



PLANNING AND ZONING COMMISSION

REGULAR MEETING AGENDA

May 7, 2020

7:00 PM

2 Park Avenue

Firestone, CO 80504

1. Access Information

1.a. Zoom Meeting Access Information

Topic: PC Meeting 05-07-2020

Time: May 7, 2020 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83687011246>

Meeting ID: 836 8701 1246

One tap mobile

+16699009128,,83687011246# US (San Jose)

+12532158782,,83687011246# US (Tacoma)

Dial by your location

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Meeting ID: 836 8701 1246

Find your local number: <https://us02web.zoom.us/j/83687011246>

2. Call to Order & Roll Call

3. Pledge of Allegiance

4. Approval of Agenda

5. Approval of Minutes

a. Regular Meeting Minutes - 2-6-20

* Individuals that desire to address the Planning and Zoning Commission are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to two minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes for each Public Comment noted on Agenda.

If you need special assistance in order to participate in a Planning and Zoning Commission meeting, please contact the Town Clerk's Office at 303-833-3291 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

6. Public Comment * (maximum time permitted for all Public Comment is 30 minutes)

7. Public Hearings

- a. **Resolution PC-20-05 A RESOLUTION RECOMMENDING APPROVAL OF A FINAL DEVELOPMENT PLAN FOR LOT 3 LOCATED WITHIN OAK MEADOWS VILLAGE FILING NO. 1**
- b. **Resolution PC-20-06: A RESOLUTION OF THE FIRESTONE PLANNING AND ZONING COMMISSION RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE AN ORDINANCE REPEALING TITLES 16 AND 17 OF THE FIRESTONE MUNICIPAL CODE AND THE FIRESTONE DEVELOPMENT REGULATIONS IN THEIR ENTIRETY AND REENACTING TITLE 16 OF THE FIRESTONE MUNICIPAL CODE ADOPTING AND ESTABLISHING THE FIRESTONE DEVELOPMENT CODE AS THE OFFICIAL ZONING CODE FOR THE TOWN OF FIRESTONE**

8. Staff Reports

9. Commissioner Comments

10. Adjournment

* Individuals that desire to address the Board of Trustees are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to two minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes.

If you need special assistance in order to participate in a Board of Trustees meeting, please contact the Town Clerk's Office at 303-833-3291 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

**AGENDA INFORMATION
MEMORANDUM**

**TOWN OF FIRESTONE
PLANNING AND ZONING COMMISSION**



AIM#: 5.a

Approval of Minutes

Meeting Date: May 7, 2020

Initiated By:

Dept: Planning & Development

AGENDA TITLE

Regular Meeting Minutes - 2-6-20

SUMMARY

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

ATTACHMENTS

1. PC Minutes 2-6-20 Unapproved

**TOWN OF FIRESTONE, COLORADO
PLANNING AND ZONING COMMISSION
Regular Meeting
February 6, 2020**

1. CALL TO ORDER

The Planning and Zoning Commission of the Town of Firestone met on February 6, 2020, at the Town Hall, 151 Grant Avenue, Firestone, Colorado. Chairperson Gillard called the meeting to order at 7:00 p.m.

The following were present upon the call of the roll:

Chairperson:	Chris Gillard
Vice-Chairperson:	Tim Spiegelberg
Commissioners:	Kelly Deitman
	John Damsma
	Jaci Daggett
	Dennis Haney

Staff:	Marty Ostholthoff – Planning Manager
	Millissa Berry – Sr. Planner
	Keith Martin – Town Attorney
	Lisa Bartley – PC Secretary

2. PLEDGE OF ALLEGIANCE

Chairperson Gillard led the pledge of allegiance.

3. APPROVAL OF AGENDA

Commissioner Deitman motioned and Commissioner Haney seconded to approve the Agenda. Voice vote was taken. Motion carried unanimously.

4. APPROVAL OF MINUTES

a. January 9, 2020 – Special Meeting

Commissioner Damsma motioned and Vice-Chairperson Spiegelberg seconded to approve the meeting minutes of the January 9, 2020 Special Meeting. Voice vote was taken. Motion carried unanimously.

5. PUBLIC COMMENT

None

6.PUBLIC HEARING

- a. Resolution PC-20-03 – A RESOLUTION RECOMMENDING APPROVAL OF A FINAL PLAT FOR BAREFOOT LAKES FILING NO. 3, REPLAT #1 AND AMENDMENT #1 OF THE BAREFOOT LAKES FILING NO. 3 FINAL DEVELOPMENT PLAN**

Chairperson Gillard verified with the Secretary that proper notice of the Public Hearing had been provided and opened the Public Hearing at 7:02 p.m.

Millissa Berry, Sr. Planner, provided a general overview of the proposed application request and reviewed the PowerPoint presentation of the Staff Report with the Commissioners. She also offered to answer any questions.

Jake Sippy, Design Workshop, 1300 Lawrence St, Denver, CO 80204 and David Carro, Brookfield Residential, 6465 Greenwood Plaza Blvd, Centennial, CO 80111 representing the applicant, provided the Commissioners with a general overview of the application request and offered to answer any questions.

Chairperson Gillard opened and closed the Public Comment portion at 7:26 p.m. Those wishing to speak:
None

The Town Staff PowerPoint presentation was entered into the record along with all application materials submitted by the applicant; all materials included in the Planning Commission packets; the PowerPoint presentations given tonight; all written referral and public comments received regarding the application; the proofs of public notice of the public hearing; and the Town's subdivision and zoning ordinances and development regulations.

The Commissioners held a general discussion with staff and questioned the applicant regarding the application. Chairperson Gillard closed the Public Hearing at 7:48 p.m.

Commissioner Haney motioned and Vice-Chairperson Spiegelberg seconded to approve **Resolution PC-20-03 – A RESOLUTION RECOMMENDING APPROVAL OF A FINAL PLAT FOR BAREFOOT LAKES FILING NO. 3, REPLAT #1 AND AMENDMENT #1 OF THE BAREFOOT LAKES FILING NO. 3 FINAL DEVELOPMENT PLAN**

Voting was as follows:

Yes: Daggett, Deitman, Spiegelberg, Haney, Damsma

No: None

Absent: None

Chairperson Gillard declared the motion carried.

- b. Resolution PC-20-04 – A RESOLUTION RECOMMENDING APPROVAL OF AN OUTLINE DEVELOPMENT PLAN FOR LOT 2 AND LOT 2A, DEL REY SUBDIVISION PLANNED UNIT DEVELOPMENT**

Chairperson Gillard verified with the Secretary that proper notice of the Public Hearing had been provided and opened the Public Hearing at 7:49 p.m.

Marty Ostholthoff, Planning Manager, provided a general overview of the proposed application request and reviewed the PowerPoint presentation of the Staff Report with the Commissioners. He also offered to answer any questions.

Rosi Dennett, Front Range Land Solutions, 210 Lincoln St, Longmont, CO 80501 representing the applicant, provided the Commissioners with a general overview of the application request and offered to answer any questions

Chairperson Gillard opened and the Public Comment portion at 8:02 p.m. Those wishing to speak:

Chelsea McKinnie, 2913 Saratoga Trail, Frederick, CO 80516
Alicia Garcia, 4875 Barn Owl Dr, Frederick, CO 80504
Jennifer Wawrzyn, 3377 Birch Rd, Frederick, CO 80504
Cynthia McHattie Kieffer, 5425 CR 32 #11, Mead, CO 80504
Elisa Zrubek, 5426 Bear Ln, Frederick, CO 80504

Chairperson Gillard closed the Public Comment portion at 8:09 p.m.

The Town Staff PowerPoint presentation was entered into the record along with all application materials submitted by the applicant; all materials included in the Planning Commission packets; the PowerPoint presentations given tonight; all written referral and public comments received regarding the application; the proofs of public notice of the public hearing; and the Town's subdivision and zoning ordinances and development regulations.

The Commissioners held a general discussion with staff and questioned the applicant regarding the application. Chairperson Gillard closed the Public Hearing at 8:15 p.m.

Commissioner Haney motioned and Commissioner Deitman seconded to approve **Resolution PC-20-04 – A RESOLUTION RECOMMENDING APPROVAL OF AN OUTLINE DEVELOPMENT PLAN FOR LOT 2 AND LOT 2A, DEL REY SUBDIVISION PLANNED UNIT DEVELOPMENT**

Voting was as follows:

Yes: Daggett, Deitman, Spiegelberg, Haney, Damsma

No: None

Absent: None

Chairperson Gillard declared the motion carried.

8. STAFF REPORTS

Marty Ostholthoff reminded the commission of the joint BOT/PC Meeting 2/19/20.

9. COMMISSIONER COMMENTS

None

10. ADJOURNMENT

Chairperson Gillard adjourned the meeting at 8:20 p.m.

Introduced and Approved this _____ day of _____, 2020.

TOWN OF FIRESTONE, COLORADO

Chairperson

ATTEST

Lisa Bartley, Secretary

**AGENDA INFORMATION
MEMORANDUM**

**TOWN OF FIRESTONE
PLANNING AND ZONING COMMISSION**



AIM#: 7.a

Public Hearings

Meeting Date: May 7, 2020

Initiated By: Millissa Berry

Dept: Planning & Development

AGENDA TITLE

Resolution PC-20-05 A RESOLUTION RECOMMENDING APPROVAL OF A FINAL DEVELOPMENT PLAN FOR LOT 3 LOCATED WITHIN OAK MEADOWS VILLAGE FILING NO. 1

SUMMARY

The applicant is Christian Brothers Automotive. The applicant is proposing a 5,465 sf, 24' tall commercial building with associated parking and landscaping on Lot 3 of Oak Meadows Village Subdivision (northeast of the intersection of Firestone Blvd and Colorado Blvd).

HISTORY AND PREVIOUS BOARD ACTION

The Oak Meadows Village Filing No. 1 subdivision and Overall Final Development Plan (OFDP) was approved by the Town in 2006.

RECOMMENDATION

Town staff recommends the Planning Commission approve Resolution PC-20-05, a resolution recommending approval of the application to the Board of Trustees with conditions.

ATTACHMENTS

1. 6.a Reso PC-20-05
2. 6.a Reso PC-20-05 Exhibit A FDP
3. 6.a Staff Report - Oak Meadows Village Lot 3 FDP Christian Bros Auto
4. 6.a Oak Meadows Village Lot 3 CBA staff presentation
5. 6.a CBH Properties Firestone Tele Meeting Acknowledgement

FIRESTONE PLANNING AND ZONING COMMISSION

RESOLUTION NO. PC-20-05

A RESOLUTION RECOMMENDING APPROVAL OF A FINAL DEVELOPMENT PLAN FOR LOT 3 LOCATED WITHIN OAK MEADOWS VILLAGE FILING NO. 1

WHEREAS, Oak Meadows Commercial, LLC, as owner of certain real property described as Lot 3, Oak Meadows Village Filing No. 1 (the "Property"), and on behalf of Christian Brothers Automotive Corporation, as development applicant, have submitted a proposed final development plan for the Property, entitled "Final Development Plan Oak Meadows Village filing 1 Lot 3 Section 6, Township 2 North, Range 67 West of the 6th P.M., Town of Firestone, County of Weld, State of Colorado, Christian Brothers Automotive" (the "Final Development Plan"); and

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Planning and Zoning Commission finds the proposed Final Development Plan to be in substantial compliance with the technical requirements of the Town of Firestone subdivision and zoning ordinances, applicable Development Regulations, and wishes to make a recommendation to the Board of Trustees regarding the Final Development Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF FIRESTONE, COLORADO:

Section 1. The Town of Firestone Planning and Zoning Commission hereby recommends approval of the proposed final development plan for Oak Meadows Village Filing No. 1, Lot 3 Christian Brothers Automotive, attached hereto as Exhibit A and incorporated herein by this reference,, subject to and contingent upon compliance with the following conditions:

(a) Provide an updated title commitment when the mylars are provided for recording, dated no later than thirty (30) days prior to submission of mylars.

(b) All minor, technical corrections to the Oak Meadows Village Filing No. 1, Lot 3 - Christian Brothers Automotive final development plan shall be made to the Town's satisfaction.

PASSED AND ADOPTED this ____th day of _____, 2020.

Chairperson

ATTEST:

Secretary

EXHIBIT A
Oak Meadows Village Filing No. 1, Lot 3 - Christian Brothers Automotive
Final Development Plan

CHRISTIAN BROTHERS AUTOMOTIVE

SHEET 1 OF 21

LEGAL DESCRIPTION:
OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1
SECTION 6, TOWNSHIP 2 NORTH, RANGE 67
TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO



SHEET INDEX	
Sheet Number	Sheet Title
C1	COVER SHEET
C2	TEXT NARRATIVE
C3	GENERAL NOTES & LEGEND
C4	HORIZONTAL CONTROL PLAN
C5	GRADING EROSION & SEDIMENT CONTROL PLAN
C6	UTILITY PLAN
C7	SITE DETAILS
C8	EROSION CONTROL DETAILS
C9	UTILITY DETAILS
C10	DRAINAGE PLAN
C11	ARCHITECTURAL ELEVATIONS & SIGNAGE 1
C12	ARCHITECTURAL ELEVATIONS & SIGNAGE 2
C13	PHOTOMETRICS PLAN
C14	LANDSCAPE PLAN
C15	LANDSCAPE DETAILS
C16	LANDSCAPE SPECIFICATIONS
C17	IRRIGATION PLAN
C18	IRRIGATION DETAILS I
C19	IRRIGATION DETAILS II
C20	IRRIGATION DETAILS III
C21	SIGNAGE PLAN

FIRE PROTECTION
FREDERICK-FIRESTONE FIRE PROTECTION DISTRICT
8426 KOSMERL PLACE
FREDERICK CO, 80516
TELEPHONE: (303) 833-2742



PREPARED UNDER THE DIRECT
SUPERVISION OF

**FOR AND ON BEHALF OF
BASELINE CORPORATION**

INITIAL SUBMITTAL	12/9/2019
DRAWING SIZE	22" x 34"
SURVEY FIRM	SURVEY DATE
JEC	9/26/2019
JOB NO.	C03414
DRAWING NAME	
C1	COVER.dwg
SHEET	of 21

C1



24 HOUR CONTACT:
CHANCE HINOJOSA
281-675-6241
CHRISTIAN BROTHERS AUTOMOTIVE

n:\co3414 - cba firestone\Drawings\planning documents\FDP\C2 NARRATIVE.dwg, 4/8/2020 8:53:57 AM, Michael Swanton

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FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST
OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

TEXT NARRATIVE

SHEET 2 OF 21

PROJECT CONCEPT:

THE FINAL DEVELOPMENT PLAN (FDP) FOR CHRISTIAN BROTHERS AUTOMOTIVE (CBA) ESTABLISHES THE PLANNING AND SITE PLAN FOR AN AUTOMOTIVE REPAIR FACILITY THAT IS A COMPONENT OF THE OVERALL OAK MEADOWS VILLAGE OVERALL FINAL DEVELOPMENT PLAN (OFDP).

ENVIRONMENTAL IMPACT MITIGATION:

INDIVIDUAL LOTS MAY BE REQUIRED TO PROVIDE ADDITIONAL ENVIRONMENTAL INFORMATION DURING THE FINAL DEVELOPMENT PLAN (FDP) PROCESS, AS SPECIFIED IN THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS.

PRIVATE MAINTENANCE AND ENFORCEMENT:

THIS FDP WILL BE MAINTAINED BY THE OWNER OF LOT 3 PURSANT TO THIS FDP. THE FIRESTONE MUNICIPAL CDOE AND THE "CONTROLS" SET FORTH HEREIN.

CONTROLS:

THE COVENANT CONDITIONS AND RESTRICTIONS (CCRS) HAVE BEEN RECORDED WITH THE WELD COUNTY CLERK AND RECORDER AT RECEPTION NO. 3402068. THE CCRS GOVERN THE DEVELOPMENT AND MAINTENANCE OF ALL THE PROPERTIES WITHIN OAK MEADOWS VILLAGE, AND THEY DO NOT PROVIDE MORE PERMISSIVE DEVELOPMENT STANDARDS THAN PERMITTED BY THE OFDP AND FIRESTONE MUNICIPAL CODE.

FDP ENFORCEMENT:

THE TOWN OF FIRESTONE CAN ENFORCE COMPLIANCE WITH ALL REQUIREMENTS OF THIS FDP.

OPEN SPACE:

THIS FDP ILLUSTRATES AND PROVIDES FOR LANDSCAPED AREAS WITHIN THE DEVELOPED PORTION OF THIS SITE IN ACCORDANCE WITH THE LAND DEVELOPMENT REGULATIONS OF THE TOWN OF FIRESTONE MUNICIPAL CODE AND MAY BE AMENDED FROM TIME TO TIME.

AMERICANS WITH DISABILITIES ACT:

ALL IMPROVEMENTS TO BE CONSTRUCTED WITH THIS FDP SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT.

CIRCULATION SYSTEMS:

INTERNAL CIRCULATION TO BE PROVIDED WITH PRIVATE DRIVES THAT WILL ALLOW PATRONS TO ENTER, EXIT AND CIRCULATE AROUND THE SITE SAFELY. ADDITIONALLY, SERVICE DRIVE AISLES SHALL BE PROVIDED SO THAT NECESSARY DELIVERIES CAN BE MADE TO THE FUTURE BUILDINGS. ALL ACCESS AND SERVICE DRIVES WILL ALLOW FOR PUBLIC ACCESS. ALL AUTOMOBILES CIRCULATION ROUTES SHALL BE PAVED IN ACCORDANCE WITH PLANS APPROVED BY THE THE ENGINEER.

PARKING:

OFF STREET PARKING FOR CHRISTIAN BROTHERS AUTOMOTIVE SHALL BE PROVIDED AT A MINIMUM RATION OF ONE (1) SPACE PER 250 SF OF BUILDING AREA. ALL PARKING SHALL BE PAVED WITH ASPHALT OR CONCRETE AS SHOWN ON SHEET C4. INTERNAL PARKING LOT LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH THE TOWN OF FIRESTONE REQUIREMENTS AND AS SHOWN ON THE LANDSCAPE PLAN, SHEET C14.

WATER DEMAND CALCULATIONS:

WATER DEDICATION WAS DETERMINED BASED ON INFORMATION PROVIDED BY THE APPLICANT. THE TOTAL AMOUNT OF WATER TO BE DEDICATED TO THE TOWN WAS CALCULATED BASED ON THE ACREAGE OF IRRIGATION LANDSCAPING ON THE SITE AND TOTAL ESTIMATED DOMESTIC (IN-BUILDING) DEMAND. THE TOWN SHALL AT ALL TIMES HAVE THE RIGHT TO REQUIRE ADDITIONAL WATER DEDICATION IF ACTUAL CONSUMPTION EXCEEDS THIS CALCULATED ESTIMATE. IF THE TOWN DETERMINES THAT ADDITION WATER IS TO BE DEDICATED THE OWNER OF LOT 3 SHALL PROVIDE THE WATER WITHIN 30 DAYS OF WRITTEN NOTICE BY THE TOWN. THE ADDITIONAL DEDICATION SHALL BE BASED ON THE TOWN'S THEN-CURRENT WATER DEDICATION POLICIES.

THE TOWN OF FIRESTONE HAS DETERMINED THAT THE REQUIRED CBD DEDICATION BE:

IRRIGATION DEMAND = 0.925 CBT SHARES

DOMESTIC DEMAND = 0.034 CBT SHARES

A TOTAL OF 2.0 CBT SHARES FROM THE OAK MEADOWS POOL WILL BE APPLIED TO THIS PROJECT TO MEET THE WATER DEDICATION OBLIGATION.

SERVICE REQUIREMENTS:

THIS DEVELOPMENT SHALL BE SERVED BY THE FOLLOWING UTILITY COMPANIES:

POTABLE WATER-	TOWN OF FIRESTONE
SANITARY SEWER-	SAINT VRAIN SANITATION DISTRICT
NATURAL GAS-	SOURCE GAS
POWER-	UNITED POWER
POLICE PROTECTION-	TOWN OF FIRESTONE
FIRE PROTECTION-	FREDERICK FIRESTONE FIRE PROTECTION DISTRICT
TELEPHONE-	CENTURY LINK
RECREATION-	CARBON VALLEY RECREATION DISTRICT

ARCHITECTURE:

THIS DEVELOPMENT SHALL FEATURE THE FOLLOWING ARCHITECTURAL ELEMENTS. THE ELEVATIONS THAT ARE CONSISTENT WITH THESE STANDARDS ARE SHOWN ON SHEETS C11 - C12.

- BUILDING MATERIALS SHALL EITHER BE SIMILAR TO THE MATERIALS ALREADY BEING USED IN THE DEVELOPMENT OR IMMEDIATE AREA IF DISSIMILAR MATERIALS ARE BEING PROPOSED. OTHER CHARACTERISTICS SUCH AS SCALE AND PROPORTION, FORM, ARCHITECTURAL DETAILING, COLOR AND TEXTURE, SHALL BE UTILIZED TO ENSURE THAT SIMILARITY EXISTS FOR THE BUILDING TO BE COMPATIBLE, DESPITE THE DIFFERENCES IN MATERIALS.
- BUILDING MATERIALS SHALL NOT CREATE EXCESSIVE GLARE. IF HIGHLY REFLECTIVE BUILDING MATERIALS ARE PROPOSED, SUCH AS ALUMINUM, UNPAINTED METAL OR REFLECTIVE GLASS, THE POTENTIAL FOR GLARE FROM SUCH MATERIALS WILL BE (VALUATED TO DETERMINE WHETHER THE CLARE WOULD CREATE A SIGNIFICANT ADVERSE IMPACT ON THE ADJACENT PROPERTY OWNERS, NEIGHBORHOODS OR COMMUNITY IN TERMS OF VEHICULAR SAFETY, OUTDOOR ACTIVITIES AND ENJOYMENT OF VIEWS. IF SO, SUCH MATERIALS SHALL NOT BE PERMITTED.
- COLOR SHADES SHALL BE USED TO FACILITATE BLENDING INTO THE NEIGHBORHOOD AND UNIFYING THE DEVELOPMENT.
- NON-REFLECTIVE GLASS SHALL BE USED FOR COMMERCIAL STOREFRONT DISPLAY WINDOWS AND DOORS.
- ALL LOADING DOCK AND SERVICE AREAS SHALL BE VISUALLY BUFFERED FROM ADJACENT PROPERTIES AND STREETS USING A COMBINATION OF WALLS AND LANDSCAPING. ALL WALLS SHALL MATCH THE CHARACTER AND COLOR OF EXTERIOR BUILDING FACADES.
- ALL HVAC AND MECHANICAL EQUIPMENT SHALL BE SCREENED (OR CAMOUFLAGED FROM VIEW).
- TRASH ENCLOSURES SHALL BE PROVIDED FOR EACH BUILDING AND CONSTRUCTED FROM THE SAME MATERIALS AS THE MAIN BUILDING IT IS SERVING. ALL TRASH ENCLOSURES SHALL BE SCREENED FROM VIEW.
- THE FOLLOWING SHALL BE PROHIBITED CORRUGATED METAL (CORRUGATED METAL ACCENTS ARE ACCEPTABLE), TEMPORARY STRUCTURES (EXCEPT FOR THOSE ALLOWED DURING CONSTRUCTION OF PERMANENT STRUCTURES, AND OTHER STRUCTURE FEATURES DETERMINED TO BE INCONSISTENT WITH THE STANDARDS SET FORTH IN THE FIRESTONE MUNICIPAL CODE.
- ANY MODIFICATIONS OF DESIGN, COLOR, AND/OR MATERIALS MUSTS BE APPROVED BY THE TOWN PRIOR TO THE ALTERATION MADE.

BUILDING HEIGHT:

THE MAXIMUM BUILDING HEIGHT FOR THIS DEVELOPMENT IS 35' - 0".

SETBACK:

BUILDING SETBACKS FOR LOT 3 ARE AS FOLLOWS:

PRIMARY BUILDING:	
FRONT:	20 FEET
SIDE:	20 FEET
REAR:	45 FEET

EXPIRATION:

THIS FDP WILL EXPIRE IF A BUILDING PERMIT IS NOT ISSUED WITHIN TWO YEARS FROM THE DATE OF TOWN BOARD APPROVAL OF THIS FDP.

ADDRESS INFORMATION:

THE ADDRESS FOR THIS LOT IS 6179 FIRESTONE BOULEVARD, FIRESTONE, CO 80504.

UTILITIES:

NEW UTILITY SERVICES LINES FOR WATER, SANITARY SEWER, ELECTRIC AND GAS SERVICES WILL BE CONSTRUCTED AS PART OF THIS FDP. LINES HAVE BEEN SIZED ACCORDINGLY TO SERVE THIS DEVELOPMENT.

IRRIGATION:

THE IRRIGATION SYSTEM WILL BE CONNECTED TO THE DOMESTIC WATER SYSTEM AS SHOWN ON THE IRRIGATION PLANS. REFER TO SHEETS C17-C20.

DEVELOPMENT SCHEDULE:

CONSTRUCTION TO BE COMMENCED PURSUANT TO THIS FDP ARE SUBJECT TO THE FORMAL PERMITTING PROCESS AND CERTIFICATION OF OCCUPANCY ISSUANCE REQUIREMENTS AS SPECIFIED IN THE FIRESTONE MUNICIPAL CODE.

LOT 3 CONSTRUCTION WILL BE CONSTRUCTED IN ONE PHASE AND IS ANTICIPATED TO BEGIN IN THE SPRING OF 2020. ALL PUBLIC UTILITIES, PRIVATE UTILITIES, LANDSCAPING, MONUMENT SIGNS AND OTHER SITE IMPROVEMENTS SHOWN IN THIS FDP SHALL BE COMPLETED PRIOR TO ISSUANCE OF CONDITIONAL ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS SET FORTH IN THE DEVELOPMENT AGREEMENT.

DRAINAGE:

REFER TO THE FINAL DRAINAGE REPORT FOR OAK MEADOWS VILLAGE DATED MAY 17, 2006 FOR A DETAILED DESCRIPTION OF THE DRAINAGE AND DETENTION. IN GENERAL, THE SITE WILL SURFACE DRAIN TO GRASS-LINED SWALES, WHICH WILL CONVEY RUNOFF TO OFF-SITE DETENTION FACILITIES LOCATED NORTH OF THIS FDP SITE WITHIN THE OAK MEADOWS PUD. REFER TO THE FINAL DRAINAGE LETTER FOR CHRISTIAN BROTHERS AUTOMOTIVE DATED 11/22/2019 BY BASELINE ENGINEERING.

SIGNAGE PROGRAM:

A SIGN PERMIT SHALL BE OBTAINED FROM THE TOWN OF FIRESTONE PRIOR TO CONSTRUCTION OF ANY SIGN. ALL SIGN PERMIT APPLICATIONS SHALL BE CONSISTENT WITH THE SIZE, SHAPE AND TYPE DEPICTED ON SHEETS C21 OF THIS FDP. ACTUAL LETTERS AND SIGN-TEXT MAY VARY FROM THE SIGNS DEPICTED ON THE DRAWINGS, BUT SHALL GENERALLY CONSISTENT WITH THE STYLE AND MATERIALS DEPICTED ON THE FDP.

DATA TABLES:

PARKING	
PROPOSED BUILDING AREA	5465 SF
REQUIRED SPACES PER 250/SF OF BUILDING AREA	22 SPACES
PROVIDED PARKING SPACES	39 SPACES*

* PROVIDED PARKING SPACES INCLUDE 9 INTERNAL BUILDING BAYS.

LAND USE			
COVERAGE	AREA (SF)	AREA (ACRES)	PERCENT TOTAL
BUILDING	5,464	0.125	12.7%
PARKING & DRIVES	19,849	0.456	46.3%
PAVED AREAS (WALKS, PLAZA, ETC.)	547	0.013	1.3%
LANDSCAPING	16,977	0.390	39.7%
OVERALL SITE AREA	42837	0.9840	100%

WATER FIXTURE CALCULATIONS			
PLUMBING FIXTURE	WATER FIXTURE UNITS	NUMBER OF FIXTURES	TOTAL WATER FIXTURE UNITS
WATER CLOSET	5	2	10
DRINKING FOUNTAIN	.25	1	0.25
LAVATORIES/SINK	1.5	3	4.5
HAND SINK	1.5	1	1.5
EYEWASH	2.0	1	2.0
H.B.	2.5	4	10.0
TOTAL WATER FIXTURE UNITS =			28.3
WATER PIPE SIZE (25 GPM) = 3/4"			

WATER METER TABLE		
QUANTITY	SIZE	TYPE
1	3/4"	COMMERCIAL & IRRIGATION

DESIGNED BY

LTV

DATE

1/31/2020

PREPARED BY

MDS

REVISION DESCRIPTION

TOWN COMMENTS

BASELINE

Engineering • Planning • Surveying

112 N. RUBEY DRIVE, SUITE 210 GOLDEN, COLORADO 80463

P: 303.940.9966 F: 303.940.9959

www.baselinecorp.com

CHRISTIAN BROTHERS AUTOMOTIVE

TOWN OF FIRESTONE

WELD COUNTY

CHRISTIAN BROTHERS AUTOMOTIVE

6179 FIRESTONE BOULEVARD

TEXT NARRATIVE

PREPARED UNDER THE DIRECT SUPERVISION OF



FOR AND ON BEHALF OF BASELINE CORPORATION

INITIAL SUBMITTAL

12/9/2019

DRAWING SIZE

22" X 34"

SURVEY FIRM

BEC

SURVEY DATE

9/26/2019

JOB NO.

C03414

DRAWING NAME

C2 NARRATIVE.dwg

SHEET

2 OF 21

C2

n:\c03414 - cba firestone\Drawings\planning documents\DP\C3 G:\NOTES & LEGEND.dwg, 4/8/2020 8:54:24 AM, Michael Swanton

GENERAL NOTES:

- ALL MATERIALS, WORKMANSHIP, AND CONSTRUCTION OF PUBLIC IMPROVEMENTS SHALL MEET OR EXCEED THE STANDARDS AND SPECIFICATIONS SET FORTH IN THE TOWN OF FIRESTONE STANDARDS AND SPECIFICATIONS, AND APPLICABLE STATE AND FEDERAL REGULATIONS. WHERE THERE IS CONFLICT BETWEEN THESE PLANS AND THE SPECIFICATIONS, OR ANY APPLICABLE STANDARDS, THE HIGHER QUALITY STANDARD SHALL APPLY. ALL WORK SHALL BE INSPECTED AND APPROVED BY THE TOWN.
- ALL REFERENCES TO ANY PUBLISHED STANDARD SHALL REFER TO THE LATEST REVISION OF SAID STANDARD UNLESS SPECIFICALLY STATED OTHERWISE.
- THE CONSULTANT ENGINEER SHALL PROVIDE, ON THE COVER OF THE PLAN SET, THE LOCATION AND DESCRIPTION OF THE NEAREST SURVEY BENCHMARK FOR THE PROJECT AS WELL AS THE BASIS OF BEARINGS.
- THE CONTRACTOR SHALL HAVE ONE (1) SIGNED COPY OF THE APPROVED PLANS, AND ONE (1) COPY OF THE APPROPRIATE STANDARDS AND SPECIFICATIONS, AND A COPY OF ANY PERMITS AND/OR AGREEMENTS NEEDED FOR THE JOB, ONSITE AT ALL TIMES.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES, AS SHOWN ON THESE PLANS, IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED UPON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST FORTY-EIGHT (48) HOURS BEFORE ANY EXCAVATION OR REQUEST TO EXACT FIELD LOCATIONS OF THE UTILITIES. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL VERIFY PERTINENT LOCATIONS, ELEVATIONS, ESPECIALLY AT CONNECTION POINTS AT POTENTIAL UTILITY CONFLICTS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES THAT CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR APPLICABLE AGENCIES. ANY EARTH DISTURBING ACTIVITY OR CONSTRUCTION ON ANY AND ALL PUBLIC IMPROVEMENTS WILL NOT BE PERMITTED UNTIL THE RECORDATION OF PLAT(S) AND/OR EASEMENTS, AND A PRE-CONSTRUCTION MEETING. THE DEVELOPER, ENGINEER OR CONTRACTOR, SHALL SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE TOWN AT LEAST FORTY-EIGHT (48) HOURS PRIOR TO THE START OF CONSTRUCTION. APPROVED PLANS SHALL BE DISTRIBUTED AT THE PRE-CONSTRUCTION MEETING.
- THE CONTRACTOR IS RESPONSIBLE FOR THE TIMELY NOTIFICATION OF AND SHALL COORDINATE WORK IN ALL WORK AREAS WITH THE APPROPRIATE STATE, COUNTY, TOWN, OR LOCAL AGENCIES.
- THE CONTRACTOR SHALL COORDINATE AND COOPERATE WITH THE TOWN, AND ALL UTILITY COMPANIES INVOLVED, WITH REGARD TO RELOCATIONS OR ADJUSTMENTS OF EXISTING UTILITIES DURING CONSTRUCTION, AND TO ASSURE THAT THE WORK IS ACCOMPLISHED IN A TIMELY FASHION AND WITH A MINIMUM DISRUPTION OF SERVICE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONTACTING ALL PARTIES AFFECTED BY ANY DISRUPTION OF UTILITY SERVICE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL ASPECTS OF SAFETY INCLUDING BUT NOT LIMITED TO, EXCAVATION, TRENCHING, SHORING, TRAFFIC CONTROL, AND SECURITY.
- THE CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN, IN ACCORDANCE WITH THE MANUAL OF TRAFFIC CONTROL DEVICES (MUTCD) TO THE APPROPRIATE RIGHT-OF-WAY AUTHORITY (TOWN, COUNTY, OR STATE), FOR APPROVAL DEVICES AS MAY BE REQUIRED BY THE CONSTRUCTION ACTIVITIES.
- THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL LABOR AND MATERIALS NECESSARY FOR THE COMPLETION OF THE INTENDED IMPROVEMENTS, SHOWN ON THESE DRAWINGS, OR DESIGNATED TO BE PROVIDED, INSTALLED, OR CONSTRUCTED, UNLESS SPECIFICALLY NOTED OTHERWISE.
- IF, DURING THE CONSTRUCTION PROCESS, CONDITIONS ARE ENCOUNTERED WHICH COULD INDICATE A SITUATION THAT IS NOT IDENTIFIED IN THE PLANS OR SPECIFICATIONS, THE CONTRACTOR SHALL CONTACT THE TOWN IMMEDIATELY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR KEEPING ROADWAYS FREE AND CLEAR OF ALL CONSTRUCTION DEBRIS AND DIRT TRACKED FROM THE SITE.
- DIMENSIONS FOR LAYOUT AND CONSTRUCTION ARE NOT TO BE SCALED FROM ANY DRAWING. IF PERTINENT DIMENSIONS ARE NOT SHOWN, CONTACT THE CONSULTANT ENGINEER FOR CLARIFICATION, AND ANNOTATE THE DIMENSION ON THE AS-BUILT RECORD DRAWINGS.
- THE CONTRACTOR SHALL COMPLY WITH ALL TERMS AND CONDITIONS OF THE PROJECT'S COLORADO PERMIT FOR STORM WATER DISCHARGE, THE STORM WATER MANAGEMENT PLAN AND THE EROSION CONTROL PLAN, WHERE APPLICABLE.
- ALL STRUCTURAL EROSION CONTROL MEASURES SHALL BE INSTALLED, AT THE LIMITS OF CONSTRUCTION, PRIOR TO ANY OTHER GROUND-DISTURBING ACTIVITIES. EROSION CONTROL MEASURES SHALL BE MAINTAINED IN GOOD REPAIR BY THE CONTRACTOR UNTIL SUCH TIME AS THE ENTIRE DISTURBED AREAS IS STABILIZED WITH HARD SURFACE LANDSCAPING. THE TOWN MAINTAINS THE RIGHT TO REQUIRE ADDITIONAL EROSION CONTROL MEASURES IF NECESSARY DURING CONSTRUCTION.
- THE CONTRACTOR SHALL SEQUENCE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO MINIMIZE POTENTIAL UTILITY CONFLICTS. IN GENERAL, STORM SEWER AND SANITARY SEWER SHOULD BE CONSTRUCTED PRIOR TO INSTALLATION OF WATER LINES, DRY UTILITIES, CURB AND GUTTER, AND PAVING. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY THIS INFORMATION INCLUDING BUT NOT LIMITED TO ANY AND ALL TOWN OWNED MAIN LINES DURING BID PROCESS.
- ALL EXISTING STRUCTURES, FENCES, SIGNS, AND IMPROVEMENTS DESTROYED, DAMAGED, OR REMOVED DUE TO THE CONSTRUCTION OF THIS PROJECT SHALL BE REPLACED OR RESTORED IN LIKE AND KIND AT THE CONTRACTOR'S EXPENSE, UNLESS OTHERWISE INDICATED ON THE DRAWINGS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A DISPOSAL SITE FOR ALL UNUSABLE MATERIAL REMOVED FROM THE PROJECT.
- ALL PAVEMENT MARKING REQUIRED FROM THE CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECORDING AS-BUILT INFORMATION ON A SET OF RECORD DRAWINGS KEPT ON THE CONSTRUCTION SITE, AND AVAILABLE TO THE TOWN/COUNTY AT ALL TIMES.
- SHALL PROVIDE THE NECESSARY SIGNED/SEALED AS-BUILT SURVEY(S) TO ENGINEER AS REQUIRED FOR FINAL APPROVAL BY THE LOCAL JURISDICTION AT LEAST 30 DAYS PRIOR TO PROJECT COMPLETION. AS-BUILT SURVEY(S) SHALL INCLUDE ALL RIM ELEVATIONS, INVERTS, PIPE SIZES & MATERIALS AND PIPE SLOPES FOR ALL STORM AND SANITARY SEWERS. IN JURISDICTION WHERE AN AS-BUILT HYDROLOGY ANALYSIS OR STORMWATER "CERTIFICATION" IS REQUIRED BY THE ENGINEER OF RECORD, THE CONTRACTOR SHALL ALSO SUPPLY ALL NECESSARY DOCUMENTATION REQUIRED FOR THE ENGINEER TO DETERMINE UNDERGROUND POND(S), IF APPLICABLE, PROVIDE THE ADEQUATE STORAGE VOLUMES. SUCH DOCUMENTATION MAY INCLUDE, BUT SHALL NOT BE LIMITED, TO PHOTOGRAPHS OF SYSTEM INSTALLATION, COMPACTION REPORTS UNDER AND ABOVE THE SYSTEM, DELIVERY TICKETS, SHOP DRAWINGS, ELEVATIONS OF STONE BEDDING (TOP AND BOTTOM), AS WELL AS HORIZONTAL LIMITS OF STONE.
- THE APPROVAL OF THESE PLANS AND THE ISSUANCE OF THIS LAND DISTURBANCE PERMIT DOES NOT IN ANY WAY SUGGEST THAT ALL OTHER REQUIREMENTS FOR THE LEGAL OR APPROPRIATE OPERATIONS FOR THIS ACTIVITY, WHICH MAY REQUIRE ADDITIONAL PERMITTING HAVE BEEN MET. THE ONUS IS ON THE OWNER/DEVELOPER/BUILDER TO DISCOVER WHAT ADDITIONAL PERMITTING OR APPROVALS MAY BE NECESSARY TO OPERATE FROM THIS POINT IN AN APPROPRIATE AND LEGAL MANNER. PLAN APPROVAL OR PERMIT ISSUANCE DOES NOT ABSOLVE THE APPLICANT FROM COMPLYING WITH ALL APPLICABLE LAWS, STANDARDS, OR OTHER PERMITS WHICH MAYBE BE REQUIRE FOR THIS PROJECT.
- ATTENTION IS DRAWN TO THE FACT THAT THE SCALE OF THESE DRAWINGS MAY HAVE BEEN DISTORTED DURING THE REPRODUCTION PROCESS.
- IF ANY CONFLICTS, DISCREPANCIES, OR ANY OTHER UNSATISFACTORY CONDITIONS ARE DISCOVERED, EITHER ON THE CONSTRUCTION DOCUMENTS OR FILED CONDITIONS THE CONTRACTOR MUST NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT COMMENCE FURTHER OPERATION UNTIL THE CONFLICTS, DISCREPANCIES, OR OTHER UNSATISFACTORY CONDITIONS ARE RESOLVED.

STANDARD EROSION & SEDIMENT CONTROL NOTES:

- THE CONTRACTOR MUST NOTIFY THE TOWN OF FIRESTONE ENGINEERING DEPARTMENT (303.531.6274) AT LEAST THREE DAYS PRIOR TO STARTING CONSTRUCTION.
- ALL GRADING, EROSION, AND SEDIMENT CONTROL MUST CONFORM TO APPROVED PLANS. REVISIONS TO DISTURBANCE AREAS, SLOPES, AND/OR EROSION AND SEDIMENT CONTROL MEASURES ARE NOT PERMITTED WITHOUT PRIOR APPROVAL FROM TOWN OF FIRESTONE PLANNING AND DEVELOPMENT DEPARTMENT. FIELD MODIFICATIONS TO AN EQUIVALENT BMP THAT DOES NOT AFFECT THE SITE HYDROLOGY MAY BE APPROVED BY TOWN OF FIRESTONE ENGINEERING STAFF.

FINAL DEVELOPMENT PLAN
OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST
OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

GENERAL NOTES & LEGEND

SHEET 3 OF 21

STANDARD EROSION & SEDIMENT CONTROL NOTES
(CONTINUED)

- THE LANDOWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR OBTAINING A PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY FROM THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AT LEAST 10 DAYS PRIOR THE START OF CONSTRUCTION ACTIVITIES FOR LAND DISTURBANCE AREAS OF ONE ACRE OR GREATER. THE PERMIT MUST BE KEPT CURRENT THROUGHOUT THE CONSTRUCTION PROCESS. STATE STORMWATER PERMIT APPLICATIONS ARE AVAILABLE AT THIS ADDRESS: [HTTP://WWW.CDPHE.STATE.CO.US/WQ/PERMITSUNIT/WQCDPMT.HTML](http://www.cdphe.state.co.us/wq/permitsunit/wqcdpmt.html)
- EROSION CONTROL BEST MANAGEMENT PRACTICES (BMPs) MUST BE INSTALLED PRIOR TO GRADING ACTIVITIES.
- APPROVED EROSION AND SEDIMENT CONTROL BMPs SHALL BE MAINTAINED AND KEPT IN GOOD REPAIR FOR THE DURATION OF THE PROJECT. AT A MINIMUM, THE PROPERTY OWNER OR CONTRACTOR SHALL INSPECT ALL BMPs IN ACCORDANCE WITH THE APPROVED PLANS. ALL NECESSARY MAINTENANCE AND REPAIR ACTIVITIES SHALL BE COMPLETED IMMEDIATELY. ACCUMULATED SEDIMENT AND CONSTRUCTION DEBRIS SHALL BE REMOVED AND PROPERLY DISPOSED.
- ALL TOPSOIL MUST BE SALVAGED, SEGREGATED, AND STOCKPILED SEPARATELY FROM THE OVERBURDEN. TOPSOIL AND OVERBURDEN MUST BE REDISTRIBUTED WITHIN THE GRADED AREA AFTER ROUGH GRADING TO PROVIDE A SUITABLE BASE FOR AREAS THAT MUST BE SEEDED AND PLANTED. RUNOFF FROM THE STOCKPILED AREA MUST BE CONTROLLED TO PREVENT EROSION AND SEDIMENTATION OF RECEIVING WATERS.
- SOILS THAT ARE STOCKPILED FOR MORE THAN THIRTY (30) DAYS SHALL BE SEEDED AND MULCHED WITHIN FOURTEEN (14) DAYS OF STOCKPILE CONSTRUCTION.
- THE LANDOWNER AND/OR CONTRACTOR MUST IMMEDIATELY TAKE ALL NECESSARY STEPS TO CONTROL SEDIMENT DISCHARGE.
- SOIL STABILIZATION MEASURES SHALL BE APPLIED WITHIN THIRTY (30) DAYS TO DISTURBED AREAS, WHICH MAY NOT BE AT FINAL GRADE, BUT WILL BE LEFT DORMANT FOR LONGER THAN SIXTY (60) DAYS.
- IF APPLICABLE, THE FOLLOWING NOTE SHALL BE COMPLETED:
TEMPORARY VEGETATIVE COVER CONSISTING OF ANNUAL RYE GRASS MUST BE HYDRO-SEEDED AT 20 POUNDS PURE LIVE SEED PER ACRE. MULCH CONSISTING OF GRASS HAY, APPLIED AT A RATE OF 1 TON PER ACRE AND CRIMPED MUST BE USED TO STABILIZED THE EXPOSED SURFACE.

PERMANENT VEGETATIVE COVER CONSISTING OF THE MIX NOTE BELOW MUST BE HYDRO-SEEDED AT THE PORTION STATED BELOW:

SPECIES	VARIETY	% OF MIX	PLS/ACRE
WESTERN WHEATGRASS	ARRIBA	25	8.0
GREEN NEEDLEGRASS	LODOM	20	4.0
BLUE GRAMA	LOMINGTON	20	1.2
BUFFALO GRASS	TEXOKA	10	3.3
SANDBERG BLUEGRASS		10	0.8
SEEDCATS GRAMA	VAUGHN	15	2.8

- ALL DISTURBED SLOPES (UNLESS IN A COMPETENT ROCK CUT) GREATER THAN OR EQUAL TO 4:1 (H:V), FLOW LINES OF SWALES, GUTTER DOWNSPOUTS, OR ADDITIONAL AREAS AT THE DISCRETION OF TOWN OF FIRESTONE STAFF, SHALL BE PROTECTED WITH AN EROSION CONTROL BLANKET OR EQUIVALENT BMP.
- IF IT IS NECESSARY TO MOVE MATERIAL IN EXCESS OF 300 CUBIC YARDS AND/OR 10,000 SQUARE FEET OF LAND DISTURBANCE AREA TO OR FROM ANOTHER TOWN OF FIRESTONE SITE, A GRADING PERMIT OR NOTICE OF INTENT (NOI) IS NECESSARY FOR THE OFF-SITE PROPERTY. IF THE MATERIAL IS MOVED TO A PROPERTY LOCATED WITHIN ANOTHER JURISDICTION, EVIDENCE IS REQUIRED THAT THE LOCAL GOVERNMENT HAS APPROVED THE GRADING OPERATION.
- THE LANDOWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR CLEAN UP AND REMOVAL OF ALL SEDIMENT AND DEBRIS FROM ALL DRAINAGE INFRASTRUCTURE AND OTHER PUBLIC FACILITIES DURING THE ENTIRE CONSTRUCTION PROCESS.
- THE LANDOWNER AND/OR CONTRACTOR MUST TAKE REASONABLE PRECAUTIONS TO ENSURE THAT VEHICLES DO NOT TRACK OR SPILL EARTH MATERIALS ON TO STREETS/ROADS AND MUST IMMEDIATELY REMOVE SUCH MATERIALS IF THIS OCCURS.

THE LANDOWNER AND/OR CONTRACTOR IS RESPONSIBLE FOR CONTROLLING LITTER SUCH AS DISCARDED BUILDING MATERIALS, CONCRETE TRUCK WASHOUT, CHEMICALS, AND SANITARY WASTE, AS APPLICABLE. IN ADDITION, SPILL PREVENTION AND CONTAINMENT BMPs FOR CONSTRUCTION MATERIALS, WASTE, AND FUEL MUST BE PROVIDED, AS APPLICABLE. LOCATIONS OF STOCKPILES, CONCRETE WASHOUT AREAS, AND TRASH RECEPTACLES MUST BE CLEARLY SHOWN ON THE PLANS.
- FUGITIVE DUST EMISSIONS RESULTING FROM GRADING ACTIVITIES AND/OR WIND SHALL BE CONTROLLED USING THE BEST AVAILABLE CONTROL TECHNOLOGY, AS DEFINED BY THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, AT THE TIME OF GRADING. DURING GRADING, APPLYING A COMBINATION OF WATER, TACKIFIER AND SILT FENCE TO BREAK UP WIND SURFACE VELOCITIES MAY CONTROL DUST. IF WIND SPEEDS EXCEED THE ABILITY OF BMPs TO CONTROL FUGITIVE DUST, GRADING ACTIVITIES MUST CEASE.
- EARTH MATERIALS AND CONSTRUCTION SUPPLIES ARE TO BE STORED ON A CONSTRUCTION SITE STAGING AREA, AND ARE NOT TO BE STORE ON STREET OR SIDEWALK. LOCATION OF STOCKPILES, CONCRETE WASHOUT AND TRASH RECEPTACLES ARE CLEARLY LOCATED ON THE PLANS.
- THE TOWN OF FIRESTONE ENGINEERING DEPARTMENT, OR ITS AUTHORIZED REPRESENTATIVE, MAY MODIFY THE EROSION AND SEDIMENT CONTROL PLAN AS FIELD CONDITIONS WARRANT.

UTILITY PLAN CONSTRUCTION NOTES:

- ALL CONSTRUCTION WORK PERFORMED AND MATERIALS SUPPLIED SHALL CONFORM TO THE SITE WORK SPECIFICATIONS AND THE TOWN OF FIRESTONE "CONSTRUCTION STANDARDS AND SPECIFICATIONS". ANY WORK NOT COVERED IN THE ABOVE SHALL CONFORM TO THE "2011 CDOT SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" AND THE "2019 CDOT STANDARD SPECIFICATIONS BOOK, M&S STANDARDS" AND SUPPLEMENTALS, UNLESS OTHERWISE NOTED ON THE PLANS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY COMPANIES AND GOVERNMENTAL AGENCIES WHO MIGHT HAVE UTILITY LINES ON OR ACROSS THE PREMISES, OR WHO MIGHT BE AFFECTED BY THE CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE HIS ACTIVITIES WITH THE UTILITY COMPANIES TO ENSURE COMPLIANCE WITH THE PROJECT SCHEDULE ESTABLISHED BY THE GENERAL CONTRACTOR. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROTECT EXISTING UTILITY LINES, AND SHALL REPAIR ANY DAMAGES AT HIS OWN EXPENSE. CALL THE UTILITY NOTIFICATION CENTER OF COLORADO (800.922.1987) AT LEAST 2 DAYS IN ADVANCE BEFORE COMMENCEMENT OF WORK.
- UNLESS OTHERWISE SPECIFIED, THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN CONSTRUCTION STAKING. THE CONTRACTOR SHALL FURTHER BE RESPONSIBLE FOR THE ACCURACY OF ALL STAKING IN ACCORDANCE WITH THE APPROVED PLANS. IN THE EVENT THAT DISCREPANCIES ARE FOUND, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OR PROJECT MANAGER PRIOR TO COMMENCING WITH CONSTRUCTION OPERATIONS.

UTILITY PLAN CONSTRUCTION NOTES (CONTINUED):

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING APPROVED TOWN PLANS, WORK ORDERS AND CONNECTION PERMITS REQUIRED BY THE TOWN OF FIRESTONE.
- ALL UTILITIES SHALL BE BACKFILLED, AND COMPACTED IN ACCORDANCE WITH THE SITE WORK SPECIFICATIONS OR TOWN OF FIRESTONE STANDARD SPECIFICATIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING ADEQUATE EROSION PROTECTION DURING CONSTRUCTION AND FOLLOWING CONSTRUCTION UNTIL SUCH TIME AS PROPER VEGETATION IS REESTABLISHED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ERECTING AND MAINTAINING BARRICADES AND OTHER TRAFFIC WARNING DEVICES AS NECESSARY AROUND THE PERIMETER OF CONSTRUCTION AND ADJACENT TO ANY OPEN TRENCHES.
- THOSE UTILITIES WHICH ARE PUBLIC, SHALL BE INSTALLED BY A CONTRACTOR LICENSED AND BONDED WITH TOWN OF FIRESTONE.
- ALL VALVES, MANHOLE LIDS, AND SEWER CLEAN-OUTS LOCATED IN PAVED AREA, SHALL BE H-20 TRAFFIC RATED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ELEVATIONS AND ADJUSTING ALL COVERS AND LIDS IN PAVED AREAS TO FINISHED GRADE. ALL FIELD ADJUSTMENTS SHALL BE NOTED AND BROUGHT TO THE ENGINEERS ATTENTION AND APPROVAL.
- CONSTRUCTION ACCESS TO THE SITE SHALL BE FROM PRIVATE DRIVE EAST OF OAK MEADOWS BOULEVARD, UNLESS OTHERWISE DIRECTED BY THE ENGINEER OR THE TOWN.
- ALL UTILITIES LOCATED BENEATH PAVED SURFACES SHALL BE BACKFILLED WITH SAND AND COMPACTED 95% S.P.D. COMPACTION SHALL BE ACCOMPLISHED BY TAMPING.
- THE CONTRACTOR SHALL NOTIFY TOWN OF FIRESTONE PUBLIC WORKS (303.833.3544) 48 HOURS PRIOR TO ANY STREET CLOSING.

GRADING PLAN CONSTRUCTION NOTES:

- ALL CONSTRUCTION WORK PERFORMED AND MATERIALS SUPPLIED SHALL CONFORM TO THE SITE WORK SPECIFICATIONS AND THE TOWN OF FIRESTONE "CONSTRUCTION STANDARDS AND SPECIFICATIONS". ANY WORK NOT COVERED IN THE ABOVE SHALL CONFORM TO THE "1991 CDOT SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" AND THE "2019 CDOT STANDARD SPECIFICATIONS BOOK, M&S STANDARDS" AND SUPPLEMENTAL, UNLESS OTHERWISE NOTED ON THE PLANS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING ALL UTILITY COMPANIES AND GOVERNMENTAL AGENCIES WHO MIGHT HAVE UTILITY LINES ON OR ACROSS THE PREMISES, OR WHO MIGHT BE AFFECTED BY THE CONSTRUCTION. THE CONTRACTOR SHALL COORDINATE HIS ACTIVITIES WITH THE UTILITY COMPANIES TO ENSURE COMPLIANCE WITH THE PROJECT SCHEDULE ESTABLISHED BY THE GENERAL CONTRACTOR. THE CONTRACTOR SHALL MAKE EVERY EFFORT TO PROTECT EXISTING UTILITY LINES, AND SHALL REPAIR ANY DAMAGES AT HIS OWN EXPENSE. CALL THE UTILITY NOTIFICATION CENTER OF COLORADO AT (800.922.1987) AT LEAST 2 DAYS IN ADVANCE BEFORE COMMENCEMENT OF WORK.
- UPON COMPLETION OF WORK, THE PAVING CONTRACTOR SHALL BE RESPONSIBLE FOR BACKFILLING ALL CURBS, WITH THE UPPER 4" DEPTH TO BE TOPSOIL.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR INSURANCE OF MATERIALS, INSTALLATION AND MAINTENANCE OF THE COMBINATION HAY BALE/SILT FENCE BARRIER AROUND THE LIMITS OF CONSTRUCTION AND AS SHOWN ON THE APPROVED PLAN, DURING CONSTRUCTION AND UNTIL ALL WORK IS COMPLETE AND VEGETATION IS REESTABLISHED.
- ALL SIGNS, PAVEMENT MARKINGS, AND OTHER TRAFFIC CONTROL DEVICES, SHALL CONFORM TO THE COLORADO STANDARD MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), LATEST EDITION. ALL PAVEMENT STRIPING SHALL BE FOUR (4) INCHES WIDE, UNLESS SHOWN OTHERWISE ON THE PLANS.
- IN AREAS WHERE CONCRETE PAVING IS TO ABUT ASPHALTIC PAVING, THE CONTRACTOR SHALL CONSTRUCT A 10" THICKENED EDGE IN THE CONCRETE.
- ALL PAVEMENT REMOVAL CONTIGUOUS TO PAVEMENT REMAINING, SHALL BE SAW-CUT IN A STRAIGHT LINE TO THE FULL DEPTH OF THE EXISTING PAVEMENT. ALL DEBRIS FROM REMOVAL OPERATIONS SHALL BE REMOVED FROM THE SITE AT THE TIME OF EXCAVATION. STOCKPILING OF DEBRIS ON-SITE WILL NOT BE PERMITTED.
- UNLESS OTHERWISE STATED IN THE GENERAL CONDITIONS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TESTING. ALL SUB-GRADE, CONCRETE AND ASPHALTIC PAVEMENT TESTING SHALL CONFORM TO THE "STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION", COLORADO DEPT. OF HIGHWAYS, LATEST EDITION AND SUPPLEMENTAL. ALL TEST RESULTS SHALL BE FORWARDED TO THE ENGINEER FOR HIS REVIEW AND APPROVAL.
- THE CONTRACTOR SHALL PROVIDE A MEDIUM BROOM FINISH ON ALL CONCRETE WALKS, RAMPS AND PAVING SURFACES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DEMOLITION AND REMOVAL OF ALL CONCRETE, FOUNDATIONS, WALKS, WALLS, TREES AND OTHER DEBRIS INDICATED ON THE SURVEY OR SPECIFIED IN THE SITE WORK SPECIFICATIONS. ALL SALVAGEABLE STORM SEWER GRATES, INLETS OR MANHOLE RING AND COVERS WHICH ARE NOT BEING RE-USED ON SITE SHALL BE RETURNED TO TOWN OF FIRESTONE.
- CONSTRUCTION SPECIFICATION: COLORADO DEPARTMENT OF HIGHWAYS STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION, 1991, SPECIAL PROVISIONS AND REVISIONS THERETO.
- SPECIFICATION DETAILS CAN BE FOUND UNDER THE FOLLOWING ITEM AND SECTION NUMBERS:
EMBANKMENT COMPACTION --- SECTION 203
AGGREGATE BASE COURSE --- SECTION 304
- SUBGRADE COMPACTION: APPROVED MATERIAL MAY BE REQUIRED IF THE NATIVE MATERIAL IS UNSATISFACTORY. THE APPROVED MATERIAL SHALL THEN BE COMPACTED TO A DENSITY TO FORM THE PREPARED SURFACE FOR THE ROAD SURFACE MATERIAL. MINIMUM DENSITY WILL BE DETERMINED IN ACCORDANCE WITH AASHTO DESIGNATION T 180 OR 189, IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS 203.11 (1986 ED.), EXCEPT NOT LESS THAN 95% T180 ON THE TOP 12" OF SUBGRADE MATERIAL.
- VARIABLE SLOPES ARE NOT TO EXCEED 3:1 UNLESS OTHERWISE APPROVED BY TOWN OF FIRESTONE.

LEGEND

EXISTING LINETYPES	PROPOSED LINETYPES	SECTION LINE
---	---	PROPERTY BOUNDARY
---	---	RIGHT-OF-WAY
---	---	LOT LINE
---	---	EASEMENT
---	---	BUILDING SETBACK
---	---	WATER LINE
---	---	WATER SERVICE
---	---	SANITARY SEWER
---	---	OVERHEAD UTILITY
---	---	FIBER OPTIC
---	---	GASLINE
---	---	UNDERGROUND ELECTRIC
---	---	UNDERGROUND TELEPHONE
---	---	MINOR CONTOUR (1' INTERVAL)
---	---	MAJOR CONTOUR (5' INTERVAL)
---	---	WIRE FENCE
---	---	CURB & GUTTER (SPILL/CATCH)
---	---	EDGE OF BUILDING

EXISTING SYMBOLS	PROPOSED SYMBOLS	
		SANITARY MANHOLE
		POWER POLE
		FIRE HYDRANT
		WATER VALVE
		WATER METER
		ELECTRIC PEDESTAL
		ELECTRIC METER
		ELECTRIC TRANSFORMER
		GAS METER
		SIGN
		ASPHALT PAVING - REFER TO SOILS REPORT FOR PAVING SECTION
		SIDEWALK PAVING (4" THICK CONCRETE, 4000 PSI)
		CONCRETE PAVING
		LANDSCAPING
		VEHICLE TRACKING CONTROL (VTC)
		SEEDING AND MULCHING (SM)
		STABILIZED STAGING AREA (SSA)
		CONCRETE WASHOUT AREA (CWA)
		EROSION CONTROL BLANKETS (ECB)
		INLET PROTECTION (IP)
		ROCK SOCK (RS)
		SILT FENCE (SF)

ABBREVIATIONS

TBC	TOP BACK OF CURB ELEVATION	LP	LOW POINT ELEVATION
FFE	FINISHED FLOOR ELEVATION	HP	HIGH POINT ELEVATION
FG	FINISHED GRADE ELEVATION	ME	MATCH EXISTING ELEVATION
W	TOP OF SIDEWALK ELEVATION		

DESIGNED BY

LTV

DATE

1/31/2020

PREPARED BY

MDS

DATE

4/9/2020

REVISION DESCRIPTION

TOWN COMMENTS

TOWN COMMENTS

CHRISTIAN BROTHERS AUTOMOTIVE

WELD COUNTY

TOWN OF FIRESTONE

CHRISTIAN BROTHERS AUTOMOTIVE

6179 FIRESTONE BOULEVARD

GENERAL NOTES & LEGEND

FOR AND ON BEHALF OF
BASELINE CORPORATION

INITIAL SUBMITTAL 12/9/2019

DRAWING SIZE 22" X 34"

SURVEY FIRM BEC

SURVEY DATE 9/26/2019

JOB NO. C03414

DRAWING NAME C3

G:\NOTES & LEGEND.dwg

SHEET 3 OF 21

C3

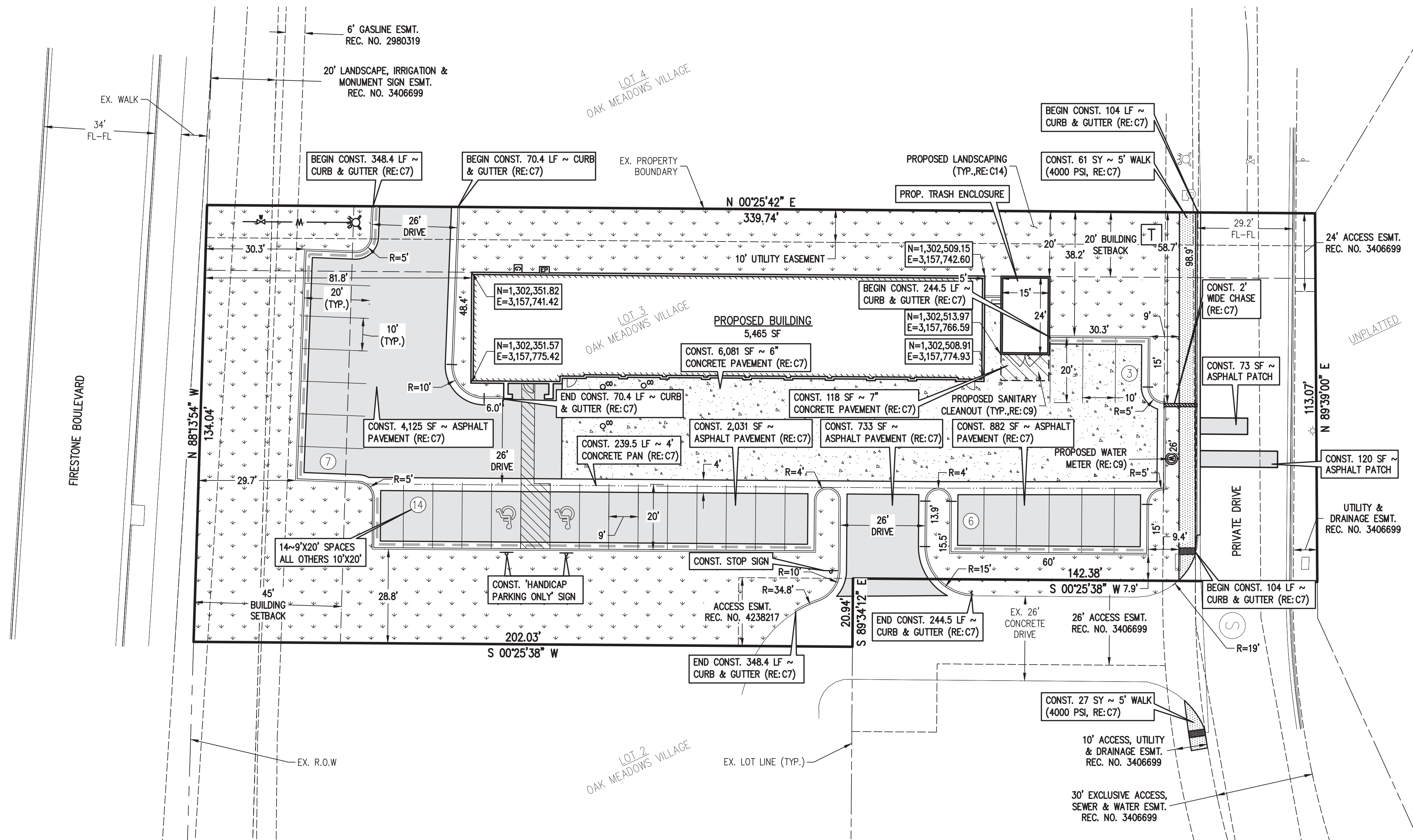
FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST
OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

HORIZONTAL CONTROL PLAN

SHEET 4 OF 21



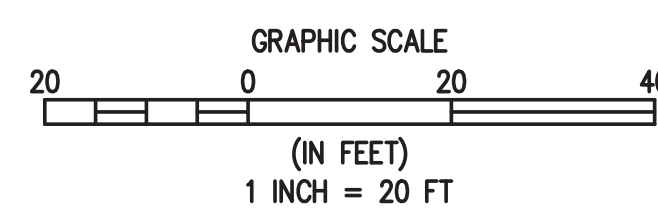
NOTES:

- ANY DAMAGED SIDEWALK, CURB AND GUTTER IN THE RIGHT OF WAY ON THIS DEVELOPMENT'S FRONTAGE WILL BE REPAIRED AT THE DISCRETION OF THE RIGHT OF WAY INSPECTOR. THIS APPLIES TO EXISTING DAMAGE AND DAMAGE THAT OCCURS DURING CONSTRUCTION AT THE GENERAL CONTRACTOR'S COST.
- WHERE NEW SITE WORK JOINS EXISTING CONDITIONS, EXISTING CONDITIONS SHALL CONTROL. IF MAJOR DISCREPANCIES ARE APPARENT, NOTIFY ENGINEER BEFORE PROCEEDING WITH THE WORK.
- SAW CUT PAVING AS REQUIRED TO PROVIDE A CLEAN BREAK FROM PAVING/WALK TO REMAIN FROM PAVING/WALK TO BE REMOVED.
- SEE SHEET C7 FOR PAVEMENT AND SITE CONCRETE DESIGN.



Know what's below.
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1
C4 | C4
HORIZONTAL CONTROL PLAN



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DATE 1/31/2020
PREPARED BY MDS

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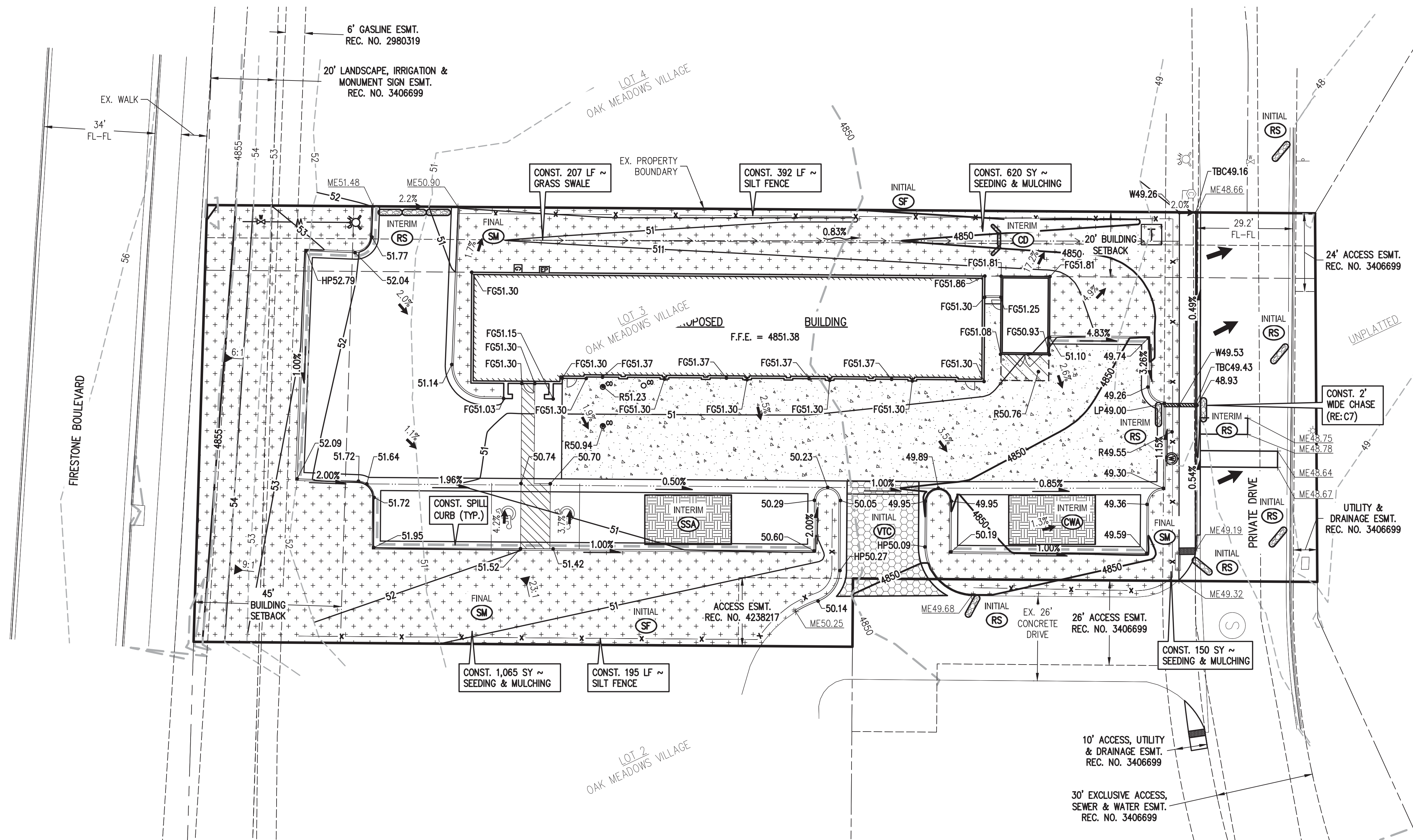
FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST
OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

GRADING EROSION & SEDIMENT CONTROL PLAN

SHEET 5 OF 21



EARTHWORK QUANTITIES

CUT = ±815 CUBIC YARDS

FILL = ±959 CUBIC YARDS

NET (FILL) = ±144 CUBIC YARDS

TOTAL DISTURBED AREA = ±0.90 ACRES

NOTE: EARTHWORK QUANTITIES SHOWN ARE APPROXIMATE AND ARE NOT TO BE USED FOR CONTRACTUAL/ BIDDING PURPOSES. CONTRACTOR IS RESPONSIBLE FOR PROVIDING THEIR OWN EARTHWORK ESTIMATES.

NOTES:

1. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE PRIOR TO THE COMMENCEMENT OF GRADING AND SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. ADDITIONAL MEASURES MAY BE REQUIRED DURING CONSTRUCTION AND SHALL BE INSTALLED AT THE DIRECTION OF THE TOWN ENGINEER OR DESIGNATED REPRESENTATIVE.
2. AT A MINIMUM, THE CONTRACTOR OR HIS AGENT SHALL INSPECT ALL EROSION AND SEDIMENT CONTROL MEASURES EVERY 7 DAYS AND AFTER EVERY PRECIPITATION EVENT.
3. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER, OWNER, AND CONTRACTOR TO PREVENT SEDIMENT, DEBRIS, AND ALL POLLUTANTS FROM ENTERING THE STORM SEWER SYSTEM DURING GRADING AND CONSTRUCTION OPERATIONS. THE DEVELOPER, OWNER, AND CONTRACTOR SHALL BE RESPONSIBLE FOR REMEDIATION OF ANY ADVERSE IMPACTS TO WATERWAYS, WETLANDS OTHER PROPERTIES AND RIGHTS-OF-WAY RESULTING FROM WORK DONE AS PART OF THIS PROJECT. ALL SEDIMENT, SILT, MUD, AND CONSTRUCTION DEBRIS THAT MOVES BEYOND THE PROPERTY LIMITS MUST BE IMMEDIATELY REMOVED.



Know what's below.
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1 OF 21 GRADING EROSION & SEDIMENT CONTROL PLAN

GRAPHIC SCALE
0 20 40
(IN FEET)
1 INCH = 20 FT



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PREPARED BY DATE
MDS 1/31/2020
MDS 4/9/2020

REVISION DESCRIPTION
TOWN COMMENTS
TOWN COMMENTS

CHRISTIAN BROTHERS AUTOMOTIVE
WELD COUNTY
CHRISTIAN BROTHERS AUTOMOTIVE
6179 FIRESTONE BOULEVARD
GRADING EROSION & SEDIMENT CONTROL PLAN

PREPARED UNDER THE DIRECT SUPERVISION OF



FOR AND ON BEHALF OF
BASELINE CORPORATION

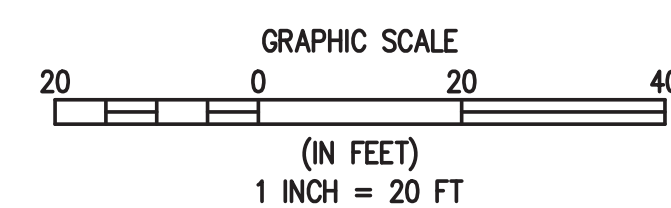
INITIAL SUBMITTAL 12/9/2019
DRAWING SIZE 22" X 34"
SURVEY FIRM SURVEY DATE
BEC 9/26/2019
JOB NO. C03414
DRAWING NAME
C5 GRADING & EROSION.dwg
SHEET 5 OF 21

C5

CHRISTIAN BROTHERS AUTOMOTIVE

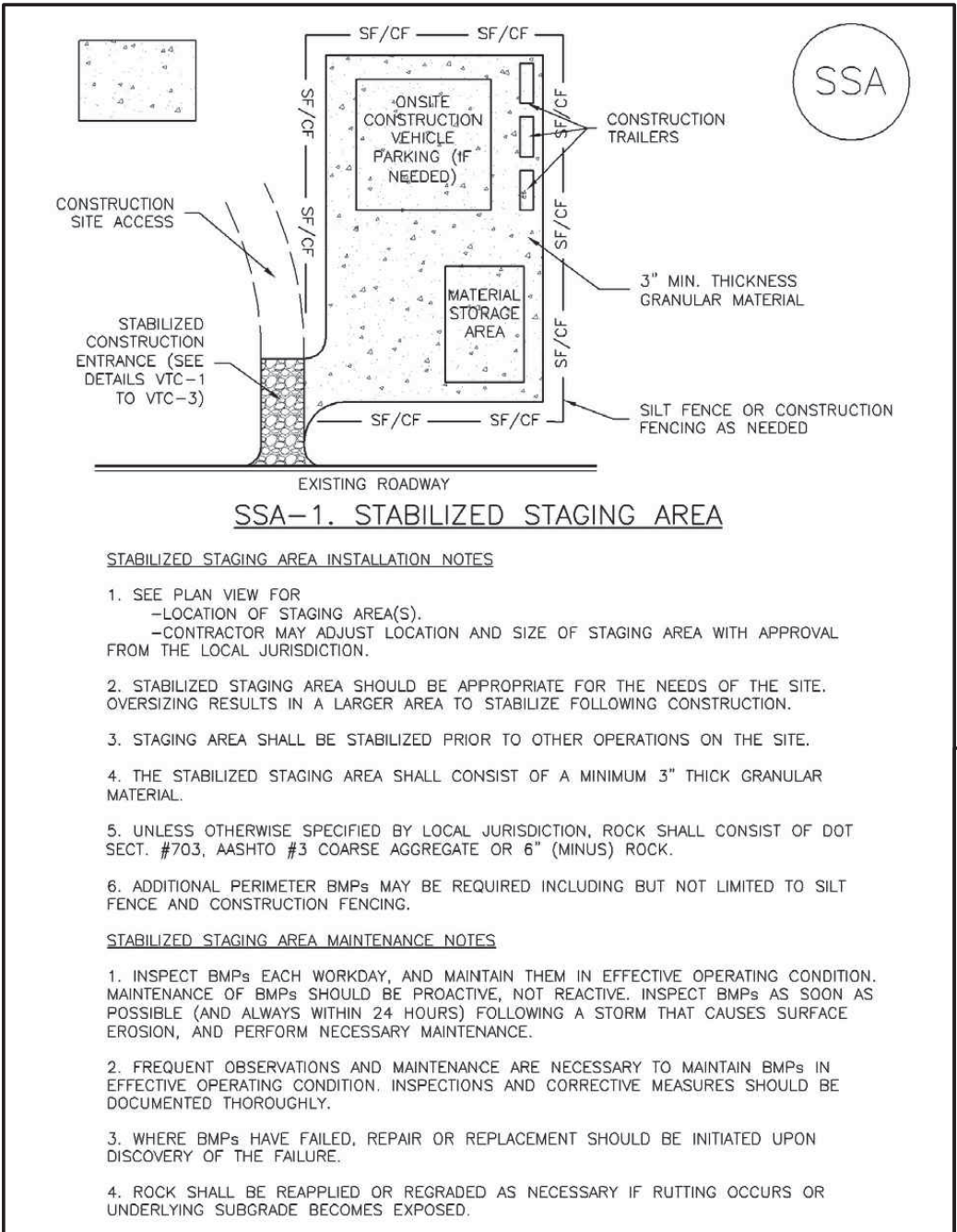
[illegible]

1. CONTRACTOR TO FIELD VERIFY ALL EX. CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER IMMEDIATELY IF EXISTING CONDITIONS DIFFER FROM WHAT IS SHOWN ON APPROVED PLANS.



A circular professional engineer seal for the State of Colorado. The outer ring contains the text "COLORADO LICENSE" at the top and "PROFESSIONAL ENGINEER" at the bottom. Inside the ring, the license number "12576" is printed. The seal is signed with a blue ink signature "J. D. W." and includes the date "5/26/2019".

n:\c03414 - cba firestone\Drawings\planning documents\PDF\C8 EROSION DETAILS.dwg, 4/8/2020 8:57:37 AM, Michael Swanton



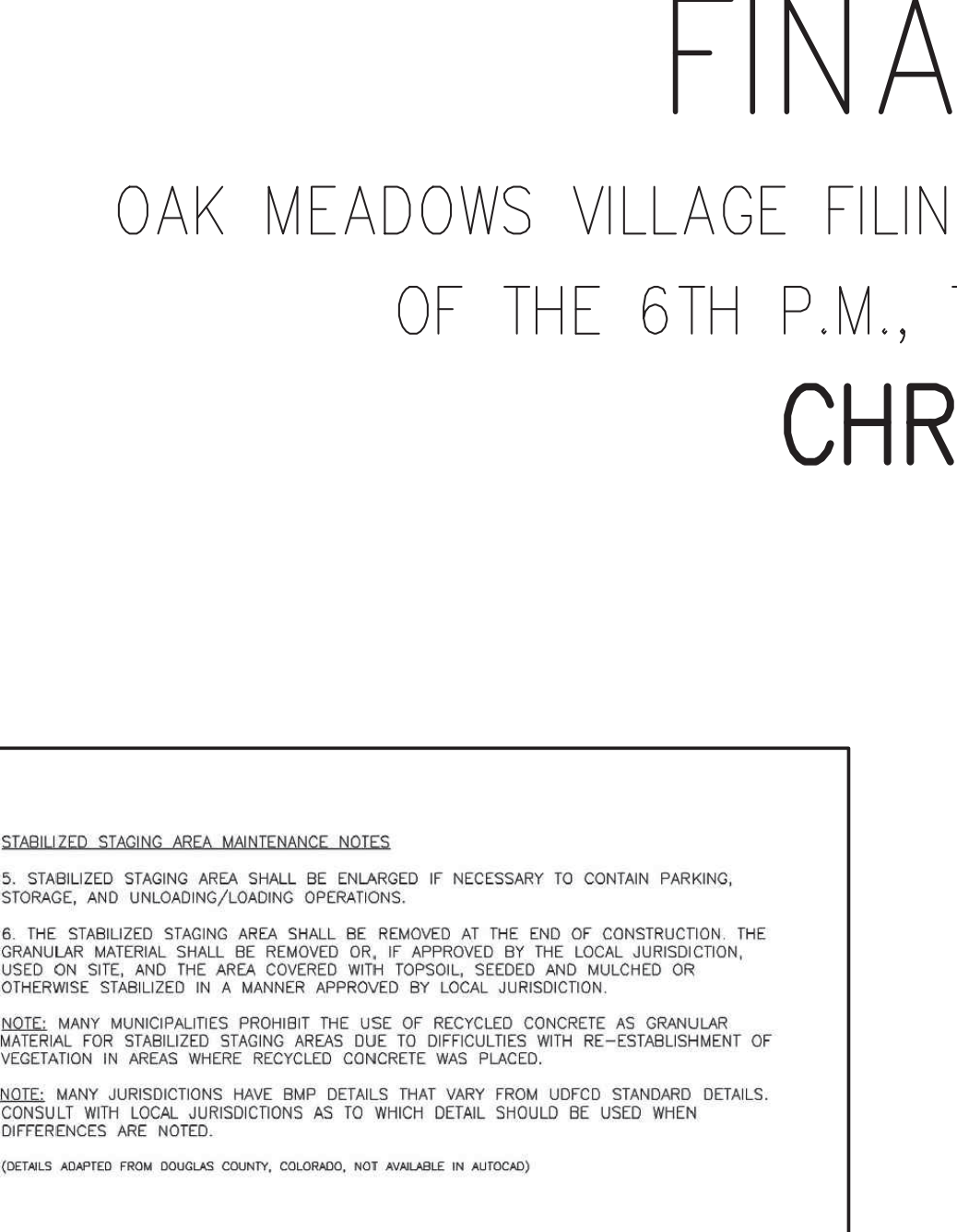
1
C5 C8

STABILIZED STAGING AREA DETAIL

A - Loamy or Clayey Soils Mix					
Species	Variety	Percent of Mix	(Drilled Planting) PLS lbs./Acres	(Broadcast) PLS lbs./Acres	
Western wheatgrass	Arriba	25	4	8	
Green needlegrass	Ladom	30	2	4	
Blue grama	Lovington	20	0.8	1.2	
Buffalograss	Tesika	10	1.7	3.3	
Sandberg bluegrass	—	10	0.3	0.8	
Sideoats grama	Vaughn	15	1.4	2.8	
TOTAL		100	10 lbs./ac.	19.8 lbs./ac.	
B - Shallow Foothills Mix					
Species	Variety	Percent of Mix	(Drilled Planting) PLS lbs./Acres	(Broadcast) PLS lbs./Acres	
Big bluestem	Kaw	20	2.2	4.4	
Sideoats grama	Vaughn	20	1.8	3.6	
Little bluestem	Pastura	20	1.4	2.8	
Yellow indiangrass	Holt	10	1	2	
Western wheatgrass	Arriba	10	1.6	3.2	
Neotoma	—	10	1	2	
Switchgrass	Nabesika 28	5	0.3	0.8	
Blue grama	Lovington	5	0.2	0.3	
TOTAL		100	8.5 lbs./ac.	18.8 lbs./ac.	
C - Overflow Drainage Bottoms Mix					
Species	Variety	Percent of Mix	(Drilled Planting) PLS lbs./Acres	(Broadcast) PLS lbs./Acres	
Western wheatgrass	Arriba	45	2	4.4	
Green needlegrass	Ladom	20	2	4	
Switchgrass	Nabesika 28	15	0.7	1.4	
Blue grama	Lovington	10	0.3	0.6	
Yellow indiangrass	Holt	5	0.5	1	
Big bluestem	Kaw	5	0.6	1.2	
TOTAL		100	11.3 lbs./ac.	20.8 lbs./ac.	
D - Conifer Mix					
Species	Variety	Percent of Mix	(Drilled Planting) PLS lbs./Acres	(Broadcast) PLS lbs./Acres	
Arizona fescue	Redondo	20	0.9	1.8	
Western wheatgrass	Rosana	15	2.4	4.8	
Big bluestem	Sherman	15	0.5	1	
Sheep fescue	Clover	15	0.7	1.4	
Blue grama	Lovington	15	0.5	1	
Sandler wheatgrass	San Luis	10	1.1	2.2	
Mountain brome	Bronze	10	1.9	3.8	
TOTAL		100	8.0 lbs./ac.	16.0 lbs./ac.	
E - Mountain Home "Firewise" Mix					
Species	Variety	Percent of Mix	(Drilled Planting) PLS lbs./Acres	(Broadcast) PLS lbs./Acres	
Blue grama	Lovington	20	0.8	1.2	
Streambank wheatgrass	Stader	20	2.2	4.4	
Western wheatgrass	Rosana	10	1.6	3.2	
Thickspike wheatgrass	Ortana	10	1.1	2.2	
Carby bluegrass	Carbar	20	0.8	1.5	
Sheep fescue	Clover	20	0.7	1.4	
TOTAL		100	7.2 lbs./ac.	14.5 lbs./ac.	
F - Pike's Peak Granite Mix					
Species	Variety	Percent of Mix	(Drilled Planting) PLS lbs./Acres	(Broadcast) PLS lbs./Acres	
Blue grama	Lovington	20	0.6	1.2	
Little bluestem	Pastura	15	1.1	2.1	
Sheep fescue	Clover	15	0.7	1.4	
Arizona fescue	Redondo	10	0.5	0.9	
Phlox	—	10	1.3	2.5	
Carby bluegrass	Carbar	10	0.3	0.6	
Western wheatgrass	Rosana	10	1.6	3.2	
Thickspike wheatgrass	Ortana	10	1.1	2.2	
TOTAL		100	7.8 lbs./ac.	14.1 lbs./ac.	
G - High Elevation Mix - BSSOD					
Species	Variety	Percent of Mix	(Drilled Planting) PLS lbs./Acres	(Broadcast) PLS lbs./Acres	
Arizona fescue	Redondo	20	0.9	1.8	
Alpine bluegrass	—	20	0.6	1.2	
Carby bluegrass	Carbar	20	0.6	1.2	
Western wheatgrass	Rosana	10	1.6	3.2	
Thickspike wheatgrass	Ortana	10	1.1	2.2	
Sandler wheatgrass	San Luis	10	1.1	2.2	
Mountain brome	Bronze	10	1.9	3.8	
TOTAL		100	7.8 lbs./ac.	15.6 lbs./ac.	

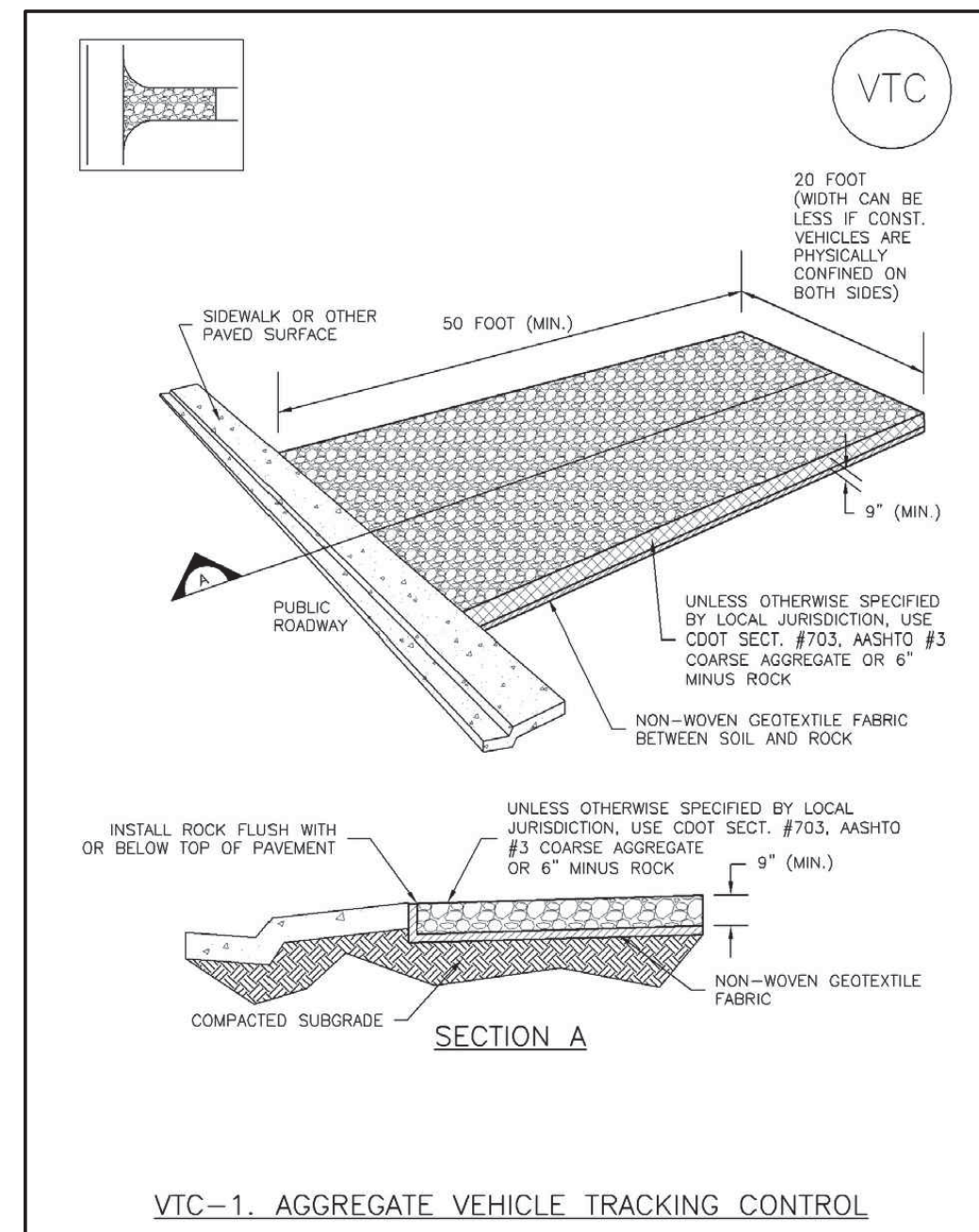
2
C5 C8

SEEDING AND MULCHING DETAIL



3
C5 C8

ROCK SOCK DETAIL



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FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST

OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

UTILITY DETAILS

SHEET 9 OF 21

GENERAL METER NOTES

1. Location Of The Meter To Be Established By The Development Engineer.
2. All Settings Must Be Inspected By The Town's Representative.
3. If The Street Or Ground Is Not To Official Grade At The Time Of Installation Of The Meter, The Owner Must Raise Or Lower The Meter Vault When The Final Grade Is Established.
4. Leaded Joints And Galvanized Piping Shall Not Be Allowed Inside The Meter Vaults.
5. A Bypass Is To Be Installed On 1 1/2" And Larger Meters Unless Otherwise Specified.
6. The Service Line Through And On Both Sides Of The Meter Pit Must Be Of The Same Material.
7. No Connections Shall Be Made In The Meter Pit. Sprinkler Connections Must Be Made More Than Five (5) Feet From The Meter Pit On The Downstream Side.
8. GATE VALVES:
 - A. All Gate Valves Under 3" For Use W/Copper Pipe Shall Be All Bronze, w/Non-rising Stems And Solid Wedge Disc, Manufactured In Accordance With A.S.T.M. Spec. B62 And Federal Spec. W.W.-V-54 Class A, 125psi W.S.P., 200psi W.O.G. Or Curb Stops In Accordance With ANWA C800 And MS-23 Of The Material Specifications.
 - B. All Gate Valves 3" And Larger Shall Conform With GOLDEN'S Standard Specifications.
9. All Dresser (Or Approved Equal) Couplings Shall Have The Pipe Stop Removed.

TOWN OF
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METER
NOTES

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1
C6 C9

WATER METER NOTES DETAIL

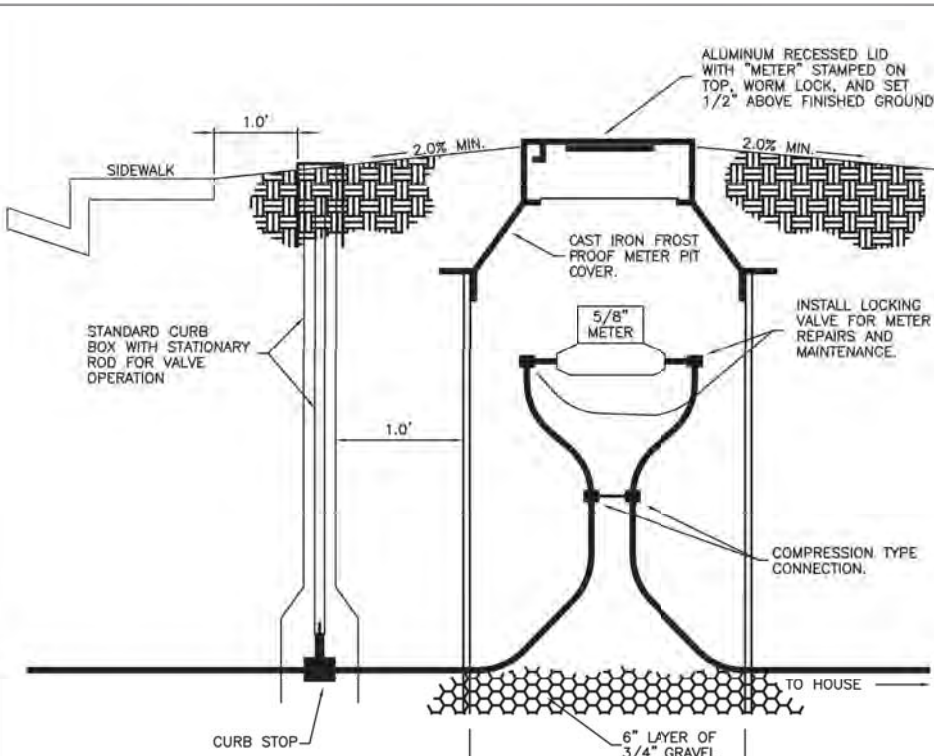
TOWN OF
FIRESTONE

WATER SERVICE
DETAIL

APPROVED BY: 

2
C6 C9

DOMESTIC WATER SERVICE DETAIL



- NOTES:
1. METER PIT AND CURB STOP ARE NOT TO BE INSTALLED IN ANY STREET, ALLEY, DRIVEWAY, SIDEWALK, OR PARKING AREA.
 2. NO TREES, SHRUBS, BOULDERS, RETAINING WALLS OR OTHER LANDSCAPING FEATURES SHALL BE INSTALLED WITHIN 4' OF THE METER PIT. IF LANDSCAPING CHANGES THE GRADE AROUND THE METER PIT THE OWNER SHALL BE REQUIRED TO ADJUST THE METER PIT COVER TO BE 1/2" ABOVE THE FINISHED GRADE AND ENSURE POSITIVE DRAINAGE AWAY FROM THE METER PIT IN ALL DIRECTIONS.
 3. THE TOWN SHALL PROVIDE THE METER, SETTER AND PIT. NOTIFY THE TOWN CLERK ONE WEEK IN ADVANCE OF INSTALLATION SO THAT THE UNITS CAN BE ORDERED IF THERE ARE NONE IN STOCK.
 4. METER PITS SHOULD BE INSTALLED DURING CONSTRUCTION OF THE HOME TO ENSURE PROPER LOCATION AND PREVENT DAMAGE DURING THE TIME THE INFRASTRUCTURE IS BEING COMPLETED AND THE HOME IS BUILT.
 5. METER PITS FOR COMMERCIAL BUILDINGS OR OTHER APPLICATIONS REQUIRING LARGER METERS WILL BE OF A SIMILAR DESIGN. DETAILS FOR LARGER METERS SHALL BE DISCUSSED ON A CASE BY CASE BASIS WITH THE TOWN BEFORE INSTALLATION.

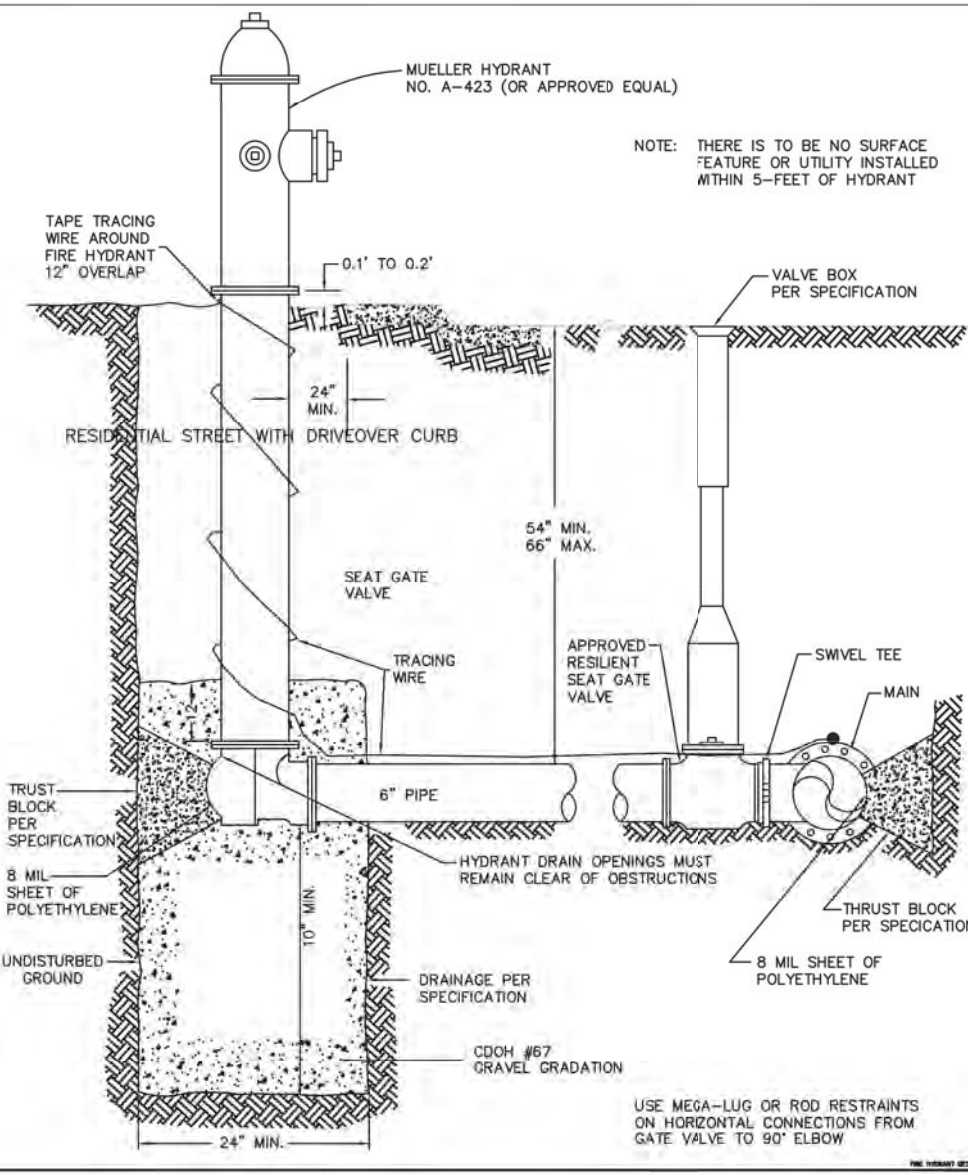
TOWN OF
FIRESTONE

STANDARD RESIDENTIAL
METER SETTING

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3
C6 C9

STANDARD RESIDENTIAL METER SETTING DETAIL



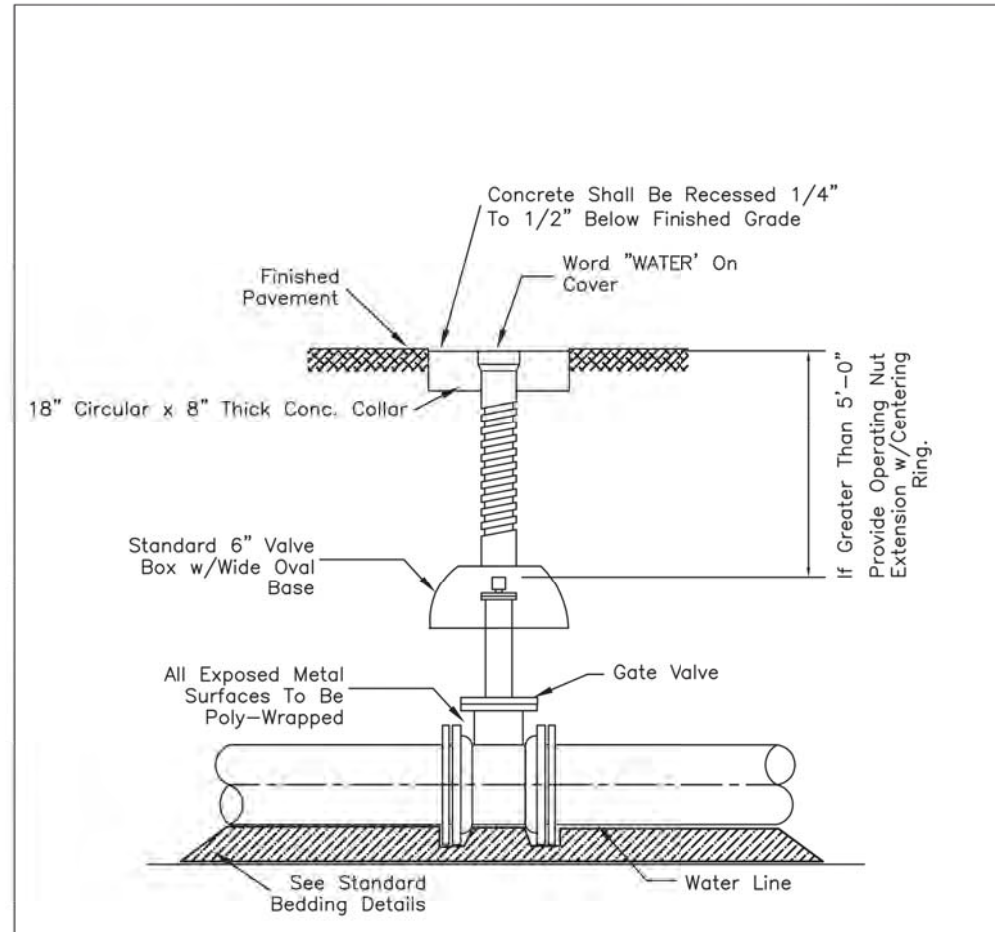
TOWN OF
FIRESTONE

FIRE HYDRANT
DETAIL

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4
C6 C9

FIRE HYDRANT DETAIL



TOWN OF
FIRESTONE

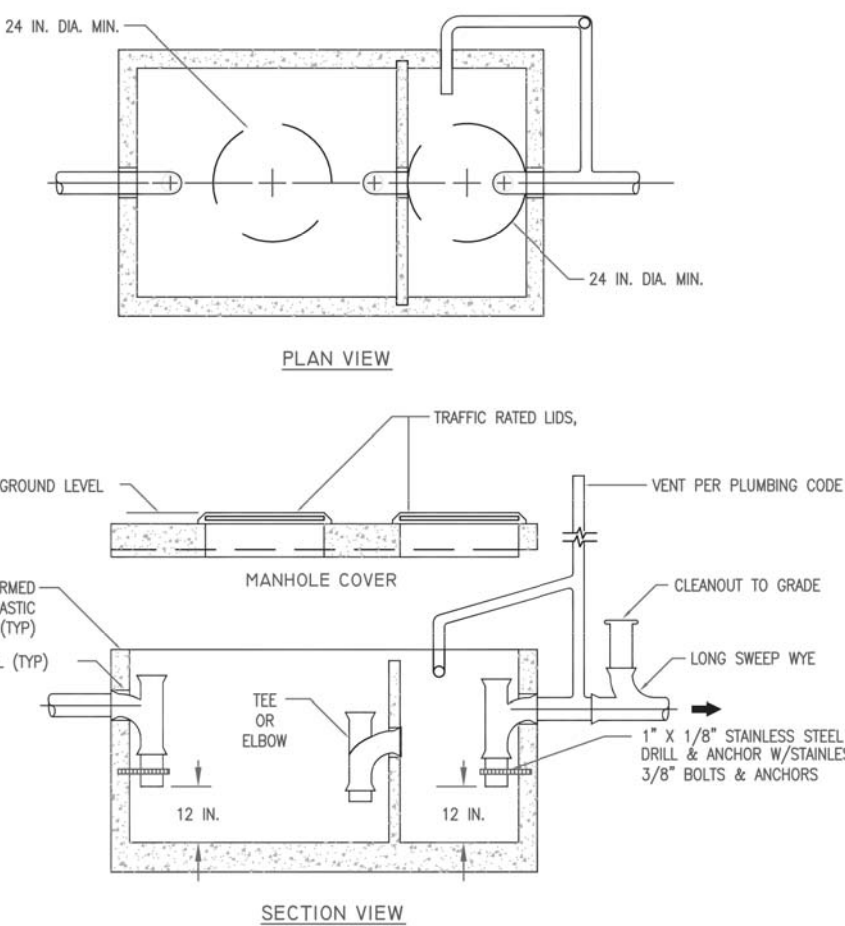
GATE VALVE
DETAIL

APPROVED BY: 

5
C6 C9

GATE VALVE DETAIL

ST. VRAIN SANITATION DISTRICT TYPICAL GREASE INTERCEPTOR



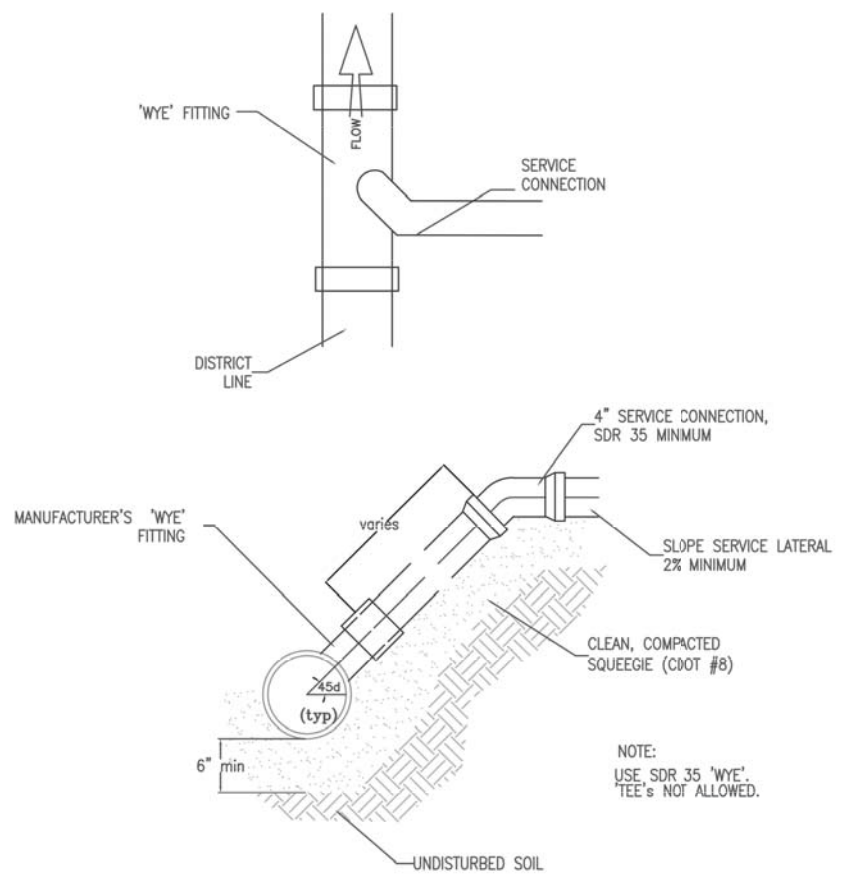
- NOTES:
1. SECONDARY OUTLET COMPARTMENT HAS VOLUME EQUAL TO 1/3 OF TOTAL CAPACITY.
 2. CHECK WITH SUPPLIER FOR EXACT DIMENSIONS.
 3. INTERCEPTORS TO BE SIZED BY DESIGN ENGINEER, SUBJECT TO DISTRICT APPROVAL.
 4. GREASE INTERCEPTORS SHALL BE LOCATED ON PRIVATE PROPERTY AND SHALL BE EASILY ACCESSIBLE.
 5. AT ALL TIMES, FOR MAINTENANCE AND INSPECTION.
 6. INLET AND OUTLET SHALL HAVE SANITARY TEES. CENTER BAYFILL MAY HAVE TEE OR ELBOW.
 7. INTERIOR PIPING TO BE SCHEDULE 40 PVC WITH STAINLESS STRAP, ANCHORING STRAP TO PIPE & TO WALL.

Detail Number:
22
REVISED: 1/2017

6
C6 C9

GREASE INTERCEPTOR DETAIL

ST. VRAIN SANITATION DISTRICT TYPICAL SERVICE CONNECTION



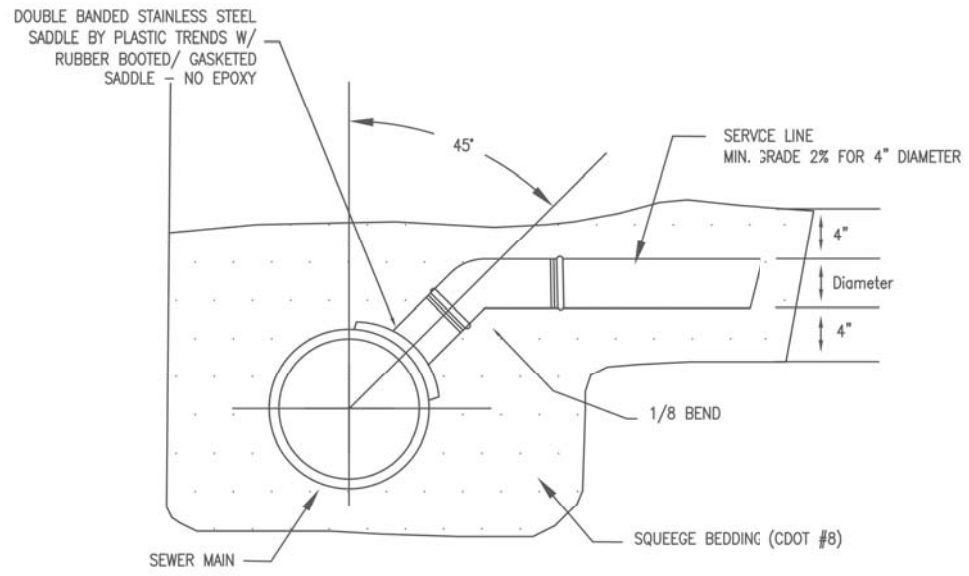
NOTE:
USE 300.75 "WYE"
TEE'S NOT ALLOWED.

Detail Number:
9
REVISED: 1/2017

7
C6 C9

SANITARY SERVICE DETAIL

ST. VRAIN SANITATION DISTRICT SERVICE CONNECTION USING A TAPPING SADDLE



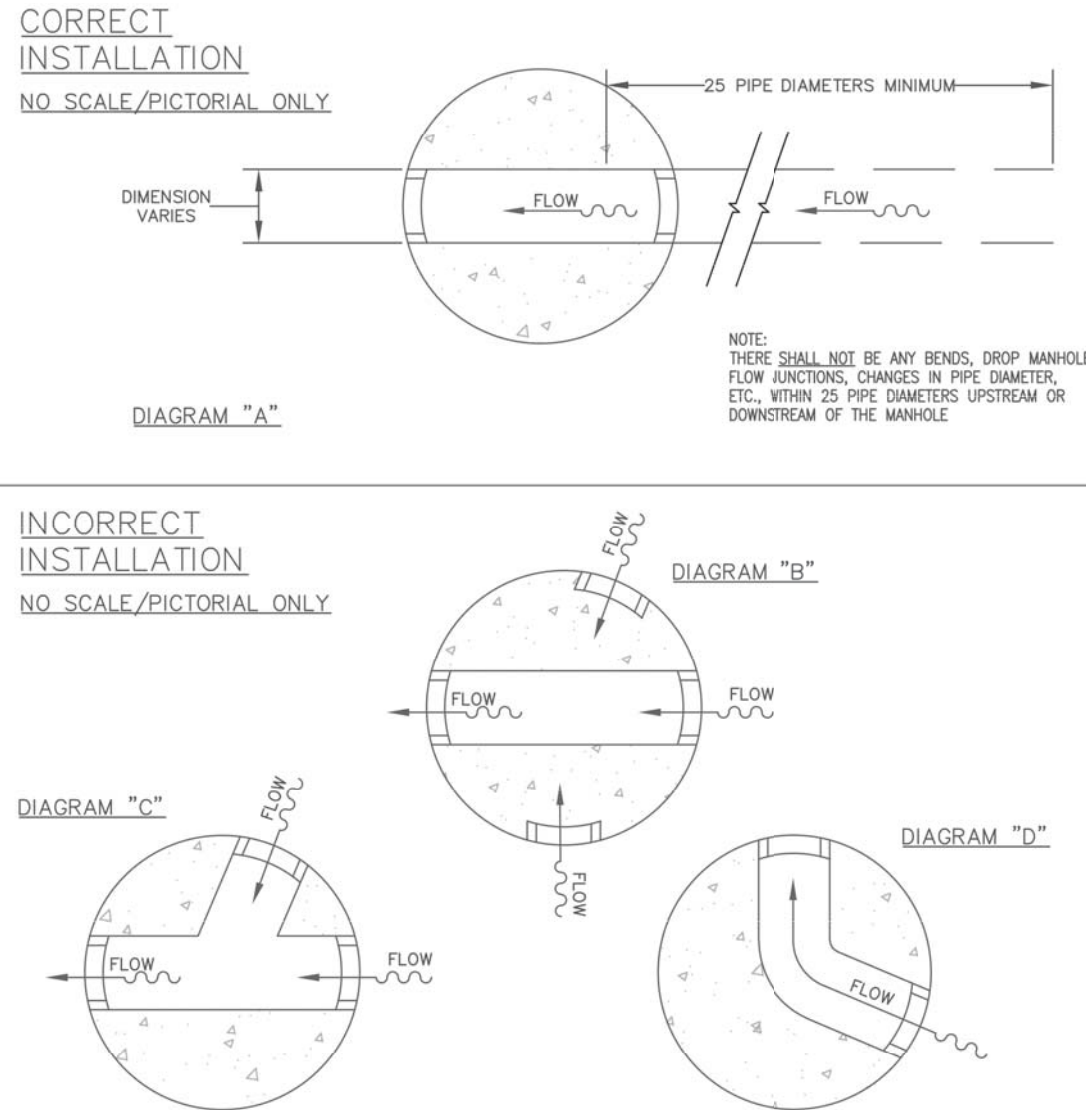
- NOTES:
1. APPROVED TAPPING SADDLE TO BE USED FOR NEW SERVICES TO EXISTING MAINS SHALL BE TEES.
 2. PIPE PENETRATIONS SHALL BE MECHANICALLY DRILLED.
 3. TAPHOLE MUST BE ABOVE THE SPRINGLINE.
 4. 4" SERVICES SHALL HAVE A MINIMUM SLOPE OF 2.0%.
 5. 6" SERVICES SHALL HAVE A MINIMUM SLOPE OF 1.0%.
 6. SERVICES SHALL NOT BE CLOSER THAN 5 FT. FROM EACH OTHER ON THE MAIN.

Detail Number:
10
REVISED: 1/2017

8
C6 C9

SANITARY TAPPING SADDLE DETAIL

ST. VRAIN SANITATION DISTRICT MONITORING MANHOLE DETAIL TOP VIEW DIAGRAMS



- NOTES:
1. DIAGRAM "A" IS COMPATIBLE FOR THE INSTALLATION OF A FLOWMETER OR FLUME IN THE INVERT.
 2. DIAGRAMS "B", "C", "D" ARE NOT SUITABLE FOR THE INSTALLATION OF A FLOW MEASURING DEVICE DUE TO THE LOCATION OF THE SIDE SEWERS OR A BEND IN THE INVERT CHANNEL.

Detail Number:
16
REVISED: 1/2017

9
C6 C9

SANITARY MONITORING MH DETAIL

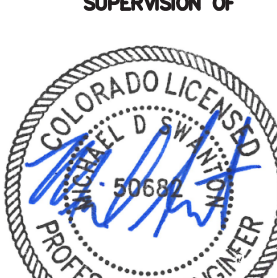
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LTV	4/9/2020	MDS	4/9/2020	TOWN COMMENTS	
MDS					

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TOWN OF FIRESTONE
CHRISTIAN BROTHERS AUTOMOTIVE
6179 FIRESTONE BOULEVARD
UTILITY DETAILS

PREPARED UNDER THE DIRECT SUPERVISION OF	
	
FOR AND ON BEHALF OF BASELINE CORPORATION	
INITIAL SUBMITTAL	12/9/2019
DRAWING SIZE	22" X 34"
SURVEY FIRM	9/26/2019
DATE	
JOB NO.	C03414
DRAWING NAME	UTILITY DETAILS.dwg
SHEET	9 OF 21
C9	

FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST
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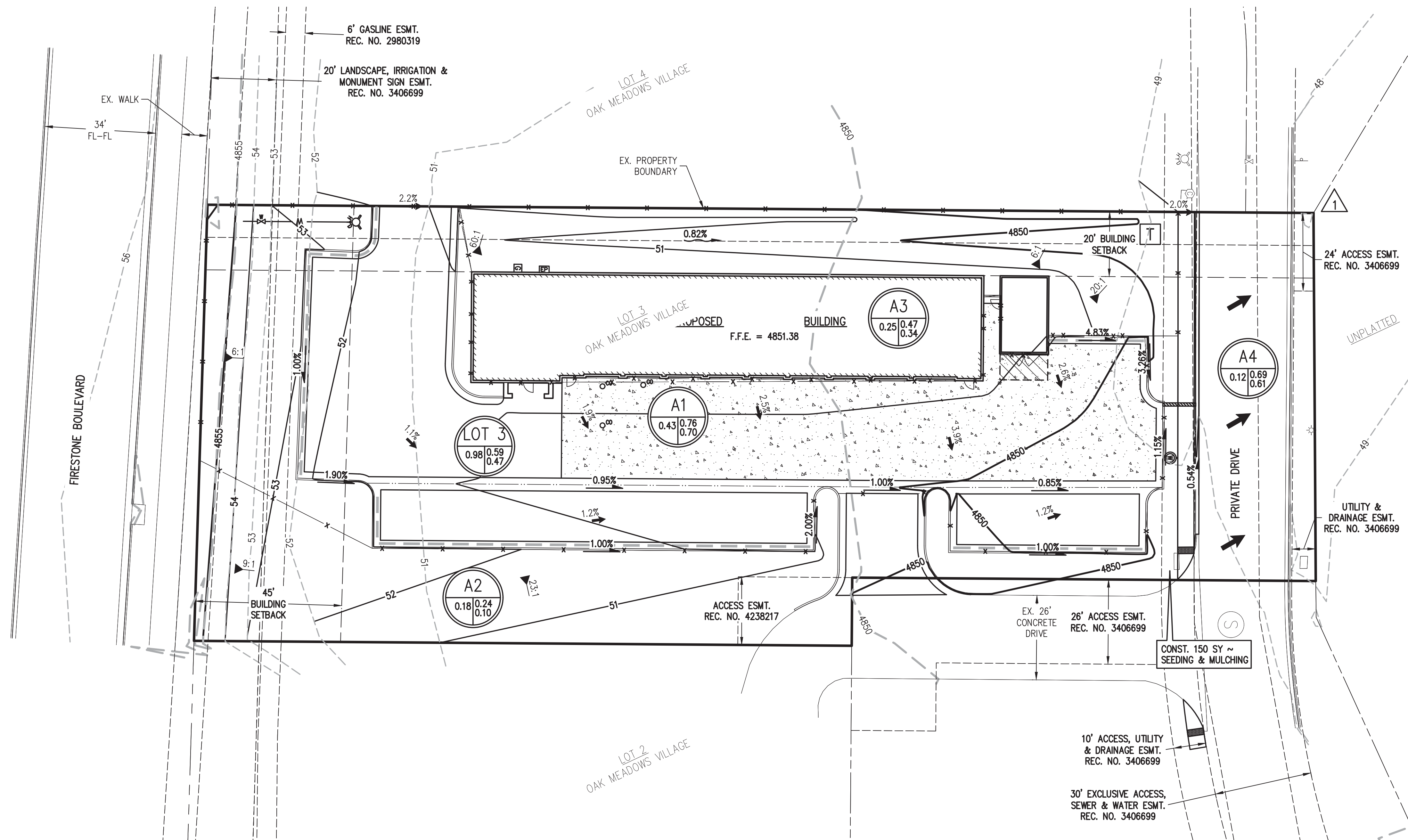
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DRAINAGE PLAN

SHEET 10 OF 21

LEGEND:

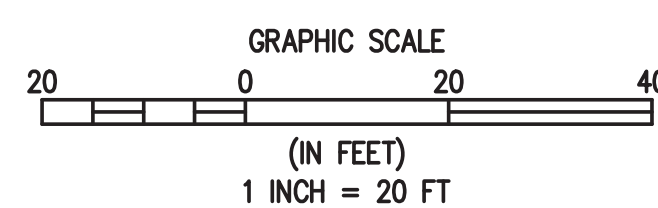
- PROPERTY BOUNDARY
- EX. LOT LINE
- PROPOSED EASEMENT
- EX. EASEMENT
- DEVELOPED DRAINAGE BASIN
- EX. MAJOR CONTOUR
- EX. MINOR CONTOUR
- DEVELOPED FLOW DIRECTION & SLOPE
- DESIGN POINT DESIGNATION
- A= DEVELOPED BASIN ID
- B= DEVELOPED BASIN AREA (ACRES)
- C= DEVELOPED 100YR COEFFICIENT
- D= DEVELOPED 10YR COEFFICIENT



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DRAINAGE PLAN



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LTV	4/9/2020	MDS	TOWN COMMENTS
MDS			

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WELD COUNTY
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6179 FIRESTONE BOULEVARD
DRAINAGE PLAN

FOR AND ON BEHALF OF BASILINE CORPORATION	PROFESSIONAL ENGINEER
INITIAL SUBMITTAL	12/9/2019
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SURVEY FIRM	BEC
SURVEY DATE	9/26/2019
JOB NO.	C03414
DRAWING NAME	C10 DRAINAGE PLAN.dwg
SHEET	10 OF 21
C10	

n:\co3414 - cbd firestone\Drawings\planning documents\FDP\C11 ELEVATIONS.dwg, 4/8/2020 8:59:43 AM, Michael Swanton

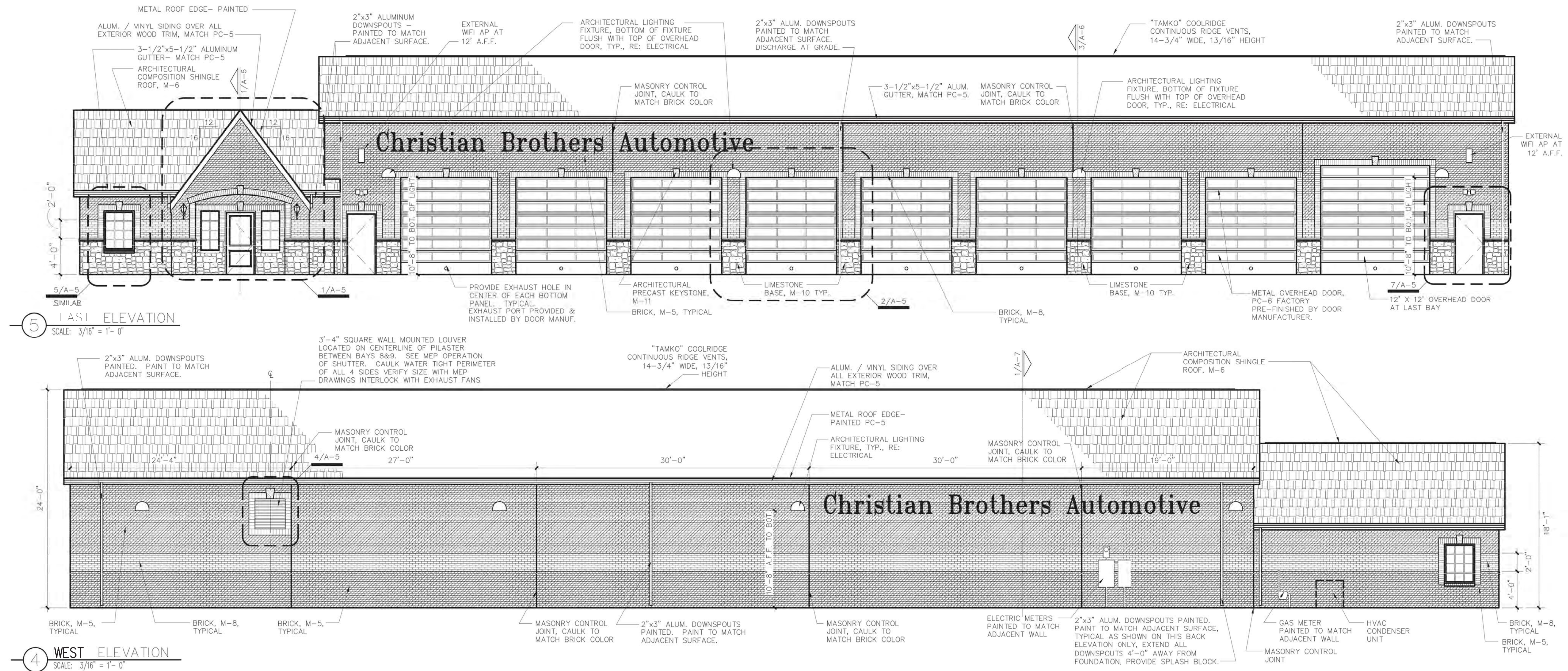
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OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

ARCHITECTURAL ELEVATIONS & SIGNAGE 1

SHEET 11 OF 21



NOTES:
- ALL SIGNAGE TO BE REVIEWED AND APPROVED SEPARATELY.
- HVAC AIR HANDLER IS LOCATED IN ATTIC. CONDENSER UNIT IS GROUND MOUNTED AS SHOWN.
- ALL ROOF PENETRATIONS ARE PAINTED BLACK UNLESS METAL ROOF. PAINT TO MATCH.
- SEE SHEET A-2.1 FOR MATERIAL SCHEDULE.
- EXTERNAL WIFI LOCATIONS TO BE VERIFIED WITH CBAC PROJECT MANAGER.

TYPICAL NOTES FOR ALL ELEVATIONS

- 2'-0" BAND, JAMBS, HEADS OF DOORS AND WINDOWS, AND ACCENT IN GABLES AT ENTRY AND SIDE ELEVATIONS TO BE BRICK COLOR M-8.
- ALL MASONRY SURFACES ARE TO BE SPRAYED WITH WATER-PROOFING SEALER, PROSOCO INC. BLOCK GUARD AND GRAFFITI CONTROL #40093 - PH: 800-255-4255.
- ALL DOWN SPOUTS ARE TO BE PAINTED TO MATCH THE COLOR OF THE WALL MATERIAL BEHIND IT.
- ALL WOOD TRIM AT SOFFITS, EAVES, FASCIAS, RAKES, ETC. TO BE ALUMINUM OR VINYL SIDING OVER EXPOSED WOOD.
- ALL EXTERIOR LIGHTS ARE TO BE ON PHOTO CELL. TYPICAL OF ALL ELEVATIONS.
- GUTTERS TO BE SLOPED PER MANUFACTURER TO ENSURE PROPER DRAINAGE.
- FINISH GRADE TO BE MIN. 6" BELOW FINISH FLOOR.



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ARCHITECTURAL ELEVATIONS & SIGNAGE 1

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LTV	4/9/2020	MDS	TOWN COMMENTS	
MDS				

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WELD COUNTY
CHRISTIAN BROTHERS AUTOMOTIVE
6179 FIRESTONE BOULEVARD
ARCHITECTURAL ELEVATIONS & SIGNAGE 1

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C11	ELEVATIONS.dwg
SHEET	11 OF 21
C11	

N:\co3414 - CBA Firestone\Drawings\Planning Documents\FDP\C14 LANDSCAPE.dwg, 4/16/2020 12:00:05 PM, Michael Swanton

FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST

OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

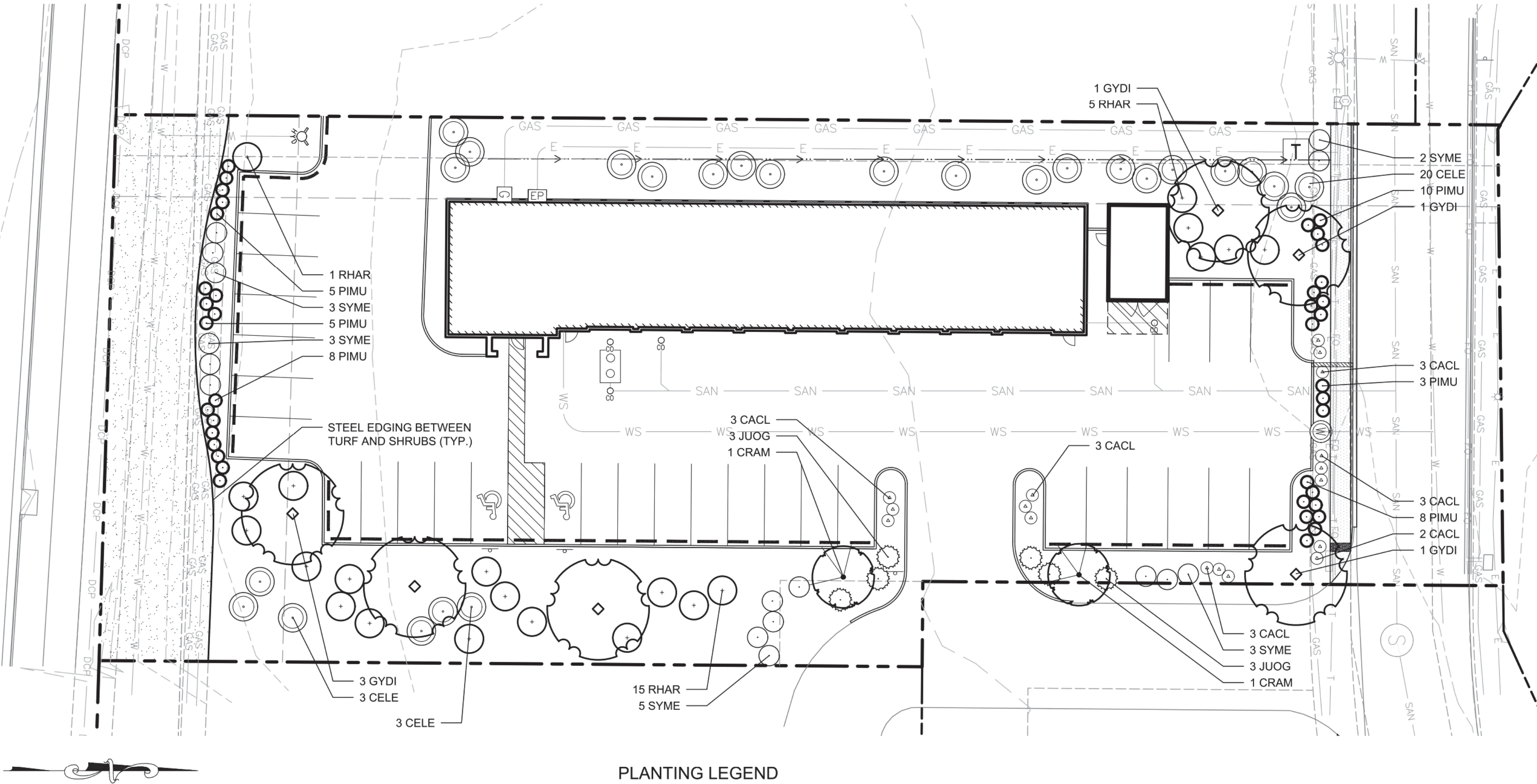
LANDSCAPE PLAN

SHEET 14 OF 21



GENERAL GRADING AND PLANTING NOTES

- BY SUBMITTING A PROPOSAL FOR THE LANDSCAPE PLANTING SCOPE OF WORK, THE CONTRACTOR CONFIRMS THAT HE HAS READ, AND WILL COMPLY WITH, THE ASSOCIATED NOTES, SPECIFICATIONS, AND DETAILS WITH THIS PROJECT.
- THE GENERAL CONTRACTOR IS RESPONSIBLE FOR REMOVING ALL EXISTING VEGETATION (EXCEPT WHERE NOTED TO REMAIN). THE CONTRACTOR SHALL MARK ALL UTILITIES BEFORE BEGINNING PLANTING AND IRRIGATION OPERATIONS. SHOULD ACTUAL UTILITY LOCATIONS BE SUBSTANTIALLY DIFFERENT THAN THOSE SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE GENERAL CONTRACTOR AND OWNER FOR DIRECTION BEFORE PROCEEDING FURTHER.
- IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) AS INDICATED ON THE GRADING PLANS.
 - BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
 - THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (**BASED ON A SOIL TEST**, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
 - ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
- ALL PLANT LOCATIONS ARE DIAGRAMMATIC. ACTUAL LOCATIONS SHALL BE VERIFIED WITH THE LANDSCAPE ARCHITECT OR DESIGNER PRIOR TO PLANTING. THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT ALL REQUIREMENTS OF THE PERMITTING AUTHORITY ARE MET (I.E., MINIMUM PLANT QUANTITIES, PLANTING METHODS, TREE PROTECTION METHODS, ETC.).
 - THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR DETERMINING PLANT QUANTITIES; PLANT QUANTITIES SHOWN ON LEGENDS AND CALLOUTS ARE FOR GENERAL INFORMATION ONLY. IN THE EVENT OF A DISCREPANCY BETWEEN THE PLAN AND THE PLANT LEGEND, THE PLANT QUANTITY AS SHOWN ON THE PLAN (FOR INDIVIDUAL SYMBOLS) OR CALLOUT (FOR GROUNDCOVER PATTERNS) SHALL TAKE PRECEDENCE.
 - NO SUBSTITUTIONS OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE WRITTEN PERMISSION OF THE LANDSCAPE ARCHITECT.** IF SOME OF THE PLANTS ARE NOT AVAILABLE, THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT IN WRITING (VIA PROPER CHANNELS).
 - THE CONTRACTOR SHALL, AT A MINIMUM, PROVIDE REPRESENTATIVE PHOTOS OF ALL PLANTS PROPOSED FOR THE PROJECT. THE CONTRACTOR SHALL ALLOW THE LANDSCAPE ARCHITECT AND THE OWNER/OWNER'S REPRESENTATIVE TO INSPECT, AND APPROVE OR REJECT, ALL PLANTS DELIVERED TO THE JOBSITE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS FOR SUBMITTALS.
- THE CONTRACTOR SHALL MAINTAIN THE LANDSCAPE IN A HEALTHY CONDITION FOR 90 DAYS AFTER ACCEPTANCE BY THE OWNER. REFER TO SPECIFICATIONS FOR CONDITIONS OF ACCEPTANCE FOR THE START OF THE MAINTENANCE PERIOD, AND FOR FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD.
- SEE SPECIFICATIONS AND DETAILS FOR FURTHER REQUIREMENTS.



PLANTING LEGEND

SYMBOL	BOTANIC NAME	COMMON NAME	MIN. SIZE	SPACING	QUANTITY	REMARKS
TREES						
CRAM	Crataegus ambigua	Russian Hawthorne	2" cal., 8'-10' high	Per plan	2	
GYDI	Gymnocladus dioica 'Espresso'	Seedless Coffee Tree	2" cal., 8'-10' high	Per plan	6	

NOTE: ALL TREES SHALL BE CONTAINER-GROWN, CONTAINER SIZE AS APPROPRIATE FOR THE CALIPER SPECIFIED. SEE SPECIFICATIONS FOR PROPER ROOT QUALITY.

SHRUBS

CACL	Caryopteris x clandonensis	Bluebeard	#5 cont.	3' o.c.	17	
CELE	Cercocarpus ledifolius	Mountain Mahogany	#5 cont.	Per plan	26	
JUOG	Juniperus 'Old Gold'	Old Gold Juniper	#5 cont.	Per plan	6	
PIMU	Pinus mugo 'White Bud'	White Bud Mugo Pine	#5 cont.	3' o.c.	39	
RHGL	Rhus aromatica 'Gro-Low'	Dwarf Fragrant Sumac	#5 cont.	6' o.c.	21	
SYME	Syringa meyeri 'Palibin'	Palibin Korean Lilac	#5 cont.	4' o.c.	16	

TURF

	Poa 'Thermal Blue'	Thermal Blue Bluegrass	Sod	---	---	
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LANDSCAPE CALCULATIONS

TOTAL SITE AREA: 42,838 SF
LANDSCAPE AREA REQUIRED: 8,568 SF (20% OF SITE AREA)
LANDSCAPE AREA PROVIDED: 16,155 SF (37.7%)

PARKING LOT LANDSCAPE
TOTAL PARKING LOT AREA: 15,499 SF
LANDSCAPE AREA REQUIRED: 1,085 SF (7% OF PARKING LOT AREA)
LANDSCAPE AREA PROVIDED: 2,237 SF (14.4%)

TURF AREA: 3,296 SF
ALL OTHER LANDSCAPE AREA: 12,859 SF

ROOT BARRIERS

THE CONTRACTOR SHALL INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. ROOT BARRIERS SHALL BE "CENTURY" OR "DEEP-ROOT" 24" DEEP PANELS (OR EQUAL). BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. INSTALL PANELS PER MANUFACTURER'S RECOMMENDATIONS. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCIRCLE THE ROOTBALL.

MULCHES

AFTER ALL PLANTING IS COMPLETE, CONTRACTOR SHALL INSTALL 4" THICK LAYER OF 1"-2" ROCK COBBLE MULCH OVER LANDSCAPE FABRIC (ANY APPROVED) IN ALL PLANTING AREAS (EXCEPT FOR TURF AND SEEDED AREAS). CONTRACTOR SHALL SUBMIT SAMPLES OF ALL MULCHES TO LANDSCAPE ARCHITECT AND OWNER FOR APPROVAL PRIOR TO CONSTRUCTION. ABSOLUTELY NO EXPOSED GROUND SHALL BE LEFT SHOWING ANYWHERE ON THE PROJECT AFTER MULCH HAS BEEN INSTALLED (SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THE "GENERAL GRADING AND PLANTING NOTES" AND SPECIFICATIONS). IN ADDITION, SHREDDED CEDAR WOOD MULCH SHALL BE INSTALLED AT THE BASE OF EACH PLANT AS FOLLOWS: TREES, 36" DIA. CIRCLE; SHRUBS, 18" DIA. CIRCLE.



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6179 FIRESTONE BOULEVARD

LANDSCAPE PLAN

PREPARED UNDER THE DIRECT SUPERVISION OF

FOR AND ON BEHALF OF BASELINE CORPORATION

INITIAL SUBMITTAL 12/9/2019

DRAWING SIZE 22" X 34"

SURVEY FIRM BEC

SURVEY DATE 9/26/2019

JOB NO. C03414

DRAWING NAME C14 LANDSCAPE.dwg

SHEET 14 OF 21

C14

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CHRISTIAN BROTHERS AUTOMOTIVE

LANDSCAPE PLAN

SHEET 15 OF 21



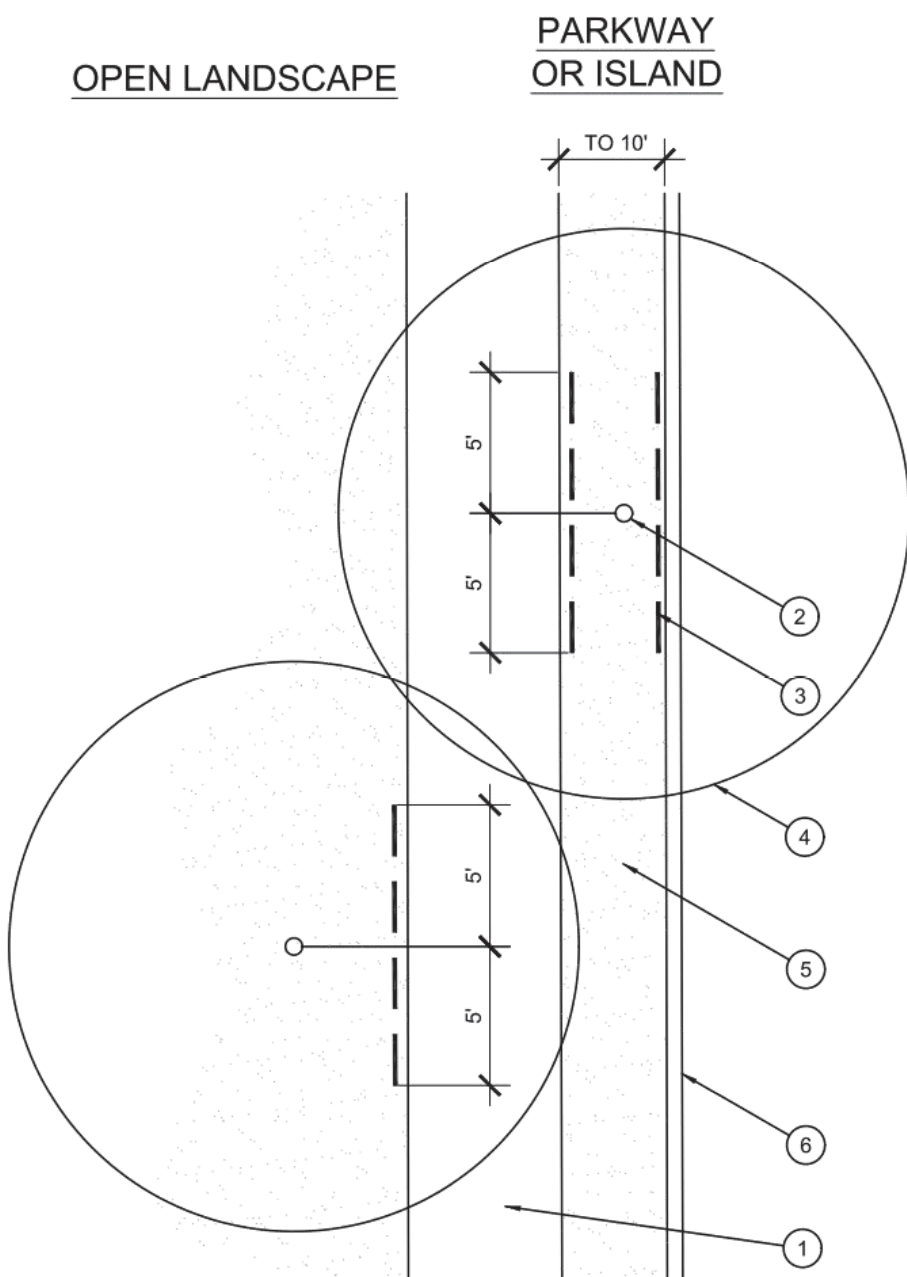
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DESIGNED BY	DATE	PREPARED BY	REVISION	DESCRIPTION
LTV	1/31/2020	MDS	TOWN COMMENTS	
LTV	4/9/2020	MDS	TOWN COMMENTS	
MDS				

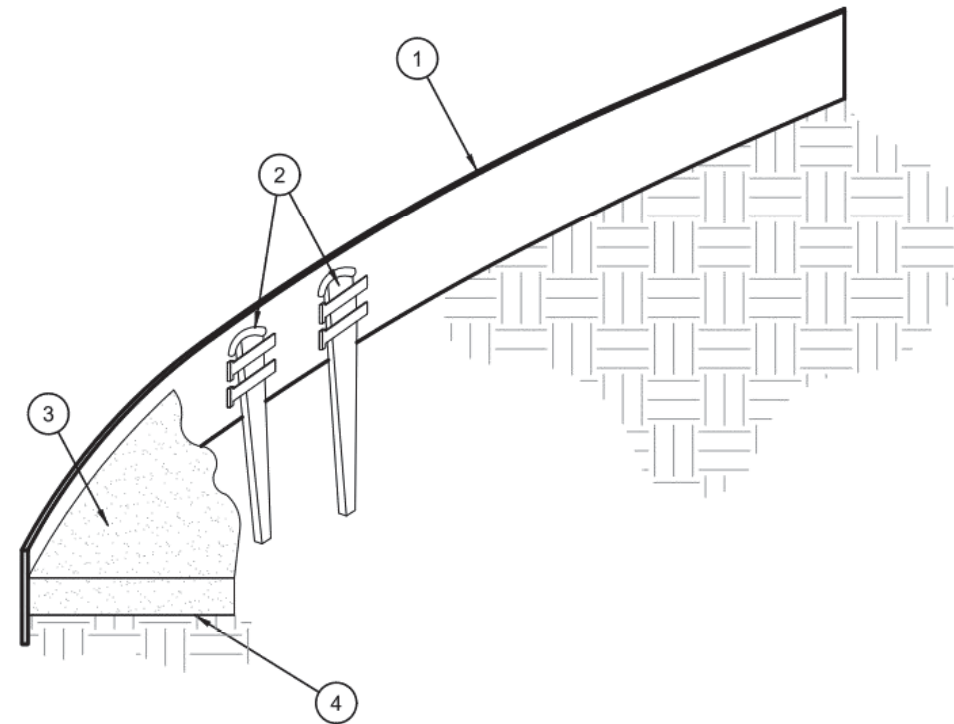
CHRISTIAN BROTHERS AUTOMOTIVE	WELD COUNTY
TOWN OF FIRESTONE	CHRISTIAN BROTHERS AUTOMOTIVE
	6179 FIRESTONE BOULEVARD
	LANDSCAPE DETAILS

PREPARED UNDER THE DIRECT SUPERVISION OF	
FOR AND ON BEHALF OF BASELINE CORPORATION	
INITIAL SUBMITTAL	12/9/2019
DRAWING SIZE	22" X 34"
SURVEY FIRM	BEC
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SHEET	15 OF 21
C15	

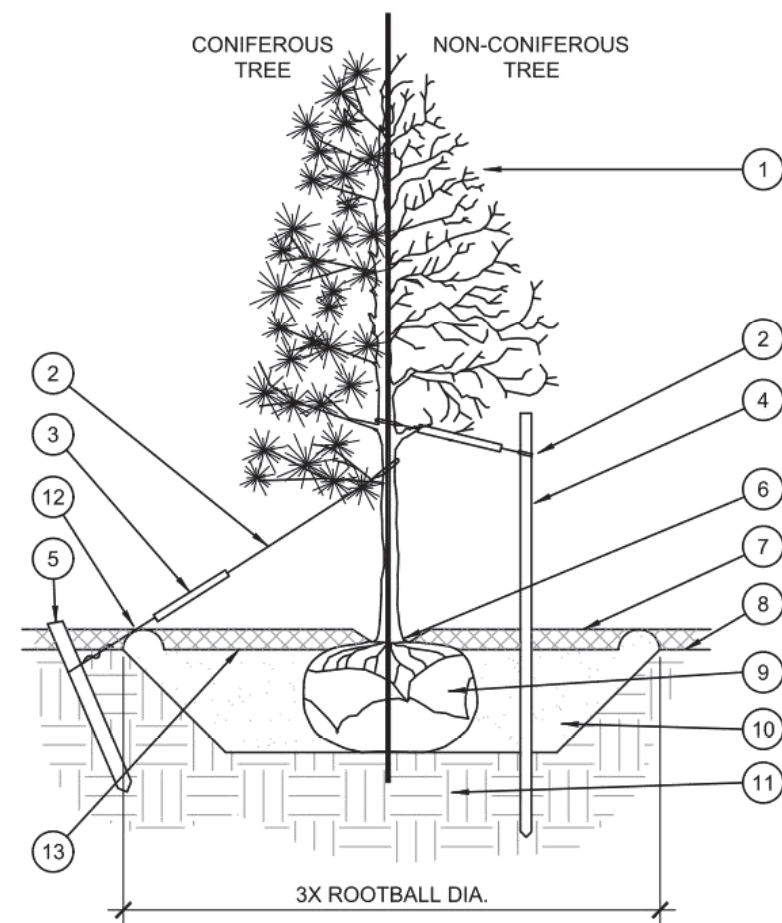


- 1 TYPICAL WALKWAY OR PAVING
- 2 TREE TRUNK
- 3 LINEAR ROOT BARRIER MATERIAL. SEE PLANTING NOTES FOR TYPE AND MANUFACTURER. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- 4 TREE CANOPY
- 5 TYPICAL PLANTING AREA
- 6 TYPICAL CURB AND GUTTER

NOTES:
1) INSTALL ROOT BARRIERS NEAR ALL NEWLY-PLANTED TREES THAT ARE LOCATED WITHIN FIVE (5) FEET OF PAVING OR CURBS. BARRIERS SHALL BE LOCATED IMMEDIATELY ADJACENT TO HARDSCAPE. UNDER NO CIRCUMSTANCES SHALL THE CONTRACTOR USE ROOT BARRIERS OF A TYPE THAT COMPLETELY ENCLOSE THE ROOTBALL.

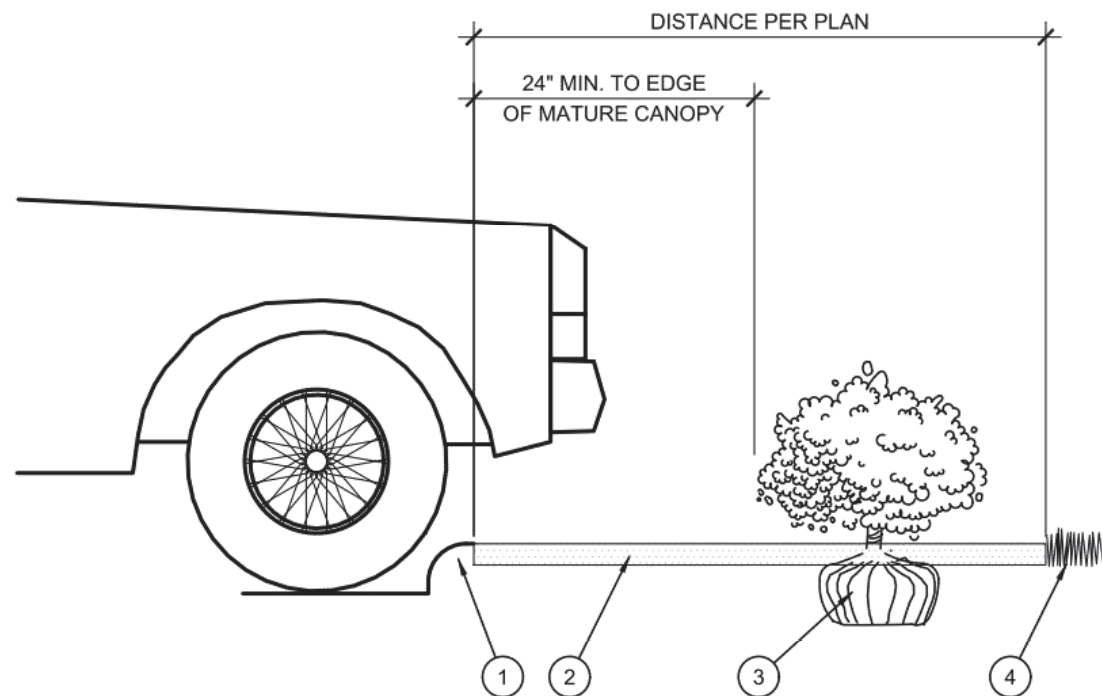
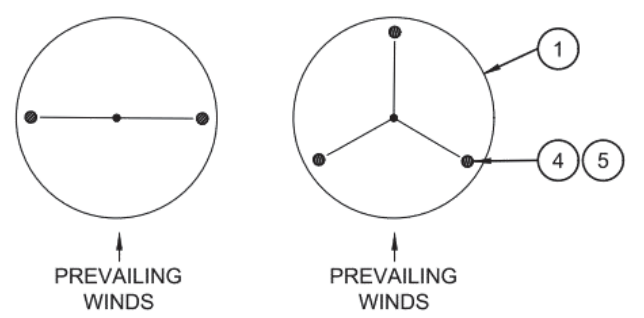


- 1 ROLLED-TOP STEEL EDGING PER PLANS.
 - 2 TAPERED STEEL STAKES.
 - 3 MULCH, TYPE AND DEPTH PER PLANS.
 - 4 FINISH GRADE.
- NOTES:
1) INSTALL EDGING SO THAT STAKES WILL BE ON INSIDE OF PLANTING BED.
2) BOTTOM OF EDGING SHALL BE BURIED A MINIMUM OF 1" BELOW FINISH GRADE.
3) TOP OF MULCH SHALL BE 1" LOWER THAN TOP OF EDGING.

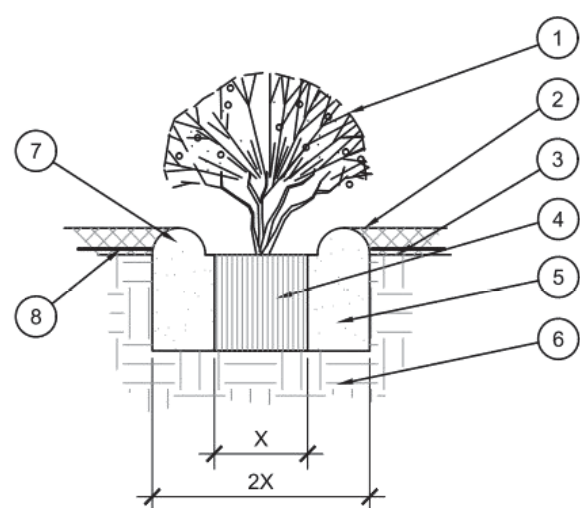


- 1 TREE CANOPY.
- 2 CINCH-TIES (24" BOX/2" CAL. TREES AND SMALLER) OR 12 GAUGE GALVANIZED WIRE WITH NYLON TREE STRAPS AT TREE AND STAKE (36" BOX/2.5" CAL. TREES AND LARGER). SECURE TIES OR STRAPS TO TRUNK JUST ABOVE LOWEST MAJOR BRANCHES.
- 3 24" X 3/4" P.V.C. MARKERS OVER WIRES.
- 4 GREEN STEEL T-POSTS. EXTEND POSTS 12" MIN. INTO UNDISTURBED SOIL.
- 5 PRESSURE-TREATED WOOD DEADMAN, TWO PER TREE (MIN.). BURY OUTSIDE OF PLANTING PIT AND 18" MIN. INTO UNDISTURBED SOIL.
- 6 TRUNK FLARE.
- 7 MULCH, TYPE AND DEPTH PER PLANS. DO NOT PLACE MULCH WITHIN 6" OF TRUNK.
- 8 FINISH GRADE.
- 9 ROOT BALL.
- 10 BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
- 11 UNDISTURBED NATIVE SOIL.
- 12 4" HIGH EARTHEN WATERING BASIN.
- 13 FINISH GRADE.

NOTES:
1. SCARIFY SIDES OF PLANTING PIT PRIOR TO SETTING TREE.
2. REMOVE EXCESS SOIL APPLIED ON TOP OF THE ROOTBALL THAT COVERS THE ROOT FLARE. THE PLANTING HOLE DEPTH SHALL BE SUCH THAT THE ROOTBALL RESTS ON UNDISTURBED SOIL, AND THE ROOT FLARE IS 2-4" ABOVE FINISH GRADE.
3. FOR B&B TREES, CUT OFF BOTTOM 1/3 OF WIRE BASKET BEFORE PLACING TREE IN HOLE. CUT OFF AND REMOVE REMAINDER OF BASKET AFTER TREE IS SET IN HOLE. REMOVE ALL NYLON TIES, TWINE, ROPE, AND OTHER PACKING MATERIAL. REMOVE AS MUCH BURLAP FROM AROUND ROOTBALL AS IS PRACTICAL.
4. REMOVE ALL NURSERY STAKES AFTER PLANTING.
5. FOR TREES 36" BOX/2.5" CAL. AND LARGER, USE THREE STAKES OR DEADMEN (AS APPROPRIATE), SPACED EVENLY AROUND TREE.
6. STAKING SHALL BE TIGHT ENOUGH TO PREVENT TRUNK FROM BENDING, BUT LOOSE ENOUGH TO ALLOW SOME TRUNK MOVEMENT IN WIND.



- 1 CURB.
- 2 MULCH LAYER.
- 3 PLANT.
- 4 TURF (WHERE SHOWN ON PLAN).



- 1 SHRUB, PERENNIAL, OR ORNAMENTAL GRASS.
- 2 MULCH, TYPE AND DEPTH PER PLANS. PLACE NO MORE THAN 1" OF MULCH WITHIN 6" OF PLANT CENTER.
- 3 FINISH GRADE.
- 4 ROOT BALL.
- 5 BACKFILL. AMEND AND FERTILIZE ONLY AS RECOMMENDED IN SOIL FERTILITY ANALYSIS.
- 6 UNDISTURBED NATIVE SOIL.
- 7 3" HIGH EARTHEN WATERING BASIN.
- 8 WEED FABRIC UNDER MULCH.



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CHRISTIAN BROTHERS AUTOMOTIVE

LANDSCAPE PLAN

SHEET 16 OF 21



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PLANTING SPECIFICATIONS

GENERAL

1. QUALIFICATIONS OF LANDSCAPE CONTRACTOR
 1. ALL LANDSCAPE WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE FIRM SPECIALIZING IN LANDSCAPE PLANTING.
 2. A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
 3. THE LANDSCAPE CONTRACTOR SHALL HOLD A VALID CONTRACTOR'S LICENSE ISSUED BY THE APPROPRIATE LOCAL JURISDICTION.
2. SCOPE OF WORK
 1. WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND / OR SHOWN ON THE LANDSCAPE PLANS, NOTES, AND DETAILS.
 2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS.
 3. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK.

PRODUCTS

- A. ALL MANUFACTURED PRODUCTS SHALL BE NEW.
- B. CONTAINER AND BALLED-AND-BURLAPPED PLANTS:
 1. FURNISH NURSERY-GROWN PLANTS COMPLYING WITH ANSI Z60.1-2014. PROVIDE WELL-SHAPED, FULLY BRANCHED, HEALTHY, VIGOROUS STOCK FREE OF DISEASE, INSECTS, EGGS, LARVAE, AND DEFECTS SUCH AS KNOTS, SUN SCALD, INJURIES, ABRASIONS, AND DISFIGUREMENT. ALL PLANTS WITHIN A SPECIES SHALL HAVE SIMILAR SIZE, AND SHALL BE OF A FORM TYPICAL FOR THE SPECIES. ALL TREES SHALL BE OBTAINED FROM SOURCES WITHIN 200 MILES OF THE PROJECT SITE, AND WITH SIMILAR CLIMATIC CONDITIONS.
 2. ROOT SYSTEMS SHALL BE HEALTHY, DENSELY BRANCHED ROOT SYSTEMS, NON-POT-BOUND, FREE FROM ENCIRCLING AND/OR GIRDLING ROOTS, AND FREE FROM ANY OTHER ROOT DEFECTS (SUCH AS J-SHAPED ROOTS).
 3. TREES MAY BE PLANTED FROM CONTAINERS OR BALLED-AND-BURLAPPED (B&B), UNLESS SPECIFIED ON THE PLANTING LEGEND. BARE-ROOT TREES ARE NOT ACCEPTABLE.
 4. ANY PLANT DEEMED UNACCEPTABLE BY THE LANDSCAPE ARCHITECT OR OWNER SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND SHALL BE REPLACED WITH AN ACCEPTABLE PLANT OF LIKE TYPE AND SIZE AT THE CONTRACTOR'S OWN EXPENSE. ANY PLANTS APPEARING TO BE UNHEALTHY, EVEN IF DETERMINED TO STILL BE ALIVE, SHALL NOT BE ACCEPTED. THE LANDSCAPE ARCHITECT AND OWNER SHALL BE THE SOLE JUDGES AS TO THE ACCEPTABILITY OF PLANT MATERIAL.
 5. ALL TREES SHALL BE STANDARD IN FORM, UNLESS OTHERWISE SPECIFIED. TREES WITH CENTRAL LEADERS WILL NOT BE ACCEPTED IF LEADER IS DAMAGED OR REMOVED. PRUNE ALL DAMAGED TWIGS AFTER PLANTING.
 6. CALIPER MEASUREMENTS FOR STANDARD (SINGLE TRUNK) TREES SHALL BE AS FOLLOWS: SIX INCHES ABOVE THE ROOT FLARE FOR TREES UP TO AND INCLUDING FOUR INCHES IN CALIPER, AND TWELVE INCHES ABOVE THE ROOT FLARE FOR TREES EXCEEDING FOUR INCHES IN CALIPER.
 7. MULTI-TRUNK TREES SHALL BE MEASURED BY THEIR OVERALL HEIGHT, MEASURED FROM THE TOP OF THE ROOT BALL, WHERE CALIPER MEASUREMENTS ARE USED, THE CALIPER SHALL BE CALCULATED AS ONE-HALF OF THE SUM OF THE CALIPER OF THE THREE LARGEST TRUNKS.
 8. ANY TREE OR SHRUB SHOWN TO HAVE EXCESS SOIL PLACED ON TOP OF THE ROOT BALL, SO THAT THE ROOT FLARE HAS BEEN COMPLETELY COVERED, SHALL BE REJECTED.
- C. SOD: PROVIDE WELL-ROOTED SOD OF THE VARIETY NOTED ON THE PLANS. SOD SHALL BE CUT FROM HEALTHY, MATURE TURF WITH SOIL THICKNESS OF 3/4" TO 1". EACH PALLET OF SOD SHALL BE ACCOMPANIED BY A CERTIFICATE FROM SUPPLIER STATING THE COMPOSITION OF THE SOD.
- D. TOPSOIL: SANDY TO CLAY LOAM TOPSOIL, FREE OF STONES LARGER THAN 1/4 INCH, FOREIGN MATTER, PLANTS, ROOTS, AND SEEDS.
- E. COMPOST: WELL-COMPOSTED, STABLE, AND WEED-FREE ORGANIC MATTER, pH RANGE OF 5.5 TO 8; MOISTURE CONTENT 35 TO 55 PERCENT BY WEIGHT; 100 PERCENT PASSING THROUGH 3/4-INCH SIEVE; SOLUBLE SALT CONTENT OF 5 TO 10 DECISEMENS/M; NOT EXCEEDING 0.5 PERCENT INERT CONTAMINANTS AND FREE OF SHAUNCEY TOXIC SUBSTANCES; NO MANURE OR ANIMAL-BASED PRODUCTS SHALL BE USED.
- F. FERTILIZER: GRANULAR FERTILIZER CONSISTING OF NITROGEN, PHOSPHORUS, POTASSIUM, AND OTHER NUTRIENTS IN PROPORTIONS, AMOUNTS, AND RELEASE RATES RECOMMENDED IN A SOIL REPORT FROM A QUALIFIED SOIL-TESTING AGENCY (SEE BELOW).
- G. MULCH: SIZE AND TYPE AS INDICATED ON PLANS, FREE FROM DELETERIOUS MATERIALS AND SUITABLE AS A TOP DRESSING OF TREES AND SHRUBS.
- H. TREE STAKING AND GUYING
 1. STAKES: 6" LONG GREEN METAL T-POSTS.
 2. GUY AND TIE WIRE: ASTM A 641, CLASS 1, GALVANIZED-STEEL WIRE, 2-STRAND, TWISTED, 0.106 INCH DIAMETER.
 3. STRAP CHAFING GUARD: REINFORCED NYLON OR CANVAS AT LEAST 1-1/2 INCH WIDE, WITH GROMMETS TO PROTECT TREE TRUNKS FROM DAMAGE.
- I. STEEL EDGING: PROFESSIONAL STEEL EDGING, 14 GAUGE THICK X 4 INCHES WIDE, FACTORY PAINTED DARK GREEN. ACCEPTABLE MANUFACTURERS INCLUDE COL-MET OR APPROVED EQUAL.
- J. PRE-EMERGENT HERBICIDES: ANY GRANULAR, NON-STAINING PRE-EMERGENT HERBICIDE THAT IS LABELED FOR THE SPECIFIC ORNAMENTALS OR TURF ON WHICH IT WILL BE UTILIZED. PRE-EMERGENT HERBICIDES SHALL BE APPLIED PER THE MANUFACTURER'S LABELED RATES.

METHODS

- A. SOIL PREPARATION
 1. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE GRADE OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. THE CONTRACTOR SHALL NOTIFY THE OWNER IMMEDIATELY SHOULD ANY DISCREPANCIES EXIST.
 2. SOIL TESTING:
 - a. AFTER FINISH GRADES HAVE BEEN ESTABLISHED, CONTRACTOR SHALL HAVE SOIL SAMPLES FROM THE PROJECT'S LANDSCAPE AREAS TESTED BY AN ESTABLISHED SOIL TESTING LABORATORY. EACH SAMPLE SUBMITTED TO THE LAB SHALL CONTAIN NO LESS THAN ONE QUART OF SOIL, TAKEN FROM BETWEEN THE SOIL SURFACE AND 6" DEPTH. IF NO SAMPLE LOCATIONS ARE INDICATED ON THE PLANS, THE CONTRACTOR SHALL TAKE A MINIMUM OF THREE SAMPLES FROM VARIOUS REPRESENTATIVE LOCATIONS FOR TESTING.
 - b. THE CONTRACTOR SHALL HAVE THE SOIL TESTING LABORATORY PROVIDE RESULTS FOR THE FOLLOWING: SOIL TEXTURAL CLASS, GENERAL SOIL FERTILITY, pH, ORGANIC MATTER CONTENT, SALT (CEC), LIME, SODIUM ADSORPTION RATIO (SAR) AND BORON CONTENT.
 - c. THE CONTRACTOR SHALL ALSO SUBMIT THE PROJECT'S PLANT LIST TO THE LABORATORY ALONG WITH THE SOIL SAMPLES.
 - d. THE SOIL REPORT PRODUCED BY THE LABORATORY SHALL CONTAIN RECOMMENDATIONS FOR THE FOLLOWING (AS APPROPRIATE): SEPARATE SOIL PREPARATION AND BACKFILL MIX RECOMMENDATIONS FOR GENERAL ORNAMENTAL PLANTS, XERIC PLANTS, TURF, AND NATIVE SEED, AS WELL AS PRE-PLANT FERTILIZER APPLICATIONS AND RECOMMENDATIONS FOR ANY OTHER SOIL RELATED ISSUES. THE REPORT SHALL ALSO PROVIDE A FERTILIZER PROGRAM FOR THE ESTABLISHMENT PERIOD AND FOR LONG-TERM MAINTENANCE.
 3. THE CONTRACTOR SHALL INSTALL SOIL AMENDMENTS AND FERTILIZERS PER THE SOILS REPORT RECOMMENDATIONS. ANY CHANGE IN COST DUE TO THE SOIL REPORT RECOMMENDATIONS, EITHER INCREASE OR DECREASE, SHALL BE SUBMITTED TO THE OWNER WITH THE REPORT.
 4. FOR BIDDING PURPOSES ONLY, THE SOIL PREPARATION SHALL CONSIST OF THE FOLLOWING:
 - a. TURF: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 6" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
 - i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
 - ii. PREPLANT TURF FERTILIZER (10-20-10 OR SIMILAR, SLOW RELEASE, ORGANIC) - 15 LBS PER 1,000 S.F.
 - iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
 5. TREES, SHRUBS, AND PERENNIALS: INCORPORATE THE FOLLOWING AMENDMENTS INTO THE TOP 6" OF SOIL BY MEANS OF ROTOTILLING AFTER CROSS-RIPPING:
 - i. NITROGEN STABILIZED ORGANIC AMENDMENT - 4 CU. YDS. PER 1,000 S.F.
 - ii. 12-12-12 FERTILIZER (OR SIMILAR, ORGANIC, SLOW RELEASE) - 10 LBS. PER CU. YD.
 - iii. "CLAY BUSTER" OR EQUAL - USE MANUFACTURER'S RECOMMENDED RATE
 - iv. IRON SULPHATE - 2 LBS. PER CU. YD.
 6. IN THE CONTEXT OF THESE PLANS, NOTES, AND SPECIFICATIONS, "FINISH GRADE" REFERS TO THE FINAL ELEVATION OF THE SOIL SURFACE (NOT TOP OF MULCH) ON THE GRADING PLAN.
 - a. BEFORE STARTING WORK, THE LANDSCAPE CONTRACTOR SHALL VERIFY THAT THE ROUGH GRADES OF ALL LANDSCAPE AREAS ARE WITHIN +/-0.1' OF FINISH GRADE. SEE SPECIFICATIONS FOR MORE DETAILED INSTRUCTION ON TURF AREA AND PLANTING BED PREPARATION.
 - b. CONSTRUCT AND MAINTAIN FINISH GRADES AS SHOWN ON GRADING PLANS, AND CONSTRUCT AND MAINTAIN SLOPES AS RECOMMENDED BY THE GEOTECHNICAL REPORT. ALL LANDSCAPE AREAS SHALL HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURES AT THE MINIMUM SLOPE SPECIFIED IN THE REPORT AND ON THE GRADING PLANS, AND AREAS OF POTENTIAL PONDING SHALL BE REGRADED TO BLEND IN WITH THE SURROUNDING GRADES AND ELIMINATE PONDING POTENTIAL.
 - c. THE LANDSCAPE CONTRACTOR SHALL DETERMINE WHETHER OR NOT THE EXPORT OF ANY SOIL WILL BE NEEDED, TAKING INTO ACCOUNT THE ROUGH GRADE PROVIDED, THE AMOUNT OF SOIL AMENDMENTS TO BE ADDED (BASED ON A SOIL TEST, PER SPECIFICATIONS), AND THE FINISH GRADES TO BE ESTABLISHED.
 - d. ENSURE THAT THE FINISH GRADE IN SHRUB AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 3" BELOW THE ADJACENT FINISH SURFACE, IN ORDER TO ALLOW FOR PROPER MULCH DEPTH. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - e. ENSURE THAT THE FINISH GRADE IN TURF AREAS IMMEDIATELY ADJACENT TO WALKS AND OTHER WALKING SURFACES, AFTER INSTALLING SOIL AMENDMENTS, IS 1" BELOW THE FINISH SURFACE OF THE WALKS. TAPER THE SOIL SURFACE TO MEET FINISH GRADE, AS SPECIFIED ON THE GRADING PLANS, AT APPROXIMATELY 18" AWAY FROM THE WALKS.
 - f. SHOULD ANY CONFLICTS AND/OR DISCREPANCIES ARISE BETWEEN THE GRADING PLANS, GEOTECHNICAL REPORT, THESE NOTES AND PLANS, AND ACTUAL CONDITIONS, THE CONTRACTOR SHALL IMMEDIATELY BRING SUCH ITEMS TO THE ATTENTION OF THE LANDSCAPE ARCHITECT, GENERAL CONTRACTOR, AND OWNER.
6. ONCE SOIL PREPARATION IS COMPLETE, THE LANDSCAPE CONTRACTOR SHALL ENSURE THAT THERE ARE NO DEBRIS, TRASH, OR STONES LARGER THAN 1" REMAINING IN THE TOP 6" OF SOIL.

- B. SUBMITTALS
 1. THE CONTRACTOR SHALL PROVIDE SUBMITTALS AND SAMPLES, IF REQUIRED, TO THE LANDSCAPE ARCHITECT, AND RECEIVE APPROVAL IN WRITING FOR SUCH SUBMITTALS BEFORE WORK COMMENCES.
 2. SUBMITTALS SHALL INCLUDE PHOTOS OF PLANTS WITH A RULER OR MEASURING STICK FOR SCALE, PHOTOS OR SAMPLES OF ANY REQUIRED MULCHES, AND SOIL TEST RESULTS AND PREPARATION RECOMMENDATIONS FROM THE TESTING LAB (INCLUDING COMPOST AND FERTILIZER RATES AND TYPES, AND OTHER AMENDMENTS FOR TREES/SHRUB, TURF, AND SEED AREAS AS MAY BE APPROPRIATE).
 3. SUBMITTALS SHALL ALSO INCLUDE MANUFACTURER CUT SHEETS FOR PLANTING ACCESSORIES SUCH AS TREE STAKES AND TIES, EDGING, AND LANDSCAPE FABRICS (IF ANY).
 4. WHERE MULTIPLE ITEMS ARE SHOWN ON A PAGE, THE CONTRACTOR SHALL CLEARLY INDICATE THE ITEM BEING CONSIDERED.
- C. GENERAL PLANTING
 1. REMOVE ALL NURSERY TAGS AND STAKES FROM PLANTS.
 2. EXCEPT IN AREAS TO BE PLANTED WITH ORNAMENTAL GRASSES, APPLY PRE-EMERGENT HERBICIDES AT THE MANUFACTURER'S RECOMMENDED RATE.
 3. TRENCHING NEAR EXISTING TREES:
 - a. CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1" FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
 - b. ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
 - c. ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER. WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
 - d. ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.
 4. TREE PLANTING
 1. TREE PLANTING HOLES SHALL BE EXCAVATED TO MINIMUM WIDTH OF TWO TIMES THE WIDTH OF THE ROOTBALL, AND TO A DEPTH EQUAL TO THE DEPTH OF THE ROOTBALL LESS TWO TO FOUR INCHES.
 2. SCARIFY THE SIDES AND BOTTOM OF THE PLANTING HOLE PRIOR TO THE PLACEMENT OF THE TREE. REMOVE ANY GLAZING THAT MAY HAVE BEEN CAUSED DURING THE EXCAVATION OF THE HOLE.
 3. FOR CONTAINER AND BOX TREES, TO REMOVE ANY POTENTIALLY GIRDLING ROOTS AND OTHER ROOT DEFECTS, THE CONTRACTOR SHALL SHAVE A 1" LAYER OFF OF THE SIDES AND BOTTOM OF THE ROOTBALL OF ALL TREES JUST BEFORE PLACING INTO THE PLANTING PIT. DO NOT "TEASE" ROOTS OUT FROM THE ROOTBALL.
 4. INSTALL THE TREE ON UNDISTURBED SUBGRADE SO THAT THE TOP OF THE ROOTBALL IS TWO TO FOUR INCHES ABOVE THE SURROUNDING GRADE.
 5. BACKFILL THE TREE HOLE UTILIZING THE EXISTING TOPSOIL FROM ON-SITE. ROCKS LARGER THAN 1" DIA. AND ALL OTHER DEBRIS SHALL BE REMOVED FROM THE SOIL PRIOR TO THE BACKFILL. SHOULD ADDITIONAL SOIL BE REQUIRED TO ACCOMPLISH THIS TASK, USE STORED TOPSOIL FROM ON-SITE OR IMPORT ADDITIONAL TOPSOIL FROM OFF-SITE AT NO ADDITIONAL COST TO THE OWNER. IMPORTED TOPSOIL SHALL BE OF SIMILAR TEXTURAL CLASS AND COMPOSITION IN THE ON-SITE SOIL.
 6. TREES SHALL NOT BE STAKED UNLESS LOCAL CONDITIONS (SUCH AS HEAVY WINDS OR SLOPES) REQUIRE STAKES TO KEEP TREES UPRIGHT. SHOULD STAKING BE REQUIRED, THE TOTAL NUMBER OF TREE STAKES (BEYOND THE MINIMUMS LISTED BELOW) WILL BE LEFT TO THE LANDSCAPE CONTRACTOR'S DISCRETION. SHOULD ANY TREES FALL OR LEAN, THE LANDSCAPE CONTRACTOR SHALL STRAIGHTEN THE TREE, OR REPLACE IT SHOULD IT BECOME DAMAGED. TREE STAKING SHALL ADHERE TO THE FOLLOWING GUIDELINES:
 - a. 1"-2" TREES: TWO STAKES PER TREE
 - b. 2-1/2"-4" TREES: THREE STAKES PER TREE
 - c. TREES OVER 4" CALIPER: GUY AS NEEDED
 7. MULTI-TRUNK TREES: THREE STAKES PER TREE MINIMUM, QUANTITY AND POSITIONS AS NEEDED TO STABILIZE THE TREE.
 8. UPON COMPLETION OF PLANTING, CONSTRUCT AN EARTH WATERING BASIN AROUND THE TREE. COVER THE INTERIOR OF THE TREE RING WITH THE WEED BARRIER CLOTH AND TOPDRESS WITH MULCH (TYPE AND DEPTH PER PLANS).
- D. SHRUB, PERENNIAL, AND GROUND COVER PLANTING
 1. DIG THE PLANTING HOLE TWICE AS WIDE AND 2" LESS DEEP THAN EACH PLANT'S ROOTBALL. INSTALL THE PLANT IN THE HOLE. BACKFILL AROUND THE PLANT WITH SOIL AMENDED PER SOIL TEST RECOMMENDATIONS.
 2. INSTALL THE WEED BARRIER CLOTH, OVERLAPPING IT AT THE ENDS. UTILIZE STEEL STAPLES TO KEEP THE WEED BARRIER CLOTH IN PLACE.
 3. WHEN PLANTING IS COMPLETE, INSTALL MULCH (TYPE AND DEPTH PER PLANS) OVER ALL PLANTING BEDS, COVERING THE ENTIRE PLANTING AREA.
- E. SODDING
 1. SOD VARIETY TO BE AS SPECIFIED ON THE LANDSCAPE PLAN.
 2. LAY SOD WITHIN 24 HOURS FROM THE TIME OF STRIPPING. DO NOT LAY IF THE GROUND IS FROZEN.
 3. LAY THE SOD TO FORM A SOLID MASS WITH TIGHTLY FITTED JOINTS. BUTT ENDS AND SIDES OF SOD STRIPS - DO NOT OVERLAP. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES.
 4. ROLL THE SOD TO ENSURE GOOD CONTACT OF THE SOD'S ROOT SYSTEM WITH THE SOIL UNDERNEATH.
 5. WATER THE SOD THOROUGHLY WITH A FINE SPRAY IMMEDIATELY AFTER PLANTING TO OBTAIN AT LEAST SIX INCHES OF PENETRATION INTO THE SOIL BELOW THE SOD.
- F. MULCH
 1. INSTALL MULCH TOPDRESSING, TYPE AND DEPTH PER MULCH NOTE, IN ALL PLANTING AREAS AND TREE RINGS.
 2. DO NOT INSTALL MULCH WITHIN 6" OF TREE ROOT FLARE AND WITHIN 24" OF HABITABLE STRUCTURES, EXCEPT AS MAY BE NOTED ON THESE PLANS. MULCH COVER WITHIN 6" OF CONCRETE WALKS AND CURBS SHALL NOT PROTRUDE ABOVE THE FINISH SURFACE OF THE WALKS AND CURBS. MULCH COVER WITHIN 12" OF WALLS SHALL BE AT LEAST 3" LOWER THAN THE TOP OF WALL.
- G. CLEAN UP
 1. DURING LANDSCAPE PREPARATION AND PLANTING, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
 2. DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.
- J. INSPECTION AND ACCEPTANCE
 1. UPON COMPLETION OF THE WORK, THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE LANDSCAPE CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE ACCEPTABILITY.
 2. WHEN THE INSPECTED PLANTING WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE LANDSCAPE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
 3. THE LANDSCAPE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE LANDSCAPE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.
- K. LANDSCAPE MAINTENANCE
 1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL WORK SHOWN ON THESE PLANS FOR 90 DAYS BEYOND FINAL ACCEPTANCE OF ALL LANDSCAPE WORK BY THE OWNER. LANDSCAPE MAINTENANCE SHALL INCLUDE WEEKLY SITE VISITS FOR THE FOLLOWING ACTIONS (AS APPROPRIATE): PROPER PRUNING, RESTAKING OF TREES, RESETTling OF PLANTS THAT HAVE SETTLED, MOWING AND AERATION OF LAWNS, WEEDING, TREATING FOR INSECTS AND DISEASES, REPLACEMENT OF MULCH, REMOVAL OF LITTER, REPAIRS TO THE IRRIGATION SYSTEM DUE TO FAULTY PARTS AND/OR WORKMANSHIP, AND THE APPROPRIATE WATERING OF ALL PLANTINGS. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER, WITH SCHEDULING ADJUSTMENTS BY SEASON TO MAXIMIZE WATER CONSERVATION.
 2. SHOULD SODDED AREAS NOT BE COVERED BY AN AUTOMATIC IRRIGATION SYSTEM, THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING THESE AREAS AND OBTAINING A FULL, HEALTHY STAND OF PLANTS AT NO ADDITIONAL COST TO THE OWNER.
 3. TO ACHIEVE FINAL ACCEPTANCE AT THE END OF THE MAINTENANCE PERIOD, ALL OF THE FOLLOWING CONDITIONS MUST OCCUR:
 - a. THE LANDSCAPE SHALL SHOW ACTIVE, HEALTHY GROWTH (WITH EXCEPTIONS MADE FOR SEASONAL DORMANCY). ALL PLANTS NOT MEETING THIS CONDITION SHALL BE REJECTED AND REPLACED BY HEALTHY PLANT MATERIAL PRIOR TO FINAL ACCEPTANCE.
 - b. ALL HARDSCAPE SHALL BE CLEANED PRIOR TO FINAL ACCEPTANCE.
 - c. SODDED AREAS MUST BE ACTIVELY GROWING AND MUST REACH A MINIMUM HEIGHT OF 1 1/2 INCHES BEFORE FIRST MOWING. ALL SODDED TURF SHALL BE NEATLY MOWED.
- L. WARRANTY PERIOD, PLANT GUARANTEE AND REPLACEMENTS
 1. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL TREES, SHRUBS, PERENNIALS, SOD, AND IRRIGATION SYSTEMS FOR A PERIOD OF ONE YEAR FROM THE DATE OF THE OWNER'S FINAL ACCEPTANCE (90 DAYS FOR ANNUAL PLANTS). THE CONTRACTOR SHALL REPLACE, AT HIS OWN EXPENSE AND AT HIS OWN RISK, ANY PLANTS WHICH DIE IN THAT TIME, OR REPAIR ANY PORTIONS OF THE IRRIGATION SYSTEM WHICH OPERATE IMPROPERLY.
 2. AFTER THE INITIAL MAINTENANCE PERIOD AND DURING THE GUARANTEE PERIOD, THE LANDSCAPE CONTRACTOR SHALL ONLY BE RESPONSIBLE FOR REPLACEMENT OF PLANTS WHEN PLANT DEATH CANNOT BE ATTRIBUTED DIRECTLY TO OVERWATERING OR OTHER DAMAGE BY HUMAN ACTIONS.
- M. PROVIDE A MINIMUM OF (2) COPIES OF RECORD DRAWINGS TO THE OWNER UPON COMPLETION OF WORK. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.

DESIGNED BY	DATE	PREPARED BY	DATE
LTV	1/31/2020	MDS	1/31/2020
DRAWN BY	DATE	REVISION	DESCRIPTION
LTV	4/9/2020	TOWN COMMENTS	
		TOWN COMMENTS	
CHECKED BY			
MDS			

CHRISTIAN BROTHERS AUTOMOTIVE	WELD COUNTY
TOWN OF FIRESTONE	CHRISTIAN BROTHERS AUTOMOTIVE
	6179 FIRESTONE BOULEVARD
	LANDSCAPE SPECIFICATIONS

PREPARED UNDER THE DIRECT SUPERVISION OF	
FOR AND ON BEHALF OF BASELINE CORPORATION	
INITIAL SUBMITTAL	12/9/2019
DRAWING SIZE	22" X 34"
SURVEY FIRM	SURVEY DATE
BEC	9/26/2019
JOB NO.	C03414
DRAWING NAME	
C14 LANDSCAPE.dwg	
SHEET	16 OF 21
C16	

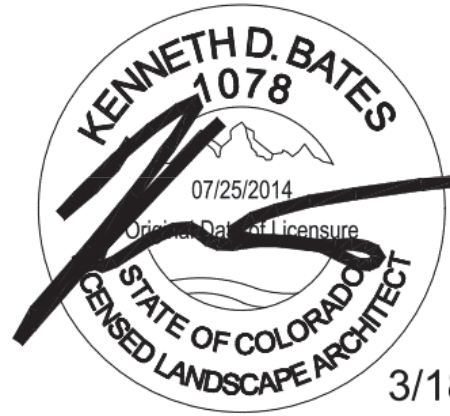
N:\co3414 - C6A Firestone Drawings\Planning Documents\FDP\C17 IRRIGATION.dwg, 4/8/2020 12:12:52 PM, Michael Swanton

FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST

OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE



3/18/2020

IRRIGATION SCHEDULE

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION	PSI
	RAIN BIRD R-VAN14 1806-SAM-P45	30
	TURF ROTARY, 8'-14' 45Å°-270Å° AND 360Å° HAND ADJUSTABLE MULTI-STREAM ROTARY W/1800 TURF SPRAY BODY ON 6.0" POP-UP, WITH CHECK VALVE AND 45 PSI IN-STEM PRESSURE REGULATOR. 1/2" NPT FEMALE THREADED INLET.	
	RAIN BIRD R-VAN18 1806-SAM-P45	30
	TURF ROTARY, 13'-18' 45Å°-270Å° AND 360Å° HAND ADJUSTABLE MULTI-STREAM ROTARY W/1800 TURF SPRAY BODY ON 6.0" POP-UP, WITH CHECK VALVE AND 45 PSI IN-STEM PRESSURE REGULATOR. 1/2" NPT FEMALE THREADED INLET.	

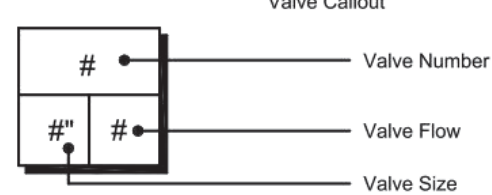
SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
	RAIN BIRD KCZ-100-PRF MEDIUM FLOW DRIP CONTROL KIT, 1" DV VALVE, 1" PRESSURE REGULATING FILTER, 40PSI PRESSURE REGULATOR. 3GPM - 15GPM.
	RAIN BIRD PC SINGLE OUTLET, PC DRIP EMITTER SINGLE OUTLET, PRESSURE COMPENSATING DRIP EMITTERS WITH SELF-PIERCING BARB INLET. FLOW RATE: 5GPH=LIGHT BROWN; 7GPH=VIOLET; 10GPH=GREEN; 12GPH=DARK BROWN; 18GPH=WHITE; 24GPH=ORANGE.
	RAIN BIRD XB-PC SINGLE OUTLET EMITTER SINGLE OUTLET, PRESSURE COMPENSATING DRIP EMITTERS. FLOW RATES OF 0.5GPH=BLUE, 1.0GPH=BLACK, AND 2.0GPH=RED. COMES WITH A SELF-PIERCING BARB INLET X BARB OUTLET.

SYMBOL	MANUFACTURER/MODEL/DESCRIPTION
	RAIN BIRD PEB 1", 1-1/2", 2" PLASTIC INDUSTRIAL VALVES. LOW FLOW OPERATING CAPABILITY, GLOBE CONFIGURATION.
	NIBCO BALL VALVE BRASS, TWO-PIECE, FULL PORT, NPT X NPT, T-FP-600A
	FEBCO 825Y 3/4" REDUCED PRESSURE BACKFLOW PREVENTER
	RAIN BIRD ESP-12LX BASIC 12 STATION COMMERCIAL CONTROLLER W/ ADDITIONAL 12 STATION MODULE
	RAIN BIRD WR2-RFC WIRELESS RAIN AND FREEZE SENSOR COMBO, INCLUDES 1 RECEIVER AND 1 RAIN/FREEZE SENSOR TRANSMITTER.

IRRIGATION LATERAL LINE: PVC CLASS 200 SDR 21 PVC CLASS 200 IRRIGATION PIPE. ONLY LATERAL TRANSITION PIPE SIZES 1" AND ABOVE ARE INDICATED ON THE PLAN, WITH ALL OTHERS BEING 3/4" IN SIZE.

IRRIGATION MAINLINE: PVC SCHEDULE 40

PIPE SLEEVE: PVC SCHEDULE 40



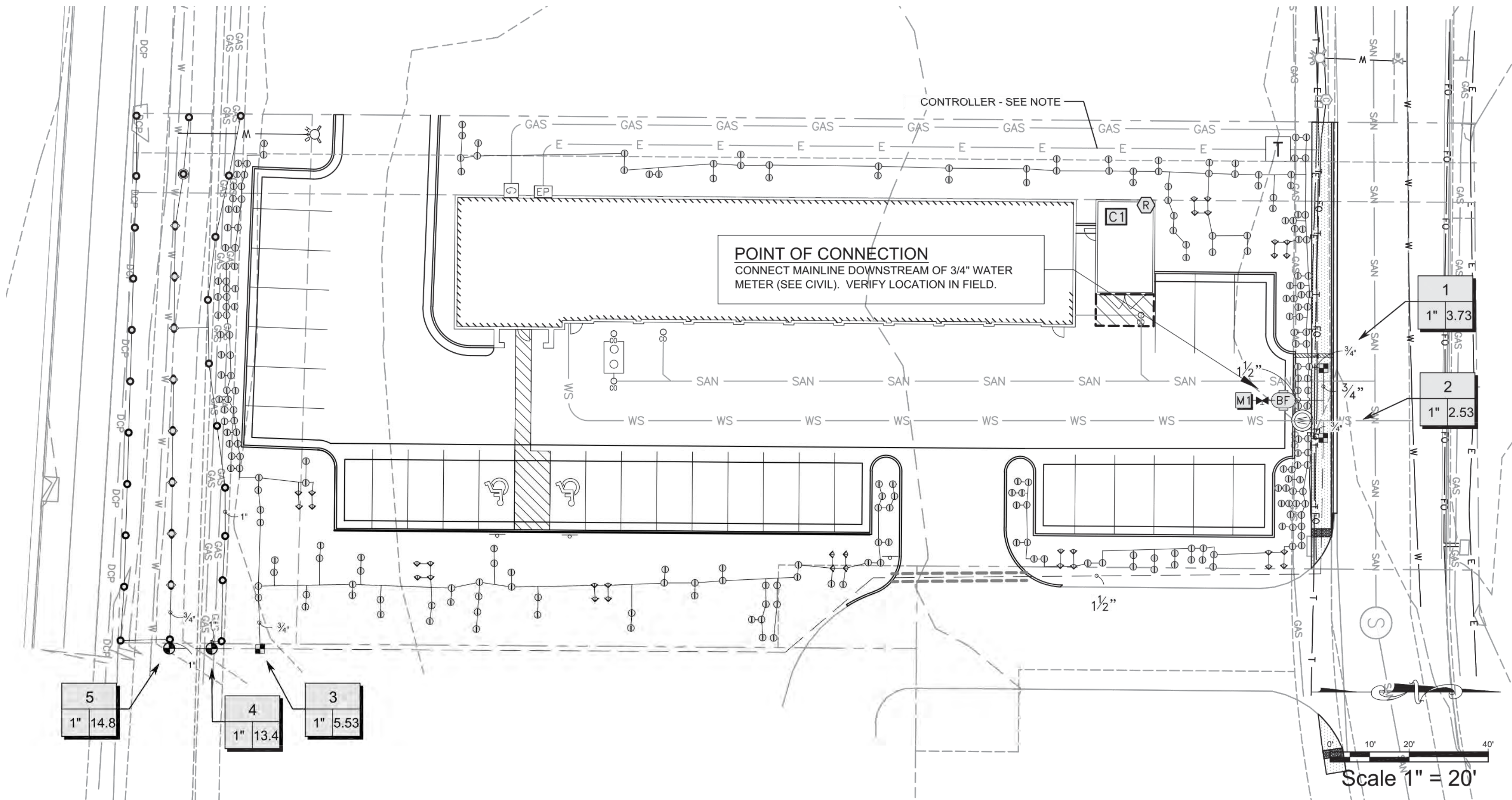
- NOTES:
- CONTRACTOR SHALL USE PC SCREENS ON FIXED SPRAY HEADS AS NEEDED TO ACHIEVE APPROPRIATE RADII.
 - CONTRACTOR SHALL USE VARIABLE-ARC ROTARY NOZZLES WHERE NECESSARY.
 - CONTRACTOR SHALL ADJUST ROTOR ARCS WHERE NECESSARY.

VALVE SCHEDULE

NUMBER	MODEL	SIZE	TYPE	GPM	WIRE	PSI	PSI @ POC	PRECIP
1	RAIN BIRD KCZ-100-PRF	1"	DRIP EMITTER	3.73	113.4	33.71		0.85 in/h
2	RAIN BIRD KCZ-100-PRF	1"	DRIP EMITTER	2.53	131.0	33.04		0.76 in/h
3	RAIN BIRD KCZ-100-PRF	1"	DRIP EMITTER	5.53	440.9	35.19		0.79 in/h
4	RAIN BIRD PEB	1"	TURF ROTARY	13.36	453.2	35.41		0.45 in/h
5	RAIN BIRD PEB	1"	TURF ROTARY	14.78	464.0	34.44		0.50 in/h
	Common Wire				441.3			

IRRIGATION PLAN

SHEET 17 OF 21



CRITICAL ANALYSIS

Generated: 2019-12-06 18:48

P.O.C. NUMBER: 01
Water Source Information:

FLOW AVAILABLE
Water Meter Size: 3/4"
Flow Available: 22.50 gpm

PRESSURE AVAILABLE
Static Pressure at POC: 70.00 psi
Elevation Change: 5.00 ft
Service Line Size: 1 1/4"
Length of Service Line: 20.00 ft
Pressure Available: 67.00 psi

DESIGN ANALYSIS
Maximum Station Flow: 28.14 gpm
Flow Available at POC: 22.50 gpm
Residual Flow Available: -5.64 gpm

Pressure Req. at Critical Station: 36.33 psi
Loss for Fittings: 0.78 psi
Loss for Main Line: 7.76 psi
Loss for POC to Valve Elevation: 0.00 psi
Loss for Backflow: 10.54 psi
Loss for Water Meter: 4.71 psi
Critical Station Pressure at POC: 60.12 psi
Pressure Available: 67.00 psi
Residual Pressure Available: 6.88 psi

IRRIGATION DISCLAIMER

THIS DESIGN IS DIAGRAMMATIC. ALL PIPING, VALVES, AND OTHER EQUIPMENT SHOWN WITHIN PAVED AREAS OR OUT OF PROPERTY BOUNDARIES ARE FOR DESIGN CLARIFICATION ONLY, AND SHALL BE INSTALLED IN PLANTING AREAS WITHIN THE PROPERTY LINES OR LIMITS INDICATED ON PLAN. THE IRRIGATION CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE-GRADE IRRIGATION EQUIPMENT WITH THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION, OR IRRIGATION CONTRACTOR MAY BE REQUIRED TO MOVE SUCH ITEMS AT HIS OWN COST.

IRRIGATION CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL FINAL QUANTITIES PER DRAWINGS AND SPECIFICATIONS. ANY QUANTITIES PROVIDED ARE PROVIDED AS A CONVENIENCE TO THE CONTRACTOR ONLY AND SHALL NOT BE CONSIDERED ABSOLUTE.

AUTOMATIC DRAIN VALVES AND AIR RELIEF VALVES

INSTALL AUTOMATIC DRAIN VALVES AT THE LOW POINTS OF EACH LATERAL LINE (MIN. 2 PER VALVE) AS PER DETAIL L, SHEET L14. INSTALL AIR RELIEF VALVES ON DRIP SYSTEMS AT THE LCOATIONS SHOWN ON THE PLANS, AS AS PER DETAILS.

DRIP EMITTER SCHEDULE

PROVIDE THE FOLLOWING DRIP EMITTERS FOR EACH PLANT:

- | | |
|-----------------------------------|--|
| PLANTS, #1 CONTAINER AND SMALLER: | 1, XB-20PC (2 GPH) EMITTER PER PLANT |
| PLANTS, #5 CONTAINER: | 2, XB-20PC (2 GPH) EMITTERS PER PLANT |
| PLANTS, #15 CONTAINER: | 3, XB-20PC (2 GPH) EMITTERS PER PLANT |
| TREES, 1" TO 2-1/2" CALIPER: | 4, PC-07-1032 (7 GPH) EMITTERS WITH DIFFUSER CAP, PER TREE |
| TREES, 3" TO 4" CALIPER: | 7, PC-07-1032 (7 GPH) EMITTERS WITH DIFFUSER CAP, PER TREE |

SLEEVING / WIRING NOTES:

IN ADDITION TO PROVIDING SLEEVES FOR ALL PIPING UNDER ROADWAYS AND WALKWAYS, THE IRRIGATION CONTRACTOR SHALL PROVIDE AND INSTALL SCH. 40 PVC SLEEVES FOR ALL CONTROLLER WIRES OCCURRING UNDER ALL ROADWAYS AND WALKWAYS. SLEEVES FOR CONTROLLER WIRES SHALL BE 2" DIA. AND CONTAIN NO MORE THAN 25 WIRES.

CONTROLLER NOTE

LOCATE CONTROLLER AT LOCATION SHOWN ON PLAN. VERIFY LOCATION IN FIELD WITH OWNER'S REPRESENTATIVE.

120 VAC POWER TO CONTROLLER LOCATION IS NOT WITHIN THE IRRIGATION CONTRACTOR'S SCOPE OF WORK, AND SHALL BE PROVIDED BY OTHERS. HOOK-UP OF CONTROLLER TO 120 VAC SHALL BE PERFORMED BY THE IRRIGATION CONTRACTOR. IRRIGATION CONTRACTOR SHALL COORDINATE LOCATION OF WIRE SLEEVE PENETRATIONS THROUGH BUILDING WITH OWNER AND GENERAL CONTRACTOR. STATION RUN ORDER SHALL MATCH PLANS.



Know what's below.
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DESIGNED BY LTV
DRAWN BY LTV
CHECKED BY MDS

PREPARED BY DATE
MDS 1/31/2020
MDS 4/9/2020

REVISION DESCRIPTION
TOWN COMMENTS
TOWN COMMENTS

CHRISTIAN BROTHERS AUTOMOTIVE
WELD COUNTY
TOWN OF FIRESTONE
CHRISTIAN BROTHERS AUTOMOTIVE
6179 FIRESTONE BOULEVARD
IRRIGATION PLAN

PREPARED UNDER THE DIRECT SUPERVISION OF

FOR AND ON BEHALF OF
BASELINE CORPORATION
INITIAL SUBMITTAL 12/9/2019
DRAWING SIZE 22" X 34"
SURVEY FIRM BEC SURVEY DATE 9/26/2019
JOB NO. C03414
DRAWING NAME C17 - IRRIGATION.dwg
SHEET 17 OF 21
C17



Know what's below.
Call before you dig.

FINAL DEVELOPMENT PLAN

OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST

OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

IRRIGATION DETAILS I

SHEET 18 OF 21

IRRIGATION SPECIFICATIONS

GENERAL

- A. QUALIFICATIONS OF IRRIGATION CONTRACTOR
- ALL WORK SHOWN ON THESE PLANS SHALL BE PERFORMED BY A SINGLE IRRIGATION CONTRACTING FIRM SPECIALIZING IN IRRIGATION SYSTEMS. SEE THE IRRIGATION PLAN FOR SPECIFIC EQUIPMENT AND SYSTEM LAYOUT.
 - THE IRRIGATION CONTRACTOR MUST HAVE ON ITS STAFF A LICENSED IRRIGATION INSTALLER, AS REGULATED BY THE APPROPRIATE LOCAL JURISDICTION. A LICENSED IRRIGATION INSTALLER SHALL BE PRESENT AT THE PROJECT SITE AT ALL TIMES AS WORK IS IN PROGRESS. THE OWNER MAY DEMAND THAT WORK STOP UNTIL THE CONTRACTOR PROVIDES FOR A LICENSED IRRIGATION INSTALLER TO BE PRESENT AT THE PROJECT SITE AND SUPERVISING ALL IRRIGATION WORK.
 - A LIST OF SUCCESSFULLY COMPLETED PROJECTS OF THIS TYPE, SIZE AND NATURE MAY BE REQUESTED BY THE OWNER FOR FURTHER QUALIFICATION MEASURES.
- B. SCOPE OF WORK
- WORK COVERED BY THESE SECTIONS INCLUDES THE FURNISHING AND PAYMENT OF ALL MATERIALS, LABOR, SERVICES, EQUIPMENT, LICENSES, TAXES, FEES, AND ANY OTHER ITEMS THAT ARE NECESSARY FOR THE EXECUTION, INSTALLATION AND COMPLETION OF ALL WORK, SPECIFIED HEREIN AND/OR SHOWN ON THE IRRIGATION PLANS, NOTES, AND DETAILS.
 - ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE LAWS, CODES AND REGULATIONS REQUIRED BY AUTHORITIES HAVING JURISDICTION OVER SUCH WORK, INCLUDING ALL INSPECTIONS AND PERMITS REQUIRED BY FEDERAL, STATE AND LOCAL AUTHORITIES IN SUPPLY, TRANSPORTATION AND INSTALLATION OF MATERIALS. IN CASE OF CONFLICT BETWEEN THESE PLANS AND LOCAL AND/OR STATE CODES, CODES SHALL PREVAIL.
 - THE INTENT OF THE IRRIGATION SYSTEM IS TO PROVIDE 100% COVERAGE OF ALL LANDSCAPE AREAS. THE IRRIGATION PLAN IS GENERALLY DIAGRAMMATIC. COORDINATE IRRIGATION INSTALLATION WITH UTILITY INSTALLATIONS. ACTUAL LOCATION OF CONTROLLER, BACKFLOW DEVICE, PIPING, VALVES, SPRAY HEADS, DRIP IRRIGATION, AND RELATED EQUIPMENT MAY NEED TO BE ADJUSTED BASED ON ACTUAL SITE CONDITIONS.
 - FOR CLARITY PURPOSES, SOME IRRIGATION LINES AND EQUIPMENT ARE SHOWN IN HARDSCAPE AREAS WITHOUT ACCESS SLEEVES; THESE LINES SHALL BE INSTALLED IN A COMMON TRENCH OR AT THE BACK OF CURB IN LANDSCAPE AREAS. MINOR FIELD ADJUSTMENTS SHALL BE MADE AT NO ADDITIONAL COST TO THE OWNER.

PRODUCTS

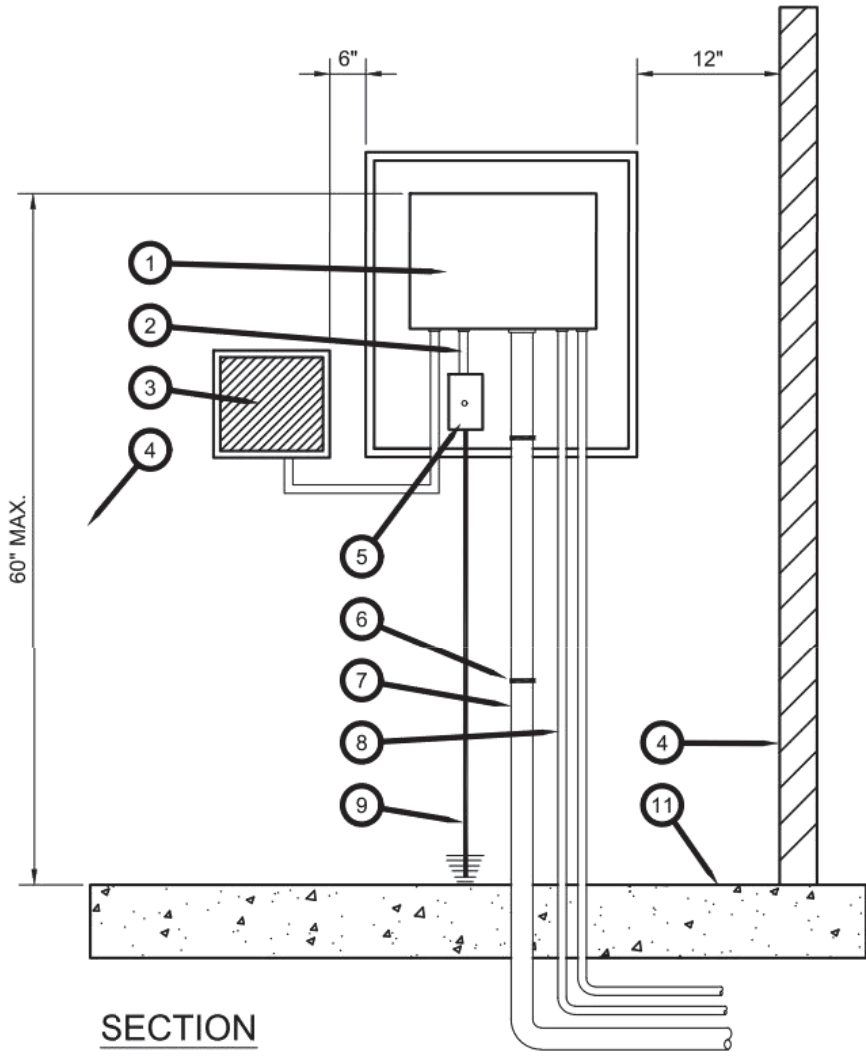
- A. ALL MATERIALS SHALL BE NEW AND WITHOUT FLAWS OR DEFECTS OF ANY TYPE AND SHALL BE THE BEST OF THEIR CLASS AND KIND. ALL MATERIALS SHALL HAVE A MINIMUM GUARANTEE OF ONE YEAR AGAINST MATERIAL DEFECTS OR DEFECTIVE WORKMANSHIP. ALL MATERIALS SHALL BE OF THE BRANDS AND TYPES NOTED ON THE DRAWINGS OR AS SPECIFIED HEREIN, OR APPROVED EQUAL. THE CONTRACTOR MUST FIRST OBTAIN APPROVAL FROM THE IRRIGATION DESIGNER FOR AN APPROVED EQUAL BEFORE INSTALLING SUCH MATERIALS IN THE FIELD, OR THE CONTRACTOR MAY BE REQUIRED TO REPLACE SUCH MATERIALS AT HIS OWN COST.
- B. BACKFLOW PREVENTION DEVICES SHALL BE OF THE SIZE AND TYPE INDICATED ON THE DRAWINGS. INSTALL BACKFLOW PREVENTION UNITS IN ACCORDANCE WITH IRRIGATION CONSTRUCTION DETAILS AND ALL APPLICABLE STATE AND LOCAL CODES AND ORDINANCES.
- C. PIPING
- PRESSURE SUPPLY LINES, DOWNSTREAM OF THE POINT-OF-CONNECTION:
 - SCHEDULE 40 PVC FOR ALL PIPE 1-1/2" OR LESS
 - CLASS 315 PVC FOR ALL PIPE 2" TO 2-1/2"
 - CLASS 200 PVC, GASKETED, FOR ALL PIPE 3" AND LARGER
 - SLEEVING AND NON-PRESSURE LATERAL LINES (DOWNSTREAM FROM VALVES): CLASS 200 PVC
 - FITTINGS: SCH. 40 PVC, EXCEPT AS NOTED OTHERWISE.
- D. VALVES AND DRIP VALVE ASSEMBLIES: TYPE AND SIZE AS NOTED ON PLANS. EACH VALVE SHALL BEAR A PRE-MANUFACTURED, NUMBERED WATERPROOF TAG BEARING A NUMBER CORRESPONDING TO ITS VALVE SEQUENCE OF OPERATION ON THE CONTROLLER. THE OPERATION SEQUENCE SHALL MATCH THAT AS SHOWN ON THE PLANS.
- E. QUICK COUPLERS, BALL VALVES, AND GATE VALVES: TYPE AND SIZE PER PLANS.
- F. VALVE BOXES: TYPE AND SIZE AS NOTED ON DETAILS. ALL VALVE BOXES SHALL BE LOCKING BOLT-DOWN TYPE, FURNISHED WITH LIDS AND BOLTS. BOXES SHALL BE OF A SIZE TO CONTAIN THE ENTIRE VALVE AND/OR VALVE ASSEMBLY. THE VALVE BOX LID SHALL HAVE THE VALVE STATION NUMBER HEAT-BRANDED INTO THE LID WITH 2" HIGH LETTERS.
- G. FIXED SPRAY HEADS AND ROTORS: PLASTIC BODY POP-UP, WITH A REMOVABLE PLASTIC SPRAY NOZZLE. EXACT TYPE, MODEL, AND NOZZLE SHALL BE AS INDICATED ON PLANS.
- H. INTEGRAL EMITTER DRIP TUBING: TUBING MODEL AND FLOW RATE AS NOTED ON PLANS, WITH INTEGRAL EMITTERS WELDED TO THE INSIDE WALL OF THE TUBING AS AN INTEGRAL PART OF THE TUBING ASSEMBLY.
- I. AUTOMATIC CONTROLLER: TYPE AND MODEL PER PLANS. PROVIDE VANDAL-PROOF ENCLOSURE FOR ALL EXTERIOR INSTALLATIONS. PROVIDE LINE-VOLTAGE DISCONNECT SWITCH WITH GROUND FAULT PROTECTION.
- J. 24 VOLT VALVE WIRE SHALL BE A MINIMUM OF #14 GAUGE, U.F. APPROVED FOR DIRECT BURIAL, SINGLE CONDUCTOR IRRIGATION WIRE. EACH CONTROLLER SHALL HAVE A DIFFERENT COLOR STATION AND COMMON WIRE.
 - STATION WIRE - ANY COLOR EXCEPT WHITE OR BLUE
 - COMMON WIRE - WHITE
 - EXTRA COMMON WIRES - BLUE
- K. WIRE SPLICES SHALL BE ENCASED IN A WATERPROOF COMPOUND OR GEL. ALL FIELD SPLICES SHALL BE LOCATED IN A 6 INCH ROUND VALVE BOX.
- L. RAIN SENSOR: TYPE AND MODEL PER PLANS.

METHODS

- A. THIS DESIGN IS DIAGRAMMATIC. ALL PIPING, VALVES, AND OTHER EQUIPMENT SHOWN WITHIN PAVED AREAS OR OUT OF PROPERTY BOUNDARIES ARE FOR DESIGN CLARIFICATION ONLY, AND SHALL BE INSTALLED IN PLANTING AREAS WITHIN THE PROPERTY LINES OR LIMITS INDICATED ON PLAN. THE IRRIGATION CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL ABOVE-GRADE IRRIGATION EQUIPMENT WITH THE OWNER'S AUTHORIZED REPRESENTATIVE PRIOR TO INSTALLATION, OR IRRIGATION CONTRACTOR MAY BE REQUIRED TO MOVE SUCH ITEMS AT HIS OWN COST. ENSURE FIELD COORDINATION IS MADE EARLY ON IN THE CONSTRUCTION PHASE SO PLACEMENT LOCATION IS CORRECT.
- B. THE IRRIGATION CONTRACTOR SHALL MEET WITH THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF WORK, AND SHALL OBTAIN ALL ENGINEERING, LANDSCAPE, AND OTHER APPLICABLE PLANS & DOCUMENTS. THE CONTRACTOR SHALL THOROUGHLY REVIEW THE PLANS AND REPORT ANY CONFLICTS OR DISCREPANCIES TO THE LANDSCAPE ARCHITECT AND OWNER'S REPRESENTATIVE IMMEDIATELY.
- C. THE IRRIGATION CONTRACTOR SHALL NOT WILLFULLY INSTALL THE IRRIGATION SYSTEM AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS, GRADES OR DIMENSIONS EXIST THAT MIGHT NOT HAVE BEEN CONSIDERED IN THE ENGINEERING. SUCH OBSTRUCTIONS OR DIFFERENCES SHALL BE BROUGHT TO THE ATTENTION OF THE IRRIGATION DESIGNER. IN THE EVENT THAT THIS NOTIFICATION IS NOT PERFORMED, THE IRRIGATION CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS AND NECESSARY COSTS.
- D. SEE UTILITY PLANS FOR IRRIGATION POINTS OF CONNECTION (TAP) AND DOMESTIC WATER SUPPLY.
- E. THE IRRIGATION CONTRACTOR SHALL PAY ANY AND ALL FEES AND PERMITS ASSOCIATED WITH THE INSTALLATION OF THE IRRIGATION SYSTEM.
- F. AT LEAST SEVEN DAYS BEFORE BEGINNING WORK, CONFIRM THE STATIC WATER PRESSURE IS AT LEAST 55 PSI AND LESS THAN 70 PSI. IF STATIC WATER PRESSURE IS OUTSIDE OF THE STATED RANGE, DO NOT PROCEED WITHOUT FIRST NOTIFYING THE IRRIGATION DESIGNER AND OWNER IN WRITING, AND OBTAINING SUBSEQUENT DIRECTION FOR CORRECTIONAL MEASURES. SHOULD THE IRRIGATION CONTRACTOR CHOOSE TO BEGIN THE INSTALLATION WITHOUT SUCH NOTIFICATION, THE IRRIGATION CONTRACTOR WILL ASSUME THE RESPONSIBILITY FOR ALL COSTS INCURRED TO ENSURE THE SYSTEM IS WORKING PROPERLY. NO CHANGE ORDERS WILL BE AUTHORIZED IN SUCH CIRCUMSTANCES.

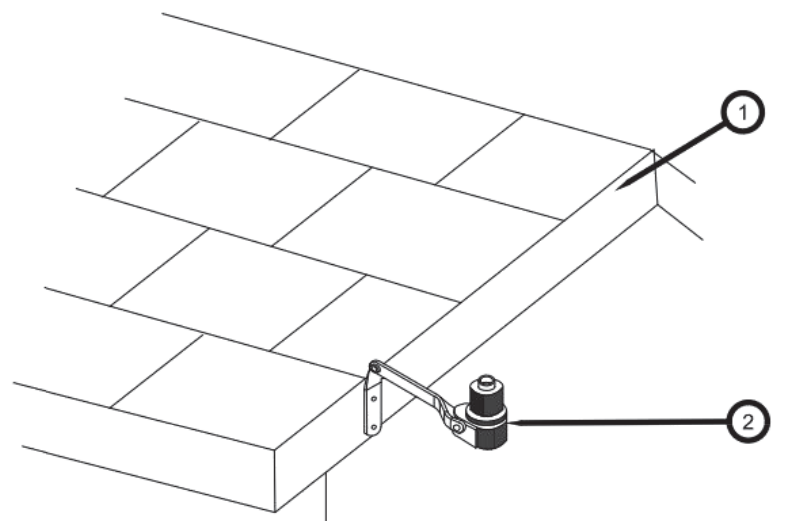
- G. THE IRRIGATION CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITY LINES (WATER, SEWER, ELECTRICAL, TELEPHONE, GAS, CABLE, TELEVISION, ETC.) PRIOR TO THE START OF ANY WORK. THE CONTRACTOR SHALL BE FAMILIAR WITH ALL GRADE DIFFERENCES, LOCATIONS OF WALLS, STRUCTURES AND UTILITIES.
- H. COORDINATE WITH THE OWNER THE PROPOSED LOCATIONS OF THE AUTOMATIC CONTROLLER AND ANY REQUIRED SLEEVES THROUGH THE BUILDING FOR CONTROL WIRES.
- I. TRENCHING NEAR EXISTING TREES
- CONTRACTOR SHALL NOT DISTURB ROOTS 1-1/2" AND LARGER IN DIAMETER WITHIN THE CRITICAL ROOT ZONE (CRZ) OF EXISTING TREES, AND SHALL EXERCISE ALL POSSIBLE CARE AND PRECAUTIONS TO AVOID INJURY TO TREE ROOTS, TRUNKS, AND BRANCHES. THE CRZ IS DEFINED AS A CIRCULAR AREA EXTENDING OUTWARD FROM THE TREE TRUNK, WITH A RADIUS EQUAL TO 1" FOR EVERY 1" OF TRUNK DIAMETER-AT-BREAST-HEIGHT (4.5' ABOVE THE AVERAGE GRADE AT THE TRUNK).
 - ALL EXCAVATION WITHIN THE CRZ SHALL BE PERFORMED USING HAND TOOLS. NO MACHINE EXCAVATION OR TRENCHING OF ANY KIND SHALL BE ALLOWED WITHIN THE CRZ.
 - ALTER ALIGNMENT OF PIPE TO AVOID TREE ROOTS 1-1/2" AND LARGER IN DIAMETER. WHERE TREE ROOTS 1-1/2" AND LARGER IN DIAMETER ARE ENCOUNTERED IN THE FIELD, TUNNEL UNDER SUCH ROOTS. WRAP EXPOSED ROOTS WITH SEVERAL LAYERS OF BURLAP AND KEEP MOIST. CLOSE ALL TRENCHES WITHIN THE CANOPY DRIP LINES WITHIN 24 HOURS.
 - ALL SEVERED ROOTS SHALL BE HAND PRUNED WITH SHARP TOOLS AND ALLOWED TO AIR-DRY. DO NOT USE ANY SORT OF SEALERS OR WOUND PAINTS.
- J. BACKFILL
- ALL BACKFILL MATERIAL SHALL BE SUBJECT TO APPROVAL BY THE OWNER. BACKFILL MATERIAL SHALL BE FREE FROM RUBBISH, ROCK LARGER THAN 1", LARGE STONES, BRUSH, SOIL, FROZEN MATERIAL, OR OTHER UNSUITABLE SUBSTANCES THAT MAY DAMAGE PIPE DURING THE BACKFILLING OPERATIONS. SEPARATE OUT ROCKS LARGER THAN 1 INCH IN ANY DIRECTION FROM EXCAVATED MATERIAL, AND REMOVE FROM AREAS TO RECEIVE LANDSCAPING. COVER FOR BOTH TOP AND SIDES OF PIPE SHALL BE A MINIMUM OF 2 INCHES OF ROCK-FREE SOIL, SAND, OR OTHER APPROVED MATERIAL.
 - IN THE EVENT THAT THE MATERIAL FROM THE EXCAVATION OR TRENCHING IS FOUND TO BE UNSUITABLE FOR USE IN BACKFILL, IT SHALL BE REMOVED FROM THE SITE AND PROPERLY AND LEGALLY DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL THEN PURCHASE AND AND FURNISH SUITABLE BACKFILL MATERIAL CONSISTING OF EARTH, LOAM, SANDY CLAY, SAND OR OTHER APPROVED MATERIALS FREE OF DEBRIS.
- K. BACKFLOW PREVENTER INSTALLATION: CONTRACTOR SHALL MAKE CONNECTIONS TO EXISTING WATER SOURCES AT LOCATION SHOWN ON PLANS AND AS APPROVED BY THE OWNER, AND SHALL MAKE ANY MINOR CHANGES IN LOCATION AS MAY BE NECESSARY DUE TO ACTUAL SITE CONDITIONS. BACKFLOW PREVENTER HEIGHT SHALL BE AS PER LOCAL CODES AND IRRIGATION DETAILS. INSTALL A BRASS BALL VALVE IMMEDIATELY UPSTREAM OF THE BACKFLOW DEVICE TO SERVE AS AN ISOLATION VALVE. TO EVERY EXTENT POSSIBLE, INSTALL BACKFLOW PREVENTER ON A LOCATION SCREENED FROM PUBLIC VIEW (SUCH AS BEHIND A SHRUB ROW).
- L. PIPING
- PIPE SIZE SHALL CONFORM TO THOSE SHOWN ON THE DRAWINGS. NO SUBSTITUTIONS OF SMALLER PIPE SIZES SHALL BE PERMITTED, BUT SUBSTITUTIONS FOR LARGER SIZES MAY BE APPROVED.
 - MAINLINE PIPE AND WIRES SHALL BE INSTALLED WITH A MINIMUM COVER OF 18 INCHES. LATERAL PIPE SHALL BE INSTALLED WITH A MINIMUM COVER OF 12 INCHES.
 - ASSEMBLE ALL THREADED FITTINGS WITH TEFLON TAPE, WHICH SHALL BE APPLIED TO MALE THREADS ONLY.
 - ALL SOLVENT-WELD CONNECTIONS SHALL BE MADE WITH APPROVED SOLVENT-WELD PRIMER AND GLUE.
 - PIPE SHALL BE INSTALLED WITH A MINIMUM OF 4" HORIZONTAL CLEARANCE FROM ANY OTHER PIPE AND 2" VERTICAL CLEARANCE FROM ANY PIPES THAT CROSS OVER OR UNDER.
- M. VALVES
- VALVES SHALL BE INSTALLED PER MANUFACTURER'S DIRECTIONS AND THE IRRIGATION DETAILS.
 - VALVE BOXES SHALL BE INSTALLED FLUSH WITH THE GRADE, WITH CLEAN PEA GRAVEL LOCATED BELOW THE VALVE AS NOTED ON THE DETAILS. LOCATE BOXES WITHIN 12" TO 24" OF SIDEWALKS OR LANDSCAPE EDGES, WITH TOPS OF BOXES 1" ABOVE FINISH GRADE IN TURF, AND 3" ABOVE FINISH GRADE IN SHRUB AREAS (TO AVOID BEING COVERED BY MULCH). EACH VALVE BOX COVER SHALL BE HEAT-BRANDED WITH THE CONTROLLER STATION NUMBER.
 - DO NOT INSTALL MORE THAN TWO VALVES IN A JUMBO BOX.
- N. DRIP IRRIGATION EQUIPMENT SHALL BE INSTALLED PER MANUFACTURER'S DIRECTIONS AND THE IRRIGATION DETAILS.
- SUBSURFACE DRIP LINES SHALL BE BURIED NO MORE THAN 2" BELOW FINISH GRADE.
 - DRIP LINES MOUNTED ON GRADE SHALL BE LOCATED BENEATH LANDSCAPE FABRIC, AND SECURED IN PLACE WITH WIRE STAPLES AT A MAXIMUM OF 48" ON CENTER.
- O. SPRAY, ROTOR, AND BUBBLER HEADS
- ALL SPRAY AND ROTOR HEAD LOCATIONS SHALL BE STAKED, FLAGGED AND/OR OTHERWISE CLEARLY MARKED ON THE GROUND PRIOR TO INSTALLATION. SPRINKLER HEAD STAKING SHALL BE INSPECTED AND APPROVED BY THE OWNER'S REPRESENTATIVE BEFORE INSTALLATION.
 - ALL SPRAY HEADS SHALL BE CONNECTED WITH A 1/2 INCH MINIMUM LENGTH OF 1/2 INCH FLEX PVC. THE FLEX PVC SHALL BE SOLVENT WELDED TO SCHEDULE 40 PVC FITTINGS WITH WELD-ON #70 SOLVENT AND #70 PRIMER. ALL ROTORS SHALL BE CONNECTED TO LATERAL LINES WITH PRE-MANUFACTURED SWING JOINTS.
 - ALL ROTOR, SPRAY AND BUBBLER HEADS SHALL BE SET PERPENDICULAR AND FLUSH TO FINISH GRADE AND WITH A CLEARANCE OF FOUR INCHES FROM THE EDGE OF ANY BUILDINGS, WALLS, BOULDERS, AND HARDSCAPE, UNLESS OTHERWISE SPECIFIED.
 - ALL ROTOR, SPRAY AND BUBBLER HEADS AND VALVES SHALL BE FLUSHED AND ADJUSTED FOR OPTIMUM COVERAGE WITH MINIMUM OVERSPRAY ON WALKS, STREETS, WALLS, ETC.
- P. AUTOMATIC CONTROLLER
- INSTALL THE CONTROLLER AT THE LOCATION INDICATED BY THE OWNER. INSTALL CONTROLLER WITH A BACKUP BATTERY AS RECOMMENDED BY THE MANUFACTURER.
 - THE IRRIGATION CONTRACTOR SHALL COORDINATE 120 V.A.C. ELECTRICAL POWER TO CONTROLLER AND DEDICATE ONE (1) 20-AMP BREAKER FOR EACH CONTROLLER. IT SHALL BE THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO MAKE THE FINAL HOOK-UP FROM THE ELECTRICAL SOURCE TO THE CONTROLLER UNIT ONLY.
 - ALL VALVE CONTROL WIRE SHALL BE AWG 14 TYPE UF, 600 VOLT TEST, DIRECT BURIAL. NO SPLICES SHALL BE ALLOWED EXCEPT AT VALVES AND CONTROLLER. WHERE SPLICES MAY BE NECESSARY DUE TO EXCESSIVELY LONG WIRE RUNS, THE CONTRACTOR SHALL MAKE ALL SPLICES IN 6" ROUND VALVE BOXES WITH 3MS "DRY-DIRECT BURIAL SPLICE KIT". THE CONTRACTOR SHALL LABEL ALL WIRES WITH WATERPROOF TAGS AND MARKERS AT ALL SPLICES AND VALVE MANIFOLDS, AND SHALL LEAVE A 24" COL. OF EXCESS WIRE AT EACH CONNECTION.
 - PROVIDE #10 COMMON WIRE, DIRECT BURIAL, TO ALL REMOTE CONTROL VALVES.
 - CONNECT ALL DIRECT BURIAL WIRES TO VALVES USING 3MS "DRY-DIRECT BURIAL SPLICE KIT" (UNLESS OTHERWISE SPECIFIED).
 - PROVIDE THREE ADDITIONAL IRRIGATION CONTROL WIRES ALONG EACH BRANCH OF MAINLINE FOR FUTURE EXPANSION. STUB ADDITIONAL CONTROL WIRES INTO BACK OF IRRIGATION CONTROLLERS.
 - THE IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING ALL CONTROL WIRE SLEEVES AND PIPE SLEEVES UNDER PAVED AREAS PRIOR TO PAVING - SEE SLEEVING NOTES.
- Q. INSTALL THE RAIN SENSOR IN THE VICINITY OF THE CONTROLLER, AND COORDINATE LOCATION WITH THE OWNER. IT IS THE RESPONSIBILITY OF THE IRRIGATION CONTRACTOR TO ENSURE THE RAIN SENSOR IS PLACED IN A LOCATION WHERE IT CAN RECEIVE ADEQUATE RAINFALL WITHOUT OBSTRUCTIONS. IF IT IS PLACED IN AN INADEQUATE LOCATION, THE IRRIGATION CONTRACTOR MAY BE REQUIRED TO RELOCATE IT AT NO ADDITIONAL COST TO THE OWNER.
- R. ALL IRRIGATION EQUIPMENT NOT OTHERWISE DETAILED OR SPECIFIED SHALL BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS.
- S. QUALITY CONTROL
- PERFORM COVERAGE TESTS AFTER SPRINKLER SYSTEM IS COMPLETED, BUT PRIOR TO ANY PLANTING AND PERFORM TESTING IN THE PRESENCE OF THE IRRIGATION DESIGNER AND THE CONSTRUCTION MANAGER.
 - TEST SYSTEM TO ASSURE THAT ALL LAWN AND PLANTING AREAS ARE WATERED COMPLETELY AND UNIFORMLY.
 - MAKE ALL NECESSARY ADJUSTMENTS TO PROVIDE COMPLETE COVERAGE, INCLUDING REALIGNMENT OF HEADS AND REPLACEMENT OF NOZZLES.
- T. CLEAN UP
- DURING IRRIGATION EXCAVATION AND INSTALLATION, KEEP ALL PAVEMENT CLEAN AND ALL WORK AREAS IN A NEAT, ORDERLY CONDITION.
 - DISPOSED LEGALLY OF ALL EXCAVATED MATERIALS OFF THE PROJECT SITE.

- U. INSPECTION AND ACCEPTANCE
- UPON COMPLETION OF THE WORK, THE IRRIGATION CONTRACTOR SHALL PROVIDE THE SITE CLEAN, FREE OF DEBRIS AND TRASH, AND SUITABLE FOR USE AS INTENDED. THE IRRIGATION CONTRACTOR SHALL THEN REQUEST AN INSPECTION BY THE OWNER TO DETERMINE FINAL ACCEPTABILITY.
 - WHEN THE INSPECTED WORK DOES NOT COMPLY WITH THE CONTRACT DOCUMENTS, THE CONTRACTOR SHALL REPLACE AND/OR REPAIR THE REJECTED WORK TO THE OWNER'S SATISFACTION WITHIN 24 HOURS.
 - THE MAINTENANCE PERIOD WILL NOT COMMENCE UNTIL THE WORK HAS BEEN RE-INSPECTED BY THE OWNER AND FOUND TO BE ACCEPTABLE. AT THAT TIME, A WRITTEN NOTICE OF FINAL ACCEPTANCE WILL BE ISSUED BY THE OWNER, AND THE MAINTENANCE AND GUARANTEE PERIODS WILL COMMENCE.
 - CONTROL CHART: THE IRRIGATION CONTRACTOR SHALL PROVIDE A 11" X 17" CONTROL CHART. THE IRRIGATION CONTRACTOR SHALL PROVIDE A 11" X 17" COLOR-CODED, LAMINATED COPY OF THE IRRIGATION LAYOUT AND PLACE IT IN THE CONTROLLER'S COVER. THE CONTROLLER CHART SHALL CLEARLY DELINEATE THE AREAS COVERED BY EACH VALVE, USING A SEPARATE COLOR FOR EACH ZONE.
 - TURN THE FOLLOWING ITEMS IN TO THE OWNER UPON COMPLETION OF THE INSTALLATION:
 - QUICK COUPLER KEYS (2)
 - CONTROLLER MANUAL (1)
 - CONTROLLER KEYS (2)
 - A MINIMUM OF (2) COPIES OF RECORD DRAWINGS. A RECORD DRAWING IS A RECORD OF ALL CHANGES THAT OCCURRED IN THE FIELD AND THAT ARE DOCUMENTED THROUGH CHANGE ORDERS, ADDENDA, OR CONTRACTOR/CONSULTANT DRAWING MARKUPS.
- V. REFER TO THE PLANTING SPECIFICATIONS FOR ADDITIONAL CONDITIONS OF FINAL ACCEPTANCE AND START OF THE MAINTENANCE PERIOD.
- W. WARRANTY
- THE IRRIGATION SYSTEM SUPPLIED AND INSTALLED SHALL BE WARRANTED (LABOR AND MATERIALS) TO REMAIN OPERATIONAL FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF FINAL ACCEPTANCE. DURING THIS PERIOD, THE CONTRACTOR SHALL ALSO REPAIR ANY SETTLEMENT OF THE IRRIGATION TRENCHES.
 - BY THE END OF THE WARRANTY PERIOD, ANY IRRIGATION PART THAT IS EITHER NON-OPERATIONAL OR THAT IS OPERATING BELOW STANDARDS AS DETERMINED BY THE OWNER, SHALL BE REMOVED FROM THE SITE AND SHALL BE REPLACED. REPLACEMENTS SHALL BE OF THE SAME KIND AS SPECIFIED IN THE IRRIGATION LEGEND, AND SHALL BE INSTALLED AS ORIGINALLY SPECIFIED.
 - IRRIGATION PARTS DAMAGED OR IMPAIRED DUE TO ACTS OF GOD, VANDALISM, AND/OR THE OWNER'S IMPROPER MAINTENANCE SHALL NOT BE COVERED BY THIS WARRANTY.
- X. SHOULD THE PERMITTING JURISDICTION REQUIRE AN IRRIGATION AUDIT, THE IRRIGATION CONTRACTOR SHALL RETAIN THE SERVICES OF A THIRD-PARTY CERTIFIED LANDSCAPE IRRIGATION AUDITOR, AT NO ADDITIONAL COST TO THE OWNER.

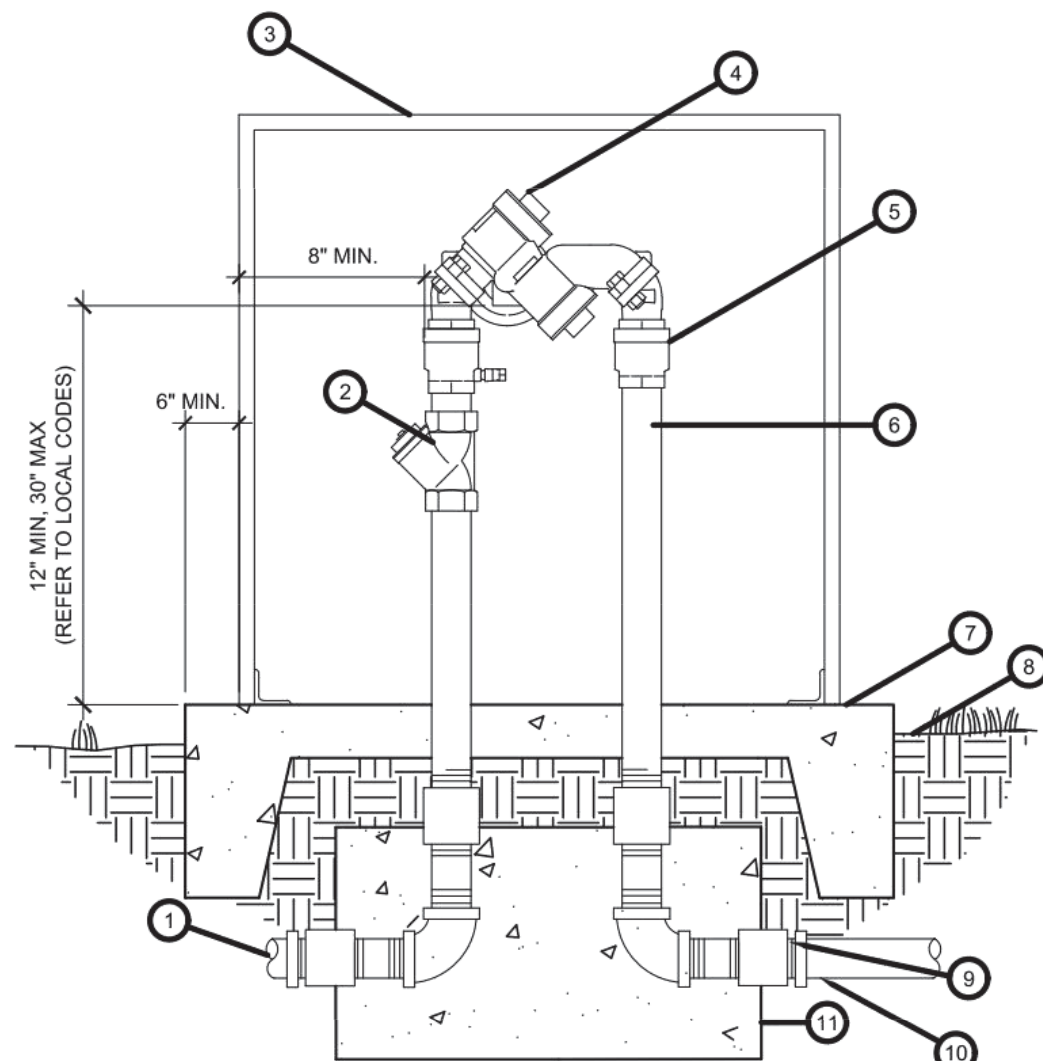


- NOTES:
- MOUNT CONTROLLER AND CABINET PER MANUFACTURER'S DIRECTIONS.
 - 120 V.A.C. POWER PROVIDED BY OTHERS. LANDSCAPE CONTRACTOR SHALL MAKE FINAL CONNECTION AT CONTROLLER. CONNECT TO ELECTRICAL SUPPLY PER NATIONAL ELECTRIC CODE AND LOCAL CODE.
 - LOCATE GROUND ROD 8' MIN. FROM CONTROLLER. VERIFY LOCATION OF GROUND ROD, CONTROLLER AND SOURCE OF ELECTRICITY WITH MANUFACTURER'S REPRESENTATIVE AND OWNER AS PART OF PRE CONSTRUCTION MEETING.

A CONTROLLER - WALL MOUNT, INDOOR
SCALE: NTS



B RAIN SENSOR, ROOF MOUNT
SCALE: NTS



C BACKFLOW PREVENTER
SCALE: NTS

- CONTROLLER PER LEGEND
- 1/2" ELECTRICAL CONDUIT BETWEEN CONTROLLER AND ELECT. BOX CLAMP TO WALL
- SENSOR MONITOR PANEL OR RECEIVER (WHERE OCCURS)
- WALL (WHERE OCCURS)
- 120 VOLT SERVICE IN WATERPROOF JUNCTION BOX WITH DISCONNECT SWITCH. INSTALL INSIDE STAINLESS ENCLOSURE
- C-CLAMPS (TYP.)
- CONDUIT(S) FOR 24 VOLT CONTROL WIRES. CLAMP TO WALL. USE 1 CONDUIT FOR 0-24 STATIONS. USE 2 CONDUITS FOR 25-48 STATIONS
- SENSOR CABLES IN CONDUITS (WHERE OCCURS)
- GROUNDING PER MANUFACTURER
- FINISH FLOOR SURFACE

REVISION DESCRIPTION

TOWN COMMENTS

TOWN COMMENTS

TOWN COMMENTS

TOWN COMMENTS

TOWN COMMENTS

TOWN COMMENTS

TOWN COMMENTS

TOWN COMMENTS

TOWN COMMENTS

CHRISTIAN BROTHERS AUTOMOTIVE
TOWN OF FIRESTONE
WELD COUNTY
CHRISTIAN BROTHERS AUTOMOTIVE
6179 FIRESTONE BOULEVARD
IRRIGATION DETAILS I

PREPARED UNDER THE DIRECT SUPERVISION OF

FOR AND ON BEHALF OF BASELINE CORPORATION

INITIAL SUBMITTAL 12/9/2019

DRAWING SIZE 22" X 34"

SURVEY FIRM SURVEY DATE

BEC 9/26/2019

JOB NO. C03414

DRAWING NAME C17 IRRIGATION.dwg

SHEET 18 OF 21

C18

BASELINE
Engineering • Planning • Surveying

DESIGNED BY LTV
DRAWN BY LTV
CHECKED BY MDS

PREPARED BY MDS
DATE 1/31/2020
MDS 4/9/2020

REVISION DESCRIPTION

TOWN COMMENTS

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3/18/2020

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N:\co3414 - CBA Firestone\Drawings\Planning Documents\FDP\C17 IRRIGATION.dwg, 4/8/2020 12:15:58 PM, Michael Swanton

FINAL DEVELOPMENT PLAN

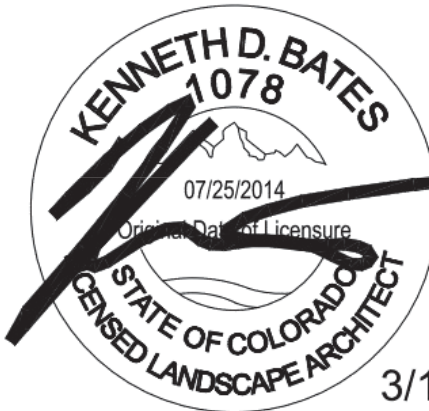
OAK MEADOWS VILLAGE FILING 1 LOT 3 BLOCK 1, SECTION 6, TOWNSHIP 2 NORTH, RANGE 67 WEST

OF THE 6TH P.M., TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO

CHRISTIAN BROTHERS AUTOMOTIVE

IRRIGATION DETAILS II

SHEET 19 OF 21



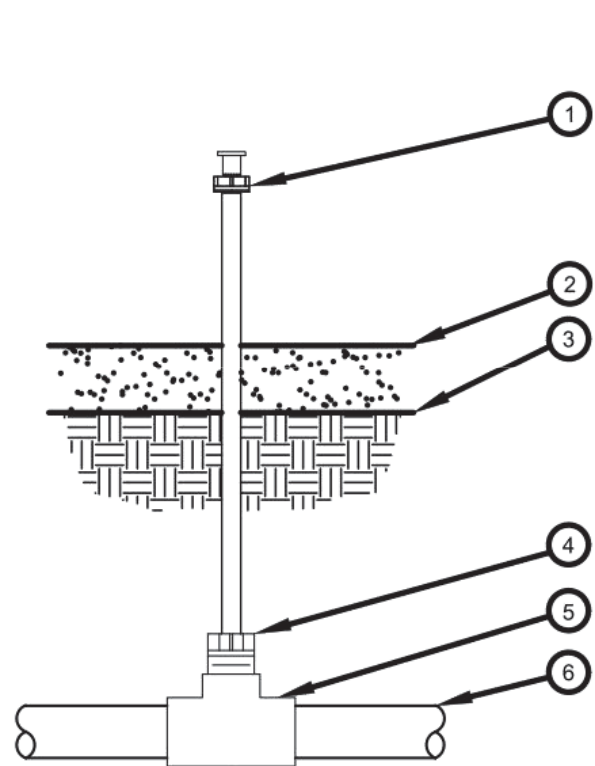
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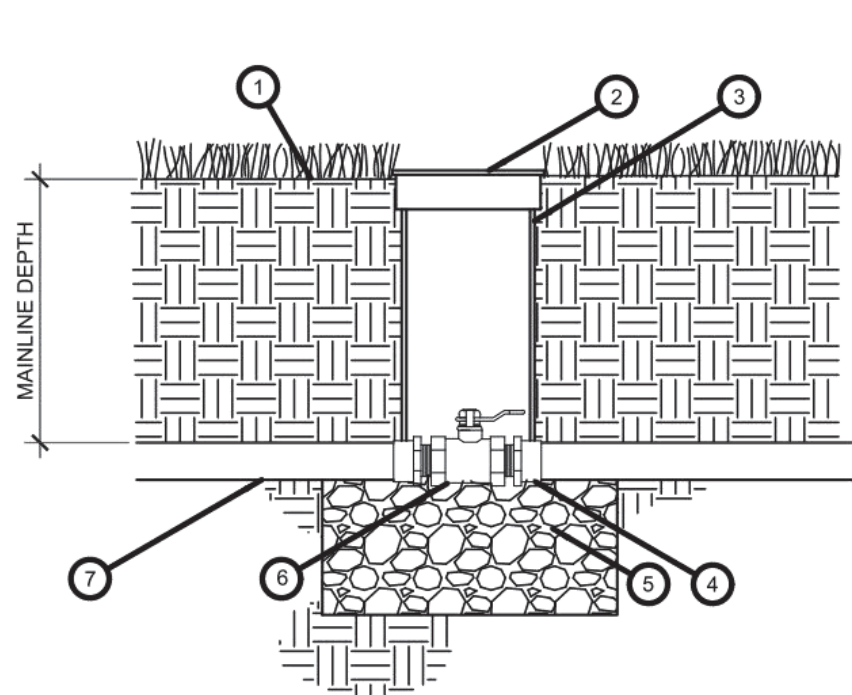
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1. PRESSURE-COMPENSATING MODULE 1032 THREADED INLET X BARB OUTLET EMITTER WITH PC DIFFUSER CAP;
2. RAIN BIRD PC MODULE WITH PC DIFFUSER TOP OF MULCH
3. FINISH GRADE
4. POLYFLEX RISER AND ADAPTER ASSEMBLY: RAIN BIRD PFR-FRA
5. PVC SCH 40 TEE OR ELL
6. PVC LATERAL PIPE

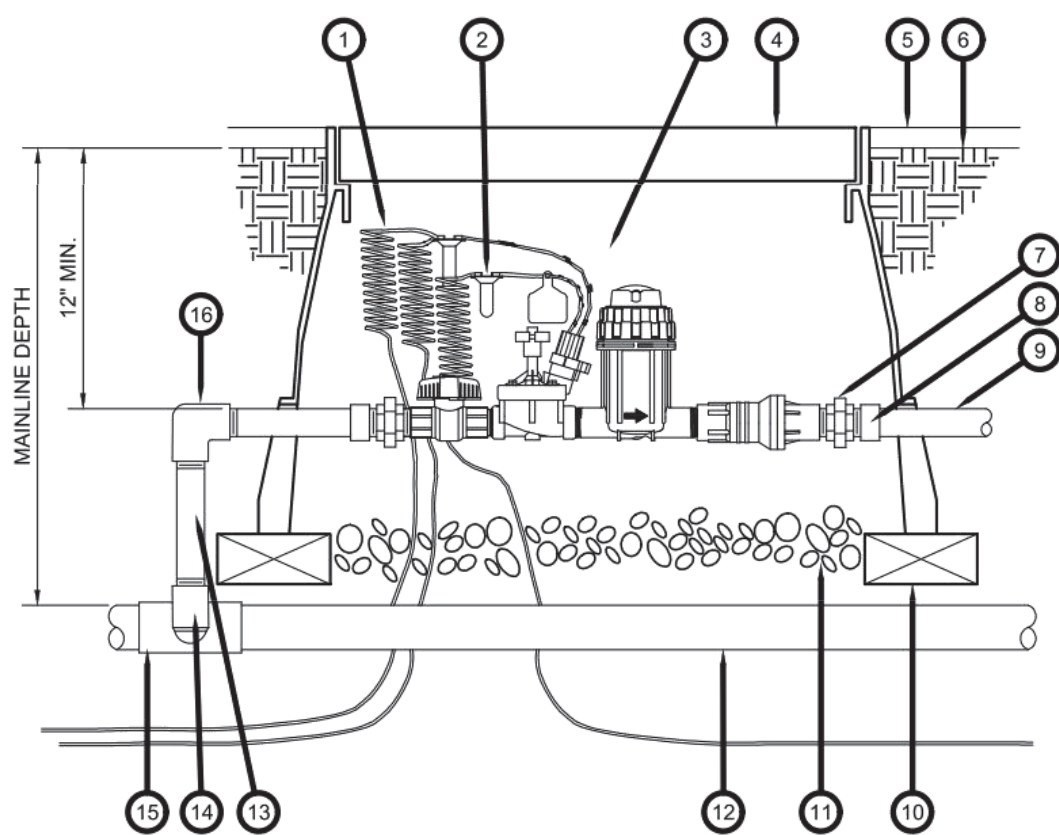
NOTES:
1. RAIN BIRD PC 1032 THREADED X BARB EMITTERS ARE AVAILABLE IN THE FOLLOWING MODELS:
PC-05-1032 5 GPH PC-07-1032 7 GPH PC-10-1032 10 GPH
2. PC DIFFUSER CAPS ARE AVAILABLE IN BOTH BLACK AND PURPLE.

H PRESSURE COMPENSATING MODULE 10-32 THREAD WITH A DIFFUSER CAP ON A POLYFLEX RISER INTO A PVC TEE
SCALE: NOT TO SCALE



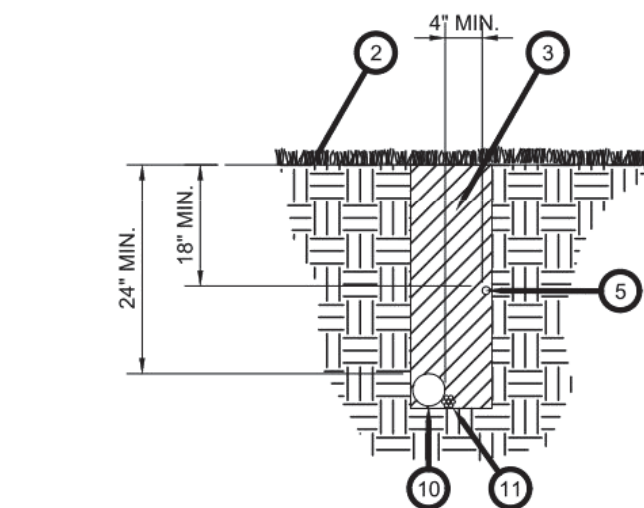
1. FINISH GRADE AT 1" BELOW TOP OF BOX IN TURF AREAS; 2" BELOW TOP OF BOX IN SHRUB/GROUND COVER AREAS
2. 6" ROUND VALVE BOX WITH LOCKABLE LID
3. EXTENSION SECTION AS NECESSARY TO MEET GRADE
4. PVC MALE ADAPTER
5. 3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL
6. BRASS BALL VALVE (SIZED PER MAINLINE)
7. IRRIGATION MAINLINE

F BRASS BALL VALVE
SCALE: NTS

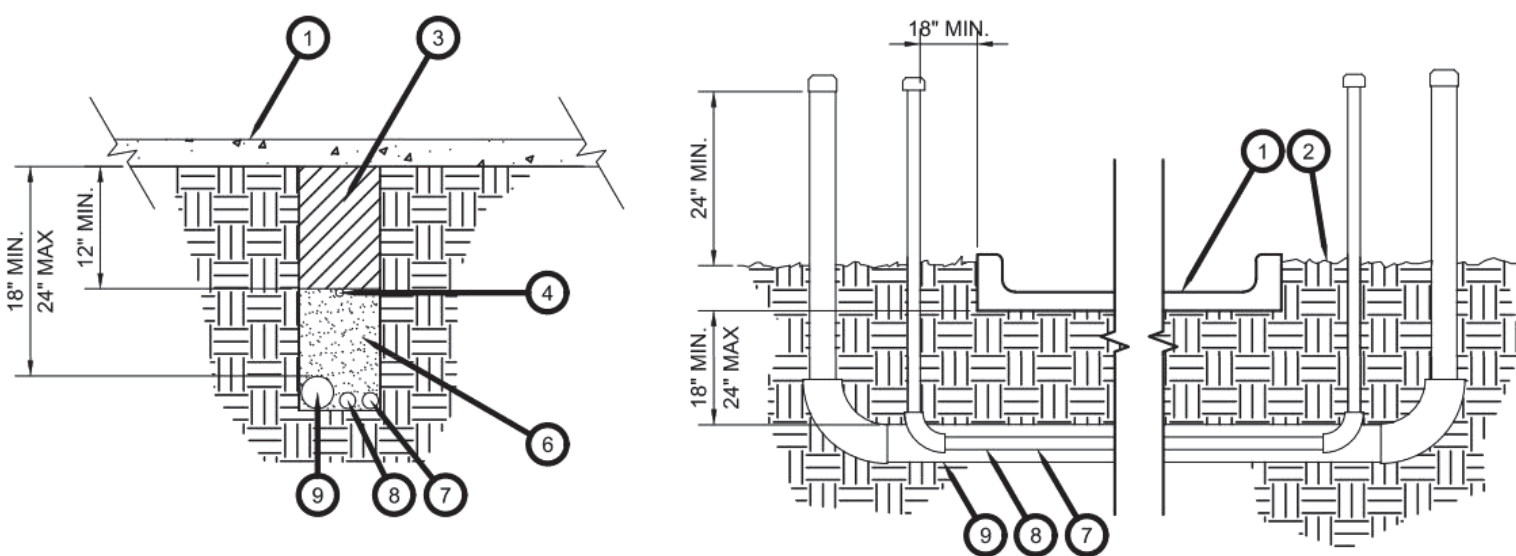


1. 30-INCH LINEAR LENGTH OF WIRE, COILED
2. WATERPROOF CONNECTION (ANY APPROVED)
3. REMOTE CONTROL VALVE ASSEMBLY
4. JUMBO PLASTIC VALVE BOX BY CARSON (OR EQUAL)
5. TOP OF MULCH
6. FINISHED GRADE-1" BELOW TOP OF BOX IN TURF AREAS, 2" IN SHRUB AREAS
7. PVC UNION (2)
8. PVC SCH 40 MALE ADAPTER (2)
9. PVC LATERAL PIPE
10. BRICK (1 OF 4)
11. 3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL
12. PVC MAINLINE PIPE
13. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
14. SCH. 40 PVC ELL
15. SCH. 40 PVC TEE OR ELL
16. SCH. 40 PVC THREADED ELL

D DRIP CONTROL ZONE KIT
SCALE: NTS

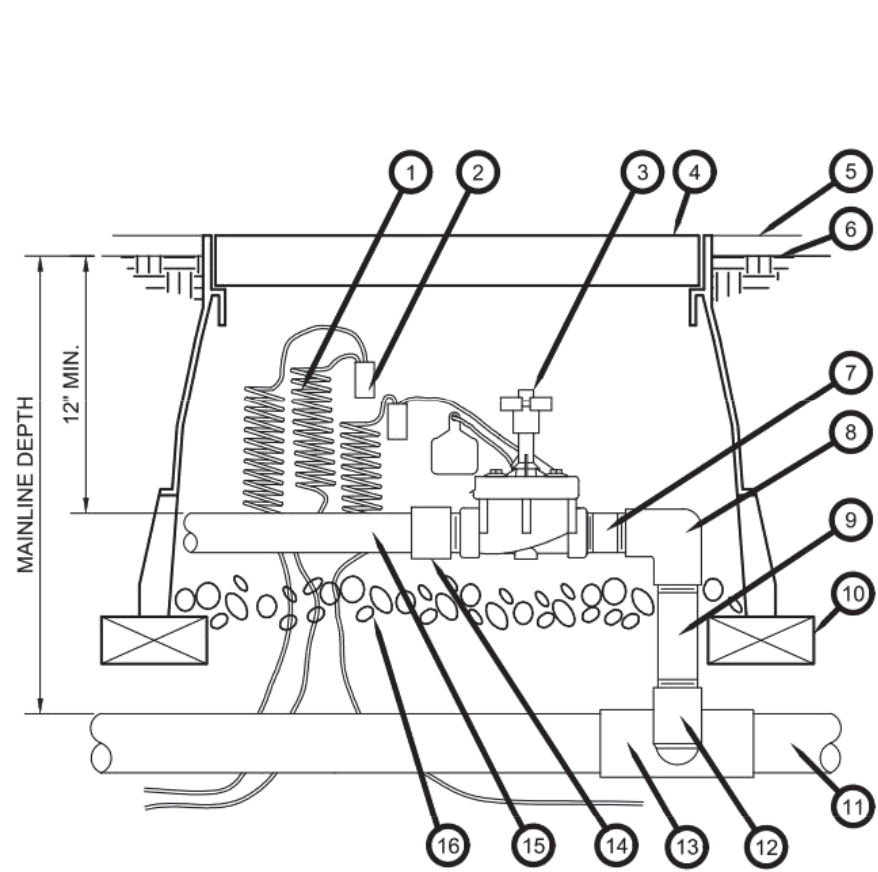


1. PAVEMENT SURFACE
2. FINISH GRADE
3. TRENCH BACKFILL
4. LOCATOR WIRE W/BURIED CAUTION TAPE
5. PVC IRRIGATION LATERAL
6. SAND BACKFILL
7. SCH. 40 PVC LATERAL SLEEVE - SEE PLANS FOR SIZE
8. SCH. 40 PVC WIRE SLEEVE FOR CONTROL WIRES, MIN. 2" DIA.
9. SCH. 40 PVC MAINLINE SLEEVE - SEE PLANS FOR SIZE
10. PVC IRRIGATION MAINLINE
11. CONTROL WIRES - TAPE TO MAINLINE AT 10' INTERVALS
12. PVC CAP, SOLVENT WELDED



SLEEVING

G PIPE AND SLEEVE INSTALLATION
SCALE: NTS



1. 30-INCH LINEAR LENGTH OF WIRE, COILED
2. WATERPROOF CONNECTION (ANY APPROVED)
3. REMOTE CONTROL VALVE
4. JUMBO PLASTIC VALVE BOX BY CARSON (OR EQUAL)
5. TOP OF MULCH
6. FINISHED GRADE-1" BELOW TOP OF BOX IN TURF AREAS, 2" IN SHRUB AREAS
7. PVC SCH 80 NIPPLE (CLOSE)
8. PVC SCH 40 ELL
9. PVC SCH 80 NIPPLE (LENGTH AS REQUIRED)
10. BRICK (1 OF 4)
11. PVC MAINLINE PIPE
12. SCH. 40 PVC ELL
13. PVC SCH 40 TEE OR ELL
14. PVC SCH 40 MALE ADAPTER
15. PVC LATERAL PIPE
16. 3-INCH MINIMUM DEPTH OF 3/4-INCH WASHED GRAVEL

E REMOTE CONTROL VALVE
SCALE: NTS



Know what's below.
Call before you dig.

CHRISTIAN BROTHERS AUTOMOTIVE

WELD COUNTY

CHRISTIAN BROTHERS AUTOMOTIVE

6179 FIRESTONE BOULEVARD

IRRIGATION DETAILS II

PREPARED UNDER THE DIRECT SUPERVISION OF

FOR AND ON BEHALF OF BASELINE CORPORATION	
INITIAL SUBMITTAL	12/9/2019
DRAWING SIZE	22" X 34"
SURVEY FIRM	BEC
SURVEY DATE	9/26/2019
JOB NO.	C03414
DRAWING NAME	C17 - IRRIGATION.dwg
SHEET	19 OF 21

C19

CHRISTIAN BROTHERS AUTOMOTIVE

SHEET 20 OF 21



BASELINE

Engineering • Planning • Surveying

1212 N RUBEY DRIVE, SUITE 210 • GOLDEN, COLORADO 80403
P. 303.940.9966 • F. 303.940.9959 • www.baaslinecorp.com

REVISION DESCRIPTION	PREPARED BY	DATE	DESIGNED BY
TOWN COMMENTS	MDS	1/31/2020	LTV
TOWN COMMENTS	MDS	4/9/2020	DRAWN BY LTV
			CHECKED BY MDS

CHRISTIAN BROTHERS AUTOMOTIVE
TOWN OF FIRESTONE
CHRISTIAN BROTHERS AUTOMOTIVE
6179 FIRESTONE BOULEVARD
WELD COUNTY
IRRIGATION DETAILS III

FOR AND ON BEHALF OF
BASELINE CORPORATION

INITIAL SUBMITTAL	12/9/2019
DRAWING SIZE	22" X 34"
SURVEY FIRM	SURVEY DATE
BEC	9/26/2019
JOB NO.	C03414
DRAWING NAME	
C17	IRRIGATION.dwg
SHEET	20 OF 21

C20



AUTOMATIC DRAIN VALVE
SCALE: NOT TO SCALE



BUBBLER
SCALE: NTS



FLUSH VALVE

SCALE: NTS



(

WATER TAP DIAGRAM



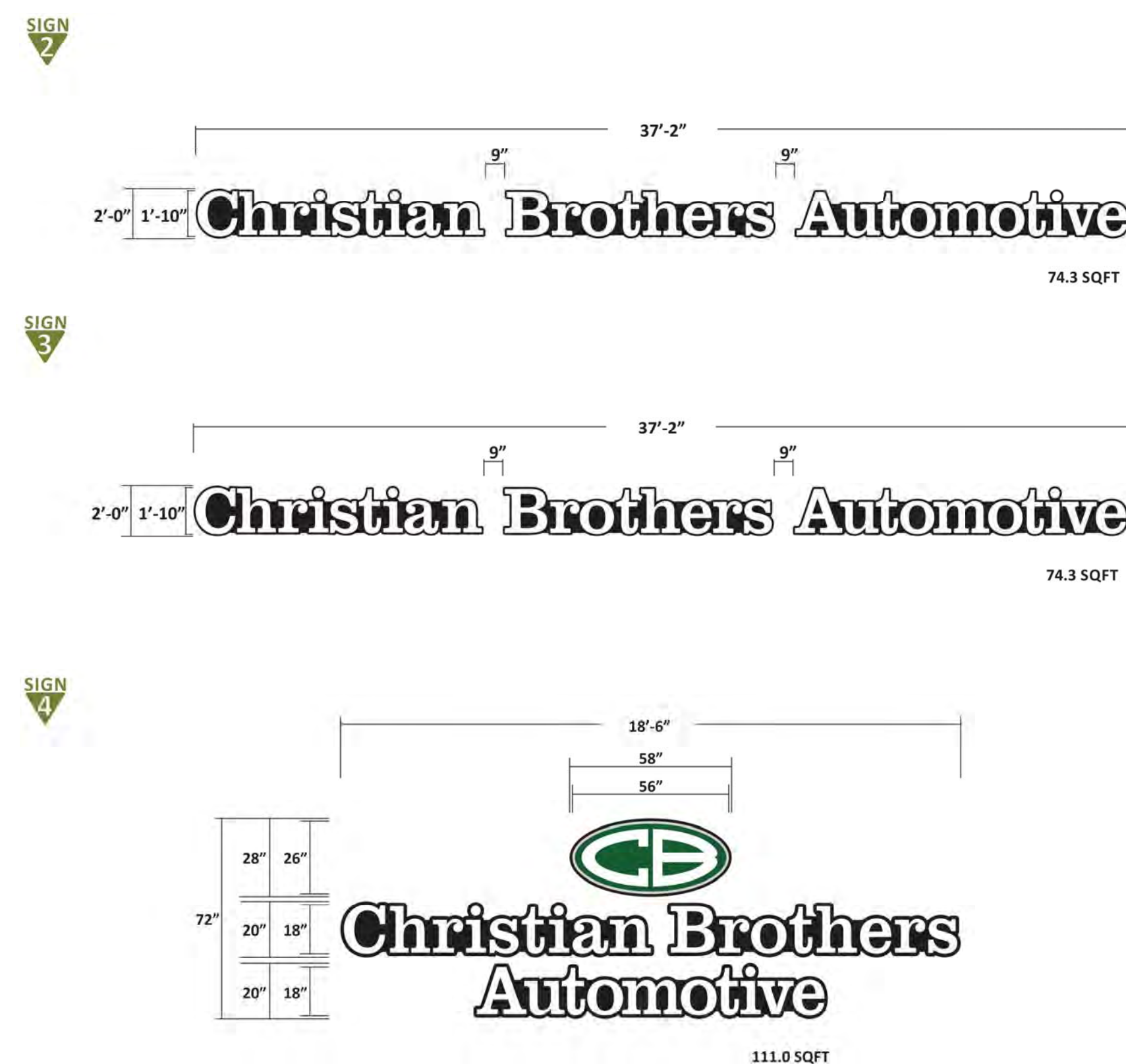
POP-UP SPRAY HEAD
SCALE: NTS



Know what's **below**.
Call before you dig.

CHRISTIAN BROTHERS AUTOMOTIVE

SHEET 21 OF 21





Staff Report

**FINAL DEVELOPMENT PLAN FOR LOT 3 LOCATED
WITHIN OAK MEADOWS VILLAGE FILING NO. 1**

Christian Brothers Automotive

**Prepared by the
Town of Firestone for the
Planning and Zoning Commission**

May 7, 2020

Applications

This staff report is for the Oak Meadows Village Filing 1 Lot 3 – Christian Brothers Automotive Final Development Plan (“FDP”). The applicant for the FDP is Christian Brothers Automotive. The property owner is Oak Meadows Commercial, LLC.

Notice

Pursuant to the Town of Firestone Municipal Code (“Code”) and Town of Firestone Development Regulations (“Regulations”), proper notification of the public hearing was published. Proof of notification to owners of interest and surrounding property owners and a property posting log will be provided by the applicants prior to the hearings.

Location and Process

The location of Oak Meadows Village commercial area is northeast of the intersection of Firestone Boulevard and Colorado Boulevard. The property is addressed as 6179 Firestone Boulevard.

The FDP process is the final step in the Firestone Development Review process prior to the building permit process.

Background

The Oak Meadows Village Filing No. 1 subdivision and Overall Final Development Plan (OFDP) was approved by the Town in 2006.

Site Analysis

Lot 3 of Oak Meadows Village Filing 1 is zoned as a planned unit development with the neighborhood center land use category (PUD-NC) and is approximately 0.98 acres in size. The lot abuts other commercial properties; some developed, others yet to be developed. The site is relatively flat and is accessed by an internal access drive. Utilities are readily available in the immediate area.

Plan Analysis

The FDP proposes:

- An automotive repair facility
 - 5,465 sf building
 - 24’ in height (less than the 35’ maximum allowed)
 - Building materials are compatible and consistent with the materials used on commercial buildings in the area:
 - Burgundy brick siding with white brick accents
 - Limestone veneer in sunset (tan) with white cast stone accents
 - Architectural composition shingle roof in hunter greenElevations are included in the FDP included in this packet.
 - The building is oriented so that the bays are not parallel with Firestone Blvd.
- 39 parking spaces including 9 internal building bays and two ADA compliant stalls (in excess of the required 1 space per 250 sf of building)
- Perimeter and parking lot landscaping – 39% of the property
- Access from the internal access drive to the north of the property with an cross access easement to the property to the west; pedestrian access from the access drive to the north
- Enclosed trash area constructed with materials that match the main building

The FDP is consistent with the Oak Meadows Village OFDP. Please see the enclosed FDP for more information and details.

Fiscal Impacts

The development of commercial uses augments sales tax collection potential.

Utility and Services

Public infrastructure and utilities are generally available or will be extended to the property by the developer at the time of the development.

Planning and Zoning Commission and Board of Trustees Conditions and Standards for Approval

For your general reference, attached are the conditions and standards of approval for a PUD district that are stated in the Firestone Development Regulations.

Conditions and Standards for Approval

The Planning Commission and the Town Board of Trustees may approve a PUD application if it meets the intent of these Regulations and complies with the Town Code and other controlling regulations and documents, including the development standards specified herein. The Planning Commission and Town Board shall consider the following in making their decision for approval, approval with conditions, or denial of a PUD:

- A. The proposed PUD district is compatible with present development in the surrounding area, and will not have a significant, adverse effect on the surrounding area;
- B. The proposed PUD district is consistent with the public health, safety and welfare, as well as efficiency and economy in the use of land and its resources;
- C. The proposed PUD district is consistent with the overall direction, intent of Titles 16 and 17 of the Town Code, and the intent and policies of the Town's comprehensive plan and other policy documents of the Town;
- D. The proposed PUD district provides for a creative and innovative design which could not otherwise be achieved through other standard zoning districts;
- E. The exceptions from the zoning regulations requested in the proposed PUD are warranted by virtue of innovative design and amenities incorporated in the PUD district;
- F. The PUD provides adequate circulation in terms of internal street circulation system, designed for the type of traffic generated, for separate living areas, convenience, safety, access, and noise and exhaust control. Proper circulation in parking areas shall be provided in terms of safety, convenience, separation and screening. The PUD should provide for buffering from collector and arterial streets through earthen berms, landscaping, and other methods;
- G. The PUD provides functional open space in terms of practical usability and accessibility, and optimum preservation of natural features, including trees and drainage areas, recreation, views, natural stream courses, bodies of water and wetlands;

- H. To the extent practicable, the PUD provides variety in terms of housing types, housing size, densities, facilities and open space;
- I. The PUD provides for pedestrian and bicycle traffic in terms of safety, separation, convenience, access, destination and attractiveness. If possible, there shall be an internal pedestrian circulation system separate from the vehicular system such that allows access to adjacent parcels, parks, open space, or recreational facilities within the PUD as well as links to trail systems of the Town;
- J. Building types in terms of appropriateness to density, site relationship and bulk;
- K. Building design in terms of orientation, spacing, materials, color, texture, storage, signs and lighting;
- L. Landscaping of the site in terms of purpose, such as screening, types and materials used, maintenance suitability, water demands and effect on the area;
- M. Services including utilities, fire, police protection and other such services are available or can be made available to adequately serve the development;
- N. No structures in the PUD shall encroach on a floodplain except as permitted by the Town's floodplain ordinance;
- O. No occupied structure shall be located on ground showing severe subsidence potential without adequate design and study approved by the Town;
- P. Visual relief and variety of visual sitings shall be located within the PUD through building placement, shortened or interrupted street vistas, visual access to open space and other design methods;
- Q. The fiscal impacts on the Town, relative to expected service provision costs and anticipated revenue to the Town;
- R. Compliance with the provisions of any applicable intergovernmental agreements;
- S. The PUD incorporates a lighting plan and facilities to minimize of light drift outside the PUD in an effort to help preserve the night sky;
- T. To the extent reasonably practicable, the PUD shall strive to incorporate "green" building standards and design guidelines for all residential and commercial development in an effort increase energy efficiency and reduce energy consumption;
- U. To the extent reasonably practicable, the PUD shall strive to incorporate renewable energy technologies;
- V. To the extent reasonably practicable, the PUD shall strive to incorporate best management practices in recycling, water conservation, soils preservation and sustainable development practices;
- W. To the extent reasonably practicable, the PUD shall strive to incorporate Infrastructure design that emphasizes technology that will encourage the development of "knowledge workers" and will facilitate telecommuting.

Planning Commission or Board of Trustees Action

The Planning Commission Board or Board of Trustees has the following options relative to the action on applications in general. As necessary additional information relative to continuances, etc. can be provided by the Town Attorney.

- A. Make a decision and vote on the application, using the draft resolution previously prepared, as may be amended during the hearing; or
- B. Make a decision and vote on the application, but request the Town Attorney to prepare findings of fact and conclusions for approval and adoption at the next regular meeting; or
- C. Defer a decision and direct the Town Attorney to prepare findings of fact and conclusions to be submitted to the Board of Trustees at its next regular meeting, with final deliberation, decision and adoption of the findings of fact and conclusion at that meeting; or
- D. Defer a decision until a date certain, as is mutually agreed upon by the Applicant and the Board of Trustees, by which time the record and all evidence can be reviewed. At that time the Board of Trustees can either adopt findings of fact and conclusions or direct the Town Attorney to prepare findings of fact and conclusions for adoption at the next regular meeting after the meeting to which the matter has been deferred.

RECOMMENDATION

Town staff recommends the Planning Commission approve Resolution PC-20-05, a resolution recommending approval of the application to the Board of Trustees with conditions.

**RESOLUTION PC-20-05— RECOMMENDATION TO THE
TOWN BOARD OF TRUSTEES — APPROVAL OF OAK
MEADOWS VILLAGE FILING NO. 1, LOT 3 —
CHRISTIAN BROTHERS FINAL DEVELOPMENT PLAN**



Planning Commission — May 7, 2020

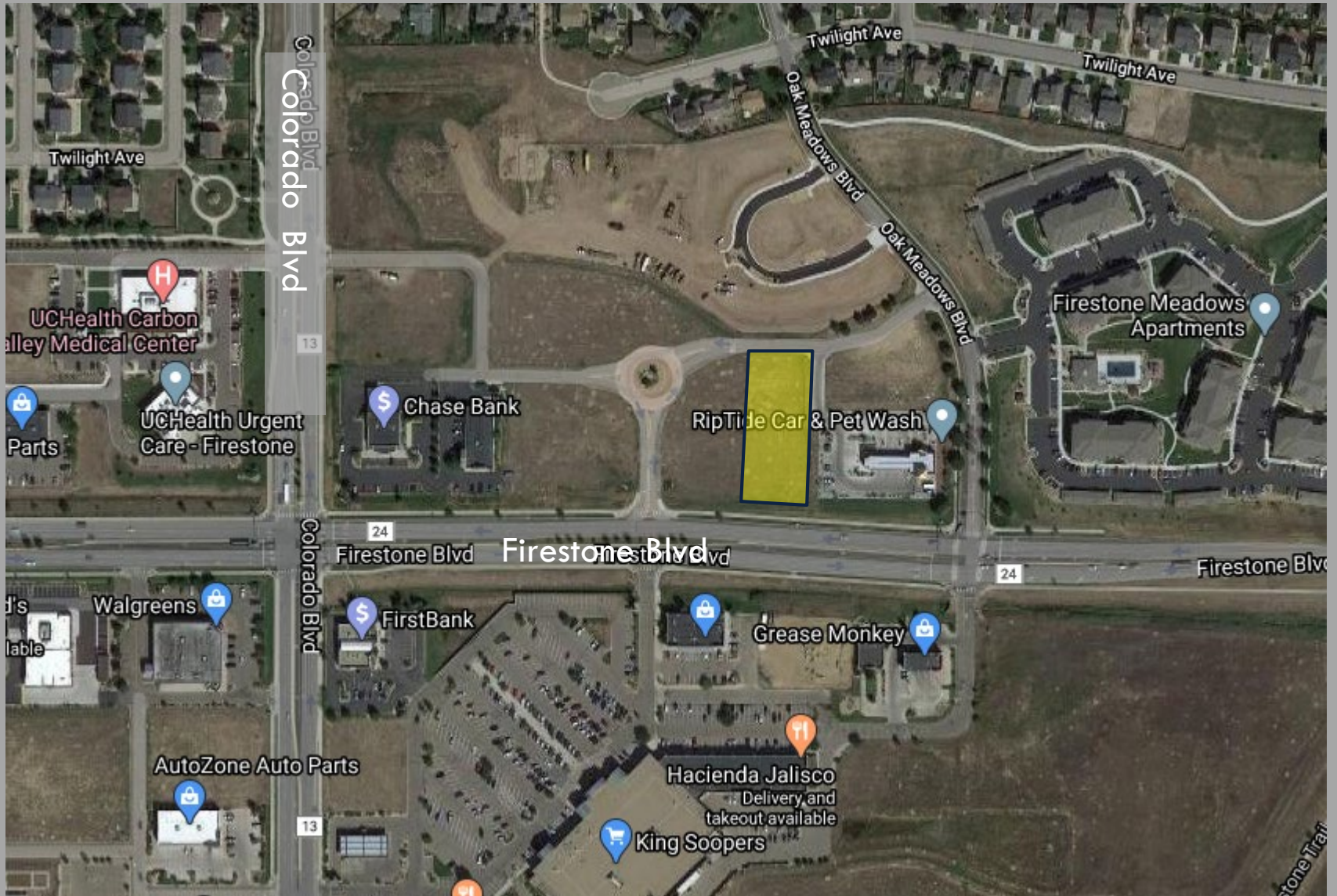
Process



Development Flow Chart | Firestone PUD Zoning

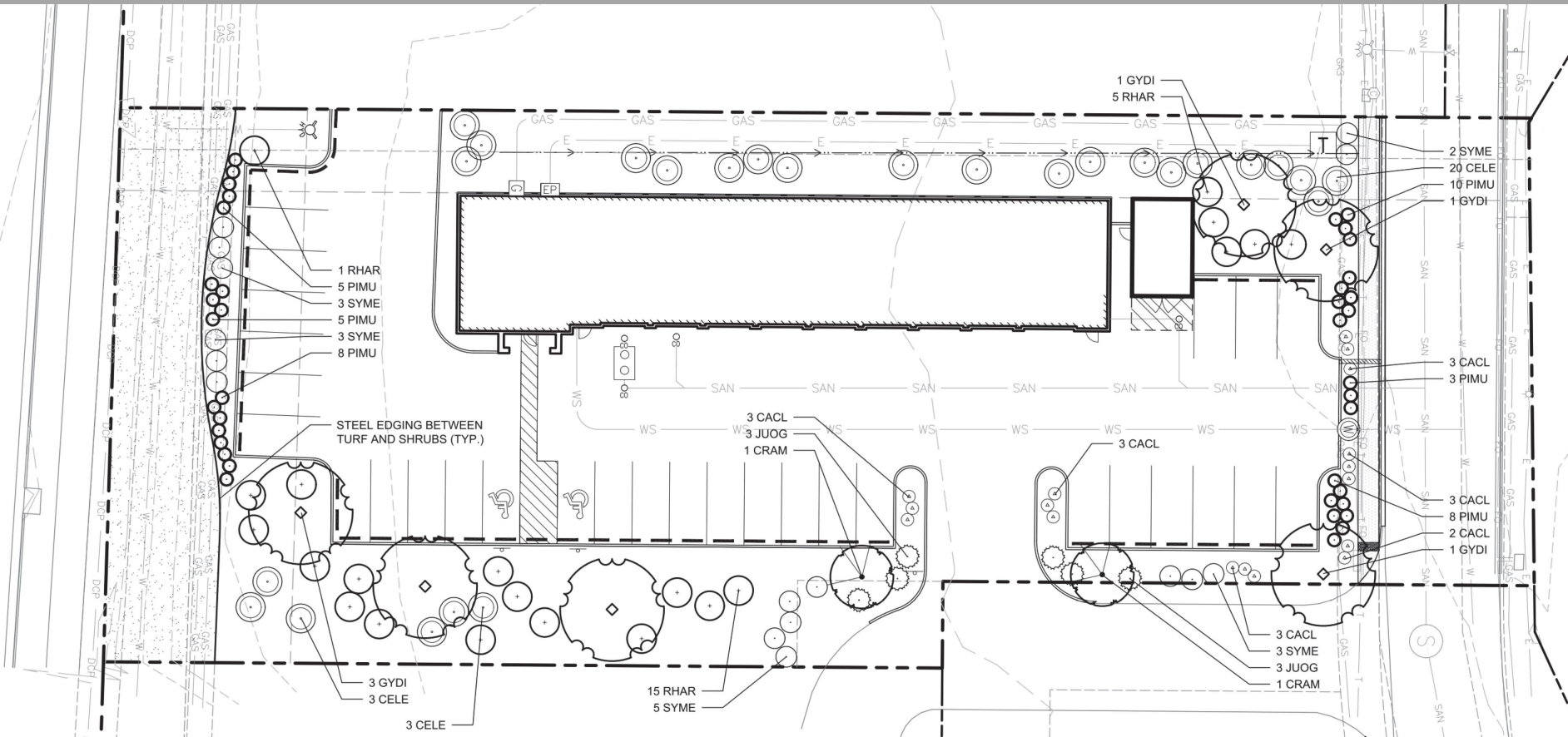


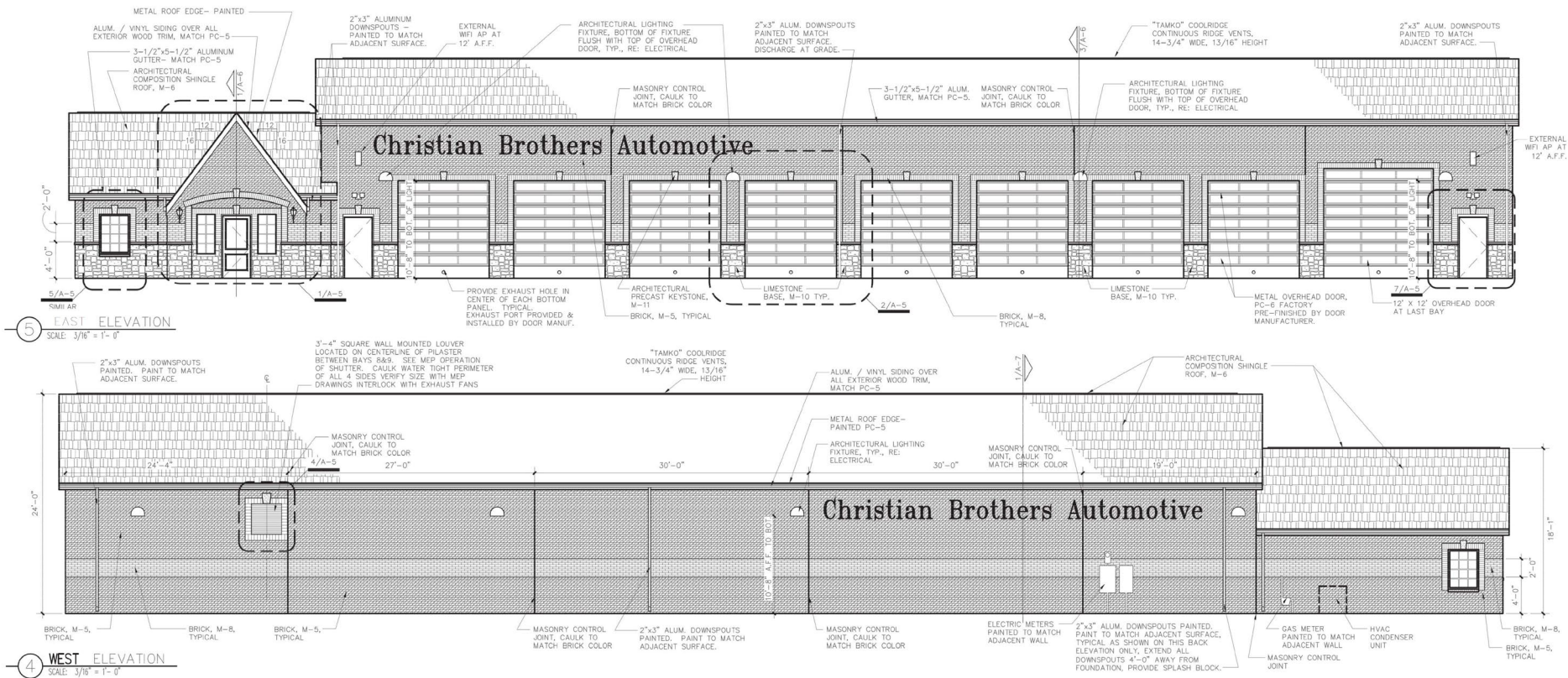
Location

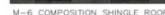
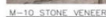


Site









NOTES:

- ALL SIGNAGE TO BE REVIEWED AND APPROVED SEPARATELY.
- HVAC AIR HANDLER IS LOCATED IN ATTIC. CONDENSER UNIT IS GROUND MOUNTED AS SHOWN
- ALL ROOF PENETRATIONS ARE PAINTED BLACK UNLESS METAL ROOF. PAINT TO MATCH.
- SEE SHEET A-2.1 FOR MATERIAL SCHEDULE
- EXTERNAL WIFI LOCATIONS TO BE VERIFIED WITH CBAC PROJECT MANAGER.

ALIGN ALL BANDING
WITH ADJACENT MECH.
BAYS. ALL BRICK
COLORS ARE TO MATCH
ADJ. MECH. BAYS.

DBL GATES WITH
STEEL FRAME.
GATES AS SHOWN
WITH STEEL
PANELS. ONE
COAT PRIMER,
TWO COATS PAINT
COLOR PC-6
BOTH SIDES

ANCHOR
POSTS IN
DUMPSTER
FOUNDATION.

STEEL GATE WITH BUILT-IN STOPS
AND HOLD OPEN AS MANUFACTURED
BY FALCON. CONTACT: ROBERT
MARTIN. PHONE: (800) 333-1333.

Staff Recommendations



Staff Recommends that the Planning Commission:

- 1) Approve Resolution PC-20-05; a resolution recommending approval of a final plat Oak Meadows Village Filing 1 Lot 3 – Christian Brothers Automotive Final Development Plan with conditions to the Board of Trustees.

From: [Kristin Nolan Schelwat](#)
To: [Millissa Berry](#)
Cc: [Noah Nemmers](#); [Michael Swanton](#); [Chris Barteau](#); [Jonathan Wakefield](#)
Subject: CBH Properties Firestone
Date: Thursday, April 23, 2020 8:01:21 AM

Caution: This email originated from outside of the Town of Firestone. Use caution - Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ms. Berry:

I represent CBH Properties Firestone, LLC in connection with its pending application with the Town of Firestone. CBH Properties Firestone, LLC, as the applicant in such application, hereby expressly authorizes the Town to proceed with conducting the Planning and Zoning Commission and Town Board public hearings for the FDP for Oak Meadows Village Lot 3 - Christian Brothers Automotive under the Town's Orientation Telephonic Participation Policy. The applicant understands that the hearing will include accommodations made for Telephonic Participation by the applicant and/or the public. The applicant is waiving any legal challenge on the basis that the hearing will be conducted via Telephone Participation.

Regards,

Kristin N. Schelwat
Schelwat Law, LLC
16350 E. Arapahoe Road
Suite 108-102
Foxfield, CO 80016
(720) 252-6764

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AGENDA INFORMATION MEMORANDUM

TOWN OF FIRESTONE PLANNING AND ZONING COMMISSION



AIM#: 7.b

Public Hearings

Meeting Date: May 7, 2020

Initiated By: Todd Bjerkaas

Dept: Planning & Development

AGENDA TITLE

Resolution PC-20-06: A RESOLUTION OF THE FIRESTONE PLANNING AND ZONING COMMISSION RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE AN ORDINANCE REPEALING TITLES 16 AND 17 OF THE FIRESTONE MUNICIPAL CODE AND THE FIRESTONE DEVELOPMENT REGULATIONS IN THEIR ENTIRETY AND REENACTING TITLE 16 OF THE FIRESTONE MUNICIPAL CODE ADOPTING AND ESTABLISHING THE FIRESTONE DEVELOPMENT CODE AS THE OFFICIAL ZONING CODE FOR THE TOWN OF FIRESTONE

SUMMARY

In conjunction with Town Staff and pursuant to the Board of Trustees direction, for the Planning Commission's consideration is a resolution recommending approval to the Board of Trustees a new unified development code entitled the Firestone Development Code (FDC). The proposed FDC replaces in their entirety Titles 16 (Subdivision) and 17 (Zoning) of the Firestone Municipal Code as well as the separately adopted Firestone Development Regulations.

As summarized at the joint study session between the Board of Trustees and Planning Commission, the Firestone Development Code compiles all land use related regulations including zoning, subdivision, land use processes, and other development related subjects for the Town of Firestone into a single unified development code.

To better facilitate the public hearing for this code adoption, staff will present the Firestone Development Code across two meetings. At the May 7, 2020 meeting, staff will present a majority of the chapters of the FDC as included in the attached PDF (which excludes Chapter 6, *Development and Design Standards* and Chapter 12, *Telecommunications*). At the May 21, 2020 Planning Commission meeting, staff will present the remaining portions of the FDC. Staff will include these remaining chapters in the packet materials for the May 21, 2020 meeting.

HISTORY AND PREVIOUS BOARD ACTION

RECOMMENDATION

Staff recommends continuing the public hearing and approving the resolution recommending approval of the Firestone Development Code at the May 21, 2020 regular meeting of the Planning Commission.

ATTACHMENTS

1. RESOLUTION NO: PC-20-06 Firestone Development Code Adoption
2. Firestone Development Code - May 2020

FIRESTONE PLANNING AND ZONING COMMISSION

RESOLUTION NO. PC-20-06

**A RESOLUTION OF THE FIRESTONE PLANNING AND ZONING COMMISSION
RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE AN ORDINANCE
REPEALING TITLES 16 AND 17 OF THE FIRESTONE MUNICIPAL CODE AND THE
FIRESTONE DEVELOPMENT REGULATIONS IN THEIR ENTIRETY AND
REENACTING TITLE 16 OF THE FIRESTONE MUNICIPAL CODE ADOPTING AND
ESTABLISHING THE FIRESTONE DEVELOPMENT CODE AS THE OFFICIAL
ZONING CODE FOR THE TOWN OF FIRESTONE**

WHEREAS, a Unified Development Code (“UDC”) has been identified as a critical tool in the implementation of the Town’s updated master plans; and

WHEREAS, the UDC, entitled the Firestone Development Code (“FDC”) is intended to establish land use regulations and to promote orderly development within the Town of Firestone; and

WHEREAS, the FDC is a compilation of development regulations included in zoning, subdivision, and other land use and development related ordinances and regulations, replacing replaces the previously adopted zoning and subdivision ordinances that were found in Title 16 and Title 17 of the Firestone Municipal Code; and

WHEREAS, the Firestone Planning and Zoning Commission has reviewed the ordinance and the draft FDC, and considered the merits of this ordinance; and

WHEREAS, the Firestone Planning and Zoning Commission wishes to make a recommendation to the Board of Trustees regarding the ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE FIRESTONE PLANNING AND ZONING COMMISSION:

1. That the Firestone Planning and Zoning Commission recommends approval of the ordinance repealing Titles 16 and 17 of the Firestone Municipal Code and the Firestone Development Regulations in their entirety and re-enacting Title 16 of the Firestone Municipal Code adopting and establishing the Firestone Development Code as the official zoning code for the Town of Firestone to the Town of Firestone Board of Trustees with no changes.

INTRODUCED, READ AND ADOPTED AT A REGULAR MEETING OF THE
FIRESTONE PLANNING AND ZONING COMMISSION THE __TH DAY OF _____, 2020.

Chairperson

ATTEST:

Secretary/Clerk Pro-Tem



**FIRESTONE
DEVELOPMENT
CODE**

MAY 2020

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CHAPTER 1: GENERAL PROVISIONS

10.1.1 TITLE AND EFFECTIVE DATE

The Firestone Development Code may be referred to throughout this document as “this FDC.”

10.1.2 AUTHORITY

This FDC is enacted pursuant to the powers granted and limitations imposed on municipalities by the laws of the State of Colorado, including without limitation C.R.S. §29-20-101 *et seq.* (Local Government and Land Use Enabling Act). This FDC has been adopted by reference into the Firestone Municipal Code (Ordinance 2020-___).

10.1.3 PURPOSE OF THIS TITLE

A. General Purpose

This FDC has as its general purpose the promotion of the health, safety, and general welfare of the Town of Firestone (“Town”).

B. Specific Purposes

The provisions of this FDC are specifically intended to:

1. Foster quality, compatible, and efficient relationships among land uses;
2. Promote a healthy and convenient distribution of population by regulating and limiting the density of development;
3. Ensure greater public safety and accessibility through quality physical design and location of land use activities;
4. Encourage the efficient use of the available land supply;
5. Promote a balanced supply of residential, commercial, industrial, institutional, and transportation land uses that are substantially compatible with adjacent land uses and that have good access to transportation networks;
6. Preserve the character and quality of the Town’s residential neighborhoods;
7. Promote a balanced, diverse supply of quality housing located in safe and livable neighborhoods;
8. Enhance the appearance, visual scale, orientation, quality, and mix of land uses of new developments;
9. Ensure that developments are substantially compatible with the Town’s Comprehensive Master Plan;
10. Promote the vitality and development of the Town’s major employment centers, town centers, and its other commercial and mixed-use districts;
11. Manage traffic congestion in the streets;
12. Ensure the provision of adequate open space for light, air, and recreation;
13. Preserve the value of buildings and land;
14. Manage the preservation of existing trees and vegetation, wetlands, floodplains, wildlife and habitat, stream corridors, scenic views, and other areas of scenic and environmental significance from adverse impacts of land development;

15. Encourage development of a sustainable and accessible system of recreational facilities, parks, trails, and open space that meets year-round neighborhood and community-wide needs;
16. Facilitate and cooperate with other governments to provide adequate and safe provision of transportation, water, wastewater, storm drainage, schools, parks, and other public facilities;
17. Provide a clear, timely, business friendly development processing atmosphere, particularly for retail, commercial, and primary employer developments;
18. Ensure that service demands of new development will not exceed the capabilities of existing streets, utilities, or other public facilities and services.

10.1.4 APPLICABILITY AND JURISDICTION

A. Jurisdiction

This territorial jurisdiction of this FDC shall include all land located within the legal boundaries of the Town or to a limited extent those lands that desire to annex to the Town through a formal petition process FDC.

B. Application to Governmental Agencies

To the extent permitted by law, the provisions of this FDC shall apply to all land, buildings, structures, and uses owned by government agencies in the Town. Where the provisions of this FDC do not legally apply to such land, buildings, structures, and uses owned by government agencies, such agencies are encouraged to meet the provisions of this FDC. Land, buildings, structures, and uses owned, maintained, or operated by the Town of Firestone or their agents and assigns are expressly exempted from the requirements of this FDC.

C. Compliance Required

No building or structure shall be designed, erected, converted, enlarged, reconstructed, altered, used or occupied, nor shall any land be used, occupied or changed, except in conformity with this FDC. No lot of record that did not exist on the effective date of this FDC shall be created, by subdivision or otherwise, that does not conform to the applicable requirements of this FDC.

10.1.5 EASEMENTS

Development or encroachment within any easement area shall require authorization from the easement holder. Development within any easement owned by or benefiting the Town shall require specific written permission from the Town.

10.1.6 INTERPRETATION

The provisions of this FDC shall be held to be minimum requirements adopted for the promotion of the public health, safety, and welfare.

10.1.7 LIABILITY FOR DAMAGES

This FDC shall not be construed to hold the Town or its authorized representatives responsible for any damage to persons or property by reason of inspection or re-inspection authorized in this FDC or failure to inspect or re-inspect, or by reason of issuing a building permit as provided in this FDC.

10.1.8 CONFLICTING PROVISIONS

A. Conflict with Other Public Laws, Ordinances, Regulations, or Permits

This FDC is intended to complement other Town, State, and Federal regulations that affect land use. This FDC is not intended to revoke or repeal any other Town, State or Federal law, ordinance, regulation, or permit. However, where conditions, standards, or requirements imposed by any provision of this FDC are either more restrictive or less restrictive than comparable standards imposed by any other Town, State or Federal law, ordinance, or regulation, the provisions that are more restrictive or that impose higher standards or requirements shall govern.

B. Conflict with Private Agreements

This FDC is not intended to revoke or repeal any easement, covenant, or other private agreement. In no case shall the Town be obligated to enforce the provisions of any easements, covenants, or agreements between private parties.

10.1.9 TRANSITIONAL REGULATIONS

A. Purpose

The purpose of transitional regulations is to resolve the status of properties with pending applications or recent approvals, as those terms are used below, and properties with outstanding violations, at the time of the adoption of this FDC.

B. Violations Continue

Any violation of the previous Zoning Regulation or Subdivision Regulation of the Municipal Ordinance shall continue to be a violation under this FDC and shall be subject to the penalties and enforcement set forth in Chapter 10, unless the use, development, construction, or other activity complies with the provisions of this FDC. Payment shall be required for any civil penalty assessed under the previous codes, even if the original violation is no longer considered a violation under this FDC.

C. Uses, Structures, and Lots Rendered Nonconforming

1. When a building, structure, or lot is used for a purpose that was a lawful use before the date of adoption of this FDC or modifications thereto, and this FDC no longer classifies such use as a permitted use in the zoning district in which it is located, such use shall be considered legally nonconforming and shall be controlled by Chapter 9.
2. Where any building, structure, or lot that legally existed on the date of adoption of this FDC or modifications thereto, does not meet all standards set forth in this FDC, such building, structure, or lot shall be considered legally nonconforming and shall be controlled by Chapter 9.

D. Processing of Applications Commenced or Approved Under Previous Ordinances

1. Pending Applications

- a. Any complete application that has been submitted for approval, but upon which no final action has been taken by the appropriate decision-making body prior to the adoption of this FDC, shall be reviewed in accordance with the ordinance in effect on the date the application was deemed complete. If the applicant fails to comply with any applicable required period for submittal or other procedural requirements, the application shall expire and subsequent applications shall be subject to the requirements of this FDC. Any re-application for an expired project approval shall meet the standards in effect at the time of re-application.
- b. An applicant with a complete application that has been submitted for approval, but upon which no final action has been taken prior to the adoption of this FDC, may

request review under this FDC by a written letter to the Director of Planning & Development.

2. Preliminary Approvals

An application for which preliminary approval of a plat or planned unit development (PUD) was granted prior to the adoption of this FDC may be processed for a final decision in accordance with the preliminary approval, and applicable terms of the FDC in place at the time of preliminary approval, even if the application does not comply with 1 or more requirements set forth in this FDC. Preliminary approvals granted under the previous Zoning Code may be extended no more than once, and for no longer than 6 months.

3. Approved Projects

- a. Special Use Permits, Preliminary and Final Plats, Final Development Plans, grading permits, building permits, sign permits, and Variances that are valid upon the adoption of any updates to this FDC, shall remain valid until their expiration date. Projects with valid approvals or permits may be completed with the development standards in effect at the time of approval.
- b. Any building or development for which a building permit was granted prior to the adoption of any updates to this FDC may be permitted to proceed to construction.
- c. If the development for which the building permit is issued prior to the adoption of any updates to this FDC fails to comply with the time frames for development established for the building permit, the building permit shall expire and future development shall comply with the requirements of this FDC.

10.1.10 SEVERABILITY

- A. If any court of competent jurisdiction invalidates any provision of this FDC, then such judgment shall not affect the validity and continued enforcement of any other provision of this FDC.
- B. If any court of competent jurisdiction invalidates the application of any provision of this FDC, then such judgment shall not affect the application of that provision to any other building, structure, or use not specifically included in that judgment.
- C. If any court of competent jurisdiction judges invalid any condition attached to the approval of an application for development approval, then such judgment shall not affect any other conditions or requirements attached to the same approval that are not specifically included in that judgment.

CHAPTER 2: ZONING DISTRICTS

10.2.1 GENERAL PROVISIONS

This Chapter establishes the zoning districts and contains basic information pertaining to zoning districts, primarily statements of purpose and district-specific regulations. Chapter 3, and Chapter 4, set forth the land uses permitted within the districts and the dimensional standards applying to development in the districts, respectively.

A. Districts Established; Zoning Map

1. Zoning Districts Established

The following zoning districts are established:

District Type	Abbreviation	District Name
Residential	RR	Rural Residential
	R-A	Low-Density Residential
	R-B	Medium-Density Residential
	R-C	High-Density Residential
	OTR	Old Town Residential
Commercial	OTC	Old Town Commercial
	NC	Neighborhood Center
	RC	Regional Commercial
	LI	Light Industrial (previously Employment Center)
Other Districts	AG	Agricultural
	OS	Open Space
	PLI	Public Land and Institutions
	PUD	Planned Unit Development
	DR	Developing Resource
	FPO	Floodplain Overlay
	DO	Design Overlay
	UO	Use Overlay

2. Zoning Map

The zoning districts are shown on the “Town of Firestone, Colorado Zoning Map” (“Zoning Map”). The boundaries of zoning districts set out in this FDC are delineated upon the Zoning Map, adopted as part of this FDC as fully as if the same were set forth in this Section in detail. Procedures for amending the Zoning Map are set forth in Section 7.5.

- a. Unless otherwise indicated, the zone district boundaries are the centerlines of physical streets, roads, highways, alleys, railroad right-of-ways, and channelized waterways, or such lines extended. In cases where the platted and physical right-of-ways do not coincide, the Director of Planning & Development will determine the location of the zone district boundary.
- b. In unsubdivided property, zone district boundaries shall be determined by use of the scale on the map. A legal description acceptable to the Director of Planning & Development shall be made available in the event of a controversy arising concerning zone district boundaries.

- c. Where a district boundary is shown by specific dimension as being located at any given distance from any right-of-way line, such specific dimension shall govern.

3. Vacations

Whenever any street, alley, or other public way is vacated by official action of the Town, in accordance with Section 7.10 of this FDC, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended district.

4. Newly Annexed Areas

Unless otherwise zoned at annexation, all undeveloped or unplatted territory hereafter annexed to the Town shall be zoned DR – Developing Resource. The procedure for establishing the zoning on any annexed territory shall be the same as is provided by this FDC in Section 7.4.

10.2.2 RESIDENTIAL DISTRICTS

A. General Purposes of Residential Districts

The residential zoning districts contained in this Section are intended to:

1. Provide appropriately located areas for residential development that are substantially consistent with the Town's Comprehensive Master Plan and with standards for public health, safety, morals, and general welfare;
2. Allow for a variety of housing types that meet the diverse economic and social needs of residents;
3. Allow mixed-density residential development in certain districts where district and development standards ensure that mixed use development will maintain and improve the function and appearance of surrounding development and traffic flow;
4. Provide the opportunity to protect sensitive environmental and cultural resources;
5. Protect the scale and character of existing residential neighborhoods and community character;
6. Ensure adequate light, air, privacy, and open space for each residential dwelling unit, and protect residents from the potentially harmful effects of excessive noise, glare and light pollution, traffic congestion, and other significant adverse environmental effects;
7. Protect residential areas from commercial and industrial hazards such as fires, explosions, toxic fumes and substances, natural hazards such as mining subsidence and flooding, and other public safety hazards;
8. Facilitate the provision of services, such as utilities, telecommunications technology, and streets and roads to accommodate planned population densities; and
9. Protect residential development from neighboring uses that are incompatible with a residential environment.

B. Rural Residential (RR)

1. Purpose

To provide areas for residential uses of a rural character, at a gross density not to exceed one (1) dwelling unit per one (1) acre.

C. Low-Density Residential (R-A)

1. Purpose

To provide areas for residential uses of an urban character, at a gross density not to exceed 5 dwelling units per acre. The zone district classification of R-1 from former Town of Firestone zoning code and development regulations located outside of the Old Town Firestone area is intended to be included in the R-A district.

D. Medium-Density Residential (R-B)

1. Purpose

To provide areas for residential uses of an urban character, at a gross density not to exceed 10 dwelling units per acre. A minimum gross density of 5 dwelling units per acre is required. The zone district classification of R-2 from former Town of Firestone zoning code and development regulations is intended to be included in the R-B district.

E. High-Density Residential (R-C)

1. Purpose

To provide areas for residential uses of an urban character, at a gross density not to exceed 20 dwelling units per acre. A minimum gross density of 10 dwelling units per acre is required. The zone district classification of R-3 from former Town of Firestone zoning code and development regulations is intended to be included in the R-C district.

F. Old Town Residential (OTR)

1. Purpose

To ensure the preservation of the unique character and quality of life in the historic residential area of the Town by encouraging compatible redevelopment and infill development. The zone district classification of R-1 from former Town of Firestone zoning code and development regulations located within Old Town Firestone is intended to be included in the OTR district.

2. District-Specific Standards

a. *Single-Family Detached*

Single-family residential development of up to 5 dwelling units per acre.

b. *Multi-Family Development*

Multi-family residential development of up to 10 dwelling units per acre.

10.2.3 COMMERCIAL AND INDUSTRIAL DISTRICTS

A. General Purposes of Commercial and Industrial Districts

The commercial and industrial zoning districts contained in this Section generally are intended to:

1. Provide appropriately located areas substantially consistent with the Town's Comprehensive Master Plan for industrial, retail, service, and office uses;
2. Expand the Town's economic base and provide employment opportunities primarily for Firestone residents and the region;
3. Minimize any potentially negative impact of commercial and industrial development on adjacent residential districts;
4. Ensure that the appearance and effects of commercial and industrial buildings and uses are of an appropriate high quality and are substantially consistent with the character of the area in which they are located; and
5. Provide sites for residential, public, and semi-public uses needed to complement commercial and industrial development.

B. Old Town Commercial (OTC)

1. Purpose

To provide for and encourage development and redevelopment that preserves and enhances the unique character and vitality of Old Town Firestone. Small-scale offices, retail, and residential uses are permitted. New development is encouraged to place residential above the ground floor. Design standards focus on creating a human-scaled, pedestrian-oriented and walkable downtown that invites commercial development and complementary residential opportunities. Continuous retail frontages, largely uninterrupted by driveways and parking, are encouraged. The zone district classifications of C-1, C-M, and NC from former Town of Firestone zoning code and development regulations along First Street in Old Town Firestone are intended to be included in the OTC district.

C. Neighborhood Center (NC)

1. Purpose

To provide areas for a full range of community-oriented retail and service commercial uses. The zone district classification of C-1 from former Town of Firestone zoning code and development regulations outside of Old Town Firestone is intended to be included in the NC district.

D. Regional Commercial (RC)

1. Purpose

To provide areas for a variety of regionally oriented large retail and service commercial uses, and highway-oriented commercial uses such as shopping centers, big-box retail, gas stations, restaurants, hotels and similar and associated land uses. The zone district classifications of C-2 and M-2 from former Town of Firestone zoning code and development regulations are intended to be included in the RC district.

E. Light Industrial (LI)

1. Purpose

To provide areas for light industrial uses including warehousing and limited outdoor sales and storage. Heavy industrial uses may only be approved as a Special Review Use. The zone district classifications of EC, C-M, and M-1 from former Town of Firestone zoning code and development regulations are intended to be included in the LI district.

10.2.4 OTHER DISTRICTS

A. Agricultural

1. Purpose

To provide areas to be used for agricultural purposes. The zoning classification is intended to recognize and preserve lands suitable for long-term production of agricultural commodities, lands suitable for grazing, animal husbandry, and agro-tourism.

B. Open Space (OS)

1. Purpose

To provide areas to be used for open space purposes. The zoning classification is intended to recognize and preserve lands suitable for habitat, view protection, passive and active recreation, and conservation uses.

C. Developing Resource

1. Purpose

To provide for the annexation of those areas that are presently used for agriculture or other nonurban uses that are adjacent to Firestone town limits. These areas are designated in the comprehensive plan as potentially suitable for urban development, but not in the immediate future because of lack of utilities, other services, or other needs. No uses other than those existing at the time of annexation are permitted until the property is rezoned to another zoning classification pursuant to this FDC.

D. Public Land and Institutions (PLI)

1. Purpose

To provide areas for the development of public or quasi-public facilities or private facilities of a non-commercial character, including churches, schools, libraries, and cultural facilities.

E. Planned Unit Development (PUD)

1. Intent and General Purpose.

- a. The Planned Unit Development zone district ("PUD District") is intended to respond to unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable and multiple variances, waivers, and conditions can be avoided.
- b. The general purpose of a PUD District is to provide an alternative to conventional land use regulations, combining use, density, site plan, and building form considerations into a single process, and substituting procedural protections for the more prescriptive requirements in this Code.
- c. "Unique and extraordinary circumstances" that justify use of a PUD District include, but are not limited to, the following:
 - i. Where a development site has special physical characteristics, including but not limited to irregular or odd-shaped lots, or lots with significant topographical barriers to standard development or construction practice; or,
 - ii. Where a development site is subject to an existing PUD and rezoning to a new PUD District will bring the site closer to conformance with current zoning regulations and adopted plans; or,
 - iii. A development proposal is unable to meet the standard zoning district requirements due to unique development design; or,
 - iv. Where the proposed scale or timing of a development project demands a more customized zoning approach to achieve a successful, phased development.
- d. A PUD District is not intended as either a vehicle to develop a site inconsistent with the applicable neighborhood context and character, or solely as a vehicle to enhance a proposed development's economic feasibility.
- e. In return for the flexibility in site design with respect to the arrangement, heights, and setbacks of buildings, densities, open space and circulation elements, development under a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals

and objectives of Town's Comprehensive Master Plan, Transportation Master Plan; Parks, Open Space, and Trails Master Plan, and other pertinent Town plan and policy documents.

2. Planned Unit Development Districts Adopted Prior to this FDC

The Planned Unit Development (PUD) ordinances or parts of ordinances approved prior to the adoption of this FDC shall be carried forth in full force and effect as to their original approval and adoption and are the conditions, restrictions, regulations, and requirements that apply to the respective planned unit development districts shown on the Zoning Map at the date of adoption of this FDC. Amendments to an existing PUD District after adoption of this FDC shall be processed the same as a PUD District Amendment (Subsection 7.5.D.11).

3. Concurrent Processing

At the applicant's option, and with the Director's approval, a final development plan for one or more stages of a General PUD District Plan (see section 7.5) may be submitted with the filing of a PUD District rezoning application.

4. Coordination with Subdivision Review

It is the intent of this FDC that subdivision review required under Section 7.7, if applicable, be carried out concurrently with the review of an overlay zone district under this Section.

5. Effect of Approval of PUD District Plan

All development in a PUD District shall conform to the approved PUD District Plan. Minor deviations may be permitted only according to this section.

6. Minor Deviations to Approved PUD District Plans

The Director or Town Manager may authorize minor modifications to previously approved PUD District Plans based upon the standards in this section, or during the final development plan review stage (see Section 7.13), only when such modifications do not include any changes that constitute "amendments" under this section, and the Director of Planning & Development determines that the requested changes are generally consistent with the intent of the original PUD District approval. Approved minor modifications shall be recorded as addendums to the PUD-DP. Denial of a minor modification does not preclude the filing of a new rezoning or PUD application.

7. Amendments to Approved PUD District Plan

- a. Changes to an approved PUD-DP shall constitute "amendments" when such modifications will cause any of the following:
 - i. Ten percent or more increase in gross floor area of any building;
 - ii. Ten percent or more increase in residential density of any usage area;
 - iii. Any increase in overall residential density;
 - iv. A change in permitted land use that would result in a more intensive use;
 - v. Changes which significantly alter traffic circulation, or increases safety, utility service, or environmental concerns;
 - vi. Ten percent or more reduction in the originally approved setbacks;
 - vii. Ten percent or more increase in the ground coverage by buildings; or
 - viii. Ten percent or more increase in building height.

- b. The process for approving an amendment to a PUD District Plan is the same as for approving an application for rezoning to a PUD District. See Section 7.5 Official Zone Map Amendment.

10.2.5 OVERLAY DISTRICTS

A. General Purpose

Overlay Zone Districts are generally intended, in special and unique cases, to provide a vehicle to supplement otherwise generally applicable zone district standards with additional use or design limits, allowances, and prohibitions in order to promote creative design efforts on the part of owners, builders, architects, and developers, and also to produce developments that are in keeping with the overall land use intensity and open space objectives of the Town's Comprehensive Master Plan. Overlay Zone Districts are generally intended, in special and unique cases, to provide a vehicle to supplement otherwise generally applicable zone district standards with additional use or design limits, allowances, and prohibitions. Overlay zoning is typically used when there is special public interest that does not coincide with a specific zoning district. Overlay zones contain restrictions in addition to or less than those in the underlying zone district.

To carry out the provisions of this FDC, the following overlay zone districts have been established and are applied to property as set forth on the Official Map:

Floodplain Overlay

Design Overlay

Use Overlay

B. Effect of Underlying Zone District Designation

All of the provisions of the underlying zone district shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable overlay zone district.

C. Effect of Overlay Zone District Designation

All zoning applications within a specific overlay zone district shall comply with the applicable provisions of that overlay zone district, and the underlying zone district, and shall be reviewed under this FDC to assure such compliance. Where the provisions of the overlay zone district are different from (e.g., in the case of a design overlay use district), or more restrictive than (e.g., in the case of a conservation overlay zone district) the provisions of the underlying zoning designation, the provisions of the overlay zone district shall apply. A change in the underlying zone district does not change the content or applicability of the overlay zone provisions.

D. Text Amendment and Rezoning Required

Creation of certain overlay zone districts may require an official map amendment (rezoning) according to Section 7.4 to apply an overlay district to the property, and a text amendment according to Section 7.19, Text Amendment, to codify the standards established within the desired overlay. With the Director's approval, the map amendment may be filed and reviewed concurrent with the text amendment. In no case, however, shall the map amendment be approved until the text amendment creating the overlay zone district is approved.

E. Floodplain Overlay District (FPO)

1. Findings of Fact

The flood hazard areas of the Town are subject to periodic inundation which could possibly result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the overall tax base. All of which could collectively have an adverse effect on public health, safety and general welfare.

Such potential flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage may also contribute to the flood loss.

2. Purpose

To promote the public health, safety, and general welfare, to minimize flood losses in areas subject to flood hazards, and to promote wise use of the floodplain, this Section has been established with the following purposes intended:

- a.** To reduce the potential hazard of floods to life and property through:
 - i.** Prohibiting certain uses which may be dangerous to life or property during a flood.
 - ii.** Restricting land uses which may be hazardous to the public health during a flood.
 - iii.** Restricting land uses which are particularly susceptible to flood damage, so as to alleviate hardship and minimize demands for public expenditures for relief and protection.
 - iv.** Requiring permitted floodplain uses, including public facilities which serve such uses, to be protected against flood by providing floodproofing and general flood protection at the time of initial construction.
 - v.** Restricting or prohibiting uses which are known to be dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities.
 - vi.** Requiring that uses vulnerable to floods, including facilities which serve such uses be protected against flood damage at the time of initial construction.
- b.** To protect floodplain occupants from a flood which is or may be caused by their own or other land use and which is or may be undertaken without full realization of the danger, through:
 - i.** The prohibition of residential uses from being platted in the floodplain.
 - ii.** Regulating the manner in which structures designed for human occupancy may be constructed so as to prevent danger to human life within such structures.
 - iii.** Regulating the method of construction of water supply and sanitation systems so as to prevent disease, contamination and unsanitary conditions.
 - iv.** Delineating and describing areas that could be inundated by floods so as to protect individuals from purchasing floodplain lands for purposes which are not in fact suitable.
 - v.** Minimizing the need for rescue and relief efforts associated with flooding which are generally undertaken at the expense of the general public.
 - vi.** Minimizing prolonged business interruptions.
 - vii.** Ensuring that potential buyers in the area are notified that property is in an area of special flood hazard.
 - viii.** Ensuring that those who occupy flood hazard areas assume responsibility for their actions.

- c. To protect the public from the burden of avoidable financial expenditures for flood control and relief by:
 - i. Regulating all uses within the floodplain areas so as to produce a method of construction and a pattern of development which will minimize the probability of damage to property and loss of life or injury to the inhabitants of the flood hazard areas.
 - ii. Minimizing damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard.
 - iii. Helping maintain a stable tax base by providing for the sound use and development in flood hazard areas and to minimize future flood hazard areas.
- d. To protect the flood water storage capacity of floodplains and to assure retention of sufficient floodway area to convey flood flows which can reasonably be expected to occur by:
 - i. Regulating filling, dumping, dredging, and alteration of channels by deepening, widening, or relocating.
 - ii. Prohibiting unnecessary and damage creating encroachments.
 - iii. Encouraging uses such as agriculture, recreation and parking.
 - iv. Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood water elevations or velocities.
- e. To protect the hydraulic characteristics of the small watercourses, including the gulches, sloughs and artificial water channels used for conveying floodwaters, which make up a portion of the urban drainage system, by:
 - i. Regulating filling, dumping, and channelization so as to maintain the natural storage capacity and slow flow characteristics.
 - ii. Regulating encroachment into the small watercourses to maintain their natural storage capacity and slow flow characteristics.
 - iii. Encouraging uses such as greenbelt, open space, recreation, and pedestrian and non-motorized vehicle trails.
 - iv. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters.
 - v. Controlling filling, grading, dredging, and other development which may increase damage caused by flooding.
 - vi. Preventing or regulating the construction of flood barriers which could divert floodwaters or which may increase flood hazards in other areas.

3. General Provisions

a. Jurisdiction

The jurisdiction of this Section includes all lands adjacent to any water course within the town that would be inundated by the one-hundred-year flood as defined by this floodplain overlay.

b. Basis for Establishing the Areas of Special Flood Hazard

This floodplain overlay district shall apply to all special flood hazard areas and areas removed from a special flood hazard area through a LOMR-F within the Town. The areas of special flood hazard identified by the Federal Emergency Management Agency ("FEMA") in a scientific and engineering Flood Insurance Study with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps ("FIRM" and/or "FBFM" and "FIS") o, are hereby adopted by reference and declared to be a part of this Section. The DFIRM and FIS in effect on the date of a property owner's complete application for any permit or process in this FDC, in particular those portions of the DFIRM and FIS that define the 100-year floodplain, is the foundational floodplain for the FPO District (the "FEMA Floodplain"). The term "DFIRM" includes all flood risk zone designations and technical information displayed on the maps, explanatory matter, technical addenda, modeling and calculations, water surface elevations, profiles, and cross sections, and other underlying detailed study data, such as information published in the FIS report and supporting documentation, as well as approved Letters of Map Revision ("LOMR"), Letters of Map Amendment ("LOMA"), and Letters of Map Revision based on Fill ("LOMR-F").

c. Boundaries

- i.. This district shall encompass the one-hundred-year floodplain, as it is noted on the FEMA floodplain map. The FEMA floodplain constitutes the area identified as the FPO District. The FPO District boundary and the floodplain maps are on file in the Planning and Zoning Department. Changes to the floodplain maps occur from time to time making it necessary for those changes to be adopted as a part of the FPO District. The FEMA Floodplain within the FPO District will be deemed updated when FEMA issues a Letter of Final Determination associated with any map action, or after the effective date of any Letter of Map Change ("LOMC"), without need for review or approval by the Board of Trustees, regardless of how many parcels are affected. Except for an automatically adopted DFIRM update, a change in the boundary of the FPO District requires an amendment according to Sections 7.4 (Official Map Amendment) and 7.22 (Text Amendment).
- ii. The floodplain district shall overlay that portion of any other district, including any planned unit development district, located in the floodplain. The regulations of this district shall be construed as being supplementary to the regulations imposed on the same lands by any underlying district. When regulations of this district conflict with any provisions of the underlying district, the provisions of this district shall control. Any underlying district shall remain in full force and effect to the extent that its provisions do not conflict with the provisions of this district

d. Effect of Floodplain Regulations

The regulations of this Section shall be construed as being supplementary to the regulations imposed on the same lands by any underlying zoning district. This Section supersedes provisions of any zoning relating to floodplain. Any underlying zoning shall remain in full force and effect to the extent that its provisions are more restrictive than those of this Section.

e. Interpretation

The interpretation and application of the provisions of this Section shall be held to be minimum requirements and shall be liberally construed in favor of the governing

body and shall not be deemed a limitation or repeal of any other powers granted by Colorado statutes.

f. *Warning and Disclaimer of Liability*

The degree of flood protection intended to be provided by this Section is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods can and will occur upon occasion, or the flood height may be increased by manmade or natural causes, such as ice jams, and bridge openings restricted by debris. This Section does not imply that the areas outside the floodway district and floodway fringe district boundaries or land uses permitted within such districts will always be totally free from flooding or flood damage. This Section shall not create liability on the part of the Town, any officer or employee thereof, or the FEMA, for any flood damage that results from reliance on this Section or any administrative decision lawfully made hereunder.

g. *Compliance with Provisions*

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this Section and other applicable regulations.

h. *Abrogation and Greater Restrictions*

This Section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Section and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

i. *Letter of Map Revision Based On Fill (LOMR-F)*

Any new structure constructed in an area removed from the flood hazard area utilizing a LOMR-F shall be constructed on fill so that the lowest floor (including basement) is at least 1 foot above the previous base flood elevation.

j. *Critical Facilities*

A Critical Facility is a structure or related infrastructure, but not the land on which it is situated, as specified in Rule 6 of the Rules and Regulation for Regulatory Floodplains in Colorado, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.

Critical Facilities constructed within flood hazard area shall be constructed on fill so that the lowest floor (including basement), together with attendant utility and sanitary facilities, is at least 2 feet above the base flood elevation.

4. Floodway Districts and Mapping

a. *Districts Established*

In order to carry out the provisions of this Section, the areas of the 100-year flood are hereby divided into the following overlay zoning districts:

i. *Floodway District (FW)*

The FW shall be those areas identified as floodway in the flood insurance study. In areas outside of the boundaries of the flood insurance study, the FW shall be those areas identified as floodway in floodplain studies approved by the Town.

ii. *Floodway Fringe District (FF)*

The FF shall be those areas identified in the flood insurance study as being within the boundaries of the 100-year flood, but outside of the floodway. In

areas outside of the boundaries of the flood insurance study, the FF shall be those areas identified in studies approved by the Town as being within the boundaries of the 100-year flood, but outside of the floodway.

b. Mapping of District Boundaries

The boundaries of the FW and the FF as established in Subsection 2.7.C.4.a above shall be shown upon the flood boundary-floodway map.

c. Interpretation of District Boundaries

The flood boundaries shall be established by flood elevations set forth in the flood insurance study. Where interpretation is needed of the exact boundaries of the FW and FF as shown in the flood insurance study, a survey shall be prepared by a licensed professional engineer or surveyor and submitted to the Town for review. If necessary, an elevation certificate along with other required documentation shall be submitted by the applicant to FEMA for obtaining a Letter of Map Amendment.

d. Amendment of District Boundaries

The boundaries of the FW and the FF district shall be changed on the zoning district map by the amendment procedure contained in the zoning title. Amendment of said district boundaries shall be subject to the following limitations:

- i. In areas within the boundaries of the flood insurance study, the flood boundaries shall be amended only to conform to changes previously approved by FEMA.
- ii. In areas outside of the boundaries of the flood insurance study, the boundaries of the FW and the FF district shall be changed only upon the presentation of evidence, prepared by a registered professional engineer competent in open channel hydraulics, which shows clearly and conclusively that the boundaries of the districts, as mapped, are incorrect.

5. Floodway Fringe District (FF)

a. Development Standards

All uses or development in the FF shall comply with the following requirements:

i. Permits

Development within a FF site shall only be permitted which is authorized by a floodplain development permit and one of the following; a building permit, a manufactured home permit or a Special Review Use.

For waterways with Base Flood Elevations for which a regulatory Floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one-half foot at any point within the community.

ii. Certificate of Occupancy

No land shall be occupied or used and no building or manufactured home which is hereafter erected, placed, moved or structurally altered, shall be used or changed in use until the Chief Building Official or the Official's agent approves a Certificate of Occupancy stating compliance with the provisions of this Section.

iii. New Construction and Substantial Improvements:

- (A) All new construction and substantial improvements (including the placement of prefabricated buildings and manufactured homes) shall:
 - (1) Be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting the hydrostatic and hydrodynamic loads;
 - (2) Be constructed with materials and utility equipment resistant to flood damage; and
 - (3) Be constructed by methods and practices that minimize flood damage.
- (B) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- (C) Manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on sites:
 - (1) Outside of a manufactured home park or subdivision;
 - (2) In a new manufactured home park or subdivision;
 - (3) In an expansion to an existing manufactured home park or subdivision; or
 - (4) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, shall be elevated on a permanent foundation such that the lowest floor of the manufactured home, together with attendant utility and sanitary facilities, is elevated to 1 foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (D) Manufactured homes to be placed or substantially improved on sites in existing manufactured home parks or subdivisions within zones A1-30, AH, and AE that are not subject to the provisions of Subsection (A).(C).(3) of this Section shall be elevated so that either:
 - (1) The lowest floor of the manufactured home, together with attendant utility and sanitary facilities, is at or above 1 foot above the base flood elevation; or
 - (2) The manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

iv. Preservation of Channel Capacity

No use shall adversely affect the capacity of the channels or floodways of any tributary to the main stream, any drainage ditch, or any other drainage

system or facility. Original channel capacity must be maintained in an altered portion.

v. *Subdivisions and Other New Development*

All subdivisions and other new development shall meet the following requirements:

- (A) New residential lots shall not be platted in the FF.
- (B) All such activities shall be generally consistent with the need to minimize flood damage.
- (C) All public utilities and facilities, such as sewer, gas, electrical, and water systems, shall be located and constructed to minimize or eliminate flood damage.
- (D) Adequate drainage shall be provided to reduce exposure to flood hazards.
- (E) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less).
- (F) The boundaries of the FW and FF district shall be shown upon preliminary and final subdivision plats. If a subdivision is located entirely within the FW or the FF district, that information shall be stated on the Preliminary and Final Plats.

vi. *Water and Sewage Systems*

New and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

vii. *On-Site Waste Disposal Systems*

On-site waste disposal or treatment systems shall be located to avoid impairment to them or contamination from them during flooding.

viii. *Manufactured Homes*

All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. Manufactured homes shall be placed in the FF only upon the issuance of a manufactured home permit. Such a permit shall require that the placement of the manufactured home for which it is issued meets the following conditions:

- (A) The manufactured home shall be placed on a designated manufactured home space in a manufactured home park.
- (B) The manufactured home shall be anchored to the ground in the following manner:
 - (1) Over the top ties shall be provided at each of the 4 corners of the home. Homes at least 50 feet long shall have 2 additional ties per side at intermediate locations, and homes under 50 feet long shall have 1 additional tie per side.

- (2) Frame ties shall be provided at each corner of the home. Homes at least 50 feet long shall have 5 additional ties per side, and homes under 50 feet long shall have 4 additional ties per side.
- (3) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.
- (4) Any additions to the manufactured home shall be similarly anchored.

ix. *Establishment of Floodplain Development Permit*

A floodplain development permit shall be obtained before construction or development begins within any area of special flood hazard established in Subsection 2.7.C.3.b. Application for a floodplain development permit shall be made on forms furnished by the administrative official and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- (A) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- (B) Elevation in relation to mean sea level to which any structure has been floodproofed;
- (C) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Subsection 2.7.C.5.b.ii below; and
- (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

x. *Enclosures*

New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- (A) A minimum of 2 openings having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.
- (B) The bottom of all openings shall be no higher than 1 foot above grade.
- (C) Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

xi. *Recreational Vehicles*

Require that recreational vehicles placed on sites within zones A1-30, AH, and AE on the Town's FIRM either:

- (A) Be on the site for fewer than 180 consecutive days,
- (B) Be fully licensed and ready for highway use, or
- (C) Meet the permit requirements of Subsection 2.7.C.5.a.ix, and the elevation and anchoring requirements for "manufactured homes" in Subsection 2.7.C.5.a.viii. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

xii. *Below Grade Residential Crawlspace Construction*

New construction and substantial improvement of any below grade crawlspace shall:

- (A) Have the interior grade elevation that is below base flood elevation no lower than 2 feet below the lowest adjacent grade;
- (B) Have the height of the below grade crawlspace measured from the interior grade of the crawlspace to the top of the foundation wall, not to exceed 4 feet at any point;
- (C) Have an adequate drainage system that allows floodwaters to drain from the interior area of the crawlspace following a flood;
- (D) Be anchored to prevent flotation, collapse, or lateral movement of the structure and be capable of resisting the hydrostatic and hydrodynamic loads;
- (E) Be constructed with materials and utility equipment resistant to flood damage;
- (F) Be constructed using methods and practices that minimize flood damage;
- (G) Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and
- (H) Be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
 - (1) A minimum of 2 openings having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided;
 - (2) The bottom of all openings shall be no higher than 1 foot above grade; and
 - (3) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

b. *Uses Permitted*

Any use which is permitted by the underlying zoning district and those which involve fill, excavation, storage of materials or equipment, or construction or substantial

improvement of a building or manufactured home park, is permitted upon approval of the necessary building permit, provided the use meets the requirements of Subsection A of this Section and the following requirements:

i. *Residential Buildings*

All new construction and substantial improvement of residential buildings shall be constructed on fill so that the lowest floor (including basement), together with attendant utility and sanitary facilities, is at least 1 foot above the base flood elevation. The fill shall be at an elevation at least 1 foot above the base flood elevation and shall extend at that elevation at least 15 feet beyond the limits of any structure or building erected thereon.

ii. *Nonresidential Buildings*

All new construction or substantial improvement of nonresidential buildings shall have the lowest floor (including basement), together with attendant utility and sanitary facilities, elevated 1 foot above the base flood elevation, or together with attendant utility and sanitary facilities, be floodproofed so that below the base flood elevation, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

iii. *Certification*

Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provision of this Subsection. Such certifications shall be provided to the official as set forth in Subsection 2.7.C.8.

c. ***Storage of Materials And Equipment***

- i. The storage or processing of materials that are buoyant, flammable, or which in times of flooding could be injurious to human, animal or plant life, shall be at or above a point 2 feet above the base flood elevation or in a building which has been floodproofed to a point 2 feet above the base flood elevation.
- ii. The storage of materials or equipment which is not subject to major damage by floods and which are firmly anchored to prevent flotation or are readily removable from the flood hazard area within the time available after flood warning, may be permitted below the base flood elevation.

6. Floodway District (FW)

a. ***Special Provisions***

The following regulations, in addition to the requirements of Subsection 2.7.C.5.a shall apply to all uses within the floodway district. Additionally, a regulatory floodway is hereby adopted to which the following provisions shall apply:

- i. No new construction, placement or substantial improvement of existing buildings or manufactured homes shall be permitted.
- ii. No filling or excavating shall be permitted.
- iii. Storage of materials which are buoyant, flammable, or explosive, or which in times of flooding could be injurious to human, animal, or plant life, is prohibited.
- iv. No use shall be permitted which would result in any increase in the base flood elevation.

b. ***Uses Permitted by Right***

The following uses have low flood damage potential and, provided they do not obstruct flood flows, shall be permitted subject to the provisions of the underlying zoning and Subsection 2.7.C.5.a and Subsection 2.7.C.6.a above, provided they do not require structures, fill, excavation, or storage of materials or equipment:

- i. Agricultural uses such as general farming, truck farming, sod farming, plant nurseries, and horticulture.
- ii. Industrial and commercial uses such as loading areas, parking areas and airport landing strips.
- iii. Open space.
- iv. Private and public recreational uses such as parks, picnic grounds, golf courses, driving ranges, swimming areas, wildlife and nature preserves, fishing areas, and trails for hiking, bicycling and horseback riding.
- v. Residential uses such as lawns, gardens, parking areas and play areas.

c. *Special Review Uses Permitted*

The following uses which involve structures other than buildings, fill, or storage of materials or equipment may be permitted only upon the approval and issuance a Special Review Use permit:

- i. Circuses, carnivals, and similar transient amusement enterprises.
- ii. Storage yards for equipment, machinery or materials, as long as such storage does not conflict with the provisions of Subsection 2.7.C.5.a.

d. *Provisions within Floodways*

Located within areas of special flood hazard established in Subsection 2.7.C.3.b are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potentials, the following provisions apply:

- i. Prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a Colorado licensed, registered professional engineer or architect is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- ii. If Subsection 2.7.C.6.d.i above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Section.

7. *Special Review Use Permits*

a. *Purpose*

Certain uses may have an adverse impact when located in the floodplain because of their effect upon floods or because of the effect of flood upon them. The intent of the Special Review Use permit is to provide the means for review of such uses to assure that the purposes of this Section are met and the potential for adverse effects is minimized.

b. *Authority to Grant a Special Review Use*

At a public hearing, the Board of Trustees, after review and recommendation by the Planning Commission, shall hear and decide all requests for Special Review Use permits and construction application within the 100-year floodplain in the manner prescribed by this Section.

c. *Conditions for Authorizing Construction Under a Special Review Use Permit*

i. Exceptions

Authorizations for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places may be issued without regard to the procedures set forth in the remainder of this Section.

ii. *Restrictions and Limitations on Issuance*

(A) Special Review Use permits shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(B) Authorization shall be issued only upon a determination that the same is the minimum necessary, considering the flood hazard, to afford relief.

(C) Authorization shall only be issued upon:

(1) A showing of good and sufficient cause;

(2) A determination that failure to grant the authorization would result in exceptional hardship to the applicant; and

(3) A determination that the granting of an authorization will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances.

(D) Lot Size: Generally, Special Review Use permits may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided Subsection 2.7.C.9.c have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justifications required for issuing the Special Review Use permits increase.

8. Administration of Provisions

a. ***Duties of Administrative Official***

Duties and responsibilities of the Public Works Director (i.e. Administrative Official) in carrying out the provisions of this Section shall include, but not be limited to, the following:

i. The review of permits for proposed development to determine whether proposed building sites will be reasonably safe from flooding by a 100-year flood.

ii. The review of permits for proposed development to assure that the permit requirements of this Section have been satisfied and that all necessary permits have been obtained from those federal, state or local agencies from which prior approval is required.

iii. Notify adjacent communities and the Colorado Water Conservation Board prior to any alteration or relocation of a watercourse and submit evidence of such notification to the FEMA; require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

- iv. The approval of certificates of occupancy for all lands in the FW and the FF upon verification that the premises and structures thereon conform with all of the requirements of this Section.
 - (A) When there has been fill, excavation, erection or substantial improvement of a structure, or construction, enlargement or substantial improvement of a manufactured home park, the administrative official shall require the applicant to provide certification by a registered professional engineer or surveyor that the finished fill, excavation, building floor elevations, floodproofing measures, or other flood protection measures were accomplished in compliance with the provisions of this Section. Certification of the adequacy of the floodproofing of a non-residential use building may be provided by a registered architect in lieu of a professional engineer or surveyor.
 - (B) The certification provided by the professional engineer or architect shall include the elevation (in relation to mean sea level) of the lowest floor (including basement) of all buildings that have not been floodproofed.
 - (C) Records of all certificates provided by professional engineers or architects in compliance with this Section shall be maintained by the Town.
- v. The maintenance of records of all Special Review Use permits granted from the requirements of this Section, including justification for the granting of the Special Review Use permits.
- vi. An annual inspection of all properties in the FW and the FF district to assure conformance to the provisions of this Section and to all permits issued there under.
- vii. Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Subsection 2.7.C.9.
- viii. Review all floodplain development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Subsection 2.7.C.6 are met.

b. Use of Other Base Flood Data

When base flood elevation data has not been provided in accordance with Subsection 2.7.C.3.b, the administrative official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source as criteria for new construction, substantial improvements or other development in zone A in order to administer Subsection 2.7.C.5.a.

c. Information to be Obtained and Maintained

- i. The actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement, shall be obtained and recorded.

- ii. For all new or substantially improved floodproofed structures, the following shall be done:
 - (A) Verify and record the actual elevation (in relation to mean sea level to which the structure has been floodproofed); and
 - (B) Maintain the floodproofing certifications required in Subsection 2.7.C.5.a.ix(C).
 - iii. All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.
 - iv. Maintain for public inspection all records pertaining to the provisions of this Section.
- d. **Approval or Denial of a Floodplain Development Permit**
Approval or denial of a floodplain development permit by the Public Works Director shall be based on all of the provisions of this Section and the following relevant factors:
- i. The danger to life and property due to flooding or erosion damage;
 - ii. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - iii. The danger that materials may be swept onto other lands to the injury of others;
 - iv. The compatibility of the proposed use with existing and anticipated development;
 - v. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - vi. The costs of providing governmental, public or quasi-public services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 - vii. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
 - viii. The necessity to the facility of a waterfront location, where applicable;
 - ix. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and
 - x. The relationship of the proposed use to the Town's Comprehensive Master Plan for that area.

9. Appeals

a. **Authority**

The Board of Adjustment shall hear and decide all appeals when it is alleged that there is an error in any requirement, decision or determination made by the administrative official in the enforcement or administration of this Section.

b. **Filing Appeal**

Any person alleging such an error shall file an appeal to the Board of Adjustment, in writing, within 30 days from the determination of the administrative official, in which he shall set forth in detail a basis for such alleged error.

c. *Scope of Appeal*

In passing upon any appeal, the Board of Adjustment shall consider all technical evaluations, all relevant factors, all standards specified in other Subsections of this Section, and:

- i. The danger that materials may be swept onto other lands to the injury of others;
- ii. The danger of life and property due to flooding or erosion damage;
- iii. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- iv. The importance of the services provided by the proposed facility to the Town;
- v. The necessity to the facility of a waterfront location, where applicable;
- vi. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
- vii. The compatibility of the proposed use with existing and anticipated development;
- viii. The relationship of the proposed use to the Town's Comprehensive Master Plan and floodplain management program for that area;
- ix. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- x. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- xi. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

d. *Conditions of Appeal*

The Board of Adjustment may attach any reasonable conditions to authorizing construction within the 100-year floodplain that it deems necessary to further the purposes of this Section.

e. *Records Kept*

The Board of Adjustment shall maintain through its administrative officer the records of all appeal and application actions and report any decisions to the FEMA upon request.

f. *Further Appeals to District Court*

The decision of the Board of Adjustment may be appealed to the appropriate County District Court, as provided in C.R.S. §31-23-307, as amended.

10. Penalties

a. *Fine*

Any person found guilty of violating any provision of this Section shall be punishable as provided in the Municipal Code. Each day that such violation continues to exist shall be considered a separate offense.

b. *Additional Actions*

In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, or used, or any land is or is proposed to be used in violation of this Section, the Town, in addition to other remedies provided by law, may institute

an appropriate action to prevent, enjoin, abate, or remove the violation, to prevent the occupancy of the building, structure, or land, or to prevent any illegal act or use in or on such premises.

11. Variance Procedures

- a. The Board of Adjustment as established by the Town shall hear and render judgment on requests for variances from the requirements of this Section.
- b. The Board of Adjustment shall hear and render judgment on a variance request only when it is alleged there is an error in any requirement, decision, or determination made by the administrative official in the enforcement or administration of this Section.
- c. Any person or persons aggrieved by the decision of the Board of Adjustment may appeal such decision as set forth in Subsection 2.7.C.9.
- d. The administrative official shall maintain a record of all actions involving a variance request and shall report variance requests to the FEMA upon request.
- e. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this Section.
- f. Variances may be issued for new construction and substantial improvements to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Subsection 2.7.C.8.d have been fully considered. As the lot size increases beyond the 1/2 acre, the technical justification required for issuing the variance request increases.
- g. Upon consideration of the factors noted above and the intent of this Section, the Board of Adjustment may attach such reasonable conditions to the granting of a variance request as it deems necessary to further the purpose and objectives of this Section.
- h. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- i. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- j. Prerequisites for granting a variance request:
 - i. Variances shall only be issued upon a determination that the variance request is the minimum necessary, considering the flood hazard, to afford relief.
 - ii. Variances shall only be issued upon:
 - (A) Showing a good and sufficient cause;
 - (B) A determination that failure to grant the appeal would result in exceptional hardship to the applicant; and
 - (C) A determination that the granting of a variance request will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or

victimization of the public, or conflict with existing local laws or ordinances.

- iii. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- k. Variances may be issued by the Board of Adjustment for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - i. The criteria outlined in Subsections 2.7.C.11.a through j, are met, and
 - ii. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

F. Design Overlay Districts (DO-)

1. Purpose

Design Overlay Districts are intended to serve one or more of the following purposes: .

- a. To implement land use and urban design recommendations and standards.
- b. To reinforce the desired character for newly developing or redeveloping areas.
- c. Ensure orderly and thorough planning and review procedures that will result in high-quality urban design.
- d. Encourage variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenity.
- e. To provide uniform standards for mitigating the impact of more intensive uses adjacent to less intensive uses.
- f. Provide a mechanism for considering mixes of uses that can be made compatible by application of careful and imaginative treatment of interrelationships of activity.
- g. To provide for the enactment of urban design standards for specific segments of designated parkways and boulevards, and areas with cohesive design characteristics.
- h. To implement design standards in a geographically specific area or multiple areas or districts with similar conditions and objectives throughout the town.

2. Applicable Standards and Modifications Allowed

- a. Applicable Standards - In General.

A design overlay zone district includes standards that modify otherwise applicable standards in the underlying zone district. Modifications include but are not limited to reducing or increasing a quantitative zoning standard, such as building height or setback standards, and may include new zoning standards not otherwise applicable in the underlying zone district.

- b. Applicable Standards -- Exceptions.

All development and design standards applicable to new development in the underlying zone district may be modified, except there shall be no variation of:

- i. The underlying zone districts maximum density requirements;

- ii. Parking requirements;
- iii. Public street and alley standards;
- iv. Exterior lighting standards;
- v. Operational standards;
- vi. Parks, Open Space and trails dedication requirements;
- vii. Natural and Scenic Resource Protection requirements;
- viii. Abandoned mine requirements;
- ix. Oil and gas wells and production facility requirements;
- x. Floodplain protection; and
- xi. Stormwater requirements.

G. Use Overlay Districts (UO-)

1. Purpose

Use Overlay districts are a vehicle to permit specific land uses in delineated parts of the Town that otherwise are prohibited in a variety of underlying zone districts and portions of zone districts. The purpose of the Adult Use overlay zone districts created herein is to maintain the status quo of entitlement relating to the establishment, maintenance, and operation of adult uses as those rights existed before adoption of this FDC.

2. Modification of Underlying Zone District Standards

a. Modification of Permitted Uses Allowed

- i. A Use Overlay District may be used to add to the specific permitted uses in the underlying zone district.

b. Applicable Standards—Modifications Not Allowed

- i. All of the provisions of the underlying zone district shall be in full force and effect, and shall not be modified by the provisions of the applicable overlay zone district.

3. Limitation on Applicability of Use Overlay Zone Districts

- a. The Adult Use Overlay District may be applied to properties through a rezoning application approved after adoption of this FDC.

4. Adult Use Overlay District (UO-1)

- a. There is hereby created a Use Overlay District designated as the Adult Use Overlay District, and the provisions of this UO-1 district shall apply only to those areas within this FDC's LI – Light Industrial Zone District that is designated with the UO-1 Zone District on the Official Zone Map and located south of WCR 20 and West of Colorado Boulevard.

b. Allowance for Adult Business Uses

Notwithstanding the limitations applicable in the underlying zone district, adult business uses, as defined by this FDC, shall be permitted in this overlay zone district.

c. Distance and Spacing Requirements

All Adult Business uses shall comply with the following distance and spacing requirements, shown in the table below.

Adult Business Use	Distance or Spacing Requirement
Adult Bookstore Adult Photo Studio Adult Theater Adult Amusement or Entertainment Eating place with adult amusement or entertainment	No adult business use listed in this table row shall be established within 750 feet of one or more of the following zone districts or uses (see related definitions): • All residential zone districts • All residential uses • Parks • Open Space • Library • Community and Recreation Center • Day-care facility • Religious assembly • Private or Public School
Adult Bookstore Adult Photo Studio Adult Theater Adult Amusement or Entertainment Eating place with adult amusement or entertainment	Not more than 2 of the uses listed in this table row shall be established, operated or maintained within 750 feet of each other

CHAPTER 3: USE REGULATIONS

10.3.1 TABLE OF PERMITTED USES

Table 3-1 below lists the principal uses permitted within all standard zoning districts. For the PUD district, unless expressly modified in the PUD Development Plan, uses shall be as specified in Table 3-1 for the appropriate land use category. Each of the listed uses is defined in Chapter 11.

A. Explanation of Table Abbreviations

1. Permitted Uses

“P” in a cell indicates that the use is permitted by right, without special conditions other than those imposed upon other uses by right in the district. Permitted uses are subject to all other applicable regulations of this FDC, including the use-specific standards set forth in this Chapter and the requirements of Chapter 6.

2. Special Review Uses

“S” in a cell indicates that, in the respective zoning district, the use is permitted only if reviewed and approved as a Special Review Use in accordance with the procedures of Section 7.11. Special Review Uses are subject to all other applicable regulations of this FDC, including the use-specific standards set forth in this Chapter and the requirements of Chapter 6.

3. Prohibited Uses

A blank cell indicates that the use is prohibited in the respective zoning district.

4. Use-Specific Standards

Regardless of whether a use is permitted by right or permitted as a Special Review Use, there may be additional standards that are applicable to the use. Use-specific standards are noted through a cross-reference in the last column of the table. Cross-references refer to Section 3.2. These standards apply in all districts unless otherwise specified.

B. Table Organization

In Table 3-1, land uses and activities are classified under a “primary use classification” (such as Residential or Commercial) and then into specific “use types” based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within the categories and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use categories are intended merely as an indexing tool and are not regulatory.

C. Use for Other Purposes Prohibited

Approval of a use listed in Table 3-1, and compliance with the applicable use-specific standards for that use, authorizes that use only. Development or use of a property for any other use not specifically permitted in Table 3-1, and approved under the appropriate process is prohibited, unless otherwise permitted as noted below.

D. Classification of New and Unlisted Uses

Notwithstanding the prohibition stated in Subsection 3.1.C above, new types of land use will develop and forms of land use not anticipated may seek to locate in the Town. In order to provide for such situations, a determination as to the appropriate classification of any new or unlisted form of land use shall be made. When application is made for a use category or use type that is not specifically listed in Table 3-1, the procedure set forth below shall be followed.

1. The Director of Planning & Development shall provide an interpretation as to the zoning classification into which such use should be placed. In making such interpretation, the Director of Planning & Development shall consider its potential impacts, including but not limited to: the nature of the use and whether it involves dwelling unit activity; sales; processing; type of product, storage and amount, and nature thereof; enclosed or open storage; anticipated employment; transportation requirements; the amount of noise, odor, fumes, dust, toxic material, and vibration likely to be generated; and the general requirements for public utilities such as water and sanitary sewer.
2. Standards for new and unlisted uses may be interpreted as those of a similar use by the Director of Planning & Development.
3. Appeal of the Director of Planning & Development's decision shall be made to the Board of Adjustment following procedures under Subsection 7.22.A.

E. Table of Permitted Uses

TABLE 3-1: TABLE OF PERMITTED USES															
P = Permitted Use by Right S = Special Review Use <u>Blank Cell = Prohibited</u>															
USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
RESIDENTIAL USES															
Household Living	Dwelling, Live/Work								S	P					3.2.A.1
	Dwelling, Multi-Family				P	S									
	Dwelling, Single-Family Attached		P	P	P	S									
	Dwelling, Single-Family Detached	P	P	P	P	P						P			3.2.A.2
	Model Home	P	P	P	P	P									3.2.A.3
Group Living	Group Home, Residential	P	P	P	P	P						P			3.2.A.4
	Group Home, Large		S	S	S							S			
	Group Home, Small	S	S	S	S	S				S					
	Retirement Home, Nursing Home, Hospice Care Residential Facility or Assisted Living Facility		S	S	P	S									3.2.A.5
PUBLIC / INSTITUTIONAL USES															
Aviation	Helistop						S	S	S					S	
Cemetery	Cemetery	S										S	S	S	
Child Care	Child Care Center, Large	S	S	S	S	S	P	P	S	S				S	3.2.B.1
	Child Care Center Small	P	P	P	P	P	P	P	S	S				P	3.2.B.1
Community Facilities	Community Center	S	S	S	S	S	P	P	P	P			P	P	
	Governmental Office	P	P	P	P	P	P	P	P	P		P	P	P	

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USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
	HOA/Metro District Facility		P	P	P										
	Public Works Facility							S	P			S	S	S	
	Public Safety Station	S	S	S	S	S	P	P	P	P				P	
	Recreation Center		S	S	S	S	P	P	P	P		P	P	P	
	Transit Center						S	P	P	S				P	
Cultural Facilities	Library						P	P	S	P		S	S	P	
	Museum						P	P	S	P		S	S	P	
Educational Use	College or University						S	S	P	S*				P	* Limited to satellite classroom
	Instructional Studio						P	P	P	P				P	
	School - Public	P	P	P	P	P	P							P	
	School - Private	S	S	S	S	S	S	S	S	S*				P	*Limited to instructional studio
	Vocational School						S	S	P	S*				P	*Limited to instructional studio
Human Health Services	Dental or Medical Office, Clinic, Lab						P	P	P	P					
	Emergency Room						S	S	S						
	Hospital						S	P	P					S	
	Substance Abuse Treatment Facility, Outpatient						S	S	S					S	

TABLE 3-1: TABLE OF PERMITTED USES															
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USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
	Urgent Care Center						P	P	P	S				S	
Park and Open Space	Athletic Fields and Courts	P	P	P	P	P	P	P	P	P		S	S	P	
	Outdoor Amphitheater					S	S	S	S	S			P	P	
	Parks/Open Space	P	P	P	P	P	P	P	P	P		P	P	P	
Religious Assembly	Religious Assembly	S	S	S	P	P	P	P	S	P		S		P	
Tele-communication Facilities	Base Station and Tower	S	S	S	S	S	S	S	S	S		S	S	S	3.2.B.2 See Telecom Section
	Small-cell and Micro-wireless	P	P	P	P	P	P	P	P	P		P	P	P	
Utility Facilities	Utility Facility	S	S	S	S	S	S	S	S	S		S	S	S	
COMMERCIAL USES															
Agricultural	Agricultural Cultivation											P	P	S	
	Agricultural Grazing											P	P		3.2.C.2
Animal Sales and Care	Animal Hospital, Large Animals (indoor only)							S	P			P			3.2.C.3
	Animal Hospital, Large Animals (outdoor facilities)								S			S			3.2.C.3
	Animal Hospital, Small Animals (indoor only)						P	P	P	P		P			3.2.C.3
	Animal Hospital, Small Animals (outdoor facilities)						S	S	S			S			3.2.C.3
	Horse Boarding, Training, Riding, Instruction											S			

TABLE 3-1: TABLE OF PERMITTED USES															
P = Permitted Use by Right S = Special Review Use Blank Cell = Prohibited															
USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
	Kennel or Animal Day Care (indoor only)						P	P	P			P			3.2.C.4
	Kennel or Animal Day Care (outdoor facilities)							S	S			S			3.2.C.4
Assembly	General Assembly Uses		S	S	S	S	S	S	S	S		S	S	S	
Financial Institution	Automated teller machine (freestanding)						P	P	P	P					
	Bank						P	P	P	P					
	Bank, with drive-through service						P	P	P						3.2.C.5
Food and Beverage Service	Bar/Tavern						P	P	P	P				S	
	Bar/Tavern (outdoor facilities)						P	P	P	P				S	3.2.C.8
	Nightclub						S	P	S	P					3.2.C.6
	Restaurant						P	P	P	P				S	
	Restaurant, with drive-through or drive-up service						P	P	P						3.2.C.5
	Restaurant, with outdoor seating area						P	P	P	P					3.2.C.8
Office	Office, Business or Professional						P	P	P	P				P	
Parking	Parking Lot						S	S	S	S				S	
	Parking Structure						S	S	S	S					
	Bus Lot/Maintenance Facility								S					S	

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USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
Recreation/ Entertainment, Indoor	Commercial Amusement, Indoor, Minor						P	P	P	P					
	Commercial Amusement, Indoor, Major						S	P	P	S					
	Adult Business								P						3.2.C.1
	Shooting Range, Indoor							S	S						
	Arena/Stadium							S	S			S	S	S	
Recreation/ Entertainment, Outdoor	Agro tourism											S			
	General Outdoor Recreation, Commercial, Minor						S	P	P	S				S	
	General Outdoor Recreation, Commercial, Major							S	S					S	
	Golf	S	S	S	S		S	S	S					S	
	Recreational vehicle park														
	Shooting Range, Outdoor														
Retail Sales and Service	Funeral Parlor, Mortuary or Crematory							P	P						
	General Retail						P	P	P	P					
	Personal Service Establishment						P	P	P	P					
	Pharmacy						P	P	P	P					
	Pharmacy with drive- through service						P	P	P						3.2.C.5

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USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
	Repair Shop						P	P	P	P					
Vehicles and Equipment	Car Wash							S	S						3.2.C.7.b
	Outdoor Recreational Vehicle Storage								S						Minimum 1000' from Interstate and Arterial Roadways
	Fueling Station						S	P	P				S		3.2.C.7
	Towing Facility								S						Minimum 1000' from Interstate and Arterial Roadways
	Truck Stop								S						Minimum 1000' from Interstate and Arterial Roadways
	Vehicle Sales and Rental								S						Minimum 1000' from Interstate and Arterial Roadways
	Vehicle Service and Repair, Heavy								P						3.2.C.7.b
	Vehicle Service and Repair, Light						P	P	P						3.2.C.7.b
Visitor Accommodation	Bed and Breakfast	S	S	S	S	S				S		S			
	Hotel or Motel						P	P	P	S					
MANUFACTURING AND LIGHT INDUSTRIAL USES															

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USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
Industrial Service	Building Materials Sales						S*	P	P						*Based off of size 3.2.D.1 (Outdoor Sales/Storage/ Screening)
	Contractor's Office								P						
	Contractor's Shop with Outdoor Storage								P						3.2.D.1
	Heavy Equipment Sales, Service and Rental								S						
	Industrial, Heavy								S						
	Industrial, Light								P				S		
	Light Equipment Sales, Service and Rental								P						
	Research and Development Facility - Indoor						S	S	P				S		
	Research and Development Facility - Outdoor								S				S		6.4.G.9
Manufacturing and Production	Heavy Manufacturing, General								S						
	Light Manufacturing, General								P				S		
	Mining and Mineral Extraction	S	S	S	S	S	S	S	S	S		S	S	S	
Warehouse and Freight Movement	Mini-warehouse/Self Storage								S						Minimum 1000' from Interstate and Arterial Roadways

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USE CATEGORY	USE TYPE	RESIDENTIAL					COMMERCIAL				OTHER				Use Standards
		RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
	Warehouse/Wholesale Distribution Center								S						Minimum 1000' from Interstate and Arterial Roadways
Waste-Related Uses	Auto Wrecking and Salvage Yard/Junkyard														
	Hazardous Materials Handling and Transfer Facility														
	Recycling Collection Point													P	3.2.D.2
	Recycling Center														
	Sanitary Landfill														

10.3.2 USE-SPECIFIC STANDARDS

A. Residential Uses

1. Dwelling, Live/Work

Work areas of the dwelling shall be located in the front and/or ground level of the structure closest to adjacent right-of-way to the maximum extent practicable.

2. Dwelling, Single-Family Detached

Lots within any Ag zoning district shall be limited to one Single-Family Detached Dwelling per lot.

3. Model Homes

The following standards shall apply to all model homes:

a. Approval

- i. Model homes shall require the approval of the Director of Planning & Development through an administrative Plot Plan review. Building permits for model homes shall be issued after paved streets are completed and accepted by the Town Engineer and the applicant has demonstrated the model homes will be connected to the Town's potable water and sanitary sewer system as applicable; and
- ii. Off-street parking, sidewalks and landscape improvements servicing the model home shall be installed prior to the issuance of a Temporary Certificate of Occupancy for any model home.

b. Plot Plans

Plot plans shall be filed that demonstrate:

- i. Paved street access with sidewalk and landscaping that conform to district and development standards;
- ii. The location of temporary on-site sales offices within the model home; temporary parking lots with all-weather surfacing; and temporary trap fencing; and
- iii. Connection to the Town's potable water and sanitary sewer system as applicable.
- iv. For sales trailers, a Temporary Use Permit shall be required in conformance with 3.4.E.2.

c. Development Standards

Model homes and associated parking shall conform to the development and design standards applicable to residential uses in the zone district, and with the following additional standards:

i. Standards for Temporary Off-Street Parking

Model homes shall provide temporary off-street parking onsite or on an adjacent lot that conforms to the development and design standards for parking lots for similar commercial uses, as may be modified by the Director of Planning & Development to reflect the temporary nature of the use. The temporary off-street parking shall have all-weather surfacing. Temporary parking lots shall be removed prior to the issuance of the last Certificate of Occupancy for a dwelling unit in the development is issued. Within 30 days of a parking lot being removed, the owner shall re-vegetate the lot.

ii. Standards for Temporary Fencing

Temporary fencing or trap fencing, if provided, shall be located within the lot(s), at least one foot away from the back of sidewalk, and in conformance with fence standards located within front setbacks detailed in Section 6.4.H. No such temporary fencing shall be constructed without first obtaining a fence permit. Temporary fencing shall be removed prior to sale of the model homes for residential use.

4. Group Home, Residential

a. Compliance with State Statutes

Residential Group Homes , except group homes for the developmentally disabled, shall comply with spacing and other requirements found in C.R.S. § 31-23-303, as amended.

5. Retirement Home, Nursing Home, or Assisted Living Facility

- a. Uses shall comply with the multi-family residential design standards in Chapter 6.

B. Institutional and Public Uses

1. Child Care Center

All Child Care Centers, both Large and Small, shall meet all of the applicable state law and regulations for licensed child care facilities, as set forth in C.R.S. §26-6-102 *et seq.*, as amended, and the Regulations of the Colorado Department of Human Services (12 CCR 2509-8), as amended.

C. Commercial Uses

1. Adult Business Uses

Pursuant to Section 2.6.G.4.

2. Agricultural Grazing

The raising of hogs, pigs or other livestock fed from silage, garbage or offal is prohibited as part of this use.

3. Animal Hospitals, Large and Small Animals

- a. Unless outdoor facilities are authorized under Table 3-1, all facilities, including all treatment rooms, cages, pens, kennels, training rooms and exercise runs, shall be maintained within a completely enclosed, soundproof building and shall be sufficiently insulated so that, to the maximum extent feasible, noise or odor cannot be detected off-premises.
- b. Kennels or animal day care facilities with outdoor facilities shall be located a minimum of 500 feet from any residential zone district except that any existing facility as of the date of adoption of this FDC shall not be rendered legally nonconforming. Relief from the 500 feet separation may be granted given alternative design or remediation of impacts.

4. Kennel or Animal Day Care

- a. Unless outdoor facilities are authorized under Table 3-1, all facilities, including cages, pens, kennels, training rooms and exercise runs, shall be maintained within a completely enclosed, soundproof building, and shall be sufficiently insulated so that, to the maximum extent reasonably feasible, noise or odor cannot be detected off-premises.
- b. Kennels or animal day care facilities with outdoor facilities shall be located a minimum of 500 feet from any residential zone district except that any existing facility as of the date of adoption of this FDC shall not be rendered legally nonconforming.

Relief from the 500 feet separation may be granted given alternative design or remediation of impacts.

5. Drive-Through Service or Drive-Up Service

Drive-through or drive-up services are permitted as accessory uses to certain primary uses identified in Table 3-1. The following standards apply to all drive-through or drive-up services:

a. Stacking Spaces

Stacking spaces shall be provided pursuant to Table 6-6.1, Schedule A.

b. Impact on Adjacent Uses

- i. A drive-through or drive-up shall be located, sized, and designed to minimize traffic, noise, air emissions, and glare impacts on surrounding properties and rights-of-way.
- ii. The drive-through or drive-up shall be screened from adjacent right-of-ways and properties through architectural elements, screening, landscaping, or site design.
- iii. A landscaping buffer creating an adequate screen with a minimum width of 10 feet is required when drive-through or drive-up uses abut residential lots in a residential or mixed-use district.
- iv. The noise generated on the site by talk boxes shall be inaudible at the property line.

6. Nightclub

- a. All facilities shall be maintained within a completely enclosed, soundproof building, and shall be sufficiently insulated so that, to the maximum extent reasonably feasible, noise cannot be detected off-premises.
- b. Notwithstanding the general dimensional standards in Chapter 4, except for the OTC zone district, the minimum setback requirement shall be 25 feet if adjacent to a public right-of-way or to an industrial zoning district, and 50 feet if adjacent to a non-industrial zoning district.

7. Fueling Station

a. Fuel Pump Canopy Design and Illumination

- i. A fuel pump canopy and supporting structure shall utilize the same architectural design and materials as the principal building(s) on the lot.
- ii. Light fixtures mounted under canopies shall be full cut-off, recessed, and shielded so that there is no glare or light spillage at the property line.
- iii. Lights shall not be mounted on the top or sides (fascia) of the fuel pump canopy and the sides (fascia) of the canopy shall not be externally illuminated, except as part of an internally illuminated sign that meets the standards of Section 6.10.

b. Car Wash Bays and Vehicle Repair Bays

- i. To the maximum extent reasonably practicable, the entrance/exit to a car wash bay or vehicle repair bay shall not be oriented to a street frontage.
- ii. Notwithstanding the general setback requirements in Chapter 4, a 20 foot landscaped area is required between vehicle service areas, bays, or canopies and any adjacent street. Such area shall be landscaped with a mixture of groundcover, shrubs, trees, and other plants in accordance with 16.6.4. in order to screen the automotive wash, repair or maintenance facility from view from adjacent streets.

- iii. Vehicle wash or service bays facing adjacent residential properties shall be adequately screened by a wall, fence, and/or landscaping of at least 6 feet in height.
- iv. Outdoor vacuuming facilities may be outside, but not in the front building setback nor adjacent to any residential district without adequate visual and sound mitigation.

8. Restaurant with Outdoor Seating Area

- a. Eating and drinking establishments, permitted under this FDC, may provide outdoor seating areas on their property. The outdoor seating shall meet the following criteria:
 - i. The pedestrian circulation and building entries shall not be impaired. If a private sidewalk is adjacent to the outdoor seating area then a minimum of 4 feet of open sidewalk shall be maintained free of obstructions.
 - ii. Outdoor trash receptacle(s) shall be available.
 - iii. The operators of the outdoor seating area shall be responsible for maintaining a clean, litter-free and well-kept appearance for the outdoor seating area.
 - iv. Alcoholic beverages shall only be served or consumed within the outdoor seating area in conformance with State law and Town Municipal Code.
 - v. The outdoor seating area shall comply with applicable State and County Health Department regulations.
 - vi. The Director of Planning & Development may impose conditions relating to the design, location, configuration and operation aspects of the outdoor seating to ensure that such area is compatible with surrounding uses.

b. Outdoor Café License

Eating and drinking establishments, permitted under this FDC, may provide outdoor seating areas on a sidewalk or in a designated parking area within a public right-of-way, provided that pedestrian circulation, vehicular circulation and building entries are not impaired. An application is required for an Outdoor Café License that is subject to issuance by the Director of Planning & Development. The Director of Planning & Development shall make a determination whether to issue a permit for outdoor seating based on compliance with the following criteria:

- i. To allow for pedestrian circulation, a minimum of four (4) feet of open sidewalk shall be maintained free of obstructions adjacent to the outdoor seating area.
- ii. Pedestrian circulation to the building and building entries shall not be impaired.
- iii. Vehicular circulation within the right-of-way shall not be impaired.
- iv. Within the outdoor seating area, chairs, tables, umbrellas, planters and trash receptacles may be permitted.
- v. A fence or barrier delineating the outdoor seating area shall be permitted within the public right-of-way and may be required as a condition of the issuance of the Outdoor Café Permit.
- vi. All furniture and encumbrances placed within the outdoor seating area must be compatible with the character of the street furniture and be moveable (not

permanently attached) to allow maintenance of public infrastructure in the right-of-way as needed, upon request by the Town.

- vii. The operators of the outdoor seating area shall be responsible for maintaining a clean, litter-free and well-kept appearance for the outdoor seating area.
- viii. Alcoholic beverages shall only be served or consumed within the outdoor seating area in conformance with State law and Town Municipal Code.
- ix. The outdoor seating area shall comply with applicable State and County Health Department regulations.
- x. The Outdoor Café License applicant shall be required to enter into a License Agreement with the Town for the use of the right-of-way as a condition of the issuance of the Outdoor Café Permit.
- xi. The Director of Planning & Development may impose additional conditions on the issuance of the Outdoor Café Permit relating to the design, location, configuration and operation aspects; including but not limited to lighting, utility extensions and deck height, of the outdoor seating area to ensure that such area is compatible with surrounding uses.

D. Manufacturing and Light Industrial Uses

1. Contractor's Shop with Storage Yard

a. Location of Site

The use shall not be located within 300 feet of any residential zone district, school, hospital, park, open space, governmental office, or any other place of public assembly.

b. Surface Requirement

Parking lots/vehicle stacking spaces designated to meet the minimum parking requirements shall be paved in concrete or asphalt. Recycled concrete, recycled asphalt or equivalent may be approved by the Director of Planning & Development for non-public storage areas.

- c. Materials and vehicles located in the outdoor storage area shall not exceed the height of the screen wall or fence.

- d. For screening of outdoor storage, see Section 6.4.G.9.

2. Recycling Collection Point

The following regulations apply:

- a. Recycling collection points located on a parking lot may not occupy required off-street parking spaces and shall be located so as not to impede free traffic flow.
- b. No processing of the goods or products may be performed on the site.
- c. Any container used as a recycling collection point must be fully enclosed, kept in proper repair and the exterior must have a neat and clean appearance.

10.3.3 ACCESSORY USES AND STRUCTURES

A. Purpose

This Section authorizes the establishment of accessory uses. An accessory use is “incidental and customarily subordinate” to a principal use if it complies with the standards set forth in this Section.

B. Approval of Accessory Uses and Structures

1. All principal uses permitted in a zoning district shall be deemed to include the accessory uses, structures, and activities set forth in this Section, unless specifically prohibited. In addition, Chapter 11, identifies typical accessory uses associated with many principal uses as part of the principal use definition.
2. All accessory uses shall be subject to the general standards set forth in this Subsection, as well as any use-specific standards set forth in Section 3.2 above.

C. Explanation of Table Abbreviations

1. Permitted Uses

“P” in a cell indicates that the use is permitted by right, without special conditions other than those imposed upon other uses by right in the district. A use by right requires no further approval from the Board of Trustees; however, it shall be subject to Final Development Plan review if the associated principal use requires Final Development Plan review. Permitted uses are subject to all other applicable regulations of this FDC, including the use-specific standards set forth in this Chapter and the requirements of Chapter 6.

2. Special Review Uses

“S” in a cell indicates that, in the respective zoning district, the use is permitted only if reviewed and approved as a Special Review Use in accordance with the procedures of Section 7.13. Special Review Uses are subject to all other applicable regulations of this FDC, including the use-specific standards set forth in this Chapter and the requirements of Chapter 6.

3. Prohibited Uses

A blank cell indicates that the use is prohibited in the respective zoning district.

4. Use-Specific Standards

Regardless of whether a use is permitted by right or permitted as a Special Review Use, there may be additional standards that are applicable to the use. The existence of these use-specific standards is noted through a cross-reference in the last column of the table. Cross-references refer to Section 3.2. These standards apply in all districts unless otherwise specified.

D. Classification of New and Unlisted Uses

When application is made for an accessory use category or use type that is not specifically listed in Table 3-2, the procedure described in Subsection 3.1.D, shall be followed.

E. Table of Permitted Accessory Uses

Table 3-2 below lists the accessory uses permitted within all zoning districts.

TABLE 3-2: TABLE OF ACCESSORY USES														
P=Permitted Use By Right S=Special Review Use Blank=Not Permitted														
ACCESSORY USE	RESIDENTIAL					COMMERCIAL				OTHER				Use-Specific Standards
	RR	R-A	R-B	R-C	OTR	NC	RC	LI	OTC	DR	AG	OS	PLI	
Accessory dwelling unit	S	P	P	P	P									3.3.G.1
Backyard Chicken Hens	P	P	P	P	P						P			3.3.G.5
Family child care home	P	P	P	P	P						P			3.3.G.2
Garage, Private Detached	P	P	P	P	P	P	P	P	P		P	P	P	3.3.G.11
Greenhouse, Private	P	P	P	P	P						P			3.3.G.3
Heliport						S	S	S						
Home occupations	P	P	P	P	P						P			3.3.G.4
Keeping of Household Pets	P	P	P	P	P						P			3.3.G.6
Keeping of Large Animals	S										P	P		3.3.G.7
Outdoor display and sales						P	P	P	P					3.3.G.8
Outdoor storage						P	P	P	P			P	P	3.3.G.9
Private Structure, Large	P	P	P	P	P	P	P	P	P		P	P	P	3.3.G.11
Private Structure, Small	P	P	P	P	P	P	P	P	P		P	P	P	3.3.G.12
Quarters for caretaker/guard as part of a permanent structure								S			S			
Refuse/Recycling/ Donation Collection Receptacle						P	P							
Swimming Pool/Hot Tub	P	P	P	P	P	P	P	P	P		P	P	P	3.3.G.10
Truck/Fleet Fueling & Carwash								S						

F. General Standards

All accessory uses and structures shall comply with the general standards in this Section. No accessory use shall be located on any lot as the principal use.

1. Compliance

- a. All accessory uses and structures shall be subject to the standards set forth in this Section, and also the use-specific standards of Section 3.2 above and the dimensional standards of Chapter 4. In the case of any conflict between the accessory use/structure standards of this Section and any other requirement of this FDC, the more restrictive standards shall control.

- b. Accessory uses shall comply with all standards of this FDC applicable to the principal use with which they are associated. Parking requirements shall be met for both the principal use and any accessory use.

2. Same Lot Required

The accessory use or structure shall be conducted and/or located on the same lot as the principal use.

3. Same Ownership Required

The property where the principal use and the accessory use are occurring shall be under the same ownership.

4. Same Utility Meter Required

The principal use and the accessory use shall utilize the same utility meter.

5. Temporary Accessory Uses and Structures

Temporary accessory uses and structures shall be governed by the temporary use permit procedures and standards set forth in Sections 7.16 and 3.4.

6. Size of Structure

Unless specified below, an accessory use structure shall be subordinate in gross floor area, extent and purpose to the principal use. When multiple accessory use structures are associated with a principal use, the total of all accessory use structures shall be subordinate in gross floor area, extent and purpose to the principal use.

Notwithstanding Subsection 3.3.G.1.d, the following are not required to be subordinate in gross floor area:

- a. Barns and other agriculture buildings located in the Agricultural-Residential district, shall be exempt.
- b. Within the Rural Residential district, accessory structures shall not exceed 2 times the gross floor area of the principal building.

G. Additional Standards for Specific Accessory Uses and Structures

1. Accessory Dwelling Units

a. Purpose

Accessory dwelling units are intended to:

- i. Provide a mix of housing that responds to changing family needs;
- ii. Provide a means for residents, seniors, single parents and families with grown children to remain in their homes and neighborhoods, obtain extra income, security, companionship and services;
- iii. Provide a broader range of accessible and more affordable housing;
- iv. Create new housing dwelling units while respecting the look and scale of single-family detached neighborhoods; and
- v. To establish a procedure to minimize potential impacts from these conversions on abutting single-family uses.

b. Exception from Impact Fee Requirements

New accessory dwelling units shall not be subject to impact fee charges.

c. Construction of New Accessory Dwelling Units

An accessory dwelling unit may be created by:

- i. Converting an existing living area, attic, basement or garage;

- ii. Addition of floor area to a single-family house;
- iii. Construction of a detached accessory dwelling unit on the single-family lot;
or
- iv. Construction of a new single-family detached house with an internal or detached accessory dwelling unit.

d. General Standards

All accessory dwelling units shall meet the following standards:

i. *Districts Permitted*

Accessory dwelling units shall be permitted as accessory uses to single-family detached residential uses as depicted in Table 3-2. A minimum lot size of 5,000 square feet is required.

ii. *Where Permitted on Lot*

A permitted accessory dwelling unit shall comply with all applicable site and building design, access, and other standards in the zoning district in which the accessory dwelling unit will be located. Mobile homes, recreational vehicles, and travel trailers shall not be used as accessory dwelling units.

iii. *Size of Accessory Dwelling Unit*

No accessory dwelling unit shall exceed 33 percent of the size of the habitable floor area of the principal dwelling unit, or 900 square feet, whichever is less. In addition, accessory dwelling units shall be no less than 500 square feet. An accessory dwelling unit shall contain private sanitary facilities with hot and cold running water and cooking and food storage facilities.

iv. *Limit on Number*

There shall be no more than one (1) accessory dwelling unit on a lot in addition to the principal single-family detached dwelling. An accessory dwelling unit shall not serve as the principal dwelling on the site.

v. *Parking Requirements*

(A) On-site parking is not required if an accessory dwelling unit is built on a site with an existing single-family detached house that has on-street parking on the abutting street frontage.

(B) One additional parking space is required when:

(1) The street abutting the site does not have on-street parking;
or

(2) The accessory dwelling unit is built at the same time as the single-family detached house.

vi. *Design Standards*

(A) All accessory dwelling units shall be designed to maintain the appearance, architectural style and character of the principle dwelling unit. Exterior siding, roofing, and trim shall match the appearance of the materials on the principal dwelling unit. Roof style shall match the predominant style of the principal dwelling unit. Exterior window trim, window proportions (width to height), patterns, and orientation (horizontal to vertical) shall match those of the principal dwelling unit.

e. Permit Required

New accessory dwelling units shall be required to receive an Accessory Dwelling Unit Permit through the Town. Review of the permit application shall be reviewed by the Director of Planning & Development for compliance with the standards included in this section and Town code.

2. Family Child Care Home

Family child care homes shall comply with the Colorado licensing statutes codified at C.R.S. §26-6-102 *et seq.*, as amended, and the Department of Human Service Regulations codified at 12 CCR 2509-8 *et seq.*, as amended. Family child care homes may serve no more than six (6) children or students within a Single-Family Detached residence.

3. Greenhouse

A greenhouse shall be permitted as an accessory use to a residential dwelling unit only if there are no sales from the premises.

4. Home Occupations

Home occupations shall be a permitted accessory use governed by the following regulations:

- a. A home occupation shall not be conducted until a home occupation has been reviewed and approved and a license has been issued by the Director of Planning & Development. Said license shall cite the conditions of the approval, if any.
- b. Home occupations must be clearly secondary to the use of the building as a residence and shall not occupy more than 25 percent of the total floor area.
- c. The home occupation shall use the same water, electric and gas meters as the residence.
- d. Home occupations shall be operated entirely from an enclosed structure with no exterior storage of business related vehicles, materials or equipment. The home occupation owner's individual business/personal passenger vehicle is exempt from this requirement.
- e. There shall be no visible evidence of the operation, and it shall not change the residential character thereof.
- f. Only persons residing in the residence can operate the home occupation at the residence. A maximum of 2 non-occupant employees, independent contractors or others associated with the business may be at the residence at the same time for work, work assignments, supplies, etc.
- g. The operation shall not generate objectionable traffic in the area, and off-street parking must be provided to accommodate all needs created by the home occupation.
- h. The operation shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar impacts.
- i. The following uses, because of their tendency to go beyond the limits permitted for home occupations and thereby impair the use and value of the residential area shall not be permitted as home occupations: auto repair or motorized implement repair; dance, music or other types of instruction (if more than 4 students are being instructed at 1 time); dental offices; medical offices; the painting of vehicles, trailers or boats; private schools with organized classes; motor vehicle towing operation; barber shops having more than 1 chair, beauty shops having more than 1 chair; welding shops; nursing homes; bed and breakfast and other such transient lodging; and retail sales where products are stocked and sold to purchasers at the home occupation residence like a retail store.

5. Keeping of Backyard Chicken Hens

The keeping of backyard chicken hens shall be a permitted accessory use to single-family detached dwelling units on lots greater than 5,000 square feet in lot area that meet the following regulations:

- a. No more than 6 backyard chicken hens are permitted per dwelling unit.
- b. Roosters are prohibited.
- c. Backyard chicken hens are required to be located within a designated chicken coop and chicken run that meet the following standards:
 - i. The chicken coop and chicken run shall be located in the rear yard of a property.
 - ii. The chicken coop and chicken run, nor any part thereof, shall be located between the rear of the principle structure and the front yard lot line.
 - iii. The chicken coop and chicken run shall have a minimum 5 foot setback from any side or rear property line.
 - iv. The chicken coop shall not be located within any utility easement.
 - v. The chicken coop shall be predator resistant with a solid covered roof.
 - vi. Water shall be provided onsite and be accessible at all times.
 - vii. During daylight hours, chicken hens shall have access to a chicken run that is adequately fenced and protected from predators and shall also have access to the chicken coop.
 - viii. From dusk to dawn, chicken hens shall be protected from predators by being enclosed within a chicken coop.
 - ix. The maximum chicken coop is 100 square feet in area
 - x. A minimum of 4 square feet of area per chicken hen shall be provided in both the coop and run.
 - xi. The maximum height of the chicken coop shall be no more than 7 feet at the highest point of the roof.
- d. The chicken coop and run shall be maintained and shall regularly be cleaned to control dust, odor and waste and not constitute a nuisance, safety hazard or health problem to surrounding properties.
- e. No onsite slaughtering is permitted.
- f. Chicken feed shall be stored in metal re-sealable, airtight, predator proof containers.
- g. The keeping of backyard chicken hens shall not be conducted until a backyard chicken permit has been reviewed and approved and a permit has been issued by the Director of Planning & Development. Said permit shall cite the conditions of the approval, if any. The following are the application requirements need for review of a backyard chicken license:
 - i. Completed Backyard Chicken Permit Application.
 - ii. Non-refundable application fee.
 - iii. Scaled Plot Plan of the property showing location of chicken coop and run.

6. Keeping of Household Pets

Household pets including, but not limited to dogs, cats, potbelly pigs or similar domesticated animals shall be permitted in all zoning districts allowing for residential use provided that no more than 4 animals over 4 months of age are kept by the occupant of any residential dwelling unit. This provision limiting the number of pets does not apply to tropical fish, small rodent animals such as gerbils, hamsters, and small birds kept as pets, unless the animals are raised for commercial purposes. Kennels, boarding facilities, and commercial activities are not a permitted accessory use. Animals typically found on farms including but not exclusive of, turkeys, goats, sheep, cows, and pigs are not considered household pets. For regulations regarding keeping of large animals such as donkeys, horses, and llamas, etc., see Subsection 3.3 G.7 below.

7. Keeping of Large Animals

Horses, donkeys, mules, and llamas for non-commercial use may only be kept as a permitted accessory use in the Agricultural and Open Space Districts, provided at least one acre of pasture area is available for each animal.

8. Outdoor Display and Sales

Outdoor display and/or sales may be permitted as an accessory use for all commercial uses, and requires Final Development Plan approval. It is the intent of this FDC to allow the display of merchandise for sale, but not where the display of such items impedes the flow of pedestrian or vehicular traffic, or creates an unsafe condition. The display of goods shall meet all of the following requirements:

a. Procedural Requirements

Outdoor display and/or sales shall require approval of the Director of Planning & Development. All new development plans must show the location of such areas in accordance with this Section. Existing non-residential uses must submit a plan showing the location of the outdoor display or sales areas and how the requirements of this Section are to be met. Approval may be subject to appropriate conditions established by the Director of Planning & Development.

b. Where Permitted

- i. All outdoor display of goods shall be located immediately adjacent to the storefront and not in drive aisles, loading zones, fire lanes, or parking lots.
- ii. No outdoor display of goods shall be located within Town right-of-way without obtaining a License Agreement from the Town.
- iii. The area used for outdoor display or sales shall not occur on the sides and rear of buildings and shall be limited to no more than 1/2 of the length of the store front, unless increased by the Director of Planning & Development after taking into account aesthetics, and safety concerns or other relevant factors. In the case of a shopping center, the "storefront" shall include the entire frontage of the shopping center, meaning that the total amount of display for all the in-line tenants combined shall not exceed 50 percent of the aggregate store front of the overall shopping center.
- iv. The area of outdoor display or sales shall not encompass the width of the entrance doors to the facility as projected straight out from the facility. For example, if the width of the entrance doors is 10 feet, then there shall be at least a 10 foot clearance from the doors as projected straight out and away from the facility.
- v. Outdoor displays shall be incorporated into the architecture of the building and shall not obscure any architecture features including windows.

- vi. The height of the outdoor display shall not exceed 6 feet, unless an exception to this provision has been granted by the Director of Planning & Development.
 - vii. The outdoor display area shall take place on an improved surface such as the sidewalk or pavement.
 - viii. A maximum of two (2) outdoor vending machines are permitted subject to the requirements above.
- c. **No Pedestrian Obstruction**
At least 5 feet along the parking lot side of the display shall be maintained free of obstruction to allow for pedestrian and handicap movement.
- d. **Temporary Sales Distinguished**
The provisions of Subsection 3.3.G.7.c above shall not apply in cases of temporary sales events, such as weekend sidewalk sales, seasonal vegetable sales and other similar temporary uses. See Section 3.4 for regulations applying to temporary uses.
9. **Outdoor Storage**
In no case shall the storage or parking of trailers, semi-trailers, cargo containers or shipping containers outdoors, or the warehousing of goods in such containers, be permitted as a principal use. Outdoor storage may be permitted as an accessory use through the Final Development Plan review process described in Section 7.10. The storage area shall meet all of the requirements and design criteria found in Section 6.4.G.9.
10. **Swimming Pool/Hot Tub**
A swimming pool and/or hot tub may be permitted in any district as an accessory use subject to the following additional requirements:
- a. For single family residential, no swimming pool or hot tub may be located in any front yard or side yard abutting a street. No swimming pool shall be located closer than 10 feet to any side or rear lot line.
11. **Private Detached Garage or Structure, Large**
A garage or structure that is accessory to a residential structure and is over 200 square feet in gross floor area shall meet the following standards:
- a. Facades shall not be constructed of metal materials.
 - b. The accessory garage or structure shall be designed to maintain or compliment the architectural style and character of the principal residential structure. Exterior siding, roofing and trim should match the principal residential structure.
12. **Private Detached Shed or Structure, Small**
A shed, gazebo, playhouse or structure that is accessory to a residential structure and is less than 200 square feet in gross floor area shall meet the following standards:
- a. Facades shall not be constructed of metal materials.
 - b. An accessory shed structure, small, shall not exceed 12 feet in height.

10.3.4 TEMPORARY USES AND STRUCTURES

A. Purpose

This Section allows for the establishment of certain temporary uses of limited duration, provided that (1) a Temporary Use Permit is properly obtained pursuant to Section 7.14 of this FDC; (2) such uses do not negatively affect adjacent properties or Town facilities; (3) such uses are discontinued upon

the expiration of a set time period as defined by the Temporary Use Permit; and (4) temporary uses do not involve the construction or alteration or any permanent building or structure.

B. Temporary Uses Permitted

The following temporary uses may be permitted in accordance with the requirements of this Section.

1. Retail sales of products including but not limited to Christmas trees, agricultural produce, and fireworks, is permitted in any nonresidential district for a period not to exceed the number of days specified in the Temporary Use Permit. Display of products need not comply with the yard and setback requirements of this FDC provided that no display shall be located within an area restricted by the Corner Sight Distance requirements of Section 4.2 or encroach into any pedestrian, bicycle, or vehicular way.
2. Temporary office space and equipment storage is permitted when accessory to an approved construction project in accordance with Subsection 3.4.E.
3. Sales offices are permitted on residential development sites in any zoning district until all lots or houses are sold or leased in accordance with Subsection 3.4.E. Use of the sales office for sites outside of the project is prohibited.
4. Temporary office space (1 per site) for hiring, membership solicitation, apartment office/leasing, and general office use following the issuance of a building permit for the construction of a permanent office building.
5. Mobile Food Vendors are permitted when accessory to an existing non-residential use and conducted in accordance with Subsection 3.4.E.
6. The Director of Planning & Development may approve other temporary uses or structures using the process established in Subsection 3.1.D.

C. Temporary Use Permits

1. Permit Required

All temporary uses and structures shall obtain a Temporary Use Permit pursuant to the procedures set forth in Section 7.14. A Temporary Use Permit shall be reviewed, approved, or revoked only in accordance with the regulations of Section 7.14 and this Section.

2. Permit Exceptions

Notwithstanding Subsection 3.4.C.1 above, the following temporary uses are deemed approved in any district and are exempted from the Temporary Use Permit requirements provided that the proposed temporary use complies with the general requirements below:

- a. Town sponsored events utilizing Town property, public streets, or public rights-of-way, provided that the applicant shall coordinate the event with the Public Works Department, Police Department and Fire District, and comply with any conditions required by those departments;
- b. Up to seven (7) days of garage or yard sales per calendar year per residential dwelling unit;
- c. Temporary car washes lasting no more than 7 days per year; and,
- d. Gatherings of less than 100 people, such as block parties, nonprofit events, and fundraisers.

D. General Requirements for all Temporary Uses and Structures

All temporary uses or structures shall meet the following general requirements, unless otherwise specified in this FDC:

1. The temporary use shall comply with all applicable general and specific regulations, including zoning regulations, of this Section unless otherwise expressly stated.
2. Permanent alterations to the site are prohibited. If any alterations to the site occur the site shall be restored to its previous condition.
3. Unless otherwise stated in this FDC or in the terms of the Temporary Use Permit, the temporary use shall expire 30 days after approval of the Temporary Use Permit. Renewal of the permit may be permitted pursuant to the procedures outlined in Section 7.14.
4. All signs associated with the temporary use or structure shall be required to follow the Town sign regulations.
5. The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.
6. The temporary use regulations of this Section do not exempt the applicant or operator from any other required permits, such as health department permits.
7. If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers, 100-year floodplains, stream protection setbacks, wetlands, and areas of slope greater than 20 percent.
8. If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability.
9. Tents and other temporary structures shall be located so as to not interfere with the normal operations of any permanent use located on the property.
10. Off-street parking shall be adequate to accommodate the proposed temporary use.
11. Temporary structures shall not be located within the 100-year floodplain.

E. Additional Use-Specific Regulations for Certain Temporary Uses

In addition to complying with the general regulations in Subsection 3.4.D above, the temporary uses listed below shall comply with the additional use-specific regulations below.

1. Construction Trailer and Outdoor Storage for Construction

Construction trailers and outdoor storage locations for construction shall be reviewed and if appropriate approved by the Director of Planning & Development. Plans shall be submitted illustrating that the application meets all of the following requirements:

- a. The use shall be located on a lot or tract.
- b. The use shall meet zoning category setback and height requirements.
- c. The use shall provide an all-weather access road to the trailer with a turn-around that is approved by the Fire District. The access and turn-around is required to be constructed before the trailer is occupied.
- d. The construction trailer is not required to tap into the Town's water system. A port-a-let shall be provided.
- e. The trailer and associated site elements shall be removed within 30 days of the last Certificate of Occupancy being issued within the filing within the development in

which the trailer is located or for non-residential within 30 days of the Certificate of Occupancy being issued for the non-residential structure.

- f. Within 30 days of the trailer being removed from the site, the owner shall either have a building permit(s) issued for the site to construct a residence, a building permit to construct a non-residential building subject to an approved FDP, or the site shall be restored with appropriate ground cover in accordance with Town erosion control standards.

2. Temporary Sales Trailer or Temporary Sales Office

A temporary sales trailer or temporary sales office shall be reviewed and if appropriate approved by the Director of Planning & Development. Plans shall be submitted illustrating that the application meets all of the following requirements:

- a. The use shall be located on a lot.
- b. The owner shall provide a paved road to Town standards as accepted on the construction plans, and shall provide secondary access if required by Fire District; to their standards.
- c. The use shall meet zoning category setback and height requirements.
- d. A water and sewer tap is required on the lot where the trailer/office is located to provide adequate public facilities within the sales trailer.
- e. ADA access is required.
- f. A minimum of four (4) temporary off-street parking stalls shall be provided on-site or on an adjacent vacant lot.
- g. Off-street parking shall have all-weather surfacing.
- h. Off-street parking shall maintain five (5) foot setbacks to all property lines excluding the access way to the parking area.
- i. Access to a sales trailer and associated parking shall come from a local or collector street.
- j. The trailer and associated site elements shall be removed with 30 days of the last Certificate of Occupancy being issued within the filing within the development in which the trailer is located or as otherwise authorized by the Director of Planning & Development.
- k. Within 30 days of the trailer being removed from the site, the owner shall either have a building permit(s) issued for the site to construct a residence, a building permit to construct a non-residential building subject to an approved FDP, or the site shall be restored with appropriate ground cover in accordance with Town erosion control standards.

3. Mobile Food Vendor

Mobile Food Vendors, permitted under this FDC, shall meet the following criteria:

- a. Mobile food vendor sales shall only be conducted on properties with the appropriate zoning allowing food sales.
- b. Mobile food vendor sales shall be an accessory use to an existing commercial business and shall not be conducted from any vacant property.
- c. The mobile food vendor shall meet principle structure setbacks for the zone district in which it is located.

- d. The mobile food vendor shall not be located in rights-of-way or on Town Property unless permitted by Town special event permit.
- e. The mobile food vendor and other associated items such as signs, trash receptacles, chairs, tables, etc., shall not be parked or located in such a way to block, obstruct or interfere with fire lanes, travel lanes, or pedestrian ways on or adjacent to the property on which sales are conducted.
- f. A mobile food vendor may not use amplified sound.
- g. When not in operation, storage of the vehicle must comply with all Town ordinances regulations.
- h. Mobile food vendors shall meet all state and county health requirements and obtain applicable permits.
- i. The operator must obtain a business license through the Town.
- j. Prior to issuance of a business license, the operator shall have written authorization of the property owner(s) on which the mobile food vendor conducts business and shall provide such written authorization to the Town. Written authorization shall be kept in mobile food vendor vehicle at all times.
- k. This license is nontransferable and shall be conspicuously posted in the place above described.

CHAPTER 4: DIMENSIONAL STANDARDS

10.4.1 TABLE OF DIMENSIONAL STANDARDS

This Section contains tables that list the requirements for lot dimensions and building bulk, density, location, and height for all types of development. All primary and accessory structures are subject to the dimensional standards set forth in the following tables. These general standards may be further limited or modified by other applicable Sections of this FDC. General rules for measurement and exceptions are in Section 4.2.

A. Dimensional and Density Standards

TABLE 4-1: DIMENSIONAL AND DENSITY STANDARDS – RESIDENTIAL AND COMMERCIAL DISTRICTS (Additional standards may apply. See Use-Specific Standards in Section 3.2)								
		Minimum Lot Standards		Minimum Setbacks (ft.) ^②				Max Height (ft)
District	Max/Min Density (DU/Acre)	Width (ft)	Net Area ^③ (sq ft)	Front	Street (all uses)	Interior Lot Line	Rear	
RR	1/na	100 (Flag lots: 50)	43,560	Principal: 30 Accessory: 40	30	10	Principal: 30 Accessory: 10	40
R-A	5/na	SFD: 50 Comer: 60 SFA: 25 Comer: 35 MF: none	<u>SFD: 5,000</u> <u>SFD-Alley: 3,500</u> <u>SFA: 2,000</u> <u>SFA-Alley: 1,500</u> MF: 1,500 per DU	Principal SF: 14 10 for alley loaded 20 to front load garage Principal MF: 20 Accessory: 30	SF: 10 MF: 20	Principal SF: 5 ^① Principal MF: 10 ^① Accessory: 5 ^①	Principal SF: 20 2 for alley loaded Principal MF: 20 Accessory SF: 5 Accessory MF: 10	Prin-SF: 35 Prin-MF: 45 Acc: 25
R-B	10/5							
R-C	20/10							

① Zero lot line setbacks shall be permitted for attached buildings provided that the building meets the zone district interior lot line setback on the side of the building not attached.

② Multiple principal buildings on a single lot shall be separated a distance equal to the distance that would be required if they were separated by a lot line.

③ Net area is the size of the lot; not to include tracts and streets and their right-of-ways.

Chapter 4: Dimensional Standards
Section 10.4.1 Table of Dimensional Standards

		Minimum Lot Standards		Minimum Setbacks (ft.) ^②				Max Height (ft)
District	Max/Min Density (DU/Acre)	Width (ft)	Net Area ^③ (sq ft)	Front	Street (all uses)	Interior Lot Line	Rear	
OTR	<u>SFD: 5/na</u> SFA: 10/na	<u>SF: 50</u> SFA: 25	<u>SFD: 5,000</u> SFA: 2,500 per DU	Principal SF: 14 10 for alley loaded 20 to front load garage Accessory: 30	SF: 10	Prin: 5 ^① Acc: 5 ^①	Principal SF: 20 2 for alley loaded Accessory SF: 5	Prin: 35 Acc: 25
OTC	<u>N/A</u>	<u>N/A</u>	<u>0</u>	0	0	0	Prin: 20 Acc: 5	Prin: 35 2 stories max Acc: 20
NC		N/A	N/A	Principal: 20 Accessory: 30	20	Prin: 10 ^① Acc: 5	Principal: 20 Accessory: 5	Prin: 35' Acc: 25
RC								Prin: 45'
LI								45 Acc: 25

① Zero lot line setbacks shall be permitted for attached buildings provided that the building meets the zone district interior lot line setback on the side of the building not attached.

② Multiple principal buildings on a single lot shall be separated a distance equal to the distance that would be required if they were separated by a lot line.

③ Net area is the size of the lot; not to include tracts and streets and their right-of-ways.

B. Other Districts Standards

TABLE 4-3: TABLE OF DIMENSIONAL STANDARDS - OTHER DISTRICTS (Additional Standards May Apply. See Use-Specific Standards in 3.2.)							
District	Min. Lot Size		Minimum Setbacks (ft.)			Maximum Height	
	Net Area ^③ (sq. ft.)	Width (ft.)	Front	Side	Rear	Prin.	Acc.
AG	87,120	100 (Flag lots: 50)	50	30	50	35	40
OS	N/A	N/A	20	20	20	35	20
PLI	N/A	N/A	Front, side and rear yard setbacks shall be 25 feet when the abutting district is AG, OS, or any residential property. Otherwise, the setbacks shall be equal to the analogous minimum setback in the abutting district.			45	35
DR	N/A	N/A	N/A			N/A	N/A

- ① Zero lot line setbacks shall be permitted for attached buildings provided that the building meets the zone district interior lot line setback on the side of the building not attached.
- ② Multiple principal buildings on a single lot shall be separated a distance equal to the distance that would be required if they were separated by a lot line.
- ③ Net area is the size of the lot; not to include tracts and streets and their right-of-ways.

10.4.2 MEASUREMENTS AND EXCEPTIONS

A. Setbacks

1. General Setback Requirements

a. *Required Setbacks*

Setbacks shall be unoccupied and unobstructed by any structure or portion of a structure from 30 inches above grade upward; provided, however, that fences, walls, trellises, poles, posts, ornaments, furniture and other customary yard accessories may be permitted in any setback subject to height limitations and requirements limiting obstruction of visibility.

- i. A building, structure, or lot shall not be developed, used, or occupied unless it meets the minimum setback requirements set forth in Table 4-1 for the zoning district in which it is located, except as otherwise established in this FDC or unless a variance has been granted.
- ii. A setback or other open space required by this FDC shall not be included as part of a setback or other open space required by this FDC for another building or structure or lot.

b. *Encroachments into Required Setbacks, General*

The following structures may encroach into required front, side or rear setbacks as specified in this Subsection and as permitted by building code:

i. *Paved Patios or Terraces*

Paved patios or terraces may encroach into any required setback, provided that no structures placed on them shall violate other requirements of this FDC.

ii. *Unroofed Landings, Decks and Stairs*

Unroofed landings, decks and stairs may encroach into required setbacks, provided that the floor shall not extend higher than 30 inches above the finished grade level and the projection is at least 5 feet from the lot line.

iii. *Covered Decks and Exterior Balconies*

Covered Decks and exterior balconies may encroach into a required rear setback provided these encroachments are at least 10 feet from the rear lot line.

iv. *Incidental Architectural Features*

Cornices, eaves, canopies, window wells, chimneys, bay windows, ornamental features, and other similar architectural features may encroach not more than two (2) feet into any required setback.

v. *Covered Porches and Roofs Over Other Exterior Approaches*

Roofs over porches, stairways, landings, terraces, or other exterior approaches to pedestrian doorways may project up to four (4) feet into a front setback. The projection shall be at least ten (10) feet from the front property line.

vi. *Handicap Ramps*

The Director of Planning & Development may allow the installation of handicap access ramps in required front, side, and rear setbacks. The design and placement of the ramps shall be reviewed to ensure that:

- (A) The ramp has minimal visual impact on abutting properties;

(B) The width of the ramp does not exceed 48 inches except as required by law.

vii. Fences and Walls

Fences and walls may project into any required setback and shall be in accordance with other requirements of this FDC.

c. Encroachments Into Easement and Right-of-ways Prohibited

Encroachments shall not extend into any easement(s) or right(s)-of-way except as legally authorized by the easement holder.

d. Contextual Front Setbacks

In addition to permitted projections described in Subsection 4.2.A.1.b above, the following exceptions to the front setback requirement for dwellings abutting local streets (not collector or arterial streets) are authorized for a lot in any district.

- i. If there are dwelling units on both abutting lots with front setbacks of less than the required depth for the district, the front setback for the lot need not exceed the average front yard of the abutting dwelling units.
- ii. If there is a dwelling unit on 1 abutting lot with a front setback of less than the required depth for the district, the front setback for the lot need not exceed a depth 1/2 way between the depth of the abutting lot and the required setback depth.
- iii. Regardless of contextual front setback, any garage portion of the dwelling facing the front or street side shall have a setback of twenty (20) feet.

e. Corner Lots

In the case of corner lots, unless the prevailing front setback pattern on adjoining lots indicates otherwise, front setbacks shall be provided on all frontages.

f. Corner Sight Distance (a.k.a. Sight or Vision Clearance Triangle)

Where a driveway or private street intersects a public right-of-way or where property abuts the intersection of 2 public right-of-ways, unobstructed sight distance as described in the Town Standards and Specifications shall be maintained at all times within the sight triangle area on the property adjacent to the intersection in order to ensure that safe and adequate sight distance is provided for the public use of the right-of-way.

B. Height Exceptions for Appurtenances

Except as specifically provided elsewhere in this FDC, the height limitations contained in this FDC do not apply to spires, belfries, cupolas, chimneys, heating and ventilation equipment, elevator housings, stairwell towers or similar appurtenances; provided, however, the following:

1. The appurtenance does not interfere with FAA Regulations;
2. The appurtenance does not extend more than 25 feet above the maximum permitted building height;
3. The appurtenance is not constructed for the purpose of providing additional occupiable floor area in the building; and
4. The appurtenance complies with the screening requirements for mechanical equipment and appurtenances in Subsection 6.4.G.

CHAPTER 5: SUBDIVISION STANDARDS, DESIGN, AND IMPROVEMENTS

10.5.1 PURPOSE

The purpose of this Chapter is to:

- A. To assist orderly, efficient, and integrated development, and to promote the health, safety, convenience, order, prosperity, and general welfare of the present and future residents of the Town;
- B. To encourage the proper arrangement of subdivisions in relation to existing or planned subdivisions in order to facilitate safe, efficient and pleasant walking, biking and driving;
- C. To provide for a variety of lot sizes and housing types;
- D. To ensure an adequate and efficient street system by regulating the location, design, class, and type of street, sidewalk and other transportation corridors; and
- E. To secure adequate provisions of water, electric service, drainage, sewers and other facilities and services for the health and safety of Town citizens.

10.5.2 APPLICABILITY

The provisions of this Chapter shall be applicable to any person who divides, or participates in the division of a lot, tract, or parcel of land into two or more lots, tracts, parcels or other divisions of land for any purpose including, but not limited to, the immediate or future purpose of conveyance, sale or building development, whether residential, industrial, office, business or otherwise, within the Town. . Any plat for the subdivision of land, within the Town, including the re-subdivision of land previously subdivided, shall be submitted to the Town for action in accordance with this FDC. The following shall be excepted from the provisions of this Chapter: (1) Any division of land created for the sole purpose of establishing public rights-of-way, public utility rights-of-way, or other lands for municipal and school district purpose; (2) the sale of cemetery lots within a permitted cemetery, where the cemetery maintains records as to the size, location, and ownership of the lots; and (3) granting of easements. No subdivision plat shall be used for purposes of sale or development until approved by the Town and recorded with the Weld County Clerk and Recorder as provided in this FDC. Every plat shall be recorded in the office of the Weld County Clerk and Recorder. It shall be unlawful for the owner or an agent of the owner of any land to transfer or sell any unsubdivided land or lands by reference to, exhibition of, or by use of a plat of a subdivision before such plat has been approved by the Town and recorded in the office of the Weld County clerk and recorder. It shall be unlawful to erect, construct, reconstruct, use or alter any building or structure or to use any land in violation of this chapter.

10.5.3 GENERAL PROVISIONS

A. Permits

No building shall be erected on any lot, nor shall a building permit be issued for a building unless the lot is part of a subdivision approved in accordance with this chapter or prior subdivision regulations.

B. Stormwater Permits

All construction activities that disturbs 1 or more acres of land, as well as activities that disturb less than 1 acre of land, but are part of a larger common plan of development, must comply with both local and state regulations regarding stormwater drainage on construction sites.

1. Colorado Stormwater Discharge Permit

Owners or contractors must obtain a Colorado Stormwater Discharge Permit for construction activities from the Colorado Department of Public Health and Environment (CDPHE).

2. Stormwater Quality Permit

Owners and contractors must also obtain a Stormwater Quality Permit from the Town.

C. Minimum Standards

The standards in this Chapter are minimum standards. The Town may impose more restrictive standards when it finds that they are necessary to conform the design of a proposed subdivision to sound engineering or design standards or other standards in this FDC.

D. Compliance with Other Provisions of this FDC

All subdivisions shall comply with all other applicable zoning, design, and development regulations set forth in this FDC, including but not limited to:

1. The requirements of the zoning district in which the property is located (see Chapter 2, 3 and 4);
2. The requirements relevant to Special Review Uses (see Chapter 3); and
3. Generally applicable development and design standards (see Chapter 6).

E. Compliance with other Town of Firestone Adopted Plans and Policies

The design of subdivisions shall be generally consistent with all other adopted plans and policies adopted by the Town, including but not limited to:

1. The Town of Firestone Comprehensive Master Plan, as amended;
2. The Town of Firestone Parks, Open Space, and Trails Master Plan, as amended;
3. Town of Firestone Transportation Plan, as amended;
4. Town of Firestone Utility Master Plans, as amended;
5. The Town of Firestone Standards for Design and Specifications for Construction of Public Improvements, as amended; and
6. All subdivisions shall result in the creation of lots which are developable and capable of being built upon in compliance with all engineering regulations. Subdivisions may also contain tracts which are not intended as building lots but are necessary for other purposes. All such tracts shall be shown on the plat and designated as to their purpose.

10.5.4 LAYOUT AND DESIGN GENERALLY

No subdivision shall be approved unless it complies with all of the following standards:

A. Name of Subdivision

The title under which the subdivision will be recorded shall not duplicate the name of any existing subdivision in the Town.

B. Natural and Scenic Resource Protection

The standards and requirements in Section 6.2, shall apply to all subdivisions.

C. Natural Hazard Areas

Land subject to hazardous conditions such as landslides, rock falls, expansive soils, mine subsidence, mine shafts, shallow water table, open quarries, floodplains, and polluted or non-potable water supply shall be identified and shall not be subdivided until the hazards have been mitigated or will be mitigated by the subdivision and construction plans.

D. Adjoining Subdivisions

A proposed subdivision shall be designed in such a manner as to be coordinated with adjoining subdivisions (existing and proposed) with respect to the alignment of street right-of-ways, utility and drainage easements, open space, view corridors, pedestrian/bicycle paths, and other relevant design considerations.

E. Lots

1. Lot size, width, depth, shape, and orientation and minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated, and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy, and view. All lots shall conform to the applicable zoning regulations affecting the property.
2. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for off-street parking, landscaping or planting area, and loading areas required by the type of use and development contemplated.
3. No single lot shall be divided by a municipal boundary line.
4. No single lot shall be divided by a zone district boundary line.
5. A lot shall not be divided by a street, alley, or other lot.
6. Each residential lot shall be provided with lot frontage on a street. Residential lots may be permitted to front on common greens, parks, auto-courts, and other common areas subject to the provisions of this FDC. Non-residential lots shall be provided with lot frontage on a street or private drive.
7. Corner lots for residential use shall have extra width to accommodate the required building setback line on both street frontages.
8. Wedge-shaped lots shall not be less than 35 feet in width at the front property line. Such lots shall conform to the minimum lot width for the district at the front setback line.
9. Side lot lines shall be at substantially right angles and radial to curved streets. Where lot lines are not at right angles to the street lines, it shall be indicated on Preliminary and Final Plats.
10. Triple frontage lots and flag lots are prohibited in residential zone districts.
11. Lot widths and minimum square footage shall conform to the requirements of Chapter 4 of this FDC.
12. Double frontage residential through lots are prohibited. To prevent such double frontage lots, a landscape tract of not less than 30 feet shall be required between the rear of a lot and street right-of-way. Alley loaded lots shall not be considered double frontage lots for the purpose of this section.

F. Blocks

The requirements and standards set forth in Section 6.5, shall apply to all subdivisions.

G. Streets

All streets shall comply with the requirements and standards set forth in Section 6.5, in addition to the following:

1. Compliance with Town Standards Required

All new streets within a subdivision shall be constructed in accordance with the Town of Firestone Transportation Plan and the Town of Firestone Standards for Design and Specifications for Construction of Public Improvements.

2. General Street Design Considerations

All new streets should be designed in relation to existing or planned streets, to public convenience and safety, and in relation to the proposed use of land to be served. To the maximum extent reasonably practicable, streets shall be arranged to follow the natural contours of the site. Streets shall be extended to connect with existing streets, except where such extension is prevented by topography or other physical conditions or where the connection of streets with existing or probable future streets is deemed unnecessary by the Town for the advantageous development of adjacent properties.

3. Private Streets

Private streets may be permitted provided they meet all standards and specifications required for public streets and right-of-ways and demonstrate that private streets and right-of-ways can be perpetually maintained.

4. Street Intersections

- a. Arterial streets shall not be intersected by local streets.
- b. No more than 2 streets shall intersect at 1 point unless approved by the Town Engineer.
- c. Streets shall intersect at 90 degrees, except where this may be impractical. Angles of less than 90 degrees may be designed, subject to the approval of the Town Engineer.
- d. Two local streets meeting a third street from opposite sides shall meet at the same point, or their centerlines shall be offset at least 150 feet.

5. Street Right-of-Way Widths

Street right-of-way widths within the proposed subdivision, or boundary streets impacted by the proposed subdivision, shall follow the Town's Transportation Plan and Standards and Specifications.

6. Cul-de-sacs

All cul-de-sacs shall be designed in accordance with the standards and specifications of the Town and the Fire District. A cul-de-sac on a minor residential street shall not be longer than 500 feet and at the closed end shall provide a turnaround with a right-of-way radius of at least 48 feet or a configuration otherwise approved by the Town Engineer and Fire District. The cul-de-sac length shall be measured from the centerline of the intersecting street to the centerline of the cul-de-sac turnaround.

7. Street Arrangement and Connections

- a. Local streets shall be arranged so that their use by through traffic will be discouraged. Traffic calming techniques such as use of grid patterning, diverters and curvilinear alignments are encouraged to reduce speeds and cut-through traffic. All traffic calming measures shall be approved by the Town Engineer.
- b. Where a subdivision borders the following, a minimum landscaped buffer area shall be provided as follows: 30 feet adjacent to arterial streets, 50 feet adjacent to railroad right-of-way, and 100 feet adjacent to Interstate right-of-way. This buffer is in addition to any required right-of-way, and exclusive of any lot size requirements. No driveway access shall be permitted from the lot directly to any highway, freeway, arterial, or railroad right-of-way.

- c. Dead-end streets (excluding cul-de-sac or stub streets) shall not be permitted unless approved by the Board.
- d. Visibility into residential subdivision from arterial and collector roadways shall be emphasized and coordinated with street configurations including cul-de-sacs and parallel road loops, open space, and trail corridors. The backing of lots to arterials and collector roadways shall be limited. Continuous runs of lots which back to such roadways shall not exceed 500 feet in length.
- e. Openings in the perimeter fence frontage shall serve to visually link intersecting streets, view corridors into and out of the development, pedestrian entryways, and parks or open space.

H. Alleys

Alleys are permitted subject to meeting all the standards in this Section and other pertinent sections of this FDC. All new alleys shall be constructed in accordance with Town of Firestone Standards and Specifications.

- 1. Alleys in developments approved after the effective date of this FDC shall be privately owned and maintained within a Tract. An easement in such alleys shall be granted to the Town and/or other service providers for installation and maintenance of utilities, refuse collection, and similar facilities and services.
- 2. In residential districts, alleys should be parallel, or approximately parallel, to the frontage of the street. Alleys in residential districts shall provide a minimum of 30 feet of right-of-way. A minimum of 12 feet of pavement is required unless otherwise required by the Town or Fire District.
- 3. Dead-end alleys shall not exceed 150 feet in length.
- 4. If an alley is provided, garage driveway connections shall be from an alley. In areas where no alley is provided, garage driveway connection shall be from the street.
- 5. Alleys may not exceed a maximum length of 600 feet without having a secondary outlet to a residential street.

I. Sidewalks, Curbs and Gutters

In all subdivisions, streets shall be constructed according to Town of Firestone Standards and Specifications. Handicap accessible ramps from the sidewalk to street grade shall be provided, in conformance with the Americans with Disabilities Act criteria.

J. Utility Easements

In addition to the following, the requirements and standards set forth in Subsection 6.4.G, shall apply to all subdivisions provisions for utility easements.

- 1. Utility easements shall follow rear and side lot lines whenever practical, and the centerline of any easement should coincide with a joint property line.
- 2. Easements shall be determined so as to provide efficient installation of utilities and should integrate well with the Town's street design criteria.
- 3. Public utility installations shall be so located as to permit multiple utility installations within the easements, to avoid cross connections, to minimize trenching and adequately separate incompatible systems. No utilities shall be placed within 1 foot of the property line of any property.
- 4. The location and width of all utility easements shall be subject to the approval of the Town and the utility providers.

5. Utility lines shall be placed underground. The applicant shall make the necessary arrangements including any construction or installation charges with each of the serving utilities for the installation of such facilities.
6. Other utility equipment (including but not limited to transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts, street lighting utilities, and other facilities necessarily appurtenant to such underground utilities) shall be placed underground whenever practicable. If placed above-ground, such equipment shall not be located in street medians or on utility poles unless no practicable alternative exists. Such equipment shall also be screened as required by the screening requirements of Subsection 6.4.G.
7. The applicant shall establish rough-cut final utility grades prior to the utility installations.

K. Storm Water Drainage

1. General Provisions

- a. Drainage improvements shall be designed according to Town specifications.
- b. Drainage areas shall be left in a natural state or designed to appear natural in form unless otherwise approved by the Town.
- c. Complete drainage systems for the entire subdivision area shall be designed by a professional engineer, licensed in the State of Colorado and qualified to perform such work, and shall be shown graphically. All existing drainage features that are to be incorporated in the design shall be so identified.

2. Design of Drainage Systems

- a. The drainage system shall be designed to consider the drainage basin as a whole and shall accommodate not only runoff from the subdivision area but also, where applicable, the system shall be designed to accommodate the runoff from those areas adjacent to and upstream from the subdivision itself, as well as its effects on lands downstream.
- b. Native re-vegetation techniques shall be used.
- c. Storm water drainage systems shall be designed according to Town Standards and Specifications.
- d. The drainage report to be included with the Preliminary Plat submittal materials shall be subject to review by the Town and outside referral agencies.
- e. A final drainage report shall be submitted and accepted by the Town prior to Final Plat approval.

L. Water and Wastewater Lines

1. Oversizing Water and Wastewater Lines

Oversizing of water lines may be required by the Town beyond the needs of the subdivision development and standard Town specification. In such cases the applicant shall pay for the cost of the line. In the event oversized utilities are required and are greater than 12 inches in diameter, applicants can initiate requests for oversize recovery or reimbursement following final acceptance of the water line as part of an Development Agreement. The method and time of payment shall be established in accordance with the current policies of the Town and/or agreement between the applicant and Town Board of Trustees.

2. Wastewater Line Standards

Design standards for wastewater lines shall be in accordance with the requirements of the Sanitation District.

M. Water Courses and Ditches

The requirements and standards in Subsection 6.2.B, shall apply to all subdivision plats.

N. Water Supply

The requirements and standards in **Title 8** of the Municipal Code apply to all subdivision applications.

10.5.5 SUBDIVISION DEVELOPMENT

A. Improvements Required

Applicants shall be required to pay for and construct all on-site and off-site public improvements and common facilities that are required to adequately serve the proposed development or are deemed necessary to address the impact caused by the proposed development. Payment for and construction of such on-site and off-site public improvements and common facilities shall be a requirement of the approval of a proposed development under this FDC.

The public improvements and common facilities required to be paid for and constructed as part of the proposed development shall be governed by a separate Subdivision Agreement or Development Agreement. The Subdivision Agreement or Development Agreement shall meet the requirements of this FDC and all other applicable adopted Town manuals and ordinances regarding the provision of the required public improvements and common facilities, including the current edition of the Town's Construction Standards and Design Specifications for Public Improvements.

B. Development Agreement

In conjunction with final approval of a final plat by the Board of Trustees, the Applicant shall enter into a development agreement with the Town providing for the construction and/or provision of public improvements, substantially in the form as set forth in Section 7.20. The agreement shall require the Applicant to construct or improve all streets, thoroughfares, public ways, drainage structures and water and sanitary sewer systems, and stormwater quality improvements both within and outside the subdivision. No public improvement work shall be commenced until Final Construction Plans have been approved by the Town Engineer. Improvements shall be installed to the satisfaction of the Town and in accordance with the engineering regulations as directed by the approved construction plans. The development agreement shall be recorded concurrently with the recording of the final plat.

C. Restriction of Conveyance and Certificates of Occupancy

In order to secure the performance of the work to be done by an Applicant, there shall be no conveyance, sale, or transfer of title of the entire subdivision, or any individual lot, lots, tract or tracts of land within the subdivision nor will the Town issue any certificates of occupancy for any lots therein until all improvements which are the subject of the development agreement are fully completed and operational as solely determined by the Town for public improvements and acknowledged by the Town for private improvements, and the Town issues a certificate of compliance releasing this prohibition. The foregoing notwithstanding, the Applicant may convey to a single developer 100 percent of the lots in the subdivision, with the prior written consent of the Town Manager, provided, however, that such conveyance shall be subject to all provisions of the development agreement and this section, including restrictions upon subsequent conveyances and restrictions upon certificates of occupancy. Restrictions on conveyances and certificates of occupancy shall be noted on the final subdivision plat unless substituted contract security is posted as provided by this section. This provision shall not restrict the Applicant from accepting financial deposit for lot reservations nor shall it restrict the issuance of building permits upon lots held by the Applicant.

D. Substitution of Improvement Guarantees

At any time, the Applicant may offer substituted contract security to assure completion of the developer's obligations as set forth in the development agreement, and to release the restrictions of conveyances and certificates of occupancy as provided in this section. The requirements and standards for Improvement Guarantees set forth in Section 7.20 shall apply to all Final Development Plan and/or subdivision improvements.

E. Initial Acceptance of public improvements.

Upon completion of the public improvements the Applicant shall submit to the Town "as built" drawings of the improvements, proposed documents of conveyance, certified cost estimates of the public improvements, and a statement certifying that the improvements are fully complete, have been fully paid for, and the Applicant has fully paid all persons or entities having furnished labor or materials for the design and construction of the improvements. Upon inspection and finding of satisfactory completion of the improvements in compliance herewith and all applicable standards and ordinances of the Town, and upon submission and approval of an acceptable warranty performance guarantee, the Town shall issue a "initial acceptance" to the developer which shall commence the running of the warranty period.

F. Warranty

1. The Applicant shall warrant that all improvements are free from defects, including but not limited to defects of materials, workmanship or design, and that the improvements otherwise fully comply with the applicable approved plans and profiles, and Town standards and specifications.

2. The developer will repair or replace any improvement that fails during a two (2) year period, commencing with the date of initial acceptance, without regard to whether such failure is due to a defect or otherwise. A repair/replacement performance guarantee shall be posted and shall be equal to 25 percent of the total cost of the improvements and landscape improvements, including all vegetative materials and irrigation and recreation facilities. The repair/replacement guarantee shall be in such form and issued by such institution as provided in this section. The repair/replacement guarantee shall provide security for the cost which may be incurred in repairing and/or replacing improvements during the repair/replacement period of two years following initial acceptance by the Town, and in defending or removing claims of unpaid laborers, material suppliers and/or subcontractors who may attempt to assert a lien upon the property. The repair/replacement performance guaranty shall not be subject to reduction, pursuant to this section.

3. In the event that any substantial repair or replacement is required to any of the improvements during the repair/replacement period and such repair or replacement is not made within thirty(30) days upon notice of defect or in any event before expiration of the guaranty period, the Town, may, in addition to any other legal remedies available to the Town:

- a. Extend the repair/replacement period for up to one year following initial approval of the completed repair or replacement;
- b. Require that the developer adjust the amount or term of the repair/replacement guarantee as may be appropriate;
- c. Call the repair/replacement guarantee and, at the Town's discretion, secure repair or replacement of the nonconforming improvements; and/or
- d. Order denial or suspension of building permits, utility services or certificates of occupancy outstanding until repair or replacement of any nonconforming improvements have been performed.

G. Final Acceptance of public improvements

No earlier than 60 days prior to the expiration of the repair/replacement period, the Applicant shall submit a written request for final acceptance of the public improvements. The Town shall conduct a final inspection of the improvements and if such improvements appear to fully conform to the development agreement and the applicable Town standards and specifications, and/or all repairs, if any, that are needed, have been made to bring the same into such conformance, then the Town shall issue final acceptance of the public improvements and the Town shall release the performance and/or repair/replacement guarantee provided no lien claims or statements have been filed with respect to the project. Neither the Town's final acceptance, nor release of the performance or repair/replacement guarantee, shall relieve the Applicant from the obligation to construct the improvements and warrant them as provided herein.

H. Private Improvements

1. Upon completion of any improvements required by the development agreement other than public improvements, the Applicant shall request a final inspection by the Town of said improvements. Upon inspection and finding of apparent completion of the private improvements in compliance herewith the development agreement and all applicable standards and ordinances of the Town, and upon submission and approval of an acceptable warranty performance guarantee, the Town shall commence the running of the warranty period for private improvements.

2. No earlier than 60 days prior to the expiration of the repair/replacement period, the Applicant shall submit a written request for release of the guaranty for private improvements. The Town shall conduct a final inspection of the improvements and if such improvements appear to fully conform to the agreement and the applicable standards and specifications, and/or all repairs, if any, that are needed, have been made to bring the same into such conformance, then the Town shall release the performance repair/replacement guarantee, provided no lien claims or statements have been filed with respect to the project. Release of the performance repair/replacement guarantee, shall not relieve the Applicant from the obligation to construct the improvements and warrant them as provided herein. Neither the Town's initial acknowledgement of completion of private improvements, nor the release of the repair/replacement performance guarantee for private improvements shall create a liability of, or cause action against, the Town by third parties.

I. Town Utilities and Facilities and Reimbursement for Qualifying Public Improvements

1. A proposed subdivision shall not, by reason of its location or design, cause an undue burden on existing Town utility systems or community facilities. What constitutes a burden shall be determined by the Town, and shall be fully examined during the annexation, zoning, and preliminary plat processes for this possibility, prior to the final platting of the property. Where extension, enlargement, or construction of Town utility systems or community facilities are necessitated by a specific subdivision, the applicant will bear the costs of the necessary expansion, enlargement or construction.
2. In the event that the Town has constructed a utility or facility to serve future development and the proposed subdivision connects to said utility or facility, the Town and applicant may enter into an agreement for the Town to recover an equitable portion of the excess born by the Town.

J. As-Built Plans

Finished as-built plans of all public improvements as installed shall be required before the Town will accept the improvements.

K. Construction of Buildings

No proposed buildings designated on the approved Final Development Plan shall be erected nor shall building permits be issued for any subdivision until such time as the required public improvements or common facilities affecting all the lots designated on the approved Final Development Plan or Final Plat have been constructed or suitable provisions have been made for phasing of such construction in conformance with this FDC.

10.5.6 DEDICATION AND FEES IN-LIEU

A. Public Dedications

The subdivider of property for residential or nonresidential purposes shall dedicate or reserve land for public purposes as described below, except to the extent previously required and satisfied in conjunction with an annexation or zoning action.

B. Parks and Open Space

The requirements and standards set forth in Section 6.3 shall apply to all subdivisions.

C. Contribution for Public School Sites

1. Contribution Required

For all subdivisions of land within or affecting the St. Vrain Valley School District RE-1J or the Weld County School District RE-1 ("school district") attendance areas, the subdivider shall dedicate land for a public school site to that school district the subdivision is located within.

In the event the dedication of land is not deemed practicable or in the best interest of the school district, as determined by the superintendent or designee of the school district, the subdivider shall make a payment in lieu of land dedication. The amount of such contribution of either land or payment in lieu of land (the "fair contribution for public school sites") shall be determined pursuant to Town's Municipal Code or Intergovernmental Agreement (IGA) between the Town and the District.

2. Exceptions from Contribution

The following uses shall be excepted from the fair contribution for public school sites requirements:

- a. Construction of any nonresidential building or structure;
- b. Alteration, replacement, or expansion of any legally existing building or structure with a comparable new building or structure which does not increase the number of residential dwelling units;
- c. Construction of any building or structure for a limited term stay or for long term assisted living, including, but not limited to, bed and breakfast establishments, boarding or rooming houses, family care homes, group care homes, halfway houses, hotels, motels, nursing homes, or hospices; and
- d. Construction of any residential building or structure classified as housing for seniors, pursuant to the federal fair housing act, as amended.

3. Land Dedication and Site Related Requirements

In the event the fair contribution for public school sites includes the dedication of land and site related requirements (such as water dedication, utility extensions, etc.), the subdivider shall include on the Final Plat, dedication of the site to the school district. The developer's

requirements for dedication of the site and site related requirements shall be in conformance with the current Inter-Governmental Agreement (IGA) between the Town and the School District.

4. Proof of Payment

If the fair contribution for public school sites includes payment in lieu of dedication of land, then prior to the issuance of any building permit for any residential dwelling unit in the subdivision not otherwise exempt under this Section, the Town shall be provided with proof that, for the lot for which the permit is sought, the required payment in lieu of dedication of land has been made to the school district.

CHAPTER 7: REVIEW AND APPROVAL PROCEDURES

10.7.1 SUMMARY AND ORGANIZATION OF THIS CHAPTER

- A.** This Chapter describes the procedures for review and approval of all applications for development activity in the Town. Common procedures, which are applicable to all or most types of development applications, are in Section 7.2. Subsequent Sections set forth additional provisions that are unique to each type of application, including staff and review board assignments, review standards, and other information.
- B.** Table 7.1-1 summarizes the review and decision-making responsibilities for the administration of the procedures described in this Chapter. The table is a summary tool and does not describe all possible types of decisions made under this FDC. Other duties and responsibilities are described in this Chapter.
- C.** Table 7.1-2 summarizes the process and procedures required for specific applications described in this Chapter. The table is a summary tool identifying the common procedures required for each application in addition to any modified or additional provisions unique to each application.
- D.** The Director of Planning & Development may also refer applications to other boards, commissions, government agencies, and non-governmental agencies not referenced in this Chapter.

TABLE 7.1: SUMMARY OF ADMINISTRATION AND REVIEW ROLES

NOTE: This table summarizes the general review and decision-making responsibilities for the procedures contained in Chapter 7.

R = Review (Responsible for Review or Recommendation)
D = Decision (Responsible for Final Decision)

H = Hearing (Public Hearing Required)
A = Appeal (Authority to Hear/Decide Appeals)

Procedure	Section		Decision-Making Body					Notice Required			
			Board of Trustees	Planning Comm.	Board of Adjstmnt.	Chief Building Official	Town Staff	Referral Agencies/ Consultants	Town	Mailed	Property Posted
Annexation	7.3		D-H				R	R	X		
Initial Zoning	7.4		D-H	R-H			R	R	X	X	X
Rezoning	7.4		D-H	R-H			R	R	X	X	X
Rezoning: Overlay Rezoning: PUD	7.5										
Subdivision: Preliminary Plat	7.6.C		D-H	R-H			R	R	X	X	X
Subdivision: Final Plat	7.6.D		D				R	R			
Subdivision: Minor Plat	7.6.E				A-H		D	R			
Subdivision: Non-Residential Minor Plat	7.6.F		D-H	R-H			R	R	X	X	X
Minor Modifications	7.7		See Section 7.8 for Process & Decision-Making Body						See Section 7.8		
Variance	7.8				D		R	R	X	X	X
Vacation	7.9		D				R	R			
Final Development Plan	7.10				A-H		D	R			
Special Review Use	7.11		D-H	R-H			R	R	X	X	X
Architectural Review	7.12				A-H		D	R			
Building Permit, C/O's, and Performance Requirements	7.13				A-H	D	R				
Temporary Use Permit	7.14				A-H		D	R			
Annexation Agreement	7.15		D				R				
Subdivision Agreement	7.16		D				R				

TABLE 7.1: SUMMARY OF ADMINISTRATION AND REVIEW ROLES

NOTE: This table summarizes the general review and decision-making responsibilities for the procedures contained in Chapter 7.

R = Review (Responsible for Review or Recommendation)
D = Decision (Responsible for Final Decision)

H = Hearing (Public Hearing Required)
A = Appeal (Authority to Hear/Decide Appeals)

Procedure	Section	Decision-Making Body						Notice Required		
		Board of Trustees	Planning Comm.	Board of Adjtmnt.	Chief Building Official	Town Staff	Referral Agencies/ Consultants	Town	Mailed	Property Posted
Development Agreement	7.17	D				R				
Improvement Guarantees	7.18					D				
Amendment to Text of this FDC	7.19	D-H	R-H			R		X		
Appeals	7.20			D-H		R		X		
Other Permits, Licenses, and Approvals	See Corresponding Code Section							See Corresponding Code Section		

TABLE 7.2: SUMMARY OF DEVELOPMENT REVIEW PROCEDURES

NOTE: This table summarizes the processes and procedures contained in Chapter 7.

Y = Yes – The Common Procedure Applies
(7.XX) = The Section listing the Additional or Modified Procedure for a Specific Application
Blank Field = Not Applicable

Procedure	Step 1 Pre-App Conf.	Step 2 Submittal	Step 3 Comp. Review	Step 4 Neigh. Meeting	Step 5 Referral	Step 6 Notice	Step 7 Hearing	Step 8 Decision/ Findings	Step 9 Approval Criteria	Step 10 Conditions	Step 11 Amend	Step 12 Lapse
Annexation	Y	Y (7.3)	Y		Y (7.3)	Y (7.3)	Y	Y (7.3)	Y (7.3)	Y		Y (7.3)
Initial Zoning	Y	Y	Y	Y	Y	Y	Y	Y (7.4)	Y (7.4)	Y		Y
Rezoning	Y	Y	Y	Y	Y	Y	Y	Y (7.4)	Y (7.4)	Y		Y (7.4)
Rezoning: Overlay	Y	Y (7.4)	Y	Y	Y	Y	Y	Y (7.4)	Y (7.4)	Y	Y (7.4)	Y (7.4)
Rezoning: PUD	Y (7.5)	Y (7.5)	Y	Y	Y	Y	Y	Y (7.5)	Y (7.5)	Y	Y (7.5)	Y (7.5)
Subdivision: Preliminary Plat	Y	Y (7.6.C)	Y	Y	Y	Y	Y	Y (7.6.C)	Y (7.6.C)	Y	Y	Y (7.6.C)
Subdivision: Final Plat	Y	Y (7.6.D)	Y		Y			Y (7.6.D)	Y (7.6.D)	Y	Y	Y
Subdivision: Minor Plat	Y	Y	Y		Y			Y (7.6.E)	Y (7.6.E)	Y	Y	Y
Subdivision: Non-Residential Plat	Y	Y	Y	Y	Y	Y	Y	Y (7.6.F)	Y (7.6.F)	Y	Y	Y
Minor Modification								Y (7.7)	Y (7.7)			
Variance	Y	Y	Y (7.8)		Y	Y	Y	Y (7.8)	Y (7.8)	Y		Y (7.8)
Vacation	Y	Y	Y	Y (7.9)	Y			Y (7.9)	Y (7.9)	Y		
Final Development Plan	Y	Y	Y		Y			Y (7.10)	Y (7.10)	Y	Y (7.10)	Y (7.10)
Special Review Use	Y	Y	Y	Y	Y	Y	Y	Y (7.11)	Y (7.11)	Y	Y	Y (7.11)
Architectural Review	Y	Y	Y		Y			Y (7.12)	Y (7.12)	Y	Y	Y (7.12)
Temporary Use Permit	Y	Y (7.14)	Y		Y			Y (7.14)	Y (7.14)	Y	Y	Y (7.14)
Amendment to Text of this FDC						Y (7.19)	Y (7.19)	Y (7.19)	Y (7.19)			

10.7.2 COMMON DEVELOPMENT REVIEW PROCEDURES

The common development review procedures in this Section 7.2 shall apply to all types of development applications under this Chapter, unless an exception to the common procedures is expressly called for in the particular development application requirements in subsequent Sections of this Chapter.

A. Step 1: Pre-Application Conference

1. Purpose

The purpose of a Pre-Application conference is to provide an opportunity for an informal evaluation of the applicant's proposal and to familiarize the applicant and the Town staff with the applicable provisions of this FDC, the Town's Comprehensive Master Plan, and other documents as may be appropriate, including the Town's Parks, Open Space and Trails Master Plan and the Town's Standards for Design and Specifications for Construction of Public Improvements, infrastructure requirements, and any other issues that may affect the applicant's proposal.

2. Applicability

a. *Required for New Applications*

A Pre-Application conference is required prior to certain types of applications, as listed in Table 7.2. Applications for these types of approvals shall not be accepted until after the Pre-Application conference is completed. The conference shall take place prior to any formal development application submittal to the Town.

b. *Optional for All Other Applications*

A Pre-Application conference is optional prior to submission of any other application under this FDC not listed as requiring a conference in Table 7.2.

3. Initiation of Pre-Application Conference

The applicant shall request a Pre-Application conference with the Planning & Development Department and pay the required fee, if applicable. With the request for a Pre-Application conference, the applicant shall provide to the Planning & Development Department a description of the character, location, and magnitude of the proposed development and any other supporting documents, such as maps, drawings, models, and the type of application. It is the applicant's responsibility to provide sufficiently detailed plans and descriptions of the proposal for staff to make the informal recommendations discussed below.

4. Pre-Application Conference Content

The Planning & Development Department shall schedule a Pre-Application conference after receipt of a proper request. At the conference, the applicant, the Planning & Development designee, and any other persons the Planning & Development designee deems appropriate to attend shall discuss the proposed development. Based upon the information provided by the applicant and the provisions of this FDC, the parties should discuss in general the proposed development and the applicable requirements and standards of this FDC.

5. Informal Evaluation Not Binding

The informal evaluation of the Planning & Development staff provided at the conference are not binding upon the applicant or the Town, but are intended to serve as a guide to the applicant in making the application and advising the applicant in advance of the formal application of issues which may be presented to the appropriate decision-making body.

6. Application Required Within 6 Months

After a Pre-Application conference has been held, an application must be submitted within 6 months. If an application is not filed within such timeframe, a new Pre-Application conference shall be required prior to filing an application, unless waived by the Director of Planning & Development.

B. Step 2: Development Application Submittal

1. Form of Application

Applications and submission materials required under this Chapter shall be submitted in a form and in such number as required by the Director of Planning & Development and described in the applicable User's Guide.

2. FDC User's Guide

The Director of Planning & Development shall compile the requirements for each application's contents including forms, fees, and the submission materials and review schedule in a User's Guide, which shall be made available to the public. The Director of Planning & Development may amend and update the User's Guide from time to time.

3. Concurrent Development Applications and Review

Multiple applications cannot be consolidated into one application; however, multiple development applications for the same development proposal may be submitted and reviewed concurrently as permitted or required by the Director of Planning & Development depending upon the complexity of the proposal. Subdivision and Final Development Plan applications may be processed concurrently with Annexation and Initial Zoning Applications; however, such applications shall only be given final approval after Annexation and Initial Zoning of the subject property are effective. Final Development Plans shall only be given final approval after a Final Plat approval is granted.

4. Authority to File Applications

- a. Unless otherwise specified in this FDC, applications for review and approval may be initiated by:
 - i. The owner of the property that is the subject of the application; or
 - ii. The owner's authorized agent; or
 - iii. The Board of Trustees or designee; or
 - iv. Other entities that have rights provided by law.
- b. When an authorized agent files an application under this FDC on behalf of a property owner, the agent shall provide the Town with written documentation that the owner of the property has authorized the filing of the application.
- c. When a review or decision-making body initiates action pursuant to this FDC, it does so without influencing the approval or denial of the application.

5. Development Review Fees

a. Development Review Fee Schedule

The amount of the Town's development review fees shall be established by resolution of the Board of Trustees, and shall be assessed at such amounts as reasonably necessary to defray the actual costs of processing and reviewing applications under this FDC. The schedule of fees are noted in **Title 2** of the Municipal Code and on the Land Use Application. The schedule of fees may be reviewed annually by the Director of Planning & Development, on the basis of actual expenses incurred by the Town to reflect the effects of inflation and other changes in costs.

b. Outstanding Fees and Costs

All fees and costs shall be paid by the applicant prior to scheduling of hearings or meetings for any development application. No new applications shall be accepted by the Town until all previous fees and costs associated with an applicant, application or property are paid in full.

c. Recovery of Costs

The applicant shall pay the development review fees and initial deposit imposed pursuant to this Section at the time of submittal of any development application. The initial deposit shall cover the all costs billed by the Town for costs incurred, as required, for processing and reviewing the development application, including attorney fees, review fees from consultants acting as staff, referral agencies, or other fees. A cost recovery agreement in a form approved by the Town Attorney must be submitted with the application and development fee deposit. This agreement requires the applicant to be responsible for all costs incurred by the Town during the Town's processing of the application. Should the application be withdrawn at any time, the deposit shall be adjusted to cover the Town's actual costs, including overhead, up to that time. Any funds remaining on deposit at the time of the completion or withdrawal of the application shall be returned to the depositor, after accounting for expenses incurred to date.

6. Waivers

The Director of Planning & Development may waive certain submittal requirements when such submittal requirements are unrelated to any project impacts, or to reduce the burden on the applicant by tailoring the requirements to produce only the information necessary to review any particular application. The Director of Planning & Development may waive such requirements when it is determined that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly support such waiver.

7. Additional Information

Additional application-specific information may be required by the Director of Planning & Development, Public Works Director, Town Engineer, Planning Commission, and/or Board of Trustees, as necessary and appropriate to evaluate fully whether an application complies with the requirements of this FDC.

8. Inactive Files

If an applicant fails to submit required information for a period of more than 6 months, the application shall become void and the re-submittal of a new application and fees shall be required. The Director of Planning & Development may grant no more than 2 extensions of time to this provision, of no more than 6 months each, upon a written request by the applicant.

C. Step 3: Determination of Application Completeness

After receipt of the development application, the Director of Planning & Development or designee shall determine whether the application is complete and ready for formal processing.

1. If the application is determined to be complete, the application shall then be processed according to the procedures set forth in this FDC. An application shall be considered complete if it is submitted in the required form, includes all mandatory information and supporting materials specified in the User's Guide, and is accompanied by the applicable fee or fees. The determination of completeness by the Director of Planning & Development shall not be based upon the perceived merits of the development proposal.
2. If an application is determined to be incomplete, the Director of Planning & Development or designee shall provide notice to the applicant along with an explanation of the application's deficiencies. Further processing of an incomplete application shall not occur until the deficiencies are corrected and submitted.

D. Step 4: Neighborhood Meeting

1. Purpose

The purpose of a neighborhood meeting is to provide an informal opportunity to inform the residents and landowners of the surrounding neighborhood(s) of the details of a proposed

development and application, how the developer intends to meet the standards contained in this FDC, and to receive public comment and encourage dialogue at an early time in the review process. No decision regarding the application will be made at the Neighborhood Meeting.

2. Applicability

A neighborhood meeting shall be required for any development proposal that will be subject to Planning Commission and/or Board of Trustees review, unless otherwise indicated in this Chapter. However, the Director of Planning & Development may waive the neighborhood meeting requirement if it is determined that the development proposal would not have significant impacts in any of the areas listed below. The waiver shall be in writing and shall be included as part of the case record.

- a. Traffic;
- b. Natural resources protected under this FDC;
- c. Provision of public services such as safety, schools, or parks;
- d. Compatibility of building design or scale; or
- e. Operational compatibility, such as lighting, hours of operation, odors, noise, litter, or glare.

3. Notice of Neighborhood Meeting

The applicant shall give mailed and posted notice of the neighborhood meeting to property owners, pursuant to the general notice provisions of Subsection 7.2.F. An affidavit shall be submitted to the Town, by the applicant, stating that the notice requirement has been met.

4. Attendance at Neighborhood Meeting

If a neighborhood meeting is required, the applicant or applicant's representative shall attend the meeting. The applicant shall be responsible for scheduling the meeting, coordinating the meeting, and for retaining an independent facilitator if needed. Attendance at the meeting by Town staff is not required.

5. Summary of Neighborhood Meeting

The applicant shall prepare a written summary including a list of attendees of the neighborhood meeting. The written summary shall be provided to Town staff prior to noticing of any public hearing and included in the case record.

E. Step 5: Application Referral, Review and Staff Report

After determining that a development application is complete, Town staff shall process the development application in the following manner.

1. Referral Packets

Staff shall notify the applicant of the type and number of copies of the application and submittal information required for distribution to referral agencies. Staff shall distribute the submittals to designated referral agencies for review.

2. Referral Review

Referral agencies shall provide comments to Town staff on the application(s) within 21 days of receiving a referral packet. The applicant is encouraged to meet with referral agencies prior to the end of the referral period. The applicant is required to pay fees assessed by referral agencies.

3. Resolution of Issues

Staff shall compile and review all referral comments and provide a copy of all comments to the applicant. The applicant shall resolve outstanding issues to the maximum extent reasonably practicable. The applicant shall provide the Town with written responses

addressing all referral and staff comment issues. At the discretion of the Director of Planning & Development, referral comments requiring significant changes to a development application, plan or proposal may require re-referral to any and all referral agencies.

4. Staff Report

After staff has scheduled an application for a review or public hearing, staff shall prepare a Staff Report. The Staff Report shall indicate whether, in the opinion of the staff, the development application complies with all applicable standards of this FDC. Staff may recommend approval, denial or conditions for approval may also be recommended to eliminate any areas of non-compliance or mitigate any adverse effects of the development proposal. The Staff Report shall be made available for inspection and copying by the applicant and the public prior to the scheduled public hearing on the development application.

F. Step 6: Notice

1. Content of Notices

Notice of all public hearings required under this Chapter shall, unless otherwise specified in this FDC: (1) identify the date, time, and place of the public hearing, (2) if applicable, describe the property involved in the application by street address or by legal description and nearest cross street; (3) describe the nature, scope, and purpose of the proposed action; (4) indicate that interested parties may appear at the hearing and speak on the matter; and (5) indicate where additional information on the matter may be obtained.

2. Summary of Notice Requirements

Table 7.1 summarizes the notice requirements of the procedures set forth in this Chapter.

3. Town Notices

- a. When Table 7.1 requires Town notices, the Director of Planning & Development shall cause a notice to be published in a newspaper having general circulation in the area. The notice shall be published at least 15 days prior to the scheduled hearing date. In computing such period, the day of publication shall not be counted, but the day of the hearing shall be counted.
- b. Subdivision applicants shall also comply with the post-approval requirements for published notice contained in C.R.S. §§31-23-221 and 31-23-222.
- c. Notice of public hearings required under this FDC shall also be posted by Town Staff at the locations specified in the Town of Firestone Public Meeting Posting Resolution.

4. Mailed Notice

- a. When Table 7.1-1 requires that mailed notice be provided, the applicant shall provide the Director of Planning & Development with a current (prepared within 30 days of the scheduled hearing) list of applicable property owners and organizations as listed below. The noted list shall be prepared by the applicant or their authorized representative.. The applicant or their authorized representative shall mail such notice via the United States Postal Service using first class mail at least 15 days prior to the scheduled date of the hearing. In computing such period, the day of mailing shall not be counted, but the day of the hearing shall be counted. Mailed notice shall be provided to the following persons or groups:
 - i. *Property Owners*
All persons listed on the records of the County Assessor as owners of land subject to the application or as owners of the parcels within 300 feet of the outer boundary of the land subject to the application.
 - ii. *Additional Persons*
Such additional persons or geographic areas as the Director of Planning & Development may designate.

iii. Subdivision Applicants

Subdivision applicants shall comply with notice requirements of C.R.S. §31-23-214 *et seq.*

- b. Before the public hearing, the applicant shall submit to the Planning & Development Department a notarized affidavit, signed by the person who performed the mailing, that notice was mailed as required by this Subsection.

5. Property Posting Notice

- a. When Table 7.2-1 requires that notice be posted at the property, the applicant shall cause a notice to be posted on the property for at least 15 days before the scheduled hearing date. In computing such period, the day of posting shall not be counted, but the day of the hearing shall be counted.
- b. Notice shall be posted along the public street right-of-ways bordering the property, or as otherwise approved by the Director of Planning & Development.
- c. Posted notices shall include all the content specified in Subsection 7.2.F.1 above except for the legal description.
- d. Before the public hearing, the applicant shall submit to the Planning & Development Department a notarized affidavit, signed by the person who did the property posting or the person who caused the posting to be done, that notice was posted and maintained as required by this Subsection.
- e. The applicant is responsible for ensuring that the posted notices remain in place, in legible condition until the public hearing is concluded, and for removal of said posted notices within 2 days after the public hearing is concluded.

6. Constructive Notice

- a. Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties. Failure of a party to receive written notice shall not invalidate subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed. If questions arise at the hearing regarding the adequacy of notice, the decision-making body shall make a formal finding as to whether there was substantial compliance with the notice requirements of this FDC.
- b. When the records of the Town document the publication, mailing, and posting of notices as required by this Section, it shall be presumed that notice of a public hearing was given as required by this Section.

7. Notice of “Major Activities”

Applicants proposing a subdivision or commercial or industrial activity that will cover five (5) or more acres of land shall comply with the notice requirements for “major activities” contained in C.R.S. §31-23-225.

8. Mineral Owner Notice Requirements

All development applicants shall comply with the notice requirements contained in C.R.S. §24-65.5-103, which are designed to protect the interests of mineral owners.

G. Step 7: Public Hearing

A public hearing, if required under this FDC, shall be conducted according to the following procedures:

1. Rights of All Persons

Any person may appear at a public hearing and submit evidence, either individually or as a representative of a person or an organization. Each person who appears at a public hearing shall state their name, address and, if appearing on behalf of a person or organization, the name and mailing address of the person or organization being represented.

2. Exclusion of Testimony

The decision-maker conducting the public hearing may exclude testimony or evidence that it finds to be irrelevant, immaterial, or unduly repetitious.

3. Continuance of Public Hearing

The decision-maker conducting the public hearing may, on its own motion or at the request of any person, continue the public hearing to a fixed date, time and place. All continuances shall be granted at the discretion of the body conducting the public hearing.

4. Court Reporter

The Director of Planning & Development shall have the discretionary authority to require the presence of a court reporter at any public hearing required by this Chapter and to assess the cost of such reporter to the applicant.

5. Order of Proceedings at Public Hearing

The order of the proceedings at the public hearing shall be as follows:

a. Opening of Public Hearing

The public hearing shall be formally opened by the Town body conducting the public hearing.

b. Staff Report Presented

The Director of Planning & Development or designee shall present a narrative and/or graphic description of the development application. The Director of Planning & Development or designee shall present a Staff Report which includes a written recommendation. The staff presentation may be given before or after the applicant's presentation, at the discretion of the Director of Planning & Development. The staff recommendation shall generally address the standards required to be considered by this FDC prior to approval of the development application.

c. Applicant Presentation

The applicant shall present any relevant information the applicant deems appropriate. Copies of all writings or other exhibits that the applicant wishes the decision maker to consider shall be submitted to the Director of Planning & Development before the public hearing.

d. Public Comment

The Public Comment portion of the Public Hearing shall be opened and relevant public testimony shall be heard.

e. Close of Public Comment

After all public comments are heard, and questions by the decision-maker to clarify comments made by the public, the decision-maker shall close the public comment portion of the Public Hearing.

f. Staff Response

The Director of Planning & Development, the Town Attorney, and any other staff member may respond to any statement made or evidence presented by the public, and may answer any questions by the decision-maker to clarify comments by the applicant or the public, if necessary.

g. Applicant Rebuttal

The applicant may respond to any testimony or evidence presented by the public or staff, if necessary.

h. *Close of Hearing*

After consideration of the development application, the Staff Report, any additional written and/or exhibit materials submitted, and the evidence from the public hearing, the decision-maker shall close the public hearing comment portion of the Public Hearing.

i. *Deliberation and Action*

The decision-maker shall then deliberate and take action in accordance with Section 7.2.H below and as modified in the application-specific procedures detailed thereafter as applicable.

H. Step 8: Decision and Findings

1. Review and Recommendation by Planning Commission (if applicable)

a. The Planning Commission shall hold a Public Hearing (if applicable) on the development application. After consideration of the development application, the Staff Report, comments received from other reviewers (if applicable), and the evidence from the public hearing (if applicable), the Planning Commission shall recommend that the Board of Trustees approve, approve with modifications, or deny the application based on its compliance with the applicable approval criteria as described in Step 9 of the Common Development Review Procedures and as modified within the application-specific approval criteria.

b. The Director of Planning & Development shall forward the recommendation to approve, approve with modifications, or deny, to the Board of Trustees with an accompanying Resolution or Ordinance as applicable.

2. Decision by Board of Trustees (if applicable)

The Board of Trustees shall hold a Public Hearing (if applicable) on the proposed development application. After consideration of the development application, the Staff Report, comments received from other reviewers (if applicable), and the evidence from the public hearing (if applicable), the Board of Trustees shall approve, approve with conditions, or deny the application based on its compliance with the applicable approval criteria as described in Step 9 of the Common Development Review Procedures or as modified within the application-specific approval criteria. The Board of Trustees alternatively may refer the development application to the Planning Commission for further consideration.

3. Decision by Town Staff (if applicable)

After consideration of the development application, the Staff comments, comments received from other reviewers (if applicable), the Directory of Planning & Development shall approve, approve with conditions, or deny the application based on its compliance with the applicable approval criteria as described in Step 9 of the Common Development Review Procedures and as modified within the application-specific approval criteria.

4. Findings

All decisions shall include at the least the following elements:

- a. A clear statement of approval, approval with conditions, or denial, whichever is appropriate; and
- b. A clear statement of the basis upon which the decision was made, including specific, written findings of fact with reference to the relevant standards of this FDC and other Town regulations, plans and documents.

- c. If denied, or if denial is recommended by the Planning Commission, the reasons for denial shall be stated upon the records of that body including within the adopted Resolution or Ordinance as applicable.

5. Effect of Inaction on Applications

Except for subdivision applications covered under C.R.S. §31-23-215, when a review or decision-making body fails to take action on an application within the time required (which varies by type of application), such inaction shall be deemed a denial of the application, unless the decision-making body agrees to an extension of the time frame.

6. Record of Proceedings

a. Recording of Public Hearing

The decision-maker conducting the public hearing shall record the public hearing by any appropriate means. A copy of the public hearing record may be acquired by any person upon application to the Town Clerk, and payment of a fee to cover the cost of duplication of the record.

b. The Record

The record shall consist of the following:

- i. All exhibits, including, without limitation, all writings, drawings, maps, charts, graphs, photographs and other tangible items entered into the record by the decision maker at the proceedings.
- ii. All minutes of the proceedings.
- iii. If appealed, a verbatim transcript of the proceedings before the decision maker. The cost of preparing the transcript shall be borne by the applicant.

7. Recording of Decisions and Plats

a. Filing with Town Clerk

Once approved the decision and required documents of the decision maker shall be filed with the Town Clerk.

b. Actions Requiring Recordation with County Clerk and Recorder

Once the plat, map, or plan requiring recordation is approved and all associated conditions, plans, agreements, guarantees, easements, and other required documents are submitted and approved and/or accepted by the Town, the plat, map, or plan and associated agreements and other documents as applicable shall be recorded in the Office of the Weld County Clerk and Recorder. All recording fees shall be paid by the applicant.

I. Step 9: Approval Criteria

To approve a development application, the decision-maker must first determine and find that the development application has satisfied and followed the applicable requirements of this Chapter, the general intent of the Towns' Comprehensive Master Plan and other Town plans and documents as applicable, and meets all of the approval criteria required for the applicable development application, which are set forth in subsequent Sections of this Chapter under "Step 9, Approval Criteria."

For denial of an application the decision maker shall determine and find that the development application has not satisfied and followed the applicable requirements of the Firestone Development FDC, the Comprehensive Plan and other Town plans and documents, and has not met the approval criteria required for the applicable development application.

J. Step 10: Conditions of Approval

- 1. The decision-maker may impose such conditions on the approval of the application as may be necessary to reduce or minimize any potential adverse impact upon other property in the

area, or to carry out the general purpose and general intent of the Town's Comprehensive Master Plan and this FDC. In such cases, any conditions attached to approvals shall be directly related to the impacts of the proposed use or development and shall be roughly proportional in both extent and amount to the anticipated impacts of the proposed use or development. No conditions of approval, except for those attached to Variance or Minor Modification approvals shall be less restrictive than the requirements of this FDC.

2. The applicant may be required to pay reimbursements to the Town or to a party paying for public improvements and/or land acquisitions for public improvements that benefit the applicant's property or potentially benefit the applicant's property or development thereon. This requirement shall be reflected in any agreements entered into by the applicant and the Town.

K. Step 11: Amendments

1. Minor Amendments

Minor Amendments to any form of approval issued under this Chapter may be approved, approved with conditions, or denied administratively by the Director of Planning & Development and may be authorized without additional public hearings. Such Minor Amendments may be authorized by the Director of Planning & Development as long as the development approval, as so amended, continues to comply with the standards of this FDC, at least to the extent of its original compliance (so as to preclude any greater deviation from the standards of this FDC by reason of such amendments). Minor Amendments shall only consist of any or all of the following and are subject to the Director of Planning & Development's discretion:

- a. Any change to any form of approval issued under this Chapter that was originally subject only to administrative review and was approved by the Director of Planning & Development, provided such change would not have disqualified the original plan from administrative review had it been requested at that time; and provided that:
 - i. The Minor Amendment results in an increase by 1 percent or less in the approved number of dwelling units; or
 - ii. The Minor Amendment results in a decrease in the approved number of dwelling units; or
 - iii. The Minor Amendment results in an increase or decrease in the amount of square footage of a non-residential land use or structure that does not change the character of the project; or
 - iv. The Minor Amendment results in a change in the housing mix or use mix ratio that complies with the requirements of the zoning district and does not change the character of the project; or
 - v. The Minor Amendment does not result in a change in the character of the development.
- b. Any change to any form of approval issued under this Chapter that was originally subject to review and was approved by the Board of Trustees, provided that:
 - i. The Minor Amendment results in an increase by 1 percent or less in the approved number of dwelling units; or
 - ii. The Minor Amendment results in a decrease in the approved number of dwelling units; or

- iii. The Minor Amendment results in an increase or decrease in the amount of square footage of a non-residential land use or structure that does not change the character of the project; or
 - iv. The Minor Amendment results in a change in the housing mix or use mix ratio that complies with the requirements of the zoning district and does not change the character of the project; or
 - v. The Minor Amendment does not result in a change in the character of the development.
- c. The Director of Planning & Development may refer any amendment to the Board of Trustees and, if so referred, the decision of the Board of Trustees shall constitute a final decision, subject only to appeal as provided for in Section 7.23.

2. Major Amendments

Amendments to any approval that are not determined by the Director of Planning & Development to be Minor Amendments under the criteria set forth in Subsection 7.2.K.1 above, shall be deemed Major Amendments. Major Amendments to approvals under this FDC shall be reviewed and processed in the same manner as required for the original application for which amendment is sought. Any Major Amendments shall be recorded as amendments in accordance with the procedures established for the filing and recording of such initial approvals.

L. Step 12: Lapse

1. If applicable, the lapse of approval time frames established by the procedures of this FDC may be extended only when all of the following conditions exist:
 - a. The provisions of this FDC must expressly allow the extension;
 - b. An extension request must be filed prior to the applicable lapse-of-approval deadline;
 - c. The extension request must be in writing and include justification; and
 - d. Unless otherwise noted, authority to grant extensions of time shall rest with the decision-making body that granted the original approval.
2. The conditions of such approvals (if applicable) shall be met within 90 days of approval. The approved documents shall be recorded (if applicable) within 90 days of approval. Upon written request by the applicant, the Director of Planning & Development may grant 1 extension for a maximum of 90 days due to unique circumstances that make it impractical to meet conditions of approval or record the approved documents within 90 days from approval.
3. Approvals of land use applications shall be null and void and shall automatically lapse if not completed or recorded within the approval time frames established by the procedures of this FDC.

10.7.3 ANNEXATIONS

A. Purpose

Annexation is a discretionary, legislative act. Accordingly, the town shall never be compelled to annex, unless otherwise required by state law, even if all annexation requirements have been satisfied. This Section provides the procedure by which land shall be brought into the municipal limits and jurisdiction of the Town.

B. Procedures as Modified

1. **Step 2 (Development Application Submittal)**
Applicable, with the following modifications:

The applicant shall submit an Annexation Agreement, as follows:

a. Annexation Agreement

- i. Except for Town-owned property, Town-initiated annexation of enclaves, annexations upon election, or when waived by the Board of Trustees, an Annexation Agreement is required before the Annexation may be approved. The Annexation Agreement shall identify the mutual understanding of the commitments and responsibilities of both the Town and the property owner(s) about the Annexation.

(A) The Director of Planning and Development coordinates all Annexation Agreement negotiations. The Director prepares the agreement in a form approved by the Town Attorney.

(B) No ordinance relating to Annexation of the property that is the subject of the annexation petition shall proceed to Public Hearing until an Annexation Agreement in a form approved by the Town Attorney has been signed by the property owner(s).

2. Step 5 (Application Referral, Review and Staff Report)

Applicable, with the following additional requirement:

a. Resolution Regarding Statutory Compliance

The Director of Planning & Development shall report to the Board of Trustees an assessment of whether the Petition for Annexation substantially complies with C.R.S. §31-12-107. The Board of Trustees shall review the petition and the Director of Planning & Development's report and shall, by resolution, make a finding that the petition is or is not in substantial compliance with C.R.S. §31-12-107.

- i. If the petition is found to be in substantial compliance with C.R.S. §31-12-107, the procedure outlined in C.R.S. §31-12-108 to §31-12-110 shall be followed.
- ii. If the Board of Trustees finds that the petition is not in substantial compliance with C.R.S. §31-12-107, then no further action shall be taken on the application for annexation.

3. Step 6 (Notice)

Published and posted notice of the public hearings required Municipal Annexation Act of 1965 (C.R.S. §31-12-101, et seq., as amended) shall be provided as required by C.R.S. §31-12-108. If applicable, the Town shall prepare the Annexation Impact Report in accordance with C.R.S. §31-12-108.5.

4. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. Action by Board of Trustees

The Board of Trustees shall hold a hearing on the proposed Annexation and, based upon the recommendations of the Director of Planning & Development and the applicable approval criteria listed below, approve the Annexation by ordinance or deny the Annexation.

b. Annexation Ordinance Required

After completing a hearing under C.R.S. §31-12-109 and adopting an appropriate resolution under C.R.S. §31-12-110, the Board of Trustees may annex the petitioned area by adopting, with or without conditions, an Annexation Ordinance.

5. Step 9 (Approval Criteria)

All annexations shall be reviewed for compliance with the following criteria. However, annexation is a discretionary, legislative act. The Town shall never be compelled to annex, unless otherwise required by State law, even if all these review criteria have been satisfied.

- a. The Annexation is in compliance with the Municipal Annexation Act of 1965 (C.R.S. §31-12-101, et seq., as amended).

6. Step 12 (Lapse)

Applicable, as follows:

a. Annexation Not Final Until Satisfaction of All Requirements

- i. Town action on the Annexation application shall not become final unless all requirements of the Annexation Ordinance and State statutes have been satisfied, as certified by the Director of Planning & Development.
- ii. If the requirements of the Annexation Ordinance and State statutes are not satisfied within the applicable time period, the Annexation approval shall lapse and be of no further force and effect.
- iii. When all requirements have been satisfied, the ordinance, the Annexation Agreement, and the Annexation Map shall be recorded with the Weld County Clerk and Recorder, and the Annexation will then be final.

10.7.4 INITIAL ZONING AND REZONING (OFFICIAL MAP AMENDMENT)

A. Purpose

The procedure for establishing or changing the boundaries or area of any zone district, or for establishing or changing the zoning classification of any parcel of land within the Town, as shown on the official zoning map of the Town shall be as provided in this section. An official map amendment may be required to correct an error in the map, to make adjustments to the official zoning map because of changed or changing conditions in a particular area or in the Town generally, or because of changes in public policy, to rezone an area to implement adopted plans, or to change the regulations and restrictions of an area as reasonably necessary to promote the public health, safety or general welfare of the Town.

B. Zone Districts Not Available for Rezoning

No land may be rezoned into any zone district not established in this FDC. In addition, the Adult Use Overlay District established in this FDC, while mapped on the Official Zoning Map, shall not be applied to any lands after adoption of this FDC.

C. Initiation

A rezoning may be initiated by:

- (1) The owner of the property proposed to be rezoned;
- (2) Any person, firm, or corporation with the written consent of the property owner of the property proposed to be rezoned;
- (3) The planning and zoning commission ("Town-initiated"); or
- (4) The town manager of the Town of Firestone ("Town-initiated").

D. Annexation

The procedure for the initial zoning of property annexed or to be annexed to the town shall follow, to the extent practicable, the procedures applicable herein to rezonings. In such circumstances, the zoning procedures may be instituted at any time after a resolution of intent to annex is adopted

pursuant to C.R.S. § 31-12-106, as amended, or after a petition for annexation or a petition for annexation election has been found to be valid in accordance with C.R.S. § 31-12-107, as amended.

- (1) No ordinance initially zoning property annexed to the Town shall be adopted prior to the date the annexation ordinance is adopted on second reading.
- (2) Property annexed to the town shall be initially zoned by the Town within 90 days after the effective date of the annexation ordinance. Any requirements set forth herein, and not required by statute, shall be modified to the extent necessary to meet the 90-day requirement.

E. Procedures as Modified

1. Step 2 (Development Application Submittal)

The following additional submittal information shall apply to creation of a design overlay zone district (DO-):

a. Conceptual Site Plan

An application for the initial zoning of property annexed or to be annexed to the town shall be accompanied by a conceptual site plan. The conceptual site plan is intended to supply enough information about the development for the director of planning and development to evaluate and for the Planning Commission and Board of Trustees to make a decision on the rezoning application. The information to be supplied will be determined by the Director of Planning & Development as part of the pre-application review, but should generally indicate the feasibility and design characteristics of the development potential of the property.

b. Final Development Plan

The application for (DO-) rezoning shall include a final development plan prepared to the specifications in the User's Guide. The Director of Planning & Development shall require sufficient detail in the final development plan to provide an opportunity for the approving bodies to make informed decisions and evaluate compliance with the applicable approval criteria. The application shall include, at a minimum:

- i. A quantitative summary of existing conditions on the subject property, as specified in the User's Guide;
- ii. A list of uses to be permitted within the underlying zone district by right and a list of uses to be permitted only with a Special Review Use permit;
- iii. Intensity or density of uses proposed;
- iv. Location of public and private open space, parks and trails;
- v. Location of existing and proposed buildings on the site;
- vi. Road, street, and pedestrian networks proposed;
- vii. Drainage facilities;
- viii. Existing or proposed utilities, public services, and other encumbrances;
- ix. If development is to be phased, a description of the phase components and timing;
- x. A statement that development on the site will meet applicable standards of the underlying zoning district and this FDC, or a statement specifying the standards of the underlying district and this FDC to which modifications are proposed and the justification for such modifications; and

- xi. A statement specifying the public benefit(s) to be contained in or associated with the design overlay district.

2. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. *Protests*

If a protest to an official map amendment signed by the owners of 20 percent or more either of (1) the area of the land included in such proposed change; or (2) the total land area from the perimeter of the area proposed for change extending a radius of 100 feet outside of the perimeter of the area proposed for change, excluding intervening rights-of-way, is filed with the Town Clerk, then the proposed rezoning shall not become effective except by the an affirmative vote of 5 Board members.

- i. For the purpose of defining owners and the area of land represented by the owner, land owned by more than one owner shall be divided to the extent of each owner's percentage of ownership interest in determining whether a protest has the required percentage of signatures.
- ii. All protests to a proposed rezoning and any withdrawal of the protest or specific petition signatures shall be filed with the Town Clerk on or before, and not later than, 1 business day before the date for the public hearing before the Board of Trustees on the proposed Rezoning.

b. *Form of Amending Ordinance*

An ordinance amending the zoning map shall contain the following:

- i. The name of each district to which the ordinance applies; and
- ii. The legal description of the land within each zoning district applied by the ordinance.

c. *Recording.* The Town Manager shall record the final action of the Board of Trustees on an official map amendment in the real property records of the Denver County Clerk and Recorder, and shall cause the amendment of the official zone map to designate the subject property according to the amendment. The applicant or owner shall be responsible for all recording fees.

d. *Successive Applications.* Following denial of an Initial Zoning with Annexation request, no new application for the same or substantially the same Zoning shall be accepted within 1 year of the date of denial.

e. *Successive Applications*

3. Step 9 (General Review Criteria Applicable to all Official Map Amendments)

The Board of Trustees may approve an official map amendment if the proposed rezoning meets all of the following criteria:

- a. That the proposed zoning promotes the health, safety or welfare of the inhabitants of the Town and the purposes of this FDC; and
- b. The proposed zoning is generally consistent with the Town's Comprehensive Master Plan, or the proposed zoning is necessary to provide land for a community need that was not anticipated at the time of the adoption of the Town's plan.
- c. Step 10 (Additional Review Criteria for Non-Legislative Re-zonings)
- d. In addition to compliance with the general review criteria stated in 7.4.B.4., at least one of the following additional factors exist: ;

- e. The existing zoning of the land was the result of an error or based on a mistake of fact;
- f. The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;
 - i. Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest and consistent with the change. Such change may include: (a) Changed or changing conditions in a particular area, or in the town generally; or (b) A Town-adopted plan; or (c) That the Town adopted the FDC and the property retained Former Title 17 zoning.
- g. It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Section 2.6.C (Overlay Zone Districts), of this FDC.
- h. The Board of Trustees shall have the authority to assess school and parkland dedications at the time of property zoning and rezoning for those zoning changes, which increase the potential number of dwelling units on the property. Such dedications shall be in accordance with the provisions of **chapter 6**. Assessment of fees in lieu of land dedication shall occur at the time of zoning, and shall be based upon permitted uses on the site. Said fees shall be collected at the time of subsequent subdivision or building permit issuance, whichever shall occur first. Fees shall be adjusted as necessary at the time of either subdivision or building permit issuance to reflect development which results in densities and/or unit types different from those assumed at the time of initial assessment. Conveyance of land to be dedicated shall occur at the time of subsequent subdivision, or prior to issuance of any building permits.
- i. Future uses on the subject tract will be compatible in scale with uses on the other properties in the vicinity of the subject property; and

F. Minor Amendments

A request to change a PUD Development Plan shall require the filing of new application for a PUD, subject to the submittal requirements listed above in Section 7.6.D. If the Director of Planning & Development determines that the requested changes are minor and do not include substantial alterations to the PUD Development Plan or conditions of approval, and are generally consistent with the intent of the original PUD approval, the Director of Planning & Development may approve the changes. If the amendments are determined to be major amendments, they shall follow the process identified in Subsection 7.2.K.2

10.7.5 REZONING - PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

A. Applicability

1. General

- a. The procedures of this Section, shall apply to all PUD zone district applications at initial zoning for annexation or as a rezoning of a property from another district.
- b. There shall be no minimum or maximum size required for a PUD zone district application.

- c. The PUD zoning district specific regulations are required to be outlined in a Planned Unit Development–District Plan (“PUD-DP”). The PUD-DP shall comprehensively detail the layout and design of the entire PUD zoning district in order to show conformance with the purpose of the PUD zoning district; to illustrate where and how modification of specific FDC regulations will occur; and to delineate where and how a greater public benefit has been provided. The PUD-DP is required to be approved before development may occur.
- d. The PUD zoning district application may propose modifications to:
 - i. Chapter 3: Use Regulations;
 - ii. Chapter 4: Dimensional Standards;
 - iii. Chapter 5, Section 5.4: Layout and Design of Subdivisions; and,
 - iv. Chapter 6: Development and Design Standards.
- e. The provisions of the PUD-DP shall govern the development within the PUD zone district provided, however, that where the provisions of the PUD-DP do not address a particular subject, the relevant provisions of the FDC, as amended, or any other applicable ordinance or regulation of the Town shall be applicable.

B. Procedures as Modified

1. Step 1: (Pre-Application Conference)

Applicable. The Pre-Application conference content should additionally include a list, provided by the applicant, of all the proposed modifications of the FDC. Staff will review the applicant’s proposed modifications and recommend whether or not the PUD zoning district application is the most appropriate and efficient land use application for the applicant’s need. Other FDC modification options available to an applicant, which may be recommended by staff, include the Alternative Equivalent Compliance process in Subsection 6.1.C. or the Overlay district in Subsection 2.6.D.

2. Step 2: (Development Application Submittal)

The following additional development application submittal requirements shall also apply.

A. Choice of a PUD District Plan Type:

- (1) General PUD District Plan. If development is to proceed in phases or over an extended period of time, or if more general zoning is desired prior to preparation of more detailed final development and pre-construction plans, the applicant may submit a “General PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a General PUD District Plan is approved, one or more final development plans shall be submitted for each phase of development and shall follow the general development concept established in the General PUD District Plan. See Section 7.13, Final Development Plan, for the procedure and review criteria applicable to final development plans.
- (2) Detailed PUD District Plan. If development is not to be completed in phases or over an extended period of time, or if an applicant is prepared to submit more detailed final development plan or pre-construction plans, the applicant may submit a “Detailed PUD District Plan” covering the entire PUD District area. After the PUD District rezoning with a Detailed PUD District plan is approved, the Detailed PUD District Plan shall constitute a final development plan, enabling the applicant to proceed directly to final zoning / building permit approval (no intervening final development plan review step under Section 7.13).

B. PUD District Plan Contents—Permitted Uses and Procedures

All PUD District Plans shall specify permitted primary, accessory and temporary uses, and may specify applicable use and development review procedures, in compliance with the following standards.

- (1) A PUD District Plan shall permit any use which is a permitted use in any zone district when such use is provided for, enumerated, and approved in the PUD District Plan.
- (2) All use limitations in this FDC shall apply to the uses in the PUD District unless expressly waived or modified in the PUD District Plan.
- (3) A PUD District Plan may subject the establishment of a permitted use or the development of an allowed building form to any procedure established in Chapter 7. However, a PUD District Plan shall not establish or include any use or development review procedure different from a procedure established in Chapter 7.
- (4) A PUD District Plan may provide for future amendment by subarea, platted lots, or metes and bounds parcels, as allowed in Section 7.5.D.5, Amendments to Approved PUD District Plan.

C. PUD District Plan Contents—Applicable Design Standards.

- (1) **Required PUD District Plan Elements.** While the level of detail will vary between a General PUD District Plan and a Detailed PUD District Plan, all PUD District Plans shall include or address the following elements, through specific standards wherever possible. Applications for the PUD zoning district shall provide application materials similar to what is submitted for a preliminary plat application. Applications that include residential (other than single-family), public and institutional, commercial or manufacturing and light industrial land uses shall additionally provide application materials similar to what is submitted for a Final Development Plan application. The Director of Planning & Development may waive submittal information below if the anticipated impact of the proposed development is minimal or the submittal information is not relevant to the specific application.

a. A written statement that contains information regarding:

- i. The character and development concept for the PUD District.
- ii. A comparative chart that lists the FDC regulation that is requested to be modified and the proposed modified PUD regulation that will replace it.
- iii. Justification statement for each requested modification to the FDC regulations.
- iv. Identification of the greater public benefit provided within the PUD zone district.
- v. A development schedule that identifies timing and phasing of development.
- vi. General consistency of the development with the Town of Firestone Comprehensive Master Plan; Transportation Master Plan; Parks, Recreation, Open Space, and Trails Master Plan, and other pertinent Town plan and policy documents.
- vii. General compatibility with, and effect on, surrounding properties.
- viii. Provision for adequate, police, fire, and school services.

- b.** A PUD-DP that contains:
 - i.** The requested modifications to the FDC regulations.
 - ii.** A land use summary chart that identifies, by each land use type, the:
 - (A)** area and percent of total area;
 - (B)** number of lots;
 - (C)** number of dwelling units;
 - (D)** dwelling units per gross acreage;
 - (E)** square footage of non-residential;
 - (F)** minimum lot sizes;
 - (G)** minimum setbacks;
 - (H)** maximum building height;
 - (I)** principal and accessory uses permitted by right and by special review use;
 - (J)** parks and open space dedication total;
 - (K)** private parks and open space total; and,
 - (L)** parking requirements.
 - iii.** Lot, block and tract layout.
 - iv.** Existing and proposed easements.
 - v.** Existing and proposed street right-of-ways.
 - vi.** Utility plan.
 - vii.** Grading and drainage plan.
 - viii.** Oil/gas plan for plugged and abandoned, existing, and proposed facilities, easements, and setbacks.
 - ix.** Natural and scenic resource protection plan.
 - x.** Landscape plan.
 - xi.** Park, open space and trails plan.
 - xii.** General location and size of all existing and proposed structures.
 - xiii.** Building floor plans and architectural elevations.
 - xiv.** Parking, loading, and vehicular and pedestrian circulation.
 - xv.** Signage.
 - xvi.** Photometric plan (single-family residential excepted).
- c.** Additional Provisions:
 - i.** The Town may require additional reasonable provisions as appear necessary or desirable for the protection of adjoining or nearby properties and to fully evaluate the proposed modifications to the FDC regulations.
 - ii.** In addition to the required elements stated in this subsection, a PUD District Plan may include design standards different than the type and subject matter

of standards included in this Code, including without limitation, enhanced streetscape standards, minimum open space configuration or design standards, and minimum architectural design standards for buildings in the PUD District.

3. Step 8: (Decision and Findings)

The following additional procedures shall apply:

a. Official Zoning Map

PUD Districts approved in accordance with the provisions of this Section shall be referenced on the Official Zoning Map.

b. Recording

Following approval of the PUD zone district application, the Town shall record the PUD-DP, and other appropriate associated documents, in the office of the appropriate County Clerk and Recorder. The applicant shall be responsible for all required recording fees.

c. Successive Applications

Following denial of a PUD zone district application, no new application for the same or substantially the same PUD zone district application shall be accepted within 1 year of the date of denial.

4. Step 9: (Additional Review Criteria for Rezoning to PUD District)

In addition to the general review criteria stated in 7.4 (Step 9 of 7.4), the Board of Trustees shall find:

- a.** The PUD district zoning is generally consistent with the purpose of the PUD zone district as set forth in FDC Sections 2.5 .
- b.** The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in 7.6.
- c.** The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions.
- d.** The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property.
- e.** The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design).

5. Step 11: (Minor Modifications and Amendments)

- a.** A request to change an approved PUD-DP may be filed the owner(s) of the fee interest of land within a subarea, platted lot, or metes and bounds parcel to which the proposed change applies, but shall be signed only by all the only by all the owners or agents of the owners of the property within the subarea, platted lots, or metes and bounds parcels to which the proposed amendment applies.
- b.** Any changes that constitute amendments under Section 2.5.D.7 require the filing of new application for a PUD District, subject to the submittal requirements listed above in Section 7.5.D., and shall follow the process identified in Subsection 7.5D. The Board of Trustee's action regarding an application for an amended PUD-DP shall be by ordinance, following a recommendation from the planning commission. .

6. Step 12: (Lapse)

Applicable, as modified:

- a. The PUD-DP and other appropriate associated documents to the approved PUD zone district shall be recorded within 90 days of approval, unless stated otherwise in such approval. Upon written request by the applicant or staff, the Director of Planning & Development may grant 2 extensions for a maximum of 60 days each due to unique circumstances that make it impracticable to file the documents.
- b. Effect of Approved Detailed PUD District Plans.
 - i. The standards and provisions of an approved Detailed PUD District Plan shall constitute the zoning regulations for use and development of the subject property. Approval of a Detailed PUD District Plan shall constitute final development plan review for zoning compliance purposes only under Section 7.13 and building permits may be issued and site work commenced according to the approved Detailed PUD District Plan.
 - ii. An approved Detailed PUD District Plan shall expire after 3 years from the date of Board of Trustees approval, if a building permit (as applicable) has not been obtained and construction of a walled and roofed building intended as shelter for a use or occupancy permitted within the PUD zone district has not started.
 - iii. The Board of Trustees may extend the original 3-year expiration time frame for Detailed PUD District Plans, by ordinance preceded by a Public Hearing, for up to an additional 12 months for good cause, including but not limited to a showing that development was delayed by economic or physical problems beyond the applicant's or property owner's control.
- c. Effect of Approved General PUD District Plans
 - i. Within a PUD District subject to an approved General PUD District Plan, no building permits may be issued and no work may commence until a final development plan has been approved according to Section 7.13, or unless a Detailed PUD District Plan for a portion or portions of the PUD District has been approved by the Board of Trustees according to Section 7.5 of this FDC.
 - ii. A final development plan within a PUD District may be for the entirety of the district, or for only one or more phases of the entire PUD District area. The approval of a final development plan for any one phase of the PUD District may be contingent on improvements that involve other or all phases. In any final development plan application for less than the entirety of the PUD District, the applicant shall submit plan exhibits that clearly show the relation of the subject site development phase(s) to the remainder of the PUD District area.
 - iii. The standards and provisions of the approved PUD District subject to a General PUD District Plan, together with all approved final development plans for the PUD District, shall constitute the zoning regulations regulating all use and development of the subject property.
- d. Areas covered by an approved PUD District with a General PUD District Plan may be considered by the Board of Trustees for rezoning to a more appropriate classification under this FDC, if a complete final development plan for at least one phase of the PUD District has not been submitted within 30 months following approval of the PUD District with a General PUD District Plan. The Board of Trustees' actions regarding a rezoning of the property shall be by ordinance at a Public Hearing, following a recommendation by the planning commission. Alternatively, the Board of Trustees may consider revoking the PUD-DP from the PUD zone district. The revocation of the PUD-DP shall be heard before the Planning Commission, wherein the Planning commission shall make a recommendation to the

Board of Trustees. The revocation of the PUD-DP shall then be heard by the Board of Trustees at a Public Hearing where a final determination shall be made.

- i. If a PUD-DP has been revoked by the Board of Trustees, the property will remain zoned as a PUD zone district without a PUD-DP. Development of the property, as a PUD zone district, will require a new PUD-DP that shall be reviewed and processed in the same manner as required for the original application.
- e. The Public Hearing shall be subject to the Town Notice (Subsection 7.2.F.3.), Mailed Notice (Subsection 7.2.F.4), and Posted Notice (Subsection 7.2.F.5.) requirements as well as the Public Hearing requirements of Subsection 7.2.G.

10.7.6 SUBDIVISION

A. Purpose

The purpose of the subdivision review process is to ensure compliance with the subdivision standards and requirements set forth in Chapter 6, while encouraging quality development generally consistent with the goals, policies, and objectives found in the Town's Comprehensive Master Plan.

B. Applicability

1. General

The procedures of this Section, and the standards and requirements set forth in Chapter 6, shall apply to all subdivisions or re-subdivisions that result in the portioning, dividing, combining, or altering of any lot, parcel, or tract of land, including subdivisions or re-subdivisions created by an exercise of the power of eminent domain by an agency of the State or Town, unless specifically excluded by State law.

2. Preliminary Plat – Final Plat Process

If the subdivision is not a lot line adjustment or minor subdivision, the subdivision shall follow the Preliminary Plat and Final Plat processes in Sections 7.8.C and 7.8.D.

3. Lot Line Adjustment and Minor Plat Process

The Board of Trustees expressly delegates and grants to the Director the authority to review and approve through the administrative process lot line adjustments and minor subdivisions. The authority granted and delegated hereby shall include the authority to execute and file with the office of the county clerk and recorder a subdivision plat conforming to the requirements of this section. The authority granted and delegated hereby is subject to the following conditions and limitations: (a) No lot split shall be permitted unless both resulting lots abut a street or road on a least one entire side of such lot; (b) No lot split shall be permitted unless both resulting lots meet the minimum lot size requirements of the zone district in which the lots are located; (c) The resulting lots can be served by municipal services through existing public improvements or through the construction of public improvements; (d) If, at the Director's discretion, the lot line adjustment or minor subdivision does not alter the character of the subdivision nor adversely affect the functions of transportation, utilities, drainage, and other services and providers; and (d) the lot line adjustment or minor subdivision is not being utilized to circumvent the regular process of review or other provisions of the subdivision design standards, particularly as it pertains to the number of lots created by the process itself, the impacts of the development or improvements, or in conjunction with other lot line adjustment or minor subdivision applications.

4. Subdivision Approval is Prerequisite to Other Approvals

- a. No building permit or certificate of occupancy may be issued for any building, structure, or improvement located within a subdivision until:

- i. A plat for the subdivision has been approved and recorded and all required dedications of land have been made, and all required improvements have been installed in accordance with the procedures and requirements of this Section; or
- ii. A plat for the subdivision of land has been approved and recorded and a Subdivision Agreement has been executed that provides for future improvements pursuant to Section 7.18.

5. Restriction on Sale or Transfer of Subdivided Land Without Approved Plat

Any person who transfers or sells any land located within the Town by reference to a plat that has not been approved by the Town and recorded by Weld County shall be guilty of a violation of this FDC. The Town also may enjoin such transfer or sale by filing an action for an injunction.

6. Existing Lots of Record

No provision of this Section or Chapter 6 applies to any lot in a subdivision legally created and filed of record before the effective date of this FDC, unless the lot is further subdivided.

C. Procedures as Modified for Review of Preliminary Plats

1. Step 2 (Development Application Submittal)

The following additional development application submittal requirements shall also apply.

A Preliminary Plat shall include all land under contiguous ownership unless separate legal descriptions exist as a matter of record. If only a portion of the land is intended for immediate development, the remaining portion shall be given a tract number and shall be considered a part of the Preliminary Plat.

2. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. Additional Documentation

In its review of the Preliminary Plat the Board of Trustees and/or the Planning Commission may determine that additional maps, reports, certifications, or agreements are necessary before making a decision on the proposal. In such cases either decision making body may require that the additional evidence be submitted before a finding is made.

b. Effect of Approval

Following approval of a Preliminary Plat, applicant shall submit signed, full-size paper copies of the plat. This plat, along with the approving resolution, shall be kept in the Office of the Town Clerk. Approval of the preliminary plat does not constitute approval of the final plat. The preliminary plat shall not be recorded and use of the preliminary plat for the purpose of selling or transferring interests in real estate shall be deemed a violation of this FDC.

c. Construction Work

No construction work shall begin on the proposed improvements in the proposed subdivision prior to approval of the Final Plat; however, the subdivider may undertake certain ground excavations for grading and drainage purposes if the proper permits are issued by the Town Engineer, and/or Public Works Department, at the subdivider's risk.

d. New Application Following Denial

No new application for the same or substantially the same Preliminary Plat shall be accepted by the Director of Planning & Development within 1 year of denial of the original application. The waiting period required by this Section may be waived in

an individual case, based upon new evidence or changed circumstances, by the Director of Planning & Development.

3. Step 9 (Approval Criteria)

The planning commission and Board of Trustees shall hold at least one Public Hearing on the submitted plat. During the public hearing, the Planning Commission and Board of Trustees may approved upon findings that all of the following criteria have been met:

- a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.
- b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.
- c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this FDC.
- d. The subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this FDC that have not otherwise been modified or waived pursuant to this Chapter or this FDC.
- e. The subdivision complies with all applicable regulations, standards, requirements, or plans of the Federal or State governments and other relevant jurisdictions, including but not limited to wetlands, water quality, erosion control, and wastewater regulations.
- f. The subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated.
- g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.
- h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.
- i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development.
- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

4. Step 12 (Lapse)

Applicable, as modified:

- a. Approval of a Preliminary Plat shall be effective for 2 years. If no development or change in requirements has occurred that would affect the proposed plat at the end of the effective approval period, the Board of Trustees may, at the request of the applicant, extend its approval an additional year without the submission of a new Preliminary Plat by re-approving the original Preliminary Plat. No extensions of approval shall be granted more than once.
- b. An approved Preliminary Plat shall lapse and be of no further force and effect if a complete Final Plat application for the subdivision or a phase of the subdivision has not been submitted within 2 years after the approval date of the Preliminary Plat or within the Board of Trustees approved extension period. In the case of partial Final

Plat submission or subsequent partial Final Plat submissions, the approval of the remaining portion of the Preliminary Plat shall automatically gain an extension of 1 year with each Final Plat.

D. Procedures as Modified for Review of Final Plats

1. Step 2 (Development Application Submittal)

The purpose of the final plat is to review the proposed subdivision for proper final engineering subdivision design; for legal requirements to properly represent real estate interests; to provide for dedication of lands required for public use and for the construction of public improvements; and for conformance with the form of the preliminary plat.

The applicant may proceed with the preparation of the final plat and other documents to be submitted with the application simultaneously with, or following approval of the preliminary plat, at the risk of the subdivider. No final action shall be taken on a Final Plat until the corresponding Preliminary Plat has been approved and, if applicable, associated approval conditions have been satisfied.

2. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. Board of Trustees Action

The Board of Trustees shall review at a public meeting the final plat for conformance with the preliminary plat and the applicable approval criteria listed below. The Board of Trustees has final authority to approve, approve with conditions, or disapprove the final plat, accept the dedications, and to enter into and authorize the execution of a development agreement associated with the final plat or to refer the plat to the planning commission. Said referral of the plat to the planning commission shall outline the reasons for this referral.

b. Final Plats that Differ from Approved Preliminary Plats

If there are significant changes on the final plat from the form of the preliminary plat, the Final Plat submittal shall require review and approval in the same manner as the Preliminary Plat (i.e., hearings before the Planning Commission and the Board of Trustees). Significant changes include, but are not limited to, modifications of street patterns, lot layout, drainage ways, grading, density, utility systems or public improvements. The Director shall review the final plat changes to determine the conformance to the preliminary plat, and shall determine if the changes are sufficiently significant to require a new preliminary plat submittal. The subdivider may appeal the Director's decision to the planning commission within 14 days of the decision.

c. Effect of Approval

i. Recording

Within 60 days of Board of Trustees approval of a Final Plat, which shall have all permitted modifications, waivers, or variances expressly noted thereon, the applicant shall provide to the town two fully executed mylars of the approved final plat along with such other documents and fees as may be required by the Board or this FDC. The Final Plat shall be signed by the Mayor and other authorized Town representatives. The Town shall then record the Final Plat and any signed Subdivision Agreement in the office of the Weld County Clerk and Recorder. The applicant shall pay all required recording fees. The time periods provided for in this section may be extended for an additional 60 days by the Director upon written request and a showing of good cause. Board of Trustees approval of any final

subdivision plat shall be void if the applicant fails to comply with the time requirements of this section.

d. *Improvements Guarantees*

The subdivider shall provide any required guarantees to the Town Clerk prior to the recording of the Final Plat, unless otherwise authorized by the Board of Trustees. Guarantees shall be in a form specified and subject to the requirements and conditions detailed within this FDC, the Town's Standards for Design and Specifications for Construction Improvements, and the approved and executed Subdivision Agreement.

e. *Subdivision Agreements*

The Mayor or other authorized Town representative shall sign any related Subdivision Agreement.

f. *Construction Work*

No construction work shall begin on the proposed improvements in the proposed subdivision prior to approval of the Final Plat. The subdivider may undertake certain ground excavations for grading and drainage purposes if the proper permits are issued by the Town Engineer or Public Works Department, at the subdivider's risk.

3. Step 9 (Approval Criteria)

The Board of Trustees shall consider, the following criteria:

- a. The Final Plat is found to be in substantial compliance with all respects of the approved Preliminary Plat and incorporates all recommended changes, modifications, and conditions attached to approval of the Preliminary Plat;
- b. Plans and specifications for improvements connected with development of the subdivision comply with the subdivision development and design standards set forth in Chapter 6 of this FDC, and any other relevant Town, County, State, or Federal regulations, except to the extent modifications, variances, or exceptions have been expressly permitted by the terms of the Preliminary Plat approval. All construction plans for improvements shall be approved by the Town Engineer prior to the board's action on the Final Plat;
- c. The applicant has either installed all required improvements or has executed a Subdivision Agreement pursuant to Section 7.19; and
- d. The applicant has paid or satisfied all applicable fees and charges;

4. Step 11 (Amendments)

- a. Minor Amendments. The Director of Planning & Development may approve Minor Amendments to approved plats, which shall be recorded and shall control over the preceding or Final Plat without vacation of that plat, if the application is signed by the applicants only and the sole purpose of the amending plat is to:
 - i. Correct an error in a course or distance shown on the preceding plat;
 - ii. Add a course or distance that was omitted on the preceding plat;
 - iii. Correct an error in a real property description shown on the preceding plat;
 - iv. Indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments;
 - v. Show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;

- vi. Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- vii. Correct an error in courses and distances of lot lines between two (2) adjacent lots if:
 - (A) Both lot owners join in the application for amending the plat;
 - (B) Neither lot is abolished;
 - (C) The amendment does not attempt to remove recorded covenants or restrictions; and
 - (D) The amendment does not have a material adverse effect on the property rights of the owners in the plat;
- viii. Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement; or
- ix. Relocate or remove one (1) or more lot lines between one (1) or more adjacent lots if all of the following have been met:
 - (A) The owners of all those lots join in the application for amending the plat;
 - (B) Lots must be combined so that no lot is created as a non-conforming lot, and no existing non-conforming lot remains.
 - (C) The amendment does not attempt to remove recorded covenants or restrictions; and
 - (D) The amendment does not increase the number of lots.

E. Procedures as Modified for Review of Lot Line Adjustment and Minor Plats

1. Applicability

The procedure set forth in this Section shall apply to all subdivisions that qualify as lot line adjustments or minor subdivisions, as defined by this FDC, except for nonresidential minor subdivisions.

2. Step 8 (Decision and Findings)

The Director of Planning & Development shall review each lot line adjustment application or proposed Minor Plat relative to the applicable approval criteria listed below. All construction plans for subdivision-related public improvements shall be referred to the Town Engineer, Public Works Director, and applicable utility providers for review and approval. Based on the results of those reviews, the Director of Planning & Development shall act to approve, approve with conditions, or deny the lot line adjustment application or proposed Minor Plat. The Director of Planning & Development shall make a final decision on the lot line adjustment plat or Minor Plat.

3. Step 9 (Approval Criteria)

The Director of Planning & Development shall approve a lot line adjustment or Minor Subdivision application if it meets the following criteria:

- a. The lot line adjustment plat or Minor Plat is generally consistent with the Town's Comprehensive Master Plan;
- b. The lot line adjustment plat or Minor Plat is generally consistent with and implements the intent of the specific zoning district in which it is located;

- c. As applicable, the Minor Plat is generally consistent with the terms and conditions of any previously approved development plan;
- d. The lot line adjustment plat or Minor Plat complies with all applicable use, development, and design standards set forth in this FDC;
- e. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development; and
- f. The lot line adjustment plat or Minor Plat will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated;

F. Procedure as Modified for Nonresidential Subdivisions

1. Applicability

The procedure set forth in this Section shall apply to all subdivisions that qualify as nonresidential subdivisions, as defined by this FDC.

2. Step 8 (Decisions and Findings)

The Board of Trustees shall review at a Public Hearing the final plat for conformance with the applicable approval criteria listed below. The Board of Trustees shall, within 30 days of the close of the Public Hearing on the final plat, approve, approve with conditions, or disapprove the final plat as presented, accept the dedications as presented, and enter into and authorize the execution of a development agreement associated with the final plat.

3. Step 9 (Approval Criteria)

The Board of Trustees shall approve a Non-residential Subdivision application if it meets the following criteria:

- a. The final plat is generally consistent with the Town's Comprehensive Master Plan;
- b. The final plat is generally consistent with and implements the intent of the specific zoning district in which it is located;
- c. As applicable, the final plat is generally consistent with the terms and conditions of any previously approved development plan;
- d. The final plat complies with all applicable use, development, and design standards set forth in this FDC;
- e. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development; and
- f. The final plat will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

4. Step 11 (Amendments)

- a. Minor Amendments. The Director of Planning & Development may approve Minor Amendments to approved plats, which shall be recorded and shall control over the preceding Nonresidential Plat without vacation of that plat, if the application is signed by the applicants only and the sole purpose of the amending plat is to:
 - i. Correct an error in a course or distance shown on the preceding plat;

- ii. Add a course or distance that was omitted on the preceding plat;
- iii. Correct an error in a real property description shown on the preceding plat;
- iv. Correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
- v. Correct an error in courses and distances of lot lines between two (2) adjacent lots if:
 - (A) Both lot owners join in the application for amending the plat;
 - (B) Neither lot is abolished;
 - (C) The amendment does not attempt to remove recorded covenants or restrictions; and
 - (D) The amendment does not have a material adverse effect on the property rights of the owners in the plat;
- vi. Relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement; or
- vii. Relocate or remove one (1) or more lot lines between one (1) or more adjacent lots if all of the following have been met:
 - (A) The owners of all those lots join in the application for amending the plat;
 - (B) Lots must be combined so that no lot is created as a non-conforming lot, and no existing non-conforming lot remains.
 - (C) The amendment does not attempt to remove recorded covenants or restrictions; and
- viii. Add one (1) lot line between two (2) adjacent lots if, at the Director's discretion, the lot line does not alter the character of the subdivision nor adversely affect the functions of transportation, utilities, drainage, and other services and providers.

10.7.7 MINOR MODIFICATIONS

A. Purpose and Scope

This Section sets forth the required review and approval procedures for "Minor Modifications," which are adjustments to certain provisions of this Code otherwise applicable to a property pursuant to the procedures in this Section. Minor modifications may authorize minor changes to pending applications, or to approved plans and permits, and relief from specified standards as stated in this Section. Minor modifications are intended to relieve unnecessary hardship in complying with the strict letter of this Code or with overriding federal law, and to promote context-sensitive development," which are minor deviations from otherwise applicable standards that may be approved by the Board of Trustees or Director of Planning & Development. Minor Modifications are to be used when the small size of the modification requested, and the unlikelihood of any adverse effects on nearby properties or the neighborhood, make it unnecessary to complete a formal Variance process. Administrative adjustments are not intended to relieve specific cases of financial hardship, nor to allow circumventing the intent of this Code and its standards.

B. Applicability

1. Administrative Adjustments to Relieve Unnecessary Hardship

As part of the review and approval of any procedure set forth in this Chapter, the Board of Trustees or the Director of Planning & Development may approve adjustments of up to a maximum of 10 percent from the following general development and zoning district standards, including Design Overlay (DO-) and Planned Unit Development (PUD) District standards, provided that the applicable approval criteria listed below are met.

- a. Minimum lot area requirements;
- b. Setback, building, and height requirements;
- c. Subdivision design and improvement standards set forth in Chapter 5; and
- d. Quantitative development standards set forth in Chapter 6 (e.g., number of parking spaces);

2. Minor Modifications to Ensure Compliance with Federal Law

- a. Compliance with Federal Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA).

- i. The Director may grant minor modifications to any use, building form, or design standard stated in Chapters 3, 4, and 6 of this FDC in order to eliminate a substantial burden on religious exercise as guaranteed by the Federal Religious Land Use and Institutionalized Persons Act of 2000, as amended.
- ii. In no circumstance shall the Director approve an adjustment that allows a religious assembly use, or any uses/structures/activities accessory to it, in a zone district where this FDC prohibits such use or accessory use/structure/activity.
- iii. In granting an administrative adjustment, the Director may require conditions that will secure substantially the objectives of the modified standard and that will substantially mitigate any potential adverse impact on the environment or on adjacent properties, including but not limited to additional landscaping or screening.

- b. Reasonable Accommodations under Federal Fair Housing Act (FFHA).

- i. The Director may grant administrative adjustments to provide reasonable accommodations under the Federal Fair Housing Act. In the application for an administrative adjustment under this subsection, the applicant shall identify the type of housing being provided and cite the specific provisions of the Federal Fair Housing Act that require reasonable accommodations be made for such housing. The Director may grant the following types of administrative adjustments to assure reasonable accommodations required by law:

- (A) Modify any minimum distance or spacing requirements, building setback, height, open space or building coverage, or landscaping requirement by no more than 10 percent; or
- (B) Reduce any off-street parking requirement by no more than 1 space.

- (C) The Director may approve a type of reasonable accommodation different from that requested by the applicant if the Director concludes that a different form of accommodation would satisfy the requirements of the Federal Fair Housing Act with fewer adverse impacts on adjacent areas. The decision of the Director shall be accompanied by written findings of fact as to the applicability of the Federal Fair Housing Act, the need for reasonable accommodations, and the authority for any reasonable accommodations approved. Requests for types of accommodation that are not listed above may only be approved through a Variance or Official Map Amendment (Rezoning) process. .

C. Procedures as Modified

1. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. *Minor Modifications Approved by Director of Planning & Development*

The Director of Planning & Development may initiate or approve a Minor Modification permitted under this Section on an application prior to approval if the request for such administrative adjustment is submitted concurrently with any other required development application .

b. *Noted on Approving Documents*

Any approved Minor Modifications shall be specified on the approved plat, development plan, approval letter or approving document for which the modifications were sought.

- c. The Director may attach any condition to approval of an administrative adjustment reasonably necessary to protect the health, safety and welfare of the community, to secure substantially the objectives of the modified standard, and to minimize adverse impacts on adjacent properties.

2. Step 9 (Approval Criteria)

The Director may approve the Minor Modification only upon finding that:

- a. The adjustment is necessary to satisfy the federal requirements for reasonable accommodation of housing for protected groups under the Federal Fair Housing Act as provided in Section 7.7.B.2.B; or
- b. The adjustment is necessary to eliminate a substantial burden on religious exercise as guaranteed by the federal Religious Land Use and Institutionalized Persons Act of 2000 as provided in Section 7.7.B.2.A.; or
- c. All of the following criteria have been met:
- i. The requested modification is generally consistent with the Town's Comprehensive Master Plan and the stated purpose of this FDC;
 - ii. The requested adjustment is consistent with the stated intent and purpose of the applicable zone district or approved PUD District Plan, if applicable;

- iii. The requested modification meets all other applicable building and safety codes;
- iv. The requested modification does not encroach into an easement;
- v. The requested modification will have no significant adverse impact on the health, safety, or general welfare of surrounding property owners or the general public, or such impacts will be substantially mitigated.

10.7.8 VARIANCES

A. Purpose and Scope

The Variance process is intended to provide limited relief from the requirements of this FDC in those cases where strict application of a particular requirement will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise permitted under this FDC. It is not intended that Variances be granted merely to remove inconveniences or financial burdens that the requirements of this FDC may impose on property owners in general. Rather, it is intended to provide relief where the requirements of this FDC render the land difficult or impossible to use because of some unique physical attribute of the property itself or some other factor unique to the property for which the Variance is requested. State and/or Federal laws or requirements may not be varied by the Town.

B. Limitations

1. No variance shall be granted to permit a use of land not otherwise permitted in the applicable zone district.
2. No variance shall be granted to increase to the size or height of signs by more than ten percent above the requirements and limitations of this FDC.
3. No variance in lot width or lot area shall be granted if the requested variance is associated with a request to subdivide a lot or parcel of property into two or more lots. Any such request will be considered as a part of the subdivision process, except that no minor subdivision plat shall be processed by the town if it involves a lot width or area variance.
4. No variance shall be granted to decrease the amount of required parking by more than ten percent below the requirements of this FDC.
5. The board of adjustment may not change or alter this FDC or change the zoning district map of the town.

C. Procedures as Modified

1. Step 3 (Determination of Application Completeness)

Applicable, with the following modification: A request for Variance may be initiated only by the property owner or his authorized representative. The application must state the relief sought and specify the facts or circumstances that are alleged to show that the application meets the approval criteria listed below.

2. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. Board of Adjustment Review and Decision

- i. Upon receiving the application materials from the Director of Planning & Development, the Board of Adjustment shall hold a public hearing on the

proposed Variance. Town, published, and posting notice of the hearing shall be provided pursuant to Subsection 7.2.F.

- ii. In considering the application, the Board of Adjustment shall review the application materials, the applicable approval criteria below, and all testimony and evidence received at the public hearing.
- iii. After conducting the public hearing, the Board of Adjustment may: deny; conduct an additional public hearing; or approve the requested Variance. Any approval or denial of the request shall be by resolution, accompanied by written findings of fact that the Variance meets or does not meet each of the criteria set forth in below, stating the reasons for such findings. A concurring vote of a majority of the fully constituted membership of the Board shall be required to grant a Variance.
- iv. In approving any Variance, the Board may attach such reasonable conditions and safeguards as it deems necessary to implement the purposes of this FDC or to mitigate anticipated impacts of the variance.

b. Recording

Variances approved by the Board of Adjustment shall be recorded with the appropriate County Clerk and Recorder.

3. Step 9 (Approval Criteria)

The Board of Adjustment may approve a Variance only if it finds that there is an unnecessary hardship whereby the application satisfies the criteria of any one of paragraph a or b or c of this subsection **and** satisfies the criteria of paragraph d of this subsection:

a. Disability:

- i. There is a disability affecting the owners or tenants of the property or any member of the family of an owner or tenant who resides on the property, which impairs the ability of the disabled person to utilize or access the property;

b. Unusual Conditions

- i. There are unusual physical circumstances or conditions, including, without limitation: irregularity, narrowness or shallowness of the lot; or Exceptional topographical or other physical conditions peculiar to the affected property; or Unusual physical circumstances or conditions arising from an existing, nonconforming or compliant structure on the affected property; and
- ii. The circumstances or conditions do not exist throughout the neighborhood or zone district in which the property is located, or the circumstances or conditions relate to drainage conditions and challenges found consistently throughout the neighborhood or zone district in which the property is located; and;
- iii. The development or use of the property cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district; however loss of a financial advantage, hardship that is solely financial, or the fact that a more profitable use of the property might be had if a variance were granted are not grounds for a variance; and;
- iv. The unusual physical circumstances or conditions have not been created by the applicant; and

c. Compatibility with Existing Neighborhood

- i. The property could be reasonably developed in conformity with the provisions of this FDC, but the proposed variance will result in a building form that is reasonable, customary and consistent with or more compatible, in terms of building height, siting, and design elements, with the existing neighborhood in which the subject property is located..
- d. Review Criteria - Applicable to All Variance Requests. The Board of Adjustment may grant a variance only if the Board finds that: .
 - i. The hardship is not shared by many surrounding properties; and
 - ii. The Variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property; and
 - iii. The Variance, if granted, is the minimum Variance that will afford relief and is the least modification possible of the provisions of this FDC which are in question; and
 - iv. The Variance, if granted, would not grant a change to either (a) a condition attached to an approved rezoning or special use, or (b) an approved PUD District plan that would constitute an "amendment" under Section 2.5.D,7 or (c) a condition attached to an approved Final Development Plan; or (d) a condition attached to an approved Plat.

4. Step 12 (Lapse)

Applicable, as follows: Any Variance granted shall become null and void:

- a. If the Variance is not exercised (e.g. building permit obtained, substantial construction commenced) within 180 days of the date it is granted;
- b. If the approval or conditions of approval of the Variance is violated;
- c. If the Director finds that redevelopment or modification of the subject property makes compliance with this FDC possible without the previously approved variance; or,
- d. If the Director finds that the alleged hardship or difficulty upon which the variance is based has been eliminated.

10.7.9 VACATIONS

A. Purpose and Scope

The procedure for vacation of streets, alleys or other public ways, and vesting of title upon vacation, shall conform to state law as provided in Section 43-2-301, et seq., C.R.S., 1973, as amended. In addition, said vacation shall conform to the specific procedure as provided in this Section. The Board of Trustees has the authority to:

- 1. Vacate public roads, which include any public street, alley, lane, parkway, avenue, road, trail or other public right-of-way designated or dedicated on a subdivision plat, or conveyed by deed, or acquired by prescriptive use, whether or not it has been used as such.
- 2. Vacate public easements designated or dedicated on a subdivision plat or conveyed by deed or recorded easement.

B. Procedures as Modified

1. Step 4 (Neighborhood Meeting)

Applicable, at the discretion of the Director of Planning & Development.

2. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. Planning Commission Review and Recommendation

After submission of the application, the Director of Planning & Development shall determine whether consideration of the Vacation request by the Planning Commission is necessary. If there are no unresolved issues regarding the Vacation and the proposal has no material adverse impact on adjacent property owners, the Director of Planning & Development may waive Planning Commission review and recommendation. If Planning Commission review is waived, the Director of Planning & Development shall schedule the application for Board of Trustees consideration.

If consideration before the Planning Commission is necessary, the Planning Commission shall review the proposed Vacation and shall recommend that the Board of Trustees approve, approve with modifications and/or conditions, or deny the application based on the applicable approval criteria listed below.

b. Board of Trustees Review and Decision

The Board of Trustees shall review each Vacation application relative to the applicable approval criteria listed below and shall approve, approve with modifications and/or conditions, or deny the application.

3. Step 9 (Approval Criteria)

:

- a.** Vacation of public roads and easements shall be left to the sound discretion of the Board of Trustees and the applicant shall have the burden of presenting sufficient information to justify the requested vacation. The Board of Trustees shall not exercise its discretion to vacate any public road or easement, unless it meets the following criteria:

- i.** No property would be left without reasonable access or provision of any public facilities or utility services by reason of the vacation;
- ii.** The public road or public easement is no longer necessary for public use or convenience;
- iii.** The vacation will not restrict access to any parcel so that access is unsafe, unreasonable, or economically prohibitive;
- iv.** The vacation does not result in an easement configuration that could create difficulty in the provision of services or installation of public improvements;
- v.** Adequate easements have been reserved for use and/or maintenance by the town or other utility agencies;
- vi.** The vacation is consistent with the goals of the Town's Comprehensive Plan.

- b.** In exercising discretion to vacate a public road, the Board of Trustees may also consider impacts on mobility, parking, traffic, and safety, as well as any benefits to the town that will result from removing the right-of-way from the municipal street system.

10.7.10 FINAL DEVELOPMENT PLAN

A. Purpose

The purpose of the Final Development Plan review process is to ensure compliance with the development and design standards and provisions of this FDC, and to encourage quality

development reflective of the goals, policies, and objectives of the Town's Comprehensive Master Plan. For land uses requiring a Final Development Plan review, such uses may be established in the Town, and building or land use permits may be issued, only after a Final Development Plan showing the proposed development has been approved in accordance with the procedures and requirements of this Section. Approval of a final development plan pursuant to this section shall not constitute a "vested property right" to develop the property in accordance with the approved plan as "vested property right" is defined in C.R.S. § 24-68-101 et seq. or otherwise, unless specific action is taken by the Board of Trustees, in accordance with the provisions of this FDC.

B. Applicability

A Final Development Plan may be reviewed concurrently with other applications as may be necessary.

1. Final Development Plan review shall be required for the following:
 - a. All development including additions in all zone districts except for the following types of residential development:
 - i. Development of a one-household or two-household dwelling use
 - b. Establishment of a primary, accessory, or temporary use permitted in a zone district under this FDC, where such provision explicitly requires final development plan review and approval prior to establishment of the use.
 - c. Any change of use from one (1) primary use classification to another at the discretion of the Director of Planning & Development (for example, residential use to commercial use);
 - d. Development within a PUD District; however, development within a PUD District subject to an approved Detailed PUD District Plan under Section 7.5, is exempt from this requirement for final development plan review.
2. Final Development Plan review shall not be required for:
 - a. Town parks and open space. Town parks and open space shall meet Town requirements found in this FDC and the Town Standards and Specifications; and,
 - b. Town Facilities. Town Facilities shall meet Town requirements found in this FDC and the Town Standards and Specifications.
3. Development of the site shall comply with the approved design and all conditions included in the final development plan. A certificate of occupancy shall not be issued for a building constructed in violation of an approved final development plan

C. Coordination with Special Review Uses

If review of a Special Review Use is required pursuant to Section 7.14, then the applicant shall file a Special Review Use application concurrent with the Final Development Plan application. In such cases, the Board of Trustees shall be the final decision-maker for both the Final Development Plan and the Special Review Use, and shall render separate decisions on both applications based on the applicable approval criteria in Section 7.14 (for the Special Review Use) and this Section 7.13 (for the Final Development Plan).

D. Procedure as Modified for Final Development Plan Review

1. **Step 8 (Decision and Findings)**

The following additional procedures shall apply:

 - a. ***Director of Planning & Development's Review and Decision***

The Director of Planning & Development shall review each Final Development Plan relative to the approval criteria listed below and shall act to approve, approve with conditions, deny, or refer the decision to the Planning Commission. Referral of the application to the Board of Trustees shall be at the discretion of the Director.

b. Referral to the Board of Trustees

If referred to the Board of Trustees, the board shall hold a Public Hearing, preceded by Published Notice (Section 7.2.F.3), Mailed Notice (section 7.2.F.4) and Posted Notice (Section 7.2.F.5), and make a decision for approval, approval with conditions or denial based upon whether the proposal complies with the final development plan review criteria in this section. . The Director's decision on the application may be appealed by the applicant or by any adjacent real property owner that submitted written objections or comments to the Board of Trustees.

- i. Written appeals from the decision of the Director must be received by the town clerk within 30 days of the date of denial, and must be accompanied by an appeal fee to be set by board of trustees resolution. No building permit shall be issued while the appeal is pending.
- ii. When acting in their appeal board capacity, the board of trustees shall conduct a public hearing within 30 days after the appeal is received by the town clerk. The inquiry of the appeal board shall be limited to the record below, and whether the decision of the Director was contrary to this FDC or an abuse of discretion.
- iii. The decision of the appeal board shall be set forth in writing, and set forth reasons for affirming, modifying, or reversing the decision of the Director.

c. Public Improvements required

As a condition of approval of any site development plan, the town may require the applicant to construct, install or otherwise provide, including the dedication of any incidental easements or property interests, public improvements that are necessary to serve the property after it is developed, the need for which is caused by reason of the development. Such a condition may require the execution of a development agreement that provides for such construction or installation, and for financial security to ensure completion of such improvement.

d. Effect of Approval

Approval of a Final Development Plan means a proposed development complies with the standards and provisions of this FDC and, consequently, the Town may issue building permits to an applicant, assuming all other Town standards and regulations have been satisfied.

2. Step 9 (Approval Criteria)

A Final Development Plan may be approved upon a finding that the application meets all of the following criteria:

- a. The Final Development Plan is generally consistent with the Town's Comprehensive Master Plan;
- b. The Final Development Plan is generally consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable;
- c. No buildings or structures infringe on any easements so as to impact the full use of the easement

- d. The Final Development Plan complies with all applicable development and design standards set forth in this FDC;
- e. Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent reasonably practicable; and
- f. The development proposed on the Final Development Plan and its general location is or will be compatible with the character of surrounding land uses.

3. Step 11 (Amendments)

Applicable, with the following addition:

a. Examples of Minor Amendments

The following amendments are offered as examples of amendments to approved Final Development Plans that the Director of Planning & Development may reasonably determine to be "minor":

- i. Insubstantial changes to the text to add clarity or correct conflicting provisions.
- ii. Changes in drives, parking, and sidewalks, if such changes further the intent of the Final Development Plan and this FDC, and are acceptable to the Town Engineer and Public Works Director.
- iii. Changes in building height, setback, and similar provisions of 10 percent or less, provided that the underlying zone district dimensional standards or as modified in an Overlay or PUD are met.
- iv. Minor changes in building materials, architectural elements, landscaping, sign placement, lighting fixtures, fences, utility boxes, equipment, panels, and other similar elements that further the intent of the Final Development Plan and this FDC.

4. Step 12 (Lapse)

Applicable, in addition:

a. Expiration of Approval

- i. Unless stated otherwise in such approval, an approved final development plan shall expire after 12 months from the date of approval, if a building permit has not been obtained and construction has not started. The Director of Planning & Development may grant a one-time extension for a maximum of one year upon written request of the applicant, prior to expiration of the Final Development Plan.
- ii. The remainder of any unbuilt portion of the Final Development Plan at the time of expiration shall be null and void and require new Final Development Plan application and approval.

10.7.11 SPECIAL REVIEW USE

A. Purpose

This Section provides a discretionary approval process for Special Review Uses, which have unique or widely varying operating characteristics or unusual site development features. The procedure encourages public review and evaluation of a use's operating characteristics and site development features and is intended to ensure that proposed Special Review Uses will not have a significant adverse impact on surrounding uses or on the community-at-large. This review process is intended to provide assurance to the community that such uses will be compatible with their locations and surrounding land uses and will further the purposes of this FDC.

B. Relationship to Final Development Plan Requirements

1. Coordination with Review of Final Development Plans

If a Final Development Plan is necessary for the proposed Special Review Use, then the Final Development Plan and the Special Review Use applications shall be processed concurrently. In such cases, the Board of Trustees shall be the final decision-making entity for both the Final Development Plan and the Special Review Use. The Board shall render separate decisions on the applications based on the applicable approval criteria in this Section 7.14 (for the Special Review Use) and Section 7.13 (for the Final Development Plan).

C. Procedure as Modified

1. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. *Indication on Zoning Map*

A Special Review Use shall not be shown on the official Town zoning map.

b. *Alterations of Approved Uses*

No approved Special Review Use may be modified, physically expanded, hours of operation extended, or otherwise altered unless amended in accordance with the procedures applicable to initial approval of a Special Review Use as set out in this FDC.

2. Step 9 (Approval Criteria)

The Board of Trustees shall consider following criteria when evaluating a request for approval of a special use:

- a.** Whether the proposed use will conform with, or further the goals, policies and strategies set forth in the Town's Comprehensive Master Plan
- b.** Compatibility with the surrounding area;
- c.** Harmony with the character of the neighborhood;
- d.** Whether there exists a need for the proposed use;
- e.** The effect of the proposed use upon future land uses or the development in the immediate area;
- f.** Whether the exception from the standard code requirements or limitation is warranted by virtue of design and amenities incorporated into the development proposal
- g.** Whether the existing and proposed streets are suitable and adequate to carry the anticipated traffic within the development proposal and its surrounding vicinity ;
- h.** Whether any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent reasonably practicable;
- i.** Whether facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and streets and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;
- j.** Whether the proposal will result in an over intensive use of land or depletion of natural resources;
- k.** Whether the proposal will require a level of community resources greater than that which is available; and

- I. Whether the proposal will cause significant air, odor, water, light, or noise pollution..

3. Step 12 (Lapse)

Applicable, as follows:

a. Lapse of Special Review Use Approval

- i. Approval of a special review use by the town shall lapse and be considered null and void:
 - (A) Upon the expiration of the Final Development Plan approved in conjunction with such special review use;
 - (B) If the use, itself, has not commenced within one year of the approving action or within the time frame established as a condition of approval of the special review use;
 - (C) If a use allowed pursuant to a special review approval has been discontinued for more than 180 days;
 - (D) Upon a change of primary use of the property
- ii. The Director of Planning & Development may grant a one-time extension for a maximum of one year upon written request of the applicant, prior to expiration of the special review use.
- iii. Failure to use property for the uses authorized by such special review use approval for a period of 12 consecutive months shall terminate the right to use the property for the specified special use approval.

D. Revocation of Special Review Uses after Approval

In the event of noncompliance by the applicant with the approved Special Review Use plan, written agreement, development schedule, or any conditions of approval, the applicant; the Director of Planning & Development shall notify the applicant in writing of said violation and shall provide the applicant with a 30-day period in which to abate the violation. Failure of the applicant to abate cited violations within 30 days shall result in the commencement of a hearing process before the Board of Trustees to determine whether the special review use approval should be revoked. Such review shall occur in the same manner as for original approval as provided herein, and upon completion of such review, the Board of Trustees may revoke the Special Review Use or amend the original approval.

E. Approved Special Use Permits Existing Prior to Effective Date of this FDC

Any approved Special Use Permit that existed prior to the effective date of this FDC shall continue to be an approved Special Use Permit, subject to the provisions of this Section.

10.7.12 ARCHITECTURAL REVIEW

A. Purpose

The purpose of the Architectural review process is to ensure compliance with the development and design standards and provisions of this FDC, and to encourage quality development reflective of the goals, policies, and objectives of the Town's Comprehensive Master Plan.

B. Applicability

Architectural review and approval of single-family detached, single-family attached, multi-family, non-residential, and accessory structures shall be required prior to issuance of a building permit and shall follow the processes detailed in this section.

C. Types of Architectural Review

1. Coordination with Final Development Plan Review

Architectural review and approval of single-family attached, multi-family, and non-residential structures shall be required as part of a Final Development Plan and are subject to the process and approval procedures detailed within Sections 7.13.E and 7.13.F as applicable.

2. Administrative Architectural Review

Single-family detached residential structures and accessory structures requiring Architectural review, which were not reviewed during the Subdivision or Final Development Plan application process, may be approved by the Director of Planning & Development using the administrative Architectural review approval process.

D. Procedures Modified for Administrative Architectural Review

1. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. Director of Planning & Development's Review and Decision

The Director of Planning & Development shall review each administrative Architectural review application relative to the approval criteria listed below and shall act to approve, approve with conditions, deny, or defer the decision to the Planning Commission.

b. Appeal to the Board of Adjustment

Appeals of decisions made by the Director of Planning & Development or Planning Commission under this Section shall be made to the Board of Adjustment.

2. Step 9 (Approval Criteria)

An Architectural review may be approved upon a finding that the application meets all of the following criteria:

- a.** The Architecture is generally consistent with the Town's Comprehensive Master Plan;
- b.** The Architecture is generally consistent with any previously approved Architecture during the subdivision plat, Final Development Plan, or any other precedent plan or approval as applicable;
- c.** The Architecture complies with all applicable development and design standards set forth in this FDC;
- d.** Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent reasonably practicable; and
- e.** The Architecture proposed will be compatible with the character of surrounding land uses.

3. Step 10 (Conditions of Approval)

Applicable, with the following modifications:

- a.** Architectural Review shall be required prior to submittal of building permit applications to the Building Division.
- b.** Architectural Review approvals shall be effective within subdivision filings that exist at the time of Architectural Review approval. Separate applications and review shall be required for future filings.

4. Step 12 (Lapse)

Applicable, with the following modification:

a. Expiration of Approval

- i. The Architectural approval shall be effective for a period of two (2) years from the date of approval, unless stated otherwise in such approval. Building permits shall not be issued based on Architectural Plans that have expired.
- ii. The Director of Planning & Development may grant a one (1)-time extension, of not more than one (1) year, upon a written request by the applicant, prior to the expiration of the Architectural Plans. Failure by the applicant to request a time extension prior to the expiration of the Architectural Plans shall render the Architectural Plans null and void. The submittal of revised Architectural Plans and fees shall be required to obtain a building permit after the Plans have lapsed. The revised plans shall meet the current Town standards.

10.7.13 BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY

A. Building Permits

A building permit in a development that requires a Final Development Plan shall be issued only when a Final Development Plan has been approved. However, with the approval of the Director of Planning & Development, an applicant may submit a building permit application to the Building Division concurrent with the Final Development Plan application, which permit may be issued upon Final Development Plan approval by the Town. Building permits shall not be issued for any development that is not in conformance with the approved Final Development Plan. Approval of construction drawings by the Town Engineer and Public Works Director, if applicable, shall be required prior to issuance of building permits.

B. Certificates of Occupancy

1. When building construction and all site development is completed in accordance with the approved building permit and Final Development Plan, a Certificate of Occupancy may be issued.
2. If adverse weather prevents the installation of minor FDC requirements and/or Final Development Plan elements that do not affect the function and access of the occupancy use, a Certificate of Occupancy may be issued upon the applicant providing one (1) of the following forms of security: (1) cash; or (2) cashier's check. This security shall be in an amount equal to the cost of the unfinished work, plus fifteen percent and shall be submitted prior to the issuance of a Certificate of Occupancy. The security will be held by the Town and released when the work is deemed complete by the Director of Planning & Development or Town Engineer.
 - a. Prior to the issuance of the Certificate of Occupancy, the applicant shall submit a completed application for "Request for Release of Certificate of Occupancy."
 - b. In order to quantify the required amount of the security, the applicant shall submit an estimate by qualified professionals of the remaining required improvements. Based on this estimate, the Director of Planning & Development or Town Engineer shall determine the amount of security required.
 - c. When a Certificate of Occupancy is issued, based on security, prior to the completion of all site improvements, the time for the completion of site improvements shall not exceed six (6) months from the date the Certificate of Occupancy is issued.
 - d. Failure by the applicant to complete the work or to request a time extension within the specified time period shall result in a forfeiture of the security and shall cause the Town to initiate the construction of such improvements. The Director of Planning &

Development may grant no more than one (1) time extension of not more than six (6) months upon receipt of a written request, accompanied by an extension of the financial security, prior to the date the construction was to have been completed.

3. If adverse weather prevents the installation of required landscaping and/or fencing for single-family residential structures prior to issuance of a Certificate of Occupancy, the applicant shall apply for a Landscape and Fence Waiver with the Town Building Division. A surety shall not be required,

10.7.14 TEMPORARY USE PERMIT

A. Applicability

No use that is classified as a Temporary Use in the zoning district in which it is to be located shall be placed or established on the property without first receiving a temporary use permit, unless excepted from the permit requirements by Subsection 3.4.C.2.

B. Procedures as Modified

1. Step 2 (Development Application Submittal)

Applicable, with the following modification:

a. Filing Deadline

All applications for Temporary Use permits shall be filed at least four (4) weeks prior to the date the Temporary Use will commence, or at least six (6) weeks prior to the date the Temporary Use will commence if public safety support is requested from the Town. The Director of Planning & Development may waive this filing deadline requirement.

2. Step 8 (Decision and Findings)

The following additional procedures shall apply:

a. Duration of Permit

A Temporary Use permit shall be valid only for the time period stated on the permit, unless otherwise authorized in this FDC.

3. Step 9 (Approval Criteria)

Applicable, as follows: The Director of Planning & Development shall issue a Temporary Use permit only upon finding that the proposed Temporary Use satisfies the requirements set forth in Section 3.4.

4. Step 12 (Lapse)

Applicable, as follows: The Temporary Use permit shall lapse and be null and void upon expiration of the time limit specified in the permit.

10.7.15 ANNEXATION AGREEMENT

A. Purpose

Annexation Agreements are contracts between the applicant and the Town. Annexation Agreements are typically required with an annexation application.

B. Contents

The Annexation Agreement shall detail the mutual understanding about the Annexation. The Annexation Agreement may include without limitation the following matters or other development related items:

1. Density or intensity of development and land use mix, including designation of the density distribution within the parcel to be annexed;

2. Phasing of the development in general terms;
3. Drainage, detailing major improvements required, participation in the storm drainage utility, participation in existing improvements, and how drainage requirements will be satisfied;
4. Street and bikeways, detailing participation in existing and proposed improvements, dedication of perimeter right-of-ways and timing of such, major street improvements required and designation of responsibility for construction, treatment of local, interior street and right-of-ways, responsibility for construction or participation in traffic signals and other traffic-control devices, payment for any transportation or site access studies or any addenda;
5. Utilities, detailing participation in existing systems, major improvements to be constructed, dedication of necessary easements and timing of such, and utilities required;
6. Landscaping, detailing responsibility and scheduling of arterial and collector street landscaping and primary greenway development, and maintenance of such facilities;
7. Fire protection, detailing responsibility for fire protection measures;
8. Land dedication or reservation, designating land for public purposes including but not limited to streets, utilities, parks, open space, trails, schools, greenways, or cash-in-lieu agreements. Land reserved for future park, open space or trail purchase will be paid at fair market value with the appraisal value determined by pre-annexation raw land value;
9. Reimbursements to the Town or to the party paying for the public improvements or land acquisitions for public improvements that benefit the property or potentially benefit the property or development thereon;
10. Exclusion from special districts and acknowledgement of the property owner's responsibility in securing exclusion;
11. Special districts, all agreements concerning special districts projected to be created within the Town limits, including, but not limited to, applicant's agreement to use any district for installation, construction warranty, and repair of public improvements;
12. Vested rights and growth management:
 - a. Specifying that the Town's action in annexing the property and approving the Initial Zoning do not create a vested right as defined in the Colorado Revised Statutes, this FDC or other Town regulation or ordinance;
 - b. Specifying that, unless otherwise agreed to by the Town, the landowner requesting annexation shall waive any pre-existing vested property rights as a condition of such annexation; and
 - c. Specifying that the annexed property will be subject to any future phasing or growth management regulations that may be adopted by the Town;
13. Enforcement, specifying that the agreement is binding on heirs, successors and assigns;
14. Non-contestability clause detailing reliance by all on the agreement and providing for disconnection of the Annexation, at the option of the Town, upon noncompliance or nonperformance by the applicant;
15. Other issues as may be unique to the property including, but not limited to, necessary off-site improvements, railroad and river crossing improvements, relocation or maintenance of irrigation ditches and laterals, and purchase of existing electric facilities or electric service territory; and
16. Other issues as may be necessary to evidence compliance with this Section and FDC.

C. Procedure & Review Criteria

1. Decision-Making Body

The Board of Trustees shall be the decision-making body on all Annexation Agreements and any amendments to the Annexation Agreement.

2. Procedure for Review

A proposed Annexation Agreement shall be reviewed by the Board of Trustees at the Public Hearing on the annexation ordinance . The Board shall have the power to make recommendations regarding the proposed Annexation Agreement.

D. Amendment Procedure

Any party to the Annexation Agreement may request, through a formal application to the Town, that the Town amend the agreement.

E. Enforcement

Unless amended or terminated pursuant to this Section, an Annexation Agreement shall be enforceable by any party thereto.

10.7.16 SUBDIVISION AGREEMENT

A. Purpose

Subdivision Agreements are contracts between an applicant and the Town. Subdivision Agreements are typically required with a subdivision application when public improvements and private improvements of public interest are identified during review of the application.

B. Contents

The Town has a standard Subdivision Agreement format that is to be used in the drafting of a Subdivision Agreement for an application. The standard form is to be used in drafting the Subdivision Agreement with modifications generally occurring only in the special provisions section and related exhibits section. This FDC and other Town laws may not be altered by the Subdivision Agreement. Subdivision agreements may contain the following:

1. Descriptions of the acceptable and prohibited uses on the property;
2. The density of proposed uses, including maximum floor area and height of buildings;
3. Provisions for the reservation or dedication of land for public purposes;
4. Provisions for the timing, location, and maintenance of on-site improvements, including parks, trails, landscaping and open space;
5. Proposed timing and phasing of the development project;
6. Provisions to mitigate the impacts of proposed development on the general public, including the protection of wildlife habitat and other environmentally sensitive lands;
7. Provisions for public benefits or improvements in excess of what is required by current Town policy or law;
8. Reimbursements to the Town or to the party paying for the public improvements and/or land acquisitions for public improvements that benefit the property or potentially benefit the property or development thereon;
9. Terms for subsequent discretionary actions, provided such terms shall not prevent the development of the property for the uses set forth in the agreement;
10. A provision that construction shall begin by a specified date or that certain phases shall be completed within a specified time;
11. Provisions for the vesting of property rights;

12. Termination date for the Subdivision Agreement; and
13. Any other provisions appropriate to guide the completion of the development as proposed.

C. Procedure & Review Criteria

1. Decision-Making Body

The Board of Trustees shall be the decision-making body on all Subdivision Agreements, and shall approve a Subdivision Agreement and any amendments to the Subdivision Agreement.

2. Procedure for Review

A proposed Subdivision Agreement shall be reviewed by the Board of Trustees at the same time that the related subdivision application is reviewed. The Board shall have the same power to make recommendations regarding the proposed Subdivision Agreement or amendment as they do for the related development approval. Procedures for review and approval of Subdivision Agreements, by the Board of Trustees, shall be as follows:

- a. At Final Plat, Minor Plat, and Non-Residential Plat, the Board of Trustees shall review a final Subdivision Agreement.

3. Review Criteria

In reviewing and acting upon proposed Subdivision Agreements and amendments, the Board of Trustees shall consider the following review criteria:

- a. Whether the Subdivision Agreement is required to mitigate impacts that would otherwise make the proposed development unacceptable.

D. Amendment Procedure

1. Any party to the Subdivision Agreement may request, through a formal application to the Town, that the Town amend the agreement.
2. The Procedure and Review Criteria in Section C.3 above shall be used for the amendment request.

E. Enforcement

Unless amended or terminated pursuant to this Section, a Subdivision Agreement shall be enforceable by any party thereto.

10.7.17 DEVELOPMENT AGREEMENT

A. Purpose

Development Agreements are contracts between an applicant and the Town. Development Agreements are typically required with a Final Development Plan application when public improvements and private improvements of public interest are identified during review of the application.

B. Contents

The Town has a standard Development Agreement format that is to be used in the drafting of a Development Agreement for an application. The standard form is to be used in drafting the Development Agreement with modifications generally occurring only in the special provisions section and related exhibits section. This FDC and other Town laws may not be altered by the Development Agreement. Development Agreements may contain the following:

1. Descriptions of the permitted and prohibited uses on the property;
2. The density of proposed uses, including maximum floor area and height of buildings;

3. Provisions for the reservation or dedication of land for public purposes;
4. Provisions for the timing, location, and maintenance of on-site improvements;
5. Proposed timing and phasing of the development project;
6. Provisions to mitigate the impacts of proposed development on the general public, including the protection of wildlife habitat and other environmentally sensitive lands;
7. Provisions for public benefits or improvements in excess of what is required by current Town policy or law;
8. Terms for subsequent discretionary actions, provided such terms shall not prevent the development of the property for the uses set forth in the agreement;
9. A provision that construction shall begin by a specified date or that certain phases shall be completed within a specified time;
10. Reimbursements to the Town or to the party paying for the public improvements or land acquisitions for public improvements that benefit the property or potentially benefit the property or development thereon;
11. Provisions for the vesting of property rights;
12. Termination date for the Final Development Plan Agreement; and
13. Any other provisions appropriate to guide the completion of the development as proposed.

C. Procedure and Review Criteria

1. Decision-Making Body

The Board of Trustees shall be the decision-making body on all Development Agreements and any amendments to the Development Agreement.

2. Procedure for Review

A proposed Development Agreement shall be reviewed by the Board of Trustees concurrent with the related Final Development Plan application. The Board shall have the power to make recommendations regarding the proposed Development Agreement or amendment.

3. Review Criteria

In reviewing and acting upon proposed Development Agreements, the Board of Trustees shall consider the following review criteria:

- a. Whether the Development Agreement is required to mitigate impacts that would otherwise make the proposed development unacceptable.

D. Amendment Procedure

1. Any party to the Development Agreement may request, through a formal application to the Town, that the Town amend the agreement.
2. The procedure and Review Criteria in Subsection 7.20.C above shall be used for the amendment request.

E. Enforcement

Unless amended or terminated pursuant to this Section, a Development Agreement shall be enforceable by any party thereto.

10.7.18 IMPROVEMENT GUARANTEES

A. Cost Estimate; Overrun Allowance

The engineer's cost estimate shall state the estimated cost of completion for each required public improvement. Cost estimates for each required public improvement must be approved by the Town. The contract security required for the development agreement shall be 115 percent of the engineer's estimate of the total cost of the required improvements as approved by the Town, which shall include a 15 percent overrun allowance.

B. Methods

The contract security shall be either an irrevocable letter of credit, cash escrow, or such other form of contract security that will satisfy the objectives of Section 5.5. The form of contract security shall meet the following requirements:

1. Cash Deposit or Escrow

If in the form of a cash deposit or escrow :

- a. Developer shall deposit a cash sum with the Town, which funds shall be held by the Town in a separate account until released by the Town.

2. Letter of Credit

If in the form of an irrevocable letter of credit:

- a. The entity issuing the letter of credit must maintain an office or corresponding bank within 50 miles of the Town, shall have a current rating of 125 or better from IDS Financial Services, Inc., or otherwise approved by the Town, and shall have an expiration date no earlier than six (6) months following the scheduled completion of the public improvements.
- b. If the Developer elects to use an out-of-state bank, the issuing bank is subject to approval by the Town's Finance Director, and the form of the letter of credit is subject to review and approval by the Town Attorney. .

C. Default

If the Developer defaults on any obligation to construct required public improvements or the obligation to warrant and repair such improvements, the Town may demand immediate payment on the performance guarantee. In the case of cash deposits or letters of credit, the Town may demand immediate payment of a portion or all of all sums obligated for the performance or warranty of any improvement. All funds received by the Town shall be used to complete the improvements necessary to ensure that:

1. All required public improvements are built to specifications necessary to receive final acceptance; and
2. The improvements remain in good condition for the completion of the warranty period. The Town may use guarantee funds for the completion of required public improvements from the date of initial default until three (3) years after the funds have become available to the Town for such use. The Town shall release to the developer all guarantee funds which were not used or obligated for the completion of the improvements:
 - a. Within sixty (60) days of the final acceptance of all public improvements; or
 - b. By the 3 year period provided for in this Section.

D. Standards May Not be Altered

All provisions of this Section are mandatory and may not be altered by the Subdivision Agreement or Development Agreement.

10.7.19 AMENDMENTS TO THE TEXT OF THIS FDC

A. Purpose

The purpose of this Section is to provide standards and requirements for amending the text of this FDC. The purpose of text amendments is to make adjustments to the text of this FDC that are necessary in light of changed conditions or changes in public policy, or that are necessary to advance the general welfare of the Town. Amendments will not be granted to relieve particular hardships or to confer special privileges or rights on any person or organization.

B. Applicability

Any amendments to the text of this FDC shall be processed in accordance with the requirements set forth in this Section 10.7.20. Only the Board of Trustees may, after recommendation of the Planning Commission, adopt an ordinance amending the text of this FDC in accordance with the requirements of this Section.

C. Procedures as Modified

1. Step 6 (Notice)

Applicable. Town notice only.

2. Step 8 (Decision and Findings)

Applicable. The following additional procedures shall apply:

a. Records of Amendments

A record of amendments to the text of this FDC in a form convenient for the use of the public shall be maintained in the office of the Town Clerk.

3. Step 9 (Approval Criteria)

Applicable, as follows: Recommendations and decisions on text amendments may be approved if the Board of Trustees finds that all of the following approval criteria have been met:

- a. The proposed amendment will promote the public health, safety, and general welfare;
- b. The proposed amendment is generally consistent with the Town's Comprehensive Master Plan and the stated purposes of this FDC, or the proposed text amendment is necessary to provide for a community need that was not anticipated at the time of the adoption of the Comprehensive Plan; and
- c. The proposed amendment is necessary or desirable because of changing conditions, new planning concepts, or other social or economic conditions.

10.7.20 APPEALS

A. Appeals of Administrative Decisions

1. Purpose and Scope

Appeals to the Board of Adjustment from the decisions of the Town's staff are permitted under this FDC. It is the intention of this Section that all questions arising in connection with the interpretation and enforcement of this FDC shall be presented first to the appropriate Department, that such questions shall be presented to the Board of Adjustment only on appeal from the decisions of that Department, and that recourse from the decision of the Board of Adjustment shall be to the courts. It is further the intention of this Section that the

duties of the Board of Trustees in connection with this FDC shall not include the hearing or passing upon disputed questions that may arise in connection with the enforcement thereof.

2. Decisions That May Be Appealed

An asserted error in any order, requirement, permit, decision, determination, refusal, or interpretation made by any Town staff in interpreting and/or enforcing the provisions of this FDC may be appealed to the Board of Adjustment, unless otherwise provided in this FDC.

3. Filing of Appeal; Effect of Filing

- a. An appeal to the Board of Adjustment may be brought by any person, firm, corporation, office, department, board, bureau, or commission aggrieved by the order, requirement, permit, decision, or determination that is the subject of the appeal, or by the Director of Planning & Development on behalf of the Town.
- b. An application for an appeal shall be filed with the Director of Planning & Development. Once the application is determined to be complete, the Director of Planning & Development shall schedule the appeal for consideration at a public hearing before the Board of Adjustment. The Director of Planning & Development and the Staff from whom the appeal is taken shall transmit to the Board of Adjustment all applications and other records pertaining to such appeal. The application shall be filed no later than 30 days after the date of the contested action.
- c. The filing of an appeal shall stay all proceedings in furtherance of the contested action, unless the Director of Planning & Development certifies to the Board of Adjustment that, by reason of facts stated in the certification, such a stay would cause imminent peril to life and property. In such case, proceedings shall not be stayed except by a restraining order granted by the Board of Adjustment or by a court of law on notice to the Director of Planning & Development or from whom the appeal is taken, with due cause shown.

4. Action by the Board of Adjustment

- a. Upon receiving the application materials from the Director of Planning & Development, the Board of Adjustment shall hold a public hearing on the appeal.
- b. At the hearing, the Board of Adjustment shall adopt a resolution reversing, affirming, or modifying the contested action. In reversing, affirming, or modifying the contested action, the Board of Adjustment shall have all relevant powers of the Town staff from whom the appeal is taken.
- c. The Board of Adjustment shall not reverse or modify the contested action unless it finds that Town staff erred in the application or interpretation of the terms of this FDC or related policies adopted by the Town.
- d. The Board of Adjustment shall not reverse or modify the contested action unless there is a concurring vote of at least 4 members.

5. Effect of Reversal or Modification

In the event that the Board of Adjustment reverses or modifies the contested action, all subsequent actions taken by Town staff with regard to the subject matter shall be in accordance with the reversal or modification granted by the Board of Adjustment.

B. Appeal from Board of Adjustment or Board of Trustees

1. Appeals from decisions made by the Board of Adjustment or the Board of Trustees based upon this FDC shall be to the courts.

CHAPTER 8: REVIEW AND DECISION-MAKING ENTITIES

10.8.1 PURPOSE

This Chapter identifies the roles, duties, and responsibilities of the Board of Adjustment and Town staff in the administration of this FDC.

10.8.2 BOARD OF ADJUSTMENT

A. Established

The Board of Adjustment is hereby established.

B. Review and Decision-Making Responsibilities

The Board of Adjustment shall have the review and decision-making responsibilities set forth in Table 7.1-1.

C. Appointments, Membership, and Rules

1. Members and Appointment of Members

- a. The Board of Adjustment shall consist of 5 regular members who shall be appointed by the Board of Trustees.
- b. In addition to the regular members of the board, the Board of Trustees may appoint 2 alternate members. In the event that any regular member is temporarily unable to act owing to absence from the Town, illness, interest in a case before the Board or any other cause, his place may be taken during such temporary disability by an alternate member who shall then enjoy full voting privileges.

2. Terms

- a. Appointments to the Board of Adjustment shall be for staggered 3 year terms, except that, when vacancies occur prior to the expiration of a regular term, they shall be filled in the same manner as regular appointments but shall serve only until the expiration of the term in which the vacancy occurred.
- b. Alternate members, if appointed, shall be for staggered 3-year terms.

3. Chairman and Vice-Chairman

Members of the Board of Adjustment shall elect from among their members by a majority vote a chairman and vice-chairman, each to serve for a term of 1 year.

4. Removal from Office

The Board of Trustees shall have the power to remove any member from the Board of Adjustment for just cause after a public hearing.

5. Number of Votes Required for Case Approvals

The concurring vote of 4 members of the Board of Adjustment shall be required to approve variances and to overturn decisions made by the Director of Planning & Development or other Town staff presented to the Board. Any other matters shall require a majority vote of the members present at the time of the vote.

6. Rules of Conduct

The Board of Adjustment shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this FDC. Hearings shall be held at the call of the chairman, vice-chairman, or Director of Planning & Development and at such other times as the Board of Adjustment may determine. The chairman, or in his absence the vice-chairman, may administer oaths and compel the attendance of witnesses. All hearings shall be open to the public.

7. Records

The Board of Adjustment shall keep minutes of its proceedings showing the vote of each member upon each decision; or, if absent or failing to vote, indicating that. It shall keep records of its examinations and other official actions, all of which shall be a public record maintained in the office of the Town Clerk.

10.8.3 BOARD OF ADJUSTMENT PROCEDURES

A. Appointment and Confirmation

Appointments to Board of Adjustment within the scope of this FDC shall be made and confirmed by the Board of Trustees in accordance with the rules adopted by the Board of Trustees.

B. Conduct

This Section sets forth procedures that are common to the Board of Adjustment.

1. Absence of Member

Any member of the board under this Chapter anticipating an absence from a meeting of the board shall so advise the chair or secretary prior to the hearing.

2. Agenda

The agenda for each regular hearing of the appointed board under this Chapter shall be prepared by the secretary and shall be distributed to each member at least 24 hours prior to the hearing, except for special hearings.

3. Quorum – Official Action

- a. A majority of the full membership of the board shall constitute a quorum for the transaction of business.
- b. Action by the board shall require the favorable vote of a majority of the fully constituted board. The fully constituted board shall include all appointed members not excused for conflict of interest in the board action.

4. Meetings Open to Public

- a. All hearings of the appointed board under this Chapter shall be open to the public except as otherwise provided in paragraph b. below. Except when voice votes are authorized, the vote shall be conducted in such a manner that the public may know the vote of each person entitled to vote. This Section does not apply to any votes required to be taken to organize a board.
- b. A board may at any time go into executive session from which the general public may be excluded by a vote of the majority of the members taken at a public hearing. No subjects may be considered at the executive session except for those mentioned in the motion calling for an executive session unless auxiliary to the main question. No action may be taken at the executive session, except to give direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations. Only the following subjects may be discussed at an executive session:
 - i. Matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the government unit;
 - ii. Subjects that tend to prejudice the reputation and the character of any person, provided the person may request a public discussion;
 - iii. Matters that by law are required to be confidential; and
 - iv. Matters involving consideration of government records that by law are not subject to public disclosure.

5. Reconsideration or Rehearing of Decisions

Decisions of any appointed board under this Chapter may be brought up for reconsideration or rehearing only if:

- a. There was substantial procedural error in the original proceeding;
- b. The board acted without jurisdiction in the original proceeding; or
- c. The original decision was based upon fraud or misrepresentation.

Any person seeking reconsideration or a rehearing must file a request with the Town Clerk, together with materials supporting 1 or more of the grounds stated in this Subsection, within 15 days of the original decision. The board, by majority vote, may schedule a rehearing only if it finds the allegations to be correct. A rehearing shall be conducted in the same manner as the original proceedings before the board.

6. Removal of Member

A member of any appointed board under this Chapter may be removed from office in the following circumstances:

- a. If the member is found to have participated in any matter with a conflict of interest therein;
- b. If the member fails to meet the attendance requirements set forth in the adopted rules and regulations for the applicable body; If the office becomes vacant; or
- c. If the Board of Trustees finds that a member's conduct is contrary to the intent or duty of that position; a member's conduct and/or action is contrary to goals and objectives of the Board; or a member's conduct may jeopardize the finances of the Town.

7. Representatives

Persons appearing before the board may appear in person or through a representative, agent, or attorney. The representative shall provide satisfactory proof of his or her authority upon the request of the board.

8. Secretary

A secretary shall be appointed for the board in this Chapter. The secretary shall have a record kept of all meetings of the board and shall keep such files as may be required.

9. Applicability of Other Provisions

The provisions of this Chapter shall not be a limitation on more restrictive rules regarding the conduct of the board set forth elsewhere in the Town Municipal Code.

10.8.4 TOWN STAFF

A. Review and Decision-Making Responsibilities

Town departments shall have the review and decision-making responsibilities set forth in Table 7.1-1, to be carried out in accordance with the terms of this FDC.

B. Other Powers and Duties

The departments also shall have such additional powers and duties as may be set forth elsewhere in this FDC and other ordinances of the Town. The following departments have the general responsibilities set forth below.

1. Planning & Development Department

The Planning & Development Department consists of the Planning Division and the Building Division. Both Divisions serve under the Director of Planning & Development. The staff of the Planning & Development Department shall act in an advisory and support capacity to the

Board of Trustees and the boards and commissions listed in this Chapter and within the Town's Municipal Code.

a. *Planning Division –Director of Planning & Development*

The Director of Planning & Development shall have the following specific responsibilities under this FDC:

- i. Review of all applications under this FDC in coordination with Town staff and departments.
- ii. Interpretation and enforcement of this FDC. Appeals from a decision of the Director of Planning & Development shall be presented in writing by the Appellant to the Director of Planning & Development who shall forward such appeal with all pertinent information to the Board of Adjustment for hearing.
- iii. The Director of Planning & Development is not permitted to make changes, vary, or grant an exception to the actual meaning of any clause, order or regulation contained in this FDC to any person making application to construct, move, alter or use a building, a structure, or land, unless specifically authorized under Section 7.8.

b. *Building Division – Chief Building Official*

The Chief Building Official shall have the following specific responsibilities under this FDC:

- i. The power to make inspections of buildings and premises to carry out the duties of the enforcement of this FDC, subject to special provisions where stipulated in this FDC.
- ii. The issuance of building permits and certificates of occupancy.

2. *Town Engineer*

The Town Engineer shall act in an advisory and support capacity to the Board of Trustees.

a. *Town Engineer*

The Town Engineer or designee shall have the following specific responsibilities under this FDC:

- i. Review of all applications under this FDC in coordination with Town staff and departments.
- ii. Review and coordination of all applications under Town of Firestone Standards and Specifications for Design and Construction of Public Improvements; and Flood Plain Regulations.
- iii. Review and coordination of all applications for Water Acquisition.
- iv. The power to inspect public improvements and carry out the duties of the FDC.

CHAPTER 9: NONCONFORMITIES

10.9.1 GENERAL PROVISIONS

A. Purpose

The purpose of this Chapter is to regulate and limit the development and continued existence of zoned legal uses, structures, lots, signs, and use characteristics such as parking and landscaping, established prior to the adoption of this FDC, or the adoption of future amendments to this FDC, that no longer conform to the requirements of this FDC. All such situations are collectively referred to in this Chapter as “nonconformities.” While nonconformities may continue, the provisions of this Chapter are designed to curtail substantial investment in nonconformities to bring about their eventual elimination in order to preserve the integrity of this FDC and the character of the Town.

B. Authority to Continue

1. Generally

Any nonconformity that lawfully existed as of the adoption of this FDC and that remains nonconforming, and any nonconformity that is created as a result of any subsequent rezoning or amendment to the text of this FDC, may be continued or maintained as a nonconformity only in accordance with the terms of this Chapter.

2. Exception Due to Variances or Minor Modifications

Notwithstanding Subsection 9.1.B.1 above, this Chapter shall not apply to any development standard or feature that is the subject of a variance or minor modification granted under this FDC. Where a Variance or Minor Modification has been granted that results in a development standard or feature that does not otherwise conform to the requirements of this FDC, that development standard or feature shall be deemed conforming.

3. Special Review Uses

- a. A permitted use existing prior to the adoption of this FDC that is permitted as a Special Review Use in the district in which it is located under this FDC, but which lacks an approved Special Review Use permit, shall be considered to exist as a conforming Special Review Use.
- b. A Special Review Use existing prior to the adoption of this FDC that is permitted in its entirety as a principal use in the district in which it is located under this FDC shall be deemed a permitted principal use and the Special Review Use permit shall be null and void.

C. Determination of Nonconformity Status

In all cases, the burden of establishing the existence of a legal nonconformity shall be solely upon the owner of the nonconformity, not the Town.

D. Nonconformities Created Through Government Action

If a structure, use of land, use of structure, or characteristic of use does not comply with the requirements of this FDC solely as a result of an acquisition of land or other action by a government agency for a public purpose, then such structure, use of land, use of structure, or characteristic of use on land not acquired by the government shall be deemed conforming. For purposes of this Section the word “land” means fee simple interest in real estate.

E. Change of Ownership or Tenancy

Changes of ownership, tenancy, or management of property with an existing nonconformity are permitted but such nonconformities shall continue to be subject to the provisions of this Chapter.

F. Damage or Destruction

1. If a nonconformity is damaged or destroyed by any means to an extent greater than 50 percent of its floor area or its actual value at the time of damage or destruction (as determined by the Weld County Assessor), then such nonconformity shall not be re-established unless it is made to conform to the requirements of this FDC.
2. Where a nonconforming building is damaged less than 50 percent of its floor area or its actual value at the time of damage or destruction (as determined by the Weld County Assessor) it may be repaired or restored, provided any such repair or restoration is started within 12 months and is completed within 18 months from the date of partial destruction.
3. These requirements shall not apply in the Old Town Commercial and Old Town Residential Districts. A nonconforming building, used as such, which has been damaged or destroyed may be restored to its original condition regardless of the extent of the damages, provided that such work is commenced within one year of the date of the damage and substantially complete within two years of the date of the damage.

G. Maintenance and Minor Repair

1. Minor repairs or maintenance of nonconformities that are required to keep structures or sites in a safe condition are permitted, provided that the minor repair or maintenance does not increase the extent of nonconformity. For purposes of this Section, "maintenance or minor repair" shall mean:
2. Repairs that are necessary to maintain and to correct any damage or deterioration to the structural soundness or interior appearance of a building or structure without expanding or altering the building or structure;
3. Maintenance of land areas to protect against health and environmental hazards and promote the safety of surrounding land uses;
4. Repairs that are required to remedy unsafe conditions that cause a threat to public safety; and
5. Repairs and maintenance of nonconforming signs as set forth in Section 9.5.

10.9.2 NONCONFORMING USES OF LAND

A. Limitations on Continuation of Nonconforming Uses of Land

Nonconforming uses of land or structures may continue, subject to the general provisions of Section 9.1 and the following limitations:

1. No nonconforming use of land shall be expanded, enlarged or increased. An expansion of a nonconforming use shall include, but is not limited to, any change that results in any of the following: (a) an increase in usable floor area or an increase in percentage of the use of the parcel or lot, of a non-residential use; (b) the addition of a dwelling unit to a residential use. Any nonconforming use on a lot or portion thereof may be altered to decrease its nonconformity.
2. No nonconforming use of land shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of the regulations that make the use nonconforming.
3. Any nonconforming use may be extended throughout any parts of a building that were manifestly arranged or designed for such use at the time of adoption or amendment of the applicable regulations, but no such use shall be extended to occupy any land outside such buildings.

4. No additional structure not conforming to the requirements of this FDC shall be erected in connection with the nonconforming use of land or structure.

B. Change of Use

1. A nonconforming use permitted under this FDC shall not be changed or replaced to a different nonconforming use.

C. Abandonment or Cessation of Use

1. If a nonconforming use ceases for any reason, except when government action impedes access to the premises, on a lot or any portion of a lot for a period of more than six (6) consecutive months, the nonconforming use shall be considered abandoned. Once abandoned, the prior legal nonconforming status of the use shall be considered terminated and reestablishment of the use shall be prohibited. Any subsequent use of the property shall comply with all applicable provisions of this Title.

10.9.3 NONCONFORMING STRUCTURES

A. Continuation of Nonconforming Structures Generally

Nonconforming structures may continue, subject to the general provisions of Section 9.1 and the following limitations:

1. No nonconforming structure may be enlarged or altered in a way that increases its nonconformity, including but not limited to any new construction in violation of required setbacks or building height in the applicable zoning district; but any structure or portion thereof may be altered to decrease its nonconformity. This Subsection shall not be construed to allow the expansion of a nonconforming use of structure.
2. Should a nonconforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
3. Structural changes to a nonconforming building that have the effect of increasing the life of the nonconforming building shall not be permitted unless the building official determines that such change is necessary to rectify a hazardous condition or safety concern.

10.9.4 NONCONFORMING LOTS OF RECORD

- A. Unless otherwise provided in this FDC, single-family residences and customary accessory buildings may be erected on any legally created single lot of record existing at the time of adoption of this FDC. Such lot must have been in separate ownership and not of continuous frontage with other lots under the same ownership. This provision shall apply even though such lot fails to meet the requirements of the district in which it is located for area, width or both area and width; provided however, that the minimum setback requirements of the district shall be met unless a variance to said requirements has been granted as provided herein.
- B. If 2 or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of adoption of this FDC, and part or all of said lots do not meet the requirements of the district in which they are located as to minimum area or width, or both minimum area and width, for the purpose of this Chapter, the lands shall be considered to be an undivided parcel, and no portion of said parcel shall be sold or used in a manner which diminishes compliance with the lot area and width requirements established in this FDC.

10.9.5 NONCONFORMING SIGNS

A. Termination

A nonconforming sign shall immediately lose its legal nonconforming status, and therefore shall be brought into conformance with this FDC or removed, when any of the following occur:

1. The size or shape of the sign is changed;
 - a. The sign structure is altered. Alteration does not include repairs and/or maintenance; or
 - b. The nonconforming sign is accessory to a nonconforming use that has lost its nonconforming status; or
 - c. The primary structure on the property to which the sign is located is the subject of an application for a building permit for reconstruction, remodeling, expansion, or other improvements to the primary structure on such property, and the value of the proposed improvements total more than 25 percent of its replacement cost of such primary structure.

B. Maintenance of Nonconforming Signs

Nonconforming signs shall continue to be maintained in safe condition pursuant to the building regulations of the Town.

C. Alteration, Relocation, or Replacement of Nonconforming Signs

A nonconforming sign shall not be structurally altered, relocated, or replaced unless it is brought into compliance with the provisions of this Section.

D. Reconstruction of Damaged Sign

If a sign and/or its support are damaged to the extent where the repair costs exceed 50 percent of the replacement cost of the sign, the sign shall be removed or brought into compliance.

10.9.6 NONCONFORMING USE CHARACTERISTICS

A. Existing Nonconforming Characteristics

If the characteristics of a use, lot, or structure such as off-street parking, off-street loading, lighting, landscaping, or other features regulated by this FDC, are not in accord with the requirements of this FDC, no change shall be made in such characteristics that increase the amount of nonconformity with such requirements. Change shall be permitted in the direction of conformity to the requirements of this FDC.

B. Improvements Triggering Upgrades in Nonconforming Characteristics

If (a) an application is filed for a building permit or for reconstruction, remodeling, expansion, or other improvements of a multi-family, commercial, industrial, or mixed-use structure, and (b) the value of the proposed improvements total more than 25 percent of its replacement cost of the primary structure(s) on the property, the applicant shall be required to address the following nonconformities prior to, or as part of the improvements authorized by, such land use permit or building permit, unless the Director of Planning & Development determines in writing that such nonconformities have no significant adverse impact on surrounding properties:

1. Screening of mechanical equipment;
2. Screening walls or fences (for parking areas or storage areas);
3. Driveway surfacing;
4. Landscaping;
5. Parking; and
6. Lighting.

CHAPTER 10: ENFORCEMENT

10.10.1 GENERAL PROVISIONS

A. Purpose

This Chapter establishes procedures through which the Town seeks to ensure compliance with the provisions of this FDC and obtain corrections for violations of this FDC. The Chapter also sets forth the remedies and penalties that apply to violations of this FDC. The provisions of this Chapter are intended to encourage the voluntary correction of violations, where possible.

B. Compliance Required

No person shall develop or use any land, building, or structure within the Town in violation of this FDC, regulations authorized under this FDC, or the terms and conditions of permits or other approvals entitlements issued under this FDC.

C. Permits and Approvals

No permit or approval may be issued under this FDC unless all structures and uses of land and structures permitted under the entitlement conform to this FDC, the regulations promulgated under this FDC, and the terms and conditions of the other permits and approvals issued under this FDC that apply to the use or structure. A permit or approval issued in violation of this Section is void.

D. Continuation of Prior Enforcement Actions

Nothing in this FDC shall prohibit the continuation of previous enforcement actions undertaken by the Town pursuant to previous regulations.

E. Continuing Violations

Each day that a violation occurs or remains uncorrected shall constitute a separate and distinct violation of this FDC.

10.10.2 RESPONSIBILITIES FOR ENFORCEMENT

The provisions of this FDC shall be administered and enforced by the Director of Planning & Development or such other person as may be designated by the Director of Planning & Development.

10.10.3 VIOLATIONS

Each of the following activities shall constitute a violation of this FDC:

A. Activity Inconsistent with this FDC

Any erection, construction, reconstruction, remodeling, alteration, maintenance, expansion, movement, or use of any building, structure, or sign, or development or subdivision of any land, in contravention of any provision of this FDC or any regulation promulgated under this FDC.

B. Activity Inconsistent with Permit or Approval

Any development, use, construction, remodeling, or other activity in any way generally inconsistent with the terms or conditions of any permit or approval required to engage in such activity, whether issued under or required by this FDC.

C. Illustrative Examples

Examples of activities generally inconsistent with this FDC or with permit or approval issued under this FDC include, but are not limited to, the following:

1. Use of any land, structure, or improvement except in accordance with the requirements of this FDC;

2. Increasing the density or intensity of any use of any land or structure except in accordance with the requirements of this FDC;
3. Filing or recording of a subdivision plat in any public office without approval for recording pursuant to this FDC;
4. Storage or maintenance of goods, materials, products, or other items outside and in plain view including, but not limited to operable vehicles or equipment, abandoned vehicles, or snow, except in compliance with this FDC;
5. Reduction or diminishment of lot area, setbacks, vegetative buffers, or open space below the minimum requirements set forth in this FDC;
6. Damage to or removal of vegetation generally inconsistent with this FDC;
7. Creation, expansion, replacement, or change of a nonconformity generally inconsistent with this FDC and all other applicable regulations;
8. Failure to remove any sign installed, created, erected, or maintained in violation of this FDC, or for which the sign permit has lapsed;
9. Failure to remove a temporary use once authorization for the temporary use under this FDC and all other applicable regulations has lapsed; and
10. Failure of a Homeowner's Association to construct, improve, or maintain any amenity, landscaping, buffers, fencing, or other improvements required by the terms of any permit or approval.

10.10.4 REMEDIES AND PENALTIES

The Director of Planning & Development shall have the following remedies and powers to enforce this FDC:

A. Civil Remedies and Enforcement Powers

1. Deny/Withhold Entitlements

The Director of Planning & Development may deny or withhold all entitlements, including certificates of occupancy, or other forms of authorization to use or develop any land, structure, or improvements, until an alleged violation, associated civil penalty, and/or lien resulting from a previous final order related to such property, use, or development is corrected. This provision shall apply whether or not the current owner or applicant for the permit or other approval is responsible for the violation.

2. Revoke Entitlements

Any entitlement or other form of authorization required under this FDC may be revoked when the Director of Planning & Development determines that:

- a. There is a departure from the approved plans, specifications, limitations, or conditions as required under the entitlement;
- b. The entitlement was procured by false representation;
- c. The entitlement was issued in error; or
- d. There is a violation of any provision of this FDC.

Written notice of revocation shall be served upon the property owner, agent, applicant, or other person to whom the entitlement was issued, or such notice may be posted in a

prominent location at the place of violation. No work or construction shall proceed after service of the revocation notice. An entitlement shall only be revoked by way of a procedure that is equivalent (in terms of due process) to the proceeding that originally granted the entitlement.

3. Stop-Work Orders

- a. Whenever any building or structure or site or part thereof is being demolished, constructed, reconstructed, altered, or repaired in a hazardous manner, in substantial violation of any State or local building law, or in a manner that endangers life or property, the Director of Planning & Development has the authority to issue a stop-work order for the specific part of the work that is in violation or presents the hazard.
- b. With or without revoking permits, the Director of Planning & Development may issue an order to stop work on any property on which there is an uncorrected violation of either a provision of this FDC or a provision of an entitlement or other form of authorization issued under this FDC.
- c. The stop-work order shall be in writing and posted at the site of the work, and shall specify the provisions of this Title or other law allegedly in violation. After any such order has been posted, no work shall proceed on any building, other structure, or tract of land covered by such order, except to correct such violation or comply with the order.
- d. Once conditions for resumption of the work have been met, the Director of Planning & Development shall rescind the stop-work order.

4. Civil Penalties

Violation of this FDC may be punishable through imposition of a civil penalty as set forth in the Town's Municipal Code.

5. Injunctive Relief

The Director of Planning & Development may seek injunctive relief or other appropriate relief in district court or other court of competent jurisdiction against any person who fails to comply with any provision of this FDC or any requirement or condition imposed pursuant to this FDC. In any court proceedings in which the Town seeks a preliminary injunction, it shall be presumed that a violation of this FDC is a real, immediate, and irreparable injury to the public; that the public will be irreparably injured by the continuation of the violation unless the violation is enjoined; and that there is no plain and adequate remedy at law for the subject FDC violation.

6. Abatement

The Town may abate the violation pursuant to this Subsection.

- a. Before action is taken to abate a violation, a final warning notice shall be posted on the property and served personally or by certified mail with return receipt required to the owner of record of the property.
- b. Unless this notice is appealed, pursuant to Section 7.22, to the Board of Adjustment within 10 days of the posting of the final warning, the Director of Planning & Development shall proceed to abate the violation.
- c. The Director of Planning & Development shall keep an account of the cost, including incidental expenses, incurred by the Town in the abatement of any violation. The Director of Planning & Development shall forward a bill for collection to the violator

and owner of record of the property specifying the nature and costs of the work performed. For purposes of this Section, the term "incidental expenses" shall include but not be limited to the actual expenses and costs to the Town in the preparation of the notices, specifications and contracts, work inspection, and interest from the date of completion at the rate prescribed by law for delinquent real property taxes.

- d. The responsibility for payment of the charges for abatement as set forth in this Section shall rest solely upon the owners of the property upon which the abatement occurred. Such charges become a lien upon the real property upon which the violation was located. When charges for abatement remain unpaid after 30 days from billing, the Director of Planning & Development shall record a claim of lien at the district recorder's office. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens except for state or municipal property taxes, with which it shall be upon a parity. The lien shall continue until the charges and all interest due and payable thereon are paid.

B. Criminal Remedies and Enforcement Powers

1. Misdemeanor

A person shall be guilty of a misdemeanor upon conviction in any case where a violation of this FDC exists, where notice of violation, including any stop-work, enforcement, or compliance order has been properly served, and where such person fails to comply with such notice stop-work, enforcement, or compliance order.

2. Penalty

Persons found guilty of a misdemeanor pursuant to this Section shall be punishable by a fine of not more than \$1,000.00 or by imprisonment for not more than 10 days, or by both such fine or imprisonment, for each violation.

C. Remedies Cumulative

The remedies provided for violations of this FDC, whether civil or criminal, shall be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.

CHAPTER 11: DEFINITIONS

10.11.1 GENERAL RULES OF CONSTRUCTION

The following rules shall apply for construing or interpreting the terms and provisions of this FDC.

A. Meanings and Intent

All provisions, terms, phrases, and expressions contained in this FDC shall be construed according to the general purposes set forth in Section 1.3 and the specific purpose statements set forth throughout this FDC. When, in a specific Section of this FDC, a different meaning is given for a term defined for general purposes in this Chapter, the specific Section's meaning and application of the term shall control.

B. Headings, Illustrations, and Text

In the event of a conflict or inconsistency between the text of this FDC and any heading, caption, figure, illustration, table, or map, the text shall control.

C. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

D. Computation of Time

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the Town, the deadline or required date of action shall be the next day that is not a Saturday, Sunday or holiday observed by the Town. References to days are calendar days unless otherwise stated.

E. References to Other Regulations/Publications

Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

F. Delegation of Authority

Any act authorized by this FDC to be carried out by a specific official of the Town may be carried out by a designee of such official.

G. Technical and Non-Technical Terms

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

H. Public Officials and Agencies

All public officials, bodies, and agencies to which references are made are those of the Town, unless otherwise indicated.

I. Mandatory and Discretionary Terms

The words "shall," "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are permissive in nature.

J. Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items, conditions, provisions or events apply;
2. "Or" indicates that 1 or more of the connected items, conditions, provisions or events apply.

K. Tenses, Plurals, and Gender

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

10.11.2 INTERPRETATIONS

The Director of Planning & Development has final authority to determine the interpretation or usage of terms used in this FDC. Any person may request an interpretation of any term by submitting a written request to the Director of Planning & Development who shall respond in writing within 30 days.

10.11.3 TERMS DEFINED

The following words, terms and phrases, when used in this FDC, shall have the meanings ascribed to them in this Section:

Abut or Abutting

Touching. An abutting condition shall not be affected by the parcelization or division of land that results in an incidental, non-buildable, remnant lot, tract or parcel.

Accessory Use

A structure or use that: (1) is subordinate in area, extent, and purpose to the principal use; (2) contributes to the comfort, convenience, or necessity of the principal use; and (3) is located on the same lot or on a contiguous lot in the same ownership and in the same zone district as the principal use.

Adequate Public Facilities ("APF")

Public facilities and services necessary to maintain the adopted level of service standards.

Adjacent

Nearby, but not necessarily touching. The determination of "nearby" shall be made on a case-by-case basis, taking into consideration the context in which the term is used and the variables (such as but not limited to size, mass, scale, bulk, visibility, nature of use, intensity of use) that may be relevant to deciding what is "nearby" in that particular context. Adjacency shall not be affected by the existence of a platted street or alley, a public or private right-of-way, or a public or private transportation right-of-way or area.

Administrative Review/Decision

Review or decision by the Director of Planning & Development.

Adult Bookstore

An establishment having as a substantial or significant portion of its stock in trade, books, magazines, and other periodicals and goods and items held for sale which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, or an establishment with a segment or sections devoted to the sale or display of such material.

Adult Cabaret, Restaurant or Place of Business

A cabaret, restaurant or place of business which features waitresses, waiters, dancers, go-go dancers, exotic dancers, strippers, male or female impersonators or similar entertainers attired in such manner as to display "specified anatomical areas."

Adult Hotel or Motel

Any hotel or motel in which the presentation of adult material is the primary or principal attraction.

Adult Material

Any material including, but not limited to, books, magazines, newspapers, movie films, slides or other photographic or written materials, video tapes, video disks, computer software and/or other items or devices which are distinguished or characterized by their emphasis on depicting, describing or relating to "specified anatomical areas" or "specified sexual activities."

Adult Mini-motion Picture Theater

Any theater or establishment with a capacity of less than 50 persons in which the presentation of adult material is the primary or principal attraction.

Adult Novelty Store or Adult Retail Store

Any establishment that has adult material as a significant or substantial portion of its stock-in-trade, or derives a significant or substantial portion of its revenues from such material, or devotes a significant or substantial portion of its interior business or interior advertising to such material, or maintains a substantial or significant portion of its gross floor area or display space for the sale or rental, for any form of consideration, of such material including, but not limited to, books, magazines, newspapers, movie films, slides or other photographic or written material, video tapes, video disks, computer software and/or other items or devices. For the purpose of this definition, "significant or substantial" shall mean more than 20 percent.

Adult-oriented

A use of property where the principal use, or a significant or substantial adjunct to another use of the property, is the sale, rental or display of adult material, or is an offering of live entertainment, dancing or material which is distinguished or characterized by its emphasis on depicting, exhibiting, describing or relating to "specified sexual activities" or "specified anatomical areas" as the primary attraction to the premises.

Adult Photo Studio

An establishment that, upon payment of a fee, provides on-premises photographic equipment, services and/or models for the purpose of photographing specified anatomical areas.

Adult Theater

A theater used for the presentation of material distinguished or characterized by an emphasis on material depicting, describing or relating to specified sexual activities.

Agricultural

The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, and animal and poultry husbandry; excluding the raising of hogs, pigs or other livestock fed from garbage or offal. Accessory uses may include dwelling units for proprietors and employees, barns, storage of grain, animal raising, feed preparation, and wholesale sales of products produced on-site. Specific use types include, but are not limited to: **Agricultural Cultivation; Agricultural Grazing; or Produce Stand.**

Agricultural Cultivation

The raising of agricultural products for consumption, commercial wholesale or development of agritainment uses such as corn mazes and orchid houses. Products may include, but are not limited to, vegetables, grains, fruits, plants, and other similar products.

Agricultural Grazing

The practice of keeping cattle, sheep, horses, or other similar animals on fields for the purpose of grazing and feeding.

Airport and Related Uses

Any area that is used, or is intended to be used, primarily for the takeoff and landing of aircraft and any appurtenant areas that are used, or intended to be used, for airport buildings or facilities, including open spaces, taxiways, and tie down areas, hangars, and other accessory buildings.

Airport Influence Area

The area in which current or future airport-related noise, over flight, safety, or air space protection factors may significantly affect land uses or necessitate restrictions on those uses.

Alley

A public or private way permanently reserved as a secondary means of access to abutting property.

Alteration

Any change, addition or modification in construction, occupancy or use.

Amusement Park

An outdoor enterprise whose main purpose is to provide the general public with entertaining activity, where tickets are sold or fees collected at the activity. Commercial amusements include miniature golf courses, outdoor arcades, ferris wheels, children's rides, roller coasters, skateboard parks, go-cart tracks, water parks and similar uses.

Animal Boarding

The operation of an establishment in which domesticated animals other than household pets are housed, groomed, bred, boarded, trained or sold. This term shall not include the operation of a kennel.

Animal Day Care

A facility providing such services for domesticated pets for all or part of a day, obedience classes, training, grooming and/or behavior counseling.

Animal Hospital, Large Animals

An animal hospital or rehabilitation center for large animals is a veterinary establishment whose purpose is to provide inpatient and outpatient services to animals such as cows, horses, buffalo, pigs, sheep, goats, donkeys, mules, and other animals of similar size. Such facilities may be indoor only, or may have both indoor and outdoor facilities, depending on the zoning district in which they are located; see Table 3-1.

Animal Hospital, Small Animals

An animal hospital for small animals is a veterinary establishment whose purpose is to provide inpatient and outpatient services to animals such as cats, dogs, fowl, reptiles and other small domestic animals. Such facilities may be indoor only, or may have both indoor and outdoor facilities, depending on the zoning district in which they are located; see Table 3-1.

Animal Sales and Care

Animal Sales and Care uses involve the selling, boarding, or care of animals on a commercial basis. Accessory uses may include confinement facilities for animals, parking, and storage areas. Specific use types include, but are not limited to: **Animal Hospital, Large Animals; Animal Hospital, Small Animals; Horse Stables; or Kennel or Animal Day Care.**

Antenna Collocation on Existing Tower

Any structure or device used to collect, receive, transmit, or radiate electromagnetic waves, including both directional antennas (such as panels, microwave dishes, satellite earth station antennas over 2 meters in diameter) and omni-directional antennas (such as whips) that is placed upon an existing telecommunications tower or projection. This term does not include antennas 2 meters or less in diameter.

Apartment

A part of a building consisting of a room or rooms intended, designed, or used as a residence by an individual or a single family.

Appeal

A request for a review of the administrative official's interpretation of any provision of this chapter or a request for a variance.

Applicant

The legal owners of a lot or of any land included in a proposed development; the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land.

Approach Surface

A surface defined by FAR Part 77 "Objects Affecting Navigable Air Space," which is longitudinally centered on the runway centerline and extends outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based on the type of approach available or planned for that runway end.

Architectural Projection

Any projection that is not intended for occupancy and which extends beyond the face of an exterior wall of a building, including arcades, roof overhangs, mansards, unenclosed exterior balconies, marquees, canopies, pilasters, fasciae and the like, but not including signs.

Area of Shallow Flooding

A designated AO, AH, or VO zone on a community's flood insurance rate map (FIRM) with a 1 percent chance or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard

The land in the floodplain subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard boundary map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Artificial Turf

A manufactured substitute for organic turf, lawn, or sod which effectively simulates the appearance of a well-maintained lawn and meets all the quality, materials and installation standards outlined in this code.

Assembly

Assembly uses include facilities owned or operated by associations, corporations, or other persons for social, educational, or recreational purposes primarily for members and their guests. Accessory uses may include offices, meeting areas, food preparation areas, concessions, parking, and maintenance facilities. This use includes assembly of fraternal organizations (Elks, Lions Club, etc.).

Assembly Building or Place of Assembly

As related to oil and gas well facility regulations, assembly building shall mean any building or portion of building or structure used for the regular gathering of 50 or more persons for such purposes as deliberation, education, instruction, worship, entertainment, amusement, drinking or dining or awaiting transport.

Athletic Fields and Courts

Land, often requiring equipment, designed for outdoor games and sports such as baseball, football, tennis and soccer.

Automated Teller Machine

A device that dispenses cash and conducts limited banking transactions for customers using a credit card, bank card, or other similar personal banking card. These devices, known as automatic teller machines (ATMs), may be part of a bank office, a drive-up banking center, or may be freestanding units in retail centers or within other buildings.

Auto Wrecking and Salvage Yard

Any lot upon which 2 or more motor vehicles of any kind, which are incapable of being operated due to condition or lack of license or registration, have been placed for the purpose of obtaining parts for recycling or resale.

Aviation

Aviation uses include improved or unimproved facilities for the landing and takeoff of flying vehicles, including loading and unloading areas and passenger terminals for aircraft. Accessory uses include freight handling areas, concessions, offices, parking and maintenance, and fueling facilities. Specific use types include, but are not limited to: **Airport and Related Uses; Heliport; Helistop.**

Awning

A shelter supported entirely from the exterior wall of a building.

Balcony, Exterior

A projecting platform that is enclosed only by a parapet or railing, and is roofless, and which is suspended or cantilevered from, or supported solely by, the principal structure.

Bank

A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions, such as making loans, investments, and fiduciary activities. Banks may or may not have a drive-through facility, depending on the zoning district in which they are located; see Table 3-1.

Bar/Tavern

An area or structure primarily devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages. Operations may or may not include outdoor seating areas or outdoor service, depending on the zoning district in which they are located; see Table 3-1.

Base Flood

A flood, having a 1 percent chance of being equaled or exceeded in any given year. This term is used interchangeably with a 100-year flood.

Base Flood Elevation

The water surface elevation of the base flood in relation to mean sea level.

Basement

That portion of a building that is partly or completely below grade.

Bed and Breakfast

An establishment operated in a private residence or portion thereof, which provides temporary accommodations to overnight guests for a fee and which is occupied by the operator of such establishment.

Bicycle Parking

An area that includes a bicycle rack and is free of obstructions to allow the convenient and accessible parking of a bicycle.

Blank Wall

An exterior building wall with no openings and a single material and uniform texture on a single plane.

Block

Land or a group of lots, surrounded by streets or other right-of-ways other than an alley, or land which is designated as a block on any recorded subdivision tract.

Board

The Board of Trustees of the Town of Firestone, Colorado.

Boarding and Rooming House

A building other than a hotel, motel or bed and breakfast where, for compensation and by prearrangement for definite periods lasting 1 week or longer, meals or rooming units are provided for 3 or more persons, but not exceeding 20 persons, provided such persons are not members of the owner's or operators immediate family.

Botanical Garden

A public or private facility for the demonstration and observation of the cultivation of flowers, fruits, vegetables or ornamental plants.

Building

Any structure constructed in compliance with the Building Code, used or intended for supporting or sheltering any use or occupancy, and any walled or roofed structure, including a gas or liquid storage tank and manufactured homes that are principally aboveground.

Building Coverage

Any area of a portion of a lot which is covered by all buildings on that lot.

Building Frontage

The horizontal, linear dimension of that side of a building, which abuts a street, a parking area, a mall, or other circulation area open to the public and has either a main window display or a public entrance to the building. In industrial districts a building side with an entrance open to industrial employees shall also qualify as a building frontage. Where more than 1 use occupies a building, each such use having a public entrance or main window display for its exclusive use shall be considered to have its own building frontage, which shall be the front width of the portion of the building occupied by that use.

Building Height

Building height shall be measured as the vertical distance above a reference datum 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:

- a. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.
- b. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described above is more than 10 feet above lowest grade.

Building Mass

The 3-dimensional bulk of a building: height, width and depth.

Building Materials and Lumber Sales

An establishment for the sale of materials, hardware and lumber customarily used in the construction of buildings and other structures, which includes facilities for storage.

Building Official

The Chief Building Official of the Town of Firestone, Colorado.

Buffer

Open spaces, landscaped areas, fences, walls, berms, or any combination thereof, used to visually cushion and provide a physical separation between adjacent structures or uses.

Bus Lot/Maintenance Facility

Any lot, tract or land area used for the storage, layover or maintenance of passenger buses, motor coaches or school buses.

Caliper

The American Association of Nurserymen standard for trunk measurement of nursery stock, as measured at 6 inches above the ground for trees up to and including 4-inch caliper size, and as measured at 12 inches above the ground for larger sizes.

Campground

An area or tract of land on which accommodations for temporary occupancy are located or may be placed, including tents and recreational vehicle equipment.

Car Wash

A facility for the cleaning of automobiles, providing either self-serve facilities or employees to perform washing operations.

Cemetery

Land used or dedicated to the interment of human or animal remains, including columbarium, mausoleums, mortuaries and associated maintenance facilities when operated in conjunction with, and within the boundaries of, such cemetery.

Change of Use

The act of changing the occupancy of a building or land from a use that is specifically listed as a "Permitted Use" including:

- a. The occupancy of a single-tenant building or of a parcel of land changes from the most recent previously existing use to a different use;
- b. The occupancy of a tenant space in a multi-tenant building changes to a use that is not currently existing in another tenant space of the building or that did not previously exist in any tenant space of the building within the last 12 months; or
- c. The most recent previously existing use of a building or land has been abandoned, by cessation of active and continuous operations during a period of 12 consecutive months, and either the same type of use is proposed to be reestablished or a different use that did not exist on the property is proposed to be established.

Channel

A natural or artificial watercourse of perceptible extent, with a definite bed and banks to confine and conduct periodically or continuously flowing water. Channel flow, this, is that water which is flowing within the limits of the defined channel.

Check-cashing Facility

An establishment that for compensation engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. This classification does not include a state or federally chartered bank, savings association, credit union, or industrial loan company. Further, this classification does not include establishments selling consumer goods, including consumables, where the cashing of checks or money orders is incidental to the main purpose of the business.

Child Care

Child Care uses include facilities that provide care for children on a regular basis away from their primary residence. This category does not include public or private schools or facilities operated in connection with an employment use, shopping center, or other principal use, where children are

cared for while parents or guardians are occupied on the premises or in the immediate vicinity. Accessory uses include offices, recreation areas, and parking.

Child Care Center, Large

A facility that is maintained for the whole or part of the day for the care of 16 or more children who are 18 years of age or younger and who are not related to the owner, operator or manager, whether such facility is operated with or without compensation for such care and with or without stated educational purposes. The term includes, but is not limited to, facilities commonly known as day care centers, school-age child care centers, before and after school programs, nursery schools, kindergartens, preschools, day camps, summer camps, and centers for developmentally disabled children and those facilities that give 24 hour care for children and includes those facilities for children under the age of 6 years with stated educational purposes operated in conjunction with a public, private or parochial elementary school system of at least 6 grades or operated as a component of a school district's preschool program operated pursuant to Article 28 of Title 22, C.R.S. The term shall not include any facility licensed as a family care home (defined below in the accessory use definitions) or foster care home.

Child Care Center, Small

The same type of facility defined as Large Child Care Center above, except that the facility cares for more than 5, but less than 16 children.

College or University

A permanent facility for the purpose of undergraduate and graduate instruction. The institution may be privately or publicly funded and may also include on-campus dormitories for enrolled students.

Commercial Amusement

A commercial establishment designed and equipped for the conduct of sports, exercise, or leisure-time activities within a fully enclosed building. Typical uses include, but are not limited to: billiards, bingo, bowling, gymnasiums and health clubs, pools, skating rinks, motion picture theaters, and related amusements. Accessory uses may include the preparation and serving of food or sale of equipment related to the enclosed uses.

Commercial Development

Any land development activity except development activity intended solely for residential, industrial or light industrial use.

Commission

The Town of Firestone Planning Commission.

Common Open Area

Areas held in private ownership and designated for shared use by common owners, their guests and invitees, or members of an owner's association.

Community Center (public)

A place, structure, area, or other facility used for and providing fraternal, social, or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community, including senior centers and teen centers.

Community Facility

Community Facility uses includes buildings, structures, or facilities owned, operated, or occupied by a non-profit or governmental agency to provide a service to the public. Specific use types include, but are not limited to: **Community Center (public); Correctional Facility; Governmental Office; Neighborhood Recreations Center (Indoor/Outdoor); Public Utility Services; Public Safety Station; or Transit Center.**

Community Garden

A public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than 1 person or family.

Compatibility

The characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

Comprehensive Plan

The Comprehensive Master Plan for the Town which has been officially adopted to provide long-range development policies for the Town and which includes, among other things, the plan for land use, land subdivision, circulation and public facilities.

Concealed Antennae and Towers

Any man-made trees, clock towers, bell steeples, light poles, water towers and similar alternative design mounting structures that camouflage or conceal the presence of antennas or towers.

Condominium

A single dwelling unit in a multiple dwelling unit structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.

Container (cargo container, shipping container, or truck trailer body)

A standardized, reusable vessel that is or appears to be: (1) originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, or (2) designed for or capable of being mounted or moved on a rail car, or (3) designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

Contractor's Shop or Storage Yard

A building or part of a building or land area for the construction or storage of materials, equipment, tools, products, and vehicles.

Convenience Store

A retail establishment with a floor area of less than 5,000 square feet, which sells a limited line of groceries and household items, gasoline, or beer and wine generally intended for the convenience of the neighborhood, but not including an automobile service station.

Correctional Facility

A facility for the purpose of incarcerating and rehabilitating offenders.

County Clerk and Recorder

Weld County Clerk and Recorder.

Court Yards

Open, unoccupied spaces that are wholly or partially enclosed.

Crosswalk or Walkway

A right-of-way dedicated to public use and designed to facilitate pedestrian traffic.

Cultural Facility

A cultural facility displays or preserves objects of interest or provides facilities for 1 or more of the arts or sciences. Accessory uses may include parking, offices, storage areas, and gift shops. Specific use types include, but are not limited to: **Botanical Garden; Library; Museum; or Zoo.**

Deck

An uncovered platform constructed of wood or similar synthetic material.

Dedication

A grant of land or the right to use land, by the owner of that land, to the public, involving a transfer of property rights and an acceptance of the dedicated property by the Town.

Density, Gross

The total number of dwelling units theoretically permitted on a particular parcel based upon its size and zoning designation while not taking into account the portions of unbuildable land.

Dental or Medical Office, Clinic, or Laboratory

A facility for a group of 1 or more dentists or physicians for the examination and treatment of human outpatients, provided that patients are not kept overnight except under emergency conditions.

Development

Any manmade change in improved and unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Diameter-at-Breast-Height (DBH)

A tree trunk diameter as measured in inches at a height of 4 1/2 feet above the ground or, in the case of a tree that is divided into multiple trunks below 4 and 1/2 feet, as measured at the most narrow point beneath the point of division.

Director

The Director of Community Development of the Town of Firestone, Colorado or designated representative.

Dormitory

A building or buildings occupied by and maintained exclusively for students affiliated with an academic or vocational institution, including, but not limited to, fraternities, sororities, and dormitories.

Drip Line

A vertical line extending from the outermost edge of the tree canopy or shrub branch to the ground.

Drive Aisles

The lanes in a parking lot devoted to the passage of vehicles, as opposed to the parking stalls. The term drive aisle does not include lanes used only or primarily for drive-in customer service.

Drive-In Use

An establishment which by design, physical facilities, service or packaging procedures encourages or permits customers to receive services or obtain goods while remaining in their motor vehicles.

Drive-Through or Up Service

Business designed to permit customers to remain in their motor vehicles while being accommodated by the business.

Driveway

A constructed access serving a property and abutting a public or private street.

Dwelling, Live/Work

A building or space within a building combining a residential living space with an integrated workspace used regularly by 1 or more of the residents of the dwelling unit. Examples of a live-work dwelling unit include, without limitation, a limited business operating on the first floor of a primary residence, or a loft space within a building originally designed for commercial or industrial occupancy that has been remodeled to include a dwelling unit space integrated with work space.

Dwelling, Mobile Home

A transportable, factory-built home, designed to be used as a year-round residential dwelling unit and built prior to the enactment of the National Manufactured Housing Construction and Safety Standards Act of 1974.

Dwelling, Multi-Family

A building or portion thereof used for occupancy by 3 or more families living independently of each other and containing 3 or more dwelling units, including what is commonly known as an apartment building, but not including group, paired homes, duplexes, rowhomes, or townhomes.

Dwelling, Single-Family Attached

A single-family dwelling unit attached to 1 or more dwelling units or buildings, with each dwelling unit located on its own separate lot. Units include what are commonly known as paired homes, duplexes, rowhomes, or townhomes.

Dwelling, Single-Family Detached

A residential building containing not more than 1 dwelling unit entirely surrounded by open areas on the same lot.

Dwelling Unit

One room or rooms connected together constituting a separate, independent housekeeping establishment for owner occupancy or for rental or lease on a monthly or longer basis, physically separated from any other rooms or dwelling units which may be in the same structure. The term shall not include hotels, motels or other structures used primarily for temporary occupancy.

Easement

A grant of 1 or more of the property rights by the owner to, or for the use by the public, a corporation, or persons, of any designated part of his property for specific purposes.

Education

Education uses are public, private, and parochial institutions at the primary, elementary, middle, high school, or post-secondary level, or trade or business schools, which provide educational instruction to students. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before or after school day care. Specific use types include, but are not limited to: **College or University; Commercial School; or School (public or private).**

Employees

The total number of persons reasonably anticipated to be employed in a building or on land during normal periods of use.

Extended-Stay Lodgings

A hotel or motel typically rented or hired out for periods of 1 week or more that also provides kitchen facilities with refrigerators, stoves, and ovens for food preparation in individual rooms.

Extent Reasonably Feasible or Practicable

That, under the circumstances, reasonable efforts have been undertaken to comply with the regulation, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.

Facade, Primary

Those portions of a building which are habitable residential space that faces and are most closely parallel to the front lot line. The entire area of a building face that extends from the roof to the ground and from 1 corner of the building to another. The front facade shall not include:

- a. Non-habitable spaces such as garages;
- b. Protrusions such as bay windows, chimney chases; and
- c. Porches, architectural entry features and entry stairs.

Family

One or more persons occupying a dwelling unit and living as a single, nonprofit housekeeping unit; provided that a group of 4 or more persons who are not within the second degree of kinship shall not be deemed to constitute a family. **(See Group Home)**

Notwithstanding the definition in the preceding paragraph, not more than 8 developmentally disabled persons and appropriate staff occupying a dwelling unit and living as a single, nonprofit housekeeping unit shall be deemed to constitute a family.

Family Care Home

A facility for child care in a place of residence of a family or person for the purpose of providing family care and training for a child under the age of 16 years who is not related to the head of such home. The term includes any family foster home receiving a child for regular 24 hour care and any home receiving a child from any state operated institution for child care or from any child placement agency, or any family child care home receiving a child for less than 24 hour care.

Farm Market

An area that is used by 1 or more operators of bona fide farms for the direct sale to consumers of agricultural products that are not grown or raised on the same premises as the market.

Financial Institution

Establishments that provide retail banking services, mortgage lending, and similar financial services to individuals and businesses. This classification includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities, but shall not include bail bond brokers. Accessory uses may include automatic teller machines, offices, and parking. Specific use types include, but are not limited to: **Automated Teller Machine; Bank; or Check-cashing Facility.**

Fitness and Recreational Sports Center

A facility primarily featuring equipment for exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating, racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of sports and fitness facilities.

Fleet Vehicle

A group of vehicles with a single owner, typically a company or corporation, rather than an individual or family. Examples are vehicles owned by a car rental company, construction company, or security company.

Flood or Flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters; or
- b. The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM)

The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the Town.

Flood Insurance Study (FIS)

The official report provided by the Federal Emergency Management Agency. The report contains the Flood Insurance Rate Map as well as flood profiles for studies flooding sources that can be used to determine Base Flood Elevations for some areas.

Floodplain

The relatively flat or lowland area adjoining a river, stream, watercourse, ocean, lake, or other body of standing water which has been or may be covered temporarily by floodwater. For the purpose of this chapter, the "floodplain" is defined as the area that would be inundated by the base flood.

Floodplain Management

The operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.

Floodproofing

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Flood Protection System

Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Floodway Fringe

That area of the floodplain, outside of the floodway, that would be inundated by the base flood.

Floodway (Regulatory Floodway)

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.5 foot in height.

Floor Area

The total square feet of floor space within the outside dimensions of a building, including each floor level, but excluding carports, garages, breezeways, porches, verandas, and balconies.

Food and Beverage Service

Food and Beverage Service businesses serve prepared food or beverages for consumption on or off the premises. Accessory uses may include food preparation areas, offices, and parking. Specific use types include: **Bar/Tavern; Nightclub; Restaurant; Restaurant, with Drive-Through or Up Service; or Restaurant with Outdoor Seating.**

Foot-candle

A unit of measurement referring to illumination incident to a single point. 1 foot-candle is equal to 1 lumen uniformly distributed over an area of 1 square foot.

Freight or Truck Yard

An area or building where cargo is stored and where trucks, including tractors and trailer units, load and unload cargo on a regular basis. The use may include facilities for the temporary storage of loads prior to shipment. The use shall also include truck stops or fueling stations where diesel fuel is primarily sold.

Frontage

That portion of a lot, parcel, tract or block abutting upon a street or other right-of-way.

Fugitive Dust

Solid airborne particulate matter emitted from any source other than an opening which channels the flow of air contaminants and then exhausts the contaminants directly into the atmosphere. Fugitive dust also includes solid particles released into the atmosphere by natural forces or by

mechanical processes, such as crushing, grinding, milling, drilling, demolishing, pulverizing, shoveling, conveying, covering, bagging or sweeping.

Fully Shielded

Shielded or constructed so that no light rays are emitted by the installed outdoor light fixtures at angles above the horizontal plane, as certified by a photometric test report.

Funeral Parlor or Mortuary

A place for the storage of deceased human bodies prior to burial or cremation, or a building used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

Garage, Private

A building for the private use of the owner or occupant of a principal building situated on the same lot of the principal building for the storage of motor vehicles with no facilities for mechanical service or repair of a commercial or public nature.

Garage, Tandem

A parking space within a group of 2 or more parking spaces arranged 1 behind the other.

Gas Station

See Service Station.

Gazebo

An accessory structure no larger than 150 square feet which may be covered by a roof and enclosed with screening intended to be used for outdoor living activities.

General Outdoor Recreation, Commercial

Intensely developed recreational uses such as amusement parks, miniature golf courses, batting cages, skateboard or skate parks or courses, bicycle motocross courses, water parks or slides, drive-in or outdoor movie theaters, courses for paramilitary games, and archery facilities.

General Retail

A commercial enterprise that provides goods, products, or materials directly to the consumer. This includes uses such as art galleries, appliance stores, bakeries, bookstores, clothing stores, food stores, grocers, caterers, pharmacies, florists, furniture stores, hardware stores, liquor stores, pet stores, toy stores, and variety stores. This use type shall not include restaurants, personal service establishments, convenience stores, or amusement establishments.

Geologic Hazards

Unstable or potentially unstable slopes, faulting, landslides, rock falls, flood, wildfire or similar naturally occurring dangerous features or soil conditions or natural features unfavorable to development.

Golf Course

A tract of land laid out with a course having 9 or more holes for playing the game of golf, including any accessory clubhouse, driving range, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, restroom facility, or similar accessory use or structure. This term shall not include miniature golf courses as a principal or accessory use, nor shall it include driving ranges that are not accessory to a golf course.

Golf Driving Range or Putting Course

A sports facility equipped with tee areas, distance markers, and related features for practicing golf and which may include a pro shop, snack bar, but excludes miniature golf courses.

Governmental Office

A building occupied by a governmental agency that provides direct services to the public such as employment, public assistance, motor vehicle licensing and registration, and similar activities.

Grade

The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

Greenhouse

A building or structure used for the growing of plants.

Group Home, Large

A group home (including halfway houses) for 9 or more persons.

Group Home, Residential

A group home that qualifies as 1 of 3 types of group homes declared to be residential uses and regulated by C.R.S. §30-28-115. Residential Group Homes include: **Community Residential Homes; Group Homes for the Aged; or Group Homes for the Mentally III.**

Group Home, Small

A group home (including halfway houses) for 8 or less persons that does not meet the definition of "Residential Group Home." Retirement Home, Nursing Home, or Assisted Living Facility.

Group Homes for the Aged

These homes accommodate not more than 8 persons over the age of 60 who do not need nursing facilities.

Group Homes for the Mentally III

These group homes are state licensed. They must accommodate not more than 8 persons and are for the exclusive use of persons with a mental illness as that term is defined in C.R.S. §27-10-102. Group Homes for the Mentally III do not include persons determined to be "not guilty" by reason of insanity to a violent offense nor persons convicted of a felony involving a violent offense.

Group Living

This category is characterized by residential occupancy of a structure by a group of people who do not meet the definition of "Household Living." Tenancy is arranged on a monthly or longer basis, and the size of the group may be larger than a family. Generally, Group Living structures have a common eating area for residents. The residents may receive care, training, or treatment, and caregivers may or may not also reside at the site. Accessory uses commonly include recreational facilities and vehicle parking for occupants and staff. Specific use types include, but are not limited to: **Dormitory; Group Home, Residential; Group Home, Large; or Group Home, Small.**

Hazardous Materials

Those chemicals or substances which are physical or health hazards as defined and classified in the Fire and Building Codes. Hazardous materials categories include explosives and blasting agents, compressed gases, flammable and combustible liquids, flammable solids, organic peroxides, oxidizers, pyrophoric materials, unstable (reactive) materials, water-reactive solids and liquids, cryogenic fluids, highly toxic and toxic materials, radioactive materials, corrosives, carcinogens, irritants, sensitizers and other health hazards. Each category is defined separately in the Fire and Building Codes in accordance with the Code of Federal Regulations Title 29 and other nationally recognized standards.

Hazardous Materials Handling and Transfer Facility

A facility for the treatment, storage, transfer or disposal of hazardous materials.

Heavy Equipment Sales, Service, and Rental

A facility that is engaged in the sales, repair or rental of heavy equipment including, but not limited to, tractors, semi-trucks or trailers, harvesters, loaders and all tracked vehicles.

Heavy Manufacturing, General

The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than average impacts on the environment; or that ordinarily have significant impacts on the use and enjoyment of other properties in terms of noise, smoke, fumes, odors, glare, or health or safety hazards; or that otherwise do not constitute "light manufacturing," or any use where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing exceeds 25 percent of the floor area of all buildings on the lot. Examples include, but are not limited to: battery manufacture, bottling works, production of dairy products, foundry casting, concrete batching, and plastic products manufacturing.

Hedge

A fence or boundary formed by a dense row of shrubs or low trees.

Height

See Building Height.

Heliport

Any landing area used by helicopters which, in addition, includes all necessary passenger and cargo facilities, maintenance and overhaul, fueling, service, storage, tie down areas, hangars, and other necessary buildings and open spaces.

Helistop

Any landing area used for the landing and taking off of helicopters for the purpose of picking up or discharging of passengers or cargo without fueling, refueling, or service facilities.

Historic Structure

Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the department of interior) or preliminarily determined by the secretary of the interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the secretary of the interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the secretary of interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - i. By an approved state program as determined by the secretary of the interior; or
 - ii. Directly by the secretary of the interior in states without approved programs.

Home Occupation

An occupation or activity which is clearly incidental and secondary to use of the premises as a dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

HOA/Metro District Facility

Add Definition ...:

Homeowners' Association (HOA)

An incorporated, nonprofit organization operating under recorded land agreements through which:

- a. Each lot or homeowner in a planned unit development or other described land area is automatically a member;

- b. Each lot is automatically subject to charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property; and
- c. Such charge, if unpaid, becomes a lien against the property.

Horse Stables

Any area wherein a horse, mule, llama or donkey is maintained for either public commercial hire or private non-commercial recreation.

Hospital

An institution providing health services primarily for human inpatient medical or surgical care including trauma centers for the sick or injured and including related facilities such as laboratories, outpatient departments, training and central services facilities and staff offices.

Hotel or Motel

A building or a group of buildings primarily containing guest rooms for sleeping purposes, but also including accessory dining areas, meeting rooms, and recreational facilities. A motel is typically arranged so that individual guest rooms are directly accessible from an automobile parking area.

Household Living

This use category is characterized by residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis (lodging where tenancy may be arranged for a period of less than 30 days is classified under the "Public Accommodation" category). Common accessory uses include recreational activities, raising of pets, gardens, personal storage buildings, hobbies, and parking of the occupants' vehicles. Home Occupations and Accessory Dwelling Units are accessory uses that are subject to additional regulations (see Section 2.3, Accessory Uses and Structures). Specific use types include, but are not limited to: **Dwelling, Duplex; Dwelling, Live/Work; Dwelling, Mobile Home; Dwelling, Multi-Family; Dwelling, Single-Family Attached; Dwelling, Single-Family Detached; Mobile Home Park; or Model Home.**

Human Health Services

Human Health Services uses are characterized by activities focusing on medical services, particularly licensed public or private institutions that provide primary health services and medical or surgical care to persons suffering from illness, disease, injury, deformity, or other physical or mental conditions. Accessory uses may include laboratories, outpatient, or training facilities, and parking, or other amenities primarily for the use of employees in the firm or building. Specific use types include, but are not limited to: **Dental or Medical Office, Clinic, or Laboratory; Hospital/ Substance Abuse Treatment Facility, Outpatient; or Urgent Care Facility.**

Human Scale

The proportional relationship of a particular building, structure, or streetscape element to the human form and function. "Human scale" often refers to the subjective objective that the relationship between a person and his natural or man-made environment should be comfortable, intimate, and contribute to the individual's sense of accessibility.

Improvement

Any man-made, immovable item which becomes part of, is placed upon or is affixed to real estate.

Industrial, Heavy

A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

Industrial, Light

A use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

Industrial Service

Industrial Service firms are engaged in the repair or servicing of agricultural, industrial, business, or consumer machinery, equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and similar uses perform services off-site. Few customers come to the site. Accessory activities may include sales, offices, parking, and storage. Specific use types include, but are not limited to: **Building Materials and Lumber Sales; Contractor's Shop or Storage Yard; Heavy Equipment Sales, Service, and Rental; Industrial, Heavy; Industrial, Light; Light Equipment Sales, Service; or Research and Development Facility.**

Infill Development

The development of vacant or partially developed parcels which are surrounded by or in close proximity to areas that are substantially or fully developed.

Infrastructure

Those man-made structures which serve the common needs of the population, such as: potable water systems; wastewater disposal systems, solid waste disposal sites or retention areas; storm drainage systems; electric, gas or other utilities; bridges; roadways; bicycle paths or trails; pedestrian sidewalks, paths or trails; and transit stops.

Inhabitant

A person who dwells and is domiciled in a place, as distinguished from a transient lodger or visitor.

Irrigation Ditch or Lateral

A channel designed to transport irrigation water.

Junk or Salvage

Used machinery, scrap, iron, steel, other ferrous and nonferrous metals, tools, implements or portions thereof, glass, plastic, cordage, building materials, or other waste that has been abandoned from its original use and may be used again in its present or in a new form.

Junkyard

Used machinery, scrap, iron, steel, other ferrous and nonferrous metals, tools, implements or portions thereof, glass, plastic, cordage, building materials, or other waste that has been abandoned from its original use and may be used again in its present or in a new form.

Keeping of Large Animals

Areas, buildings, or structures secondary to a principal residential use for the boarding of horses, mules, llamas or donkeys for the private, non-commercial benefit of the property owners.

Kennel

An establishment where domesticated animals are kept, sold, boarded, bred, groomed, or trained, typically with fenced or enclosed spaces, areas, or runs for individual animals. Kennels may be indoor only, or indoor/outdoor, depending on the zoning district in which they are located; see Table 3-1.

Landscape buffer

An area of landscaping separating 2 distinct land uses, or a land use and a public right-of-way, and acts to soften or mitigate the effects of 1 land use on the other.

Landscaping

The finishing and adornment of unpaved yard areas. Materials and treatment generally include naturally growing elements such as grass, trees, shrubs and flowers. This treatment may also include the use of logs, rocks, fountains, water features and contouring of the earth.

Levee

A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System

A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Level of Service

An indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on, and related to, the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

Library

A permanent facility for storing and loaning books, periodicals, reference materials, audio tapes, video tapes, and other similar media to Town residents. A library may also include meeting rooms, offices for library personnel, and similar support facilities.

Light Equipment Sales, Service

A facility that is engaged in the sales, repair or rental of light equipment including.

Light Manufacturing, General

The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building; or where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing does not exceed 25 percent of the floor area of all buildings on the lot. Examples include, but are not limited to: book bindery, frozen foods locker, and electronics assembly.

Light Source

Includes neon, fluorescent or similar tube lighting, the incandescent bulb (including the light producing elements therein) and any reflecting surface that, because of its construction or placement, becomes in effect the light source.

Limited Solid Material Fence

All fences, which have 50 percent or less solid material will be considered "limited solid material fences". Example: chain link or split rail fences.

Live-Work Unit

A dwelling unit combining a residential use with a non-residential use permitted in the zoning district in which the dwelling unit is located with at least 1 person residing in the residential dwelling unit being employed on the premises.

Loading Berth

An off-street space where an automotive vehicle can be parked for loading or unloading.

Lodging Establishment

See hotel/motel.

Logo

A graphic symbol or emblem which conveys a recognizable meaning, which symbol or emblem may include script (words) provided that such script is contained entirely within the boundaries of the symbol or emblem; and script alone, or outside of the boundaries of the symbol or emblem, whether registered as a trademark or not, is not included within the meaning of the term logo.

Lot

A designated parcel, tract, or area of land established by a plat or other means as permitted by law, which is to be used, developed, or built upon.

Lot, Corner

A lot bound by 2 streets which intersect, with possible access to either or both streets.

Lot, Double Frontage

A lot in which both the front lot line and rear lot line abut a street or other right-a-way.

Lot, Flag

A lot for which a street is accessed by an extended driveway, often shared with an adjacent lot, such that conceptually the driveway appears to be a flagpole, and the lot the flag.

Lot, Interior

A lot other than a corner lot.

Lot, Triple Frontage

A lot which is bounded on 3 sides by a street, thereby presenting a possible access point to the lot from any 1 of those streets.

Lot Area

The total area, measured on a horizontal plane, included within lot lines.

Lot Area per Dwelling Unit

The number of square feet of lot area required per dwelling unit.

Lot Coverage

The amount (percent) of impervious coverage, including the surface parking and the building footprint.

Lot Depth

The average horizontal distance between front and rear lot lines.

Lot Line, Front

The property line dividing a lot from the right-of-way of the street. For a corner lot, the shortest street right-of-way line shall be considered as the front line. For a corner lot, double frontage lot or other questionable situations, the front lot line shall be established by the Director based upon architectural character of nearby properties, access and other appropriate considerations.

Lot Line, Rear

The property line opposite the front lot line.

Lot Line, Side

Any lot line other than a front or rear lot line.

Lot Size

The amount of horizontal (plan view) land area within lot lines

Lot Width

The distance on a horizontal plane between the side lot lines of a lot, measured at right angles to the line establishing the lot depth at the established building setback line.

Lowest Floor

The lowest floor of the lowest enclosed area (including basement or crawlspace). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Manor Home

A building having accommodations for 3 or more families living independently of each other that is designed to look like a large single family home.

Manufactured Home

A structure, transportable in 1 or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a recreational vehicle.

Manufactured Home Park or Subdivision

A parcel (or contiguous parcels) of land divided into 2 or more manufactured home lots for rent or sale.

Manufacturing and Production

This use category includes firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, constructed, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Custom industry is included (i.e., establishments primarily engaged in the on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment). Goods are generally not displayed or sold on-site, but if so, such activity is a subordinate part of sales. Relatively few customers come to the manufacturing site. Accessory activities may include retail sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, and caretaker's quarters. Specific use types include, but are not limited to: **Heavy Manufacturing, General; Light Manufacturing, General; or Mining and Mineral Extraction.**

Maximum Extent Reasonably Feasible or Practicable

No feasible or practicable and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken.

Mean Sea Level

For purposes of the national flood insurance program, the North American vertical datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

Minimum Lot Area

The total area within the property lines of the lot, excluding adjacent right-of-ways.

Mining and Mineral Extraction

The extraction of minerals, including solids like coal and other ores, from their natural occurrences on affected land.

Mini-Warehouse/Self Storage

A building or group of buildings in a controlled access and fenced compound that contains varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customers' goods or wares.

Mixed-Use

The development of a lot, tract or parcel of land, building or structure with 2 or more different uses including, but not limited to, residential, office, retail, public uses, personal service or entertainment uses, designed, planned and constructed as a unit.

Mobile Food Vendor

A readily movable, motorized wheeled vehicle, or a towed wheeled vehicle, designed and equipped to serve food. Examples include food trucks, pushcarts, ice cream trucks, hot dog stands, and similar operations.

Mobile Home

A transportable, single-family dwelling unit built on a permanent chassis with attached undercarriage consisting of springs, axles, wheels and hubs, and which is suitable for year-round occupancy and contains the same water supply, waste disposal and electrical conveniences as immobile housing. A mobile home is designed to be transported on streets to the place where it is to be occupied as a dwelling unit and may or may not be attached to a permanent foundation.

Mobile Home Park

A residential development that consists of mobile homes that are transported to the park site.

Model Home

A dwelling unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other residential development approved by the Town. Model homes may also incorporate sales or rental offices for dwelling units within the development.

Mulch

Any organic material such as leaves, bark, wood chips, straw, or inorganic material such as crushed stone or gravel, or other materials left loose and applied to the soil surface for the beneficial purpose of reducing evaporation.

Museum

A permanent facility for the collection and public display of artwork including, but not limited to, paintings, sculpture, textiles, and antiquities. Support facilities include office space, restoration facilities, parking and storage areas.

Native Vegetation

Any plant identified in the Firestone Native Plants list: Plant Characteristics and Wildlife Value of Commercial Species, prepared by the Town's Natural Resources Department, updated February 2003 and as amended.

Neighborhood Recreation Center (Indoor/Outdoor)

A building, structure, or facility available for recreational clubs and activities. Such uses commonly include tennis courts, swimming pools, restaurants for members and guests only, and gymnasiums. Such uses may be either public or private, but typically are intended only for the residents and guests of a particular residential development or neighborhood.

New Construction

For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the town.

Night Club

An establishment that stays open late at night and typically serves food and liquor, and provides music and space for patrons to dance.

Non-Concealed Building-Mounted Antennae and Towers

Any tower, pole, or similar structure attached to a building that supports telecommunications antennae.

Non-Concealed Freestanding Towers

Any structure that is designed and constructed primarily for the purpose of supporting 1 or more antennae, including guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

Nonconforming Building

A building or portion thereof legally built prior to the effective date of this FDC or any amendment thereto, which does not conform with the regulations of the district in which it is located.

Nonconforming Structure

A structure which was lawful and nonconforming under prior law on the day before the effective date of this FDC or subsequent amendment thereof.

Nonconforming Use

Either a use which was lawful and nonconforming under prior law on the day before the effective date of this FDC or subsequent amendment thereof, or with respect to lands newly annexed, a use which was lawful immediately before annexation but which does not conform to the use regulations for the zone district in which such use is located either at the time of annexation or as the result of subsequent amendments to this FDC.

Nonconformities

A nonconforming use, structure or building.

Office

Office uses are characterized by activities generally focusing on business, professional, insurance, or financial services. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building. Specific use types include, but are not limited to: **Office, Business or Professional; or Recording or Broadcasting Studio.**

Office, Business or Professional

The office of an engineer, dentist, doctor, attorney, real estate broker, insurance broker, architect or other similar professional persons; and any office used primarily for accounting, correspondence, research, editing, or administration.

Off-Street Loading Space

A space located outside of a public street or alley for the discharge of passengers, or a space directly accessible to the building it serves for bulk pickups and deliveries by delivery vehicles.

Off-Street Parking Area

Any parking area located wholly within the limits of 1 or more lots.

Off-Street Parking Space

The space required to park a passenger vehicle which is not located on the street.

Oil and Gas Well

A well, the principal production of which at the mouth of the well is either oil or gas.

Oil and Gas Well, Production Facilities

All storage, separation, treating, dehydration, artificial lift, power supply, compression, pumping, metering, monitoring, flowline, and other equipment directly associated with oil wells, gas wells, or injection wells.

Oil and Gas Well Flowlines

Those segments of pipe from the wellhead downstream through the production facilities ending at:

- a. In the case of gas lines, the gas metering equipment, or
- b. In the case of oil lines, the oil loading point or LACT unit, or
- c. In the case of water lines, the water loading point, the point of discharge to a pit, or the injection well head.

Oil and Gas Well Gathering Lines

A pipeline and equipment that transports gas from a production facility (ordinarily commencing downstream of the final production separator at the inlet flange of the custody transfer meter) to a natural gas processing plant or transmission line or main. The term "gathering line" includes valves, metering equipment, communication equipment, cathodic protection facilities, and pig launchers and receivers, but does not include dehydrators, treaters, tanks, separators, or compressors located downstream of the final production facilities and upstream of the natural gas processing plants, transmission lines, or main lines.

Oil and Gas Well Pipelines

Flowlines and gathering lines for oil and gas wells.

Old Town

An area in the Town of Firestone with the following boundary: Evans Street on the north, Coal Creek on the east, Union Pacific Railroad on the south, and County Line Road on the west.

Open Space

An area that is not developable due to environmental constraints or on which development has been limited for aesthetic, environmental, or recreational purposes.

Orient

To bring in relation to, or adjust to, the surroundings, situation or environment; to place with the most important parts facing in certain directions; to set or arrange in a determinate position: to orient a building.

Outdoor Amphitheater

An outdoor theater, amphitheater or similar structure operated by the Town or other unit of government.

Outdoor Display and Sales

Outdoor display of goods or materials for sale, accessory to a commercial principal use. Merchandise may be directly available to the consumer for purchase.

Outdoor Recreational Vehicle Storage

An unroofed, controlled access, fenced area designated for the keeping of recreational vehicles including but not limited to motorized homes, travel trailers, boats, campers, and the associated devices utilized to convey said vehicles.

Outdoor Storage

Outdoor storage, but not display for sale, of goods or materials accessory to a commercial principal use. Merchandise shall not be directly available to the consumer without the assistance of an employee.

Owner

Any person whose name appears on the tax bill for the property or who, alone or jointly or severally with others, has legal title to any dwelling unit, with or without actual possession thereof, or has charge, care or control of any dwelling unit as owner, executor, executrix, administrator, trustee, guardian of the estate of the owner, mortgagee or assignee of rents. Owner shall not include any person, group of persons, company, association or corporation who holds only a security interest or easement on the rental property upon which the dwelling unit is situated.

Park

An area open to the general public and reserved for recreational, educational or scenic purposes.

Park and Open Space

Park and Open Space uses focus on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Accessory uses may include clubhouses, playgrounds, maintenance facilities, concessions, caretaker's quarters, and parking. Specific use types include, but are not limited to: **Athletic Fields and Courts; Community Garden; Open Space; Outdoor Amphitheater, Public; or Park.**

Parking Area, Shared Assemblage

A parking lot that is constructed on 2 or more separate but adjacent properties designed for joint use by the businesses or residents of the properties.

Parking Lot

An area, not within a building, where, as a principal use, motor vehicles may be parked for purposes of daily or overnight off-street parking.

Parking Space

A rectangular area not less than 9.0 feet wide by 18 feet deep, along with maneuvering and access space necessary to park within the rectangle.

Parking Structure

A structure or facility where, as a principal use, motor vehicles may be stored for purposes of temporary, daily, or overnight, off street parking. The facility may be above, below, or partially below ground. Includes parking garages and parking decks.

Paved Patio or Terrace

A relatively flat area, that is at ground level, adjacent to a building that is covered in a paving surface.

Pedestrian Scale (Human Scale)

The proportional relationship between the dimensions of a building or building element, street, outdoor space or streetscape element and the average dimensions of the human body, taking into account the perceptions and walking speed of a typical pedestrian.

Permit

A document issued by the Town of Firestone, Colorado, granting permission to perform an act or service which is regulated by the Town.

Permitted Use

A use permitted by right, without special conditions other than those imposed upon other uses by right in the district.

Personal Service Establishment

A business that provides individual services related to personal needs directly to customers at the site of the business, or that receives goods from or returns goods to the customer, which have been treated or processed at that location or another location. This includes travel agencies, dry cleaning pick-up and drop-off, laundries, tailors, hair stylists, cosmeticians, toning or tanning salons, photocopy centers, shoe repair shops, and interior design studios. This shall not include gas stations, service stations, Commercial Indoor/Outdoor Recreation uses, dry cleaning plants or massage therapy establishments.

Planned Unit Development

A project of a single owner or a group of owners acting jointly, involving a related group of residences, businesses, or industries and associated uses, planned as a single entity and therefore subject to development and regulation as 1 land-use unit rather than as an aggregation of individual

buildings located on separate lots. The planned unit development includes usable, functional open space for the mutual benefit of the entire tract; and is designed to provide variety and diversity through the variance of normal zoning and subdivision standards so that maximum long-range benefits can be gained, and the unique features of the development or site preserved and enhanced while still being in harmony with the surrounding neighborhood. Approval of a planned unit development does not eliminate the requirements of subdividing.

Plat, Final

A map of land hereon described and prepared as an instrument for recording with the County Clerk which depicts the boundaries of real estate interests.

Plat, Preliminary

The preliminary map or maps of a proposed subdivision, drawn and submitted in accordance with the requirements of these regulations.

Playhouse

An accessory structure for the use of children with a maximum height of 12 feet and an area not to exceed 120 square feet.

Porch

A roofed platform that is enclosed only by a parapet or railing, and which is attached to the principal structure.

Pre-Application Conference

An informal conference with Staff at which a map or maps of a proposed subdivision along with supporting materials are presented, prepared by the Applicant in accordance with the requirements of the Regulations, to evaluate feasibility and design characteristics at an early stage in the subdivision process.

Premises

A general term which means part or all of any lot, parcel or tract, or part or all of any building or structure or group of buildings or structures located thereon.

Principal Use

The main use of land or of a structure as distinguished from a subordinate or accessory use.

Private Utility

Any utility other than a municipally owned and operated utility, including telephone, electric and gas utilities, and other privately owned and operated utilities.

Produce Stand

A structure or area devoted to the small scale retail or wholesale sales of agricultural goods or products which have been grown on the same site or property as the stand.

Property Line

The boundary of any lot, parcel or tract as the same is described in the conveyance of such property to the owner; and does not include the streets or alleys upon which the said lot, parcel or tract abuts.

Public Facilities

Mean transportation systems or facilities, parks and recreation or natural area program systems or facilities, water systems or facilities, wastewater systems or facilities, storm drainage systems or facilities, fire, police and emergency systems or facilities, electric utilities, gas utilities, cable facilities or other public utilities.

Public Hearing

A meeting called by a public body for which public notice has been given and which is held in a place at which the general public may attend to hear issues and to express their opinions.

Public Improvements

Public or privately owned infrastructure within public land or dedicated right-of-ways or easements.

Public Safety Station

A use designed to protect public safety and provide emergency response services, often located in or near the area where the service is provided. Employees are regularly present on-site. Accessory uses include offices and parking. Examples include fire stations, police stations, and emergency medical and ambulance stations. Public Safety Station does not include private Emergency Rooms, Hospitals, or Urgent Cares.

Public Use

Any use intended to be conducted in a facility or upon land which is owned by and operated for public use by school districts or by town, county, state or federal governments.

Public Utility Services

Equipment, structures and activities related to the provision of public utility services including, but not limited to, water, waste water, storm water, gas, electrical, wire communication services, including poles, antennas, transmitters, wires, mains, hydrants, drains, pipes, conduits and cables; equipment structures and activities related to the provision of transportation, police and fire protection services, including, but not limited to, traffic control signals and signs, street lights, fire-alarm and assistance call boxes; and other similar equipment, structures and activities in connection therewith which are reasonably necessary for the furnishing of adequate service by such governmental or public utilities for the public health, safety, and general welfare. Facilities for the treatment, production, generation and administration, operation and maintenance of such services, and facilities for wireless communications, are not included in this definition.

Public Works Facility

Town owned facility used for administration, operation, storage or maintenance services related to the transportation, parks, open space and recreation infrastructure of the Town. Maintenance or storage facilities that are accessory to parks and opens space are not included in this definition.

Quarters for Caretaker/Guard

An accessory dwelling on a nonresidential property occupied by the person who oversees or guards the operation.

Racetrack

A measured course where animals or machines are entered in competition against 1 another or against time, including tracks used only in the training of animals.

Recreational Vehicle

A vehicular unit other than a mobile home, which is designed as a temporary dwelling unit for travel, recreational and vacation use, and which is either self-propelled, mounted on or pulled by another vehicle. Examples include, but are not limited to, travel trailer, camping trailer, truck camper, motor home, fifth-wheel trailer or van.

Recreational Vehicle Park

A parcel of land providing space and facilities for motor homes or other recreational vehicles for recreational use or transient lodging.

Recreation and Entertainment, Indoor

Indoor Recreation and Entertainment uses provide recreation or entertainment activities within an enclosed environment. Accessory uses may include concessions, snack bars, parking, and maintenance facilities. Specific use types include, but are not limited to: **Adult Amusement or Entertainment; Commercial Amusement; Fitness and Recreational Sports Center; Shooting Range, Indoor; or Sports Arena.**

Recreation and Entertainment, Outdoor

Outdoor Recreation and Entertainment uses provide recreation or entertainment activities outside of an enclosed environment. Accessory uses may include concessions, snack bars, parking, and maintenance facilities. Specific use types include, but are not limited to: **Amusement Park; Campground; General Outdoor Recreation, Commercial; Golf Course; Golf Driving Range or Putting Course; Racetrack; Recreational Vehicle Park; Shooting Range, Outdoor.**

Recycling Center

A facility in which recoverable resources such as newspapers, glassware, plastics, and metal cans are recycled, reprocessed, and treated to return such products to a condition in which they can again be used for production. This facility is not a junkyard or salvage yard.

Recycling Collection Point

A center or collection point with containers or facilities designed and intended for the depositing of clean, separated, and recyclable paper, cardboard, metal, glass, plastic or other recyclable materials and the collection of such materials for processing at another location, but itself having no mechanical facilities for the processing of such materials.

Redevelopment

The intensification of use of existing underutilized buildings or development sites, building rehabilitation, or removal or demolition of existing buildings, followed promptly by construction of replacement buildings.

Religious Assembly

Religious Assembly facilities are used primarily for non-profit purposes to provide assembly and meeting areas for religious activities. Accessory uses include parking, caretaker's housing, buildings ancillary to a religious function, pastor's housing, and group living facilities such as convents. Examples include churches, temples, synagogues, and mosques. Accessory uses do not include schools, which shall require approval as a separate primary use.

Repair Shop

The maintenance and rehabilitation of appliances customarily used in the home including, but not limited to, washing and drying machines, refrigerators, dishwashers, trash compactors, ovens and ranges, countertop kitchen appliances, vacuum cleaners, and hair dryers.

Research and Development Facility

Research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products.

Reservation

An agreement between parties which obligates a property owner to keep property free from development for a stated period of time.

Residential Development Parcel

Encompassing an entire development property zoned for residential uses in its configuration before subdivision.

Restaurant

An area or structure in which the principal use is the preparation or sale of food and beverages. Operations may or may not include outdoor seating areas or outdoor food service, depending on the zoning district in which they are located; see Table 3-1.

Restaurant, with Drive-Through or Up Service

An eating/drinking establishment in which the principal business is the sale of foods or beverages to the customer in a ready-to-consume state and in which the design or method of operation of all or any portion of the business allows food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.

Restaurant, with Outdoor Seating

A restaurant with tables on the sidewalk in front or on the sides of the premises.

Retail Sales and Service

Retail Sales firms are involved in the sale, lease or rent of new or used products to the general public. No outdoor display is permitted unless specifically authorized by this FDC. Accessory uses may include offices, parking, storage of goods, and assembly, repackaging, or repair of goods for on-site sale. Specific use types include, but are not limited to: Convenience Store; Farm Market; Funeral Parlor or Mortuary; General Retail; Personal Service Establishment; Repair Shop; or Shopping Center.

Right-Of-Way

That portion of land dedicated to public use of a street, path, street trees, and /or utility purposes.

Roof

The cover of any building, including the eaves and similar projections.

Roofline

The point on any building where an exterior wall or any parapet wall encloses usable floor space, including floor area for housing mechanical equipment.

Runway Protection Zone ("RPZ")

The RPZ is defined by the Federal Aviation Association as a trapezoid-shaped area centered about the extended runway centerline that is used to enhance the safety of aircraft operation. It begins 200 feet beyond the end of the runway or area usable for takeoff or landing. The RPZ dimensions are functions of the design aircraft, type of operation, and visibility minimums for the particular runway. The depth of the RPZ can vary from 1,000 feet for runways less than 4,000 feet to 2,500 feet for runways 6,000 feet or longer.

Sanitary Landfill

A discrete area of land or an excavation for which the final disposal of solid waste employs a method to obtain the most dense volume practicable of the waste and covering with earth or other suitable material. A sanitary landfill may receive household waste, community waste, municipal solid waste, commercial waste, and industrial waste.

School - Private

An school under the sponsorship of a private or religious agency, having a curriculum generally equivalent to public elementary or secondary schools, not including vocational schools.

School - Public

A school under the sponsorship of a Colorado accredited school district. School- Public includes charter schools but does not include **School - Vocational**.

School - Vocational

An establishment, other than public or parochial schools, private primary or secondary schools, or colleges and universities, offering training or instruction in a trade, art, or occupation, including but not limited to, beauty schools, dance schools, and trade schools.

Service Station

Any premises where gasoline and other petroleum products are sold or light maintenance activities such as engine tune-ups, emissions testing, lubrication, minor repairs, and carburetor cleaning are conducted. Accessory activities may include automatic car wash and convenience items sales. Service stations shall not include premises where heavy motor vehicle maintenance activities such as engine overhauls, motor vehicle painting, and body fender work are conducted. Fuel dispensing may be performed by an employee of the establishment (full-service) or by the customer (self-service).

Setback

A required area on the same lot or tract with a principal use that provides for light, air, building separation, and access for emergency personnel and equipment. A setback shall be unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this FDC. The depth of a setback is measured at right angles to the relevant property line.

Setback, Front

A setback that extends across the full frontage of a lot or tract on a public or private street. The front setback is defined by the front property line.

- a. In the case of rounded property corners at street intersections, the front setback is measured as if the corner is not rounded and the front property lines are extrapolated to intersect.
- b. In the case of corner or through lots, a front setback extends across all frontages.
- c. For cul-de-sac lots and lots abutting a curved street, the front setback follows the curve of the front property line.
 - i. The minimum lot width requirement shall be met at the front setback line.
 - ii. In no event shall the front lot line be less than 35 feet.
- d. In the case of flag lots, a front setback extends across the entire flag portion of the lot and includes the flagpole portion of the lot.
- e. In the case of a corner lot, through lot, or 3 sided lot, there will be no rear setbacks, but only front and side setbacks.

Setback, Rear

A setback that extends across the full rear of a lot or tract. The rear setback is defined by the rear property line.

Setback, Side

Any setback that is not a front or rear setback. Generally, side setbacks extend from the inner boundary of the front setback (or from the front property line of the lot or tract where no front setback is required) to the inner boundary of the rear setback (or to the rear property line of the lot or tract where no rear setback is required.) For corner and through lots, setbacks remaining after front setbacks have been established shall be considered side yards.

Sexually Oriented Business

Amusement entertainment that is distinguished or characterized by an emphasis on material depicting, describing or relating to specified sexual activities or specified anatomical areas. Uses shall include, but shall not be limited to, the following: **Adult Bookstore, Adult Photo Studio, and Adult Theater.**

Shared Parking

A public or private parking area used jointly by 2 or more users or uses to fulfill their individual parking requirements.

Shed

An accessory building of not more than 150 square feet in floor area and not more than 14 feet in maximum height.

Shooting Range, Indoor

A soundproof, enclosed building or part thereof, wherein firearms are shot at targets under strict rules of conduct and safety.

Shooting Range, Outdoor

An outdoor facility wherein firearms are shot at targets under strict rules of conduct and safety.

Shopping Center

A retail shopping area in excess of 30 acres (divided by no interior public streets) containing at least 1 major retail store of over 100,000 square feet of gross leasable area and additional retail area.

Sidewalk

An improved pedestrian surface that is typically located adjacent to a street.

Sight Distance Triangle

The area required to be clear of obstructions at the intersections of streets, highways, railroads, alleys and driveways. See the Town of Firestone Standards and Specifications for Design and Construction of Public Improvements.

Sign

Any object or device or part thereof situated outdoors or indoors which is used to advertise or identify an object, person, institution, organization, business, product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination, or projected images. Signs do not include:

- a. Flags of nations, or organizations of nations, or states and cities, or fraternal, religious, or civic organizations;
- b. Merchandise, pictures or models of products or services incorporated in a window display;
- c. Time and temperature devices not related to a product;
- d. National, state, religious, fraternal, professional and civic symbols or crests.

Sign, Development Identification

A monument sign which, by means of symbol or name, identifies a residential development, shopping center, commercial/business/office/industrial park, or other development that may contain a mixture of uses.

Sign, Ground

A freestanding sign that is mounted on poles or braces.

Sign, Maintenance

The replacing, repairing or repainting of part of a sign structure; periodic changing of bulletin board panels; or renewing of copy made unusable by ordinary wear and tear, weather or accident. The replacing or repairing of a sign or sign structure damaged to an extent exceeding 50 percent of the appraised replacement cost (as determined by the building official) shall be considered as maintenance only when said sign conforms to all of the applicable provisions of this FDC and when the damage has been caused by an act of God or violent accident.

Sign, Monument

A low profile freestanding sign that is placed on a solid base.

Sign, Nameplate

A sign identifying, by name only, the occupant of a building or office.

Sign, Projecting

A sign that projects from a wall and is supported by a wall.

Sign, Projection

A sign that is wholly or partly dependent upon a building for support and which projects horizontally more than 12" from such building.

Sign, Wall

A sign fastened to or painted on a wall 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 and which does not project more than 12" from such building or structure.

Final Development Plan

A plot of a lot, drawn to scale, showing the actual measurements, the size and location of any existing buildings or buildings to be erected, the location of the lot in relation to abutting streets, and other such information.

Special Review Use

A use permitted in a zoning district only if reviewed and approved as a special use in accordance with the procedures of Section 7.13.

Specimen Trees

Trees species identified in the Town "Standards and Specifications for Design Construction of Public Improvements" that meet Subsection 6.2.C.6 of this FDC.

Sports Arena

An officially designated area for indoor sports or entertainment.

Staff

Any person or persons, whether publicly or privately employed who provides administrative, planning, engineering or other services to or for the Town.

Start of Construction

Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Stoop

Platform or stairs in front of a door.

Story

See Height.

Street

Any street, avenue, boulevard, road, lane, parkway, viaduct, alley, or other way for the movement of vehicular traffic which is an existing state, county or municipal roadway, or a street or way shown upon a plat, heretofore or hereafter dedicated and which includes the land between right-of-way lines, whether improved or unimproved, and may be comprised of pavement, shoulders, gutters, sidewalks, parking areas and other areas within the right-of-way.

Street, Private

A right-of-way or easement of private ownership not dedicated or maintained as a public street, which affords the principal means of access to 2 or more sites.

Street Tree

A tree typically planted along public or private streets and drives to provide shade to reduce heating of pavements, and to provide spatial definition and visual enhancement.

Structurally Altered

Changes which increase, extend, or enlarge the building or convert the existing building into a different structure or affect the form or character of an existing building or structural quality.

Structure

A walled and roofed building or manufactured home that is principally aboveground.

Subdivider or Developer

Any person, partnership, joint venture, limited liability company, association or corporation who participates as owner, promoter, developer or sales agent in the planning, platting, development, promotion, sale or lease of a development.

Subdivision

The division of a lot, tract, or parcel of land into two or more lots, tracts, or parcels. It includes resubdivisions and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided:

Subdivision (major)

All types of subdivisions except those meeting the definition of minor subdivision, lot line adjustments, and non-residential subdivisions.

Subdivision (lot line adjustment)

A consolidation of two or more, but not more than six, previously platted lots for the purpose of creating a single lot; or the division of a single previously platted lot into two lots.

Subdivision (minor)

The division of land, other than lot line adjustments, which creates six or fewer lots.

Subdivision (non-residential)

Any subdivision that is entirely for non-residential uses.

Substance Abuse Treatment Facility, Outpatient

Structures and land used for the treatment of alcohol or other drug abuse where neither meals nor lodging is provided.

Substantial Damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. This term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Swimming Pool

Any structure intended for swimming or recreational bathing that contains water over 24 inches deep. This includes in-ground, above-ground and on-ground swimming pools, hot tubs and spas.

Tenant Frontage

The horizontal, linear dimension of that side of a building in which a tenant occupancy abuts a street, private drive, parking areas or pedestrian plazas.

Telecommunication Facilities

Telecommunications facilities transmit analog or digital voice or communications information between or among points using electromagnetic signals via antennas, microwave dishes, and similar structures. Supporting equipment includes buildings, shelters, cabinets, towers, electrical equipment, parking areas, and other accessory development. Specific use types include: **Antenna Collocation of Existing Tower; Concealed Antennae and Towers; Non-Concealed Building-Mounted Antennae and Towers; or Non-Concealed Freestanding Towers.**

Towing and Storage Facility

A commercial establishment engaged in towing of vehicles or equipment from 1 location to another. Such facilities may also include an indoor or outdoor storage component for such vehicles or equipment, but may not include junked, salvage, or permanently inoperable vehicles or equipment.

Town

The Town of Firestone, Colorado.

Town Administrator

The administrative official appointed by the Board of Trustees to administer the provisions of the FDC or the person designated by the Town Administrator.

Tract

A tract is a legally defined parcel of land on a plat that will not have residential, commercial, or industrial buildings located on them.

Trailer

Any wheeled vehicle, without motive power and having an empty weight of more than 2,000 pounds, which is designed to be drawn by a motor vehicle and to carry its cargo load wholly upon its own structure and which is generally and commonly used to carry and transport property over the public highways.

Transit Center

An area utilized by public or commercial carriers for pick-up or drop-off of passengers. In addition to loading and unloading areas, transit centers may include shelters, restrooms, concessions, benches, information offices, ticket sales, landscaping, lighting and other such facilities and appurtenances. Individual bus stops, maintenance and storage facilities are not included in this definition.

Tree Lawn

The area between the back of curb and sidewalk, primarily used for planting low groundcover and street trees.

Truck Stop

An establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers or restaurant facilities primarily for the use of truck crews.

Turf

A surface layer of earth containing mowed grass with its roots.

Urgent Care Facility

A medical center that provides limited emergency medical services that may not require 24-hour care.

Utility Facilities

Buildings, structures, or other facilities used or intended to be used by any utility other than telecommunications facilities. This category includes buildings or structures that house or contain facilities for the operation of water, wastewater, waste disposal, or electricity services. This use also includes water storage tanks; electric or gas substations, water or wastewater pumping stations, electric transformer stations; gas regulator stations; telephone exchange buildings; well, water, and underground utility boxes; sewer pumping stations; or similar structures used as an intermediary switching, boosting, distribution, or transfer station of electricity, natural gas, water, or wastewater. This category includes passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, water, sewage, or other similar services on a local level. Additionally, a utility facility means any energy device or system that generates energy from renewable energy resources including solar, hydro, wind, biofuels, wood, geothermal, or similar sources. Accessory uses may include control, monitoring, data, or transmission equipment.

Variance

A legal modification of applicable zoning district provisions, such as yard, lot width, yard depth, sign, setback, and off-street parking and loading regulations, granted due to the peculiar conditions existing within a single piece of property.

Vehicle and Equipment

Vehicles and Equipment uses include a broad range of uses for the maintenance, sale, or rental of motor vehicles and related equipment. Accessory uses may include incidental repair and storage, offices, and sales of parts. Specific use types include, but are not limited to: **Car Wash; Service Station; Towing and Storage Facility; Vehicle Sales and Rental; Vehicle Service and Repair, Heavy; or Vehicle Service and Repair, Light.**

Vehicle Sales and Rental

The storage, display, sale, lease, or rental of new or used vehicles, including but not limited to automobiles, vans, motorcycles, light trucks, boats, and trailers. This use shall not include salvage operations or scrap operations.

Vehicle Service and Repair, Heavy

An establishment involved in the major repair and maintenance of automobiles, motorcycles, trucks, vans, trailers, or recreational vehicles. Services include engine, transmission, or differential repair, reconditioning or replacement; bodywork; upholstery work; painting; and associated repairs conducted within a completely enclosed building.

Vehicle Service and Repair, Light

An establishment involved in the minor repair and maintenance of automobiles, motorcycles, trucks, or vans not in excess of 10,000 pounds gross vehicle weight. Services include brake, muffler, and tire repair and change; lubrication; tune ups and associated repairs, conducted within a completely enclosed building.

Vested Property Right

The right to undertake and complete the development and use of property under the terms and conditions of a site specific development plan.

Violation

The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3),

(e)(2), (e)(4), or (e)(5) of the National Flood Insurance Program regulations is presumed to be in violation until such time as that documentation is provided.

Visitor Accommodation

For-profit facilities where lodging, meals, and the like are provided to transient visitors and guests for a defined period. Specific use types include: Bed and Breakfast; Boarding or Rooming House; Extended-Stay Lodgings; or Hotel or Motel.

Warehouse and Freight Movement

Firms involved in Warehouse and Freight Movement are engaged in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will call pickups. There is little on-site sales activity with the customer present. Accessory uses may include offices, truck fleet parking, and maintenance areas. Specific use types include, but are not limited to: **Freight or Truck Yard; Mini-Warehouse/Self Storage; or Wholesale Distribution Center.**

Waste and Salvage

Waste and Salvage firms receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. Waste and Salvage uses also include uses that receive hazardous wastes from others. Accessory uses may include recycling of materials, offices, and repackaging and shipment of by-products. Specific use types include, but are not limited to: **Auto Wrecking and Salvage Yard; Hazardous Materials Handling and Transfer Facility; Junkyard; Recycling Collection Point; Recycling Center; or Sanitary Landfill.**

Watercourse

A channel, natural depression, slough, artificial channel, gulch, arroyo, stream, creek, pond, reservoir, or lake in which storm runoff and floodwater flows either regularly or infrequently. This includes major drainage ways for carrying urban storm runoff.

Water Surface Elevation

The height, in relation to the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Wholesale Distribution Center

A permanent facility for the storage of products, supplies, and equipment offered for wholesale distribution (not for direct sale to the general public).

Yard

An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

Yard, Front

A yard extending across the front lot line between the side lot lines, and being the minimum horizontal distance between the front lot line and the front wall of any building.

Yard, Rear

A yard extending across the rear lot line between the side lot lines, and being the minimum horizontal distance between the rear lot line and the rear of the main building. The rear yard shall in all cases be at the opposite end of the lot from the front yard.

Yard, Side

A yard between the main building and the side-line of the lot, and being the minimum horizontal distance between the building and the side lot line and extending from the front lot line to the rear lot line.

Zero Lot Line Development Plan

A development plan where 1 or more dwelling units (limited to single-family detached or single-family attached dwelling units) are placed on lots in such a manner that at least 1 of the dwelling units sides rests directly on a lot line, as measured from the outer edge of the dwelling units foundation at the ground line, so as to enhance the usable open space on the lot.

Zone District

A designated area of the Town within which certain zoning regulations and requirements, or various combinations thereof, apply as set forth in this FDC.

Zoning Map

The official zoning map adopted by the Town by ordinance, as amended.

Zoo

An area, building, or structures that contain wild animals on exhibition for viewing by the public.