milliamperes current.
 - All electric fences shall be posted with permanent signs stating that the fence is electrified.
- 1414A.03 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the a~~ setback ~~on private land~~.
- 1414A.04 A building permit shall be required for any retaining wall as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414A.05 Fences, walls, or hedges ~~shall not exceed six (6) feet in height and~~ shall not exceed four (4) feet in height when located in the required setback from a street.
- 1414A.06 A building permit is required for any fence greater than six (6) feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414A.07 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot.
- 1414A.08 Fences, walls, or hedges shall be erected and maintained in a manner that does not obstruct the vision of automobile traffic on ~~the adjacent~~ streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.
- 1414A.09 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a

fence, wall, or hedge, which constitutes a **public** safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, ~~or which constitutes a zoning violation.~~

1414A.10 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

1414A.11 Sound barrier walls, when constructed by the landowner other than the Colorado Department of Transportation adjacent to a street, shall be designed in accordance with the State Department of Transportation criteria and approved by the Director or designee.

1415A Landscaping

If required, for non-residential uses, a landscape plan shall be prepared in accordance with the following provisions and **Section 21** or Section 27 of this Resolution.

1415A.01 The minimum area to be landscaped with live plant material shall be 10 percent of the gross site area, unless off-site landscaping is supported, or there are severe site constraints or other extraordinary circumstances as determined by the Director or designee. In such cases 10 percent live plant material may be reduced.

1415A.02 Based upon the scale and impact of a project, a landscape buffer may be required adjacent to residential uses. *(Amended 08/28/18)*

1416A Sign Standards

Refer to Section 29 of this Resolution.

1417A Lighting Standards

Refer to Section 30 of this Resolution.

1418A Outdoor Storage

Outdoor storage shall be permitted as shown on the approved **USR Plan Exhibit** or Site Improvement Plan, in accordance with the following standards:

1418A.01 Outdoor storage including, but not limited to, raw materials supplies, finished or semi-finished products, or equipment shall be ~~enclosed and concealed by a solid fence or wall~~ screened from view from abutting properties and public streets or trails bordering the site by a solid fence, wall, or hedge that is a minimum of 6 feet in height.

~~1418A.02 With the approval of the Director or designee, a solid fence or wall may be replaced with adequate vegetation (hedge) such that the outdoor storage shall not be able to be viewed from the adjacent public areas.~~

1418A.0~~3~~2 Employee or customer parking or merchandise display areas shall not be considered outdoor storage.

1418A.0~~4~~3 Outdoor storage shall not be allowed within any required landscaped area.

1418A.0~~5~~4 ~~Outdoor storage shall not exceed the height of the fence except for Operable trailers, or other equipment designed to be towed or lifted as a single component may be visible above the height of a six-foot tall fence, wall, or hedge without being additionally screened.~~

1418A.0~~6~~5 For outdoor storage of vehicles, see the Parking Standards in this section.

1418A.0~~7~~6 Outdoor storage shall be allowed within the required setback from a street provided that the storage area does not occupy more than 50 percent of the lineal frontage at the right-of-way.

1418A.0~~8~~7 When outdoor storage areas abut each other and are not visible from public ~~areas, streets or trails bordering the site~~, the Director or designee may waive the requirement for a solid fence.

1418A.0~~9~~8 Where the topography of the land is such that a ~~solid fence, wall, or hedge would not prevent viewing outdoor storage from adjoining land or public rights-of-way, abutting properties and public streets or trails bordering the site~~, additional landscaping above the height of the fence, wall, or hedge to mitigate site-specific visual impacts may be required. ~~by the Director or designee. In the event that it is not possible to prevent viewing of the outdoor storage from adjoining land or public rights-of-way, such outdoor storage area shall be prohibited.~~

SECTION 14B D – SEDALIA DOWNTOWN DISTRICT

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1401B Intent

To provide for small-scale retail, restaurant, and business uses in balance with residential and civic uses integral to the heart of the community, providing services and employment opportunities that are conveniently and efficiently located to serve residents and visitors, reduce unnecessary commuting, protect air quality, and facilitate the cost-effective provision of services. Adequate facilities, such as roads, water and sanitation, fire protection, emergency services, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to avoid the costly premature extension of basic infrastructure.

Development within this District is encouraged in compact configurations with active street frontages that provide windows and other features so as to engage the public along the street and avoid blank, windowless walls without architectural detailing. Structures will strongly define the street edge with clear build-to lines. Primary entrances to private and civic buildings will be oriented to the street and directly connected to the public right-of-way. Surface parking lots and structures that lack street-level interest will be hidden from direct public view or lined with active uses. Development should be located so as to minimize conflicts with agricultural uses, wildlife habitats and corridors, and environmentally and visually sensitive areas in accordance with the Douglas County Comprehensive Master Plan.

The D District is characterized by businesses, restaurants, and shops mixed with residential and civic buildings. Site improvements, including landscaping, shall be provided and designed to enhance the appearance and visual quality of the community. Mixed-use development contributes to a vibrant and engaging downtown. Retail, commercial, and residential uses shall be located in close proximity or integrated in shared buildings.

1402B Principal Uses *(Amended 08/28/18)*

The following uses shall be allowed upon the approval of a Site Improvement Plan in accordance with Section 27 of this Resolution, unless otherwise noted. The following uses shall be conducted entirely within an enclosed building, unless otherwise approved by the Director or designee. The Director or designee may determine other similar uses as appropriate. A building or portion thereof may contain two (2) or more uses, residential, non-residential, or a combination of both.

1402B.01 Community Uses

- Church – maximum seating capacity 350
 - Cultural Facility
 - Fire Station *(with or without training facilities)*
 - Library
 - Museum
 - Open Space, Trails, or both *(Site Improvement Plan not required)*

- Park, Playground, or both
- Post Office
- School (*private or public K-12*)
- Sheriff Station (*with or without training or with or without detention*)

1402B.02 Bank or Financial Institution (*no drive-up facility*)

1402B.03 Bar or Lounge

1402B.04 Bed and Breakfast

1402B.05 Building Materials – retail, wholesale, or both

1402B.06 Construction Office – temporary (*refer to Section 22*) (*Site Improvement Plan not required*)

1402B.07 Day-care center

1402B.08 Entertainment Event (*refer to Section 22B*)

1402B.09 Garden – Public – one (1) acre maximum (*Site Improvement Plan not required*)

1402B.10 Greenhouse – one (1) acre maximum

1402B.11 Industrial or manufacturing operation which does not emit unusual or excessive amounts of dust, smoke, fumes, gas, noxious odors, or noise beyond the lot boundary

1402B.12 Motor Vehicle Service, Repair, or both

1402B.13 Motor Vehicle Service Station with gas pumps

1402B.14 Office – General, Medical, Professional, Government

1402B.15 Office – Temporary (*refer to Section 22*) (*Site Improvement Plan not required*)

1402B.16 Parking Lot – **Public or Private**

- **Public**
- **Private**

1402B.17 Residence

- Group Home (*Site Improvement Plan not required*)

- Multifamily
- Single-Family (*Site Improvement Plan not required*)
- Single-Family attached
- Temporary (*refer to Section 22*) (*Site Improvement Plan not required*)

1402B.18 Restaurant, Fast Food Restaurant (*no drive-up facility*)

1402B.19 Retail Business, Service Business, or both – Indoor or Outdoor

- ~~Indoor~~
- ~~Outdoor~~

1402B.20 Retirement Home

1402B.21 Retreat – Religious

1402B.22 Sales Office – temporary (*refer to Section 22*) (*Site Improvement Plan not required*)

1402B.23 Seasonal Use (*refer to Section 22A*)

1402B.24 Utility Service Facility (*refer to definition*)

1402B.25 Veterinary Clinic or Hospital

1402B.26 Warehouse

1402B.27 Wholesale Business – sales, service, or both

1402B.28 Youth Oriented Agricultural Activities (*refer to definition*) (*Site Improvement Plan not required*)

1403B Accessory Uses

The following uses shall be allowed only when a Principal Use has been established on the lot.

Residential:

1403B.01 Accessory uses and buildings

1403B.02 Animals (*refer to Section 24*)

- Animals are limited to horse, mule, llama, miniature horse, alpaca, sheep, goat, chicken, turkey, duck, dog, cat, pot-bellied pig, bees.

- Household pets inclusive of, but not limited to, dogs, cats, pot-bellied pigs, chickens, turkeys, and ducks shall be permitted for residential use provided that not more than four (4) animals of more than four (4) months of age are kept by the occupant of any residential unit. Kennel, boarding facilities, and commercial activities are not allowed.
- The minimum lot size required to keep a hoofed animal shall be one (1) acre. The maximum density for hoofed animals shall be one (1) animal unit per half (½) acre.
- Devegetated areas shall be setback 25 feet from all property lines.
- The location of a corral shall be such that it does not cause harm to septic fields and other on-site physical features and facilities.

1403B.03 Day-care home – ~~Small or Large~~

- ~~Small~~
- ~~Large~~

1403B.04 Guest House

1403B.05 Home Occupation (*refer to Section 23*) – ~~Class 1 or 2~~

- ~~Class 1~~
- ~~Class 2~~

1403B.06 In-home Elder Care

1403B.07 Residence

- Caretaker

1403B.08 Satellite Dish

Non-residential:

1403B.09 Accessory uses and buildings

1403B.10 Day-care facility for employees' children

1403B.11 Residence for management or employee

1403B.12 Satellite Dish

~~1403B.13 Storage Area – commercial (entirely enclosed by a structure)~~

1404B Uses Permitted by Special Review *(Amended 08/28/18)*

The following uses are permitted, upon the approval of the Board, in accordance with Sections ~~21 and 27~~ of this Resolution.

1404B.01 Club or Country Club

1404B.02 College or University extension office

1404B.03 Equipment Sales, Rental, or both – small

1404B.04 Event Center

1404B.05 Group Residential Facility

140~~34~~B.06 Greenhouse – one (1) acre maximum *(Site Improvement Plan not required)*

1404B.07 Hotel

1404B.08 Motel

1404B.09 Propane Distribution, Storage, or both

1404B.10 Recreation Facility – community or neighborhood

1404B.11 Recreation Facility – indoor, outdoor, private

1404B.12 Telecommunication Facility

1404B.13 Theater – Indoor or Outdoor

- ~~Indoor~~

- ~~Outdoor~~

1404B.14 Training of Horses, Riders, or both *(maximum of 14 lessons per week)*

1405B Minimum Lot Area

None

1406B Minimum Setbacks

In certain instances, where separation distance cannot be met as required by the International Building Code, more restrictive construction standards may be required.

Street:

1406B.01 Build-to Line: Between zero (0) and six (6) feet from property line OR 20 feet or greater from property line

- If observing the zero (0) to six (6) foot build-to option, 80 percent of the building façade along public streets and/or sidewalks must be no more than six (6) feet from the property line.
- If observing the zero (0) to six (6) foot build-to option, yards between the street property line and the building line shall be used for open front yards and gardens; plazas or courtyards; and/or outdoor dining. Parking is prohibited within these yards.

Side and Rear Yard:

1406B.02 Minimum six (6)-foot setback (principal and accessory structures) from the property line on lots with a platted alley.

1406B.03 Zero (0)-foot setback (principal and accessory structures) from the Sedalia Downtown, Sedalia Community, Sedalia Highway Commercial, and Sedalia Mixed Industrial zone districts.

1406B.04 Minimum 10-foot setback (principal and accessory structures) from A-1, LRR, RR, ER, SR, MF, LSB, B, C, LI, and GI zone districts.

1407B Building Height**Maximum building height:**

- Residential building – 35 feet
- Non-residential building – 35 feet

1407B.01 The maximum building height shall not apply to belfries, cupolas, penthouses, or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles, and necessary mechanical appurtenances usually carried above the roof level.

1407B.02 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church (*refer to Section 36 building height definition – spire height calculation*).

1407B.03 All roof-mounted equipment (*mechanical, ventilating, antennas*) shall be properly screened, with the exception of solar collectors/heaters.

1408B Encroachments

- 1408B.01 A cornice, canopy, eave, fireplace, wing wall, or similar architectural feature may extend three (3) feet into a required setback.
- 1408B.02 Fire escapes may extend six (6) feet into a required setback.
- 1408B.03 Structures that do not require building permits may encroach into a rear setback. Any encroachment into an easement requires permission from the easement holder.

1409B Water and Sanitation *(Amended 08/28/18)*

All uses shall be served by a central sanitation facility at the time a regional sanitary sewer solution is in place.

- 1409B.01 Until such time, the use of on-site wastewater treatment systems (OWTS) may be permitted provided the proposed use does not create more than a design flow of 2,000 gallons of effluent per day, as determined by ~~Tri-~~ Douglas County Health Department's OWTS Regulation.
- 1409B.02 The proposed use and associated OWTS is evaluated by the ~~Tri-~~Douglas County Health Department, and other applicable agencies, to determine if the use is compatible with an OWTS:
- The evaluation will be based on land characteristics, including, but not limited to, lot size, lot configuration, setbacks, parking areas, floodways and floodplains, detention facilities, soil suitability, site topography, proximity to wells and other on-site physical features and facilities.
- 1409B.03 If a Responsible Management Entity (RME) exists at the time of land use application, the subject land will be served by the RME.
- 1409B.04 All uses shall be served by a central water system. The use of individual wells may be permitted provided:
- The subject land is located within the boundaries of a special district providing water service.
 - The district's water lines are not within 400 feet of the subject land [§32-1-1006(1)(a)(I), C.R.S.], or if within 400 feet, physical connection is not possible due to lack of legal access to lines.
 - The proposed use is a low-water-demand use, as determined by the Director or designee in consultation with the special district providing water service.
 - The District authorizes the use of wells.

1410B Utilities

All public utilities shall be placed underground.

1411B Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu as required by the Douglas County Subdivision Resolution.

1412B Street Standards

Construction of paved streets shall be in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and other applicable County regulations.

1413B Parking Standards

1413B.01 For a principal use on lands less than one (1) acre in size, there is no minimum off-street parking requirement for non-residential uses in the D District. For a principal use on lands greater than one (1) acre in size, or for any use permitted by special review, parking shall be provided in accordance with Section 28 of this Resolution. For any use permitted by special review, the Board of County Commissioners may modify off-street parking requirements. *(Amended 08/28/18)*

1413B.02 The minimum off-street parking requirement for residential uses is two (2) spaces per dwelling unit unless there are severe site constraints or other extraordinary circumstances, as determined by the Director or designee.

1413B.03 For retail, commercial, and mixed-use development, parking shall be located to the rear or side of buildings. Buildings shall include façade breaks in passageways, or alleys to connect parking to street entrances.

1413B.04 ~~For residential uses, Un~~licensed, operable vehicles parked outside shall be concealed by a solid fenced berm, vegetative barrier, or a combination thereof. Inoperable vehicles shall not be stored outside.

1413B.05 Parking for non-residential uses (if provided) shall be shown on the approved ~~USR Plan Exhibit or~~ Site Improvement Plan, prepared in accordance with Sections ~~s-27 and~~ 28 of this Resolution.

1414B Fencing Standards

Fencing shall be allowed for residential and non-residential uses in accordance with the following standards. Fencing provided for non-residential uses shall be shown on an approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with **Section 21 or** Section 27 of this Resolution.

- 1414B.01 Barbed, concertina, razor wire, or other hazardous materials used for fencing shall be prohibited.
- 1414B.02 Electrically charged fencing material shall be permitted when it is installed for the purpose of containing animals within the boundaries of the lot.
- Electric fencing materials must be installed on the inside of the fence, within the lot area.
 - Electric fencing shall use an interrupted flow of current at intervals of about one (1) second on and two (2) seconds off and shall be limited to 2,000 volts at 17 milliamperes current.
 - All electric fences shall be posted with permanent signs stating that the fence is electrified.
- 1414B.03 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the a~~ setback ~~on private land~~.
- 1414B.04 A building permit shall be required for any retaining wall as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414B.05 Fences, walls, or hedges ~~shall not exceed six (6) feet in height and~~ shall not exceed four (4) feet in height when located in the required setback from a street.
- 1414B.06 A building permit is required for any fence greater than six (6) feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414B.07 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot.
- 1414B.08 Fences, walls, or hedges shall be erected and maintained in a manner that does not obstruct the vision of automobile traffic on ~~the adjacent~~ streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.
- 1414B.09 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a

fence, wall, or hedge, which constitutes a public safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, ~~or which constitutes a zoning violation.~~

1414B.10 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

1414B.11 Sound barrier walls, when constructed by the landowner other than the Colorado Department of Transportation adjacent to a street, shall be designed in accordance with the State Department of Transportation criteria and approved by the Director or designee.

1415B Landscaping

If required for non-residential uses, a landscape plan shall be prepared in accordance with the following provisions and **Section 21 or** Section 27 of this Resolution, ~~Site Improvement Plan.~~

1415B.01 The minimum area to be landscaped with live plant material shall be 10 percent of the gross site area, unless off-site landscaping is supported, or there are severe site constraints or other extraordinary circumstances as determined by the Director or designee. In such cases 10 percent live plant material may be reduced.

1415B.02 Based upon the scale and impact of a project, a landscape buffer may be required adjacent to residential uses. *(Amended 08/28/18)*

1416B Sign Standards

Refer to Section 29 of this Resolution.

1417B Lighting Standards

Refer to Section 30 of this Resolution.

1418B Outdoor Storage

Outdoor storage shall be permitted as shown on the approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with the following standards:

1418B.01 Outdoor storage, including but not limited to, raw materials supplies, finished or semi-finished products, or equipment shall be ~~enclosed and concealed by a solid fence or wall~~ screened from view from abutting properties and public streets or trails bordering the site by a solid fence, wall, or hedge that is a minimum of 6 feet in height.

~~1418B.02 With the approval of the Director or designee, a solid fence or wall may be replaced with adequate vegetation (hedge) such that the outdoor storage shall not be able to be viewed from the adjacent public areas.~~

1418B.0~~3~~2 Employee or customer parking or merchandise display areas shall not be considered outdoor storage.

1418B.0~~4~~3 Outdoor storage shall not be allowed within any required landscaped area.

1418B.0~~5~~4 ~~Outdoor storage shall not exceed the height of the fence except for~~ Operable trailers or other equipment designed to be towed or lifted as a single component ~~may be visible above the height of a six-foot tall fence, wall, or hedge without being additionally screened.~~

1418B.0~~6~~5 For outdoor storage of vehicles, see the Parking Standards in this Section.

1418B.0~~7~~6 Outdoor storage shall be allowed within the required setback from a street provided that the storage area does not occupy more than 50 percent of the lineal frontage at the right-of-way.

1418B.0~~8~~7 When outdoor storage areas abut each other and are not visible from public ~~areas, streets or trails bordering the site,~~ the Director or designee may waive the requirement for a solid fence.

1418B.0~~9~~8 Where the topography of the land is such that a ~~solid fence, wall, or hedge~~ would not prevent viewing outdoor storage from ~~adjoining land or public rights-of-way, abutting properties and public streets or trails bordering the site,~~ additional landscaping above the height of the fence, wall, or hedge to mitigate site-specific visual impacts may be required. ~~by the Director or designee. In the event that it is not possible to prevent viewing of the outdoor storage from adjoining land or public rights-of-way, such outdoor storage area shall be prohibited.~~

SECTION 14C HC – SEDALIA HIGHWAY COMMERCIAL DISTRICT

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1401C Intent

To provide for a full range of visitor-serving retail and commercial uses as an integral part of the community, providing services and employment opportunities that are conveniently and efficiently located to reduce unnecessary commuting and protect air quality. Adequate facilities, such as roads, water and sanitation, fire protection, emergency services, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to save on the costly, premature extension of basic infrastructure.

Development within this District shall be located so as to minimize conflicts with agricultural uses, wildlife habitats and corridors, and environmentally and visually sensitive areas in accordance with the intent of the Douglas County Comprehensive Master Plan.

The HC District is characterized by commercial and mixed-use buildings oriented to a major U.S. highway corridor. The uses provided in this zone are meant to serve local and regional residents, as well as visitors passing by and through. Site improvements including landscaping shall be provided and designed to minimize the impacts of roadside development. Due to the exposure to regional traffic, high appearance standards are important.

1402C Principal Uses

The following uses shall be allowed upon the approval of a Site Improvement Plan in accordance with Section 27 of this Resolution, unless otherwise noted. The Director or designee may determine other similar uses as appropriate. A building or portion thereof may contain two (2) or more uses, residential, non-residential, or a combination of both.

1402C.01 Community Uses

- Church – maximum seating capacity 350
- Cultural Facility
- Fire Station (*with or without training facilities*)
- Library
- Open Space, Trails, or both (*Site Improvement Plan not required*)
- Post Office
- Sheriff Station (*with or without training or with or without detention*)

1402C.02 Bank or Financial Institution (*with or without drive-up facility*)

1402C.03 Bar or Lounge

1402C.04 Bed and Breakfast

1402C.05 Building Materials – retail, wholesale, or both

- 1402C.06 Construction Office – temporary (*refer to Section 22*)
- 1402C.07 Equipment Sales, Rental, or both – small
- 1402C.08 Equipment Service, Repair, or both
- 1402C.09 Event Center (*Amended 4/28/15*)
- 1402C.10 Firing Range – indoor
- 1402C.11 Greenhouse – one (1) acre maximum (*Amended 08/28/18*)
- 1402C.12 Hotel
- 1402C.13 Industrial or manufacturing operation which does not emit unusual or excessive amounts of dust, smoke, fumes, gas, noxious odors, or noise beyond the lot boundary
- 1402C.14 Motel
- 1402C.15 Motor Vehicle Sales
- 1402C.16 Motor Vehicle Service, Repair, or both
- 1402C.17 Motor Vehicle Service Station with gas pumps
- 1402C.18 Motorcycle Sales, Service, Repair, or all
- 1402C.19 Office – General, Medical, Professional, Government
- 1402C.20 Office – Temporary (*refer to Section 22*)
- 1402C.21 Parking Lot – **Public or Private**
- **Public**
 - **Private**
- 1402C.22 Product Distribution, Storage, or both (*no hazardous materials*)
- 1402C.23 Research and Development Facility
- 1402C.24 Restaurant, Fast Food Restaurant (*with or without drive-up facility*)
- 1402C.25 Retail Business, Service Business, or both – **Indoor or Outdoor**
- **Indoor**

• ~~Outdoor~~

1402C.26 Sales Office – temporary (*refer to Section 22*)

1402C.27 Seasonal Use (*refer to Section 23*)

1402C.28 Utility Service Facility (*refer to definition*)

1402C.29 Veterinary Clinic or Hospital

1402C.30 Warehouse

1402C.31 Warehouse – mini or self storage up to 500 sq. ft. per storage unit

1402C.32 Wholesale Business – sales, service, or both

1403C Accessory Uses

The following uses shall be allowed only when a Principal Use has been established on the lot.

Non-residential:

1403C.01 Accessory Uses and Buildings

~~1403C.02 Commercial storage area~~

1403C.0~~23~~ Day-care Facility for employees' children

1403C.0~~34~~ Greenhouse – one (1) acre maximum (*Site Improvement Plan not required*) (*Amended 08/28/18*)

1403C.0~~45~~ Propane Distribution, Storage, or both

1403C.0~~56~~ Residence for management or employee

1403C.0~~67~~ Satellite Dish

~~1403C.07 Storage Area – commercial~~

1404C Uses Permitted by Special Review

The following uses are permitted, upon the approval of the Board, in accordance with Sections ~~21 and 27~~ of this Resolution.

1404C.01 Group Residential Facility

1404C.02 Telecommunication Facility (*within or exceeding maximum height and health standards*)

1405C Minimum Lot Area

None

1406C Minimum Setbacks

No minimum setbacks required unless specified in this section. In certain instances, where separation distance cannot be met as required by the International Building Code, more restrictive construction standards may be required.

1407C Building Height

Maximum building height:

- Residential building – 35 feet
- Commercial building – 60 feet

1407C.01 The maximum building height shall not apply to belfries, cupolas, penthouses, or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet walls, cornices, antennas, utility poles and necessary mechanical appurtenances usually carried above the roof level.

1407C.02 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church (*refer to Section 36 building height definition - spire height calculation*).

1407C.03 The maximum height of a parapet wall shall be as approved by staff based on overall mass and bulk and its compatibility with the surrounding area.

1407C.04 All roof-mounted equipment (*mechanical, ventilating, antennas*) shall be properly screened, with the exception of solar collectors/heaters.

1408C Encroachments

1408C.01 A cornice, canopy, eave, fireplace, wing wall, or similar architectural feature may extend three (3) feet into a required setback.

1408C.02 Fire escapes may extend six (6) feet into a required setback.

1408C.03 Structures that do not require building permits may encroach into a rear setback. Any encroachment into an easement requires permission from the easement holder.

1408C.04 A garage directly accessed from an alley may encroach into a rear setback. Any encroachment into an easement requires permission from the easement holder.

1409C Water and Sanitation *(Amended 08/28/18)*

All uses shall be served by a central sanitation facility at the time a regional sanitary sewer solution is in place.

1409C. 01 Until such time, the use of on-site wastewater treatment systems (OWTS) may be permitted provided the proposed use does not create more than a design flow of 2,000 gallons of effluent per day, as determined by ~~Tri-~~ Douglas County Health Department's OWTS Regulation.

1409C.02 The proposed use and associated OWTS is evaluated by the ~~Tri-~~Douglas County Health Department, and other applicable agencies, to determine if the use is compatible with an OWTS:

- The evaluation will be based on land characteristics, including, but not limited to, lot size, lot configuration, setbacks, parking areas, floodways and floodplains, detention facilities, soil suitability, site topography, proximity to wells and other on-site physical features and facilities.

1409C.03 If a Responsible Management Entity (RME) exists at the time of land use application, the subject land will be served by the RME.

1409C.04 All uses shall be served by a central water system. The use of individual wells may be permitted provided:

- The subject land is located within the boundaries of a special district providing water service.
- The District's water lines are not within 400 feet of the subject land [§32-1-1006(1)(a)(I), C.R.S.] or, if within 400 feet physical connection is not possible due to lack of legal access to lines.
- The proposed use is a low-water-demand use, as determined by the Director or designee in consultation with the special district providing water service.
- The District authorizes the use of wells.

1410C Utilities

All public utility distribution lines shall be placed underground.

1411C Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu as required by the Douglas County Subdivision Resolution.

1412C Street Standards

Construction of paved streets shall be in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and other applicable County regulations.

1413C Parking Standards

1413C.01 Minimum off-street parking shall be provided in accordance with Section 28 of this Resolution.

1413C.02 Parking for non-residential uses shall be provided as shown on the approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with Sections ~~27 and~~ 28 of this Resolution.

1413C.03 **For residential uses, inoperable or** ~~Unlicensed, operable or inoperable~~ vehicles parked outside shall be concealed by a solid fence, berm, vegetative barrier, or a combination thereof.

1413C.04 ~~Unconcealed-Unscreened~~ parking of operable, unlicensed vehicles may be allowed in association with Motor Vehicle Sales as shown on an approved Site Improvement Plan in accordance with Sections 27 and 28 of this Resolution.

1414C Fencing Standards

Fencing shall be allowed for residential and non-residential uses in accordance with the following standards. Fencing provided for non-residential uses shall be shown on an approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with Section 27 of this Resolution.

1414C.01 Barbed, concertina, razor wire, or other hazardous materials used for fencing shall be prohibited.

1414C.02 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the-a~~ setback ~~on private land~~.

1414C.03 A building permit shall be required for any retaining wall, as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*

- 1414C.04 Fences, walls, or hedges ~~shall not exceed six (6) feet in height and~~ shall not exceed four (4) feet in height when located in the required setback from a street.
- 1414C.05 A building permit is required for any fence greater than six (6) feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414C.06 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot.
- 1414C.07 Fences, walls, or hedges shall be erected and maintained in a manner that does not obstruct the vision of automobile traffic on ~~the adjacent~~ streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.
- 1414C.08 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall, or hedge, which constitutes a **public** safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, ~~, or which constitutes a zoning violation.~~
- 1414C.09 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414C.10 Sound barrier walls, when constructed by the landowner other than the Colorado Department of Transportation adjacent to a street, shall be designed in accordance with the State Department of Transportation criteria and approved by the Director or designee.

1415C Landscaping

- 1415C.01 Non-residential uses shall be landscaped as shown on an approved Site Improvement Plan in accordance with **Section 21** or Section 27 of this Resolution.
- 1415C.02 Areas to be landscaped include the lot area within the required setback from the street, parking areas, and other areas as required.

1416C Sign Standards

Refer to Section 29 of this Resolution.

1417C Lighting Standards

Refer to Section 30 of this Resolution.

1418C Outdoor Storage

Outdoor storage shall be permitted as shown on the approved **USR Plan Exhibit** or Site Improvement Plan, in accordance with the following standards:

1418C.01 Outdoor storage including, but not limited to, raw materials supplies, finished or semi-finished products, or equipment shall be ~~enclosed and concealed by a solid fence or wall~~ screened from view from abutting properties and public streets or trails bordering the site by a solid fence, wall, or hedge that is a minimum of 6 feet in height.

~~1418C.02 With the approval of the Director or designee a solid fence or wall may be replaced with adequate vegetation (hedge) such that the outdoor storage shall not be able to be viewed from the adjacent public areas.~~

1418C.032 Employee or customer parking or merchandise display areas shall not be considered outdoor storage.

1418C.043 Outdoor storage shall not be allowed within any required landscaped area.

1418C.054 ~~Outdoor storage shall not exceed the height of the fence except for~~ Operable trailers; or other equipment designed to be towed or lifted as a single component ~~may be visible above the height of a six-foot tall fence, wall, or hedge without being additionally screened.~~

1418C.065 For outdoor storage of vehicles, see the Parking Standards in this section.

1418C.076 Outdoor storage shall be allowed within the required setback from a street provided that the storage area does not occupy more than 50 percent of the lineal frontage at the right-of-way.

1418C.087 When outdoor storage areas abut each other and are not visible from public ~~areas, streets or trails bordering the site~~, the Director or designee may waive the requirement for a solid fence.

1418C.098 Where the topography of the land is such that a solid fence, wall, or hedge would not prevent viewing outdoor storage from ~~adjoining land or public rights-of-way, abutting properties and public streets or trails bordering the site~~, additional landscaping above the height of the fence, wall, or hedge to mitigate site-specific visual impacts may be required. ~~by the Director or designee. In the event that it is not possible to prevent viewing of the outdoor storage from adjoining land or public rights-of-way, such outdoor storage area shall be prohibited.~~

SECTION 14D MI – SEDALIA MIXED INDUSTRIAL

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1401D Intent

To provide areas for a full range of retail business, commercial, services, office, research, warehousing, small product assembly, manufacturing, distribution, and residential uses located to efficiently utilize public investment in infrastructure and to exercise economies of scale. Adequate facilities, such as roads, water and sanitation, fire protection, emergency services, and public utilities shall be available to serve the development. Growth should occur in a phased and contiguous manner to avoid the costly, premature extension of basic infrastructure.

Development within this District shall be designed to provide for such uses on well-landscaped sites such that they can be located in proximity to other business, commercial and residential uses in accordance with the intent of the Douglas County Comprehensive Master Plan. High performance standards are set forth for this District to assure that development is compatible with adjoining land uses.

The MI District is characterized by a full range of commercial and light industrial uses with residential and mixed-use development. Uses allowed within this District shall operate with minimal dust, fumes, odors, refuse, smoke, vapor, noise, lights, and vibrations. Such impacts shall be mitigated in accordance with applicable County, State, and federal regulations. Any other impacts shall be mitigated to the maximum extent possible. Development, or use of land, in this District is permitted only in accordance with the provisions herein. Heavy freight operations (railroad or multi-modal transfer) are not in keeping with the character of the District; new freight rail sidings are discouraged on private lots.

1402D Principal Uses (*Amended 08/28/18*)

The following uses shall be allowed upon the approval of a Site Improvement Plan in accordance with Section 27 of this Resolution, unless otherwise noted. The Director or designee may determine other similar uses as appropriate. A building or portion thereof may contain two (2) or more uses, residential, non-residential, or a combination of both.

1402D.01 Community Uses

- Church – maximum seating capacity 350
- College or University extension office
- Cultural Facility
- Fire Station (*with or without training facilities*)
- Library
- Museum
- Open Space, Trails, or both (*Site Improvement Plan not required*)
- Park, Playground, or both
- Post Office
- Recreation Facility – community or neighborhood
- Recreation Facility – indoor, outdoor, private

- School – private or public K-12
- Sheriff Station (*with or without training or with or without detention*)

1402D.02 Agriculture (*Site Improvement Plan not required*)

1402D.03 Agricultural Recreational Activities (*Site Improvement Plan not required*)

1402D.04 Animals (*refer to Section 24*) – household animals shall be an accessory use (*Site Improvement Plan not required*)

- Animals are limited to horse, cow, mule, llama, pig, goat, sheep, miniature horse, and alpaca.
- The minimum lot size required to keep hoofed animal(s) shall be one (1) acre. The maximum density for hoofed animals shall be one (1) animal unit per half (½) acre.
- Boarded horses will be counted in the total number of allowed animal units.
- Devegetated areas shall be setback 25 feet from all property lines.
- The location of a corral shall be such that it does not cause harm to septic fields and other on-site physical features and facilities.

1402D.05 Bank or Financial Institution (*no drive-up facility*)

1402D.06 Building Materials – retail, wholesale, or both

1402D.07 Commercial Storage Area

1402D.0~~78~~ Construction Office – temporary (*refer to Section 22*)

1402D.0~~89~~ Day-care Center

1402D.0~~9~~10 Entertainment Event (*refer to Section 22B*)

1402D.1~~0~~1 Equipment Service, Repair, or both

1402D.1~~42~~ Equipment Sales, Rental, or both – **Large or Small**

- ~~Large~~
- ~~Small~~

1402D.1~~23~~ Firing Range – indoor

1402D.1~~34~~ Garden – Public – one (1) acre maximum (*Site Improvement Plan not required*)

1402D.1~~45~~ Greenhouse

1402D.1~~56~~ Hotel

1402D.1~~67~~ Industrial or manufacturing operation which does not emit unusual or excessive amounts of dust, smoke, fumes, gas, noxious odors, or noise beyond the lot boundary.

1402D.1~~78~~ Motel

1402D.1~~89~~ Motor Vehicle Sales

1402D.~~19~~20 Motor Vehicle Service, Repair, or both

1402D.2~~91~~ Motor Vehicle Service Station with gas pumps

1402D.2~~42~~ Motorcycle Sales, Service, Repair or all

1402D.2~~23~~ Office – General, Medical, Professional, Government

1402D.2~~34~~ Office – Temporary (*refer to Section 22*)

1402D.2~~45~~ Parking lot – **Public or Private**

- ~~Public~~

- ~~Private~~

1402D.2~~56~~ Product Distribution, Storage, or both (*no hazardous materials*)

1402D.2~~67~~ Recreational Vehicle Storage Lot

1402D.2~~78~~ Research and Development Facility

1402D.2~~89~~ Residence – Minimum of two (2) acres

- Group Home (*Site Improvement Plan not required*)
- Single-Family (*Site Improvement Plan not required*)
- Temporary (*refer to Section 22*)

1402D.~~29~~30 Restaurant, Fast Food Restaurant (*no drive-up facility*)

1402D.3~~91~~ Retail Business or Service Business, or both – **Indoor or Outdoor**

- ~~Indoor~~

- ~~Outdoor~~

1402D.3~~42~~ Retreat – Religious

1402D.3~~23~~ Sales Office – temporary (*refer to Section 22*)

1402D.3~~34~~ Satellite Earth Station

1402D.3~~45~~ Seasonal Use (*refer to Section 22A*)

~~1402D.35 Storage Area – Commercial~~

1402D.36 Theater~~e~~ – Indoor or Outdoor

- ~~Indoor~~
- ~~Outdoor~~

1402D.37 Training Facility for Horses, Riders, or both (*maximum 14 lessons per week*)

1402D.38 Utility Service Facility (*refer to definition*)

1402D.39 Veterinary Clinic or Hospital

1402D.40 Warehouse

1402D.41 Warehouse – mini or self storage

1402D.42 Wholesale Business – sales, service, or both

1402D.43 Youth-Oriented Agricultural Activities (*refer to definition*) (*Site Improvement Plan not required*)

1403D Accessory Uses

The following uses shall be allowed only when a Principal Use has been established on the lot.

Residential:

1403D.01 Accessory Uses and Buildings

1403D.02 Animals – household pets

- Household pets inclusive of, but not limited to, dogs, cats, pot-bellied pigs, chickens, turkeys, and ducks shall be permitted for residential use provided that not more than four (4) animals of more than four (4) months of age are kept by the occupant of any residential unit.

1403D.03 Day-care Home – ~~Small or Large~~~~• Small~~~~• Large~~

1403D.04 Guest House

1403D.05 Home Occupation (*refer to Section 23*) ~~Class 1 or 2~~~~• Class 1~~~~• Class 2~~

1403D.06 Satellite Dish

Non-residential:

1403D.07 Accessory Uses and Buildings

1403D.08 Day-care Facility for employees' children

1403D.09 Caretaker (*Amended 08/28/18*)

1403D.10 Satellite Dish

1404D Uses Permitted By Special Review (*Amended 08/28/18*)

The following uses are permitted, upon the approval of the Board, in accordance with Sections ~~21 and 27~~ of this Resolution.

1404D.01 Bar or Lounge

1404D.02 Bed and Breakfast

1404D.03 Campground

1404D.04 Cemetery

1404D.05 Church – seating capacity greater than 350

1404D.06 Club or Country Club

1404D.07 Group Residential Facility

1404D.08 Horse Boarding Facility – number of horses greater than allowed by right

1404D.09 Jail or Correctional Facility

1404D.10 Kennel

1404D.11 Propane Distribution, Storage, or both

1404D.12 Recycle Facility, Trash Transfer Facility, or both

1404D.13 Residence

- Multifamily
- Single-Family attached

1404D.14 Satellite Earth Station (*exceeding maximum health and height standards*)

1404D.15 Sewage Treatment (*refer to Utility Service Facility definition*)

1404D.16 Telecommunication Facility (*within or exceeding maximum height and health standards*)

1404D.17 Utility – Major Facility

1404D.18 Wind Energy Conversion System (*refer to Section 21*)

1405D Minimum Lot Area

None

1406D Minimum Setbacks

MINIMUM SETBACK FROM		
Street*	CMTY/D/HC/RES/OS	MI/LSB/B/C/LI/GI/A-1
regional/major arterial: 25' minor arterial: 25' collector/local: 20'	25'	no setback

The setback is measured from the property line to the wall of the structure horizontally and perpendicular to the lot line

1407D Building Height

Maximum building height:

- Residential building – 35 feet
- Commercial building – 60 feet
- Industrial building – 60 feet

1407D.01 The maximum building height shall not apply to belfries, cupolas, penthouses, or domes not used for human occupancy, roof-mounted church spires, chimneys, skylights, ventilators, water tanks, silos, parapet

walls, cornices, antennas, utility poles and necessary mechanical appurtenances usually carried above the roof level.

1407D.02 The maximum height of a roof-mounted church spire shall not exceed 1.62 times the height of the church (*refer to Section 36 building height definition - spire height calculation*).

1407D.03 The maximum height of a parapet wall shall be as approved by staff based on overall mass and bulk and its compatibility with the surrounding area.

1407D.04 All roof-mounted equipment (*mechanical, ventilating, antennas*) shall be properly screened, with the exception of solar collectors/heaters.

1408D Encroachments

1408D.01 A cornice, canopy, eave, fireplace, wing wall, or similar architectural feature may extend three (3) feet into a required setback.

1408D.02 Fire escapes may extend six (6) feet into a required setback.

1408D.03 Structures that do not require building permits may encroach into a rear setback. Any encroachment into an easement requires permission from the easement holder.

1408D.04 A garage directly accessed from an alley may encroach into a rear setback. Any encroachment into an easement requires permission from the easement holder.

1409D Water and Sanitation (*Amended 08/28/18*)

All uses shall be served by a central sanitation facility at the time a regional sanitary sewer solution is in place.

1409D.01 Until such time, the use of on-site wastewater treatment systems (OWTS) may be permitted provided the proposed use does not create more than a design flow of 2,000 gallons of effluent per day, as determined by ~~Tri-~~ Douglas County Health Department's OWTS Regulation.

1409D.02 The proposed use and associated OWTS is evaluated by the ~~Tri-~~Douglas County Health Department, and other applicable agencies, to determine if the use is compatible with an OWTS:

- The evaluation will be based on land characteristics, including, but not limited to lot size, lot configuration, setbacks, parking areas, floodways and floodplains, detention facilities, soil suitability, site topography, proximity to wells and other on-site physical features and facilities.

1409D.03 If a Responsible Management Entity (RME) exists at the time of land use application, the subject land will be served by the RME.

1409D.04 All uses shall be served by a central water system. The use of individual wells may be permitted provided:

- The subject land is located within the boundaries of a special district providing water service.
- The District's water lines are not within 400 feet of the subject land [§32-1-1006(1)(a)(I), C.R.S.] or, if within 400 feet physical connection is not possible due to lack of legal access to lines.
- The proposed use is a low-water-demand use, as determined by the Director or designee in consultation with the special district providing water service.
- The District authorizes the use of wells.

1410D Utilities

All public utility distribution lines shall be placed underground.

1411D Land Dedication

A portion of the gross site area shall be dedicated to Douglas County for public use, or cash-in-lieu as required by the Douglas County Subdivision Resolution.

1412D Street Standards

Construction of paved streets shall be in accordance with the Douglas County Roadway Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and other applicable County regulations.

1413D Parking Standards

1413D.01 Minimum off-street parking shall be provided in accordance with County regulations.

1413D.02 Parking for non-residential uses shall be provided as shown on the approved **USR Plan Exhibit or** Site Improvement Plan in accordance with Sections ~~s-27 and~~ 28 of this Resolution.

1413D.03 **For residential uses, inoperable or Unlicensed,** operable ~~or inoperable~~ vehicles parked outside shall be concealed by a solid fence, berm, vegetative barrier, or any combination thereof.

1413D.04 ~~Unconcealed-Unscreened~~ parking of operable, unlicensed vehicles may be allowed in association with Motor Vehicle Sales as shown on an

approved Site Improvement Plan in accordance with Sections 27 and 28 of this Resolution.

1414D Fencing Standards

Fencing shall be allowed for residential and non-residential uses in accordance with the following standards. Fencing provided for non-residential uses shall be shown on an approved **USR Plan Exhibit or** Site Improvement Plan, in accordance with **Section 21 or** Section 27 of this Resolution.

- 1414D.01 Concertina, razor wire, or other hazardous materials used for fencing shall be prohibited.
- 1414D.02 Electrically charged fencing material shall be permitted when it is installed for the purpose of containing animals within the boundaries of the lot.
- Electric fencing materials must be installed on the inside of the fence, within the lot area.
 - Electric fencing shall use an interrupted flow of current at intervals of about one (1) second on and two (2) seconds off and shall be limited to 2,000 volts at 17 milliamperes current.
 - All electric fences shall be posted with permanent signs stating that the fence is electrified.
- 1414D.03 Barbed wire shall be permitted when located a minimum of 6' 6" in height measured from the ground level outside the fence.
- 1414D.04 Fences, walls, or hedges shall not be erected in the public right-of-way, but shall be allowed within ~~the a setback on private land~~.
- 1414D.05 A building permit shall be required for any retaining wall as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414D.06 A building permit is required for any fence greater than six (6) feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414D.07 Solid fences, walls, or hedges shall not exceed four (4) feet in height when located within the required setback from a street except when a fence is required in order to conceal outdoor storage. Then the fence may exceed four (4) feet in height for no more than 50 percent of the lineal frontage of the lot. Fences extending above six (6) feet, to a height of 10 feet, may be permitted only with the approval of the Director or designee.
- 1414D.08 Fences, walls, or hedges shall be erected and maintained in a manner which does not obstruct the vision of automobile traffic on ~~the adjacent~~

streets, rights-of-way, or driveways in accordance with the Douglas County Roadway Design and Construction Standards manual.

- 1414D.09 Fences, walls, or hedges shall be maintained in good structural or living condition. The landowner is responsible for the repair or removal of a fence, wall, or hedge, which constitutes a **public** safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment. ~~or which constitutes a zoning violation.~~
- 1414D.10 Fences constructed of woven wire or ornamental iron which are a minimum of 80 percent open may be constructed with no height limitation; however, a building permit is required for any fence greater than six (6) feet in height, or as required by the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414D.11 Fences or walls shall be designed and maintained so that they are architecturally harmonious with the principal structures on the lot. When abutting a property with a residence, such fences or walls shall be opaque and may not be constructed of woven wire.
- 1414D.12 Swimming pools shall be enclosed by a fence or wall that meets or exceeds the requirements of the Building Code, as amended and adopted by Douglas County. *(Amended 12/18/12)*
- 1414D.13 Sound barrier walls, when constructed by the landowner other than the Colorado Department of Transportation adjacent to a street, shall be designed in accordance with the State Department of Transportation criteria and approved by the Director or designee.

1415D Landscaping

Non-residential uses shall be landscaped as shown on the approved landscape plan prepared in accordance with **Section 21** or Section 27 of this Resolution. Areas to be landscaped include the lot area within the required setback from the street, parking areas, and other areas as required.

1416D Sign Standards

Refer to Section 29 of this Resolution.

1417D Lighting Standards

Refer to Section 30 of this Resolution.

1418D Outdoor Storage

Outdoor storage shall be permitted as shown on the approved **USR Plan Exhibit or Site Improvement Plan**, in accordance with the following standards:

- 1418D.01 Outdoor storage including, but not limited to, raw materials supplies, finished or semi-finished products, or equipment shall be ~~enclosed and concealed by a solid fence or wall~~ screened from view from abutting properties and public streets or trails bordering the site by a solid fence, wall, or hedge that is a minimum of 6 feet in height.
- ~~1418D.02 With the approval of the Director or designee a solid fence or wall may be replaced with adequate vegetation (hedge) such that the outdoor storage shall not be able to be viewed from the adjacent public areas.~~
- 1418D.032 Employee or customer parking or merchandise display areas shall not be considered outdoor storage.
- 1418D.043 ~~Outdoor storage shall not exceed the height of the fence except for~~ Operable trailers; or other equipment designed to be towed or lifted as a single component ~~may be visible above the height of a six-foot tall fence, wall, or hedge without being additionally screened.~~
- 1418D.054 Outdoor storage shall be allowed within the required setback from a street provided that the storage area does not occupy more than 50 percent of the lineal frontage at the right-of-way.
- 1418D.065 For outdoor storage of vehicles, see the Parking Standards in this section.
- 1418D.076 Outdoor storage shall not be allowed within any required landscaped area.
- 1418D.087 Where the topography of the land is such that a solid fence, wall, or hedge would not prevent viewing outdoor storage from ~~adjoining land or public rights-of-way, abutting properties and public streets or trails bordering the site, additional landscaping above the height of the fence, wall, or hedge to mitigate site-specific visual impacts. may be required by the Director or designee. In the event that it is not possible to prevent viewing of the outdoor storage from adjoining land or public rights-of-way, such outdoor storage area shall be prohibited.~~
- 1418D.098 A solid fence, wall, or hedge shall not be required at a shared property line which merely separates outdoor storage areas. ~~When outdoor storage areas abut each other and are not visible from public areas, the Director or designee may waive the requirement for a solid fence.~~

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USES BY SPECIAL REVIEW

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2101 Intent

To provide for uses in specific zone districts that shall require a public notice and hearing and the approval of the Board of County Commissioners subject to such conditions and safeguards as may be imposed by the Board, and to establish procedures for amending an approved use by special review based on the anticipated impact of the change.

2102 Approval Standards

A use by special review shall be approved only if the Board of County Commissioners finds that the proposed use:

- 2102.01 Complies with the minimum zoning requirements of the zone district in which the special use is to be located, as set forth in this Resolution.
- 2102.02 Complies with the requirements of this Section 21.
- 2102.03 Complies with the Douglas County Subdivision Resolution.
- 2102.04 Will be in harmony and compatible with the character of the surrounding areas and neighborhood.
- 2102.05 Will be consistent with the Douglas County Comprehensive Master Plan, as amended.
- 2102.06 Will not result in an over-intensive use of land.
- 2102.07 Will provide roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development concurrently with the impacts of such development.
- 2102.08 Will provide public facilities and services necessary to accommodate the proposed development concurrently with the impacts of such development.
- 2102.09 Will not cause significant air, water, or noise pollution.
- 2102.10 Will be adequately landscaped, buffered, and screened.
- 2102.11 Complies with the following standards regarding water supply:
 - 2102.11.1 If it is demonstrated that the use by special review will not generate any ongoing water demand, no proof of water supply shall be required and no other provisions of Section 18A, Water Supply - Overlay District, herein, shall be applicable. (Amended 5/26/2015)

2102.11.2 If it is demonstrated that the use by special review, when located on a conforming parcel within the A-1 or LRR zone district, will generate a water demand not to exceed three (3) acre-feet per year, and that the demand can be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for such use, this standard shall be met and no other provisions of Section 18A, Water Supply —Overlay District, herein, shall be applicable. Water demands shall be estimated in accordance with the Minimum Water Demand Standards defined in Section 18A, Water Supply —Overlay District, herein. *(Amended 5/26/2015)*

2102.11.3 For all other use by special review applications, the applicant shall demonstrate conformance with Section 18A, Water Supply —Overlay District, herein. *(Amended 5/26/2015)*

2102.12 Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the County.

2103 Length of Approval

A use by special review shall be permitted for a duration of time specified by the Board or until the land use changes or is terminated, whichever occurs first. The use by special review may transfer with the sale of the land.

2104 Annual Review

Each use by special review is subject to yearly review, or as often as the Board deems appropriate, to ensure compliance with the approval standards and conditions of approval.

2105 Amendment of An Approved Use by Special Review

An amendment to an approved use by special review may be considered in accordance with the procedures identified herein for either a use by special review amendment or an administrative use by special review amendment.

2106 General Provisions

2106.01 The Board may establish lesser setbacks than those required in this Section, and heights greater than those allowed in the underlying zone district, if the Board determines that adequate buffering is or will be provided to mitigate such concerns as noise, visual, dust, or other social or environmental impacts. The burden of proof is on the applicant to demonstrate such adequate mitigation measures.

- 2106.02 Outdoor storage areas shall be ~~concealed~~-screened by a solid wall or fence of an appropriate height unless otherwise provided for herein.
- 2106.03 A use by special review may be permitted on nonconforming parcels when such use is permitted, as a use by special review, in the zone district to which the parcel conforms in size.

2107 Allowed Uses by Special Review (Amended 8/28/18)

The Development Plan for a specific Planned Development District shall set forth the permitted uses by special review and any additional requirements therein.

The following uses are listed as uses by special review within the zone districts of this Resolution, and are subject to additional requirements as noted herein:

- 2107.01 Animals – nondomestic, exotic: A-1 and LRR zone districts provided that:
- a security fence surrounds the enclosures to prevent the animals from leaving the premises; and
 - the applicant shall contact the Denver Zoo Curator and State Division of Wildlife to determine the enclosure size needed and any special conditions for species on the site. Each enclosure shall have adequate water and drainage.
- 2107.02 Bar or Lounge: CMTY and MI zone districts
- 2107.03 Batch plant – concrete, asphalt or mortar: LI and GI zone districts
- 2107.04 Bed and Breakfast: A-1, LRR, RR, ER, and MI zone districts
- 2107.05 Campground: A-1 zone district provided that all uses and structures are located at least 100 feet from all property lines
- 2107.06 Cemetery: A-1 zone district
- 2107.07 Chemical/hazardous material storage, transfer, or disposal facility: GI zone district, provided such use complies with all State and federal regulations and is located at least 500 feet from all lot lines (Amended 3/28/01)
- 2107.08 Church with a seating capacity, in the main worship area, greater than 350: A-1, LRR, RR, ER, SR, MF, and MH zone districts, provided that such uses are located at least 50' from all lot lines or the zone district minimum setback, whichever is greater
- 2107.09 Club or Country Club: CMTY, D, and MI zone districts
- 2107.10 College or University extension office: CMTY and D zone districts

- 2107.11 Cultural facility: A-1 and LRR zone districts
- 2107.12 Day-care center, preschool, or day-care home – large: A-1, LRR, RR, ER, SR, MF, and MH zone districts provided that such uses shall be situated on a lot of not less than 10,000 square feet and that a solid fence or wall 6 feet in height shall completely ~~enclose-surround~~ the yard used for playground purposes
- 2107.13 Dude ranch: A-1 zone district
- 2107.14 Event Center: CMTY and D zone districts, subject to the following additional requirement:
- 2107.14.1 A noise study shall be submitted demonstrating compliance with the limits established in Section 1703A of the Noise Overlay District.
- A-1 zone district, subject to the following additional requirements:
- 2107.14.2 Structures used for the event center shall be of a scale and design that is compatible with the surrounding rural environment.
- 2107.14.3 Structures, outdoor assembly areas, and parking lots used for the event center shall be setback a minimum of 200 feet from all adjacent property lines.
- 2107.14.4 Noise generated by the event center use shall not result in noise levels which exceed 40 dB(A) between 7:00 a.m. and 7:00 p.m., and 35 dB(A) between 7:00 p.m. and 7:00 a.m., measured in accordance with Section 1705A.
- 2107.14.5 A noise study shall be submitted demonstrating compliance with the event center noise standard.
- 2107.14.6 In addition to the management plan components specified in Section 2112, operational limitations for the event center shall address the following:
- (1) Maximum number of event patrons.
 - (2) Frequency of events including times of day and days of week.
 - (3) The number of outdoor and indoor events.
 - (4) Specific mitigation measures to limit the impacts of any exterior lighting.
 - (5) Specific limitations or mitigation measures to ensure compliance with the noise standards consistent with the noise study.

2107.14.7 In addition to the information required for the project narrative specified in Section 2111, the event center narrative shall include a discussion of the following:

- (1) The ability of the existing or proposed structures to comply with building and fire code requirements for public assembly uses.
- (2) The ability to provide sanitation service for the proposed use by connection to a sanitary sewer or provision of on-site wastewater treatment.
- (3) The ability to connect to a central water provider or to obtain a well permit for the proposed use.

2107.15 Feed yard – confinement center: A-1 zone district, provided that such use is located at least 500 feet from all property lines, and that such use is approved by ~~Tri-County~~ the Douglas County Health Department

2107.16 Firing range – outdoor: A-1 and GI zone districts provided that the use is located at least 100 feet from all property lines; an indoor range may be permitted as an accessory use to an outdoor range in the A-1 zone district

2107.17 Golf course legally established as a Use by Special Review prior to June 22, 2005: A-1, LRR, RR, ER, and SR zone districts subject to the following:

- (1) Such use may be amended in accordance with the provisions established herein.
- (2) No amendment shall have the effect of changing the boundary of the area subject to the legally established Use by Special Review as it existed on June 22, 2005. *(Amended 2/12/19)*

2107.18 Greenhouse: A-1 zone district

The following may be restricted based upon compatibility with the surrounding land uses:

- Location, size, height and use of structures
- Number of vehicle trips
- Lighting and hours of operation
- Location and type of materials stored outside
- Retail sale of items
- Parking area setbacks

2107.19 Group Residential Facility: A-1, LRR, MF, MH, B, C, and LI zone districts provided that the Group Residential Facility does not include more than 1 registered sex offender over the age of 18 *(Amended 5/14/03)*

All requests shall be submitted to the Placement Alternative Commission as a referral.

- 2107.20 Group Home for registered sex offenders: A-1, B, C, and LI zone districts, provided the facility is located a minimum of 1,500 feet from a school, park, playground, child-care facility, and youth camp.

All requests shall be submitted to the Placement Alternative Commission as a referral.

- 2107.21 Heliport: B/, C/, LI/, and GI zone districts:

- The FAA shall be notified regarding approval of airspace.
- A management plan shall be submitted with the application that addresses the following:
 - type and use of aircraft for which the facility is intended;
 - number of planes to be stationed on the site;
 - frequency of flights and diagram of flight patterns; and
 - hours of operation.

- 2107.22 Home occupation: A-1, LRR, and RR zone districts pursuant to Section 2310, herein. - No outside storage shall be allowed. (Amended 8/23/22)

- 2107.23 Horse boarding or training facility: A-1, LRR, RR, and ER zone districts where the number of boarded horses exceeds the maximum number of horses permitted by right or by administrative review, or the number of lessons for non-owned horses, or riders not related to the landowner or lessee, exceeds 14 per week.

The applicant shall demonstrate a minimum water supply of 20 gallons per horse per day. The applicant must obtain the necessary well permits from the State Division of Water Resources.

On the Plan Exhibit, the applicant shall identify areas of allowable devegetation, pastures proposed for horse grazing, the pasture grazing schedule, manure storage areas, and the method and frequency of manure disposal.

- 2107.24 Horse rental stable: A-1 and LRR zone districts provided that all uses are located at least 100 feet from all lot lines

- 2107.25 Hotel: CMTY and D zone districts

- 2107.26 Hunting or fishing club: A-1 zone district; hunting clubs shall be located on a minimum of 160 acres

- 2107.27 Jail/correctional facility: GI zone district – Security for the facility may include barb, electric, or concertina wire when located a minimum of 6' 6" in height measured from the ground level outside the fence.
- 2107.28 Junk, scrap metal, or auto wrecking yard: GI zone district provided all such uses are ~~completely concealed~~ **screened** by a solid wall or fence at least 6 feet in height
- 2107.29 Kennel: A-1 and LRR zone districts provided that all uses are located at least 100 feet from all lot lines
- 2107.30 Landfill – public or private: A-1 and GI zone districts provided that such use is approved by the ~~Tri-County District~~ **Douglas County** Health Department and is located 500 feet from all lot lines or 1,000 feet from any existing residential land use, whichever is greater

Prior to applying for a use by special review, the applicant must first receive a recommendation of approval for the certificate of designation from the Colorado Department of Health. Any proposal must be in compliance with the Douglas County Comprehensive Master Plan, as amended.

- 2107.31 Landing Field, Private: A private, non-commercial landing field or helipad for fixed or rotary wing craft is permitted as an accessory use in the A-1 and GI zone districts provided:
- Minimum lot/parcel area: 35 acres.
 - Minimum setback for landing area: 200' from the sides of the landing strip, and 400' from the ends.
 - The landing field shall be for the exclusive use of the landowner and guests.
 - Any commercial use, flight training, ground school, or sales, are prohibited.
 - Aircraft noise may not exceed 78 db(A) for more than 5 minutes in a 1-hour period.
 - The FAA shall be notified regarding approval of airspace.
 - The landing strip shall be oriented such that aircraft landing and takeoff do not pass directly over dwellings, schools, churches, or other places of public assembly.
 - Minimum setback from existing residences (except landowner's): 1/2 mile from either end of the runway.
 - A management plan shall be submitted with the application that addresses the following:
 - type and use of aircraft for which the facility is intended;
 - number of planes to be stationed on the site;
 - frequency of flights and diagram of flight patterns; and

- hours of operation.

2107.32 Mining, quarry, sand and gravel operation, or similar extractive land use: A-1 and GI zone districts, subject to the following:

2107.32.1 The use is judged by the twelve criteria for approval of a use by special review, and the goals and policies of the Douglas County Comprehensive Master Plan, as amended and its Mineral Extraction element, and may be approved with conditions derived from the extraction plan submittals listed herein.

2107.32.2 Exemptions from these regulations may be approved by the Director of Community Development in accordance with an approved grading permit, for any one of the following:

- (1) Earthwork performed within public rights-of-way
- (2) Earthwork performed which is consistent with an approved site plan or an approved and recorded final plat
- (3) Earthwork performed as part of construction per an approved building permit
- (4) Borrow site

2107.32.3 A narrative that addresses all items listed in Section 2111, herein, and the following:

- (1) a discussion of the quantity and quality of the deposit and its relationship to the supply and demand information contained in the Douglas County Master Plan for Mineral Extraction
- (2) a discussion of the positive and negative impacts of the operation

2107.32.4 A plan exhibit prepared in accordance with Section 2112, herein, and shows the following:

- (1) The relationship of the mine site to other uses/structures in the area
- (2) The location of all buildings, equipment, on- and off-site haul roads, ancillary facilities, staging areas, and stockpiles
- (3) The limits of the mine site and the extent of areas to be disturbed
- (4) The location and dimension of buffers against noise and visual impact to be left in place or created
- (5) Identified aquifer recharge areas, wetland areas, lakes, rivers
- (6) Wildlife impact areas as designated in the Douglas County Comprehensive Master Plan, as amended, and areas considered significant by the Colorado Division of Wildlife

- (7) Areas identified, through independent assessment, as having historic, archaeological, or paleontological resources
- (8) All Douglas County Comprehensive Master Plan designations

2107.32.5 An operational plan shall be submitted that at a minimum addresses the following:

- (1) Start and end dates and the hours of operation
- (2) A program for initial air-quality measurements and an ongoing monitoring program, including dust from equipment and stockpiles
- (3) A program for initial water quality and quantity measurements, including well tests in the area, and an ongoing water-quality monitoring program
- (4) Sources and quantities of water needed on site
- (5) A drainage and erosion control plan in compliance with the Douglas County Storm Drainage Design and Technical Criteria manual
- (6) A program for initial noise measurement, an ongoing noise monitoring program, and a noise abatement program
- (7) Proposed methods and timing of site restoration and their relationship to visual and air-quality impacts
- (8) A phasing plan that:
 - designates areas to be disturbed and the proposed timing or extraction for each area;
 - illustrates the timing of site restoration for each area including revegetation, contouring, and grading;
 - limits the total land area to be disturbed at any one time; and
 - links the availability of adequate transportation facilities to the scope of the operation, specifically identifies off-site infrastructural improvements required for the project, and specifies the time frame for construction in relation to phases of on-site operation.
- (1) A transportation plan that:
 - designates transportation routes (*existing or proposed*) that avoid residential areas and limit the use of local roads;
 - gives traffic counts and the projected level of service along haul routes, at bridges and culverts, and at key intersections both at the start and at peak operation;
 - specifies the hours when material will be transported off site;
 - lists the improvements necessary for the transportation system to accommodate expected traffic;
 - addresses the construction of needed transportation improvements; and

- lists the actions to be taken at the staging area to allow only safe, clean, and covered trucks onto the transportation system.
- (2) A blasting plan that:
- Identifies noise and vibration-sensitive uses/structures/activities in the area;
 - includes a pre-blast inspection program for identified structures;
 - includes a program for initial seismic and noise monitoring during the first blast;
 - incorporates a method of reviewing data from the initial blast and provisions for amending the blasting program accordingly; and
 - specifies the times and the atmospheric conditions when blasting is permitted.
- (3) An end-state, land-use plan that shows:
- areas to be returned to a natural state;
 - areas to be restored for wildlife habitat, *if applicable*;
 - areas that are appropriate for open space, trails, parks and recreational uses, and are identified on the County's open space and recreational plans;
 - the site's final topography;
 - proposed post-mining land uses, consistent with the zoning of the land; and
 - site restoration phases.
- (4) A site evaluation including:
- wildlife impact analysis conducted in conjunction with the Colorado Division of Wildlife;
 - independent assessment of the historic, archaeological, or paleontological value of the site;
 - drainage studies as required by the Public Works Department, including an erosion and sedimentation control plan, a Phase I drainage report at initial submittal, and a Phase III drainage report prior to each phase;
 - a transportation study that identifies transportation routes, number of trips, critical intersections, traffic volumes, and transportation system improvements necessitated by the application;
 - a visual analysis that documents the visibility throughout the life of the operation; identifies visually sensitive areas and the expected impact at those locations; and lists visual impact mitigation measures; and
 - a copy of all information submitted to the Division of Minerals and Geology, Colorado Department of Natural Resources.

2107.33 Motel: CMTY and D zone districts

2107.34 Motorsports Facility, Private: A-1 zone district (*Amended 4/26/16*)

2107.34.1 All components of the Private Motorsports Facility shall be located a minimum of 200 feet from all property lines. Additional setbacks may be required if necessary to mitigate noise impacts.

2107.34.2 Noise generated by the Private Motorsports Facility use shall comply with the limits established in Section 1703A of the Noise Overlay District ("noise standard").

2107.34.3 A noise study shall be submitted demonstrating that the proposed facility can be designed and operated in such a manner as to ensure ongoing compliance with the noise standard.

2107.34.4 Maximum land area devegetated, including devegetation resulting from the Private Motorsports Facility, shall comply with the limits established in Section 24, Animals.

2107.34.5 In addition to the management plan components specified in Section 2112, operational limitations for the Private Motorsports Facility shall address the following:

- (1) Maximum number of concurrent motorsports vehicles in use
- (2) Hours and days of use
- (3) Specific mitigation measures to limit visual impacts of the Private Motorsports Facility from public roadways and abutting properties; and
- (4) Specific limitations or mitigation measures to ensure compliance with the noise standard and recommendations of the noise study.

2107.35 Oil or gas drilling operation: A-1 zone district provided such use is located a minimum of 100 feet from any lot line

2107.36 Propane distribution/storage: GI zone district

2107.37 Recreation facility – community: A-1, LRR, RR, ER, SR, MF, MH, CMTY, and D zone districts, provided all structures within A-1, LRR, RR, ER, SR, and MF zone districts are located at least 50' from all lot lines or the zone district minimum setback, whichever is greater

2107.38 Recreation facility – indoor: CMTY and D zone districts

2107.39 Recreation facility – neighborhood: CMTY and D zone districts

2107.40 Recreation facility – outdoor: CMTY and D zone districts

2107.41 Recreation facility – private: CMTY and D zone districts

2107.42 Recycle/trash transfer facility: LI and GI zone district provided all recycling or trash transfer activities are conducted within an enclosed structure.

2107.43 Residence:

For new residential units in the B, C, LI, GI, or MI zone districts, school and park land dedications shall be provided in accordance with the Douglas County Subdivision Resolution, as amended.

- Caretaker – LRR zone district – 1 per lot
- Mobile home – 1 per parcel/lot in the A-1 zone district when a principal dwelling does not exist on the property
- Multifamily – B, C, and MI zone districts
- Single-family attached or multifamily – LI and MI zone district

2107.44 Religious retreat: A-1 zone district.

2107.45 Satellite earth station: A-1 zone district, and in LI and GI zone districts when the equipment exceeds the height limitation or the minimum health standards.

2107.45.1 In addition to the exhibit requirements contained in this Section and Section 27, a report describing the satellite earth station shall be included with the application. The report shall include the following:

- (1) Discussion of proposed number, height, and types of satellite dishes to be accommodated
- (2) Description of output frequency, number of channels and power output per channel for each proposed antenna (if applicable)
- (3) A letter from the applicant stating that an intermodulation study, if required, has been conducted and concludes that no interference problems are predicted
- (4) A five-year plan for the use and estimated life of the proposed telecommunication facility
- (5) A narrative from the applicant identifying technologically feasible locations (search ring or rings) for the proposed facility, and justifying the proposed location to the satisfaction of the County
- (6) A copy of the FCC license and a commitment statement from the applicant to maintain compliance with all FCC regulations, standards, and requirements regarding both radio frequency interference (RFI) and radio frequency radiation (RFR)

- (7) Statement that the proposed facility will be in compliance with all FAA regulations and applicable federal requirements including, but not limited to, those associated with the National Environmental Protection Act (NEPA) as amended, and the National Historic Preservation Act (NHPA) as amended
- 2107.46 Sawmill – portable: A-1 and LRR zone districts, provided that such use is located at least 100 feet from all lot lines. A portable sawmill is permitted only as accessory to a principal use.
- 2107.47 Septic waste and domestic sludge application: A-1 and LRR zone districts, with the approval of the Colorado Department of Health, when any of the following apply:
- 2107.47.1 Liquid dewatered or semi-dewatered sludge, as defined by the Colorado Department of Health Domestic Sewage Sludge regulations, would be applied on the soil surface or would be incorporated into the soil at a depth which does not completely cover the sludge. Dried sludge is not subject to this provision.
- 2107.47.2 More than 10 delivery vehicles would be transporting sludge to the site in any 24-hour period.
- 2107.47.3 More than 50,000 gallons of liquid sludge, or 200 cubic yards of any sludge, not defined or transported as a liquid, would be applied to the site in any 24-hour period.
- 2107.47.4 Permanent structures or facilities for further processing, treating or dewatering sludge would be constructed or associated with the site and the application of sludge material.
- 2107.48 Telecommunication facility: A-1 zone district; and in LI and GI zone districts when the equipment exceeds the height limitation or the minimum health standards.
- 2107.48.1 In addition to the exhibit requirements contained in this Section, a report describing the telecommunication facility shall be included with the application. The report shall include the following:
- (1) Description of the height, design and elevation of the proposed support tower with a cross section view and description, and a statement as to whether the tower will be structurally designed to accommodate future antennas
 - (2) Description of height for all potential mounting positions for antennas. If the support tower is designed for collocation, the

minimum separation distances should be shown and noted as possible future antenna locations

- (3) Discussion of proposed number, height, and types of antennas to be accommodated through this application
- (4) A letter from the applicant stating that an intermodulation study, if required, has been conducted and concludes that no interference problems are predicted
- (5) A description of the use and estimated life of the proposed telecommunication facility including additional development and coverage anticipated to meet projected service needs
- (6) A narrative from the applicant identifying and justifying technologically feasible locations (search ring or rings) for the proposed service, and demonstrating to the satisfaction of the County, that the proposed service cannot be accommodated on an existing or approved support tower located within a five mile radius
- (7) The results of the RF drive test, certified as currently in calibration and traceable to National Institute of Standards and Technology, if it was undertaken to verify technologically feasible locations
- (8) Copy of the FCC license and a commitment statement from the applicant to maintain compliance with all FCC regulations, standards, and requirements regarding both radio frequency interference (RFI) and radio frequency radiation (RFR)
- (9) Statement that the proposed facility will be in compliance with all FAA regulations as demonstrated by the response to the "Notice of Proposed Construction or Alteration" or equivalent, unless certified by a qualified, licensed engineer that FAA review and approval is not required
- (10) Statement that the proposed facility will be in compliance with applicable federal requirements including, but not limited to, those associated with the National Environmental Protection Act (NEPA) as amended, and the National Historic Preservation Act (NHPA) as amended
- (11) When required, a letter of intent, in a form approved by the County, committing the support tower owner, its successors or assigns, to allow collocation of the facility under market terms, rates, and conditions
- (12) A Visual Impact Assessment (VIA) demonstrating that the proposed location is in compliance with the criteria contained in Subsection 2107.37.3
- (13) The County may require that an independent, outside consultant be retained, at the applicant's expense, to perform evaluations pertaining to compliance with regulations, standards and requirements stipulated

- (14) The Director may waive or modify one or more of the aforementioned information requirements based on design, size, or overall impact of the proposed facility

2107.48.2 A Visual Impact Assessment (VIA) shall be prepared in accordance with the VIA process contained in Appendix D of this Zoning Resolution.

2107.48.3 In addition to the approval standards stipulated in Subsection 2102, proposed telecommunication facilities shall be located and designed in accordance with the following criteria:

- (1) Proposed telecommunication antennas shall be located on existing support towers where feasible and where the visual impacts are minimal.
- (2) The facility shall be sited to minimize impact on the environment and wildlife in the region.
- (3) The facility shall be sited to fade into the predominant backdrop of the vicinity by complementing other features and forms in the backdrop landscape.
- (4) All elements of the facility shall be designed and constructed to result in minimal visual impact. Elements shall be constructed of non-reflective materials that are typical in style and color to area buildings, structures or the backdrop landscape.
- (5) All elements of the facility, including but not limited to the accessory equipment, shall be camouflaged or screened from viewer groups as identified in the VIA. Where proposed, fencing shall be designed to minimize visual impacts.
- (6) Access to the facility shall be designed to minimize land disturbance, (including cut and fill), and visual impacts.
- (7) The height of any tower or structure shall be no greater than the distance to the nearest lot line or lease area, except engineered structures which shall be in compliance with the zone district setback.

2107.48.4 The property owner shall be responsible for removing all elements of the telecommunication facility including, but not limited to, antennas, buildings, accessory equipment, driveways and fencing if the facility becomes technologically obsolete or ceases to perform its intended function for a period of 180 consecutive days. This removal shall be completed within 90 days of the end of such 180-day period. The site shall be restored to replicate the existing surrounding vegetation.

2107.49 Theatere – indoor or outdoor: CMTY and D zone districts

- 2107.50 Utility – Major Facility: In all zone districts, except GI, provided that the setback requirements of the zone district in which the facility is proposed to be located are met, or such additional setbacks or requirements as the Board determines necessary. Maximum heights and lot area shall be determined through the use by special review process specific to each site.

Final action by the Board must be rendered within 90 days after the submittal date for a Utility Major Facility of a public utility providing electric or natural gas service, unless the provider and the County reach agreement on an amended time period. [§29-20-108 C.R.S.]

Wastewater Facility: Site approval is required by the Colorado Department of Public Health and Environment.

Water Storage/Treatment Facility and/or Appurtenance(s), except for Major Reservoirs, located within the following areas are exempt from the requirement for a use by special review application:

- Municipal Planning Areas (MPAs) designated by Douglas County Comprehensive Master Plan;
- Separated Urban Areas (SUAs) designated by the Douglas County Comprehensive Master Plan;
- Primary Urban Area (PUA), designated by the Douglas County Comprehensive Master Plan;
- Potential Town Urban Service Area as depicted in the Castle Rock and Douglas County Intergovernmental Agreement;
- Urban Service Area as depicted in the Town of Parker and Douglas County Intergovernmental Agreement;
- Facilities approved as part of a special district's service plan, which are located and serve property within the boundaries of such special district described in its service plan and any subsequent inclusion orders.

- 2107.51 Veterinary clinic or hospital: A-1, LRR, and RR zone districts, provided that such uses are located 100 feet from all lot lines

- 2107.52 Wind energy conversion systems up to 100 kilowatts: A-1, LRR, and RR zone districts as follows:

- 2107.52.1 In addition to the plan exhibit required in Section 2112, herein, the plan exhibit shall include the following:

- Location of all above ground utility lines
- Location of trees or other vegetation on site, described by size and type

2107.52.2 The maximum tower height shall be 120 feet. The minimum distance for any portion of the rotor or blades from the ground beneath the system shall be 30 feet.

2107.52.3 The supporting tower shall be set back from all property lines and overhead utility lines at least the height of the tower, except engineered structures which shall be in compliance with the zone district setback.

2107.52.4 Climbing access to the structure shall be limited either by means of a 6 foot high fence around the tower base with a locking gate, or by limiting tower climbing apparatus to no lower than 12 feet above the ground.

2107.53 Zoo: C zone district

2108 Submittal Prerequisite

The applicant shall attend a presubmittal meeting with the Planning Services Division to discuss the request and the submittal process and requirements for a new use by special review or an amendment to an approved use by special review.

A proposed amendment to an approved use by special review may be considered in accordance with the procedures identified herein. An amendment to a use by special review shall be considered through an administrative process when the Director determines that the change does not represent a substantial increase in the intensity of the use or impacts to the neighborhood. This type of amendment shall be referred to as an administrative use by special review amendment.

If the Director determines that the proposed amendment to an approved use by special review does represent a substantial increase in the intensity of the use or impacts to the neighborhood, the proposed amendment shall be subject to the same submittal and process requirements as required for a new use by special review application. This type of amendment shall be referred to as a use by special review amendment. When making the determination, the Director shall consider the proposed degree of change to the site improvements and management plan as reflected on the approved Plan Exhibit, with specific consideration for potential increased impacts to the surrounding community.

The applicant may appeal the Director's determination on the amendment process for an approved use by special review to the Board of Adjustment in accordance with Section 26A.

2109 Submittal Process

The following shall apply to a use by special review or a use by special review amendment. The application shall be submitted only after the presubmittal meeting(s) has been completed and the applicant has received the written staff comment summary from the presubmittal meeting. For a request for a use by special review or a use by special review amendment, the submittal is processed as follows:

- 2109.01 The applicant shall submit the required submittal information to the Planning Services Division. The submittal shall be reviewed by staff and a determination of completeness shall be made within 15 working days. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.
- 2109.02 Once the submittal is determined complete, staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies. Staff will identify in the written notice which referral agencies are **regulatory** referral agencies ~~ies~~ ~~—regulatory~~ and which referral agencies are **advisory** referral agencies ~~ies~~ ~~—advisory~~. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies.
- 2109.03 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. *(Amended 4/13/2021)*
- 2109.04 If the referral agencies elect to comment, they shall comment within 21 calendar days from the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency responses received will be accepted for informational purposes only and provided to the applicant, Planning Commission, and the Board. For projects that are critical to public safety, referral agencies shall comment within 10 days of receiving a referral packet.

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall be given an opportunity to address the comments of all **regulatory** referral agencies ~~—regulatory—~~ received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to timely comments of all **advisory** referral agencies ~~—advisory—~~ and any comments received as a result of the courtesy notice.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by **regulatory** referral agencies ~~—regulatory—~~.

- 2109.05 Staff will review the referral agency comments, discuss the concerns with the applicant, schedule a public hearing before the Planning Commission, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Planning Commission. The applicant is responsible for public notice of the hearing in accordance with Section 2118 herein.
- 2109.06 The Planning Commission shall evaluate the use by special review request, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board to approve, approve with conditions, continue, table for further study, or deny the use by special review request. The Planning Commission's decision shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.
- 2109.07 Following the recommendation by the Planning Commission, staff shall schedule a public hearing before the Board, notify the applicant in writing of the hearing date and time, and prepare a staff report for the Board. The hearing shall be scheduled for the earliest available time taking into consideration the 14-day public noticing requirement but no later than 120 days after the final Planning Commission hearing. The applicant is responsible for public notice of the hearing in accordance with Section 2118 herein.
- 2109.08 For applications that propose a water supply from an ~~n-Existing~~ District, at least 21 days prior to the Board hearing, the applicant shall submit evidence of inclusion of the property into the ~~Existing~~ District. An inclusion agreement may be contingent on approval of the use by special review by the Board.
- 2109.09 The Board shall evaluate the use by special review request, staff report, referral agency comments, applicant responses, the Planning Commission recommendation, and public comment and testimony, and

shall approve, approve with conditions, continue, table for further study, remand to the Planning Commission, or deny the use by special review request. The Board's action shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.

- 2109.10 If denied by the Board, a resubmittal of a use by special review request for the same or substantially same request, as determined by the Director, shall not be accepted within 60 days of such denial. The applicant may appeal the decision of the Director, in writing, to the Board of Adjustment pursuant to Section 26A of this Resolution. The submittal of a new application and processing fee shall be required to pursue a proposed use by special review.
- 2109.11 Following approval by the Board, the applicant shall submit a signed and notarized Plan Exhibit to the Planning Services Division. Staff shall verify that all conditions of approval have been met and all technical corrections have been made to the satisfaction of Douglas County, prior to the Director's execution of the approval certificate on behalf of the Board. The applicant shall submit the final signed Plan Exhibit no later than 90 days from the date of Board approval, unless the Board allows for a longer period of time as part of its approval of the use by special review. The Director may grant a one-time extension of no more than an additional 90 days. Further extensions shall be submitted for the Board's consideration.
- 2109.12 For applications that propose a water supply from a New Special District that will enter into an intergovernmental agreement with an ~~Existing or Extraterritorial Established~~ District as described in Section 18A, Water Supply —Overlay District, herein, the applicant shall submit evidence of creation of the New Special District, evidence of execution of the intergovernmental agreement by both parties, and evidence of inclusion of the property into the New Special District prior to approval of the Plan Exhibit. *(Amended 5/26/2015)*
- 2109.13 For applications that propose a water supply from an ~~Existing~~ District or from a New Special District that has entered into an intergovernmental agreement with an ~~Existing or Extraterritorial Established~~ District as described in Section 18A, Water Supply —Overlay District, herein, the applicant shall submit evidence that the water rights necessary to serve the development have been conveyed to the ~~Existing or Extraterritorial Established~~ District, and/or that the water credits to serve the development have been purchased from the ~~Existing or Extraterritorial Established~~ District, prior to approval of the Plan Exhibit. *(Amended 5/26/2015)*

2110 Withdrawal of an Application

A request to withdraw an application shall be submitted, in writing, to the Planning Services Division, staff planner. Withdrawal of the application shall preclude reactivation. The submittal of a new application and processing fee shall be required in order to pursue the proposed use by special review.

2111 Submittal Requirements

The following submittal requirements shall apply to a use by special review and use by special review amendment:

- 2111.01 Completed land-use application (*available from the Planning Office*)
- 2111.02 Application fee (*available from the Planning Office*)
- 2111.03 Proof of ownership that includes an updated or current title insurance policy or title commitment. or other acceptable form of title verification, no more than thirty days old from the date of application
- 2111.04 A notarized letter of authorization from the landowner permitting a representative to process the application
- 2111.05 Narrative to describe the following:
 - (1) General project concepts
 - (2) Zoning of the land and compliance with the zone district requirements and any additional requirements for the use by special review as defined in Section 2107
 - (3) Define overall impacts of the proposed use on the adjoining lands
 - (4) Compliance with the Douglas County Comprehensive Master Plan, as amended
 - (5) Compliance with appropriate agency regulations and any necessary permits
 - (6) Proof of water availability
 - (7) Method of wastewater treatment
 - (8) Type or method of fire protection
 - (9) Impacts to existing vegetation and wildlife
 - (10) Impacts on air and water quality
 - (11) Impacts on peace and quiet of neighborhood
 - (12) Provision of buffering, including additional landscaping
 - (13) A description of the availability and adequacy of public services and facilities.
 - (14) Other narrative details unique to the specific type of use by special review

2111.06 Plan Exhibit (*per 2112, herein*)

Plan Exhibit reductions (11"X17") may be required for public hearing packets for the Planning Commission and the Board.

2111.07 Development Reports, unless waived by Engineering Services:

- Phase III Drainage Report and Plan
- GESC Report and Plan
- Utility drawings(s)
- Off-site improvement plans, as required
- Engineering construction drawings
- Traffic Impact Study

An improvements agreement may be required to identify and financially secure the public and private improvements and other commitments required as part of the use by special review approval.

2111.08 Detailed technical studies, based upon the scale and impact of the application, as may be necessary to demonstrate compliance with the approval standards.

2111.09 Documentation of a sufficient water supply in accordance with Section 18A, Water Supply – Overlay District, herein.

For properties in the A-1 and LRR zone districts as identified in Section 2102.11.2 a copy of any existing well permits issued for the property may be requested as part of the submittal, along with an estimate of water demands.

2111.10 An analysis of the capacity related to level-of-service for the public facilities and services within the impact area.

2111.10.1 A traffic impact study in accordance with the Douglas County Roadway Design and Construction Standards.

2111.10.2 Documentation of capacity from the fire protection district in accordance with fire district level of service standards.

2111.10.3 For applications proposing additional residential uses, documentation of capacity from the school district in accordance with the school district capacity policy.

2112 Plan Exhibit

For a use by special review or use by special review amendment, a Plan Exhibit shall consist of both a site plan and management plan as required herein.

2112.01 The site plan shall be prepared in accordance with the subsections of Section 27, Site Improvement Plan of this Resolution listed below. All or portions of the required site plan elements may be waived by the Director if it is determined that the use by special review will occupy an existing structure or will not otherwise require significant public or private improvements:

- General Plan Requirements, except that title blocks and approval certificates shall follow Sections 2112.03 and 2112.04 herein.
- Site Plan
- Landscape Plan
- Grading and Drainage
- Building Elevations
- Lighting Plan

For Personal Wireless Communication Facilities, the Design Standards provided in Section 27A shall apply.

2112.02 The management plan shall be provided that addresses all aspects of the day-to-day operation of the use by special review. The degree of detail will depend upon the specific use. The following items shall be included in the plan. The management plan shall be appended to the Plan Exhibit prior to final approval.

2112.02.1 Number of clients/boarders/parishioners/animals

2112.02.2 Hours of operation – whether the use is seasonal and the number of days of the week

2112.02.3 Number of employees

2112.02.4 Required outside storage/parking/loading areas

2112.02.5 Permit requirements from other state, federal or local agencies

2112.02.6 Method of providing fire protection

2112.02.7 Other operational elements necessary to address the potential impacts for the specific special use

2112.03 Plan Exhibit Title

The exhibit title shall include the name and legal description of the proposed development, site acreage, and project file number. The business name shall not appear in the title, rather the title shall reference the legal description when subdivided or the street address as follows:

Subdivided land:

SPRUCE SUMMIT, Filing No. 3, Lot 14
NW¼ Section 11, Township 8 South, Range 67 West
Permit Area – 1 acre Total Area 5 acres
USR Plan Exhibit – US2010-002

Within a PD:

SPRUCE SUMMIT, Filing No. 3, Lot 14
NW¼ Section 11, Township 8 South, Range 67 West
Planning Area 63 – Permit Area – 1 acre Total Area – 5 acres
USR Plan Exhibit – US2010-002

When unplatted:

(STREET ADDRESS – Address available from County Addressing Specialist)
NW¼ Section 11, Township 8 South, Range 67 West
Permit Area – 1 acre Total Area 5 acres
USR Plan Exhibit – US2010-002

For a use by special review amendment:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – **1st Amendment**
NW¼ Section 11, Township 8 South, Range 67 West
Permit Area – 1 acre Total Area – 5 acres
USR Amendment
US2010-002 (**Amendment to US2003-049**)

2112.04 Plan Exhibit Approval Certificate

Provide either a corporate/limited liability corporation (LLC) or individual approval certificate on the first sheet of the plan set, as follows.

APPROVAL CERTIFICATE

THE USE BY SPECIAL REVIEW AS DEPICTED HEREON WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON _____, 2 ____.

Director of Community Development

- The use by special review is subject to yearly review, or as otherwise defined by the Board of County Commissioners as part of its approval of the use by special review, to ensure compliance with the approval standards and conditions of approval.

- Construction shall commence pursuant to the use by special review within 3 years from the date of approval, or within the extended effective approval period, or the use by special review shall terminate.
- The use by special review shall terminate when the use of the land changes or when the time period established by the Board of County Commissioners through the approval process expires. The owner shall notify the Zoning Division of a termination of the use. When the Zoning Division is notified of a termination of use or observes that the use has been terminated during the annual review, a written notice of termination shall be sent to the landowner.
- Acceptance of site construction drawings by Douglas County Engineering shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawings expires three (3) years after the date of signature.
- Signs shown hereon are NOT approved. All signs require approval of a sign permit in accordance with the Sign Standards section of the Douglas County Zoning Resolution.

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself, its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved Plan Exhibit and the Douglas County Zoning Resolution.

(for Corporate ~~or~~ LLC owner,)

(~~print corporation/~~ or LLC name)

By: _____ (signature)

Title: _____

Date: _____

ATTEST: (if corp.)

Secretary/Treasurer

STATE OF COLORADO)

) ss.

COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20____, by _____ as _____ and _____ as _____ of _____, a _____ corporation/LLC.

My commission expires: _____

Witness my hand and official seal.

Notary Public

(For Individual Owner)

(signature of owner(s))

Acknowledged before me this _____ day of _____, 20____, by _____.

My commission expires: _____

Witness my hand and official seal.

Notary Public

An initial block is required on all subsequent Plan Exhibit sheets:

Approval Certificate

Planning	_____
	Initials/Date
Owner	_____
	Initials/Date
Lessee (if applicable)	_____
	Initials/Date

2113 Public Notice Requirements

The following requirements shall apply to a use by special review and use by special review amendment. The applicant shall be responsible for public notification. In calculating the time period for public notification the day of publishing, posting, or mailing shall be counted toward the total number of days required. The day of the hearing shall not be counted toward this total.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this section. Substantial compliance for these public notices shall be determined by the Planning Commission or the Board of County Commissioners for their respective public hearings.

2113.01 WRITTEN NOTICE

At least 14 days prior to the Planning Commission hearing and the Board hearing, the applicant shall mail a written notice of the hearing by first-class mail to the address of each abutting landowner as such address is shown in the records of the Douglas County Assessor's Office. The notice shall read substantially the same, as the published notice also required by this section.

At least 7 days prior to the hearing, the applicant shall provide the following to the Planning Services Division:

- alphabetical list of the landowners;
- map showing their relationship to the site;
- copy of the notice sent to the landowners; and
- certificate of mailing.

The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

CERTIFICATE OF MAILING
<p>I hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this ____ day of _____, 20____, and addressed as follows:</p> <p>(list of addresses)</p>

(signature of person completing the mailing)

In the event the applicant fails to mail a notice to an abutting landowner or otherwise fails to comply with the written notice required in this section, the landowner who did not receive such complying notice may waive such notice by submitting a written waiver to Douglas County Planning prior to the hearing.

2113.02 PUBLISHED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall:

- publish a notice in at least 1 publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in Douglas County; and
- provide a publisher's affidavit of said published notice to the Planning Services Division at least 7 days prior to the hearing. The notice shall read:

**NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)**

A public hearing will be held on (date), at (time), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, for approval of a use by special review for a *(name the specific use, i.e., church)* in the _____ zone district. The subject land is located approximately *(distance and direction from nearest major intersection)*. For more information call Douglas County Planning, 303-660-7460
File No./Name: _____

2113.03 POSTED NOTICE

At least 14 days prior to the Planning Commission hearing and 14 days prior to the Board hearing, the applicant shall post a notice on the land for which the use is requested. The notice shall consist of at least 1 sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, placed on posts at least 4 feet above ground level. In the event the staff planner determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the staff planner may require an alternate location for a sign. Additional signs may be required by the staff planner. Each sign shall measure not less than 3'X4'. Letter size shall be a minimum of three inches high, and a minimum of six inches high for the sentence that reads, "For more information call Douglas County Planning at 303-660-7460." *(Amended 11/6/2018)*. Such notice shall read:

NOTICE OF PUBLIC HEARING BEFORE THE
(PLANNING COMMISSION OR BOARD OF COUNTY COMMISSIONERS)

This land shall be considered for a Use by Special Review for a (insert specific use) in the _____ zone district. The public hearing is (date), in the Commissioners' Hearing Room, 100 Third Street, Castle Rock, CO, at (time). For more information call Douglas County Planning, 303-660-7460.

File No./Name: _____

- 2113.03.1 An affidavit of sign posting shall be submitted by the applicant for the file in the Planning Services Division at least 7 days prior to the hearings. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:

(attach photo here)
(sign lettering must be legible in photo)

I, (applicant/representative/person posting sign), attest that the above sign was posted on (date) abutting (name of street).

_____ (signature) File No./Name: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20__ by _____ as _____.

My commission expires: _____

Witness my hand and official seal

Notary Public

- 2113.03.2 The sign shall be removed by the applicant within 2 weeks following the final decision by the Board, withdrawal, or closure of the file by the Community Development Department.

2114 Termination of Use

- 2114.01 Construction pursuant to approval of a use by special review Plan Exhibit shall be commenced within three years from the date of approval, unless otherwise specified by the Board, or the approval shall terminate. The Director may grant an extension of time, for good cause shown, upon a written request by the applicant.

- 2114.02 The Director may grant time extensions to the effective period of a Plan Exhibit, not to exceed a total of three years beyond the date of original approval, upon written request by the applicant. As necessary, the Director may include conditions with the time extension in order to ensure that the use by special review remains in compliance with approval standards. Site construction drawings that have expired may require re-approval by Douglas County Engineering.

Further time extensions may be requested by the applicant and considered for approval by the Board at a public meeting.

- 2114.03 Where a use by special review brings an existing use into compliance with applicable regulations, or is designed to correct a Notice of Violation, all improvements depicted on the use by special review Plan Exhibit shall be completed within six months of approval, unless otherwise approved by the Board.

- 2114.04 A use by special review shall terminate when the use of the land changes or when the time period established by the Board through the approval process expires, whichever occurs first. The owner shall notify the Zoning Division of a termination of the use. When the Zoning Division is notified of a termination of use or observes that the use has been terminated during the annual review, a written notice of termination shall be sent to the landowner.

- 2114.05 The termination notice is appealable, in writing, to the Board of Adjustment pursuant to Section 26A of this Resolution.

2115 Inactive Files

Files that become inactive, because the applicant has not responded to staff's request for information or otherwise action in the submittal process, for a period of more than 6 months, shall become void and the resubmittal of a new application and fees shall be required to pursue the special use request. After 5 months of inactivity, staff shall notify the applicant in writing that the application will become void within 30 days. If the applicant fails to submit the required additional information or request a hearing date within 30 days, staff shall notify the applicant in writing that the application is void. This provision shall apply to all applications on file with the County upon the effective date of adoption and any application thereafter. The Director may grant an extension of time, of no more than 6 months, upon a written request by the applicant.

2116 Post Denial Application

If denied by the Board, a resubmittal of the same or substantially same use by special review application shall not be accepted within 60 days from the date of denial by the Board, or in the event of litigation, from the date of the entry of the final judgment.

However, if evidence is presented to the Board showing that there has been a substantial change in physical conditions or circumstances, the Board may reconsider the use by special review. A new application and processing fee shall be required.

2117 Revocation

If noncompliance with the approved Plan Exhibit or conditions of approval is demonstrated, the Board may consider revocation of the use by special review at a public meeting. Written notice shall be provided to the landowner and/or lessee at least 14 days prior to the scheduled Board meeting.

2118 Administrative Use by Special Review Amendment

2118.01 Submittal Prerequisite

Prior to submittal of an administrative amendment, a presubmittal meeting shall be held with the Planning Services Division to discuss the request, to determine if it is eligible for an administrative process, and to provide information on the required submittal items and process steps.

2118.02 Approval Standards

Approval of an administrative use by special review amendment shall be in accordance with the approval standards in Section 2102.

2118.03 Submittal Process

2118.03.1 The applicant shall submit the required submittal information to the Planning Services Division. The submittal shall be reviewed by staff and a determination of completeness shall be made within 15 working days. The applicant shall be notified in writing if the submittal is incomplete, and any inadequacies shall be specifically identified. An incomplete submittal will not be processed.

2118.03.2 Once the submittal is determined complete, staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies. Staff will identify in the written notice which referral agencies are **regulatory** referral agencies ~~ies —regulatory—~~ and which referral agencies are **advisory** referral agencies ~~ies—advisory~~. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution is preferred. Otherwise, referral packets shall be provided by the applicant in unsealed manila envelopes, without postage, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies.

Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein.
(Amended 4/13/2021)

If the referral agencies elect to comment, they shall comment within the specified referral period, not to exceed 21 calendar days from the date the referral packets were mailed or electronically distributed.

- 2118.03.3 All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all **regulatory** referral agencies ~~—regulatory~~ in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide staff a written response to comments of all **advisory** referral agencies ~~—advisory~~ and other public comments received.

The applicant is encouraged to meet with the referral agencies and staff to address any concerns. The applicant is required to pay those fees assessed by **regulatory** referral agencies ~~—regulatory~~.

- 2118.03.4 Following Planning and Engineering's review of the response to referral comments and any resubmitted items, staff will prepare a project assessment report for the Director's review. The Director will make a final determination to approve, approve with conditions, or deny the administrative USR amendment request within five (5) calendar days of the receipt of the assessment report, based upon demonstrated compliance with the approval standards.
- 2118.03.5 If an improvements agreement is required, it shall be approved by the County Manager prior to the Director's approval of the administrative amendment.
- 2118.03.6 If the administrative amendment is denied, written findings shall be provided by staff to the applicant within three (3) calendar days of the denial.

2118.04 Submittal Requirements

The applicant shall submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- Completed land use application and fee

- Amended Plan Exhibit
- Updated development reports
- Updated technical studies, if applicable
- Current title commitment or other ownership verification as acceptable to staff
- Notarized letter of authorization from the property owner, if applicable
- Stamped addressed envelopes for courtesy notices
- A written narrative explanation of the proposed amendments

2118.05 Title and Approval Certificate

The project title for an administrative use by special review amendment shall be consistent with the original title, as provided in the following example:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – **1st Amendment**
 NW¼ Section 11, Township 8 South, Range 67 West
 Permit Area – 1 acre Total Area – 5 acres
 Administrative USR Amendment
 US2010-002 (**Amendment to US2003-049**)

The following approval certificate shall accompany the required Plan Exhibit for an administrative use by special review amendment to an approved use by special review.

Administrative USR Amendment Approval Certificate

US ____ - ____ is hereby amended this ____ day of ____, 2____. The use by special review continues to meet all approval criteria and is subject to all original conditions of approval, unless specifically noted hereon.

 Director of Community Development

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself, its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved Plan Exhibit and the Douglas County Zoning Resolution.

(for Corporate ~~or~~ LLC owner,)

(print corporation ~~or~~ LLC name)

By: _____ (signature)
 Title: _____
 Date: _____

ATTEST: (if corp.)

Secretary/Treasurer

STATE OF COLORADO)
) ss.
 COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20____, by _____ as _____ and _____ as _____ of _____, a _____ corporation/LLC.

My commission expires: _____

Witness my hand and official seal.

Notary Public

(For Individual Owner)

(signature of owner(s))

Acknowledged before me this ____ day of _____, 20____, by _____.

My commission expires: _____

Witness my hand and official seal.

Notary Public

An initial block is required on all subsequent exhibit sheets:

USR Administrative Amendment Approval Certificate	
Planning	_____ Initials/Date
Owner	_____ Initials/Date
Lessee (if applicable)	_____ Initials/Date

2118.06 Notice of Final Action

The final status of an administrative use by special review amendment shall be set forth via the Notice of Action – Final Status using the following process:

- 2118.06.1 The date considered to be the final action on the administrative use by special review amendment shall be the date on the Notice of Action – Final Status.
- 2118.06.2 Should a discrepancy exist between the dates on the administrative use by special review amendment and Notice of Action – Final Status, the date of the Notice of Action – Final Status shall control.
- 2118.06.3 The Notice of Action – Final Status shall be mailed to the applicant, the abutting landowners who received courtesy notices, and any homeowner's associations that received courtesy notices, as described herein. The Notice of Action – Final Status shall be mailed via first class mail, within three (3) calendar days of final determination.

- 2118.06.4 An appeal of the Director's determination regarding A Notice of Action – Final Status for an administrative use by special review amendment may be submitted to the Board of Adjustment pursuant to Section 26A of this Resolution.
- 2118.06.5 If an administrative use by special review amendment is denied, any new amendment request shall require submittal of a new application and processing fee.

SECTION 27 SITE IMPROVEMENT PLAN

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2701 Intent (Amended 04/13/10)

The Site Improvement Plan (SIP) process is required to ensure development will be consistent with the Comprehensive Master Plan, Subdivision Resolution, and Zoning Resolution, and all applicable federal, State, and local standards.

The process encourages sustainable design through water conservation, passive energy benefits through appropriate site design, and supports multimodal transportation options and the use of alternative energy sources, when appropriate.

2702 Applicability (Amended 8/12/14)

A SIP shall be required for any use or change in use for any multifamily dwelling; mobile home park; business, commercial, or industrial development; a library; a Utility-Major Facility; a Utility-Service Facility; or for similar uses contained within a Planned Development (PD), including single family attached dwellings. (Amended 4/28/15)

Proposed changes to an approved SIP shall be processed as either a Revision or Modification to an Approved SIP, as described herein. Building permits shall not be issued for any development that does not have an approved SIP or is not in conformance with the approved SIP. Uses and structures legally established prior to February 1, 1994, shall be considered compliant with the requirement for a SIP.

Personal Wireless Communication Sites:— SIPs specific to personal wireless communication sites shall be subject to the Personal Wireless Communication Facility Design Standards section herein. The format and required process will be detailed at the required presubmittal meeting.

Meridian:— Review of proposed improvements within the boundaries of the Meridian International Business Center PD shall follow the specified requirements and procedures of the Meridian International Business Center PD.

Major Electrical or Natural Gas Facilities:— The final action on a SIP for the location, construction, or improvement of major electrical or natural gas facilities must occur within ninety (90) days after the submittal date, unless the provider and the County reach agreement on an amended time period. [§29-20-108, C.R.S.]. Major electrical or natural gas facilities include:

- Electrical generating facilities
- Substations used for switching, regulating, transforming, or otherwise modifying the characteristics of electricity
- Transmission lines operated at or above a voltage of 69,000 volts
- Structures and equipment associated with such electrical generating facilities, substations, or transmission lines
- Structures and equipment utilized for the local distribution of natural gas service; such as compressors, gas mains, and gas laterals

2703 Approval Standards (Amended 12/07/10)

2703.01 The SIP shall be consistent with the following:

- Douglas County Comprehensive Master Plan
- Douglas County Subdivision Resolution
- Douglas County Zoning Resolution
- Planned Development, as applicable
- Douglas County Roadway Design & Construction Standards Manual
- Douglas County Storm Drainage Design & Technical Criteria Manual
- Douglas County Grading, Erosion and Sediment Control (GESC) Manual

2703.02 All required easements shall be submitted for review prior to approval of the SIP.

2703.03 All SIPs and any revisions or modifications shall comply with this Resolution.

2703.04 Use and development of the site shall conform to the approved SIP.

2703.05 The Requirements for Release of Certificate of Occupancy (CO) or Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner.

2703.06 A Site Improvement Plan Improvements Agreement (SIPIA) shall be required to identify the costs of improvements necessary to implement the SIP.

2703.07 When a SIP is proposed for an unplatted parcel of land determined to be legal by Douglas County, the applicant shall demonstrate that the parcel has a sufficient water supply in terms of quantity, quality, and dependability in conformance with the applicable standards set forth in Section 1804A and Section 2705.09, herein.

2704 Process (Amended 12/07/10)

2704.01 Prior to submittal of the SIP, a presubmittal meeting shall be required with staff to discuss the procedures and submittal requirements.

2704.02 Within fifteen (15) calendar days of the date that the application is date-stamped and accepted, staff shall review the application and notify the applicant if the plan contents are complete for review by staff and other agencies, and therefore ready to begin the referral process.

2704.03 Once the submittal is determined complete, staff shall notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies. Staff shall identify in the written notice which referral agencies are regulatory agencies and which referral agencies are advisory agencies. Referrals shall be sent to all County recognized HOAs within one (1) mile of the SIP site, unless the project is in the Nonurban Area, per the Comprehensive Master Plan, where referrals shall be sent to all recognized HOAs within a two (2) mile radius. The mailing addresses of the referral agencies shall be provided to the applicant. Electronic distribution of referral packets is preferred. Otherwise, referral packets shall be provided to the staff planner by the applicant in unsealed manila envelopes, without postage and a return address, addressed to the appropriate referral agency, with submittal information properly folded and compiled. Staff shall include a referral response sheet and distribute the referral packets to the referral agencies. The following shall be included in the packets:

- Copy of the completed land use application form
- Project narrative (*Section 2705.08*)
- Site plan (*Section 2707*)
- Landscape plan (*Section 2708*)
- Grading and drainage plan (*Section 2709*)
- Building elevations (*Section 2710*)
- Lighting plan (*Section 2711*)
- Other reports, studies, and fees as required (*Amended 4/13/2021*)

2704.04 Staff shall send a courtesy notice of an application in process and applicable contact information to all abutting landowners and owners of land separated by 300 feet or less from the property by a platted tract. In Nonurban Areas, staff shall send a courtesy notice of an application in process to the entity or entities responsible for ownership and maintenance of a shared private access. The applicant shall reimburse the County for the cost of materials. Errors in the courtesy notice shall not negatively impact the determination of public notice compliance set forth herein. (*Amended 4/13/2021*)

2704.05 If the referral agencies elect to comment, they shall comment within 21 calendar days of the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than 30 calendar days. After the 21 calendar days, if no extension is granted, any referral agency comments received will be accepted for informational purposes only and provided to the applicant. (*Amended 11/12/13*)

2704.05.1 The staff planner may reduce the referral period upon concurrence by Engineering Services. In the event the referral period is reduced,

it is the applicant's responsibility to obtain comments from the agencies within the reduced time frame.

2704.05.2 Additional referral periods may be required based upon the extent of design changes initiated through the initial referral period. The length of each additional referral period shall be determined by the staff planner.

2704.05.3 All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory agencies received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide a written response to timely comments of any and all advisory agencies.
(Amended 11/12/13)

2704.06 Subsequent to the referral period(s), the applicant shall submit the revised SIP to satisfactorily address the issues raised during the referral period(s). The resubmittal shall include:

- Revised plan set
- A written response to County and agency referral comments
- Updated reports and studies, as necessary
- Draft SIPIA and related exhibits, as required (*template available from Engineering Services*)

2704.06.1 Within ten (10) calendar days of receipt by staff of the revised SIP plan set and the applicant's written response to the referral comments, the staff planner shall contact the applicant, in writing, as to the status of its resubmittal.

If the resubmittal meets approval standards, the SIP shall be considered for approval or approval with conditions, and the staff planner shall request a final plan set.

If the resubmittal does not meet approval standards, staff shall provide written comments, detailing the deficiencies. External agencies may be contacted for additional comment, and its concerns may be included in the written comments. Additional time to receive external agency comments may be necessary.

2704.06.2 Based on compliance with the approval standards, the SIP shall be considered for approval, approval with conditions, denial, or closure.

- 2704.07 The final plan set shall consist of one (1) rolled set with original, notarized signatures. The Requirements for Release of CO or Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner prior to SIP approval. The SIPIA shall be fully executed by the owner and County prior to SIP approval. A SIP shall be approved by the Director (or designee) based on staff recommendations.
- 2704.08 If the SIP is denied, written findings shall be provided by staff to the applicant within seven (7) calendar days of the denial.
- 2704.09 The final status of a SIP shall be set forth via the Notice of Action - Final Status using the following process:
- 2704.09.1 The date considered to be the final action on the SIP shall be the date on the Notice of Action - Final Status.
- 2704.09.2 Should a discrepancy exist between the dates on the SIP and Notice of Action - Final Status, the date of the Notice of Action - Final Status shall control.
- 2704.09.3 The Notice of Action - Final Status shall be mailed to the applicant, all landowners who received courtesy notices, and any homeowner's associations (HOAs) that received a referral, as described herein. The Notice of Action - Final Status shall be mailed via first class mail, within three (3) calendar days of final determination.
- 2704.10 A Notice of Action - Final Status of a SIP may be appealed to the Board of Adjustment. An appeal shall be submitted in writing to the Director within thirty (30) calendar days from the date on the Notice of Action - Final Status.
- 2704.10.1 Upon failure to request an appeal, the decision is final.
- 2704.10.2 If a SIP is denied, any new SIP shall require submittal of a new application and processing fee.
- 2704.11 SIPs that are inactive due to the applicant's failure to submit requested materials for a period of four (4) months shall be closed, and the resubmittal of a new application and fees shall be required.
- 2704.11.1 After three (3) months of inactivity, staff shall notify the applicant in writing that the application shall be closed within thirty (30) calendar days. If the applicant fails to submit all of the required materials within the thirty (30) calendar days, staff shall notify the applicant, in writing, that the SIP application is closed.

2704.11.2 The Director may grant time extensions to the inactive period of a SIP, not to exceed a total of twelve (12) months, upon written request by the applicant, prior to closure of the SIP.

2704.12 The SIP shall be effective for a period of three (3) years from the date of approval. The initial building permit shall not be issued for a SIP after the end of its effective period, unless an extension is granted, as follows:
(Amended 4/28/15)

2704.12.1 The Director may grant time extensions to the effective period of a SIP, not to exceed a total of three (3) years from the end of the initial effective period, upon written request by the applicant. To be eligible for an extension, the applicant shall submit the request no later than six (6) months after the end of the effective period. (Amended 4/28/15)

2704.12.2 The Director may include conditions with the time extension as necessary to ensure the SIP remains in compliance with approval standards. Site construction drawings that have expired shall be re-approved by Engineering Services. (Amended 4/28/15)

2704.13 Where a SIP brings an existing use into compliance with applicable regulations, or is designed to correct a Notice of Violation, all improvements shall be completed within six (6) months of the Notice of Action - Final Status, unless otherwise agreed to in writing by the owner and the County.

2705 Submittal Requirements (Amended 12/07/10)

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

2705.01 A completed SIP submittal checklist.

2705.02 A completed land use application form.

2705.03 Proof of ownership consisting of a current title insurance policy or title commitment no more than thirty (30) calendar days old from the date of the application, or other documentation acceptable to staff.

2705.04 A notarized letter of authorization from the landowner permitting a representative to process the application, unless the landowner and applicant are the same.

2705.05 A boundary survey of the site certified by a professional land surveyor, if the land is unplatted.

2705.06 Planning and Engineering Services fees. Building Services fees are collected when construction plans are submitted to Building Services.

2705.07 A narrative description of the project, addressing the following:

2705.07.1 Name and address of the landowner, the developer or representative, and the person or firm preparing the SIP, if different than the owner.

2705.07.2 The subdivision name, filing number, (planning area number when located in a Planned Development), and lot and block number; or street address and section, township, range if not in a subdivision.

2705.07.3 Zoning of the site and the zoning and current uses of adjacent land.

2705.07.4 Source of water and sanitation facilities. If the water source has irrigation limitations, describe the manner in which landscape irrigation is to be accomplished. If irrigation water is from an offsite source, provide the following:

- Name, address, and phone number of water provider
- Source of water
- Contractual details (i.e. delivery frequency, length of contract)

2705.07.5 Describe overall impacts of the proposed development to adjacent land.

2705.07.6 Describe how the development complies with the Comprehensive Master Plan and intent of this section.

2705.07.7 Describe the proposed development schedule and phases of development for all proposed construction.

2705.08 The applicant shall demonstrate conformance with Section 18A, Water Supply —Overly District, herein, when the proposed SIP is located on an unplatted parcel of land determined to be legal by Douglas County. ~~The demonstration of conformance for the proposed SIP shall be in accordance with the standards set forth in the applicable water supply zone as depicted on the Water Supply Overlay Map, Figure 18A, herein, and as follows: (Amended 4/28/15)~~

~~2705.08.1 A SIP proposed within the Pike/Rampart Water Supply Zone shall conform with the water supply standards of Section 1806A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with~~

~~the standards of Section 1805A.01.4 and 1805A.02.4, respectively.
(Amended 4/28/15)~~

~~2705.08.2 A SIP proposed within the Margin A - Water Supply Zone shall conform with the water supply standards of Section 1807A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with the standards of Section 1805A.01.4 and 1805A.02.4, respectively.
(Amended 4/28/15)~~

~~2705.08.3 A SIP proposed within the Margin B - Water Supply Zone shall conform with the water supply standards of Section 1808A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with the standards of Section 1805A.01.4 and 1805A.02.4, respectively.
(Amended 4/28/15)~~

~~2705.08.4 A SIP proposed within the Central Basin - Water Supply Zone shall conform with the water supply standards of Section 1809A, herein. If the SIP is proposing a water supply from an Existing District or New Special District, the water supply documentation shall conform with the standards of Section 1805A.01.4 and 1805A.02.4, respectively.
(Amended 4/28/15)~~

2705.08.15 An SIP, ~~proposed within any water supply zone,~~ which has no water demand except as may be temporarily necessary to establish required landscaping, shall not be required to demonstrate compliance with Section 18A, Water Supply -Overlay District, herein.
(Amended 4/28/15)

2705.08.26 An SIP ~~proposed within any water supply zone, when~~ located on a conforming parcel within the A-1 or LRR zone district, which has a water demand not to exceed three (3) acre-feet per year to be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for the use proposed, shall not be required to demonstrate compliance Section 18A, Water Supply -Overly District, herein. Water demands shall be estimated in accordance with the ~~M~~minimum Water Demand Standards defined in Section 18A. ~~(Amended 4/28/15)~~

2705.09 Two (2) copies of the SIP plan set, to include the following:

- Site plan (Section 2707)
- Landscape plan (Section 2708)
- Grading and drainage plan (Section 2709)
- Building elevations (Section 2710)
- Lighting plan (Section 2711)

Copies of the following development reports, unless waived by Engineering Services:

- Engineered site construction drawings – two (2) copies
- Traffic study
- Phase III Drainage Report and plan
- GESC report and plan
- Utility drawing(s)
- For unplatted land, a boundary survey of the site certified by a professional land surveyor
- Offsite improvement plans, as required

2705.10 A colors and materials sample sheet with color photos of each material, the manufacturer's name, product number, and specifications.

2705.11 Detailed technical studies may be required, based upon the scale and impact of the project. These studies may include, but are not limited to, the following: soil, traffic, drainage, water, noise, wildlife, environmental, lighting, shadow, photo-simulations, or a material sample board. The County may require that an independent outside consultant be retained, at the applicant's expense, to perform such studies or review such studies when performed by the applicant.

2705.12 All or portions of the required SIP elements may be waived by the Director if it is determined that the use will occupy an existing structure or will not otherwise require significant public or private improvements. *(Amended 4/28/15)*

2706 General Plan Requirements *(Amended 12/07/10)*

The SIP shall be a detailed and accurate depiction of the proposed built environment. The final engineered site and architectural drawings shall be consistent with the SIP. The following information shall be required, unless otherwise noted, on all plans (except the engineered site construction and utility plans). All plans shall be prepared to generally accepted professional standards.

2706.01 Provide the name and legal description of the proposed development, site acreage, and project file number. The business name does not appear in the title. The name of the proposed SIP is based upon the legal description when subdivided or the street address as follows: *(Amended 4/28/15)*

Subdivided land:

SPRUCE SUMMIT, Filing No. 3, Lot 14 NW¼ Section 11, Township 8 South, Range 67 West
--

5 acres
Site Improvement Plan – SP2010-002

Within a PD:

SPRUCE SUMMIT, Filing No. 3, Lot 14
NW¼ Section 11, Township 8 South, Range 67 West
Planning Area 63 – 5 acres
Site Improvement Plan – SP2010-002

When unplatted:

(STREET ADDRESS – Address available from County Addressing Specialist)
NW¼ Section 11, Township 8 South, Range 67 West
5 acres
Site Improvement Plan – SP2010-002

- 2706.02 Utilize a sheet size of 24"x36". Provide an information block which includes the date of preparation and revision(s); a north arrow; the scale used, including a graphic scale; sheet title, i.e., site plan, landscape plan, grading and drainage plan; business name; and preparer's name, address, and phone number.
- 2706.03 Provide a composite plan showing the entire project area, including a key sheet diagram, when more than one (1) sheet is required to delineate the project area.
- 2706.04 Include the individual sheet number and total number of sheets, i.e., 1 of 3. For plans containing multiple sheets, include a sheet index.
- 2706.05 For the purpose of scanning, provide a margin line of at least 0.5" drawn completely around the sheet.
- 2706.06 For subdivided land, label all boundary lines with bearings, distances, and curve data as shown on the final plat.
- 2706.07 For unsubdivided land, label all boundary lines with bearings, distances, and curve data as shown on the certified boundary survey prepared by, or under the supervision of, a registered Professional Land Surveyor licensed with the State of Colorado. Include a written metes and bounds legal description of the site's boundary.
- 2706.08 Provide either a corporate/limited liability corporation (LLC) or individual approval certificate on the first sheet of the plan set. *(Amended 4/28/15)*

Corporate / Limited Liability Corporation Approval Certificate:

APPROVAL CERTIFICATE

THIS SITE IMPROVEMENT PLAN HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH DOUGLAS COUNTY REGULATIONS.

Engineering Services

Date

Planning Services

Date

- Failure to obtain a building permit within three (3) years after the date of SIP approval, as noted on the Notice of Action – Final Status, shall cause the unbuilt portion of this SIP to be null and void, unless an extension was granted.
- Acceptance of site construction drawings by Douglas County Engineering Services shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawings expires three (3) years after the date of signature.
- Signs shown hereon are NOT approved. All signs require approval of a sign permit in accordance with the Sign Standards section of the Douglas County Zoning Resolution.

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself and its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved SIP and the Douglas County Zoning Resolution.

(print corporation/LLC name)

By: _____ (Signature)

Title: _____

Date: _____

ATTEST: (if corp.)

Secretary/Treasurer

STATE OF COLORADO)
) ss.
COUNTY OF _____)

Acknowledged before me this ____ day of _____, 20____, by _____ as _____ and _____ as _____ of _____, a _____ corporation/LLC.

My commission expires: _____

Witness my hand and official seal.

Notary public

Individual Approval Certificate:

APPROVAL CERTIFICATE

THIS SITE IMPROVEMENT PLAN HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND IN ACCORDANCE WITH DOUGLAS COUNTY REGULATIONS.

Engineering Services

Date

Planning Services

Date

- Failure to obtain a building permit within three (3) years after the date of SIP approval, as noted on the Notice of Final Action – Final Status, shall cause the unbuilt portion of this SIP to be null and void, unless an extension was granted.
- Acceptance of site construction drawings by Douglas County Engineering Services shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawings expires three (3) years after the date of signature.
- Signs shown hereon are NOT approved. All signs require approval of a sign permit in accordance with the Sign Standards section of the Douglas County Zoning Resolution.

The undersigned as the owner or owner's representative of the lands described herein hereby agree(s) on behalf of himself/herself (themselves), their heirs and assigns to develop and maintain the property described hereon in accordance with this approved SIP and in compliance with the Douglas County Zoning Resolution.

(signature of owner(s))

Acknowledged before me this ____ day of _____, 20____, by _____.

My commission expires: _____

Witness my hand and official seal.

Notary Public

2706.09 For multiple sheet plans, provide the following abbreviated approval certificate on all subsequent sheets of the plan set:

Approval Certificate	
Engineering	_____ Initials/Date
Planning	_____ Initials/Date
Owner	_____ Initials/Date
Lessee (if applicable)	_____ Initials/Date

2706.10 Locate, dimension, and indicate the use of all easements (existing and proposed) on or adjacent to the site. Include the reception number for all existing easements.

- 2706.11 Do not show existing or proposed utility lines on the site plan. Provide an engineered utility drawing, separate from the SIP plan set, to Engineering Services, utility providers, and the special district or water and sanitation district, as applicable.
- 2706.12 Indicate and dimension the location of all individual septic disposal system leach fields (existing and proposed), and indicate a replacement field location.
- 2706.13 Place the following statement on the SIP for all development within the Centennial Airport Review Area:

Owner waives, remises, and releases any right or cause of action it may now have or which it may have in the future against the County of Douglas, its officers, employees, and agents related to or resulting from the passage of aircraft in the airspace above the property that is the subject of this Site Improvement Plan.

- 2706.14 For sites located within the Runway Safety Zone or Fan Safety Zone, as defined in this Resolution, an aviation easement in a form established by the Board, signed by the landowner, and recorded in the Office of the County Clerk and Recorder, as well as a note on the SIP indicating the book and page of the recorded easement, shall be required.
- 2706.15 Delineate all drainageways affecting the site and any 100-year floodplain on or adjacent to the site.
- 2706.16 For a SIP that is designed in detail for the first phase only, with additional phases shown conceptually:
- Show phase lines
 - Add the following note to each sheet of the SIP in proximity to each approval certificate:

For all future phases, the applicant shall submit a revised Site Improvement Plan of the phase for which a permit is requested. The revised SIP shall be approved prior to issuance of a building permit.

2707 Site Plan *(Amended 04/13/10)*

The site plan shall be prepared as follows:

- 2707.01 Prepare the SIP at a scale that allows maximum clarity of the proposal.
- 2707.02 Include a legible vicinity map at an appropriate scale.

2707.03 Provide a site data chart on the SIP based on the following example:

ITEM	SQUARE FOOTAGE	% OF GROSS SITE*
Gross Site Area	20,000	100
• Building Footprint	8,000	40
• Parking and Roads (including planted interior parking islands)	<u>800</u>	<u>4</u>
HARDSCAPE TOTAL	8,800	44
• Planted Area (If applicable, include parking lot islands used for stormwater detention and water quality ponds)	4,000	20
	6,200	31
	1,000	5
• Existing Vegetation	<u>0</u>	<u>0</u>
• Trails and Walks	11,200	56
• Porous Pavement		
LANDSCAPE TOTAL		
ITEM	DESCRIPTION	
Building Size: 2 stories	16,000 sq. ft. TOTAL	
Parking:		
• Required	64 spaces (1/250 sq. ft.)	
• Provided	67 spaces	

*NOTE: When a portion of a site's natural vegetation is proposed as landscape area, as permitted herein, these totals may not add up to 100 percent.

- 2707.04 Label and show dimensions of all existing and proposed structures. Delineate existing buildings in detail. Show setback lines, points of ingress and egress, the building's dimensions from lot lines, and indicate any structures to be removed.
- 2707.05 Identify all adjoining land uses and zoning.
- 2707.06 Show the location of all trash enclosures. Trash enclosures are encouraged to be integrated into the mechanical or service area of structures. Locate trash enclosures away from site entries and roadways. Screen and buffer trash areas. Provide a dimensioned elevation drawing of the proposed enclosure specifying materials and colors.
- 2707.07 Locate and dimension all required off-street parking and loading areas, identify all required handicap spaces, and note the total number of parking spaces provided per row of parking, in accordance with the Planned Development or Parking Standards section.
- 2707.08 Locate and dimension all public and private streets, walks and trails, rights-of-way, curb cuts, and points of access on, or adjacent to, the proposed site. Label surface materials and location of traffic directional arrows, signage, and markings.

- 2707.09 Show the location and dimensions of all existing and proposed signs, if known. Signs and their locations shown on the SIP are not approved by the SIP review process. Final approval of signs and their location require the issuance of a sign permit, in accordance with the Sign Standards section herein.
- 2707.10 Show location of all fire hydrants. If none exist on site, note the distance and direction of the closest hydrant adjacent to the site within 500'.
- 2707.11 When necessary to ensure consistency with SIP approval standards, notes may be added to the exhibit which establish operational limits applicable to the proposed use. *(Amended 4/28/15)*

2708 Landscape Plan *(Amended 12/07/10)*

A sustainable landscape plan is a component of a complete SIP application. The intent is to conserve water, reduce runoff, enhance water quality, buffer development from adjoining sites or streets, and ensure compatibility with adjacent development. Landscape enhances the site by moderating temperature and humidity, and mitigating noise and wind.

2708.01 Landscape Materials and Irrigation

Environment-appropriate, water-conserving plant materials are required, except as permitted herein, to conserve natural, cultural, and fiscal resources. Efficient irrigation of landscape materials promotes growth and plant health, resulting in the appropriate use of water resources, enhancement of the built environment, and reduced maintenance costs.

- 2708.01.1 The minimum area to be landscaped with live plant material shall be fifteen (15) percent of the gross site area, unless offsite landscaping is supported; the site is located within a Planned Development wherein additional landscaping has been provided; or the Director waives the requirement due to compatible land uses, severe site constraints, or other extraordinary circumstance. For SIP applications pursuant to a Use by Special Review, the gross site area may be determined to be the permit area.
- (1) A landscape buffer shall be required when adjacent to residential uses, and shall count toward a maximum fifty (50) percent of the minimum fifteen (15) percent landscape requirement.
 - (2) Based on adjacent uses, views, and potential impacts, a landscape buffer shall be required between the following:

- Residential use and adjacent nonresidential parking
- Parking facility located adjacent to a street
- Outside storage and adjacent uses

Options for buffering may include all or some of the following:

- Layered vegetation with a four (4') foot effective height or greater
 - Berms and plantings with a four (4') foot effective height or greater
 - Solid fences or decorative walls
 - Deciduous and coniferous trees and large shrubs
 - Combinations of these options
- (3) Restoration, conservation, and preservation of undeveloped portions of a site with natural vegetation that provides buffering, screening, or valuable wildlife habitat or movement corridors shall count towards the minimum fifteen (15) percent landscape requirement.
- (4) Based upon the scale and impact of a project, additional landscape materials may be required in the public right-of-way. A license agreement with Douglas County may be required to allow the owner to install and maintain the landscaping within the public right-of-way.

2708.01.2 High-water-use plants, as defined by the Colorado Nursery and Greenhouse Association, are discouraged but may be a maximum of 1.5 percent of the gross site area. For multifamily projects, a maximum of five (5) percent of the gross site area may include high-water-use plants to accommodate recreational areas. Areas of high-water-use plants shall be depicted on the landscape plan with a callout to identify the square footage of each high-water-use planted area.

2708.01.3 The required quantity and size of plant materials shall be based upon the proposed use, design, adjacent uses, and overall impact and scale of the project.

2708.01.4 Where screening is required, it shall be provided through the use of fences, walls, hedges, berms, or a combination thereof of plants, berms, and walls.

2708.01.5 The following shall be the acceptable minimum plant size:

PLANT TYPE	MINIMUM SIZE
Deciduous <ul style="list-style-type: none"> Canopy Tree Ornamental Tree 	2.0" minimum caliper ^{1, 2} 1.5" caliper ¹
Coniferous Tree	6' minimum height ²
Shrubs	5 gallon container Minimum 24" height at installation Multiple canes for deciduous shrubs
Vines	1 gallon container
Groundcover	5 gallon if horizontal shrubs (maturity less than 24") 1 gallon if perennials Space to provide 80% ground coverage in 2-3 yrs.
Mulch	Minimum 4" depth for all plant groupings and trees ³

¹ Measure caliper using Diameter at Breast Height (DBH).

² Larger sizes may be required where buffering or compatibility issues exist, in accordance with Section 2708.01.1(4) herein.

³ Impermeable sheet plastic shall not be permitted under mulched areas.

- 2708.01.6 Sources of irrigation water and types of irrigation shall be noted on the landscape plan. Automatic irrigation systems shall be required unless the only water available is from an offsite source. In the event the site is served by a well that prohibits outdoor usage, hand watering may be required. The applicant shall be required to obtain an offsite water source and provide acceptable documentation of such source (i.e., pre-paid weekly contract).

2708.02 Landscape Plan Requirements

Prior to the issuance of a CO or certificate of final inspection, the onsite landscaping shall be consistent with the approved SIP. The landscape plan shall be prepared as follows:

- 2708.02.1 Identify planted areas by name, size, and quantity of material to be used. Identify and describe hardscape materials.
- 2708.02.2 Depict plant materials at approximately three-fourths mature size.
- 2708.02.3 Identify walkways, pedestrian-oriented areas, and landscape elements such as fences, walls, border edge treatments, signs, bike racks, trash enclosures, street furniture, and recreational facilities, as applicable.
- 2708.02.4 Depict the location of all pole-mounted, wall-mounted, and ground-mounted light fixtures.
- 2708.02.5 Show the contour lines depicting final grades as solid lines (screening acceptable).

2708.02.6 Label all streets, rights-of-way, and points of access on or adjacent to the proposed site.

2708.02.7 Show sight distance triangles at all intersections in accordance with the Douglas County Roadway Design and Construction Standards.

2708.02.7.1 Any landscaping within the County right-of-way shall comply with the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria Manual.

2708.02.7.2 Trench drains are required for irrigated landscaping along public streets, in accordance with the Douglas County Roadway Design and Construction Standards.

2708.02.8 Screen transformers, ground-mounted HVAC units, utility pedestals, and similar features, and place the following note on the landscape plan:

If any transformers, ground-mounted HVAC units, utility pedestals, and similar features are not shown on the SIP, additional landscaping and screening may be required based upon field conditions during the site inspection prior to issuance of the certificate of occupancy, or final inspection, as applicable.

2708.02.9 Provide a landscape legend similar to the example below:

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HIGH-WATER-USE
WC	6	Catalpa Erubescens	Western Catalpa	2.5" caliper	No
BS	7	Pinus Ponderosa	Ponderosa Pine	8' height	No
AWS	10	Spirea bumalda	Anthony Waterer	5 gallon	No
	300 ft ²	---	Pole Peeling Mulch	4" depth	NA
NOTE: In the event of a discrepancy between the plan graphic and the landscape legend, the plant material quantity as determined by the plan graphic shall take precedence.					

2708.02.10 Place the following maintenance statement on the plan:

Landscaping shall be planted and maintained by the owner, successor, and/or assigns. Should any plant material die, it shall be replaced with similar plant material within one planting season.

2708.03 Parking Lot Islands

2708.03.1 All parking areas in excess of forty (40) spaces shall contain landscape islands typically located interior to the perimeter of the

parking area. The ratio of required parking lot islands shall be as follows:

Number of Parking Spaces	Ratio of Parking Lot Islands
40 – 120	1 per 20 parking spaces
120 – 500	1 per 15 parking spaces
500+	1 per 10 parking spaces

2708.03.2 Each parking lot island shall be a minimum two (2) parking spaces in size and contain some combination of trees, shrubs, and groundcover. High-water-use plants are prohibited in parking lot islands.

2708.03.3 Islands may be aggregated to meet site specific needs for screening, buffering, water conservation, or water quality. The required islands need not be physically located at each interval noted (i.e., 20, 15, or 10 spaces). Generally, all required islands shall be located internal to the parking area.

2709 Grading and Drainage Plan *(Amended 04/13/10)*

The grading and drainage plan shall be prepared at the same scale as the landscape plan. Please note that this plan is separate and distinct from the GESC plan required by Engineering Services. The grading and drainage plan shall be prepared as follows:

2709.01 Label proposed and existing buildings, structures, fences, walls, walks, trails, parking and loading areas, and streets. Proposed retaining walls shall be no greater than four (4') feet in height, unless necessary due to site specific constraints. Walls in excess of four (4') feet in height, as measured from the bottom of the foundation, require a structural design and building permit. If multiple parallel retaining walls are proposed, a minimum five (5') feet wide horizontal separation should be required between the faces of adjacent walls. Design this separation to accommodate plants that will ~~screen and~~ buffer the vertical planes of the walls.

2709.02 Retaining walls in excess of thirty (30") inches in height (as measured from the lowest ground surface adjacent to the wall) used in conjunction with detention areas or ponds, or located adjacent to a pedestrian access or walking surface, shall require permanent barriers, consistent with building code height requirements, for the purpose of protecting the public from potential hazards.

2709.03 Development sites are required to balance earthwork quantities onsite in accordance with the GESC Manual.

- 2709.04 Show existing contour lines as dashed lines (screening acceptable), and proposed contour lines as solid lines. The contour interval shall be no more than two (2') feet unless otherwise approved by the staff planner.
- 2709.04.1 Distinguish existing grades greater than a 4:1 slope (25 percent).
- 2709.04.2 Proposed grades shall be no steeper than a 3:1 slope (33.3 percent).
- 2709.05 Label low and high points.
- 2709.06 Show flow direction arrows.
- 2709.07 Show and label the required drainage easements with detention, water quality facilities, and storm sewer infrastructure.
- 2709.08 Label the top of wall and bottom of wall elevations at twenty (20') foot intervals along all retaining walls.

2710 Building Elevations (Amended 12/07/10)

The building elevations shall be prepared as follows:

- 2710.01 Prepare elevations at a scale that allows for maximum clarity of the proposal.
- 2710.02 Label and dimension all building features.
- 2710.03 Label all building materials and finishes with the manufacturers' colors and numbers to correspond with the colors and materials sample sheet.
- 2710.04 Identify the location of all wall-mounted light fixtures.
- 2710.05 When applicable, depict the roof plane, behind the wall, as dashed lines.
- 2710.06 When applicable, depict all ground-, wall-, and roof-mounted mechanical equipment, HVAC, emergency generators, and other accessories (including satellite TV, electronic data dishes and antennae) behind the wall, as dashed lines. All ground-, wall-, and roof-mounted mechanical equipment, HVAC, emergency generators, and other accessories shall be screened. The screening of rooftop equipment shall not be required to exceed the maximum elevation of the rooftop equipment.

Provide the following note on elevation sheets:

The building elevations shown and approved hereon are intended to demonstrate how all HVAC shall be screened according to Douglas County Zoning Resolution requirements. It is the applicant's responsibility to ensure that screening occurs in

the field as demonstrated by these plans, regardless of curb requirements, mechanical plan changes, or other circumstances. Failure to provide screening may result in delay of final inspections and/or issuance of a certificate of occupancy.

2711 Lighting Plan (Amended 04/13/10)

All fixtures and lamping shall be consistent with the requirements of the Lighting Standards section herein. The following lighting information is required to be included on the lighting plan, unless the applicant clearly provides the information on another sheet of the SIP plan set:

2711.01 Provide a luminaire schedule similar to the following example:

LUMINAIRE SCHEDULE						
QTY	Lamp Type	Mounting Height	Lumens	LLF	Color	Description
10	21W CF	10'	1650	1.00	Bronze	Visa Lighting OW1342 1FS21
5	400W MH	24'	36000	1.00	Bronze	Visionaire American Series AME-2 T5400 M 6 BOA
4	150W MH	12'	13000	1.00	Dk Bronze	Gardco 101WT 150MH Quad BRP

* **NOTE:** A Light Loss Factor (LLF) of 1.0 shall be utilized.

2711.02 Include a copy of the manufacturers catalog sheet, product number and Illuminating Engineering Society of North America type description.

2711.03 Include the following note on the plan set:

Prior to issuance of a certificate of occupancy or conducting final inspections, Douglas County shall conduct an evening site visit to ensure: illumination levels generated by the lighting: meet all County criteria as well as those indicated on the approved Site Improvement Plan; do not create disability glare on adjacent properties; and that all fixtures are full cutoff as defined by the Illuminating Engineering Society of North America. In the event lighting levels do not meet these criteria, remedial action may include re-lamping with lower wattage bulbs, relocating fixtures, shielding fixtures, removing fixtures, or replacing fixtures. It shall be the responsibility of the applicant to ensure all site lighting complies with Lighting Standards section of the Douglas County Zoning Resolution prior to requesting issuance of a certificate of occupancy and/or final inspections.

2712 Post Approval SIP Procedures and Requirements (Amended 04/13/10)

2712.01 Prior to the issuance of a CO, the applicant shall submit as-built plans to Engineering Services for any required detention pond and water quality facilities, as well as an Engineer's certification stating that the detention pond and water quality facilities have been constructed in accordance with the approved drainage report and plan.

After approval of the SIP and issuance of a building permit, a CO may be issued if the construction of all buildings is completed and all parking, drainage improvements, and landscaping elements are installed in accordance with the approved SIP, as determined by a site inspection performed by County staff. Submit final easement documents to Engineering Services for acceptance prior to issuance of a CO. The applicant shall perform the tasks required by the Requirements for Release of CO prior to scheduling any final site inspections.

2712.01.1 Occupancy of the site shall not be permitted until the site is clean, safe, and free of all construction debris, as determined by Douglas County.

2712.01.2 If adverse weather immediately preceding the CO request prevents the installation of parking, drainage, or landscaping elements, a temporary certificate of occupancy (TCO) may be issued (for nonresidential projects) after the applicant provides an irrevocable letter of credit, or other acceptable security as allowed by the SIPIA. Bonds are not acceptable.

- (1) The security shall be equal to 115 percent of the cost of the unfinished work, in accordance with the cost estimates contained in the SIPIA, and shall be submitted prior to the issuance of a TCO. The security shall be held by Douglas County and released, as set forth in the SIPIA, when the work is deemed complete by Douglas County.
- (2) When a TCO is issued, based on security as provided for herein, prior to the completion of all site improvements, the time for the completion of site improvements shall not exceed six (6) months.
- (3) Failure by the applicant to complete the work or to request a time extension shall result in a forfeiture of the security and shall cause Douglas County to initiate the construction of such improvements, as detailed in the SIPIA. The Director may grant a one time extension of not more than six (6) months upon receipt of a written request accompanied by an extension of the financial security.

2712.02 When a CO is not required, the following shall apply regarding approvals and security:

2712.02.1 When a building addition or modification is proposed, all building improvements and all site improvements such as drainage, parking, landscaping, and lighting shall be fully completed prior to final building inspections. The applicant shall perform the tasks required

by the Requirements for Release of Final Inspections form prior to scheduling any final site inspections.

2712.02.2 If the scale, impact, or phasing of the proposed development warrants, a letter of credit equal to 115 percent of the estimated cost of improvements may be required at the time of SIP approval to ensure the required improvements are completed.

2712.02.3 The security shall be held by Douglas County and released, as set forth in the SIPIA, when all site improvements identified on the SIP, are deemed completed by Douglas County.

2713 Revision to an Approved SIP (Amended 12/07/10)

Proposed changes to an approved SIP shall be reviewed for scale and impact to determine whether the changes will be processed as a revision or modification to an approved SIP.

2713.01 Applicability

A revision shall be for the purpose of additional review and referral based on the scale and impacts of the proposed changes. In general, a revision impacts grading, drainage, parking, access, building footprint, or landscaping. These impacts typically require the entire site be brought into conformance with the current Zoning Resolution.

2713.02 Approval Standards

Approval of a revision to an approved SIP shall be in accordance with Section 2703 and applicable provisions contained herein.

2713.03 Process

A revision shall follow the full SIP process as described herein, however, the referral period for a revision shall be twenty-one (21) calendar days.

2713.04 Submittal Requirements

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- Completed land use application and fee
- New plan sets, as necessary, to depict the proposed revision
- Development reports in accordance with Section 2705.10

- Detailed technical studies in accordance with Section 2705.12, if applicable
- Current title commitment or insurance policy (*Section 2705.03*)
- Notarized letter of authorization from the property owner, if applicable (*Section 2705.04*)
- A written narrative explanation of the revision (*Section 2705.08*)
- Letter from HOA and architectural control committee, if applicable

2713.05 The legal description for a revision to the SIP shall be consistent with the originally approved SIP, except as otherwise provided for below. (*Amended 4/28/15*)

For Revisions:

SPRUCE SUMMIT, Filing No. 3, Lot 14 – **1st Revision**
 NW¼ Section 11, Township 8 South, Range 67 West
 5 acres
 SP2010-002 (**Revision to SP2003-049**)

For Revision on Lot with Amended Legal Description:

SPRUCE SUMMIT, Filing No. 3, **1st Amendment**, Lot 14-A – **1st Revision**
 NW¼ Section 11, Township 8 South, Range 67 West
 5 acres
 SP2010-002 (**Revision to SP2003-049**)

2714 Modification to an Approved SIP (*Amended 12/07/10*)

Proposed changes to an approved SIP shall be reviewed for scale and impact to determine whether the changes will be processed as a revision or modification to an approved SIP.

2714.01 Applicability

A modification shall be for the purpose of minor changes to the approved SIP. In general, a modification shall not increase the building footprint, impervious surface, or affect fire access.

2714.02 Approval Standards

Approval of a modification to an approved SIP shall be in accordance with Section 2703 and applicable provisions contained herein.

2714.03 Process

2714.03.1 Prior to submittal of a modification to an approved SIP, a presubmittal meeting shall be required with staff to discuss the procedures and submittal requirements.

2714.03.2 Staff shall have up to seven (7) calendar days from the date that the application is date-stamped and accepted, for internal review of a modification.

If the submittal meets approval standards, the modification will be considered for approval, and the staff planner shall prepare a Modification Affidavit for approval.

If the submittal does not meet approval standards, staff shall provide the applicant with written comments, detailing the deficiencies.

2714.03.3 Based on compliance with the approval standards, the modification will be considered for approval, approval with conditions, denial, or closure.

2714.03.4 In place of the final plan set, the applicant may provide a legible redlined copy of the approved SIP, detailing the modification. The Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner prior to approval of a modification. A Modification Affidavit shall be approved by the Director (or designee) based on staff recommendations. The proposed changes may require Building permits.

2714.03.5 If the SIP is denied, written findings shall be provided by staff to the applicant within seven (7) calendar days of the denial.

2714.04 Submittal Requirements

The applicant shall be required to submit the following information to Planning Services. Incomplete applications shall not be accepted for processing.

- Completed land use application and fee
- A redlined copy of the approved SIP, and other exhibits as necessary, to depict the proposed modification
- Notarized letter of authorization from the property owner, if applicable (*Section 2705.04*)
- A brief written narrative explanation of the modification
- Letter from HOA and architectural control committee, if applicable.

SECTION 27A PERSONAL WIRELESS COMMUNICATION FACILITY DESIGN STANDARDS

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2701A Intent

To provide design standards for personal wireless communication facilities to ensure their compatibility with the surrounding development and compliance with the Douglas County Comprehensive Master Plan. Personal wireless communication services and their related facilities, constitute an important part of the overall communication network. While the zone districts provide for many locational alternatives, facilities must be appropriately designed to reduce the negative visual impacts. In siting a personal wireless communication facility, emphasis should be placed on identifying the least obtrusive form and location for the elements.

Successful site design will result in facilities that blend with existing and projected uses and preserve the environmental and aesthetic qualities of Douglas County. The unique and diverse landscapes of the County are among its most valuable assets. Protecting these assets will require that location and design of personal wireless communication facilities be sensitive to, and in scale and harmony with, the character of the community.
(Amended 4/24/02)

2702A General Policies

Personal wireless communication facilities should be sited where they blend with the existing and projected development for any given vicinity. Where appropriate, antennas should be located on existing structures eliminating the need for support towers. Facilities should appear integrated, and architecturally compatible with the existing structure to promote visual harmony. Collocation of antennas on existing support towers is also encouraged; however, if other alternatives are identified as better meeting the visual design objectives, those alternatives may be allowed.

The construction of stealth or faux structures such as windmills, silos and light standards specifically intended to camouflage personal wireless communication facilities are encouraged. When antennas are not able to be sited on an existing facility or collocated in a manner that meets the intent of the design objectives referenced, new facilities may be considered. All stealth or faux structures proposed shall emulate architectural or landscape features typical of the surrounding area in terms of architectural style, height, bulk, mass, material, and color ~~and as~~ determined by the County.

The construction of support towers will only be permitted upon demonstration that other alternatives are infeasible, and in accordance with the provisions of this Section.

Personal wireless communication facilities located on highly visible sites will only be allowed when appropriately camouflaged. (Amended 4/24/02)

2703A Approval Standards

The site improvement plan shall be approved upon the finding that:

- 2703A.01 the facility is architecturally and visually (*color, bulk, mass, size*) compatible with surrounding existing buildings, structures, vegetation, or uses in the area, or those principal uses permitted by the underlying zone district;
- 2703A.02 scenic viewsheds as discussed in the Douglas County Comprehensive Master Plan are not significantly impacted;
- 2703A.03 the facility is designed to be compatible with the surrounding uses and does not dominate the landscape;
- 2703A.04 the proposed facility is not a dominant feature on a ridgeline;
- 2703A.05 existing vegetation has been preserved or enhanced, and disturbance of the site has been minimized, unless such disturbance to vegetation and topography results in less visual enhancement to the surrounding area;
- 2703A.06 the proposed site fits into the overall network of the service provider;
- 2703A.07 the facility meets the definition of utility service facility – personal wireless communication facility, and applicable standards of the zone district in which it is located;
- 2703A.08 the facility conforms to the standards contained herein including when proposed within a PD that allows personal wireless communication facilities, but does not reference design standards; and (*Amended 4/24/02*)
- 2703A.09 the Site Improvement Plan is in compliance with Section 27, herein.

2704A Abandonment

Facilities that are not in use for 180 consecutive days for personal wireless communication purposes shall be removed by the facility owner. This removal shall be completed within 90 days of the end of such 180-day period. The site shall be restored to blend with the existing surrounding vegetation.

2705A Site Improvement Plan

A site improvement plan (SIP) is required in accordance with Section 27, herein; however, when processed concurrently with the review of a SIP for another use, a separate SIP submittal for the personal wireless communication facility will not be required. A revision to an approved SIP will be required for the installation of personal wireless communication

equipment on an existing development site. Upon approval of an SIP or SIP revision for a personal wireless communication facility, but prior to the issuance of building permits, financial surety may be required in accordance with the applicable provisions of Section 2705: Performance Requirements. *(Amended 4/24/02)*

2706A Design Standards – A-1, ~~LRR~~, and ~~RR~~ Zone Districts

The following standards shall apply to facilities located in the Agricultural One (A-1), Large Rural Residential (LRR) and Rural Residential (RR) zone districts.

2706A.01 Support Towers (A-1, ~~LRR~~, and ~~RR~~)

Support Towers shall be allowed when: *(Amended 4/24/02)*

- 2706A.01.1 visual impact to scenic viewsheds as discussed in the Douglas County Comprehensive Plan is determined to be minimal;
- 2706A.01.2 the facility is designed to be compatible with the surrounding uses and does not dominate the landscape;
- 2706A.01.3 the structure is not a dominant feature on a ridge line;
- 2706A.01.4 views of significant landforms from surrounding residential uses have not been negatively visually impacted;
- 2706A.01.5 the existing topography and vegetation provide the greatest amount of ~~screening/~~ concealment or backdrop possible on the site;
- 2706A.01.6 the existing vegetation has been preserved or improved and disturbance of the site has been minimized, unless such a disturbance to vegetation and topography results in less visual impact to the surrounding area;
- 2706A.01.7 the structure does not exceed 35' in height; and
- 2706A.01.8 support towers that are not engineered shall be placed no closer to the property line than the height of the tower; engineered support towers shall comply with the zone district setbacks.

2706A.02 Antennas – panels, arrays, parabolic (A-1, ~~LRR~~, and ~~RR~~) *(Amended 4/24/02)*

- 2706A.02.1 placed on or within a building or structure, such as a barn or silo, in an architecturally sensitive manner;

2706A.02.2 disguised as an architectural feature or design element of an existing or proposed building or structure, provided it is compatible in terms of architectural style, height, mass, scale and color;

2706A.02.3 disguised or camouflaged in an architecturally appropriate manner as a windmill, silo, tree, or similar feature, provided it is compatible with surrounding landscape features or uses;

2706A.02.4 mounted on, or incorporated with, an existing telecommunication tower;

2706A.02.5 mounted on an existing public utility structure *(however, on monopole pole structures less than 24" in diameter the antenna must be mounted directly to the pole without stand-off brackets or sectorized platforms;)*

2706A.02.6 mounted at or below the tree line to the extent feasible when proposed in a forested location.

2706A.03 Antennas – whip (A-1, ~~LRR~~, and ~~RR~~)

Whip-type antennas are:

2706A.03.1 allowed on structures, existing support towers or utility facilities;

2706A.03.2 allowed to project above the roof line of structures; and

2706A.03.3 may exceed the height limitation of the district.

2706A.04 Accessory Equipment

All accessory equipment shall be concealed below grade, or within a structure or screened by a berm, vegetation, fencing, topographic feature or in another manner approved by staff. Setbacks and height limitations of the zone district shall apply. *(Amended 4/24/02)*

2706A.05 Visually Sensitive Design *(Amended 4/24/02)*

A visually sensitive design may be considered for approval when determined by the Director of Community Development to be clearly superior and better meet the intent of this Section. Any proposed increase in height above that permitted by the district regulations shall be limited to a maximum increase of 35%.

2707A Design Standards – ER, ~~/SR~~, ~~/MF~~, and ~~/MH~~ Zone District

The following standards shall apply to facilities located in the Estate Residential (ER), Suburban Residential (SR) Multifamily (MF), and Mobile Home (MH) zone districts:

2707A.01 Support Towers (ER, ~~/SR~~, ~~/MF~~, and ~~/MH~~)

Support towers are not permitted.

2707A.02 Antennas – panels, arrays, parabolic (ER, ~~/SR~~, ~~/MF~~, and ~~/MH~~)

Antennas are allowed as follows: *(Amended 4/24/02)*

2707A.02.1 placed on or within a building or structure such as a house, garage, recreation center, church, or fire station, in an architecturally sensitive manner; however, when proposed for a flat roof, antennas shall not project above the parapet unless mounted on a penthouse or completely ~~screened-concealed~~ by materials that are compatible with the existing building or structure; or

2707A.02.2 disguised as an architectural feature or element of an existing or proposed building or structure provided it is compatible in terms of architectural style, height, mass, scale, and color; or

2707A.02.3 disguised or camouflaged in an architecturally appropriate manner as a flagpole, light pole or similar structure, provided it is compatible with the surrounding landscape features or uses; or

2707A.02.4 mounted on, or incorporated with, an existing support tower; or

2707A.02.5 mounted on an existing public utility structure; however, on single-pole structures less than 24" in diameter the antenna must be mounted directly to the pole without stand-off brackets or sectorized platforms.

2707A.03 Antennas – whip (ER, ~~/SR~~, ~~/MF~~, and ~~/MH~~)

Whip type antennas are allowed:

2707A.03.1 on structures, existing support towers, or utility facilities;

2707A.03.2 above the roof line of structures, except on pitched roofs unless on the ridge; and

2707A.03.3 may exceed the height limitations of the district.

2707A.04 Accessory Equipment

All accessory equipment shall be concealed below grade, or within a structure, or screened by a berm, vegetation, fencing, topographic feature or in another manner approved by staff. Setbacks and height limitations of the zone district shall apply. *(Amended 4/24/02)*

2707A.05 Visually Sensitive Design *(Amended 4/24/02)*

A visually sensitive design may be considered for approval when determined by the Director of Community Development to be clearly superior and better meet the intent of this Section. Any proposed increase in height above that permitted by the district regulations shall be limited to a maximum increase of 35%.

2708A Design Standards – B and /C Zone Districts

The following standards shall apply to facilities located in the Business (B) and Commercial (C) zone districts.

2708A.01 Support Towers (B and /C)

Support towers are not permitted.

2708A.02 Antennas – panels, arrays, parabolic (B and /C)

Antennas are allowed as follows: *(Amended 4/24/02)*

- 2708A.02.1 placed on or within a building or structure, such as a rooftop, clock tower or cupola, in an architecturally sensitive manner; however, when proposed for a flat roof, antennas shall not project above the parapet unless mounted on a penthouse or totally screened by materials that are compatible with the existing building or structure;
- 2708A.02.2 disguised as an architectural feature or element of an existing or proposed building or structure provided it is compatible in terms of architectural style, height, mass, scale and color;
- 2708A.02.3 disguised or camouflaged in an architecturally appropriate manner as a flagpole or similar structure provided it is compatible with surrounding landscape features or uses;
- 2708A.02.4 mounted on, or incorporated with, an existing support tower; or
- 2708A.02.5 mounted on a light standard or an existing public utility structure; however, on light standards and single-pole structures less than 24"

in diameter the antenna must be mounted directly to the pole without stand-off brackets or sectorized platforms.

2708A.03 Antennas – whip (B ~~and~~ /C)

Whip-type antennas are:

2708A.03.1 allowed on structures, existing support towers, or utility facilities;

2708A.03.2 allowed to project above the roof line of structures, except pitched roofs unless on the ridge; and

2708A.03.3 may exceed the height limitation of the district.

2708A.04 Accessory Equipment

All accessory equipment shall be concealed below grade, or within a structure, or screened by a term, vegetation, fencing, topographic feature or in another manner approved by staff. Setbacks and height limitations of the zone district shall apply. *(Amended 4/24/02)*

2708A.05 Visually Sensitive Design *(Amended 4/24/02)*

A visually sensitive design may be considered for approval when determined by the Director of Community Development to be clearly superior and better meet the intent of this Section. Any proposed increase in height above that permitted by the district regulations shall be limited to a maximum increase of 35%.

2708A.06 Limited Service Business (LSB) District

In the event a personal wireless telecommunication facility is proposed for the LSB District, an obsolete zone district, it shall be required to comply with the design standards applicable in the Business (B) District. *(Amended 4/24/02)*

2709A Design Standards – LI ~~and~~ /GI Zone Districts

The following standards shall apply to facilities located in the Light Industrial (LI) and General Industrial (GI) zone districts.

2709A.01 Support Towers (LI ~~and~~ /GI)

Support towers shall be allowed when:

2709A.01.1 located outside the scenic viewsheds as discussed in the Douglas County Comprehensive Master Plan;

- 2709A.01.2 the facility is designed to be compatible with the surrounding uses and does not dominate the landscape;
- 2709A.01.3 the structure is not a dominant silhouette on a ridge line;
- 2709A.01.4 the existing topography and vegetation provide the greatest amount of screening/backdrop possible on the site;
- 2709A.01.5 the existing vegetation has been preserved or enhanced and disturbance of the existing topography of the site has been minimized, unless such disturbances result in visual enhancement of the surrounding area;
- 2709A.01.6 the structure does not exceed 60' in height; and
- 2709A.01.7 support towers that are not engineered shall be placed no closer to the property line than the height of the tower; engineered support towers shall comply with the zone district setbacks.

2709A.02 Antennas – panels, arrays, parabolic (LI and /GI)

Antennas are allowed as follows: *(Amended 4/24/02)*

- 2709A.02.1 placed on or within a building or structure such as a rooftop, chimney, clock tower, batch plant, or cupola, in an architecturally sensitive manner; however, when proposed for a flat roof, antennas shall not project above the parapet unless mounted on a penthouse or completely screened by materials that are compatible with the existing building or structure;
- 2709A.02.2 disguised as an architectural feature or element of an existing or proposed building or structure, provided it is compatible in terms of architectural style, height, mass, scale and color; or
- 2709A.02.3 disguised or camouflaged in an architecturally appropriate manner as a flagpole or similar structure, provided it is compatible with surrounding landscape features or uses;
- 2709A.02.4 mounted on, or incorporated with, an existing support tower; or
- 2709A.02.5 mounted on a light standard or an existing public utility structure; however, on light standards and single-pole structures less than 24" in diameter, the antenna must be mounted directly to the pole without stand-off brackets or sectorized platforms. ~~and~~

2709A.03 Antennas – whip (LI and /GI)

Whip-type antennas are:

2709A.03.1 allowed on structures, existing support towers, or utility facilities;

2709A.03.2 allowed to project above the roof line of structures, except on pitched roofs unless on the ridge; and

2709A.03.3 may exceed the height limitation of the district.

2709A.04 Accessory Equipment

All accessory equipment shall be concealed below grade, or within a structure, or screened by a berm, vegetation, fencing, topographic features, or in another manner approved by staff. Setbacks and height limitations of the zone district shall apply. *(Amended 4/24/02)*

2709A.05 Visually Sensitive Design *(Amended 4/24/02)*

A visually sensitive design may be considered for approval when determined by the Director of Community Development to be clearly superior and better meet the intent of this Section. Any proposed increase in height above that permitted by the district regulations shall be limited to a maximum increase of 35%.

SECTION 28 PARKING STANDARDS

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2801 Intent

Off-street parking areas shall be required in all districts as an accessory use to buildings and uses newly constructed, restored, changed, or substantially extended or expanded. Except as provided in other sections of this Resolution, off-street parking areas shall be in accordance with this Section 28.

2802 General Provisions

2802.01 Additional Parking for Expansion of Use

Nothing in this section shall prevent the extension of, or addition to, a building, structure or use into an existing parking area provided the same amount of parking spaces taken by the extension or addition is provided by an enlargement of the existing parking area, or if additional parking is found elsewhere in accordance with these regulations herein; and provided the total number of spaces required for all uses on the lot are met.

2802.02 Change of Land Use/Tenant Finish

Prior to approval of "Tenant Finish" permits, by the Douglas County Building Division, the applicant shall demonstrate that adequate parking exists for the proposed land-use change. The square footage of all tenant finish areas shall be identified by each use proposed. When proposed uses, resulting from tenant finish changes, require more parking than exists, the applicant shall be required to revise the SIP to increase the number of parking spaces consistent with the requirements herein. Failure to provide this parking will result in the denial of the proposed land-use change and tenant finish permit.

All additional parking and other improvements, as shown on the revised Site Improvement Plan (SIP), shall be completed in the field prior to approval of any final inspection or certificate of occupancy issuance, as applicable.

2802.03 Mixed-Use Parking

In the case of mixed uses within a single center or within a single building, or of collective parking for several buildings or uses on two or more contiguous parcels, except for shopping centers over 100,000 square feet, the total requirements for off-street parking facilities shall be the sum of the requirements for each of the various uses separately. Off-street parking facilities for one use shall not be construed as provided for under Planned Developments, or as otherwise permitted under Sections 2802.05 and 2802.06, herein.

Unified shopping centers with over 100,000 square feet of total combined floor area, which may be either in a single structure or several structures within a single unified development, and which may include various kinds of uses shall be required to provide a minimum parking ratio~~n~~ of 4 1/2 spaces per 1,000 square feet of total combined floor area.

2802.04 Phasing of Parking

Required off-street parking areas may be phased along with proposed phased development. Areas required for parking, but not immediately improved, shall be reserved for such future parking.

Undeveloped future parking areas shall be reseeded with a grass mix, acceptable to the staff planner, until said area is fully developed into a parking surface. The area shall be reseeded at the same time as the initial phase development.

2802.05 Joint-Use Parking

Where it is "desired" to share the use of parking spaces between two or more uses, the use of such parking spaces shall be predicated upon the proven fact that the use will not require said parking spaces at simultaneous times. Only where it can be shown that the uses have substantially different operation hours shall shared parking arrangements be approved.

No off-street parking, required for any use for the purpose of complying with the provisions of this Resolution, shall be included as part of an off-street parking area similarly required for another use without an approved and recorded "Joint-Use Parking Agreement". The recordation location of such agreement shall be noted on the SIP. Any proposed changes to the agreement shall require approval by the ~~Review Board Manager~~ Director.

2802.06 Off-Site Parking

2802.06.1 Off-street parking facilities for any use shall be provided and located on the same lot as the use or uses they are intended to serve except as permitted in 2802.06.2 herein.

2802.06.2 If sufficient parking spaces cannot be accommodated on the lot for any use, off-site parking may be used provided such parking area is within 400 feet of the nearest point of the specific use.

2802.06.3 Each off-street parking area accessory to a principal use shall be located in a zone district which allows non-residential parking.

2802.07 Location of Parking Areas

- 2802.07.1 Required off-street parking shall not be located within 20 feet from the right-of-way line.
- 2802.07.2 Parking shall not be permitted closer than 10 feet from the side and rear property lines unless the building setback requirement is less than 10 feet. When the parking will be contiguous and accessible to parking on adjacent lots, the parking may extend to the property line. Otherwise, there shall be adequate ~~screening~~ **buffering** of the parking from off-site views.
- 2802.07.3 Multifamily parking areas shall not be located within the front setback.
- 2802.07.4 Accessible parking spaces shall be dispersed and located in accordance with the requirements of the Building Code, as amended and adopted by Douglas County. (*Amended 12/18/12*)

2802.08 Parking Area Uses

Parking areas shall not be used for outdoor product storage, enclosed container storage, seasonal sales areas or any other use except customer and employee vehicle parking, unless such use is approved and specifically identified on the site improvement plan.

2803 Parking Plan Requirements

The site plan exhibit (*per Section 2707*) shall serve as the parking plan. The information noted below shall be included on the site plan exhibit. No land shall be used for parking until a Site Improvement Plan is approved by the ~~Review Board Director~~. The plan must contain the following minimum information:

~~A parking site plan shall be required as part of the site improvement plan per Section 27 of this Resolution. The parking plan shall be reviewed by the Site Improvement Plan Review Board. No land shall be used for parking until approved by the Review Board. The plan must contain the following minimum information:~~

- 2803.01 Number, location and size of parking stalls
- 2803.02 Widths of aisles and islands
- 2803.03 Type of surfacing (*see Section 2805.06 herein*)
- 2803.04 Location of streets and curb cuts

2803.05 Location of traffic directional arrows, signage, and markings

2803.06 Location of loading areas

2804 Design Standards for Parking Spaces

2804.01 **Space and Aisle Dimensions**

The following tables establish minimum parking lot space, island, and aisle dimensions. The illustrations show typical parking configurations.

(Note: Off-Street parking spaces shall not be situated at an angle less than 45 degrees, except parallel parking shall be permitted.)

2804.01.1 Recreational Vehicle Parking

Recreational Vehicle Parking	
Spaces and aisle widths shall be adequately sized to accommodate the recreational vehicle's length, width and turning radii.	

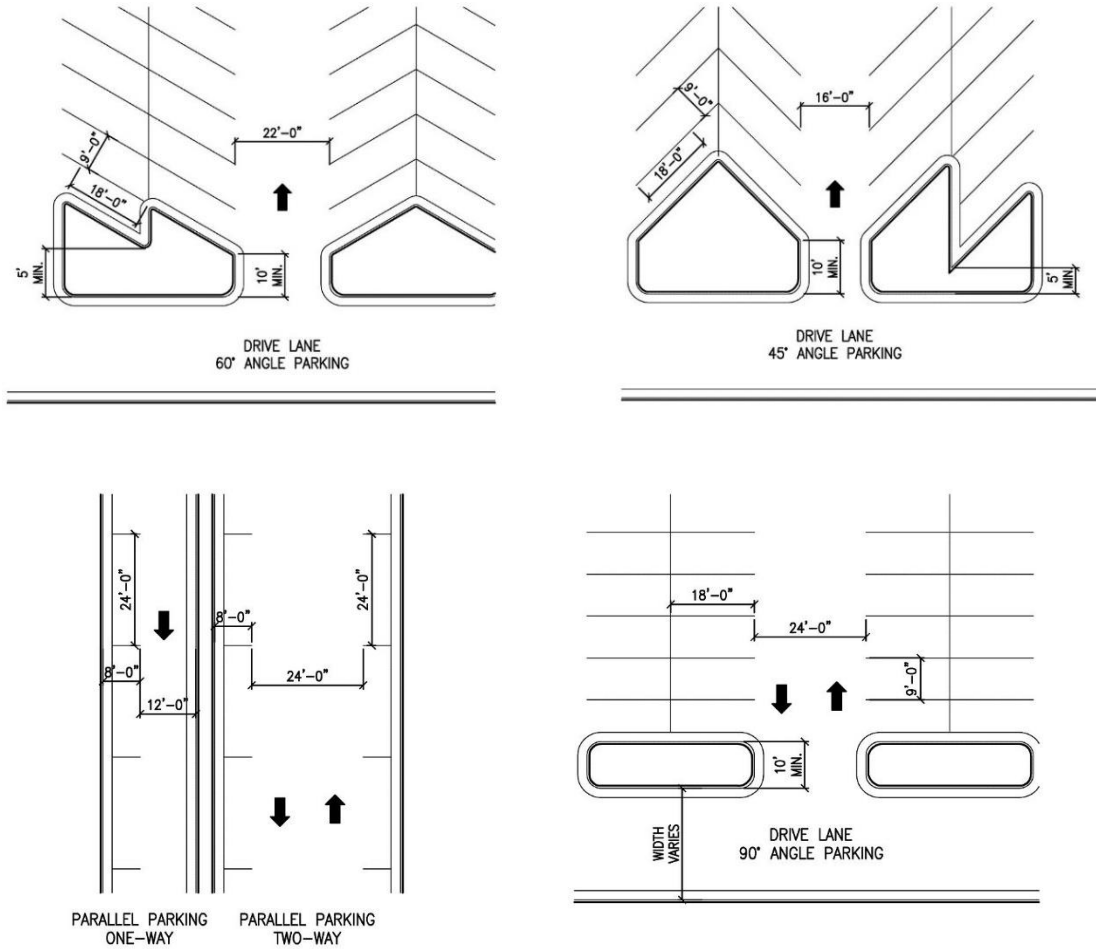
2804.01.2 Accessible Parking *(Amended 12/18/12)*

Notes: ~~(1)~~—Accessible parking spaces shall be designed in accordance with the requirements of the Building Code, as amended and adopted by Douglas County.

~~(2)~~—Multi-family projects which need to re-stripe accessible parking spaces, based on units leased/sold, shall be required to submit a modification request (see Section 2714) to the County for evaluation of parking lot and landscape layout.

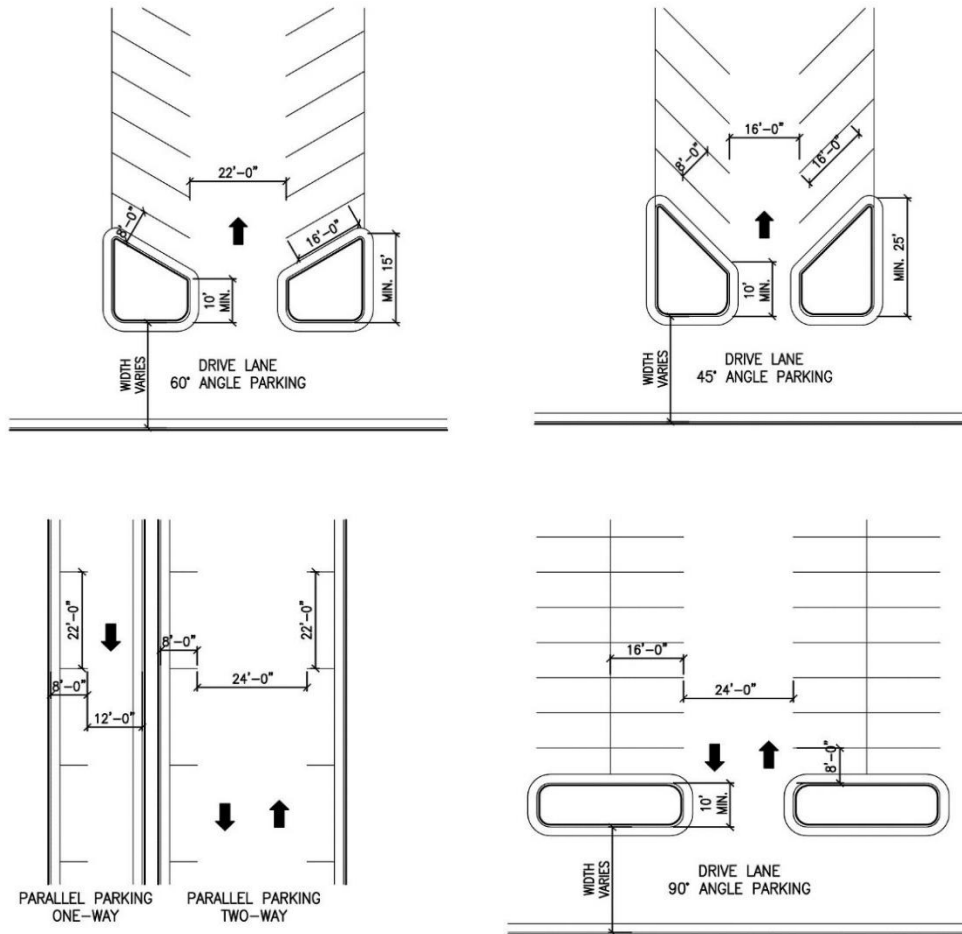
2804.01.3 Full-size Car Parking *(Amended 12/18/12)*

Full-Size Car				
Angle	0° (parallel)	45°	60°	90°
Width	8'	9'	9'	9'
Length	24'	18'	18'	18'
Aisle Width	12' (one-way) 24' (two-way)	16'	22'	24'



2804.01.4 Compact Car Parking (Amended 12/18/12)

Compact Car				
Angle	0°	45°	60°	90°
Width	8'	8'	8'	8'
Length	22'	16'	16'	16'
Aisle Width	12' (one-way) 24' (two-way)	16'	22'	24'



2804.02 Usable Parking Spaces

Any parking space which in the judgment of the Planning Division is unusable due to maneuverability difficulties or which does not have clear access shall not be considered in the total number of available parking spaces on the property.

2804.03 Back-Out Parking

Except for one- and two-family dwellings, or where back-out parking already exists as of the date that this Resolution is adopted, all parking areas shall be designed so that vehicles exiting from the parking area will not be required to back out across any sidewalk or public right-of-way.

2804.04 ~~Semitractor~~ Semi Tractor-Trailer Parking

For those uses which cater to the parking of ~~semitractor~~ semi tractor-trailers, designated off-street parking spaces shall be required for each such vehicle located on any parcel. The use of regular automobile parking

spaces or automobile circulation aisles for ~~semitractor~~-semi tractor-trailer parking is prohibited.

All parking spaces designated for ~~semitractor~~-semi tractor-trailer parking shall be at least 12 feet in width and 60 feet in length. All aisles shall be at least 50 feet in width. The Planning Division may require special design provisions based upon the overall site layout and parking area design. No backing maneuvers shall be allowed in the public right-of-way.

2804.05 Marking of Parking Spaces

2804.05.1 General

Parking spaces shall be marked and maintained on the pavement and any other directional markings/signs shall be installed and maintained as required by the approved parking plan.

2804.05.2 Stall Dimensioning

- Striping

All striping shall be painted white or yellow; accessible striping may be blue. All painted striping shall be 4" or less in width. In the event striping in excess of 4" in width is proposed, the minimum stall width dimension (*in accordance with Section 2804.01*) shall be increased by the same amount of stripe width increase. (*Amended 12/18/12*)

- Width

Striping shall be applied such that the parking stall width (*as specified in Section 2804.01*) is measured from center of stripe to center of stripe; and center of stripe to face of curb.

- Length

The total required length of each stall (*as specified in Section 2804.01*) shall be measured and striped from face of curb to end of the line; or from the end of the line to center of stripe (*used to create double loaded parking rows*).

The use of wheel stops shall be specifically prohibited unless a waiver is granted on a case-by-case basis. They may be allowed for good cause shown, such as when curbs are not provided. When parking overhangs are proposed, their dimension shall be in addition to the minimum stall length per above.

2804.05.3 Compact Car Parking

Compact car parking areas or spaces shall be clearly labeled or otherwise distinguished from full-sized parking areas or spaces. Compact parking areas shall be fully segregated from full sized areas by landscape islands or other hardscape improvements approved by the staff planner.

2804.05.4 Accessible Parking (*Amended 12/18/12*)

Accessible parking shall be identified in accordance with the requirements of the Building Code, as amended and adopted by Douglas County.

2805 Design Standards for Parking Areas

2805.01 Access

Each required off-street parking area shall have adequate access to a public street or other thoroughfare. Alleys, where utilized, shall only be used as secondary means of access to a lot or parcel. See the Douglas County Roadway Design and Construction Standards Manual for more information.

2805.02 Acceleration/Deceleration Lanes

In all districts, any use providing access to an arterial street, (*existing or planned*). Collector street or frontage road to C-470 or I-25 may be required to provide acceleration and/or deceleration lanes.

2805.03 Off-Street Loading Area

A loading area shall be provided in an amount necessary by the owner and shall not be used to supply off-street parking spaces. The loading area shall not occupy, nor intrude into, any fire lane and shall not be located in setback areas. No backing maneuvers shall be allowed in the public right-of-way.

Marking Traffic Flow

Parking, which is designed for one-way traffic, should be clearly indicated as such by the use of a sign or arrow designating the direction of traffic flow and by the word: "One-Way".

2805.05 Grading

All off-street parking areas shall be properly graded. The County Engineer must approve the drainage and storm water detention design.

2805.06 Surfacing

Each off-street parking area which is accessory to any principal use other than a single family dwelling located on a lot in excess of 10,000 square feet in size shall be surfaced with bituminous concrete, portland cement concrete, or similar material approved by the County Engineer and ~~Review Board Manager~~ the Director.

2805.07 Landscape Islands *(Amended February 23, 2005)*

- 2805.07.1 All parking areas in excess of 40 spaces shall have at least one interior landscaped island per 20 spaces. Each island shall be, at a minimum, the size of two full size parking spaces and be landscaped in accordance with *Section 2708.03 herein*. These areas may be designed as water-quality facilities.
- 2805.07.2 All parking areas in excess of 120 spaces shall have at least one island per 15 spaces. Each island shall be, at a minimum, the size of two full size parking spaces *(or as otherwise permitted in Section 2805.07.4 herein)* and be landscaped in accordance with *Section 2708.03 herein*. These areas may be designed as water-quality facilities.
- 2805.07.3 All parking areas in excess of 500 spaces shall have at least one island per 10 spaces. Each island shall be, at a minimum, the size of two full size parking spaces *(or as otherwise permitted in Section 2805.07.4 herein)* and be landscaped in accordance with *Section 2708.03 herein*. These areas may be designed as water-quality facilities.
- 2805.07.4 The distribution of the required islands shall be based upon the site-specific design. Islands may be aggregated to meet site-specific needs for screening, buffering, water conservation, or water-quality. The required islands need not be physically located at each interval noted *(i.e., 20, 15, or 10 spaces)*. Generally, all required islands *(or aggregated square footage equivalent)* shall be located internal to the parking area and shall not be distributed to the perimeter landscape areas.
- 2805.07.5 If a parking lot is located adjacent to the street, buffering shall be in accordance with *Section 2708.01 herein*.

2805.08 Buffering

2805.08.1 When a parking lot is located adjacent to the street, buffering shall occur in accordance with Section 2708.01 of the Douglas County Zoning Resolution, amended.

2805.08.2 A landscape buffer of at least 30' in width shall be required between any residential use, except for multifamily as a USR in LI, and non-residential parking facility. The buffer shall be in accordance with Section 2708.01 of the Douglas County Zoning Resolution, amended.

2805.09 Lighting

All lighting used to illuminate off-street parking areas shall be arranged as to reflect light glare away from abutting properties and abutting streets. *(Refer to the Lighting section of this Resolution.)*

2806 Minimum Requirements for Off-Street Parking – General Provisions

2806.01 Uses Not Specified

In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a similar use shall apply. The applicant may request a ratio other than as required by Sections 2806.01 and 2807 herein. The applicant shall submit citations of similar, existing built uses in other jurisdictions (*Planning, Public Works and Law Enforcement Divisions*) may be required as well.

In the case of any discrepancies, the decision of the Director ~~of the Planning and Community Development Department~~ shall rule. ~~His~~The decision may be appealed to the Board of Adjustment.

2806.02 Excessive Surplus Parking

Parking shall not be provided in quantities greater than 10% above the required minimum, as noted in Section 2807 herein, without prior approval as noted below.

2806.02.1 The ~~Review Board Manager~~ Director may allow parking at a rate up to 125% of the required minimum for good cause shown. It shall be incumbent upon the applicant to provide compelling and acceptable reasons for said additional parking. Each request will be evaluated on a case-by-case basis based upon the scale and impacts of the request.

2806.02.2 The Director may allow parking at a rate in excess of 125% of the required, on a case-by-case basis upon the scale and impacts of the

request, for good cause shown. The applicant shall make said request in writing. ~~which shall include the following:~~

The request shall include ~~D~~documentation from one or more acceptable industry publications, justifying the request, such as:

- ITE – Institute of Traffic Engineers
- ULI – Urban Land Institute
- ICSC – International Conference of Shopping Centers
- APA – American Planning Association
- Or similar as accepted by the Director

2806.02.3 Approval of parking quantity increases as noted above may require a significant increase (*above the minimum required level*) in either or both landscape area and planting density.

2806.03 Parking Space Calculation

In calculating the required number of parking spaces, any fraction of a space shall require 1 parking space.

2806.04 Accessible Parking (*Amended 12/18/12*)

Accessible parking shall be provided at the rate specified in the Building Code, as amended and adopted by Douglas County.

2806.05 Floor Area Calculation

Required off-street parking for nonresidential land use shall be based on the total gross floor area of all floors in the principal structure.

2806.06 Compact Car Parking

In parking areas with 20 spaces or more, a maximum of 40 percent of the required parking spaces may be designated for small or compact cars. Compact parking areas shall be fully segregated from full sized areas by landscape islands or other hardscape improvements approved by the staff planner.

2807 Minimum Requirements for Off-Street Parking – Specific Use

In places of public assembly in which patrons or spectators occupy benches, pew, or other seating facilities, each 20" of seating facilities shall be counted as 1 seat for the purpose of determining requirements for off-street parking facilities under this ordinance.

The minimum number of off-street parking spaces per specific use are required as listed below:

- 2807.01 Auditorium or similar place of public assembly – the greater of:
- 1 space per three fixed seats, or
 - 1 space per 150 square feet of floor area
- 2807.02 Bank/Credit Union/Savings & Loan
- 1 space per 300 square feet of floor area, plus
 - 6 stacking spaces per drive up window
- 2807.03 Bar/Lounge/Night Club, or similar place of assembly
- 1 space per three seats, plus
 - 1 space per employee on maximum shift
- 2807.04 Beauty Parlor/Barber Shop
- 2 spaces per operator station, plus
 - 1 space per employee on maximum shift
- 2807.05 Boarding House
- 1 space per bedroom, plus
 - 1 space per employee on maximum shift
- 2807.06 Bowling Alley
- 3 spaces per lane, plus
 - 1 space per employee, plus
 - additional spaces per each extra non-bowling use, as specified herein
- 2807.07 Car Dealership/Recreational Vehicles or Boats
- 1 space per 1,000 square feet of auto display area, plus
 - 1 space per employee on maximum shift
- 2807.08 Car Wash/Detail Shop
- 1 space per employee on maximum shift, plus
 - 2 spaces per bay or stall
- 2807.09 Church – the greater of:

- 1 space per three fixed seats, or
 - 1 space per 150 square feet of gross floor area
- 2807.10 Day Care/Nursery
- 1 space per each employee on maximum shift (*include overlap as applicable*), plus
 - 1 space per facility owned vehicle, plus
 - 1 space per eight children, plus
 - for centers with student capacity equal to or greater than 25, sufficient area shall be set aside for dropping-off and picking up children in a safe manner that will not cause the children to cross the parking area or traffic drive lanes.
- 2807.11 Firing Range (Archery/Skeet/Rifle or Gun)
- 1 space per platform, plus
 - 1 space per employee on maximum shift
- 2807.12 Fraternity/Sorority House
- 3 spaces per bedroom, plus
 - 1 space per employee on maximum shift
- 2807.13 Funeral Home/Mortuary
- 1 space per 100 sq. feet of floor area open for public use
- ~~2807.14 Group Home~~
- ~~Youth: (18 years and younger)~~
- ~~• 2 spaces per home, plus~~
 - ~~• 1 space per eight beds~~
- ~~Adult: (for persons under 60 years)~~
- ~~• 1 space per bedroom, plus~~
 - ~~• 1 space per caregiver/employee~~
- ~~Elderly: (exclusive for persons 60 years or older)~~
- ~~• 0.5 space per bedroom, plus~~
 - ~~• 1 space per caregiver/employee~~
- 2807.15 Gas Station/Repair Garage
- 1 space per employee on maximum shift, plus
 - 2 space per bay or stall, plus
 - 2 spaces per pump island

2807.16 Gas Station Self Serve/Convenience Store

- 1 space per employee on maximum shift, plus
- 1 space per 250 square feet of convenience store area, plus
- 2 spaces per pump island

2807.17 Golf Course

- 5 spaces per hole, plus
 - 1 space per employee on maximum shift
- Miniature Golf/Driving Range
- 1 space per hole or platform, plus
 - 1 space per employee on maximum shift

2807.14 Group Home

Youth: (18 years and younger)

- 2 spaces per home, plus
- 1 space per eight beds

Adult: (for persons under 60 years)

- 1 space per bedroom, plus
- 1 space per caregiver/employee

Elderly: (exclusive for persons 60 years or older)

- 0.5 space per bedroom, plus
- 1 space per caregiver/employee

2807.18 Hospital or similar health facility

- 1 space per two employees, plus
- 4 spaces for each 25 beds

2807.19 Hotel/Motel

- 1 space per guest room, plus
- 1 space per employee on maximum shift, plus
- parking spaces as required for associated uses such as restaurant, lounge, or conference rooms

2807.20 Industrial Use – manufacturing/processing/assembly

- 1 space per 500 square feet of floor area, plus
 - 1 space per company vehicle, plus
 - 1 space per piece of construction equipment
- Industrial Use – laboratory – the greater of:

- 1 space per 300 square feet of floor area, ~~up to 100,000 square feet,~~ or
- 1 space per employee on maximum shift, ~~plus whichever is greater~~
- If larger than 100,000 square feet, also include 6 spaces per employee over 300 employees

2807.21 Library/Museum/Gallery

- 1 space per 300 square feet of floor area

2807.22 Lumber Yard

- 1 space per 200 square feet of floor area in main sales building

2807.23 Mobile Home Park

- 2 spaces per mobile home, plus
- 1 guest parking space per 4 mobile home spaces

2807.24 Mobile Home Sales

- 1 space per 1,000 square feet of display area, plus
- 1 space per employee on maximum shift

2807.25 Motor Vehicle Repair/Tire Store

- 1 space per employee on maximum shift, plus
- 2 spaces per bay or stall

2807.26 Nursing Home or similar extended-care facility

- 1 space per two employees, plus
- 1 space per five beds, plus
- 1 space per visiting doctor/nurse

2807.27 Office Uses

- 1 space per 300 square feet of floor area, plus
- 1 space for each company-related vehicle in addition to employee and customer parking

2807.28 Post Office or similar public buildings

- 1 space per 300 square feet of floor area, plus
- 1 space for each agency-owned vehicle

2807.29 Recreational Uses (*e.g., swimming pools, skating rinks, health clubs, spas*)

- 1/2 space per person based on occupancy, plus
 - 1 space per spectator seat
- Tennis/Racquetball or other court games
- 2 spaces per court, plus
 - 1 space per employee on maximum shift

2807.30 Recreational Vehicle/Boat Storage Yards (*only with onsite caretaker/lease office*)

- 1 space per 100 RV/Boats, plus
- 1 space per employee

2807.31 Residence

Single-family **detached**:

- 2 spaces per dwelling

Single-family attached:

- 2 spaces per dwelling
- 0.75 guest space per unit

Large-lot (*A-1, LRR, RR, ER*)

- 8 spaces per lot

Multifamily dwelling: (*Amended 8/11/04*)

- 1.5 spaces per one bedroom unit,
- 2 spaces for two and three bedroom units,
- 2.5 spaces for four bedroom units, plus
- 0.25 guest space per unit

2807.32 Restaurant

- 1 space per three seats, plus
- 1 space per employee on maximum shift

Drive-in Restaurant

- 1 space per 100 square feet of floor area, plus
- 6 stacking spaces per drive-up window

2807.33 Retail or Wholesale (*large items e.g., furniture, appliances, floor covering, etc.*)

- 1 space per 300 square feet of floor area

2807.34 Retail/Service Establishment

- 1 space per 200 square feet of floor area
- 6 stacking spaces per drive-up window

2807.35 Schools – Private

Preschool:

- 1 space per each employee, plus
- 1 space per five children

Elementary School:

- 1 space per employee, plus
- 1 additional space per ten employees

Middle School: the greater of:

- 1 space per ten students, or
- 1 space per five seats in auditorium or main assembly area

High School:

- 1 space per employee, plus the greater of:
- 1 space per ten students, or
- 1 space per five seats in auditorium/main assembly area

College/University, or Vocational School

- 1 per employee, plus
- 1 per 100 square feet of classroom area

2807.36 Shopping Center – 100,000+ square feet (*see Section 2802.04 for centers less than 100,000 square feet*)

- 4.5 spaces per 1,000 square feet of floor area

2807.37 Theater

- 1 space per three seats, plus
- 1 space per employee on maximum shift

2807.38 Utility Facility – Major

- To be determined through the approval process

2807.39 Warehousing

- 1 space per 1,000 square feet of floor area, plus
- 1 space per 400 square feet of retail/wholesale/office area, plus
- 1 space per company vehicle

Mini-storage Units

- 1 space per 100 units, plus
- 1 space per employee

3601 Rules of Construction

- 3601.01 The particular controls the general.
- 3601.02 In case of any difference of meaning or implication between the text of this Resolution and the captions for each section, the text shall control.
- 3601.03 The word "shall" is always mandatory and not directory. The word "may" is permissive.
- 3601.04 Words used in the present tense include the future, unless the context clearly indicates the contrary.
- 3601.05 Words used in the singular number include the plural, and words used in the plural number include the singular, unless the context clearly indicates the contrary.
- 3601.06 A "building" or "structure" includes any part thereof. A "building or other structure" includes all other structures of every kind, regardless of similarity to buildings.
- 3601.07 The phrase "used for," includes "arranged for," "designed for," "intended for," "maintained for," and "occupied for."

3602 Definitions

As used in this Resolution, the following words shall be interpreted and defined in accordance with the provisions set forth in this Section or by further modification by the Board of County Commissioners.

Abutting: Having a common border with, or separated from such a common border by a right-of-way, alley or easement.

Accessory Equipment: An enclosed structure, cabinet, shed or box that houses power boxes, electrical equipment, and other related equipment of a telecommunication or personal wireless communication facility.

Accessory Structure: A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Accessory Use: A use naturally and normally incidental to, subordinate to and devoted exclusively to the principal use.

Adjacent: Having a common border with, or separated from such a common border by a right-of-way, alley or easement.

Agricultural Recreational Activities: Special activities related to livestock held for educational, instructional, or recreational purposes, including but not limited to horse shows, gymkhanas, training clinics, team ropings, rodeos, polo matches, endurance rides, hunts, or other activities involving livestock.

Agricultural Activities, Youth-Oriented: Special activities oriented toward children and held for educational, instructional or recreational purposes, including but not limited to: 4-H, pony club, and Little Britches. *(Amended 4/28/15)*

Agriculture: Land uses related to grazing or raising livestock or land uses which produce products that originate from the land's productivity, such as farming, ranching, forestry, tree farming, animal husbandry, and horticulture. Excluded from this definition is all marijuana prohibited by Douglas County per Resolution No. R-010-108 and Ordinance No. O-012-003. *(Amended 1/28/14)*

Agricultural Producer: A person or entity that raises or produces Agricultural Products on land that the person or entity farms and owns, rents, or leases. *(Amended 1/28/14)*

Agricultural Products: Products that originate from the land's productivity, such as fruits, vegetables, mushrooms, herbs, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock products (including meat, milk, cheese and other dairy products), hay, grass, and grains. Excluded from this definition is any marijuana product, the cultivation or other processing of which is prohibited by Douglas County per Resolution No. R-010-108 and Ordinance No. O-012-003. *(Amended 1/28/14)*

Agricultural Worker: An individual employed in the operation of a farm or ranch.

Airport: Any area of land or water designed for the landing and take-off of aircraft for business or commercial purposes, including all necessary facilities for passenger and cargo loading, maintenance and fueling facilities and housing of aircraft.

Alley: A public or private vehicular passageway dedicated or permanently reserved as a means of secondary access to abutting property and designated an alley on a final plat. An alley shall not be considered to be a street.

Ambient Lighting: All available light surrounding a subject sign at any point in time with the subject sign light source extinguished. *(Amended 2/11/14)*

Ambient Noise Level: The average equivalent sound level (LEQ) occurring during a six-minute period as measured with a sound level measuring instrument. The ambient noise level shall be determined with the noise source at issue silent, and in the same location and approximate time as the measurement of the noise level of the source at issue.

Animal, Exotic: An animal introduced from another country not normally kept as a household pet or farm animal. *(See animal - nondomestic.)*

Animal, Household Pet: A small animal customarily permitted to be kept in a dwelling for company or pleasure, including, but not limited to, dogs, cats, pot-bellied pigs, gerbils, hamsters, tropical fish, or common house birds, provided that such animals are not kept to supplement food supplies or for any commercial purpose. A limit of one (1) litter, brood, or offspring is permitted, per household, per year.

Animal, Nondomestic: An animal not normally adapted to live and breed in a tame condition. (*See animal - exotic.*)

Antenna: A system of wires, rods, reflecting discs or similar devices used for the wireless transmission or reception of electromagnetic waves.

Directional (or panel or rectangular): A flat surface antenna used to achieve transmission or reception from a specific direction.

Parabolic: A round, often concave, antenna no greater than 24" in diameter used primarily for point-to-point transmission of radio signals.

Omnidirectional (or whip): A thin, self-supporting rod antenna that beams and receives a signal in all directions.

Satellite Dish: A ground mounted antenna, generally exceeding 24" in diameter, incorporating a solid, open mesh, or bar configured surface used to transmit or receive radio or electromagnetic waves.

Antenna Array: Groups of directional panel antennas designed to send and receive wireless transmissions.

Avigation Easement: An easement that allows the grantee the right to use the airspace. The easement may include restrictions regarding the height of structures, the use of reflective glass, or the interference of radio transmissions by the grantor and an acknowledgment by the grantor that airplanes flying overhead may present a physical danger, increase noise levels or cause pollution.

Base Flood: The flood having a 1% chance of being equaled or exceeded in any given year. (*Refer to Flood - 100 year*)

Batch Plant, Concrete, Mortar, or Asphalt: A site, together with its accessory facilities, where sand, gravel, cement and various petroleum derivatives are compounded to manufacture concrete, mortar or asphalt.

Bed and Breakfast: A dwelling where a maximum of five (5) guest units for overnight or otherwise short-term temporary lodging is provided and may include meals. The operator of the facility shall live on the property. (*This does not include hotels/motels.*)

Berm: Mound of earth used in landscaping for screening, definition of space, noise attenuation, or decoration.

Board or Board of County Commissioners: The Board of County Commissioners of Douglas County; the governing body of Douglas County.

Bordering: Touching at a boundary.

Borrow Site: A site used for the extraction of earthen materials such as sand, gravel, rock, dirt, etc., where the material is removed from the legally described site and characterized by a short-term operation and a limited quantity of earthen material.

Buffer Area: An area of land established to separate and protect one type of land use from another; to ~~screen-protect~~ from objectionable noise, smoke, or visual impact; or to provide for future public improvements or additional open space.

Building: Any permanent structure, or portion thereof, built for the shelter or enclosure of human beings, animals, or property of any kind and excluding signs or fences.

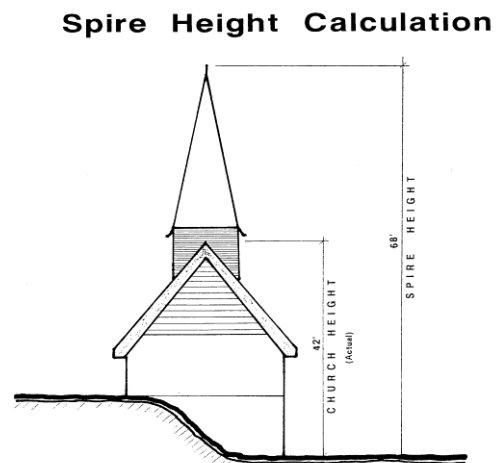
Building Envelope: The portion of a lot within applicable setback requirements where building construction will be permitted, or other activities if so limited or described on the plat.

Building Face: The horizontal linear dimension of any side of a building as determined by measuring the exterior wall of any side of said building in a straight line. A side of any building shall contain only one building face. (Amended 2/11/14)

Building Height: The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

- (1) The elevation of the highest adjoining sidewalk or ground surface within a five (5) foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above the lowest grade.
- (2) An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in number one (1) above is more than 10 feet above the lowest grade.
- (3) The height of a stepped or terraced building is the maximum height of any segment of the building. (Amended 12/18/12)

Spire Height Calculation (see diagram)



Campground: An area or tract of land on which accommodations for temporary occupancy (not to exceed 30 days in any one calendar year) are located including the parking or placement of camping and travel trailers, motor homes, truck campers or tents used for human occupancy.

Canopy: A roof like cover, including an awning that projects from the wall of a building over a door, entrance, or window; or a free-standing or projecting cover over an outdoor service area, such as at a gasoline station. *(Amended 2/11/14)*

Capacity: The maximum demand that can be accommodated by a public facility or service without exceeding the level of service as determined by the service provider. *(Amended 11/18/14)*

Capital Improvements: Large scale physical assets constructed or purchased to provide, improve, or replace a costly public facility. "Capital improvements" shall include physical assets providing additional capacity needed to accommodate the demand for public facilities generated by a development. *(Amended 11/18/14)*

Carrier: A company that provides personal wireless communication services.

Cellular Communication: A type of personal wireless communication service consisting of low-power mobile radio communication that occurs through a network of radio wave transmitting devices.

Centennial Airport Review Area (CARA): An overlay district intended to allow for compatible land-use planning in the vicinity of Centennial Airport. The overlay district includes three components; safety zones, noise zones, and height zones as depicted in Figure 19-1.

Central Water: Water service provided by a special district formed pursuant to the Special District Act, C.R.S. § 32-1-101, et. seq.

Central Sanitation: A centralized wastewater collection and treatment facility approved by Tri-County Health Department and the Colorado Department of Health including at a minimum, secondary wastewater treatment, subject to any waste discharge permits required by the State.

Channel: A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water. Channel flow is that water which is flowing within the limits of the defined channel.

Church: A building, where people regularly assemble for worship, or other type of religious practice, together with its accessory buildings and uses, maintained and controlled by an organization to sustain public worship. *(Amended 4/28/15)*

Clinic, Dental or Medical: A facility licensed and used for the provision of medical, dental, surgical or mental health care of the sick or injured, but excluding therefrom inpatient and overnight accommodations.

Club (Country Club): Individuals gathered for social, educational or recreational purposes, including buildings or facilities owned/operated by such organization, excluding a golf course unless specifically permitted in that zoning district.

Collocation: The circumstance occurring when one or more carriers install antenna arrays on the same single structure.

Commercial Storage Area: An outdoor area for the storage of items including but not limited to raw materials, supplies, finished or semi-finished products, goods, wares, merchandise, vehicles, or equipment.

Commitment to serve: (as related to water supply) - A letter stating the water district's "intent to serve" the project, or at the time of final/minor development plat application, a letter stating that the water district "will serve" the area of the final/minor development plat.

Comprehensive Master Plan: The Douglas County Comprehensive Master Plan as adopted by Planning Commission resolution. The Douglas County Comprehensive Master Plan is the long-range plan intended to guide the growth and development of the County, and is inclusive of supplemental plans which may be adopted and incorporated by Planning Commission resolution.

Condominium: A legal form of ownership whereby an owner gains title to an interior air space dwelling unit, together with interest in the common areas and facilities appurtenant to such units.

Confinement Center: An animal feeding operation where livestock are kept and fed in close quarters until they are shipped to market.

Construction: Any and all activity incidental to the erection, demolition, assembling, altering, installing, or equipping of buildings, structures, roads, or appurtenances thereto, including land clearing, grading, excavating, and filling.

Convenience Store: A small retail or service commercial use, which provides limited food products, household items or other goods or services commonly associated with the same, which do not typically offer comparison shopping opportunities.

County: Douglas County, Colorado.

Cultural Facility: A building or area designed and intended for intellectual or artistic activities, including a museum, art gallery, outdoor amphitheater, fairground, sports stadium/arena, performing arts center, or similar facility.

dB(A): A sound level in decibels measured on the “A” scale of sound level having characteristics defined by the American National Standards Institute. [§25-12-102(2), C.R.S.]

Day-Care Center/Preschool: A commercial facility where care and training is provided for children or adults for periods of less than 24 consecutive hours.

Day-Care Home:

- small - A residence in which care is provided for up to six (6) children or adults, including the provider's own children, plus two (2) additional children of school age either before or after school hours, and on days during the regular school year when school is not in session, such as conference days/in-service days and holidays, including summer vacations or off-track periods in year-round schools when the child does not attend classes. If the applicant has an experienced Child Care Provider License, a maximum of nine children may be permitted in accordance with Colorado Department of Human Services regulations for child care facilities.
- large - A residence in which care and training is provided for seven (7) to 12 children or adults, including the provider's own children, except as provided for above.

Day-Care Household Pets: A retail/service facility for the care of dogs or other household pets for periods of less than 24 consecutive hours. Overnight, indoor boarding may be permitted as an accessory use only. Outdoor holding facilities are prohibited in connection with the accessory use.

Decibel: A unit describing the relative amplitude of sound. A decibel is a unit of sound pressure level equal to 20 times the logarithm to the base 10 of the ratio of the sound pressure to the reference pressure of $2 \times 10^{-5} \text{N/m}^2$ (Newton's/meter squared.) [§25-12-102(3), C.R.S.]

Density: The number of units per area of measure. For example, the number of dwelling units per acre.

Density, Gross: The total number of units divided by the total land area within the boundary of the project including publicly dedicated streets, open space or other public facilities.

Density, Net: The number of units divided by the land area within the boundary of the project excluding publicly dedicated streets, open space or other public facilities.

Department: The Douglas County Community Development Department.

Designated Elevation: The elevation above sea level determined at each airport in accordance with the approved airport guidelines.

Development: Any change to improved or unimproved real estate, including but not limited to: buildings, structures, mining, dredging, filling, grading, paving, excavation or drilling operations or any alteration to land, buildings or structures which falls under the purview of this Resolution.

Development Plan: A specific set of regulations establishing lot size, land use, density, lot coverage, open space or other standards and a map depicting land uses within a Planned Development District approved by the Board and recorded in the Office of the Clerk and Recorder. The current and future owners and their assigns are required to develop their property in accordance with this plan.

Director: The Director shall be as designated by the County Manager.

Driveway: A private vehicular access abutting a street, for the exclusive use of the owners and occupants of the lot, lots or project and their invitees, not considered to be a street.

Dude Ranch: A functioning ranch that offers guests the opportunity to participate in activities commonly associated with its operation. The recreational component shall be accessory to the principal ranching operation.

Dwelling: A building or portion thereof used exclusively for residential occupancy, including single-family, two-family and multi-family dwellings, but not including mobile homes, boarding houses, hotels, motels, recreational vehicles, or tents. Manufactured homes certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. 5401 et seq., as amended and Section 30-28-115 of the Colorado Revised Statutes shall be deemed a dwelling unit. *(Amended 5/10/16)*

Dwelling, Multifamily: A dwelling situated on 1 lot and arranged, designed or intended for occupancy by two (2) or more families living independently of each other, including condominiums and duplexes, but excluding therefrom hotels and motels.

Dwelling, Single-Family: A dwelling situated on 1 lot and arranged, designed or intended for occupancy by not more than one (1) family in compliance with the County building code. The dwelling must function as a continuous enclosure without any impassable separation such as a wall or floor. Dwelling spaces joined by a garage or breezeway are considered to be a separate dwelling.

Dwelling, Single-Family, attached: A dwelling with primary ground floor access to the outside, which is attached to another unit by a party wall without openings, and is situated on one (1) lot. The term is intended primarily for such dwelling types as townhouses, cluster units, patio homes.

Easement: An acquired right of use, interest or privilege in land owned by another.

Enhanced Specialized Mobile Radio Service (ESMR): A type of communication technology that is used primarily by fleet-dispatched service providers and closed system mobile radio users.

Entertainment Event: A public presentation for which admission is made available to the general public, held on a one time or occasional basis that provides amusement for, or holds the attention of, those in attendance. *(Amended 4/28/15)*

Entertainment Event, Major: An Entertainment Event that exceeds the limitations placed on Minor Entertainment Events. *(Amended 1/28/14)*

Entertainment Event, Minor: An Entertainment Event that meets one of the following limitations:

- A one-day event, such as a concert, with a maximum daily attendance of 500 persons.
- A multi-day event, such as a festival, carnival, or revival, with a maximum daily attendance of 300 persons and duration of seven days or less. *(Amended 1/28/14)*

Equipment, Small: Vehicles/equipment not exceeding the following gross vehicle weights: Motorized - 18,000 lbs.; nonmotorized - 6,000 lbs.

Event Center: A facility consisting of structures or premises used to accommodate the assembly of persons for private meetings, parties, weddings, wedding receptions, reunions, birthday celebrations, charitable fundraisers, and other social engagement purposes, or similar such uses, in exchange for remuneration of any kind. Such use may include the provision of food, beverages, and entertainment. Event Center shall not include any use component of a sexually oriented business, as defined herein. *(Amended 4/28/15)*

Family: An individual or a group of persons, whether related or not, that habitually reside in a single dwelling unit and form a single residential unit, who share common living areas (e.g. laundry, kitchen, living room, garage, etc.) and expenses, and are at least partially dependent upon each other for care of the residential unit.

A family shall not include more than one (1) registered sex offender over the age of 18, unless related by blood, marriage, or legal adoption to all other occupants. *(Amended 5/10/16)*

Farm and Commercial Garden Building: A building or structure used to shelter or enclose livestock, poultry, feed, flowers, field equipment or similar uses.

Farmers Market: An outdoor market open to the public and operated by a governmental agency, a nonprofit corporation, or one or more Agricultural Producers; where the products offered for sale are Agricultural Products, Value-added Agricultural Products, and incidental sale of other items. *(Amended 1/28/14)*

Feedlot: Any tract of land or structure, pen/corral wherein cattle, horses, sheep, goats, swine, or similar livestock are maintained in close quarters for the purpose of feeding such livestock in order to fatten them prior to final shipment to market.

Fence ~~—Solid~~: Any structure used as a barrier, ~~or a boundary.~~ ~~or means of concealing the interior portion of a lot.~~

Firearm: Any handgun, revolver, pistol, rifle, shotgun, or other instrument or device capable of or intended to discharge bullets, shot, or other projectile by means of gasses released by burning a solid propellant.

Fire Protection Facilities: Fire stations and major pieces of fire fighting apparatus, including, but not limited to pumpers, quick response vehicles, hook and ladder trucks, and similar equipment, owned and operated by county fire districts.

Firing Range: A facility used to provide, in exchange for remuneration of any kind, training in conjunction with, or for practice in, discharging firearms. *(Amended 4/28/15)*

Flag: A piece of fabric, cloth, or sturdy material usually oblong, rectangular, square, or triangular, typically attachable on one edge to a staff, pole, or cord. *(Amended 2/11/14)*

Flood, 100-year: The flood having a 1% chance of being equaled or exceeded in any given year. It is also known as a "base flood".

Floodplain: The area adjoining any river, stream, watercourse, lake or other body of standing water which is subject to inundation by a 100-year flood. Refer to the floodplain overlay district section for more information.

Floor Area, Gross: The sum of the horizontal area, measured in square feet, of all floors of a building measured from the exterior face of the wall including stairwells or elevator shafts and excluding unfinished basements or attics, garage space, or unenclosed porches.

Floor Area, Net: The sum of the horizontal floor area, measured in square feet, of all floors of a building measured from the interior face of the exterior wall excluding therefrom, stairwells, elevator shafts, covered malls, covered walkways, roof patio areas, covered entries, covered parking, covered driveways, covered loading areas, utility rooms and storage areas.

Floor Area Ratio - F.A.R.: Determined by dividing the gross floor area of all buildings on a lot by the total area of that lot.

Frontage: The length of a parcel/lot abutting a right-of-way.

Garage:

Private - A building, or portion thereof, including carports, in which only private or pleasure-type motor vehicles used by the owners or resident tenants of the land are stored or kept.

Public - A building, or portion thereof, other than a private garage, used for the parking of automobiles.

Golf Course: A recreational facility primarily used for the purpose of playing golf, including associated food service, retail sales areas, and staff offices, excluding residential and other non-golf recreational uses.

Grade: The elevation of the finished surface of the ground.

Greenhouse: A structure used for the propagation, cultivation or growing of nursery stock such as flowers, bulbs, plants, trees, shrubs or vines.

Group Home: A residence that provides non-institutional housing for persons living as a single housekeeping unit as follows: *[Per 30-28-115 CRS]*

- A group of no more than 8 persons with developmental disabilities living in a state-licensed group home or community residential home; or
- A group of not more than 8 persons with a mental illness living in a state-licensed group home; or
- A group of not more than 8 persons 60 years of age or older who do not need nursing facilities; or
- Any other type of home allowed under the provisions of the Fair Housing Act, as amended, for any type of protected class, or pursuant to any other applicable law

Group Homes that do not meet the conditions listed shall be considered Group Residential Facilities for purposes of this resolution. *(Amended 5/10/16)*

Group Residential Facility: A residence, not qualifying as a group home, that provides a community living environment for individuals requiring custodial care, medical treatment, or specialized social services. This term includes, but is not limited to: specialized group child care home, facility or center; residential child care facility; residential treatment facility; shelters for the homeless; shelters from domestic violence; residential facilities for those living together as a result of criminal offenses; and homes for individuals that are HIV positive or afflicted with the AIDS virus. *(Amended 5/10/16)*

Guest House: A dwelling attached or unattached to the principal dwelling, used to house guests of the occupants of the principal dwelling, and which shall not be rented or leased, or held in ownership by other than the owner of the principal dwelling.

Hay: Grass or other herbaceous plant that has been cut, dried, and stored for use as animal fodder, particularly for grazing livestock such as cattle, horses, goats, and sheep. (Amended 4/28/15)

Hay Sales: The sale of imported hay for animal fodder as a principal commercial use of the property. No other bagged or baled animal feed, imported agricultural products, or other sales are allowed, except as otherwise permitted herein. (Amended 4/28/15)

Hedge: A row of shrubs or small trees which, at maturity, forms a barrier that cannot be easily seen through.

Heliport: Any area used by helicopters for commercial or business purposes, including landing and take-off, passenger and cargo loading, maintenance and fueling facilities.

Home Occupation: A business use conducted on the site, which is clearly incidental and secondary to the use of the land for residential or agricultural purposes; that does not change the character of the dwelling, lot, or neighborhood; and that allows the resident to work at home. Such uses as a motor vehicle repair or body shop, bed and breakfast establishment, medical clinic, hospital, kennel, animal clinic/hospital, retail business, warehousing and distribution, or any similar use generating more than occasional or minimal vehicular or pedestrian traffic shall not be allowed as a home occupation.

Homeowners' Association: An association of homeowners within a residential area created to govern the area with powers including but not limited to: the setting and collection of expense assessments from the members of the association, the control and maintenance of common areas, and the enforcement of protective covenants.

Horse, Boarded: A horse, not owned by the landowner or lessee, kept on the landowner or lessee's property for a period of 24 hours or more.

Horse, Nonowned: A horse not solely owned by the owner or lessee of the land. A horse leased for the exclusive use of the lessee shall be considered to be an owned horse.

Horse, Owned: A horse solely owned by the owner or lessee of the land. A horse leased for the exclusive use of the lessee shall be considered to be an owned horse.

Horse Rental Stable: A facility where horses, ponies, or mules are rented to the general public for recreational purposes.

Hospital: An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities and staff offices that are an integral part of the facilities.

Hotel: Any building arranged, designed or intended as a temporary lodging place for human beings, with or without meals, in which there are six (6) or more guest rooms or

suites, and in which only minimal provision may be made for cooking in any individual room or suite.

Hunting/Fishing Club: Individuals gathered for the express purpose of participating in recreational activities directly related to hunting, fishing and similar outdoor sportsman activities that typically take place on club-owned land.

Impact Area: The area within which a proposed development is presumed to create a demand for public facilities and services and which area, therefore, will be evaluated to determine whether the capacity of public facilities and services is adequate to accommodate the demand. The impact areas for specific public facilities and services are as follows:

- (1) Fire Protection: the boundaries of the district providing fire protection service to the proposed residential development.
- (2) Public Schools: High School Feeder Areas as designated by the Douglas County School District.
- (3) Streets: the area as defined in the Douglas County Roadway Design and Construction Standards. *(Amended 11/18/14)*

In-Home Elder Care: Providing 24-hr. in-home care for six (6) or fewer elderly persons (*60+ years old*), not related to the members of the household, who are ambulatory and are not mentally ill or developmentally disabled, who because of impaired capacity for independent living elect protective oversight, but do not require regular 24-hour medical or nursing care. The care provider shall reside at and maintain their primary place of residency in this home, be licensed by the State, and may have 1-2 nonresident helpers. The limitation contained in §30-28-115(2)(f), C.R.S., requiring that a group home for the aged not be located within 750' of another such group home, shall not apply to in-home elder care facilities.

Industrial Park: A tract of land with two or more separate industrial buildings or related uses planned, designed, constructed, or managed on an integrated and coordinated basis with special attention to on-site traffic patterns, parking, utilities, building design and orientation, and open space.

Junk Yard: A building, structure or parcel of land, or portion thereof, used for the collecting, storage or sale of waste paper, rags, scrap metal or discarded material; or, for the collecting, dismantling, storage, salvaging, or demolition of vehicles, machinery or other materials.

Kennel: Any site used to keep more household pets than permitted in Section 24 Animals or used for breeding, boarding, training with boarding or selling of household pets. This definition shall not include a veterinary clinic or hospital or pet shop. *(Amended 5/27/14)*

Landfill: A site used for the disposal of junk, garbage or other waste material including biodegradables imported from off-site. The burying of biodegradable material that

originated on-site shall not be considered a landfill provided all applicable requirements are met and necessary permits obtained.

Landing Field - Private: An area of land or water designed for the landing or take-off of aircraft for the benefit of the landowner/lessee and not to be used for commercial purposes.

Landscape: Improvement to an area of land by the planting of a combination of trees, shrubs and ground covers.

Legal Description: A written metes and bounds description of the boundary of a parcel of real property by a Professional Land Surveyor (PLS), for the purpose of perpetuating location and title. The description must recite all ties and monuments, recorded or physical, which will determine the correct position of the boundary, all references to adjoining lands by name and record, and a full dimensional recital of the boundary courses in succession which shall be mathematically correct. The description must be accompanied by an exhibit or map showing all pertinent information as described in the narrative.

Level of Service (LOS): An indicator of the extent or degree of service provided by, or proposed to be provided by, a public facility based upon and related to the operational characteristics of the public facility; or the capacity per unit of demand for each public facility.

Level of Service (LOS), Adopted Roadway: Level of Service C for Nonurban areas and D for Urban areas. *(Amended 11/18/14)*

Level of Service (LOS), Roadway: A performance measure of quality of service measured on an A-F scale, with a LOS A representing the best operating conditions from the traveler's perspective and a LOS F representing the worst. *(Amended 11/18/14)*

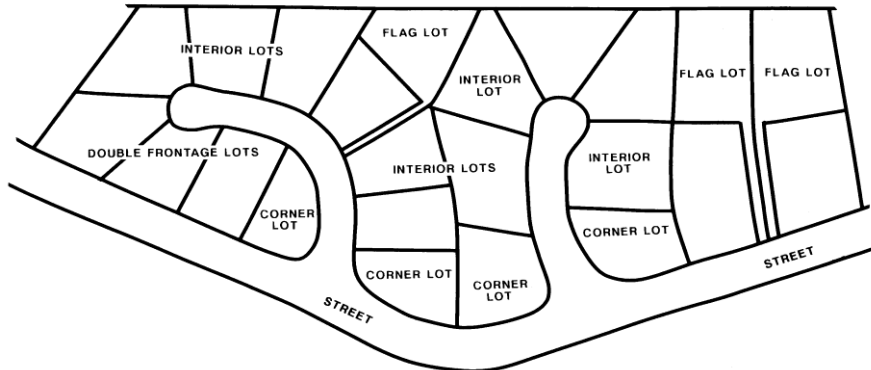
Lot: A parcel of land designated as a lot on a recorded plat or a parcel of land that has been recorded by a deed in the Office of the Douglas County Clerk and Recorder provided such lot was created in compliance with the State land-use laws and Douglas County subdivision and zoning regulations in effect at the time the lot/parcel was created. Also, lot of record. *(A tax parcel is not necessarily a lot of record)*

Corner - A lot abutting two or more adjacent streets which have an angle of intersection of not more than 135 degrees.

Double Frontage - A lot abutting two nonintersecting streets as distinguished from a corner lot.

Flag - A lot having access or an easement to a public or private street by a narrow, private right-of-way

Interior - A lot other than a corner lot.



Lot, Area of: The area of a lot exclusive of streets, County-dedicated land or open space.

Lot, Buildable: A lot of record that complies with all the requirements of the zoning district within which it is located, or a nonconforming lot provided such lot was created in compliance with the State land-use laws and the Douglas County subdivision and zoning regulations in effect at the time the lot was created. *(A tax parcel may or may not be a buildable lot.)*

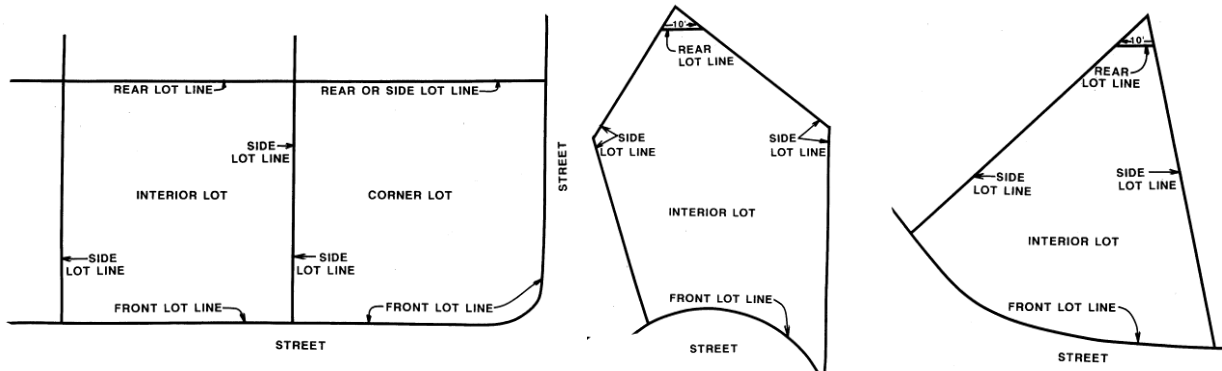
Lot, Nonconforming: A lot that has less than the required minimum area or width as established by the zone in which it is located.

Lot Line: Any boundary of a lot. The classifications of lot lines are:

Front: The lot line separating the lot from a street. On a corner lot or double frontage lot each lot line separating the lot from a street is considered a front lot line. Where a lot is not abutting a street, other than by its driveway, that lot line which faces the principal entrance of the main building is the front lot line.

Rear: The lot line opposite and most distant from the front lot line; however, for corner lots the rear lot line may be any lot line not abutting a street. For triangular, pie-shaped, or irregularly-shaped lots the rear lot line shall be deemed to be a line within the lot having a length of 10 feet, parallel to and most distant from the front lot line for the purpose of determining required setbacks.

Side: Any property boundary line which is neither a front lot line nor rear lot line.



Major Reservoir(s): Any body of water within the State of Colorado having a surface area at high water line in excess of 100 acres excepting livestock water tanks as defined in Article 49 of Title 35, C.R.S. 1973.

Manufactured Housing: A factory-built, single-family structure that is manufactured and certified under the authority of 42 U.S.C. Section 5401, the National Manufactured Home Construction and Safety Standards Act, in compliance with Section 30-28-115 of the Colorado Revised Statutes. Manufactured housing is different than a mobile home.

Message: A complete, static display message on an Electronic Message Sign. *(Amended 2/11/14)*

Message Hold Time: The time interval a static message shall remain on the display before transitioning to another message on an Electronic Message Sign. *(Amended 2/11/14)*

Metes and Bounds: A method of describing or locating real property; metes are measures of length and bounds are boundaries; this description starts with a well-marked point of beginning and follows the boundaries of the land until it returns once more to the point of beginning.

Microwave Dish: A device for receiving or transmitting radio frequency/electromagnetic waves.

Mineral: An inanimate constituent of the earth, in either solid, liquid or gaseous state that, when extracted from the earth, is usable in its natural form or is capable of conversion into usable form as a metal, a metallic compound, a chemical, an energy source, a raw material for manufacturing or construction material.

Mineral Resource Area: An area in which minerals are located in sufficient concentration in veins, deposits, bodies, beds, seams, fields, pools or otherwise, as to be capable of economic recovery. The term includes but is not limited to any area in which there has been significant mining activity in the past, there is significant mining activity in the present, mining development is planned or in progress, or mineral rights are held by mineral patent or valid mining claim with the intention of mining.

Mining: The withdrawal or refinement of materials including but not limited to: minerals (either solid, liquid, or gas which are usable in their natural form or converted to a usable form when extracted from the earth), sand, gravel, quarry aggregate, oil, natural gas, coal, dimension or landscape stone, peat and metals. Mining does not include surface or groundwater found in Douglas County.

Mobile Home: A portable structure used or designed to be used for living or sleeping purposes, transportable on its own wheels and requiring only minor work after arrival on its site to become suitable for occupancy. A mobile home is allowed as a dwelling only in the MH zone district or as specified in the A-1 and LRR zone districts. A mobile home shall also mean any factory built home pre-dating the Housing and Urban Development

Department's manufactured housing regulations adopted in 1976. *(Refer to Manufactured Housing and Modular Home) (Amended 4/28/15)*

Mobile Home, Converted: A mobile home that has been placed on a permanent foundation and taxed as real estate. Converted mobile homes shall be permitted only in MH zone district, or as a specified within the A-1 and LRR zone districts. A mobile home shall also mean any factory built home pre-dating the 1976 Housing and Urban Development Department's manufactured housing regulations adopted in 1976. *(Amended 4/28/15)*

Mobile Home Park: A parcel of land under single or unified ownership or control within which spaces are rented for occupancy by mobile homes.

Mobile Home Subdivision: An area of land subdivided for occupancy by mobile homes exclusively, and containing lots in divided or separate ownership.

Modular Home: A prefabricated living unit, designed to become a permanent building, which meets the building standards of the Douglas County Building Code.

Motel: A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking area adjacent to each unit.

Motorcycle: A self-propelled vehicle with not more than three (3) wheels in contact with the ground that is designed primarily for use on the public highways. *[§25-12-102(5.2), C.R.S.]*

Motorsports: The operation of Motorsport Vehicles for practice, education, recreation, or competition, excluding agricultural or property maintenance uses or the occasional, incidental operation of Motorsports Vehicles on private property that does not result in the establishment of a track. *(Amended 8/9/16)*

Motorsports Facility: A track for Motorsports *(Amended 4/26/16)*

Motorsports Facility, Private: A Motorsports Facility for personal use that requires the movement of a cumulative total of 50 cubic yards or more of dirt or other material for such use, when a principal residence has been established on the property. *(Amended 4/26/16)*

Motorsports Vehicle: A self-propelled vehicle including Motor Vehicles, Motorcycles, Off-Highway Vehicles, and Snowmobiles used primarily off road. *(Amended 4/26/16)*

Motor Vehicle: A self-propelled vehicle with at least four (4) wheels in contact with the ground that is designed primarily for use on the public highways. *[§25-12-102(5.4), C.R.S.]*

Nonconforming Building: A building that does not meet the bulk requirements of the zoning district in which it is located, but which complied with applicable regulations at the time the building was constructed.

Nonconforming Use: A use of land that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

Nonurban Areas: Nonurban Areas as designated on the Douglas County Master Plan Land Use Map and as defined in the Douglas County Master Plan.

Nursing Home: A 24-hour residential care facility, licensed by the state, providing some level of skilled nursing or medical service.

Off-Highway Vehicle: A self-propelled vehicle with wheels or tracks in contact with the ground that is designed primarily for use off the public highways, excluding military vehicles, golf carts, snowmobiles, vehicles designed and used to carry persons with disabilities, and vehicles designed and used specifically for agricultural, logging, firefighting, or mining purposes. [§25-12-102(5.6), C.R.S.]

Office, Professional: A place of business for predominantly administrative, professional, or clerical operations, i.e., accountant; architect; attorney; bookkeeper; broker; doctor; dentist, chiropractor; psychologist; drafter; bank; savings and loan; insurance company; credit union; credit-reporting agency; developer; contractor; engineer; surveyor; planner; insurance agency; interior design; landscape architect; pharmacy; notary; stenographer; clerical services.

Open Space: Public or private land and aquatic areas that are regulated or managed to protect the natural environment and significant cultural resources; provide recreation and agricultural opportunities; shape the pattern of urban development, or any combination thereof, including yards and common areas and including a limited number of buildings and accessory uses compatible with intended use. Open space shall be deemed not to include driveways, parking lots, or other surfaces designed or intended for vehicular travel.

Parcel: All contiguous land held under one deed irrespective of the method of legal description used.

Park: A tract of land identified for public use by zoning or subdivision action, or designated by an authorized public entity, for recreational, educational, or cultural purposes.

Parking, Lot: An area other than a street or alley that is permanently reserved and maintained for the parking of motor vehicles on a temporary basis - daily or overnight.

Parking, Off-Street: See Parking Lot. (Amended 2/11/14)

Person Aggrieved: An applicant, an abutting property owner, or a person with an interest in real estate located within 1,000 feet of the subject property where such person can show his/her property interest has been damaged by a final administrative decision and such damage is different in kind, not merely in degree, from that experienced by the public generally. (Amended 8/12/14)

Personal Communication Service (PCS): A type of wireless communication technology capable of transmitting voice, data and paging that utilizes small geographic areas on a tight grid of interconnected sites.

Personal Use: Exclusively for use in relation to Motorsports, a use for which no remuneration, either direct or indirect, of any kind is provided. *(Amended 4/26/16)*

Personal Wireless Communication Facility: Any unstaffed facility for the transmission and/or reception of voice, data and paging signals consisting of one or more of the following elements: antennas, support towers, or accessory equipment buildings or structures.

Personal Wireless Communication Services: The term used to collectively describe low-powered, unmanned facilities providing wireless telecommunication services including, but not limited to, paging, enhanced specialized mobile radio (ESMR), personal communication service (PCS), commercial mobile radio service (CMRS), cellular telephone and similar technologies, to a small geographic area within a network of interconnected sites. The power density at the property line or lease area shall not exceed the radio frequency emission standards set by the FCC.

Planned Development: A zoning district for an area of land controlled by one or more landowners, which is developed under a single development guide for mixed use.

Planning Area: An area of land within a Planned Development defined by acreage, use, density, etc., and whose boundaries are defined by the alignment of arterials or collectors or as otherwise depicted on the Development Guide.

Planning Commission: The Douglas County Planning Commission.

Planning Office: The Douglas County Planning Office.

Plant Nursery: An area of land used to raise trees, shrubs, vines or other plants, for transplanting or sale.

Plat: A map and supporting materials of certain described land prepared in accordance with the Douglas County Subdivision Resolution as an instrument for recording of real estate interests with the County Clerk and Recorder.

Primary Urban Area (PUA): The Primary Urban Area as designated on the Douglas County Comprehensive Master Plan Land Use Map and as defined in the Douglas County Comprehensive Master Plan. *(Amended 11/18/14)*

Principal Building: A building in which the primary use of the lot/parcel on which the building is located is conducted.

Principal Use: The main use of land or structures, as distinguished from an accessory use.

Public Facilities: Infrastructure and associated improvements including water facilities, wastewater facilities, fire protection facilities, public schools, regional parks and streets.
(Amended 11/18/14)

Public Schools: Elementary schools, middle schools, or high schools and charter schools, capital equipment provided therein and the land needed for public schools, which are owned and operated by the Douglas County School District.

Recreation Facility, Indoor: An establishment providing recreational activities, completely enclosed by a structure, such as bowling alley, gymnasium, roller skating or ice skating, billiards, pool, theater, swimming pool or related amusements. This does not include adult entertainment establishments.

Recreation Facility, Outdoor: An area used primarily for outdoor recreational activity, i.e., swimming pool, tennis court, basketball court, soccer field, baseball diamond, park, playground or other similar uses not specifically addressed, and may include structures for restrooms, locker rooms, maintenance equipment storage.

Recreation Facility, Community: An indoor/outdoor area or other facility used for social or recreational purposes, generally open to the public, including active play fields, swimming pools, tennis or basketball courts, play apparatus, or picnic areas and generally serves residents within a 5 to 7 mile radius.

Recreation Facility, Neighborhood: An indoor/outdoor area or other facility used for social or recreational purposes, generally open to the public, including active play fields, swimming pools, tennis or basketball courts, play apparatus, or picnic areas and generally serves residents within a 2 mile radius.

Recreation Facility, Private: An indoor/outdoor area or other facility used for social or recreational purposes, owned and operated by a Homeowners' Association or similar entity, for the exclusive use of the residents and their invitees within a residential development. These facilities may include but are not limited to: meeting rooms, game rooms, kitchen/bar, lounge areas, restrooms, and indoor/outdoor recreation facilities. These facilities may also include ancillary offices for the Homeowners' Association or similar entity. Structures and site amenities should be of similar design, scale, and materials as the residential development it serves.

Recreational Vehicle: A motor home, travel or camping trailer, van or truck camper, with or without self-motive power, boat, jet ski, motorcycle or all-terrain vehicle.

Recreational Vehicle Storage Yard: An area of land and associated structures arranged, designed or intended to accommodate the temporary parking or storage of unoccupied recreational vehicles.

Referral Agency, Advisory: A public or private organization which is interested in providing advisory comments to Douglas County on a land use proposal or proposed legislative action.

Referral Agency, Regulatory: An entity which is responsible for providing referral comments to Douglas County on a land use proposal or proposed legislative action, and which: (1) provides facilities and/or services for the proposed land use; and/or (2) provides regulatory control over some aspect of the subject property or proposed land use; and/or (3) is a referral agency under state or federal law.

Regional Parks: Park land and related facilities thereon which support both passive and active recreational activities for all Douglas County residents, which is owned by Douglas County, or which may be owned by another local governmental entity within unincorporated Douglas County which is at least 50 acres in size.

Registered Sex Offender: Any person who is required to register their place of residence with the Sheriff's Department or other local law enforcement agency in accordance with §18-3-412.5 C.R.S., as amended.

Religious Retreat: A building or site designed and designated for religious teaching, reflection, or contemplative activities, maintained and controlled by a religious organization to sustain worship or other religious practice, and may include overnight guest accommodations. This use is distinct from that of a church, which is separately defined herein. (*Amended 4/28/15*)

Residence, Caretaker: A dwelling or mobile home designed or intended for occupancy by a person(s) owning, employed in or dealing with, and responsible for the security and maintenance of the land on which it is situated. A caretaker's residence shall meet the principal use setbacks.

Residential Rezoning: A rezoning from a zoning district that does not permit residential uses to a zoning district that permits residential uses, unless within a planned development maintaining the dwelling unit cap, or a rezoning from a zoning district that permits residential uses to a zoning district that permits an increased number of dwelling units.

Retail/Service Business: A commercial use characterized by the selling of tangible goods/merchandise or services/intangibles directly to the consumer.

Retirement Home: One or more buildings containing dwellings where the occupancy is restricted to persons at least 55 years of age, or couples where either spouse is at least 55 years old. This may contain special support services, *i.e., convalescent or nursing facilities, and central dining facilities.*

Rezoning: A revision to the County Zone District Map.

Right-of-way: Land acquired by reservation, dedication, prescription or condemnation and intended to be occupied by a road, trail, water line, sanitary sewer or other public use.

Runway (Landing Strip): An area of land used for aircraft landing or take-off.

Satellite Dish: (see Antenna)

Satellite Earth Station: A telecommunication facility consisting of multiple satellite dishes for transmitting and receiving signals from orbiting satellites.

Screen: A barrier that cannot be easily seen through. To obscure the view of something so that it cannot be easily seen.

Separated Urban Area (SUA): Separated Urban Areas as designated on the Douglas County Master Plan Land Use Map and as defined in the Douglas County Master Plan. (Amended 11/18/14)

Setback: The required minimum horizontal distance between the location of structures or uses and the related front, side, or rear lot line measured perpendicular to such lot line.

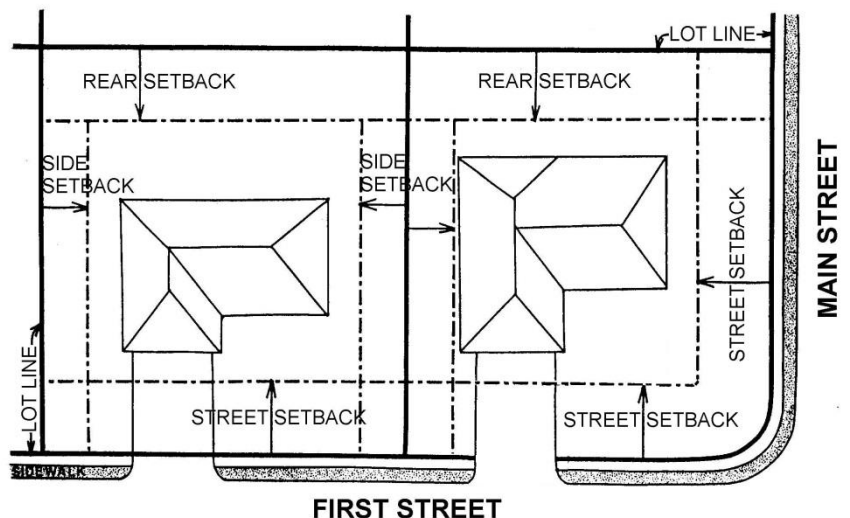
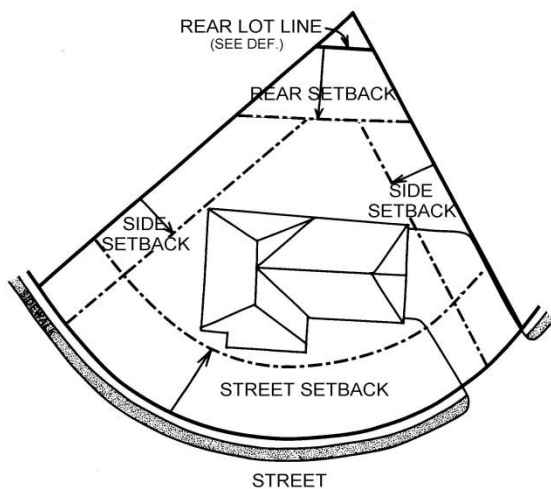
Front - a setback extending across the full width of the lot measured perpendicular to the front lot line.

Rear - a setback extending across the full width of the lot measured perpendicular to the rear lot line.

Side - a setback extending from the front lot line to the rear setback measured perpendicular to the side lot line.

Street - a setback extending across the full width of the lot measured perpendicular to the front lot line.

(see following setback diagrams)



Sexually Oriented Business: An adult arcade, adult bookstore, adult novelty shop, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter establishment, or nude model studio. The definition of sexually oriented businesses shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.

"Specified Anatomical Areas" include any of the following:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areola; or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

"Specified Sexual Activities" includes any of the following:

- (1) The fondling or other intentional touching of human genitals, pubic region, buttocks, anus, or female breasts
- (2) Sex acts, normal or perverted, actual or simulated, including, but not limited to, intercourse, oral copulation, sodomy, sadomasochism or bestiality;
- (3) Masturbation, actual or simulated; or
- (4) Human genitals in a state of sexual stimulation, arousal or tumescence;
- (5) Excretory functions as part of or in connection with any of the activities set forth in subsections (a) thru (d) of this subsection.

Adult Arcade: An establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines or other image producing machines, for viewing by five or fewer persons each, are used to show films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

Adult Bookstore, Adult Novelty Store or Adult Video Store:

- (1) A commercial establishment which:
 - (a) devotes a significant or substantial portion of its stock-in-trade or interior floor space to;
 - (b) receives a significant or substantial portion of its revenues from; or
 - (c) devotes a significant or substantial portion of its advertising expenditures to the promotion of the sale, rental or viewing (for any form of consideration) of books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas";

- (2) An establishment may have other principal business purposes that do not involve the offering for sale, rental or viewing of materials depicting or describing "specified sexual activities" or "specified anatomical areas", and still be categorized as an adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishment from being categorized as an adult bookstore, adult novelty store or adult video store so long as the provisions of sub-section (1) are otherwise met.

Adult Cabaret: A nightclub, bar, restaurant or other commercial establishment, which regularly features:

- (1) persons who appear nude or in a state of nudity; or
- (2) live performances, which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

Adult Motel: A motel, hotel or similar commercial establishment which:

- (1) offers public accommodations, for any form of consideration, and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by magazines, pamphlets or leaflets, radio or television, or
- (2) offers a sleeping room for rent for a period of time less than 10 hours, or
- (3) allows a tenant or occupant to sub-rent a sleeping room for a time period of less than 10 hours.

Adult Motion Picture Theater: A theater, concert hall, auditorium or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of "specified anatomical areas" or by "specified sexual activities."

Nudity or State of Nudity: (1) the appearance of the human bare buttock, anus, male genitals, female genitals, or the areola or nipple of the female breast; or (2) a state of dress which fails to opaquely and fully cover a human buttock, anus, male or female genitals, pubic region or areola or nipple of the female breast.

Nude Model Studio: Any place where a person, who appears in a state of nudity or displays "specified anatomical areas" is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other means. The definition of "nude model studio" does not apply to:

- (1) a college, junior college or university supported entirely or partly by taxation;

- (2) a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college or university supported entirely or partly by taxation; or
- (3) a business located in a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and where, in order to participate in a class a student must enroll at least 3 days in advance of the class; and where no more than one nude model is on the premises at any one time.

Sexual Encounter establishment: A business or commercial establishment, that as one of its primary business purposes offers, for any form of consideration, a place where two or more persons may congregate, associate or consort for the purpose of "specified sexual activities" or the exposure of "specified anatomical areas" or activities when one or more of the persons is in a state of nudity. An adult motel will not be classified as a sexual encounter establishment by virtue of the fact that it offers private rooms to rent.

Shopping Center: A grouping of retail business or service uses on a single site with common parking facilities and open space.

Sign: Any display or object regardless of form or material used to identify or display information about or direct or attract attention to a person, institution, organization, business, product, event, location, idea, or otherwise by any means. *(Amended 2/11/14)*

Sign, Billboard: Any sign, whether standalone or attached to another thing or structure, of more than one square foot, which is displayed in a manner to attract, at least in part, the attention of pedestrian, bicycle, and/or motor vehicle traffic to something which does not pertain to the premises upon which the sign is located. *(Amended 11/19/19)*

Sign, Canopy: Any sign painted, permanently attached to, or constructed underneath a canopy. *(Amended 2/11/14)*

Sign, Directory: Any sign identifying the locations of businesses on the property. *(Amended 11/19/19)*

Sign, Electronic Message: Any sign with a fixed or changing message composed of a series of lights that may be changed through electronic means. *(Amended 2/11/14)*

Sign, Freestanding: Any sign which is permanently affixed in or upon the ground, supported by one (1) or more structural members and not attached to or dependent for support from any building. *(Amended 2/11/14)*

Sign, Temporary: Any sign generally intended and designed for installation in a simple and non-permanent manner and constructed of cloth, canvas, fabric, metal, plywood, or other material and displayed for a purpose of a non-recurring nature. *(Amended 11/19/19)*

Sign, Vehicle: Any sign permanently or temporarily attached to or placed on an operable vehicle actively used for conducting a business operation or service. *(Amended 2/11/14)*

Sign, Wall: Any sign attached to or painted on the wall or surface of a building or structure in such a manner that the wall is the supporting structure for or forms the background surface of the sign. *(Amended 2/11/14)*

Sign, Way-finding: Any sign that directs vehicular or pedestrian traffic onto the property or towards parking or other identified locations on the site in a manner that improves site safety. *(Amended 11/19/19)*

Sign, Window: Any sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view and located within 3 feet of the window is considered a window sign, but excludes merchandise in a window display. *(Amended 2/11/14)*

Sign Height: The vertical distance from the lowest adjacent grade to the highest point of the sign or sign structure. *(Amended 11/19/19)*

Site Improvement Plan: The plans and supplemental materials, including a grading and drainage plan, a landscape plan and other detailed information, drawn and submitted in accordance with this Resolution.

Snowmobile: A self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats and designed primarily for use off the public highways, excluding machinery used strictly for the grooming of snowmobile trails or ski slopes. [§25-12-102(9), C.R.S.]

Staff: Douglas County employees with a role in reviewing or administering the provisions contained herein.

Stealth or Faux Design: A personal wireless communication facility or element thereof, that is disguised, camouflaged, hidden or incorporated into an existing or proposed structure or placed within an existing or proposed structure so as to minimize or eliminate its visibility from off site.

Street: Land intended primarily for vehicular traffic and providing the principal means of access to property, including a roadway, road, lane, drive, avenue, highway, boulevard, or any other thoroughfare other than a driveway.

Regional/Major Arterial - A street or highway significant to the region serving the major centers of activity which carries the major portion of the trips entering and leaving an urban area, as well as, the majority of through movements desiring to bypass towns or neighborhoods.

Minor Arterial - A street, that interconnects with and augments the regional arterial system, which distributes travel to geographic areas smaller than those identified with the regional/major arterial system and provides intracommunity continuity, but ideally should not penetrate identifiable neighborhoods.

Collector - A street which distributes trips from the arterial to the ultimate destination. The collector system provides both land access service and local traffic movement within residential neighborhoods, commercial areas and industrial areas.

Local - A street which provides direct access to abutting land and access to the arterial and collector road network. Service to through traffic movement usually is deliberately discouraged.

NOTE: For identification of these types of roads within the County refer to the Douglas County Transportation Master Plan. *(Amended 11/18/14)*

Street, Private: A privately owned access way generally constructed to County specifications and not maintained by the County.

Street, Public: All public property reserved or dedicated for vehicular traffic constructed in compliance with the Douglas County Roadway Design and Construction Standards and the Douglas County Storm Drainage Design and Technical Criteria manual.

Structure: Anything constructed or erected in, under, over or upon the land, or attached to something in, under, over, or upon the land, but excluding therefrom walks, patios, off-street parking areas, fences and walls, and electrical distribution, natural gas or water and sewer lines.

Permanent - That which is built in such a manner, that it would reasonably be expected to last and remain useful for more than 5 years.

Temporary - A structure that is not a permanent structure, or one that is constructed for a special purpose in contemplation of removal upon accomplishment of such. Temporary shall mean a period of 6 months.

Subject Land: Real property which is the subject of the regulations set forth in this Resolution.

Support Tower: A vertical, ground-mounted structure designed and engineered for the purpose of supporting antennas for the transmission and/or reception of radio signals.

Lattice Tower: A self-supporting tower with multiple legs and cross bracing designed to support antennas.

Monopole: A self-supporting tower consisting of a single support of wood, metal or concrete designed to support antennas.

Guyed Tower: A tower designed to support antennas and requiring guy wires for stability.

Swimming Pool: Any structure intended for swimming or recreational bathing capable of containing water greater than 24 inches in depth. This includes in-ground, above-ground, and on-ground swimming pools, hot tubs, and spas. Any fencing required in association with such structure shall be permanently affixed to the ground. *(Amended 12/18/12)*

Telecommunications Facility: A facility and all elements thereof, including but not limited to support towers, antennas, and accessory equipment buildings, that together facilitate communication by the electronic transmission of telephone, radio, television, internet, wireless, or microwave impulses of an FCC licensed carrier, but excluding those used exclusively for private radio and television reception, private citizen's band, amateur radio communications.

Personal wireless communication facilities that exceed the height requirements provided for by this Zoning Resolution shall be considered telecommunication facilities and therefore subject to all applicable provisions.

Temporary Emergency Shelter: A facility used on a temporary basis for the purpose of housing individuals or families affected by disasters or emergency situations.

Townhome: An individual dwelling unit situated on 1 lot but attached to 1 or more similar dwelling units by a common wall or party wall. Where such a unit is attached to another, the property line shall be the center of the common wall or party wall. The owner of a townhome unit may have an undivided interest in common areas and elements appurtenant to such units.

Training: To coach or instruct an individual in a specific general area of equine expertise, or to physically condition a horse to be ridden, handled, or to perform upon command.

Urban: Urban areas as defined in the Douglas County Comprehensive Master Plan.

Utility - Major Facility:

- Pipelines and storage areas of utilities providing natural gas or petroleum derivatives;
- Appurtenance: A use or structure which is incidental and subordinate to, and devoted to the Utility-Major Facility;
- Power Plant: Any electrical energy generating facility with an energy generation capacity of 50 megawatts or more, and Appurtenance(s);
- Substation: Any facility designed to provide switching, voltage, transformation, or voltage control required for the transmission of electricity exceeding 115 kilovolts (kV);
- Transmission Lines: Any electric transmission line and Appurtenance(s) which emanate from a power plant or a substation and terminate at a substation and which are designed for or capable of, the transmission of electricity exceeding 115 kV;

- **Wastewater Treatment Facility:** A facility or system for treating, neutralizing, stabilizing, or disposing of domestic wastewater, which facility or system has a designed capacity to receive more than two thousand (2,000) gallons per day of domestic wastewater. The term Wastewater Treatment Facility also includes Appurtenance(s) to such system or facility, such as outfall sewers and equipment related to such Appurtenances;
- **Water Storage/Treatment Facility:** A facility used for water storage with a designed capacity of 300,000 gallons or more and/or treatment, except wellhead disinfection, of 10,000 gallons per day or more; and/or a Major Reservoir; and/or facilities and/or structures for the export of water outside the County; including, but not limited to, water diversion structures, headgates, forebays; and all associated Appurtenances. Water storage tanks must be buried, unless this requirement is waived by the Director due to geological/topographical conditions that would prevent burial.

Utility Service Facility: Any Neighborhood Substation, Personal Wireless Communication Facility, Water Storage/Treatment Facility:

- **Neighborhood Substation:** Any facility used for the purpose of reducing voltages to levels of 115 kV, or less, for distribution to individual users;
- **Personal Wireless Communication Facility:** Any unstaffed facility for the transmission and/or reception of voice, data and paging signals consisting of one or more of the following elements: antennas, support towers, or accessory equipment buildings or structures;
- **Water Storage/Treatment Facility:** A facility used for water storage with a designed capacity of less than 300,000 gallons and/or treatment of less than 10,000 gallons per day. Water storage tanks must be buried, unless this requirement is waived by the Director due to geological/topographical conditions that would prevent burial.

Value-Added Agricultural Processing: The processing and/or packaging of Agricultural Products, for which the primary ingredient is raised or grown on the site. Value-added Processing may include the sales of Value-Added Agricultural Products produced on the site. Value-added Agricultural Processing does not include processing Agricultural Products into fuels, lubricants, paints, varnishes, or the like. *(Amended 1/28/14)*

Value-Added Agricultural Product: A product processed by an Agricultural Producer from an Agricultural Product, such as baked goods, jams, jellies, and leather or woolen goods. *(Amended 1/28/14)*

Variance: A grant of relief from certain provisions of this Resolution, as provided in and limited by the Variance section of this Resolution.

Veterinary Clinic or Hospital: A structure where animals are brought for medical or surgical treatment and may be held during the time of treatment and recuperation.

Overnight, indoor boarding may be permitted as an accessory use only. Outdoor holding facilities are prohibited in connection with the accessory use.

Veterinary Clinic or Hospital, Equine and Livestock: A facility which provides preventative and medical or surgical treatment to horses and livestock. Animals may be held during the time of treatment and recuperation including overnight stays. Outdoor holding facilities are allowed in connection with the clinic or hospital. An Equine and Livestock Veterinary Clinic or Hospital shall not have more than 12 stalls or bays. *(Amended 2/21/23)*

Warehouse: A building, or portion thereof, for storing goods, wares and merchandise for the owner or for others.

Wastewater Facilities: Structures or systems designed for the collection, transmission, treatment or disposal of sewage and includes trunk mains, interceptors, and treatment plants, including package treatment plant and disposal system and on-site septic systems.

Water Facilities: Systems or structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, and storage facilities.

Water and Sewer Facilities - Public: Facilities of a municipality, public utility, nonprofit corporation, sanitation or water or other special district, that are constructed, operated or maintained to provide water or sewer service.

Watercourse: A channel, natural depression, slough, artificial channel, gulch, arroyo, stream, creek, pond, reservoir or lake in which storm runoff and flood water flows either regularly or intermittently, including major drainageways for carrying urban storm runoff.

Wholesale Business: A business use characterized by the selling of tangible goods/merchandise or intangibles/services directly to the retailer or contractor or the assembly or manufacturing of products.

Wind Energy Conversion System: Any mechanism including blades, rotors or other moving surfaces designed for the purpose of converting wind energy into mechanical or electrical power. Towers, tower bases, guy wires and any other structures necessary for the installation of small wind energy conversion systems are also included. A large-scale system designed for the generation of commercial power shall be considered a major utility facility for purposes of this Resolution.

Yard: In this Resolution the term yard is not used, as such term represents a distance that is established in a like manner as that of a setback.

Zero Lot Line: The location of a structure on a lot in such a manner that one or more of the structure's sides rest directly on a lot line with no easement or setback requirement including two adjoining structures on separate lots sharing a common wall.

Agenda Item

DATE: FEBRUARY 5, 2024
TO: DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS
THROUGH: DOUGLAS J. DEBORD, COUNTY MANAGER
FROM: DAN AVERY, SPECIAL PROJECTS MANAGER
SUBJECT: AMERICAN RESCUE PLAN ACT (ARPA) UPDATES

Douglas County has received two requests for American Rescue Plan Act funding that warrant Board of County Commissioner consideration.

Highway 85 Wastewater Project Consulting Engineer Contract Extension

In May of 2023, staff entered into a contract with Miller & Associates to assist with the review of engineered plans and cost estimates associated with the design and construction of the ARPA-funded wastewater collection and treatment system along the Highway 85. To date, Douglas County has expended \$4,488.75 under this initial \$5,000 contract. Staff requests authorization to extend this contract for an additional \$5,000. As requested, this contract extension would be paid from accrued interest earned on the County's ARPA funds.

Castle Rock Water and Dominion Water and Sanitation continue to collaborate on design of the wastewater system. The treatment facility is in design, as is the pipeline and lift station that will convey wastewater from Louviers into Dominion's system. Stakeholders are preparing to review RFQ responses for preconstruction and construction services via a Guaranteed Contract Price (GCP) contract. Staff would benefit from consulting support during this key project milestone.

Augmentation of Second Wind Fund's Suicide Prevention Grant

In September of 2022, the Board authorized \$1.5 million in ARPA funding for grants to non-profits and community-based organizations for suicide prevention efforts. After seven initial grant awards and additional planned awards for men's mental health and veteran's mental health services, approximately \$32,630 remains available for use.

Second Wind Foundation, which connects youth in Douglas County with therapy services, has experienced a significant increase in demand for services since its original award of approximately \$20,500. Second Wind requested an additional \$10,000 in ARPA funds to fund therapy fees, therapist travel costs and evaluations as described in the attached letter. Staff requests authorization to amend Second Wind Foundation's award with ARPA funding from the Board's original \$1.5 million authorization.

Second Wind Fund Request for Additional Funding – 11.14.2023



Second Wind Fund (SWF) is a grateful recipient of a multi-year Douglas County ARPA grant, supporting our mission to decrease the incidence of suicide in children and youth by removing the financial and social barriers to treatment. With this support in 2023, we have been able to connect more young people at risk for suicide in Douglas County to providers who can meet their needs and see them on an expedited timeline, regardless of the young person or family's ability to pay. Second Wind Fund covers the cost of 12 – 20 sessions of therapy for young people and families who are facing financial barriers, with the average cost of treatment for one young person being \$1,240.00.

Following statewide trends and as a result of our team's regional outreach and community-building work, SWF continues to see increased demand for our services in Douglas County. Between 7/1/2023 – 10/31/2023, SWF received a total of 35 Douglas County referrals and provided 128 therapy sessions to youth in Douglas County (at a cost of over \$12,000). To date in 2023, we have received a total of 79 referrals for young people in Douglas County and provided over 320 therapy sessions at a cost of over \$30,000. For comparison, in calendar year 2022 we received 45 referrals and provided 84 therapy sessions for a cost of \$7,920. To help meet this need and increase access to life-saving mental health services, SWF respectfully requests an additional \$10,000 in Douglas County ARPA funds in 2024, to bring our total 2024 award amount to \$17,856.58. This additional funding would go directly toward covering the costs of our Therapy Program (including therapy fees, therapist travel costs, and evaluation). A funding boost in this amount would help provide over 100 additional therapy sessions in 2024 for children and youth in Douglas County who are at risk for suicide and who are facing financial and/or social barriers to accessing treatment.

Thank you for your consideration of this request, and for supporting youth suicide prevention in Douglas County.

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