CHAPTER 6: DEVELOPMENT STANDARDS

6.1 PLANNED UNIT DEVELOPMENTS

6.1.1 General. A PUD designation is a zoning district classification that replaces the requirements of the previous zone district where the property is located. PUDs can be used to modify any requirement of this Code, except those standards in this Section 6.1.

Modifications of any requirement of this Code may be approved by the Board of County Commissioners only if they find that all of the following criteria have been met:

1) The proposed modification is found to be consistent with the Lake County Comprehensive Plan,
2) The proposed modification is found to be an improvement over what would be required under otherwise applicable standards, and
3) The proposed modification is consistent with “best engineering practices” and performs in an equivalent manner to the otherwise established standard, as determined by an engineer retained by the County.

6.1.2 Minimum Size. The minimum land area of a PUD is five acres. A minimum land area of two acres shall be required for any single phase of a PUD. These minimum size requirements shall be calculated on the total land area of the proposed PUD, including all rights-of-way and easements.

6.1.3 Establishment of Uses. The Board of County Commissioners shall determine the types of uses allowed within a PUD at the time of Rezoning/ Final Plan and Plat approval. Only uses that are compatible with uses on adjacent properties or that are consistent with the Lake County Comprehensive Plan may be allowed within a PUD.

6.1.4 Development Intensity. The total number of dwelling units and level of nonresidential development allowed within a PUD shall comply with the Lake County Comprehensive Plan and not exceed the level that can be adequately served by public facilities.

6.1.5 Development Sequence. When a PUD consists of either Commercial (defined in Section 9.6), or Industrial (defined in Section 9.7), or Institutional and Civic (defined in Section 9.5) uses in combination with Residential uses (defined in Section 9.4), the developer must propose a construction schedule which identifies the sequence and percentage of each use to be constructed. Such development sequence schedule will be incorporated and made a part of the Planned Unit Development.
6.1.6 **Platting.** Any PUD which receives Final PUD Plan/Plat approval from the Board of County Commissioners must record a Plat and a Final PUD Plan with the Clerk and Recorder of Lake County.

6.1.7 **Subdivision.** Where the development of a PUD proposes the division of the underlying land into two or more parcels for sale or transfer, or the re-subdivision of already subdivided land into a new or different pattern of parcels for sale or transfer, the proposed subdivision shall be processed and reviewed as a part of the PUD review and approval procedures (See Section 3.11). The PUD process shall not exempt the applicant from any requirements of the subdivision submittal or approval process.

6.1.8 **Development Improvements Agreement.** A Subdivision Improvement Agreement in accordance with C.R.S. 30-28-137 may be required by the Board of County Commissioners in connection with construction of any public improvements shown on a Final PUD Plan/Plat.

6.1.9 **Underground Utilities.** All utility lines to the property proposed for PUD development shall be installed underground. All utilities within the PUD development shall be installed underground. Utilities referred to by this section include but are not limited to: electric, gas, phone, cable television, water, sewer, etc.

6.1.10 **Water Service.** No PUD will be approved by the Board of County Commissioners unless or until a central water supply and distribution system is available.

6.1.11 **Sanitary Sewage Disposal Systems.** No PUD will be approved by the Board of County Commissioners unless or until a central sewage disposal system is available.

6.1.12 **Design Standards and Specifications**

1) PUDs shall be designed to protect the environmental assets of the site and the surrounding area. Environmental assets include but are not limited to: vegetation, wildlife, watercourses, scenic vistas, and prominent physical landmarks. Such assets may also include agricultural production areas where such areas are not inconsistent with the purposes of the PUD.

2) The design and layout of a PUD shall include adequate, safe and convenient arrangements for pedestrian circulation, roadways, driveways, access for the purposes of egress and ingress, off-street parking and loading, snow storage, and related features.

3) Visual screening and buffers of an appropriate height and construction shall be provided to separate incompatible uses and to block from view unattractive features of the man-made and natural environment.
6.1.13 Common Open Space. At least 25 percent of the area within a PUD shall be devoted to usable common open space which may consist of either public or private open space or a combination thereof, as determined by the Board of County Commissioners. Common open space may also contain parks, open space, scenic easements, and water and erosion control facilities. Access and opportunity for use of the open space must be provided. The landowner/developer of the PUD must establish an organization for the perpetual ownership and maintenance of the common open space.

6.1.14 Maintenance of Public Open Space and Common Areas. Perpetual ownership and maintenance of the common open space is subject to the provisions in C.R.S. 24-67-105 (6) (c & d).

6.2 SUBDIVISION

6.2.1 General Provisions

A) Comprehensive Plan Compliance. All sketch plans, preliminary plans, final plats and the provisions contained therein, along with all other plan, map, design and other materials submitted by applicants for approval of a subdivision or plat, re-plat or plat vacation, shall be in compliance with the Lake County Comprehensive Plan.

B) Development Standards.

1) All subdivisions within the County shall conform to the minimum development standards of this Chapter.

2) All improvements within all subdivisions shall comply with the regulations, restrictions, and requirements of the plumbing code, electrical code, and highway access code of the State of Colorado, and any other applicable regulations of Lake County.

C) Zoning Compliance and Subdivision Location. Subdivisions may be located in any zoning district provided that the characteristics of the proposed subdivision are consistent and in harmony with the characteristics, requirements and purpose of the zoning district(s) in which the subdivision is located. Subdividers shall offer to the Planning Commission and the Board of County Commissioners satisfactory evidence that the zoning of the area in which a subdivision, plat, re-plat or vacating of a plat is proposed is consistent with and in harmony with the anticipated uses that would result from approval.

D) Suitability of the Land for Subdividing. Lands subject to natural hazards such as flooding, rock falls, snow slides, wildfire, extreme erosion or other natural or man-made hazards shall not be platted for any use which might endanger the health, safety or welfare of the
residents or users in the event that the hazards present in the area can not be adequately or properly mitigated.

E) **Public Improvements and Maintenance.** The Board of County Commissioners shall withhold all public street improvements and maintenance from all rights-of-way which have not been accepted for maintenance purposes by the Board. Roads accepted for maintenance purposes by the Colorado Department of Highways will be similarly accepted by Lake County for maintenance.

F) **Dedication and Acceptance.** Final plat approval shall not constitute acceptance of maintenance responsibility by Lake County for the roads, alleys or other public lands dedicated on such plat. Acceptance of dedicated lands for maintenance shall only occur upon completion of construction of improvements thereon in accordance with Lake County specifications and the Lake County Board of County Commissioners has by a separate resolution agreed to undertake maintenance of the same.

(Amended. Resolution #2015-25)

G) **Reservation and Dedication of Public Sites.**

1) **General.**

   a) Reservation and dedication of public sites shall be accomplished consistent with the statutory requirements and criteria set forth in C.R.S. Section 30-28-133.

   b) It shall be the responsibility of a subdivider to provide land within a proposed subdivision, either through dedication, reservation, or by payments in lieu of dedication or reservation, for public use areas. Such dedication, reservation or payments in lieu shall be made to Lake County prior to or concurrently with the recording of a final plat.

   c) Public use areas shall include land for parks (including trails, open space, bicycle and jogging paths, wildlife habitat, and recreation areas) and schools, pursuant to C.R.S. Section 30-28-133, but shall not include land for streets, roads and utility services.

2) **Schedule for the Reservation and Dedication of Public Sites Other than Schools.** Upon recommendation of the Planning Commission, the Board of County Commissioners shall determine the proportion of a proposed subdivision, if any, to be reserved or dedicated to Lake County for public uses pursuant to C.R.S. Section 30-28-133. The amount of land to be dedicated or reserved shall be stated in writing and shall be roughly proportional to the impacts of the total proposed development (typically 20%). In considering the proportion of land, if any, to be reserved or
dedicated for public or community purposes, including but not limited to open space, the Planning Commission and the Board of County Commissioners shall take into account the size, location and characteristics of the proposed subdivision and the current and likely future uses of the surrounding area.

3) Procedures and Requirements for Reservation and Dedication.

a) Areas proposed for reservation and dedication shall be suitable and usable for the purpose(s) and use(s) intended. Factors to be considered in determining the suitability and usability of sites include but are not limited to the size, location, and characteristics of the population to use the sites and the size, location, slope, drainage and other physical characteristics of the sites to be reserved or dedicated. The location and characteristics of the sites to be reserved and dedicated shall be determined by the Board of County Commissioners upon recommendation by the Planning Commission and by other public agencies, with an interest in the development and serving of the proposed subdivision.

b) Dedication of sites to Lake County shall be achieved through deed or other legal transfer of the property at the time of final plat approval and before or concurrently with the recording of the final plat. Property conveyed shall be free and clear of all liens and encumbrances, except general taxes for the year of conveyance.

c) The Board of County Commissioners shall, at its discretion, determine the intended uses of land dedicated to Lake County. Any public or quasi-public body may petition the Board of County Commissioners for the use or ownership of county land so dedicated for public purposes or for use of the fees generated in lieu of such dedication and such petitions shall be heard in a regular meeting of the Board of County Commissioners and shall illustrate the proposed facilities, intended uses of the dedicated land, justification for the proposed need and benefit to the residents of the development from which the dedication is made. The decision of the Board of County Commissioners shall be conveyed in writing to the petitioner and recorded in the minutes of that meeting where the decision is made.

d) In the event of a reservation or dedication for the use of owners of lots within a subdivision, the developer shall provide for the creation of a homeowners' association or similar organization with powers of assessment for maintenance, improvements and upkeep of such areas and the provisions contained within the homeowners' association bylaws or similar governing document containing the requisite powers shall be approved by the Board of County Commissioners prior to approval of a final plat.
4) **Payment in Lieu of Dedication.**

a) Upon written request by an applicant, the Board of County Commissioners may accept cash payment in lieu of dedicated land, in whole or part, not to exceed the current market value of such land that would have otherwise been dedicated to the county. Current market value of the undeveloped land shall be determined mutually by the subdivider and by the Board of County Commissioners and, if they fail to reach a satisfactory agreement, the current market value shall be determined by the subdivider obtaining an appraisal of the land by a competent appraiser of his choice and at his expense, and the Board of County Commissioners obtaining an appraisal of the same property by an appraiser of its choice and at its expense. The average of these 2 appraisals shall be deemed to be the current market value of the property in question.

b) Cash payments received by the Board of County Commissioners in lieu of dedicated land shall be held in a special account by the Board of County Commissioners for the purposes allowed by law and these payments shall be used either by Lake County or, upon a decision by the Board of County Commissioners, by a public or quasi-public agency for the benefit of the residents of the subdivision.

5) **Dedication of Land for School Sites or Payment in Lieu Thereof.**

a) The obligation of a subdivider to dedicate land for school sites, or to make payment in lieu thereof, shall be governed by C.R.S. Section 30-28-133 and this subsection. In the event of any conflict between this subsection and any other provision of this Code, the provisions of this subsection shall control.

b) In accordance with the provisions of this subsection, a subdivider shall dedicate sites and land areas for schools when such dedications are reasonably necessary to serve the proposed subdivision and the future residents thereof. Such dedication shall also be roughly proportional to the impacts of the proposed subdivision.

c) All proposed plans for a subdivision shall be distributed by the County to the Lake County School District as required by law and the other provisions of this Code. When a proposed subdivision involves 20 or more dwelling units, Lake County School District shall, in turn, submit to Lake County specific recommendations with regard to the adequacy of its school sites and the adequacy of its school structures in light of the proposed new subdivision. Such recommendation shall be submitted within the time provided in C.R.S. 30-28-136(2).
d) The Board of County Commissioners shall consider and give due consideration to any recommendation submitted by Lake County School District with respect to the impact of the proposed new subdivision. The Board of County Commissioners shall additionally have the authority to require the subdivider to meet with the Lake County School District to discuss the anticipated impacts of the proposed new subdivision on the Lake County School District, and possible solutions to mitigate such impacts. If the recommendations submitted to the County by the Lake County School District indicate that there are or will be a lack of available schools to serve the residents of the proposed new subdivision, based upon such reasonable and lawful criteria or standards as may be established from time to time by the Lake County School District, the Board of County Commissioners may require the subdivider to dedicate such sites and land areas for schools as are reasonably necessary, in the judgment of the Board of County Commissioners, to serve the proposed subdivision and the future residents thereof, or to make payment in lieu thereof as provided in this subsection. Alternatively, at the option of the subdivider and with the consent of the Board of County Commissioners, the subdivider may satisfy any obligation imposed pursuant to this subsection by entering in to a public improvements agreement directly with the Lake County School District.

e) At the option of the subdivider, and with the approval of the Board of County Commissioners, the subdivider may pay to the County a sum of money not exceeding the fair market value of the sites and land areas required to be dedicated for school sites, or a combination of such dedication and payment; provided, however, that the value of the combination shall not exceed the fair market value of the sites and land areas. Any sums collected by the Board of County Commissioners pursuant to this subsection may, if the approved by the Board of County Commissioners, be paid directly to the Lake County School District. If not paid directly to the School District, such sums shall be subject to disbursement by the Board of County Commissioners pursuant to C.R.S. 30-28-133(4.3).

f) If sites and land area are dedicated to the county, to the Lake County School District or to the public for school purposes, the Board of County Commissioners may, at the request of the affected entity, sell the land. In such circumstance the subdivider shall have a right of first refusal as provided in C.R.S. 30-28-133(4)(a)(II).

g) The Board of County Commissioners shall deny approval of a proposed subdivision if there is or will be a lack of available schools to serve the residents of the proposed subdivision unless the subdivider is required as a condition of approval to dedicate school sites and land areas as provided in this subsection, or unless the subdivider has, prior to final plat approval, entered into an approved
public improvement agreement with the Lake County School District as provided in this subsection.

6) **Guarantee of Improvements.**

a) No final plat shall be recorded until the developer has submitted an acceptable Development Improvements Agreement or similar contract setting forth the plan, parties responsible and method for the construction of all required public improvements shown on the final plat documents and the Board of County Commissioners approving that agreement. The agreement or contract shall comply with the design standards of the County or prevailing engineering practices and shall, in the judgment of the Board of County Commissioners, make reasonable provision for completion of the specified improvements in a specified time period, with appropriate phasing, as a condition for acceptance by the Board.

b) Suitable collateral in an amount not less than 100 percent of the estimated cost of the construction of the public improvements for the subdivision shall accompany the final plat submission to ensure completion of the public improvements according to design and time specifications. Such collateral shall be in the form of a payment and/or performance bond, cash, or other suitable financial security instrument acceptable to the Board of County Commissioners.

c) If the improvements required to be installed are not constructed in accordance with the required specifications, the County shall notify the subdivider of the noncompliance and establish schedules for the correction of the noncompliance. If the Board of County Commissioners determines that any or all of the improvements will not be constructed in accordance with the specifications, the County shall have the power to declare a default under the Subdivision Improvements Agreement and withdraw from the deposit of collateral such funds as are necessary to construct the improvements in accordance with the specifications previously established.

d) Should a subdivider not provide suitable collateral to ensure completion of the required public improvements, no final plat shall be accepted by the County Clerk and Recorder until said improvements are constructed and approved by the Board of County Commissioners. As the required public improvements in a subdivision are completed, the subdivider may apply in writing to the Board of County Commissioners for a partial or full release of the collateral. Upon receipt of such requests, the Board of County Commissioners or its appointed agent shall inspect the public improvements that have been completed. If the Board determines from such inspection that the improvements have been made in accordance with the final plat and the Subdivision Improvements Agreement, a
portion of the collateral shall be released, provided that the Board retains collateral equal in amount to 125 percent of the cost of the uncompleted improvements.

7) **Dedication of Land for Other Public Services.** Such other land as may be required for the extension of necessary public services to the proposed subdivision shall also be dedicated to the appropriate public or quasi-public agencies, or payments made in lieu of such dedication shall be made to the County. The amount of such dedication or reservation shall be roughly proportional to the impacts of the proposed subdivision. Specific legal descriptions of all dedicated lands will be required at the time of preliminary plan submission.

### 6.2.2 Manufactured Home Park Subdivisions

Developers applying for the establishment of a manufactured home subdivision shall comply with all of the requirements and provisions contained in this Section 6.2 and shall also comply with the requirements of Section 5.2.13, the manufactured housing park use regulations, except that:

A) When the subdivision design standards and manufactured housing park design standards address the same site considerations, the manufactured housing park standards shall be applied.

B) The Registration of Occupants and Maximum Residency provisions of the manufactured housing park regulations shall not apply to manufactured housing park subdivisions so long as the individual subdivided spaces are owner occupied.

C) Subdivisions reviewed and approved as manufactured housing park subdivisions shall be so noted as manufactured housing subdivisions at a prominent location of the final plat.

D) All other provisions of this Code shall apply to the establishment, operation, construction within, re-platting and vacating of a plat of a manufactured housing park subdivision except as noted in this Code.

### 6.2.3 Subdivision Design Standards and Specifications

The following design standards and specifications shall apply to all subdivisions to be proposed, reviewed, accepted or platted in Lake County:

A) **General Subdivision Design Standards and Specifications.** In addition to the design standards and specifications listed below, all proposed subdivisions shall be designed to implement the goals, objectives, policies and other provisions of the *Lake County Comprehensive Plan* and shall be located and laid out to protect the public health, safety, welfare and convenience of the residents of the proposed subdivision and to preserve and enhance the natural terrain, vegetation, soils, natural drainages, land forms and other positive characteristics of the site.
B) **Subdivision Lots.** All lots shall conform to the following specifications:

1) Lot dimensions and other characteristics shall conform to applicable zoning district requirements and all other applicable provisions of this Code.

2) All lots shall have access to a public street or road.

3) Lots with double frontage shall be avoided except where unavoidable to provide separation from major arterials, incompatible land uses or topographical or other environmental considerations.

4) Wedge shaped lots or lots fronting on cul-de-sacs shall not be less than 40 feet in width at the front property line.

5) No lots shall be divided by county or municipal boundaries, roads, easements, or other lots.

6) Potential building sites shall be delineated on any lots significantly affected by any designated or known 100 year flood plain, major drainage way, areas with slopes of 20 percent or greater or other identifiable natural or man-made hazards.

7) No building permit shall be issued for construction on portions of building lots with 20 percent or greater slope unless the applicant submits a special engineering study to the County Building Inspector showing the feasibility of the site for the intended structure(s) and describing the mitigation measures to be used to overcome excessive slope problems. Lots where there are no buildable sites with less than 20 percent slope shall be so noted as excessive slope lots on the final plat.

8) Applicants may, at their discretion, delineate proposed building envelopes on sites for reasons in addition to those cited above.

9) Street configuration and the layout of lots shall promote the conservation of energy by the future residents of the proposed subdivision and shall allow for the maximum access to solar energy sources by those residents.

C) **Subdivision Blocks.** Block lengths and widths shall be appropriate to the types of land use anticipated in the subdivision, consistent with the requirements of the zoning district(s), and compatible with the terrain. The following criteria shall be used for determining the suitability of block characteristics:

1) Adequacy of block size for the provision of building sites appropriate to the uses within the proposed subdivision.
2) Adequacy of block size for convenient access, vehicular and pedestrian circulation and control and safety of street traffic.

3) Relationship of block characteristics to the limitations and opportunities of topography.

4) When a tract is to be subdivided into larger parcels than one-half acre, such parcels shall be so arranged to allow the opening of future rights-of-way and logical future subdivision of the tract and adjoining lands.

D) Survey Monuments. Permanent survey monuments shall be set within all subdivisions pursuant to C.R.S. Title 38, Article 51, and any additional requirements established by the Board of County Commissioners.

6.3 ROADWAYS

The Roadway Design Standards and Construction Specifications for Lake County, Colorado, in its entirety, is hereby incorporated by this reference into this Code in the form attached as Exhibit A. Except as otherwise provided in this section, roadways shall be constructed to the standards and specifications stated in this Code, the Roadway Design Standards, and any other applicable regulations of Lake County or the State of Colorado.

When the County Commissioners determine that a provision of the Roadway Design Standards will result in an inequitable or unintended consequence or create an unsafe situation, the County Commissioners may waive compliance with such provision. Action taken to grant such a waiver shall be memorialized in the written record of the meeting at which such waiver was granted.

6.3.1 The road system shall be devised for the most advantageous development of the entire area. Roads in adjoining developments shall be continued between developments and the road system shall provide for the future projection of roads into subdivided and unsubdivided adjoining property.

6.3.2 Except in the case of Minor Subdivisions, at least 2 means of access to the subdivision should be provided, so that all lots within the subdivision are provided with adequate ingress and egress in the event of an emergency. In the case of Major Subdivisions, more than two entrances may be required when necessary to protect public health and safety. In other cases, if the applicant demonstrates good cause, the Board of County Commissioners may waive the requirement of two means of access if it deems the second access not necessary to protect public safety. Any proposed Subdivision with less than two means of access shall be required to be approved by the Board of County Commissioners, upon recommendation of the Leadville/Lake County Fire Department, Lake County Road and Bridge Department and the Lake County Land Use Department.
6.3.3 When a development abuts or contains an existing or proposed arterial road or highway, the Board of County Commissioners or Colorado Department of Transportation may require service roads, reverse frontage lots with screen planting in a reservation strip abutting the arterial, or other such treatment as may be necessary to adequately protect residential properties and separate local and through traffic.

6.3.4 When a proposed development is located in an area serviced by a county road, the existing level of service for the subject road must be maintained. If the existing level of service will be reduced by the traffic generated by the proposed development, the Board will determine the improvements necessary to maintain the existing level of service. If the Board determines that the traffic generated by the development will result in safety hazards for drivers, pedestrians or adjacent residents, or result in substantially increased county maintenance costs, the Board will determine the improvements necessary to bring the road to acceptable standards for safe and adequate service.

6.3.5 When a development borders on or contains a railroad right-of-way or a limited access highway right-of-way, the Board of County Commissioners may require construction of a road approximately parallel to and on each side of such right-of-way, at a distance from the right-of-way suitable for appropriate use(s) of the intervening land.

6.3.6 Roads shall have the names of existing roads with which they are in alignment. There shall be no duplication of road names within the development or adjoining areas, and names of roads shall be subject to approval by the Land Use Department. Developers shall be required to furnish and install road signs and all traffic control devices required in the proposed subdivision.

6.3.7 Road jogs with centerline offset shall be avoided wherever possible.

6.3.8 Dead-end roads (not including cul-de-sacs) shall be prohibited unless they are platted to the boundary of the development and are so located to provide logical connection to future roads in adjoining undeveloped lands. All dead-end roads shall be provided with a temporary turnaround right-of-way easement having a diameter of at least 50 feet.

6.3.9 There shall be a minimum number of intersections of residential roads with state and federal highways. No more than two roads shall intersect at one point.

6.3.10 Wherever there exists a dedicated or platted half road or alley adjacent to the tract to be developed, the other half of the road or alley shall be platted or dedicated. This requirement may be waived at the discretion of the Board of County Commissioners when the Board determines it is the public interest to vacate said existing, adjacent half road or alleyway.

6.3.11 All development roads shall be designed and constructed in a manner that will reduce to

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the greatest extent practical snow accumulation on such roads. The Board of County Commissioners may require structural means of mitigating snow accumulation on development roads when other proposed means are shown to be inadequate to prevent excessive snow accumulation. The Board may also require the platting of areas reserved for snow removal and storage if necessary to preserve the functioning of the road system.

6.3.12 When a tract of land proposed for development includes any part of an existing or planned state highway, it shall be the responsibility of the developer to cause the right-of-way for said state highway to be platted and reserved for purchase by the State of Colorado.

6.3.13 When a tract of land proposed for development includes any part of an existing or planned county road or highway, it shall be the responsibility of the developer to cause the right-of-way for said county road or highway to be platted and dedicated for public use.

6.3.14 When an existing access right-of-way to public domain lands traverses a proposed development, such existing access right-of-way or an alternative access route acceptable to the Board of County Commissioners and the public agency managing such public domain lands shall be provided in the design of the proposed development.

6.4 UNDERGROUND UTILITIES

All utilities shall be placed beneath the ground. Such underground utilities shall be constructed to the standards and specifications of the Roadway Design Standards and Construction Specifications for Lake County, Colorado (RDS), and any other applicable regulations of Lake County or the State of Colorado.

6.5 UTILITY EASEMENTS

Utility easements, when needed, shall measure 12 feet on each side of rear lot lines. On subdivision perimeter rear lot lines adjacent to unsubdivided property, utility easements shall measure 15 feet in width. Side lot easements, where necessary, shall measure 5 feet in width on either side of the property line. If the location of utility easements adjacent to rear property lines is unsuitable for use by utility companies due to drainage, irrigation or other obstructions, a developer shall provide like width easements adjacent to said areas of obstruction. Utility easements shall be subject to approval by the applicable utility companies and, where required, additional easements shall be required for main switching stations and substations, except that the Board of County Commissioners may require easement locations and widths other than those specified by a utility company for a particular subdivision. Developers shall make the necessary arrangements with each serving utility for the installation of required utilities.

6.6 DRAINAGE, EROSION, SEDIMENTATION AND FLOOD CONTROL

6.6.1 General. Developers shall be responsible for the design and construction of all drainage and erosion, sedimentation and flood control facilities required to direct and control all
permanent and seasonal water and for proving all necessary drainage easements. All facilities shall be designed by a registered professional engineer licensed to practice in the State of Colorado and qualified in the fields of hydrology, hydraulics and soils engineering. Such facilities shall be designed and constructed in a manner that will protect all roadways and lots, permit the unimpeded flow of natural water courses, ensure the adequate drainage of all low areas and avoid stream degradation within and downstream from the proposed subdivision.

6.6.2 Standards.

A) All drainage and erosion, sedimentation, and flood control facilities shall be constructed to the standards and specifications of the Roadway Design Standards and Construction Specifications for Lake County, Colorado (RDS), and any other applicable regulations of Lake County or the State of Colorado.

B) Drainage systems proposed as part of a proposed subdivision or PUD shall be based on consideration of the drainage basin as a whole and shall be capable of accommodating not only runoff from the proposed development but also, where applicable, the runoff from areas adjacent to and upstream from the development itself. Total runoff shall be calculated using standard engineering techniques and drainage easements shall be provided as necessary to accommodate an expected flow in any 25 year period.

C) Drainage structures shall be designed to prevent heavy sedimentation within, or erosion or overtopping of channels, or damage to structures. Drainage structures shall be designed in a manner that will not increase the magnitude, depth or velocity of flow at the point where channels cross the boundary line of the proposed development, or increase the stream channel energy gradient within or without the proposed development.

D) The proposed development shall be designed so as to cause minimal erosion problems. To that end, the design and execution of the proposal shall ensure that the proposed development be constructed in a manner which will minimize disturbance of existing vegetation and soil cover, adequate provision shall be made for re-vegetation and for soil stabilization during and after development of the site, all cuts and fills shall be designed, engineered and landscaped to control erosion as well as provide stability for the entire mass and natural drainage patterns shall be preserved and protected from increased water flows that could alter such patterns or subject existing channels and adjacent areas to increased erosion.

E) Natural vegetation shall be preserved adjacent to streams, rivers, lakes and reservoirs and the planting of trees and bushes, where feasible, is encouraged along open areas. In addition, all road cuts and fills shall be replanted or re-seeded with grasses suited to the environment.
F) Applicants shall consult with the Lake County Soil Conservation District and any other appropriate agencies in the development of drainage, sedimentation and erosion control measures.

G) Portions of a proposed subdivision located within a designated one hundred year floodplain shall be subject to the design limitations, standards and regulations established by the Board of County Commissioners in Resolution No. 97-34, A Resolution Concerning Flood Damage Prevention. If land within a proposed subdivision is currently not within a designated floodplain but is within a flood hazard area as identified by the Federal Emergency Management Agency (FEMA) or as identified by the flood plain studies within the submission requirements, an applicant shall comply with the design limitations, standards and regulations established by the Board of County Commissioners upon recommendation by the Planning Commission and review by the Colorado Water Conservation Board. Alternately, the applicant may request that the Board of County Commissioners initiate floodplain designation procedures pursuant to this Code or the Board of County Commissioners may, upon recommendation of the Planning Commission, decide to initiate such designation procedures. The applicant shall then supply the requisite technical information for a floodplain study and said study shall be reviewed by the Colorado Water Conservation Board. Following this review, the Board of County Commissioners shall decide whether to designate the floodplain pursuant to this Code. Such designation, if made, shall then require issuance of a H.B.1041 development permit for development in the designated area.

H) These conditions shall be satisfied before an applicant may submit a final plat, a site plan, or other final development plan to the Planning Commission. All proposed development within a designated or identified floodplain located within a proposed subdivision shall comply with these provisions.

I) Proposed developments which are planned to take place in or adjacent to a streambed may require issuance of a dredge and fill permit pursuant to Section 404 of the Federal Clean Water Act, PL 92-500. If such a permit is required, evidence of its issuance must be provided to the Board of County Commissioners prior to approval of a final plat or other development approval.

J) A 50 foot strip of land measured horizontally from the mean identifiable high water mark on each side of any running stream or creek located within the boundaries of a proposed development shall be protected in its natural state with the exception that footpaths, bridges, bicycle and jogging paths, irrigation structures, drainage and erosion control structures, flood control devices and outdoor recreation fixtures may be constructed thereon. If such stream is located along the outer boundaries of a proposed development, this requirement shall apply to that part of such stream and strip which is located within the proposed development.
6.7 SANITARY SEWAGE DISPOSAL SYSTEMS

6.7.1 General. No final plat shall be approved by the Board of County Commissioners unless or until a practical method of sanitary sewage disposal is available for the lots within that subdivision. Sewage disposal facilities that are provided for all lots within a subdivision by a community or centralized sewage disposal system shall be favored. Efficient expansion of the existing service areas of the Leadville Sanitation District is also favored.

6.7.2 Standards. Any sanitary sewage disposal system for a proposed Major or Minor Subdivision shall meet the following conditions and requirements:

A) When any point of the perimeter of a proposed Major or Minor Subdivision is within four hundred feet (400 feet) of a centralized sanitary sewer system, all lots in said subdivision shall connect to such system if the operator of such system is willing and able to provide the necessary sewer service to the subdivision. This provision shall apply to all phases of a multi-phase development, if any portion of the multi-phase development is within four hundred feet (400 feet) of a centralized sanitary sewer system. No phase of a multi-phase development shall be treated as an independent project. The determination of whether a project shall be treated as independent or part of a multi-phase development shall be made by the Board of County Commissioners, which shall consider the following factors in making their decision:

1) Whether the proposed project has been described in the past as part of a multi-phase development;

2) Whether the proposed project requires the construction of access or infrastructure in contiguous land or future developments in order to achieve full compliance with the requirements of this Code; and

3) Whether access to and/or through the proposed project is designed in such a manner as to provide access to future development on other parcels.

B) Notwithstanding the above, all proposed Major or Minor Subdivisions within the UR (Urban Residential) zone district are required to either establish a centralized sanitary sewer system specifically designed to meet the requirements of the subdivision, or to connect to a sanitary sewer system operated by a special district if the operator of such system is willing and able to provide the necessary sewer service to the subdivision.

C) Public sewage collection, treatment and disposal facilities shall be required in subdivisions with a net density greater than one dwelling unit per one-half acre of residential land and may be required by the Board of County Commissioners in other subdivisions where percolation or other tests reveal soil or other conditions unsuitable for on-site individual sewage disposal systems.
D) Where county, municipal, or special district plans indicate that the construction or extension of sewage collection lines may serve a proposed subdivision within five years, the Board of County Commissioners shall require the installation of capped sanitary sewer mains and house connections in addition to the installation of temporary on-lot sewage disposal systems.

E) All proposed subdivisions that do not meet the above criteria shall provide on-lot disposal systems prior to the occupancy or use of buildings constructed thereon. Whenever on-lot sewage disposal systems are proposed, the subdivider shall either install such facilities or require by deed restrictions or otherwise in a manner satisfactory to the Board of County Commissioners as a condition of sale of each lot that on-lot sewage disposal facilities be installed by the purchaser of said lot at the time that the principal building is constructed and before it is occupied. Such on-lot sewage disposal systems shall comply with the sewage disposal system requirements contained in this Code and with all other Lake County and State of Colorado statutes governing the construction of such systems.

F) Any connection to a centralized sanitary sewer disposal system shall be made pursuant to and in accordance with the applicable rules and regulations of the operator of such system.

6.8 WATER SERVICE

6.8.1 General. No final plat shall be approved by the Board of County Commissioners unless or until a practical water supply system is available for the lots within that subdivision. Water service that is provided to every lot or parcel by a community or collective water supply and distribution system shall be favored. Efficient expansion of the existing service areas of the Parkville Water District is also favored. Water supplies shall be treated, as necessary, by methods acceptable to the Colorado Department of Health.

6.8.2 Standards. Any water supply system for a proposed Major or Minor Subdivision shall meet the following conditions and requirements:

A) There shall be sufficient water quantity, quality, dependability and pressure to provide an appropriate supply of water for the type of subdivision proposed, as determined by the review of an applicant's water supply plan and/or other documents submitted to the office of the State Engineer.

B) When any point of the perimeter of a proposed subdivision is within four hundred feet (400 feet) of a centralized water supply system, all lots in said subdivision shall connect to such system if the operator of such system is willing and able to provide the necessary water service to the subdivision. This provision shall apply to all phases of a multi-phase development, if any portion of the multi-phase development is within four hundred feet (400 feet) of a centralized water supply system. No phase of a multi-phase development shall be treated as an independent project. The determination of whether a project shall be...
treated as independent or part of a multi-phase development shall be made by the Board of County Commissioners, who shall consider the following factors in making their decision:

1) Whether the proposed project has been described in the past as part of a multi-phase development;

2) Whether the proposed project requires the construction of access or infrastructure in contiguous land or future developments in order to achieve full compliance with the requirements of this Code; and

3) Whether access to and/or through the proposed project is designed in such a manner as to provide access to future development on other parcels.

C) When all points on the perimeter of a proposed subdivision are located more than four hundred feet (400 feet) from a centralized water supply system, said subdivision shall provide individual on-lot water supply systems. The subdivider shall install such systems or shall require by deed restriction or otherwise in a manner satisfactory to the Board of County Commissioners, as a condition of sale of each lot within the proposed subdivision, that such on-site water supply systems shall be installed by the purchaser of the lot at the time of the construction of the principal building and before it is occupied.

D) Notwithstanding the above, all proposed Major or Minor Subdivisions within the UR (Urban Residential) zone district are required to either establish a centralized water supply system specifically designed to meet the requirements of the subdivision, or to connect to a water supply system operated by a special district if the operator of such system is willing and able to provide the necessary water service to the subdivision.

E) Where county, municipal, or special district plans indicate that the construction or extension of a centralized water supply system may serve a proposed subdivision within five years, the Board of County Commissioners shall require the installation of capped water mains and house connections.

F) The Board of County Commissioners may deny a proposed Preliminary Plat or Final Plat if it determines the applicant has failed to demonstrate that underground aquifers are adequate to supply the projected future needs of the development, or if well permits are not available from the Colorado Division of Water Resources.

G) Centralized water treatment and distribution systems shall be sized hydraulically to meet the initial and future demands of the proposed subdivision and over-sizing of lines may be required for likely extensions. Such systems shall be sized hydraulically for maximum day plus fire demands or peak hour, whichever is greater. Maximum day demand shall be assumed to be as 3 times average day demand and maximum hour demand shall be assumed to be 6 times average day demand. In addition, new centralized water systems shall be designed with sufficient treatment and storage capacity to serve the specified
maximum hour demands for a period of six hours or a maximum day demand plus the required fire demand for the specified duration. In addition, proposed centralized water supply systems shall be required to meet such other design and construction characteristics as the Board of County Commissioners may from time to time establish and as have been established by any water and sanitation district or water district in which the proposed subdivision would be located.

H) Applicants proposing subdivisions that would utilize existing centralized water treatment and distribution systems shall provide, prior to approval of a Preliminary Plan, evidence in writing of the willingness and ability of the owner of said system to provide potable water in a quantity, quality and pressure, on an uninterrupted basis, adequate to serve the present and future needs of the proposed subdivision.

I) Applicants proposing subdivisions that would not utilize existing centralized water treatment and distribution systems shall be required to provide evidence from a reputable laboratory that the water available to the proposed subdivision meets all applicable state and federal drinking water standards or that it can and will be subject to established water treatment methods that will allow it to meet such standards.

J) Any connection to a centralized water supply system shall be made pursuant to and in accordance with the applicable rules and regulations of the operator of such system.

6.9 FIRE SAFETY AND PROTECTION

6.9.1 All development occurring under this Code shall comply with the requirements of this Section and any other applicable fire safety regulations adopted by the Board of County Commissioners.

6.9.2 Centralized water treatment and supply systems shall meet fire supply needs to the satisfaction of the applicable firefighting agency. No final plat shall be approved and recorded until that agency has stated in writing that the proposed water supply, or supplemental supplies available to that agency, are adequate for fire suppression purposes.

6.9.3 The Board of County Commissioners may require proposed developments to include fire lanes where the forested portion of a proposed development joins or parallels National Forest boundaries. Such lanes shall be of sufficient width to allow the passage of tractors, trucks, and other heavy firefighting equipment and the lanes to be cleared shall be indicated on the preliminary plan. In cases where fire lanes are required, provision shall be made for them in the Development Improvements Agreement, including provision that all slash materials, vegetative residue, fallen trees, limbs, roots and related material shall be removed from the development or cut for firewood and stacked at appropriate sites. The width and other characteristics of required fire lanes shall be established for each proposed development by the Board of County Commissioners in consultation with the appropriate
6.9.4 Fire hydrants shall be required in all developments serviced by a centralized water treatment and distribution system. Hydrants shall be spaced not more than 1,000 feet apart and provided with adequate pressure, flow and duration, as determined by prevailing underwriter standards, for fire fighting purposes. Stubs for hydrants also are required where capped water lines are installed.

6.9.5 Where fire hydrants are not required in a proposed development, the Board of County Commissioners may require that a developer provide alternative fire protection systems. Alternative fire protection systems shall be approved by the Leadville/Lake County Fire Department and the Lake County Board of County Commissioners in compliance with the UNIFORM FIRE CODE and other applicable standards and regulations.

6.10 AVALANCHE MITIGATION

Subdivisions proposed to be located in or adjacent to proposed snow slide areas shown on the Lake County maps, must designate such areas on the Preliminary Plat and Final Plat, and ensure that no structures intended for human habitation or human use or occupation are located in such areas.

6.11 OTHER PUBLIC IMPROVEMENTS

Other reasonable improvements, including bicycle paths and sidewalks, not specifically mentioned in this Code but found by the Board of County Commissioners to be necessary to address the anticipated impacts of the development and to be roughly proportional to those impacts, shall be required to be shown on the final plat or final development plans.

6.12 OFF-STREET PARKING AND LOADING

6.12.1 General Off-Street Parking Requirements.

A) For every building erected or structurally altered, off-street parking spaces shall be provided in accordance with Table 6.1. Each space shall measure at least 8 feet by 20 feet and shall be paved or gravel surfaced. A parking lot that contains more than 30 parking spaces must be paved. Areas included in driveways or otherwise required to move cars in and out of parking spaces shall not be considered to meet off-street parking space requirements. Parking lot spaces shall be arranged in such a manner that vehicles will not back directly from an off-street parking space into a right-of-way.

B) Parking spaces abutting an exterior street lot line of a parcel shall be provided with bumper blocks or curbing to prevent vehicle overhang into the public right-of-way or over any sidewalk.
C) Residential off-street parking spaces shall be located on the same lot as the dwelling(s) they serve.

D) Parking requirements shall apply to all zoning districts. When more than one use is conducted on a single lot or parcel, parking shall be required for all uses, even though one use is accessory to another.

E) All parking lot aisles shall be at least 20 feet in width.

F) All parking areas shall provide an additional area equivalent to 25 percent of the parking space and aisle area for snow storage. Up to 15 percent of the snow storage area may be combined with the required landscaped areas. A snow management plan must be provided.

G) Each off-street parking lot containing more than 30 parking spaces shall provide one or more landscaped areas dispersed within the parking area and which shall be a portion of the overall site landscaping requirement. The landscaped area(s) of such parking lots shall constitute no less than 10 percent of the total gross area of the parking facility and said plan shall contain a plan for the maintenance of all landscaping to be installed. In addition, the plan shall indicate the location of the areas to be landscaped and show by reference the type and location of vegetation and the type of ground cover to be installed.

H) A portion of the total number of required off-street parking spaces in each off-street parking lot shall be specifically designated, located, and reserved for use by persons with physical disabilities.

1) The minimum number of accessible spaces to be provided shall be a portion of the total number of off-street parking spaces required, as determined from the following schedule. Parking spaces reserved for persons with disabilities shall be counted toward fulfilling the overall off-street parking standards.

<table>
<thead>
<tr>
<th>Total Parking Spaces Provided</th>
<th>Minimum Number of Accessible Spaces</th>
<th>Minimum Number of Van-Accessible Spaces</th>
<th>Minimum Number of Car-Accessible Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-25</td>
<td>1</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>26-50</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>51-75</td>
<td>3</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>76-100</td>
<td>4</td>
<td>1</td>
<td>3</td>
</tr>
</tbody>
</table>
2) All parking spaces reserved for persons with disabilities shall be 12 feet by 20 feet and shall provide access aisles immediately adjacent to such spaces, as follows:

   a) Car-accessible spaces shall have at least a 5-foot wide access aisle located adjacent to the designated parking space.

   b) Van-accessible spaces shall have at least an 8-foot wide access aisle located adjacent to the designated parking space.

3) Required spaces for persons with disabilities shall be located in close proximity to building entrances and shall be designed to permit occupants of vehicles to reach the building entrance on an unobstructed path.

4) Required spaces for persons with disabilities shall be identified with signs and pavement markings identifying them as reserved for persons with disabilities. Signs shall be posted directly in front of the parking space at a height of no less than 42 inches and no more than 72 inches above pavement level.

6.12.2 Minimum Off-Street Parking Requirements.

A) The following Off-Street Parking Schedule establishes the minimum number of off-street parking spaces to be provided for general use categories. Unless the applicable standard addresses employee parking, additional off-street parking spaces shall be provided to meet the projected demand for employee parking.

<table>
<thead>
<tr>
<th></th>
<th>101-150</th>
<th>151-200</th>
<th>201-300</th>
<th>301-400</th>
<th>401-500</th>
<th>501-1,000</th>
<th>Over 1,000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spaces</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>8</td>
<td>9</td>
<td>2% of total spaces</td>
<td>20 + 1 per each 100</td>
</tr>
<tr>
<td>Accessible spaces</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td>1 out of every 8 accessible spaces</td>
<td>spaces over 1,000</td>
</tr>
<tr>
<td>Accessible spaces</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
<td>7</td>
<td>7 out of every 8 accessible spaces</td>
<td></td>
</tr>
</tbody>
</table>

Table 6.1: Off-Street Parking Schedule
<table>
<thead>
<tr>
<th>Use Category</th>
<th>Specific Use Type</th>
<th>Number of Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household Living</td>
<td>Caretaker Residential Unit</td>
<td>1 per unit</td>
</tr>
<tr>
<td></td>
<td>Single-Family and Duplex</td>
<td>2 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td>Manufactured Housing Park or Subdivision</td>
<td>2 per mobile home</td>
</tr>
<tr>
<td></td>
<td>Multi-Family</td>
<td>2 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td>Rooming/Boarding House</td>
<td>1 per rooming unit</td>
</tr>
<tr>
<td>Group Living</td>
<td>Nursing Homes and Assisted Living Facilities</td>
<td>1 per 4 beds + 1 per each 3 employees</td>
</tr>
<tr>
<td></td>
<td>Other Group Living</td>
<td>1 per 4 beds</td>
</tr>
<tr>
<td>Institutional and Civic</td>
<td></td>
<td></td>
</tr>
<tr>
<td>College</td>
<td>All</td>
<td>1 per 2 students</td>
</tr>
<tr>
<td>Community Service</td>
<td>Membership Clubs and Lodges</td>
<td>1 per 250 square feet or 1 per 4 patrons, whichever results in more spaces</td>
</tr>
<tr>
<td></td>
<td>All other</td>
<td></td>
</tr>
<tr>
<td>Day Care</td>
<td></td>
<td>1.5 per employee + drop-off/pick-up area</td>
</tr>
<tr>
<td>Detention Facilities</td>
<td>Jails, Reformatoryies, Rehabilitation Centers</td>
<td>1.1 per employee</td>
</tr>
<tr>
<td>Hospital/Clinic</td>
<td></td>
<td>1 per 2 beds + 1 per employee</td>
</tr>
<tr>
<td>Parks and Open Space</td>
<td>Parks and Playgrounds</td>
<td>20 spaces per athletic field or ball diamond or 1 per 4 seats whichever results in more spaces</td>
</tr>
<tr>
<td></td>
<td>Golf Course or Driving Range</td>
<td>6 per hole</td>
</tr>
<tr>
<td>Activity</td>
<td>Type</td>
<td>Description</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Religious Assembly</td>
<td>All</td>
<td>2 per 100 square feet of floor area used for assembly or seating</td>
</tr>
<tr>
<td>Safety Services</td>
<td></td>
<td>1 per employee</td>
</tr>
<tr>
<td>Schools</td>
<td>Elementary and Junior Highs</td>
<td>2 per classroom</td>
</tr>
<tr>
<td></td>
<td>High Schools</td>
<td>1 per 4 students</td>
</tr>
<tr>
<td>Utility, Basic</td>
<td></td>
<td>1 per employee</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Entertainment Event, Major</td>
<td></td>
<td>2 per 100 square feet of floor area used for assembly or seating</td>
</tr>
<tr>
<td>Office</td>
<td></td>
<td>4 per 1000 square feet of Gross Leasable Area</td>
</tr>
<tr>
<td>Recreation and Entertainment, Outdoor</td>
<td>Group Camps</td>
<td>1 per 3 persons</td>
</tr>
<tr>
<td></td>
<td>Guest Ranches and Vacation Lodges</td>
<td>1 space per rental unit + 75 percent of spaces required for other associated uses</td>
</tr>
<tr>
<td></td>
<td>All Other</td>
<td></td>
</tr>
<tr>
<td>Retail Sales and Service</td>
<td>Bars / Nightclubs</td>
<td>1 per 2 persons</td>
</tr>
<tr>
<td></td>
<td>Banks</td>
<td>1 per 300 square feet</td>
</tr>
<tr>
<td></td>
<td>Bowling Alleys</td>
<td>4 per lane</td>
</tr>
<tr>
<td></td>
<td>Convenience Store</td>
<td>1 per 100 square feet</td>
</tr>
<tr>
<td></td>
<td>Hotels/Motels</td>
<td>1 per room + 75 percent of spaces required for other associated uses (e.g., restaurants, bars, office, meeting areas)</td>
</tr>
<tr>
<td>Use Type</td>
<td>Permitted Location</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>---------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Funeral Home/Mortuary</td>
<td>1 per 4 seats</td>
<td></td>
</tr>
<tr>
<td>Restaurants</td>
<td>1 per 3 seats + 1 per employee</td>
<td></td>
</tr>
<tr>
<td>Shopping Centers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Less than 15,000 square feet</td>
<td>1 per 200 square feet</td>
<td></td>
</tr>
<tr>
<td>15,000 to 400,000 square feet</td>
<td>1 per 250 square feet</td>
<td></td>
</tr>
<tr>
<td>400,000 to 600,000 sq ft</td>
<td>1 per 225 square feet</td>
<td></td>
</tr>
<tr>
<td>600,000 square feet + With Theaters</td>
<td>1 per 200 square feet</td>
<td></td>
</tr>
<tr>
<td>Theaters</td>
<td>1 per 4 seats</td>
<td></td>
</tr>
<tr>
<td>Vehicle Sales</td>
<td>spaces equal to 10 percent of vehicle display area</td>
<td></td>
</tr>
<tr>
<td>Other Retail Sale, High Volume, Stand-Alone (e.g., supermarkets, clothing and department stores, shopping complexes, hardware building supplies, and similar uses)</td>
<td>1 per 200 square feet (includes employee parking)</td>
<td></td>
</tr>
<tr>
<td>Other Retail Sales, Low Volume, Stand-Alone (e.g., appliance sales, repair shops and similar uses)</td>
<td>1 per 400 square feet (includes employee parking)</td>
<td></td>
</tr>
<tr>
<td>Other Service Business, Stand-Alone (e.g., beauty/barber shops, frozen food lockers, laundries, and similar uses)</td>
<td>1 per 300 square feet (includes employee parking)</td>
<td></td>
</tr>
<tr>
<td>Self-Service Storage</td>
<td>1 per 8 storage units</td>
<td></td>
</tr>
<tr>
<td>Vehicle Repair</td>
<td>2 per service bay + 1 per employee</td>
<td></td>
</tr>
<tr>
<td>Vehicle Service, Limited</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car Wash, Self-Service</td>
<td>3 per bay</td>
<td></td>
</tr>
<tr>
<td>Car Wash, Full-Service</td>
<td>10 per bay</td>
<td></td>
</tr>
<tr>
<td>Service Stations</td>
<td>4 per service bay</td>
<td></td>
</tr>
<tr>
<td>Category</td>
<td>Type</td>
<td>Requirement</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Other Vehicle Service</td>
<td></td>
<td>2 per service bay + 1 per employee</td>
</tr>
<tr>
<td><strong>Industrial</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing or Production</td>
<td></td>
<td>1.5 per thousand square feet of manufacturing floor area</td>
</tr>
<tr>
<td>Mining</td>
<td></td>
<td>1 per employee</td>
</tr>
<tr>
<td>Warehouse and Freight Movement</td>
<td></td>
<td>1 per 1.5 employees or 1,000 square feet, whichever results in more spaces</td>
</tr>
<tr>
<td>Waste-Related Uses</td>
<td></td>
<td>1.1 per employee</td>
</tr>
<tr>
<td>Wholesale Sales</td>
<td></td>
<td>1.1 per employee</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>Feedlot</td>
<td>1 per employee</td>
</tr>
<tr>
<td>Aviation or Surface Passenger Terminal</td>
<td></td>
<td>1 per employee + spaces required to satisfy projected peak parking needs</td>
</tr>
<tr>
<td>Communications Facilities</td>
<td></td>
<td>1 per employee</td>
</tr>
</tbody>
</table>

B) Requirements for types of buildings and uses not specifically enumerated in Table 6.1 shall be determined by the Land Use Department based upon the requirements of comparable uses listed above and prevailing elsewhere in the surrounding area.

### 6.12.3 Off-street Loading Requirements.

A) For the purpose of providing off-street loading and unloading of goods, buildings or structures to be built or substantially altered which receive and distribute materials and merchandise by truck shall provide and maintain off-street loading berths in sufficient number to accommodate the needs of the particular use.

B) If the gross floor area of the building is less than 10,000 square feet at least one berth shall be provided. If the gross floor area of the building is equal to or greater than 10,000 square feet, the number of berths provided shall be one for each additional 15,000 square feet, or fraction thereof, of gross floor area over and above the first 10,000 square feet.
C) A loading berth shall contain, at a minimum, a space 10 feet wide, 35 feet in length and maintain a vertical clearance of at least 14 feet. Where the vehicles routinely used for loading or unloading exceed these dimensions, the required size of loading berths may increase to accommodate such vehicles.

6.13 REQUIREMENTS FOR SOLAR ENERGY ACCESS

6.13.1 When reviewing an application considering whether to approve, recommend approval of, or issue a permit for the construction, reconstruction or alteration of any structure, the Board of County Commissioners, the Planning Commission, and the Land Use Department shall take into consideration whether the location, height, yard setbacks, bulk or other characteristics of the proposed structure or proposed structural alteration(s) would significantly reduce access to sunlight for any solar energy device installed on or in or under construction on or in any neighboring buildings or other structures. Evidence that the proposed structure or structural alteration would in fact significantly reduce or limit access to sunlight for such solar energy devices is sufficient reason to disapprove, to recommend the disapproval of, or to deny the issuance of a permit for the proposed structure or structural alteration.

6.13.2 Any covenant, restriction, or condition contained in any deed, contract, security instrument or other instrument affecting the transfer or sale of, or any interest in, real property solely on the basis of aesthetic considerations which effectively prohibits or restricts the installation or use of a solar energy device is void and unenforceable. However, this provision shall not apply to aesthetic provisions which impose reasonable restrictions on solar energy devices and which do not significantly increase the cost of the device. Nor shall this provision be construed as exempting solar energy devices from the requirements and special regulations that apply in an established SCO or APO zoning district.

6.14 SIGNS


A) Permit Requirement. No sign or outdoor advertising device shall be erected, altered or moved unless such sign conforms to the regulations contained within this Code and unless a permit for such sign has been issued by Lake County, or such sign is expressly exempted from the provisions of this Code.

B) Relationship to Other Regulations.

1) Nothing in this Code shall be construed as exempting an applicant for a sign permit from any other requirements of Lake County or from other State of Colorado or federal laws, regulations or requirements including but not limited to those contained
within:

a) C.R.S. Title 43, Article 1;

b) *The Rules and Regulations Pertaining to Outdoor Advertising* promulgated by the Colorado Department of Highways on January 1, 1982, as amended; and

c) All interim, final and amended Tourist-Oriented Directional Signs rules and regulations adopted by the Colorado Department of Highways.

2) To the extent that a) the requirements of this Section 6.14 differ from any other applicable requirements of this Code or with the Colorado Department of Highways rules and regulations cited above, and (b) the State of Colorado has not expressly preempted authority to regulate in such areas, the more restrictive requirements shall apply.

### 6.14.2 Exemptions

The following types of signs shall be exempt from the provisions of this regulation and shall not require the issuance of a permit:

A) Signs required or authorized for a public purpose by law.

B) Signs with a surface area of 4 square feet or less, with no more than one such sign posted on the frontage and no more than 2 such signs to be placed on the lot or parcel except that warning of prohibited activities such as trespassing, hunting, fishing, or swimming may be posted in greater number.

C) Signs erected in a public right-of-way by a public agency to control, direct or inform traffic or pedestrians.

D) Cornerstones, monuments, commemorative tablets and historical signs of not more than 24 square feet.

E) Decorative signs incidental and customary and commonly associated with national, local and religious holidays and celebrations provided that such signs shall be displayed for a period of not more than 60 days nor more than 60 days in one year.

F) Traffic control signs.

G) Any interior sign or advertisement that may or may not be visible from the outside.

H) Temporary signs where the total sign area does not exceed 32 square feet.

### 6.14.3 Sign Standards and Requirements
A) **Prohibited Signs.** The following types of signs shall be prohibited in all zoning districts:

1) Signs that are not securely affixed to any structure or securely mounted or not constructed or installed to withstand substantial snow and wind loading.

2) Signs mounted, attached or painted on motor vehicles, trailers, boats or other mobile fixtures when such signs are used as additional advertising devices on or near a business premises.

3) Signs with search lights, revolving beacons, flashing lights or with any type of animation or intermittent lighting effects except standardized traffic control and aircraft directional equipment.

4) Any sign designed to emit sounds.

5) All signs located in a public right-of-way, other than traffic-control devices.

6) Signs designed so as to resemble public signs and devices controlling traffic movement.

7) Roof-mounted signs that project above the highest point of a roof line or fascia of a building.

8) Archway signs across any public right-of-way unless such signs indicate clearly in lettering highly visible to motor vehicle operators that the roadway is a public right-of-way and if a county road, stating the county road number.

9) Signs attached to a building and projecting a perpendicular distance of more than 3 feet from the wall of the building.

10) Signs attached to a building and projecting in parallel a distance of more than 3 feet from the wall of the building.

11) Signs announcing a proposed development prior to the granting of Final Plat approval(s) for such development by Lake County.

12) Signs of more than 4 square feet identifying a home occupation.

13) Signs with metallic surfaces that reflect light in a dangerous or intense manner.

14) Signs attached to any tree or utility pole.
B) **Illumination.**

1) Internally illuminated signs shall be allowed in the IM, B, and CI zoning districts, and shall be prohibited in all other zoning districts.

2) Except as listed above, signs shall be illuminated only from the exterior and shall be constructed of opaque material that prevents passage of the illumination to another side of the sign. Illuminated signs shall have the illumination source shielded from public rights-of-way and from residential uses and lodging facilities.

3) Nothing in this illumination provision nor any other provision of these sign regulations shall be construed as prohibiting signs illuminated from the exterior with tubes of neon or other electrically charged inert gases.

C) **Planned Unit Developments (PUDs).** Signs located or to be located within a PUD shall conform with the provisions of this code except when differing sign provisions are incorporated in the development plan for the PUD and approved as a part of the development plan by the Board of County Commissioners.

D) **Construction and Maintenance.** All signs and sign structures shall be well constructed from materials of sufficient strength and quality to withstand premature weathering or deterioration by wind, moisture and other natural elements and shall be maintained at all times in a state of good repair with all braces, bolts, clips, supporting framework, fastenings and lettering and design work free from deterioration, insect damage, rot, rust, loosening or excess peeling.

The County Building Inspector shall have the authority to order the repair, alteration or removal of any sign which constitutes a hazard to health, safety or property. In the event that such a sign has not been removed, altered or repaired within 30 days after written notification by the County Building Inspector, the Board of County Commissioners shall have the authority to remove said sign at the expense of the owner of the property on which the sign is located.

E) **On-site Signs.** In the IM, B, and CI zoning districts, except as otherwise noted in this Code, the following on-site signs shall be permitted:

1) **General Business Identification Signs.**

   a) In R zoning districts, one or more identification signs, including fascia signs, per use by right or approved conditional use, provided the surface area of all such signs on a single lot or development does not exceed 50 square feet if the speed limit on the public street in front of such use is 35 mph or less; and does not exceed 64 square feet if the speed limit on the public street in front of such use is
greater than 35 mph, except that home occupation signs shall not exceed 4 square feet.

b) In AF, AR, and RC zoning districts, one or more identification signs, including fascia signs, per use by right or approved conditional use, provided 1) that the surface area of all such signs on a single lot or property does not exceed 100 square feet, and 2) no individual sign exceeds 50 square feet if the speed limit on the public street in front of such use is 35 mph or less; and does not exceed 64 square feet if the speed limit on the public street in front of such use is greater than 35 mph, except that home occupation signs shall not exceed 4 square feet.

c) In IM, B, and CI zoning districts, on-site signs except that no use by right or conditional use in such districts shall be denied one or more identification signs, including fascia signs, of at least 50 square feet, except that home occupation signs shall not exceed 4 square feet.

d) In IM, B, and CI zoning districts and in all other zoning districts where such signs would face onto a State or Federal highway, the following on-site signs shall be permitted in addition to the signs allowed above:

i) Individual businesses located on a corner lot shall be allowed one sign per each frontage abutting a public street at the rate of one square foot of sign area per one linear foot of street frontage up to a maximum of 100 square feet.

ii) Each use shall be entitled to a sign area of 50 square feet at a minimum. Such sign area may be increased at the rate of one square foot of sign area per each linear foot of street frontage in excess of 50 linear feet up to a maximum of 100 square feet of sign area. Uses with a lease or rental area in excess of 100,000 square feet shall be permitted a maximum of 200 square feet of sign area per wall area visible to a public right-of-way.

iii) One freestanding identification sign per street frontage shall be allowed to identify individual businesses, or individual uses in shopping centers or business, commercial and industrial parks provided such signs do not extend more than 15 feet above ground level and provided that the surface area of such signs does not exceed one square foot of sign area per each 3 feet of linear street frontage to a maximum of 200 square feet per sign.

iv) One directory sign shall be allowed identifying individual businesses within a shopping center or business, commercial or industrial park per entrance, provided that the surface area of such sign does not exceed 75 percent of the area of the identification sign for the center or park.
v) No on-site sign located in any zoning district shall be more than 30 feet high, nor extend more than 30 feet above the surface of the roadway(s) it is intended to serve. See also 6.14.3 F) on height limitations of off-premise signs.

2) Signs advertising the sale of products produced or raised on the premise in the RUR and AF zone districts, provided that the total number of signs does not exceed 4, that they are not illuminated and provided that the total surface area of such signs does not exceed 40 square feet nor the surface area of any one sign exceed 20 square feet.

3) Identification signs for residential developments in the UR and RM zone districts, provided that only one sign shall be allowed for each subdivision entrance, the surface area of such sign shall not exceed 50 square feet if the speed limit on the public street in front of such use is 35 mph or less; and shall not exceed 64 square feet if the speed limit on the public street in front of such use is greater than 35 mph, the maximum height of such signs shall not, except for archway signs, exceed 10 feet in height, and such signs shall not be located closer than 10 feet from rights-of-way.

4) One identification sign per model home within an approved subdivision, provided that the surface area each sign does not exceed 25 square feet and such signs shall be required to meet the minimum yard setback requirements of the zoning district in which they are located.

5) Directional signs are allowed and not counted as part of the total sign area allowed per individual use or per shopping center, business, commercial or industrial park provided that the total number of signs shall not exceed 4 and provided that the surface area of each sign does not exceed 20 square feet. Directional signs shall not be required to meet minimum yard setback requirements of the district in which they are located, but shall be placed to avoid impairing traffic flow or visibility at intersections.

6) Portable Signs:

1) The sign must not be larger than 3 feet in width and 5 feet in height.

2) The sign must be placed on the same property where the business is located.

3) The sign must be maintained in good repair at all times.

4) The sign must be removed and stored inside when the business or activity being advertised by the sign is not open.

5) If placed on a sidewalk, the sign must be located on the curb side of the sidewalk.
but shall not extend over the curb; nor shall such sign obstruct the natural flow of pedestrian travel, or shall it be placed in such a manner or location where it impedes motor vehicle operator visibility of pedestrians or of the vehicles along the existing sight angles at intersections.

6) Each business or activity shall be limited to one portable sign.

7) The sign must be adequately secured to the ground or a stable object to prevent the sign from moving or blowing over in high winds or other forces.

7) Temporary On-Site Signs Permitted.

1) Temporary "for sale," "for rent" and "for lease" signs provided that the total surface area of all such signs on a property so advertised shall not exceed 32 square feet. All such signs shall maintain a 10 foot setback from all property lines.

2) Temporary advertising signs for the sale, rental or lease of dwelling units under construction or approved for construction provided that no more than one sign is erected adjacent to each access street to the subdivision and providing that the surface area of each sign does not exceed 50 square feet and its height does not exceed 10 feet.

3) Temporary external promotional signs and displays shall be allowed in all zoning districts except UR and RM and excluding home occupations, provided the total surface area of such temporary signs does not exceed 100 square feet, and such signs are in place for no more than 30 consecutive days.

4) Each temporary sign permit will be valid for 6 months from the date of issuance.

5) Temporary signs and displays meeting these requirements shall be permitted as provided in Section 3.14 of this Code.

F) Off-premise Signs. Off-premise signs are permitted in all zoning districts to identify uses or services oriented to highway travelers, to provide directional signs for emergency services, and as advertising signs, provided such signs meet the following criteria:

1) The uses or services for highway travelers, emergency services or advertising shall be located partially or entirely in Lake County.

2) Each use or service shall be limited to one off-premise sign per highway approach.
3) The off-premise sign shall not be more than 10 feet high nor extent more than 20 feet above ground level nor be more than 64 square feet in sign area.

4) The minimum distance between off-premise signs shall not be less than 660 linear feet.

5) The off-premise sign shall not be located along a designated state or federal scenic byway.

G) **Signs Located in Airport Protection Overlay Districts.** All signs to be located in an established Airport Protection Overlay district shall conform to the special height and other requirements and provisions of that district.

H) **Signs Located in a Scenic Conservation Overlay District.** All signs to be located in a Scenic Conservation Corridor Overlay district must conform with the requirements of that district. Applications for a permit for a sign in a Scenic Conservation Overlay district must be reviewed and approved in accordance with the procedures described in Section 3.14 prior to a decision to issue a sign permit.

6.14.4 **Measurement of Signs.** In measuring the area of signs, the structure or bracing of the sign shall be omitted from the measurement unless such structure or bracing is made part of the message or face of the sign. In determining the surface area of a sign, the County Building Inspector shall measure the smallest single continuous perimeter enclosing the extreme limits of the display surface(s) of the sign including borders and nonstructural trim.

6.15 **DESIGN CRITERIA**

(Amended: Resolution #2015-11)

6.15.1 **General.** Unless otherwise specified, these criteria shall apply to all proposed development requiring a Site Plan review pursuant to Section 3.15 of this Code. These standards shall apply in addition to the basic standards set forth in this Chapter 6.

6.15.2 **Building Design and Scale.**

A) The use shall preserve the views and vistas and the design of the use shall be compatible with both the surrounding natural environment and the historic and rustic mountain architecture;

B) The nature, scale, appearance and intensity of the use shall not be in conflict with the local

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unique and historic architecture;

C) Operational performance standards of the use and/or building shall comply with the requirements of Section 5.2.9 and 5.2.10;

D) Structures shall be constructed with materials that are aesthetically pleasing and do not detract from the local and historic high mountain architecture:

E) The scale of buildings on the site shall be in keeping with the scale of the structures on adjacent properties and the nature of the proposed use;

F) At least one main entrance shall directly face to the street and provide a clear view of the public entry;

G) Commercial, industrial and multi-family buildings shall have clearly defined, highly visible entrances;

H) To the extent possible buildings shall be oriented to take advantage of solar energy;

I) A variety of materials and colors should be used on each building to avoid uniform facades. Various depths, overhangs, materials and textures should be incorporated into the building design.

J) The design and scale of the development shall not cause unnecessary or excessive site disturbance.

6.15.3 Lighting Standards. Any outdoor light used for the illumination of parking, loading or recreational areas, or for any other private or public purpose, shall meet the following:

A) Exterior lighting shall be designed so that light is directed downward;

B) Exterior lighting shall be fully shielded or arranged in a manner so that concentrated rays of light will not shine directly onto other properties;

C) The direct or reflected light from any light source shall not create a traffic hazard. Colored
lights shall not be used in such a way as to be confused or construed as traffic control devices;

D) Blinking, flashing or fluttering lights, or other illuminated device which has changing light intensity, brightness or color shall be prohibited in all zone districts;

6.15.4 Landscaping Guidelines. The purpose of landscaping is to create buffers between residential and non-residential uses. Landscaping may be required as a condition of approval for certain land uses to mitigate the impact of a use on adjacent properties.

A) Existing trees, shrubs and natural and other significant features should be preserved and integrated within planting areas.

B) Plants used for landscaping should be compatible with the local climate and the soils, drainage and water conditions of the site. When planting occurs on hillsides, slopes, drainage ways or similar natural areas, plant material should duplicate adjacent plant communities both in species composition and special distribution patterns. Whenever possible, drought-resistant varieties of plant materials shall be utilized. Xeriscape design principles and the use of native plant species shall be used when appropriate.

C) All portions of the site where existing vegetative cover is damaged or removed, that are not otherwise covered with new improvements or landscaping, shall be re-vegetated with a mix of native, adaptive and drought tolerant grasses and ground covers. The density of the reestablished vegetation must be adequate to prevent soil erosion and invasion of noxious weeds after one growing season.

D) Buffer Required:

1) Landscaping should be used to screen from view uses such as trash enclosures, storage areas, mechanical equipment, loading docks, and similar items where such areas are visible from public roads, sidewalks or open space.

2) Landscaping should be installed to effectively buffer proposed commercial or industrial uses from surrounding residential uses and to provide a landscaped buffer along collector and arterial streets.

E) Landscaping Within Off-Street Parking Areas. All off-street parking areas containing fifteen (15) or more spaces should provide landscape buffers when adjacent to street
rights-of-way. Landscape buffers may be achieved through the use of earthen berms, shrubs, trees or other appropriate materials to effectively screen the parking area from the rights-of-way.