

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
 - 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
 - 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 hooved animal shall be one (1) acre. The maximum density for hooved animals shall be one (1) animal unit per half ($\frac{1}{2}$) 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
- Large

1403B.04 Guest House

1403B.05 Home Occupation (*refer to Section 23*)

- 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
- 1403B.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
 - 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-County Health Department's OWTS Regulation.

1409B.02 The proposed use and associated OWTS is evaluated by the Tri-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 Unlicensed 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 Site Improvement Plan, prepared in accordance with Sections 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 Site Improvement Plan, in accordance with 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 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 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 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 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.

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.03 Employee or customer parking or merchandise display areas shall not be considered outdoor storage.

1418B.04 Outdoor storage shall not be allowed within any required landscaped area.

1418B.05 Outdoor storage shall not exceed the height of the fence except for trailers or other equipment designed to be towed or lifted as a single component.

- 1418B.06 For outdoor storage of vehicles, see the Parking Standards in this Section.
- 1418B.07 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.08 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.
- 1418B.09 Where the topography of the land is such that a fence would not prevent viewing outdoor storage from adjoining land or public rights-of-way, additional landscaping above the height of the fence 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.