

CHAPTER 5: SITE DEVELOPMENT

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CHAPTER 5: SITE DEVELOPMENT

Section 5.1

Section 5.1

GRADING, DRAINAGE, AND EROSION AND SEDIMENT CONTROL

When the Standards for approval of a development permit application require that grading, drainage, and erosion and sediment control be satisfactorily addressed, the provisions of *Section 5.1 Grading, Drainage, and Erosion and Sediment Control* apply.

A. General

1. **Natural Features.** The natural features of the land such as drainage-ways, rock formations, soil, vegetation, and topography shall, at all times, be preserved as much as possible. All manufactured slopes, other than those constructed in rock, are to be planted or otherwise protected from the effects of storm runoff erosion and be of such a character so as to cause the slope to blend with the surrounding terrain and development.
2. **Plant Materials.** Plant materials are to be species adapted locally, disease-resistant and appropriate for the specific use and location, considering such site-specific elements as elevation, aspect, slope, soils, wind direction, precipitation, and surrounding uses. Seeding is to be of a mix and at a rate of application approved by the Natural Resources Conservation Service (NRCS). The plant list shall include no noxious weeds as officially designated by the Teller County Weed Management Board (list available through the Colorado State University Cooperative Extension Service), even though some such noxious weeds may commonly be considered “wild flowers” and appear as commercial nursery stock. At no time shall any officially designated noxious weed be planted, nor shall any such noxious weeds be permitted to remain untreated throughout their entire reproductive season. Applicant must provide for the maintenance of all planting until growth is established.
3. **Drainage, Sedimentation, Erosion Control.** Where the proposed development would increase the amount of drainage onto adjoining and/or adjacent properties or roadways above the historic runoff, a Drainage Study and Report (*Section 5.1.C*) and an Erosion and Sediment Control Plan (*Section 5.1.D*), prepared by a Registered Professional Engineer licensed in the State of Colorado and qualified to practice in this area of engineering and that meets all standards of *Section 5.1* is required.
 - a. **Design Storms.** The initial storm is defined as the five-year storm. A major storm is defined as the 100-year storm.

Section 5.1.A.4

4. **Floodplain Development.** In no case is the area within the 100-year floodplain to be used for structural development without a Flood Plain Development Permit pursuant to *Section 6.3 Flood Hazard Areas* of these Regulations. In no case will a development be allowed to affect either the location of discharge, magnitude, depth, slope of stream bed, or velocity of drainage flows upstream or downstream from the development or the stream channel slope within the development unless part of a Federal or State floodplain protection plan, or a regional or local floodplain protection plan approved and adopted by the Board of County Commissioners.
5. **Easements.** When development is traversed by a water course, drainage way, channel, or stream, a storm water easement or drainage right-of-way must be provided. The easement width shall be adequate for both water flow and maintenance operations, but in no case less than 10 feet.

B. Preliminary Drainage Study and Report. A required Preliminary Drainage Study and is to include, at a minimum, the following information:

1. General Location

- a. City streets, Teller County roads, State highways, and local roads within and adjoining and/or adjacent to the site or area to be served by the drainage improvements.
- b. Quarter-section, section, township and range within which the site is located.
- c. Major existing drainageways and irrigation or other facilities.
- d. Names of surrounding developments, if any, or major property owners.

2. Property Description

- a. Area of the site, in acres or square feet.
- b. Ground cover (type/s of trees, shrubs, vegetation, general soil conditions, topography, and slope).
- c. Major drainageways and irrigation facilities including ditches and canals.
- d. Proposed land use and general project description.

3. Major Basin Description

- a. Reference to major drainageway planning studies, if any, including flood hazard delineation reports, major drainageway planning reports, and FEMA flood insurance rate maps.
- b. Major basin drainage characteristics, and existing and planned land uses within the basin as identified by the Planning Director.
- c. Identification of all nearby irrigation facilities, if any, within 100 feet of the property boundary which will influence or be influenced by the local drainage.
- d. As necessary, a Floodplain Study meeting the technical standards established by the Colorado Water Conservation Board shall be provided.

4. Sub-basin Description

- a. Discussion of the historic drainage patterns of the property in question.
- b. Discussion of off-site drainage flow patterns and impact on development under existing and fully developed basin conditions, as defined by the Planning Director.

5. Drainage Facility General Design Concept

- a. Discussion of concept and typical drainage patterns.
- b. Discussion of compliance with off-site runoff considerations.
- c. Discussion of anticipated and proposed drainage patterns.
- d. Discussion of the content of tables, charts, figures, plates, or drawings presented in the Preliminary Drainage Study and Report.
- e. Discussion of the need to provide off-site public improvements for conveyance of minor or major flows to the major drainageway.

- 6. References.** Reference to all standards, master plans, and technical information used to support the Preliminary Drainage Study and Report concepts.

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7. **General Location Map(s)**. A map or maps 24" x 36" in size shall be provided in sufficient detail to identify drainage flows entering and leaving the development, and the general drainage patterns. Map scale should be 1" = 1000' to 1" = 8000' and show the path of all drainage from the upper end of any off-site basins to the defined major drainageways. The map shall identify any major facilities extending from the property along the flow path to the nearest major drainageway (by way of example **only**: other development, irrigation ditches, existing detention facilities, culverts, storm sewers, *etc.*). Basins and divides are to be identified and topographic contours are to be included.

8. **Drainage Plan**. A drawing or drawings 24" x 36" in size of the proposed development at a scale of 1" = 20' to 1" = 200' showing:

- a. Existing topographic contours at five-foot maximum intervals on all portions of the land proposed for development to either public or private use, and 10 foot intervals for all areas to remain in their natural state. Areas sloping less than two percent shall have two-foot contour intervals. All contour lines shall be accurate to within one-half the contour interval and extend a minimum of 25 feet beyond the property lines.
- b. All existing drainage facilities.
- c. Approximate flooding limits based on available information.
- d. Conceptual major drainage facilities proposed, including detention basins, storm sewers, swales, riprap, and outlet structures in the detail consistent with a Subdivision Sketch Plan.
- e. Major drainage boundaries and sub-boundaries.
- f. Any off-site feature influencing development.
- g. Proposed flow directions and, if available, proposed contours at a maximum of two-foot intervals, accurate to within one-half the contour interval, and extending a minimum of 25 feet beyond the property lines.
- h. Legend to define map symbols.
- i. Title block.

C. Drainage Study and Report

1. **Submittal Requirements: Text**. The Drainage Study and Report will include the following:

Section 5.1.C.1.a

a. General Location and Description to be depicted:

(1) Location

- (a) Quarter section, section, township, range.
- (b) Local streets and roads within and adjoining and/or adjacent to the proposed development with rights-of-way.
- (c) Major drainageways, irrigation and other facilities, and all easements within and adjoining and/or adjacent to the site.
- (d) Names of adjoining and/or adjacent and major surrounding developments, if any, and property owners.

(2) Property Description

- (a) Area of the site in acres or square feet.
- (b) Ground cover (type/s of trees, shrubs, vegetation, general soil conditions, topography, and slope).
- (c) Proposed land use and general project description.

b. Drainage Basins and Sub-basins

(1) Major Basin Description

- (a) Reference to major drainageway planning studies, if any, including flood hazard delineation reports, major drainageway planning reports, and flood insurance maps.
- (b) Major basin drainage characteristics, existing and planned land uses.
- (c) Identification of all irrigation facilities, if any, within the basin which will influence or be influenced by the local drainage.

(2) Sub-basin Description

- (a) Discussion of historic drainage patterns of the property in question.

**Section
5.1.C.1.b(2)(b)**

- (b) Discussion of off-site drainage flow patterns and impact on development under existing and fully developed basin conditions, as defined by the Planning Director and County Engineer.

c. Drainage Design Standards

(1) Development Standards Reference and Constraints

- (a) Discussion of previous drainage studies for the site in question that influence or are influenced by the drainage design, if any, and how the plan will affect drainage design for the site.
- (b) Discussion of the effects of adjoining and/or adjacent drainage studies, if any.
- (c) Discussion of the drainage impact of site constraints including streets, utilities, rail systems, and existing structures.

(2) Hydrological Standards

- (a) Identify design rainfall.
- (b) Identify runoff calculation method (Rational or SCS Method).
- (c) Identify detention discharge and storage calculation method.
- (d) Identify design storm recurrence intervals.
- (e) Discussion and justification of other standards or calculation methods used.

(3) Hydraulic Standards

- (a) Identify various capacity references.
- (b) Discussion of other drainage facility design standards used.

d. Drainage Facility Design

(1) General Concept

- (a) Discussion of concept and typical drainage patterns.

**Section
5.1.C.1.d(1)(a)**

- (b) Discussion of compliance with off-site runoff considerations.
- (c) Discussion of the content of tables, charts, figures, plates, or drawings presented in the report.
- (d) Discussion of anticipated and proposed drainage patterns.

(2) Specific Details

- (a) Discussion of drainage problems encountered and possible corrective measures at specific design points.
- (b) Discussion of detention storage and outlet design.
- (c) Discussion of maintenance access and aspects of the design.
- (d) Discussion of easements and tracts for drainage purposes, including the conditions and limitations for use.
- (e) Discussion of the facilities needed off-site for the conveyance of minor and major flows to the major drainageway.

e. Conclusions

- (1) Effectiveness of drainage design to control damage from storm runoff.
- (2) Influence of proposed development on the recommendations of any major drainageway planning studies, if any.

- f. References.** Reference all standards and technical information used. The following , as they may be amended or replaced, are recommended: The Teller County Roadway Design and Construction Standards; Procedures for Determining Peak Flows in Colorado - Includes and Supplements Technical Release No. 55 Urban Hydrology for Small Watersheds (Soil Conservation Services, U.S. Department of Agriculture, March, 1984); Areawide Urban Runoff Control Manual (Prepared for Pikes Peak Area Council of Governments by Gilbert, Meyer & Sams, Inc.,

Section 5.1.C.1.f

July 7, 1978, Updated September 28, 1979, Reprinted August, 1985).

- g. Certifications.** Both the Owner/Developer/Applicant Certification and the Engineer’s Certification, using the language provided below, shall appear:

5.1.C.1.g: Owner/Developer/Applicant Certification	
<p>(Name of Owner/Developer/Applicant) hereby affirms that the drainage facilities for (Name of Development) shall be constructed according to the design presented in this report and plan. I understand that Teller County does not, and will not, assume liability for drainage facilities designed and/or certified by my engineer. I understand that Teller County reviews drainage reports and plans but cannot, on behalf of (Name of Owner/Developer/Applicant) and/or their successors and/or assigns, absolve same of future liability for improper design.</p>	
SIGNATURE:	_____
	(Signature of Owner/Developer/Applicant)
NAME:	_____
	(Typed or Printed Name of Owner/Developer/Applicant)
TITLE:	_____
	(Official Title of Owner/Developer/Applicant)
DATE:	_____

Section 5.1.C.1.g

5.1.C.1.g: Engineer's Certification	
This report for the final drainage design of (<u>Name of Development</u>) was prepared by me (or under my direct supervision) in accordance with the provisions of the Teller County Land Use Regulations and Best Engineering Practices, and was designed to comply with the provisions thereof. I understand that Teller County does not, and will not, assume liability for drainage facilities designed by others.	
SIGNATURE:	_____
	Registered Professional Engineer, State of Colorado
	No. _____
	(Affix Seal)
DATE:	_____

2. Submittal Requirements: Calculations

a. Hydrologic Computations

- (1) Land use assumptions regarding adjoining and/or adjacent properties.
- (2) Initial (five-year) and major (100-year) storm runoff at specific design points.
- (3) Historic and fully developed runoff computations at specific design points.
- (4) Hydrographs at critical design points.
- (5) Time of concentration and runoff coefficients for each basin.

b. Hydraulic Computations

- (1) Culvert capacities.
- (2) Storm sewer capacity.
- (3) Gutter capacity.
- (4) Storm inlet capacity, including inlet control rating at connection to storm sewer.
- (5) Open channel design.
- (6) Check and/or channel drop design.

**Section
5.1.C.2.b(7)**

- (7) Detention area/volume capacity and outlet capacity calculations. Depths of detention basins.
- (8) Downstream/outfall system capacity to the major drainageway system.
- (9) Design of riprap protection for culverts, storm sewer outlets.

3. Submittal Requirements: Drawing Contents. All drawing sheets are to be 24" x 36" in size, with north arrow shown.

a. General Location Map. A map shall be provided in sufficient detail to identify drainage flows entering and leaving the development and general drainage patterns. The map should be at a scale from 1" = 1000' to 1" = 8000', and show the path of all drainage from the upper end of any off-site basins to the defined major drainageways. The map shall identify any major construction along the entire path of drainage (by way of example **only**: development, irrigation ditches, existing detention facilities, culverts, storm sewers). Basins and divides are to be identified and topographic contours (maximum 20' intervals) are to be included.


b. Drainage Plan. Drainage Plan map(s) of the proposed development at a scale from 1" = 20' to 1" = 200' will be included and show the following:

- (1) Existing and proposed contours at two-foot maximum intervals extending a minimum of 25feet beyond the property lines.
- (2) Property lines and all easements, with purposes noted.
- (3) Streets, including right-of-way width, flowline width, curb type, sidewalk or trail, and approximate slopes.
- (4) Existing drainage facilities and structures, including irrigation ditches, roadside ditches, drainageways, gutter flow directions, and culverts. All pertinent information including material, size, shape, slope, and location shall also be indicated.

**Section
5.1.C.3.b(5)**

- (5) Over-all drainage area boundary and drainage sub-area boundaries.
- (6) Proposed type of road- or street-flow (*e.g.*, vertical or combination curb and gutter), roadside ditch, gutter, slope and flow directions, and cross pans.
- (7) Proposed storm sewers and open drainageways, including inlets, manholes, culverts, and other appurtenances, including riprap protection.
- (8) Proposed outfall point for runoff from the developed area and facilities to convey flows to the final outfall point without damage to downstream properties.
- (9) Routing and accumulation of flows at various critical points for the initial (five-year) storm runoff listed on the drawing using the format shown in *Table 5-1 Drawing Symbol Standards and Hydrology Review Table* below.
- (10) Routing and accumulation of flows at various critical points for the major (100-year) storm runoff listed on the drawing using the format shown in *Table 5-1 Drawing Symbol Standards and Hydrology Review Table* below.
- (11) Volumes and release rates for detention storage facilities and information on outlet works.
- (12) Location and elevations of all existing floodplains affecting the property.
- (13) Location and (if known) elevations of all existing and proposed utilities affected by or affecting the drainage design.
- (14) Routing of off-site drainage flow through the development.
- (15) Definition of flow path leaving the development through the downstream properties ending at a major drainageway.
- (16) Legend to define map symbols. (See *Table 5-1 Drawing Symbol Standards and Hydrology Review Table* below for symbol standards.)

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5.1.C.3.b(16)**

Table 5-1 Drawing Symbol Standards and Hydrology Review Table			
	A= BASIN DESIGNATION		
	B= AREA IN ACRES		
	C= COMPOSITE RUNOFF COEFFICIENTS		
	D= DESIGN POINT DESIGNATION		
<p>SUMMARY RUNOFF TABLE (to be placed on drainage plan)</p>			
DESIGN POINT	CONTRIBUTING AREA (ACRES)	RUNOFF 5yr (CFS)	PEAK 100yr (CFS)
XX	XX·XX	XX·X	XX·X

(17) Title block.

4. Standards. The Standards of this Section are intended to minimize the likelihood and extent of flooding and environmental damage from uncontrolled, or inadequately controlled, runoff. Storm drainage improvements associated with roadways shall be as per plans approved by the County and in conformance with the submittal requirements and drainage standards set forth in the Teller County Roadway Design and Construction Standards. Where there is a conflict between the Teller County Roadway Design and Construction Standards, any applicable State or Federal law or permit requirement, and the requirements of this *Section 5.1*, the more stringent Standard applies. The specific techniques to be used must be approved by Teller County.

a. No Direct Discharge. There is no allowance for direct discharge of runoff into any water body, including ponds, lakes, creeks, streams, rivers, or irrigation ditches. This may be accomplished by means of filtering sheetflow across sufficient vegetated surface, on-site detention and treatment, and discharge to an adequately designed stormwater conveyance structure and treatment by a stormwater treatment facility prior to release.

b. Minimize Directly-Connected Impervious Areas. The extent of directly-connected impervious areas is minimized. This may be accomplished in several ways, including directing runoff from at least 50 percent of all developed impervious surfaces to drain over grass buffer strips before reaching stormwater conveyance systems; infiltration devices; constructed wetlands; sand filters; over-sizing swales, ditches, and culvert crossings; and substituting low velocity grass lined swales for curb and gutter systems..

**Section
5.1.C.4.c**

- c. Detain and Treat Run-off.** Permanent stormwater detention facilities are designed to: (1) reduce peak flows to historic levels; (2) mitigate the effects of extreme flooding; (3) prevent erosion of downstream channels; and (4) treat stormwater for pollutant removal. Detention facilities are designed to comply with the following Standards:
- (1) Peak Flow Reduction.** Peak flow reduction is accomplished by limiting detention pond release rates to historic (undeveloped) peak flows for all storms up to and including the 1.5-, 5-, 10-, and 25-year, 24-hour design storm. In determining runoff rates, the entire area contributing runoff is considered, including any off-site contribution. Off-site contributions are based on the fully developed potential of the proposed land use(s). To minimize the threat of major property damage or loss of life, all permanent stormwater detention facilities provide for the safe passage of the 100- year storm event.
 - (2) Pollutant Removal.** Removal of pollutants is accomplished by providing 90% trap efficiency for particles 0.005 mm in diameter or larger from the two year, 24-hour storm. For drainage from parking lots, vehicle maintenance facilities, or other areas with extensive vehicular use, this standard may require the use of a sand and oil grease trap or similar practice (e.g., constructed wetland, extended detention with no initial release, *etc.*). Detention and sedimentation ponds have been dedicated for these purposes, and located off-line from any major drainage way or waters of the United States.
 - (3) Channels.** Channels designed to convey stormwater discharge are protected from increased channel scour, bank instability, and erosion and sedimentation from the 25-year design storm. The use of natural drainage ways as receiving streams is required unless it can be shown that no alternatives to changing natural drainage locations exist.
- d. Maintenance.** Adequate provisions have been made for continuing maintenance of any permanently installed storm drainage improvements and facilities.

**Section
5.1.D**

D. Erosion and Sediment Control Plan. Siltation of rivers and other water bodies is a leading cause of water quality impairment in rivers and lakes. This Section applies to any disturbance within 100 feet of a stream, all residential development disturbing more than one-half acre, all commercial and industrial development, including those proposed by Special Review Use Permit, and all proposed subdivisions.

1. Submittal Requirements. An Erosion and Sediment Control Plan, prepared by a qualified professional, consisting of a written Narrative Report and a drawing or drawings of the site either bound into the Report or contained in a map pocket. The Erosion and Sediment Control Plan may also be submitted as part of the Drainage Study and Report. The Erosion and Sediment Control Plan shall contain the following information:

a. Narrative Report. The Narrative Report shall contain the following information, or make reference to the location in the Erosion and Sediment Control Plan where it can be found:

(1) Personal Information. The name and current address and telephone number of the landowner, developer, and Applicant; the name and current address and telephone number of the Registered Professional Engineer licensed in the State of Colorado and qualified to practice in this area of engineering or otherwise qualified preparer of the Erosion and Sediment Control Plan.

(2) Project Description. The project location including quarter-section, section, township and range; a brief description of the nature and purpose of the land disturbing activity; and the amount of grading involved expressed in approximate acreage of disturbance and cubic yards.

(3) Existing Site Conditions. Description of the existing topography, vegetation, and drainage.

(4) Adjoining and/or Adjacent Areas. Description of the characteristics of adjoining and/or adjacent and near-by areas, including such features as ditches, streams, ponds, gullies, residential areas, roads, *etc.*, which might be affected by the proposed land disturbance.

(5) Soils. Brief description of the soils on the site, providing such information as soil names,

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5.1.D.1.a(5)**

mapping unit, erodibility, permeability, hydrologic soil group, depth, texture, and soil structure. This information may be obtained from the Soil Conservation Survey for Teller County, prepared by the Natural Resources Conservation Services.

- (6) **Erosion and Sediment Control**. Description of the methods to be used to control erosion and sedimentation on the site.
- (7) **Permanent Stabilization**. Brief description, including specifications, of how the site will be stabilized after construction is completed.
- (8) **Stormwater Management Considerations**. An explanation of how stormwater will be handled during construction.
- (9) **Maintenance**. A schedule of regular inspections and repair of erosion and sediment control structures.
- (10) **Construction Schedule**. The expected starting and completion dates of the site grading and/or construction, including the installation and removal dates of erosion and sediment control measures, and the duration of exposure of each area prior to the completion of temporary erosion and sediment control measures.
- (11) **Estimates**. Estimate the quantity (in cubic yards) of excavation and fill involved, and the area (in acres) of disturbed surface proposed for grading or fill.
- (12) **Calculations**. Any calculations made for the design of all applicable items including sediment basins, diversions, waterways and runoff and stormwater detention basins.
- (13) **NPDES Permit**. When applicable, evidence of compliance with State and Federal requirements for a National Pollutant Discharge Elimination System (NPDES) permit.
- (14) **Other**. Other information or data as may be required by the Teller County Department of Transportation or other jurisdictional entities at

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5.1.D.1.a(14)**

the time of the pre-submittal meeting (*Section 3.4.B*) or during the Formal Review period (*Section 3.4.D*).

- (15) **Owner/Developer/Applicant Statement**. The following statement, as written, signed by the owner/developer/Applicant. Where the three are different, each shall execute such a statement.

5.1.D.1.a(15): Owner/Developer/Applicant	
This Erosion and Sediment Control Plan has been placed in the Teller County Engineer's file for (<u>Name of Project</u>). The Plan appears to fulfill Teller County's criteria. I understand that Teller County may require that additional erosion control measures be provided by me, or my heirs or assigns, due to unforeseen erosion or sediment problems, or if the submitted Plan does not function as intended.	
SIGNATURE:	_____
	(Signature of Owner/Developer/Applicant)
NAME:	_____
	(Typed or Printed Name of Owner/Developer/Applicant)
TITLE:	_____
	(Official Title of Owner/ Developer/Applicant)
DATE:	_____

- (16) **Signature Page**. The following statements, as written, signed by the preparer of the Erosion and Sediment Control Plan and by the owner/ developer/ Applicant. Where the Owner/Developer/Applicant are different, each shall execute such a statement.

**Section
5.1.D.1.a(16)**

5.1.D.1.a(16): Preparer's Statement	
<p>This Erosion and Sediment Control Plan for (<u>Name of Development</u>) was prepared by me (or under my direct supervision) in accordance with the provisions of the Teller County Land Use Regulations and Best Engineering Practices, and was designed to comply with the provisions thereof. I understand that Teller County does not, and will not, assume liability for Erosion and Sediment Control Plans designed by others.</p>	
SIGNATURE:	_____
DATE:	_____

5.1.D.1.a(16) Owner/Developer/Applicant's Statement	
<p>(<u>Name of Owner/Developer/Applicant</u>) hereby affirms that the Erosion and Sediment Control Plan for (<u>Name of Development</u>) shall be constructed according to the design presented in this report and plan. I understand that Teller County does not, and will not, assume liability for drainage facilities designed and/or certified by my engineer. I understand that Teller County reviews Erosion and Sediment Control Plans but cannot, on behalf of (<u>Name of Owner/Developer/Applicant</u>) and/or their successors and/or assigns, absolve same of future liability for improper design.</p>	
SIGNATURE:	_____
	(Signature of Developer)
NAME:	_____
	(Typed or Printed Name of Developer)
TITLE:	_____
	(Official Title of Developer)
DATE:	_____







- b. Drawing Contents.** All drawing sheets shall be 24" x 36" in size, with north arrow shown.
- (1) A general project site location map at a scale from 1" = 1000' to 1" = 8000'.
 - (2) A boundary line survey of the site on which the work is to be performed.

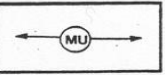
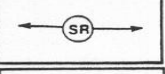
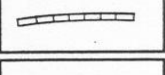
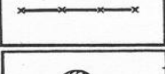
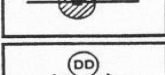

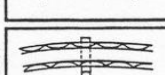
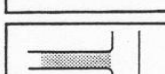
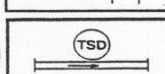
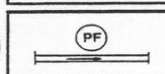
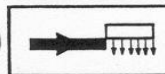

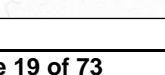
**Section
5.1.D.1.b(3)**

- (3) A plan of the site at a scale from 1" = 20' to 1" = 200'. The Erosion and Sediment Control Plan may be placed on the site drainage plan if it can be clearly presented. The Plan shall include:
- (a) Existing topography at maximum two-foot contour intervals extending a minimum of 25 feet beyond the property line.
 - (b) Proposed topography at a maximum of two-foot contour intervals.
 - (c) Location of any existing structure or natural features on the site.
 - (d) Location of any structure or natural feature on the land adjoining and/or adjacent to the site and within a minimum of 100 feet of the site boundary line. The location of any storm sewer, channel, or creek receiving storm runoff from the site shall also be shown.
 - (e) Location of any proposed additional structures or development on the site.
 - (f) Elevations, dimensions, location, extent, and slope of all proposed grading (including building sites and driveway grades).
 - (g) Plans of all drainage features, paved areas, retaining walls, cribbing, planting, temporary or permanent soil erosion control measures, or other features to be constructed in connection with, or as a part of, the proposed work, together with a map showing the drainage area of land tributary to the site served by any drains. All erosion and sediment control are to be depicted by the standard map symbol given in *Table 5-2 Symbols* below.
 - (h) Limits of areas which are to be cleared and graded.

**Section
5.1.D.1.b(3)(i)**

- (i) Detail drawings of all erosion and sediment control structures.
- (j) Other information or data as may reasonably be required by the Teller County Department of Transportation or other jurisdictional entities.

Table 5-2 Symbols		
RECOMMENDED PLAN SYMBOLS:		
Existing Contour		
Finished Contour		
Drainage Divide		
Limit of Grading		
Storm Sewer		
Boundary of a Control Measure		

TITLE	KEY	SYMBOL
MULCHING	MU	
SURFACE ROUGHENING	SR	
STRAW BALE BARRIER	STB	
SILT FENCE	SF	
STORM DRAIN INLET PROTECTION	IP	
TEMPORARY DIVERSION DIKE	DD	
TEMPORARY SEDIMENT TRAP	ST	
TEMPORARY SEDIMENT BASIN	SB	
TEMPORARY GRAVEL CONSTRUCTION ENTRANCE	CE	
TEMPORARY SLOPE DRAIN	TSD	
PAVED FLUME	PF	
LEVEL SPREADER	LS	
TEMPORARY STREAM CROSSING	SC	

Section 5.1.D.2

2. Standards. Evidence exists that the following are true:

- a. Phasing of Construction Activities.** Construction activities including clearing, grading, road construction, and utilities installation will be phased to minimize soil exposure. Sediment trapping practices and stream and other water body protection will be installed and stabilized before site grading or other construction is initiated.
- b. Soil Stabilization.** All disturbed areas and soil stockpiles will be surface roughened and mulched, or seeded and mulched, or otherwise protected from erosive forces if remaining exposed and inactive for periods longer than 14 days or as determined by the Planning Director. For the purposes of *Section 5.1.D.2*, “exposed” means denuded bare earth unprotected from erosive forces such as wind and water; and “inactive” means lacking construction-related activities. Soils to be exposed during winter will also be protected so erosion will not occur during spring snow melt. Disturbed areas will be mulched, or seeded and mulched, within seven days of completing final grade. Grass or straw mulch will be crimped in place. On slopes steeper than 20%, or within 50 feet of any water body, exposed soils will be hydromulched or covered with pegged nets or mats.
- c. Permanent Revegetation.** Any disturbed area that is, or is to be, inactive for one year or longer will be revegetated with a perennial native grass mix. Within one growing season of project completion, vegetative site coverage will be at least 70% of the disturbed areas.
- d. Cut and Fill Slopes.** In no case will the soil surface of a cut and fill slope remain exposed without an approved method of soil stabilization. Where cut and fill cannot be avoided, slopes are designed to establish long term stability. Permanent vegetation is the preferred approach to stabilizing cut and fill areas where slopes are less than or equal to 3:1. Steeper slopes are stabilized by retaining walls, rock walls, up-slope runoff diversions, slope drains, or other measures appropriate for the specific situation. Step retaining walls, if any, are positioned such that the width of the step is half the height of the wall. Retaining walls over four feet in height are designed by a Registered Professional Engineer licensed in the State of Colorado. Revegetation of the steps is required and has been provided.

Section 5.1.D.2.e

- e. **Construction in or Adjoining and/or Adjacent to a Water Body.** Construction in or directly adjoining and/or adjacent to any water body, including culvert or bridge installation, has bed and bank stabilization. This may include stream isolation through the use of coffer dams, complete containment of the stream in the area of the disturbance, stream crossing structures, or limits on the dates when in-stream work can be performed.
- f. **Channels and Ditches.** New or re-routed irrigation ditches, receiving channels and streams are protected so that flows from the site do not cause erosion and flooding.
- g. **Stormwater Runoff.** Stormwater runoff flows are managed to minimize erosion and sediment transport. Concentrated flows are diverted away from disturbed slopes. The length and steepness of disturbed slopes are minimized, or slope drains are used.
- h. **Sediment and Mud Control.** Sediment and mud are prevented from being transported from the construction site by immediate placement of road base or construction of mud pads in specified access routes. Mud pads are at least 50 feet in length and comprised of angular rock and/or a wheel washing facility. Adjoining and/or adjacent properties are protected by using, at a minimum, sediment fences, straw bales, and silt traps. Storm sewer inlets are protected from entry of sediment-laden water.
- i. **Sediment Detention.** When the contributing drainage area, including the off-site area, is greater than five acres, sediment detention ponds, infiltration devices, and other management practices which store or detain runoff are used to treat sediment-containing runoff prior to discharge from the construction site. These practices are designed to treat runoff from the two year, 24-hour storm. Sedimentation ponds, when included, are designed to achieve 90% trap efficiency for all sediments of 0.005 mm (five thousandths of a millimeter) or larger diameter. If the discharge from the pond is passed through a filtration mechanism (by way of example **only**: a constructed wetland) or infiltration device, the trap efficiency requirements may be reduced. Where the contributing drainage area is less than five acres, a specific engineered design for these sediment trapping facilities is not required; however, silt traps shall be used to detain and treat runoff. Detention and sedimentation ponds must be dedicated for these purposes, and located

Section 5.1.D.2.i

off-line from any major drainageway or waters of the United States. In all cases, public safety measures including adequate fencing are provided as necessary.

- j. Temporary Sediment Ponds.** Temporary sediment ponds that will be removed after successful revegetation of the site are designed to safely detain and release the two-year storm event at its historic, pre-development rate of release; ponds also provide storage and emergency spillway for the 100-year, 24-hour, storm event. Ponds to be left as permanent facilities have a capacity to safely pass the 100-year flood at historic rates and meet any dam and diversion requirements of the State Engineer. Public safety measures including adequate fencing are provided as necessary.
- k. Construction De-Watering.** All construction de-watering activities conforms with the State's construction de-watering permit requirements, which include daily monitoring of total suspended solids with a 30-day average concentration of no more than 30 mg/l and a seven day average of no more than 45 mg/l. Discharges from construction de-watering operations are accomplished in a manner that does not cause erosion.
- l. Inspection and Construction Maintenance.** During construction, the Applicant will inspect all erosion and sediment control devices after any precipitation event, and make any necessary repairs within 72 hours. At a minimum, erosion and sediment control devices will be inspected monthly. An inspection will kept on-site for review by County officials until the project is complete. A copy of the inspection log sheets will be delivered to the office of the reviewing County official at the end of each month during construction.
- m. Permanent Maintenance.** Adequate provisions exist for continuing maintenance of any permanently installed erosion and sediment control devices.

Section 5.2

**Section 5.2
DRIVEWAYS AND ACCESS**

For detailed specifications of driveways, road and bridge drainage standards, roadside improvements, mailboxes, road name signs, and utility installation, the Standards set forth in the Teller County Roadway Design and Construction Standards apply, in addition to any requirement under these Regulations. The following special provision also applies:

Section 5.2.A

- A. Commercial (C-1 Zone) Driveways and Accesses.** When new commercial development is proposed, access points are limited to no more than two points for each physical group of buildings and establishments. Individual lots within a block of lots can not have individual access to a public road.

Section 5.3

**Section 5.3
EXTERNAL EFFECTS**

Section 5.3 applies when the submittal requirements and standards for approval of a development permit application include evidence of no external effects.

External effects include noise, dust, odor, blowing or flowing materials, heat, fumes, smoke, vibration including blasting, air pollution, and water pollution when specifically associated with industrial or commercial uses or the issuance of any development permit by Teller County. Pursuant to the Teller County Right-to-Farm-and-Ranch Policy (Resolution 08-12-99[47]), the provisions of *Section 5.3* do not apply to historical, traditional, legitimate, and reasonable agricultural uses.

- A. Lot, Parcel, or Tract Size.** Any lot, parcel, or tract of land for a proposed use shall be large enough, or reasonable safeguards shall be provided, so that the external effects of the proposed use on adjoining properties, as measured at the property boundary, do not exceed the standards contained herein or as established by State or Federal statutes, regulations, or ordinances. In the event of conflict between a local, State, or Federal statute, regulation, or ordinance, the most restrictive applies.
- B. Application of Regulatory Standards.** Depending on the requirements of the regulatory standard or standards to be applied, an External Effect may be evaluated (a) in terms of its regulatory association with a zone district or specific land use (Case A below); or (b) in terms of its impact when no regulatory zone district or specific use association exists (Case B below).
 - 1. Case A:** When local, State, or Federal statutes, regulations or ordinances establish different standards for different zone district categories (by way of example **only**: residential, commercial, industrial) or different uses, and when the subject parcel zone district or proposed use differs from the zone district or legally existing or allowed uses on an adjoining parcel, the standard to be applied, in all directions, is the local, State, or Federal zone district use standard for the adjoining property. In Teller County, an adjoining agriculturally zoned property is considered a residential property for the purpose of the measurement and regulation of an External Effect.

Section 5.3.B.2

2. **Case B:** When local, State, or Federal statutes, regulations, or ordinances do **not** establish different standards for different zone district categories or uses, the measurement and regulation of an External Effect shall be in accordance with the provisions of the local, State, or Federal regulation required to be applied.

C. **Written Disclosure.** Applicants for any use that has the potential to generate one or more external effect as identified in these Regulations, shall, at the time of the Pre-Submittal Meeting (*Section 3.4.B*), submit a written Disclosure of said potential external effect(s). The Disclosure shall, at a minimum, include a written description of the general characteristics of the site, a brief written description of the site plan, and the means by which Applicant intends to mitigate any potential external effect(s). The purpose of such information is to ascertain whether specific requirements or detailed studies are necessary.

1. **Additional Submittal Requirements.** An application for development pursuant to these Regulations **may** be required to include as part of that development permit application, copies of applications for specific permits required under State or Federal law, copies of permits already issued, or further studies, reports, or documentation in order that Staff, decision-makers, and the general public are fully informed about the external effects of the proposed development. The long-term protection of the public is a valid planning consideration and development decisions, both public and private, shall take into account the relative merits of possible alternative actions.

a. **Notification that Additional Information is Necessary.** The initial determination of the need for additional information will be made pursuant to the Pre-Submittal Meeting (*Section 3.4.B*), with written notification provided to the Applicant.

b. **Provision of Separate Studies or Reports.** In order to demonstrate no adverse external effects, at the discretion of the Planning Director or any decision-making body, separate studies, analyses, plans, or other supporting documentation prepared by qualified individuals may be required to be provided by the Applicant. In determining the adequacy of such additional information, Teller County may require a Third Party Review (*Section 3.4.D.2.c*).

D. **Compliance.** Compliance with the Standards of *Section 5.3.E* shall be demonstrated at the time a development proposal is considered by the decision-making body, based on information provided by the Applicant and reviewing agencies. Subsequent demonstration of compliance **may** be required when there is probable reason to believe that the facilities or

Section 5.3.D

equipment associated with the originally permitted use have either been modified in an unauthorized manner or are no longer performing in a manner consistent with the Standards of approval.

1. **Re-Review for Cause.** Cause for requiring subsequent demonstration of compliance will be based either on (1) physical evidence that unauthorized modifications have occurred or equipment has deteriorated, or (2) a preponderance of complaints from adjoining and/or adjacent property owners or others which, in the judgment of the Planning Director, give the Planning Director probable reason to believe that violations of these standards may have occurred.

2. **Burden of Proof.** Where evidence exists that unauthorized modifications have occurred or equipment has deteriorated, the burden of proof is on the property owner/operator to demonstrate that the facility is in compliance with applicable standards. Where compliance concerns are based on complaints from adjoining and/or adjacent property owners or others, the Planning Director shall rely on his or her professional judgment to determine (1) if the complaint or complaints appear to be merited and probable reason exists, in which case the burden of proof is on the owner/operator to demonstrate compliance; or (2) if the complaint appears to be of questionable merit in which case the burden of proof is on the complainant(s) to demonstrate that the facility is not in compliance with applicable standards.

E. **Specific Standards.** The minimum standards are those established by the Federal government, State of Colorado, or Teller County, whichever is more restrictive. Where no standards have been set by the State or Federal government, the standards established by Teller County apply.

1. **Volume of Sound.** If required by the Staff, the Planning Commission, or the Board of County Commissioners, data from existing noise levels shall be gathered prior to commencement of the use, and monitored after establishment of the use.

a. **Multiple Uses on One Parcel.** Where more than one use is located on a property, then the noise levels will be measured at the property boundaries.

2. **Vibration Generated.** Except as blasting may otherwise be regulated by the State of Colorado, the use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point of any boundary line of the property on which the use is located. Where more than one use is located on a property, this standard will also be measured at the property boundaries.

Section 5.3.E.3

3. **Smoke Emission.** The use shall be operated so emissions do not exceed opacity standards established by the Colorado Department of Health, as verified by a Colorado Department of Health certified opacity reader. The County may require mitigation of specific uses which are located near residential, commercial or recreational uses, or which are prominently located and create highly visible smoke emissions.
4. **Emission of Particulate Matter.** The use shall be so operated that it does not emit particulate matter in excess of State or Federal regulations. Monitoring of certain uses may be required to establish whether compliance with State or Federal regulations is being achieved. The County may require mitigation of specific uses if emissions would create a visual impact in the surrounding area, or would be hazardous to adjoining uses.
5. **Projection of Dust, Noxious Fumes or Odors.** The use shall be operated so that dust, fumes, or odors do not project beyond the boundary line of the property on which the use is located. Where more than one use is located on a property, then each use will be operated so that dust or fumes do not project beyond the boundary line of the property on which the use is located.
6. **Emission of Heat, Glare, Radiation and Electrical Interference.** The use shall be operated so it does not emit a dangerous or discomforting degree of heat, glare, radiation or electrical interference and does not interfere with the normal operation of other equipment or instruments, including normal radio or television reception beyond any boundary line of the property on which the use is located. Sources of emissions shall be shielded, operated indoors or pointed away from neighboring properties.
7. **Outdoor Storage and Waste Disposal**
 - a. Outdoor storage of fuel, flammable or explosive liquids requires approval by the local Fire Protection District, or in instances where the proposed use lies outside of any District boundaries, by the Teller County Fire Marshall or his or her designated representative, for setbacks from roads, buildings or other structures. Approval will be in accordance with the requirements of the Teller County Fire Code or such other fire code as may be properly adopted by the Fire Protection District in which the development is located.
 - b. All outdoor storage shall be adequately screened, fenced, or enclosed by a fence, berm, landscaping, wall, or other screening in order to hide such storage from public

Section 5.3.E.7.b

rights-of-way, and adjoining and/or adjacent properties.
(See also *Section 5.4 Landscaping*.)

- c. No materials or wastes shall be deposited upon a property in such form or manner that they may be transferred off the property by natural causes or forces. Materials and wastes must be stored or disposed of only as approved by the decision-making body, in compliance with appropriate local, State, and Federal waste disposal regulations. A spill control plan approved by the Teller County Environmental Health Department may be required.
- d. Outdoor storage of materials which might cause fumes, dust or blowing materials, or fire hazard, or which may be attractive to rodents or insects is prohibited unless such storage is within closed containers and specifically approved by the decision-making body.

8. Water Pollution. No water pollutant shall be discharged by manufacturing or other processing, unless otherwise permitted by the Colorado Division of Public Health and Environment, Water Quality Control Division. Where potential hazards exist, safeguards and mitigation (1) acceptable to the Teller County Environmental Health Department and (2) in compliance with the laws of the State of Colorado and the Environmental Protection Agency must be installed before operation of the facility begins. All required site tests, including percolation tests, groundwater resource tests and drainage and discharge analysis, as may be required, shall be accomplished before operation of the facilities begins.

Section 5.4

**Section 5.4
LANDSCAPING**

Section 5.3 applies when the submittal requirements and standards for approval of a development permit application include provisions for landscaping and/or screening, fencing, berming, or other forms of buffering.

A. Landscape Plan Required. When required by these Regulations for a particular development permit, a Landscape Plan, prepared by a qualified professional familiar with the local requirements of the specific site, shall be submitted and approved by the decision-making body. The provisions of *Section 5.4.E Xeriscaping and Alternative Landscaping* are recommended. When partial or complete screening, fencing, or enclosing of a use is a mandatory part of the required landscape plan, the provisions of *Section 5.4.F. Screens, Fences, Enclosures* shall also be followed.

Section 5.4.A.1

1. **Supporting Materials.** When not otherwise required by the development permit application, Applicant may, in the discretion of the Planning Director during the Pre-Submittal Meeting (*Section 3.4.B*), be required to submit with the proposed Landscape Plan a written description of the potential impacts to public roads of the proposed use; the nature and placement of site lighting; and a description of the operation adequate to determine the approximate amount of traffic to be generated.

B. **Landscape Plan Specifications.** The Landscape Plan shall be drawn on no smaller than an 11" x 17" sheet or sheets to an indicated scale, with north arrow and contours intervals adequate to identify topography, and properly and fully depicting landscaping or xeriscaping areas. Aerial photographs may also be submitted. The Plan shall, at a minimum, include the following information:

1. **Existing Vegetation.** Identification of the location, general type, quality and condition of all existing vegetation including the diameter (measured five feet above grade) of all existing and proposed trees, and the identification of any area containing officially designated noxious weeds. Where existing stands of trees make it impractical to measure all individual trees, the extent of the stand, the approximate number and approximate average diameter of trees in the stand will serve. The existing vegetation to be saved shall be identified.

a. **Tree Protection.** The Landscape Plan shall also indicate the nature, extent, and methods Applicant will use to preserve, transplant or protect all significant trees or stands of trees.

2. **General Site Constraints.** Identification of all site constraints including aspect, slope, soils, wind direction, amount of naturally occurring precipitation (wet areas, dry areas), micro-climate areas, location and configuration of existing and proposed structures. These constraints may differ from one part of the site to another.

3. **Proposed Planting.** The locations of all proposed new planting areas, including areas of lawn and live and decorative ground cover materials. A plant list or schedule (with botanical and common name) indicating the number, quality, spacing and sizes of all landscape materials proposed to be installed in each area shall be included. All plant materials shall be species adapted locally, disease-resistant and appropriate for the specific use and location, considering such site-specific elements as elevation, aspect, slope, soils, wind direction, precipitation, snow removal requirements, and surrounding uses. The plant list shall include no noxious weeds as officially designated by the Teller County

Section 5.4.B.3

Weed Management Board (list available through the Colorado State University Cooperative Extension Service), even though some such noxious weeds may commonly be considered “wild flowers” and appear as commercial nursery stock.

4. **Wildfire Mitigation.** In mapped Moderate, Moderate-High, High, or Extremely High wildfire hazard areas, the Landscape Plan shall describe how the requirements of *Section 6.5.C.1. Minimize Hazards* will be timely met.
5. **Other Improvements.** Parking areas and other paved or graveled areas, if any, are to be identified, and the number, location, and size of walls, berms and fences, screens, sculptures, water features, “street furniture,” lighting elements and other such non-vegetative landscape elements, as well as the following as appropriate, depicted:
 - a. **Screening.** Any requirements pursuant to *Section 5.4.F Screens, Fences, Enclosures.*
 - b. **Parking Areas.** All new and substantially improved parking areas. Those having nine or more parking spaces must meet the following Standards:
 - (1) **Lighting.** All off-street parking areas are adequately lighted to protect the safety of the individual using the area. All lighting is fully shielded, downcast, and does not cast any glare on surrounding properties. (See *Section 5.5 Lighting.*)
 - (2) **Perimeter Buffer.** Parking areas are separated from adjoining and/or adjacent uses, including other parking areas, by a landscaped or xeriscaped area at least eight feet wide. Visual screening will be installed to mitigate direct glare of vehicle headlights onto any residential property. Except as may otherwise be specified in these Regulations for specific commercial/industrial uses, screening may be accomplished in a variety of ways, including use of existing vegetation, walls, fences, earthen berms, constructed planters, dense hedges, multiple rows of shrubs and trees, or a combination of these techniques.
 - (3) **Building Perimeter Buffer.** Parking areas are separated from the exterior wall of a structure, exclusive of pedestrian entrance ways or

**Section
5.4.B.5.b(3)**

walkways or loading areas, by a landscaped or xeriscaped area at least four feet in width.

c. Snow Storage

(1) **Provision for Snow Storage.** Snow storage areas equivalent to at least 15% of any paved or graveled parking surface shall be provided on-site adjoining and/or adjacent to such parking areas, and located to provide convenient access for snowplows. Uphill slopes of 5%-10% count at 75% of their area towards this requirement. Uphill slopes of 10.1% - 20% count at 50% of their area. Uphill slopes 20.1% or greater are not counted in determining compliance with snow storage requirements.

(2) **Use of Landscaped Areas.** Landscaped areas may be used for snow storage and count toward the minimum snow storage area required provided that planting installed in the area is compatible with the snow storage function and will not be damaged or destroyed by snow storage activities. Protection of landscaped areas by boulders planters, raised elevation or other approved methods may be necessary.

d. Outdoor Display Areas. For all area(s) for activities requiring the outside display of goods, the need for such display area(s) shall be accounted for in the Landscape Plan.

6. Installation and Maintenance. Applicant shall provide a detailed description of (1) all provisions for watering, soil stabilization, post-installation mulching, plant protection and maintenance; (2) access; and (3) any limitations on the exterior use of water imposed by the Office of the State Engineer, Division of Water Resources.

a. Installation. Landscaping or xeriscaping shall not be installed or maintained in any location which constitutes a hazard or infringement to public health or safety. Planted or xeriscaped areas adjoining and/or adjacent to parking or vehicular circulation areas are to be protected from vehicular intrusion or damage from excessive vehicular lubricant or fuels.

b. Provisions for Watering. Provisions for watering must include a reliable method for maintaining viable vegetation.

**Section
5.4.B.6.b(1)**

(1) **Water and Irrigation Systems.** Hand watering is not considered a reliable method for maintaining viable vegetation. A minimum two-year contract with a recognized water provider or landscape maintenance company guaranteeing provision of water may, at the discretion of the decision-making body and depending on site-specific conditions, be considered a reliable method. Irrigation systems must be designed by a qualified professional and include installation drawings and, as appropriate, provisions for water zones, provisions for water amendments, manual or computer-controlled timing systems with defined application rates and hours of application, and system maintenance. Use of non-potable water (untreated groundwater, surface water, or irrigation water that does not include “gray water” or waste water) is encouraged; however, non-potable “gray water” or waste water must be treated prior to use according to law. Use of any non-potable source water must carry a public warning sign and be approved by the Teller County Environmental Health Department.

(2) **Water Restricted Areas.** For those areas where irrigation system requirements would exceed the limits established by adjudicated water rights or a special district having jurisdiction over the exterior use of water, a minimum two-year contract with a recognized water provider or landscape maintenance company guaranteeing provision of water until vegetation, if any, is established, or other method as approved by the decision-making body and depending on site-specific conditions, may be considered adequate. Use of xeriscaping or landscaping alternatives in such situations is strongly encouraged. (See *Section 5.4.E.*)

c. **Maintenance.** Landscaping or xeriscaping shall be regularly maintained. Adequate regular maintenance includes winter watering, pruning, weeding, tree and debris removal, disease and vector control, raking, mulching, mowing, edging, and trimming, and the preserving of screens, fences, and other non-vegetative material in good condition and repair. Dead, diseased or missing plants are to be replaced with the same type as provided in the approved landscape plan unless

Section 5.4.B.6.c

alternative plant materials are approved by the Planning Director. Replacement must occur within the next planting season, not to exceed 12 months. A collateralized Improvements Agreement pursuant to *Section 3.5.B* of these Regulations may be required.

- d. **Noxious Weeds**. At no time shall any officially designated noxious weed be planted or allowed to remain untreated during its reproductive season.

- 7. **Level of Landscape Plan Detail Required**. For Subdivision or Planned Unit Development Sketch Plan, Applicant may submit a preliminary Landscape Plan that generally meets the requirements of *Section 5.4*. For a Subdivision or Planned Unit Development Preliminary Plan, HP or NP Development, Special Review Use, or Major Building site plan review pursuant to *Chapter 7 Site Plan and Site Plan Review*, Applicant shall submit a final Landscape Plan that meets the requirements of *Section 5.4*.

- C. **Installation Specifications**. All landscape plant materials shall be species adapted locally, and disease-resistant. They should also be in conformance with the requirements of the *American Standard for Nursery Stock*, published by the American Association of Nurserymen (American Nursery and Landscape Association). Use of drought tolerant plant materials is strongly encouraged. *Table 5-3* contains minimum installation specifications.

Table 5-3 Landscape Materials & Specifications	
Material	Specification
Deciduous trees	2.5" caliper measured 1' above ground; 10' in height
Evergreen trees	6' in height
Ornamental trees	1.5" caliper measured 1' above ground
Shrubs	5 gallon size
Wood chip mulch	3" depth over an approved porous weed barrier
Rock or stone mulch	2" size - 3" depth

- D. **General Provisions**

- 1. **Spacing of Elements**. Innovative design and clustering of rocks, boulders, or other non-plant materials as well as creative placement of plant materials such as trees, shrubs and ground cover is encouraged. However, consideration must also be given

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to the maximum horizontal and vertical dimensional requirements of trees and shrubs necessary to achieve the mature landscaping effect desired.

2. **“Streetscape” Requirements.** For lots in new subdivisions or PUD developments abutting a public right-of-way:
 - a. **Attached or No Sidewalk Required.** Where the Teller County Roadway Design and Construction Standards either does not require a sidewalk or permits a combined curb, gutter, and sidewalk, a landscape or xeriscape buffer strip a minimum of four feet wide as measured from the edge of the road right-of-way is required. The buffer strip may be included in the required building setback, or, provided adequate provisions have been made for maintenance, separate the lot line from the road right-of-way. Deciduous shade trees, evergreen trees, or ornamental trees to be planted shall average one tree for every 35 feet of street frontage; however, no such trees shall interfere with any required unobstructed site distance (“sight triangle”).
 - b. **Detached Sidewalk Required.** Where the Teller County Roadway Design and Construction Standards require a detached sidewalk, a landscape or xeriscape buffer strip a minimum of four feet wide, measured from the edge of the curb and constructed wholly within the road right-of-way, is required. No vegetation planted shall exceed 36 inches in height at maturity. No non-vegetative matter shall exceed 36 inches in height, but in no case shall it be high enough to interfere with the normal operation of road maintenance equipment, including snowplows and graders.
3. **Public Right-of-Way.** All landscaping or xeriscaping within the public right-of-way is subject to the landscaping provisions of the Teller County Roadway Design and Construction Standards. Under no circumstances shall any landscaping or xeriscape element obstruct any sight triangle or line-of-sight.
4. **Area Coverage.** Except as specified for trees in the “Streetscape” Requirements above, the quantity of materials proposed by Applicant shall, at the discretion of the decision-making body, be sufficient at installation to accomplish the intent of *Section 5.4 Landscaping*.
5. **Fences, Walls, Screens.** Fences, walls, or screens are to be designed and constructed to be visually appealing, and include such details as patterns, varying textures, jogged sections, and/or plants or boulders in front.

Section 5.4.D.6

6. **Attention to Potentially Hazardous Conditions.** Attention shall be paid to potentially hazardous conditions related to tree or other species choice, including fire hazard, wind direction and related dropping and blowing snow, and limbing (limb drop) due to high winds or snow load.

E. **Xeriscaping and Alternative Landscaping.** Applicant is encouraged to use landscaping principles and materials that require little or no water other than natural precipitation. **These principles do not exclude vegetation**, but do include the use of existing vegetation, native grasses and wildflowers and other drought-tolerant native or non-invasive exotic plant materials (*e.g.*, “rock garden” plants); permeable paving, or non-living materials such as rock and boulder installations; walls, fences, or decorative screens; undulating mulched earthen berms; constructed planters or recirculating water features; or a combination of these or other generally accepted water conserving landscaping techniques. In evaluating xeriscape and alternative landscaping plans, the following standards, in addition to the other provisions of *Section 5.4 Landscaping*, apply:

1. **Existing Vegetation.** Existing native vegetation, with the exception of officially designated noxious weeds, if any, is to be retained to the maximum extent possible.
2. **New Vegetation.** Where new plant materials are proposed, they are native grasses, other drought-tolerant native plants, or locally adapted non-invasive exotic plant materials. Noxious weeds as officially designated by the Teller County Weed Management Board, even though some such noxious weeds may commonly be considered “wild flowers” and appear as commercial nursery stock, are not used. Plants are to be grouped according to water requirements; terracing is used as appropriate to reduce runoff.
3. **Soil Amendments.** Organic material (*e.g.*, peat moss, compost) is to be added to existing soils before any plants are installed in order to increase the water-holding capacity of the soils.
4. **Non-Vegetative Ground Covers.** Organic mulches (*e.g.*, bark or wood chips, wood grindings) to a minimum depth of three inches are used wherever possible. Inorganic mulches (*e.g.*: gravel) retain and reflect heat, compact the soil, and are generally discouraged except for functional purposes such as parking. Where steep slopes may cause organic matter to wash away and rock is required to stabilize the slopes, the rock used is of varying sizes. In no case is a non-vegetative ground cover to be installed **except over a permeable weed barrier**. Black plastic is not to be used.
5. **Berms and Swales.** Berms and swales, where used, appear as naturally contoured topographic features rather than constructed

Section 5.4.E.5

earthen walls, dikes, or dam barriers. They are designed to catch and direct rainwater to irrigate any plant materials. Seeding with a mix and rate of application approved by the Natural Resources Conservation Service (NRCS), mulching, and terracing (as appropriate) is used to reduce runoff.

6. **Rocks, Boulders.** Rocks and boulders will be set into the ground and sufficiently buried to appear naturally occurring in the landscape, and in such a manner as to minimize erosion between rocks and to allow soil pockets of various sizes for plants, if used.
7. **Maintenance Plan.** The maintenance plan is appropriate for the installation.

F. **Screens, Fences, Enclosures.** Appropriate screening, fencing, enclosing, and buffering of certain uses, primarily Special Review Uses, is required in order to adequately screen the use from public rights-of-way and adjoining and/or adjacent properties. It may be that if the proposed use can not be adequately screened, the site is not an appropriate location for that use. (See also *Section 5.4.D.5 Fences, Walls, Screens.*)

1. **Rezoning to C-2.** If, due to site topography or the use, screening is needed to prevent views into the site, it shall be of a solid nature.

Section 5.5

Section 5.5 LIGHTING

Lighting requirements apply to all types of exterior lighting installed at any time, including: (1) fixed lighting such as that mounted on a building, pole or the ground; and (2) vehicle-mounted or other portable lighting used to illuminate a building exterior or exterior area, or to cast light into the sky (such as a search light or beam). Improper lighting, including light directed up or sidewise, is both wasteful of energy and a significant contributor to pollution of the night sky (“sky glow”). Teller County supports the use of safe, energy-efficient, non-polluting light sources for both residential and commercial purposes. Retrofitting of existing light fixtures with light shields, use of low wattage (18, 35, or 55 watt) low pressure sodium fixtures, use of infra-red sensor spotlight fixtures, or use of one or more low-wattage compact fluorescent lamps in well-shielded fixtures are all recommended exterior lighting alternatives to unshielded out- and upward-directed “dusk to dawn” security lighting.

- A. **Lighting Plan.** When the Standards for approval of a development permit application require that lighting be satisfactorily addressed, Applicant shall provide a Lighting Plan containing information sufficient for the Planning Director to determine compliance with the Lighting requirements of these Regulations. The Lighting Plan shall include drawings or photographs of the proposed lighting fixtures or shields,

Section 5.5.A

technical specifications, a site plan drawn to scale showing the type and placement of such lighting, and an analysis of its impacts on adjoining and/or adjacent properties.

B. Standards

1. **Height.** Building-mounted lighting does not exceed the building height. Pole or ground mounted lighting not exceed 25 feet in height.
2. **Fixture Type.** Except where Federal, state, or county safety regulations require otherwise, any exterior lighting fixture is fully downcast and shielded with shielding extending below the light source so that substantially all directly emitted light falls only on either the surface of the structure to be illuminated or on the ground. No exterior lighting fixture casts direct or reflected light or glare onto an adjoining and/or adjacent public road or onto adjoining and/or adjacent property. For the purposes of illustration only, the following downward reflecting, shielded, lighting fixture types, whether pole- or wall-mounted, are acceptable:

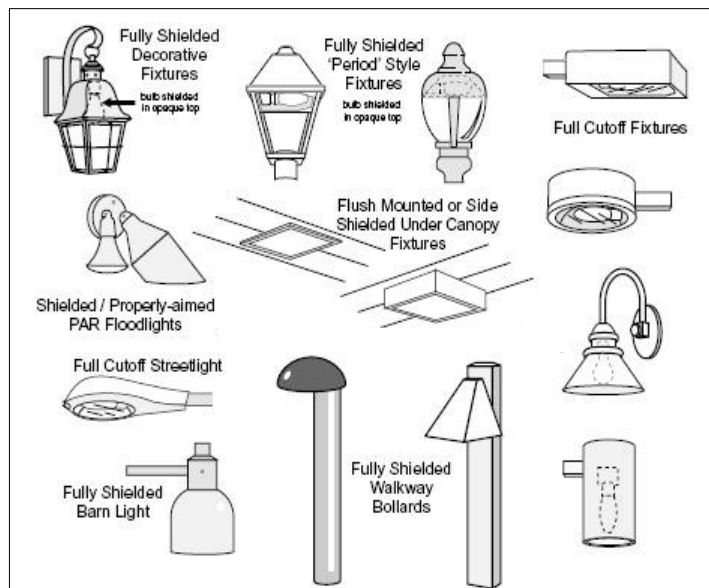


Figure 5.1 - Acceptable Lighting Fixture Types

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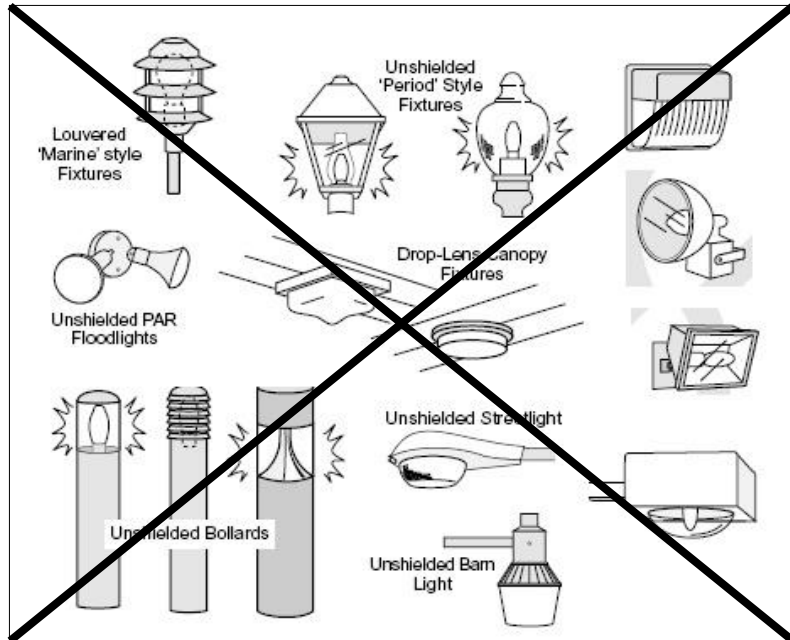


Figure 5.2 - Unacceptable Lighting Fixture Types

3. **Adequate Safety.** Between dusk and dawn, the following areas are lit to adequately protect the safety of persons using the areas: (1) nonresidential parking areas during hours of use by the public; and (2) all service roads and walkways within a mobile home park. Adequacy is defined as (a) minimum illumination of at least 0.6 foot candles; (b) 25 watt lamps spaced at intervals of not more than 100 feet; or (c) an equivalent alternative.

Section 5.6

**Section 5.6
OPEN SPACE**

Teller County encourages the creation and preservation of open space through sensitive siting of building envelopes and structures, and the linking of open space in one development parcel to that in an adjoining parcel. *Section 5.6* applies when the submittal requirements and standards for approval of a development permit application include provisions for open space.

- A. **Kinds of Open Space.** Open space may be of several kinds, including those listed below:
 1. **Usable Open Space.** Usable open space includes outdoor areas which provide separation and relief from buildings, or create passive outdoor recreational opportunities. These areas include:
 - a. Undisturbed or reclaimed areas of rock or native vegetation; natural or man-made water or drainageways;

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- b. Open plazas and malls and terraces (including landscaping over underground parking or underground service areas);
- c. Parks, whether public or private;
- d. Larger landscaped common areas including lawns, flower beds and planters.

2. Natural Resources and Critical Area Land Preservation. Open Space that preserves Teller County’s valuable natural resources such as scenic vistas, stands of trees, wildlife habitat, unique land forms or riparian habitat and water features, may or may not be considered usable. Critical Area open space may remove use entirely from areas of steep slopes and other geologic or life-safety hazards.

3. Parks, Trails, and Open Space Master Plan. Colorado Revised Statutes requires public park land dedication for subdivisions pursuant to *Section 4.4 Public Parks*. However, voluntary set-aside of areas specifically identified in the Teller County Parks, Trails and Open Space Master Plan as “open land” or “open areas” may be necessary to fully achieve the goals of the Plan.

4. Buffer Zones. In certain circumstances it may be desirable to buffer one use (*e.g.* a commercial development) from another (*e.g.* a residential subdivision). Open space can serve this function.

5. What is Not Considered Open Space. Open space areas do not include:

- a. Portions of the property capable of being developed and which are specifically used for storage or are reserved for future expansion, or outdoor areas developed for use as a storage area;
- b. Areas designed to accommodate motor vehicle uses such as parking lots, open air showrooms, road rights-of-way, or service areas at, above, or below ground level;
- c. Areas otherwise required by these Regulations to be kept undeveloped such as non-impervious lot areas.

B. Ownership and Maintenance of Open Space. Open space lands may be privately or publically owned and held in common as through a homeowners’ association, or by a specific entity such as a land trust.

Section 5.6.B

Teller County requires, however, that responsibility for open space maintenance in an approved development be specifically delegated. Although open space may be dedicated to the public on a plat, such open space must be specifically accepted on behalf of the public by separate Resolution of the Board of County Commissioners.

C. Open Space in a Planned Unit Development (PUD). A minimum of 25% of the gross area of a Planned Unit Development shall be devoted to public, quasi-public, and/or private common open space of one or more of the types set forth in *Section 5.6.A* above. Land required for dedication to the public for parks, trails, and open space pursuant to *Section 4.4 Public Parks*, shall follow the guidelines set forth in *Section 4.4*. Land approved and accepted by separate Resolution of the Board of County Commissioners for dedication to the public for parks, trails, and open space can be counted toward the minimum 25% PUD open space. (See also *Chapter 10 Planned Unit Development (PUD)*.)

1. **Land and Facilities.** All common open space and any recreational facilities are to be shown on the PUD Preliminary Plan and expressly defined in the PUD Guide.
2. **Continuing Use.** To ensure that all common open space identified in the PUD will continue to conform to its depicted and defined use, binding and enforceable agreements, restrictions, or covenants shall prohibit their future subdivision or residential, commercial, or industrial development.
3. **Maintenance Entity.** If common open space is proposed to be maintained through an association, nonprofit corporation, or other organization, such entity shall manage all common open space and recreational and cultural facilities not otherwise dedicated to the public and accepted by separate Resolution of the Board of County Commissioners. It shall further provide for the maintenance, administration and operation of such land and any other land within the PUD not publicly owned, and for adequate liability insurance. This entity shall be established prior to the sale of any lots or units within the PUD. Membership in the association or nonprofit corporation or other entity is mandatory for all landowners within the PUD.

Section 5.7

**Section 5.7
PARKING AND LOADING**

In all zones and in connection with every use, there shall be provided at the time any use or building is erected, enlarged or increased, sufficient off-street parking spaces and, as required, loading areas and berths for all vehicles. This requirement, and the Tables found in this *Section 5.7 Parking and Loading* are intended to lessen congestion on roads, to ensure an adequate supply of parking spaces within a reasonable distance of land uses, and to provide standards for the design and use of required parking and loading areas.

Section 5.7.A

A. Number of Off-street Parking Spaces Required. The requirements of *Table 5-4 Parking Standards* below are considered minimum requirements for the particular use given. When supported by adequate professional technical information special circumstances may warrant a greater or lesser number of spaces. In the case of structures or uses not listed, the provision for a use which is most similar applies. (See *Section 2.1.D Determination of Similar Use*). Except as otherwise provided for shared parking, any combination of uses requires provision of the total of the number of spaces required by each use.

Table 5-4 Parking Standards	
Proposed Use	Standard
Adult Day Care: Less than 24 hour care Child Care Center: 5 or more children, less than 24 hour care Day Treatment Center: 5 or more, less than 24 hour care Family Child Care Home: 5 or more, less than 24 hour care	1 space per employee + 1 space per transportation vehicle, if any, + loading/unloading area sufficient for maximum number of clients
Alternative Care Facility: 24 hour care Child Care Center: 5 or more children, 24 hour care Foster Care Home: 5 or more, 24 hour care Hospice Care Facility Residential Care Facility: 5 or more, 24 hour care	2 spaces per facility + 1 space per employee at maximum shift
Auto, Boat, RV, Passenger Truck, and Mobile /Manufactured/Factory-built Home Sales	1 space per 5,000 gsf of lot area + 1 space per 300sf floor area
Auto, Boat, RV, Passenger Truck, Service	1 space per 200 sf GLA of shop area
Bed and Breakfast Operations	2 spaces for residential use + 1 space each guest room
Bowling Alley	3 spaces per alley
Religious Institution (no school)	1 space per each 3 fixed seats; every 25" of bench or pew equals 1 seat
Clinic Med/Dental	1 space per 200 sf GLA
Construction & Heavy Equipment Sales and Repair	1 space per 5,000 gsf of lot area + 1 space per 200 sf GLA floor area
Convention Facilities; Auditoriums; Arenas	1 space per each 3 fixed seats; every 25" of bench or pew equals 1 seat.
Dwelling: Single-Family - Includes: duplex, triplex, quadruplex, townhouses or townhomes	2 spaces per dwelling unit, exclusive of garage parking; projects with over 4 attached units may require 1 additional space per 4 units

**Section 5.7.A
Parking Standards**

Dwelling: Multi-Family - Includes: dormitory, boarding house, apartment, condominium	(1) Dormitory/ boarding house/ <i>etc</i> : 1 space per room + 1 each employee at maximum occupancy (2) Studio/1 bedroom unit: 1.5 spaces/unit (3) 2 bedroom unit: 2 spaces/unit (3) 3+ bedroom unit: 2.5 spaces/unit + 1 guest space per each 4 units
Dwelling: Single or multiple associated with commercial use/s	Multi-family standards apply
Educational Institution: College, Trade School, High School	1 space per each instructor and staff member + 1 for each 4 students
Educational Institution: Elementary, Middle School, Junior High	1 space per each instructor and staff member + 1 ½ spaces each classroom + a specific on-site area designated for overflow or event parking
Emergency Services facilities	1 space per employee + 1 space per emergency vehicle
Extended Care facilities (Nursing Facility)	1 space each 2 beds + 1 space each employee
Financial Institutions	1 space per 200 sf GLA
Funeral Home	1 space per each 4 seats + 1 space each mortuary vehicle
Guest House	1 space in addition to 2 for main dwelling
Home Occupation	Maximum of 2 spaces in addition to 2 required spaces for dwelling unit
Homeless Youth Shelter	1 space per each 4 beds + 1 space per each 2 staff
Hospital	1 space each 2 beds + 1 space each 3 employees
Hotel/motel	1 space per guest room + 1 per employee at maximum occupancy OR 1 space per guest room + standards for other uses as appropriate (<i>e.g.: retail</i>), whichever is greater
Laboratory: medical, dental, research, experimental and testing	2 spaces per each 1,000sf GLA devoted to use OR 1.5 spaces per each 3 employees, whichever is greater

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Parking Standards**

Lumber Yards, Stone/monument works; Retail Nurseries (includes Home Improvement Centers)	1 space per each per 200 sf of floor area + 1 space per each 1,000 sf of outdoor display
Mfg. all Heavy/Light and Industrial Uses	1 space each 3 employees
Mobile Home Park	2 spaces per dwelling unit
Nursing Facility: Intermediate (Group Home: Mentally Retarded)	1 space per each 3 beds + 1 space per each 2 staff
Offices	1 space per 300 square feet GFA
Public Uses and Facilities (Library, Museum, etc.)	1 space per 600 square feet + auditorium seating (if applicable) at 1 space per each 3 maximum occupants
Recreation: Parks, playgrounds, campgrounds, Recreational Vehicle Parks	TBD
Recreation Facilities	TBD
Recreational Resorts	TBD
Recycling Station (Public Drop-Off)	1 space per 300 sf of area devoted to use
Respite Care Facility	2 spaces per facility + 1 space per employee at maximum shift + 1 space per transportation vehicle, if any
Restaurants	1 space per each 4 maximum occupancy seats, + 1 space per employee at maximum shift. Drive through must provide minimum of 5 stacking
Retail and general commercial uses	1 space per 200sf GLA
Storage Yard - Includes dismantling yard, construction or vehicle storage yard, rental storage yard, vehicle towing and storage yard, junk yards, freight yards	1 space per each 3 employees + 1 space per vehicle if used for vehicle or towed vehicle storage
Travel Trailer Park - Includes RV parks	1 vehicle space per each 1.5 travel trailer or RV space
Transportation terminal (bus or train station or stop)	1 space per 1,000sf of gross floor area of terminal + requirement for other use/s when uses combined
Warehouses - Includes mini-warehouses or storage units	1 space per each 3 employees
Waste-Related Uses	1 space per each 3 employees + 1 commercial vehicle space per vehicle
<i>See following Table of Abbreviations Used</i>	

**Section 5.7.A
Parking Standards**

Table of Abbreviations Used

- **GLA (Gross Lease Area):** Total floor area of a structure that can be used by tenants, including owners, expressed in square feet, generally measured from the center line of joint partitions to outside wall surfaces.
- **SF:** Square Footage
- **GSF** Gross Square Footage
- **TBD:** To Be Determined based on the location, kind, and extent of uses, and projected use of vans and busses. A traffic study and/or 24 hour seasonal use analysis may be required. Potential applicable minimum standards may include:
 - Playground: 1 space per 100sf of use;
 - Clubhouse: 1 space per 100sf of use + 1 space per each 2 employees
 - Ball fields: 22 spaces per field
 - Park: 11 - 43 spaces per acre
 - Trailhead: 1 space per 300sf of area; must sufficiently accommodate truck-towed animal trailers

B. Loading Requirements. In all non-residential zone districts adequate loading, maneuvering, or unloading areas are to be provided completely off the public ways on private property so that all vehicles need not back onto any public way, including roads or alleys.

1. When Required. Buildings or structures that are designed to receive and distribute materials and merchandise by truck, or that are altered so as to receive and distribute materials and merchandise by truck must provide and maintain off-street loading berths or loading spaces in sufficient number to meet their own needs.

Where the property or use is served, or designed to be served, by tractor-trailer delivery vehicles with a total wheelbase equal to or greater than 45.5 feet, the following Standards are to be used in establishing the minimum number of off-street loading berths required:

Table 5-5 Loading-Standards	
Gross Floor Area Of Building	Minimum Number of Required Loading Berths or Spaces
Up to 10,000 sq. ft.	1
Greater than 10,000 sq. ft.	2

C. **General Parking and Loading Requirements**

1. **Location.** Parking and Loading requirements are to be met on the same lot as the principal use or not over 400 feet from the principal use.
2. **Shared Parking or Loading Areas.** No parking or loading area required by these Land Use Regulations is allowed to be a required parking or loading area for another use, unless it can be shown that their peak use periods will not overlap with one another. The Planning Director may recommend approval of a shared use arrangement for said parking or loading area upon presentation of satisfactory evidence that: (1) such shared use will not result in a shortage of parking at any time; or (2) the actual needs of the project's residents, visitors, and employees will be less than those set by the Standards. Shared off-street parking spaces may reduce up to 20% the total required for all uses.
3. **Fractional Spaces.** When any calculation of the number of required off-street parking spaces results in a fractional space being required, such fraction shall be rounded up to the next higher number of spaces.
4. **Continuing Obligation.** The provision and maintenance of off-street parking and loading spaces pursuant to *Section 5.7* are continuing obligations of the property owner.
 - a. **Spaces Shown With Building Permit.** No Building Permit will be issued without a Site Plan depicting all off-street parking and loading spaces required by *Table 5-4 Parking Standards* and *Table 5-5 Loading Standards* of these Regulations or an approved Shared Parking plan.
 - b. **Spaces Shall Remain Available.** Any subsequent use of a property for which a Building Permit is issued is conditioned upon the unqualified continuance and availability of parking and loading spaces that comply with the Standards of these Regulations.
 - c. **Change of Use.** Should the owner or occupant of any lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it is unlawful and in violation of these Regulations to begin or maintain such altered use unless and until such time as the increased off-street parking and loading Standards of these Regulations are complied with.

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5. **Prohibited Uses of Required Parking Spaces.** Required parking spaces shall be available only for parking of the operable passenger vehicles of residents, guests, customers, patrons, and employees of the use for which they are required. **Prohibited uses** of required parking spaces include the following:
- a. **Materials or Inoperable Vehicles.** Materials or inoperable vehicles stored in required parking spaces.
 - b. **Delivery Vehicles.** Delivery vehicles or trucks used in conducting the business or use parked in required parking spaces during business hours. Such vehicles may be parked in such spaces for overnight storage or parked in designated additional spaces during business hours or for overnight storage.
 - c. **Vehicles for Sale.** Vehicles displayed for sale in any parking area required for a non-residential use, except for the casual display of a vehicle by its owner when and while the owner is an employee or patron of the use and present thereon.
 - d. **Repair Work.** Repair work conducted in any parking area required for a non-residential use if the repairs render a vehicle inoperable for more than 24 hours.
 - e. **Commercial Vehicles on Residential Property.** Commercial vehicles or heavy equipment used in a business operation parked in required parking spaces for a residential use, unless the commercial vehicle is used for a permitted home occupation or is a company vehicle used by a resident for commuting that is parked overnight. The on-site day-to-day parking of commercial vehicles or heavy equipment in use during construction of a residential structure is allowed.

D. Design Standards for Parking and Loading Areas

1. **Parking Surface and Drainage.** Off-street parking areas, aisles, and access drives require a durable all weather surface made of materials that (a) are suitable to the uses to which the parking area will be put; and (b) are compatible with the character of the proposed development and the surrounding land uses and parking areas. Appropriate parking surface materials may include asphalt, concrete, paving blocks, and gravel. Grassy surface may be used for temporary (24 hours or less) or public emergency parking only. Parking surfaces are to be compacted and graded, with a minimum grade of two percent for asphalt, one percent for

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concrete, and two percent for paving blocks, gravel, or grassy surface, to permit drainage of surface water without damage to public or private land or improvements. Any parking area for more than five vehicles requires that the aisles and spaces be clearly marked. Curbs or barriers are to be installed so as to prevent the parked vehicles from extending over any lot lines

- 2. **Minimum Dimensions of Parking Spaces.** The minimum dimensions of each parking space are not to equal less than 162 square feet exclusive of the space required for ingress and egress. Said space shall measure, at any degree of angle, a minimum of nine feet by 18 feet. The minimum aisle width, whether single or double aisle parking and regardless of angle is 24-feet.

Angle	Equivalent Perpendicular Depth For 18-foot Length
90-degrees	18-feet
30-degrees	16-feet
45-degrees	14-feet

- 3. **Minimum Dimensions of Loading Berths.** The minimum dimension of any loading berth is not to be less than 10 feet wide by 35-feet long, with a vertical clearance of 14-feet. Where the vehicles generally used for loading and unloading are expected to exceed these Standards, the dimensions of these berths shall be increased.

- 4. **Tandem Parking.** Tandem parking (a vehicle parking directly behind another) may count towards meeting residential off-street parking requirements when the tandem spaces are assigned to the same residential unit. In such instances, a parking space located behind a garage or behind another space may be counted towards the total parking requirement for the unit provided use of the space does not impede the movement of other vehicles on the site. Tandem parking may also be permitted for lodge or commercial uses when the Applicant agrees, as a condition of the approval, to provide valet parking for the tandem spaces at all times when the use is in operation.

- a. **Tandem Parking Prohibited in Parking Structure.** For reasons of safety, tandem parking is not allowed when required parking is located within a parking structure or within a garage that serves multiple residential units.

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5. **“Accessible” (Disabled) Parking.** Any use requiring special access, as defined in the Teller County Building Code (TCBC) or the American National Standard A-117.1-1992 published by the Council of American Building Officials (CABO/ANSI A117.1), requires provision of spaces for use only by persons with disabilities (“handicapped parking,” “disabled parking,” “accessible parking”) according to *Table 5-7 “Accessible” Parking Space Requirements* below, except as otherwise required under TCBC or CABO/ANSI A117.1. One **van-accessible** parking space is to be provided for every eight accessible parking spaces, or fraction thereof.

Table 5-7 “Accessible” Parking Space Requirements	
Total Parking Spaces in Lot or Garage	Minimum Number of Required Accessible Parking Spaces
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1,000	2% of total spaces
Over 1,000	20 spaces plus 1 space for every 100 spaces, or fraction thereof, over 1,000

- a. **Minimum Width.** Accessible parking spaces require a minimum stall width of 8.5 feet with an adjacent access aisle five feet wide. Parking access aisles are to be part of the accessible route to the building or facility entrance and further comply with the TCBC or CABO/ANSI A117.1. Two accessible parking spaces may share a common access aisle. (See *Figure 5-3 “Accessible” Parking Spaces* below.)

Section 5.7.D.5.a

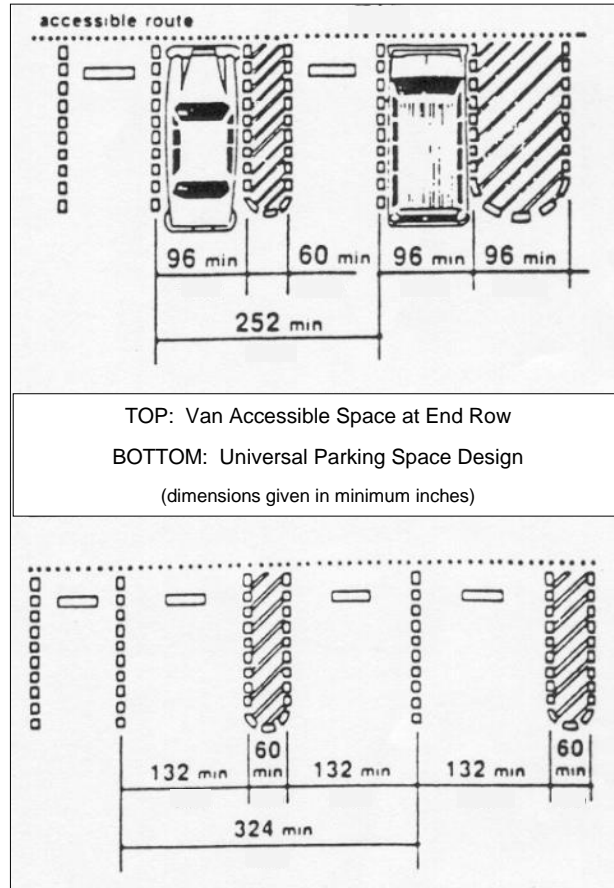


Figure 5-3 - "Accessible" Parking Spaces

- (1) **Van Parking Adjacent to Access Aisle.** Van parking requires a minimum adjacent access aisle width of eight feet.
 - (2) **Accessible (Disabled) Passenger Loading Zones.** Accessible (disabled) passenger loading zones require an access aisle five feet wide and a minimum of 20 feet long, adjacent and parallel to the vehicle pull-up space and at the same level as the roadway. Passenger loading zone access aisles are to be part of the accessible route of travel to the building or facility entrance.
- b. **Sign.** Accessible parking require identification by a sign showing the international symbol of accessibility complying with CABO/ANSI A.117.1 section 4.28.8. Signs shall not be obscured by a vehicle parked in the space.

Section 5.7.D.5.c

- c. **Location.** Except as otherwise excepted or modified by the TCBC, accessible parking spaces are to be located on the shortest possible accessible route from adjoining and/or adjacent parking to an accessible building entrance. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be proportionately dispersed and located near the accessible entrances.
- d. **Design and Construction.** Design and construction of accessible parking shall be in accordance with CABO/ANSI A117.1.
6. **Unobstructed Access.** Each required parking space shall have unobstructed access from a road or alley, or from an aisle or drive connecting with a road or alley, except for approved residential tandem parking.
7. **Backing Onto Roads Prohibited.** All parking areas shall be located and designed in conjunction with a driveway, such that vehicles exiting from a parking space are not required to back onto the right-of-way of a public road, except that vehicles exiting from a parking space for a single-family or duplex dwelling unit may back onto a residential road. Vehicles exiting from a parking space for any use may also back onto the right-of-way of an alley adjacent to the property.
8. **Access Driveways.** Access driveways into required off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic ingress and egress and the maximum safety of pedestrian and vehicular traffic on the site. Standards of the Teller County Roadway Design and Construction Standards apply.
9. **Parking Area Landscaping.** Landscaping, screening and illumination of all parking areas shall comply with the appropriate Standards of *Section 5.4 Landscaping* and *Section 5.5 Lighting* of these Regulations.
10. **Pedestrian Circulation.** Safe and efficient pedestrian circulation paths are required to be provided between required parking areas and the entry or entries to the building(s) on the site. As applicable, pedestrian circulation paths on the site must also be connected to transit facilities and trails or paths on adjoining and/or adjacent sites.
11. **Parking Within a Planned Unit Development (PUD).** Parking within a PUD shall comply with all provisions of *Section 5.7 Parking and Loading* and the Teller County Roadway Design and

Section 5.7.D.11

Construction Standards provided that the PUD Preliminary Plan Standards of *Section 10.2.C.5* are met, or unless otherwise changed pursuant to *Section 10.2.D Changes Authorized*.

- E. Parking Plan.** When a Parking Plan is required to be submitted for review pursuant to these Regulations, it shall include the following information:
- 1. Location and Circulation.** Graphic information drawn to scale depicting the locations of all required parking and loading spaces, as well as parking aisles, barriers, kiosks, lighting fixtures, snow storage areas, landscaped areas, and any other structural or areal element of the parking area. Proposed parking area circulation should be depicted using directional arrows.
 - a. Calculations.** The total number and method of calculating the number of parking and loading spaces required.
 - b. Landscaping.** Evidence of compliance with the Standards of *Section 5.4.B.5.b Parking Areas* and *Section 5.4.B.5.c Snow Storage*.
 - 2. Allocation.** When multiple businesses or buildings are proposed, the allocation to individual businesses and buildings of their portion of the total parking area of the building or lot.
 - 3. Parking Surface and Drainage.** A statement detailing the type of parking surface to be used, and graphic information, drawn to scale, depicting post-construction drainage.
 - 4. Maintenance.** A plan for maintaining the parking area at all times in a good state of repair, including the method of marking and maintaining individual parking and loading spaces.

Section 5.8

**Section 5.8
SIGNS**

- A. Definition and Purpose.** For the purpose of these Regulations, a sign is any stationary object, device, symbol, or part thereof, which can be seen from a public road or highway and is used to advertise or identify an object, person, individual, firm, corporation, partnership, or other entity, institution, organization, business, product, service, or event by any means, including words, letters, figures, designs, symbols, logos, fixtures, color, motion, illumination, or projected images. The purpose of *Section 5.8 Signs* is to provide a comprehensive system of reasonable, effective, consistent, content-neutral and non-discriminatory standards for signs.

Section 5.8.A

The provisions of *Section 5.8* control the construction, size, type, location and maintenance of signs and sign structures within the unincorporated portions of Teller County so as to:

1. **Protect Appearance.** Help protect the appearance of the community and enhance the attractiveness of Teller County as a place to live, do business and visit.
2. **Identification.** Enable places of residence and commerce to be easily identified and allow the communication of information necessary for the conduct of business.
3. **Compatible.** Permit signs that are compatible with their surroundings and aid in orientation, but preclude placement in a manner that conflicts with the principal uses of the site, adjoining and/or adjacent land uses, or adjoining and/or adjacent signs, or interferes with, obstructs the vision of, or distracts motorists, bicyclists or pedestrians.
4. **Limit Size and Number.** Limit, as necessary, the size and number of signs and sign messages to the minimum reasonable for identification of a residential or business location and the nature of any such business.
5. **Lessen Hazards.** Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement or installation, illumination, animation and excessive height, area and bulk of signs that compete for the attention of motorists, bicyclists and pedestrians.
6. **Safety.** Protect the public from the dangers of unsafe signs, and require signs to be constructed, installed and maintained in a safe manner.

B. General Provisions. The provisions of *Section 5.8 Signs* apply to the display, construction, erection, alteration, use, maintenance and location of all signs within the unincorporated areas of Teller County.

1. **Sign Plan.** When the submittal requirements of these Regulations for a specific type of development permit include submittal of a Sign Plan, such a Sign Plan shall include the following:
 - a. **Location.** Graphic information drawn to scale depicting the locations of all proposed signage, including the placement of any freestanding signs as well as signs to be placed on buildings.

Section 5.8.B.1.b

- b. Design.** Samples of the proposed design of said signs, in actual color and drawn to scale. Signage should have consistent appearance in terms of color, size, shape, lettering, graphics, and illumination.
- c. Allocation.** When multiple businesses or buildings are proposed, the allocation to individual businesses and buildings of their portion of the total sign area of the building or lot.
- d. Ability to Comply.** Evidence of the ability for all signs to comply with any requirements of the Teller County Building Code and any other applicable codes including the National Electric Code.
- e. Maintenance.** A plan for maintaining all signs at all times in a good state of repair.

2. Exterior Lighted Signs

- a. Type.** All exterior lighted signs shall either be:
 - (1) Lit solely from above in conformance to the provisions of *Section 5.5 Lighting* of these Regulations to illuminate **only** the sign itself, and cause no stray light or glare either on adjoining and/or adjacent property, roadways, or into the sky; **or**
 - (2) A fully enclosed, self-lighted, semi-transparent sign box (“sign can”); **or**
 - (3) A specific alternative sign lighting device, approved by the Planning Director in writing, that clearly demonstrates by technical or other explicit evidence that it will cause no stray light or glare, either on adjoining and/or adjacent property, roadways, or into the sky, and solely illuminate the proposed sign in any weather conditions, including fog, rain, or snow.

- 3. Relationship to Other Regulations.** *Section 5.8 Signs* recognizes other regulations pertaining to signage such as the State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, the “Outdoor Advertising Act” (CRS § 43-1-401 *et seq.*), the Federal “Highway Beautification Act” (23 U.S.C. 131), the Teller County Building Code, and any other such code as may be adopted by Teller County. Where any

Section 5.8.B.3

provision of *Section 5.8 Signs* covers the same subject matter as other applicable regulations, the more restrictive regulation applies.

a. **Signs in Areas Zoned for Commercial or Industrial Use.** All signs adjacent to the State highway system must obtain a State Sign Permit in addition to any permit required by Teller County. “Areas adjacent to the State highway system” means areas which are visible from the main-traveled way and within 660 feet of the nearest edge of the right-of-way, and those areas beyond 660 feet outside of urban areas which have signs visible from the main-traveled way and erected with the purpose of their message being read from such main-traveled way (see State of Colorado Division of Highways, *Rules and Regulations Pertaining to Outdoor Advertising, Effective January 1, 1984*).

b. **Roadway Tourism Signs.** See *Section 5.8.E.4 Tourist-Oriented Directional Sign (TODS) and Related Trailblazing Signs*.

4. **Road Right-of-Way.** No sign other than Official Notices Posted by Government, Official Signs, or Public Notices shall be placed in County road rights-of-way at any time. (See *Section 5.8.D.*)
5. **Signs Otherwise Regulated in These Regulations.** Signage for specific uses listed in *Chapter 8 Special Review Uses* may be constrained beyond the requirements of *Section 5.8 Signs*, in which case the more restrictive provision or provisions apply.

C. Signs Prohibited in All Zone Districts

1. **Off-Premise Signs.** Any sign placed other than on the parcel of land or premises for which the business or activity advertised is located is specifically prohibited unless specifically exempted, or as specifically conditioned according to *Section 5.8.E Allowed Off-Premise Signs*.

2. **Specific Sign Types.** The following types of signs or advertising devices are specifically prohibited unless excepted or conditioned by other provisions of these Regulations.

a. **Balloons.** Balloons or similar types of lighter-than-air objects tethered to the ground or a structure by lines or other methods, except for those used in conjunction with special events. (See *Chapter 12 General Definitions: Special Event*.)

**Section
5.8.C.2.b**

- b. Displays With Open Light Bulbs.** External displays, other than temporary decorative holiday lighting, that consist of unshielded or open fluorescent, incandescent, halogen, LED, High Intensity Discharge or similar light bulbs. See *Section 5.8.B.2 Exterior Lighted Signs*.
- c. Fluttering and Spinning Signs.** Pennants, banners (including political banners), streamers, and all other fluttering, spinning or similar types of signs or advertising devices, except for those used in conjunction with special events. (See *Section 5.8.D.1.k Political Signs*, and *Chapter 12 Definitions: Special Event*.)
- d. Metal Signs.** Signs with metallic surfaces, unless such surfaces are treated to reduce reflection from sunlight or artificial illumination.
- e. Obscene Signs.** Signs or pictures of an obscene, indecent or immoral character, such as will offend public morals or decency in accordance with constitutional standards.
- f. Obsolete Signs.** Signs that are located on property that becomes vacant and unoccupied for a period of six months or more, or a sign that pertains to a time, event or purpose that no longer applies is considered obsolete. All obsolete signs shall be removed by the owner of the sign or the owner of the property. A sign that is not so removed may be removed by the Planning Director without notice, provided, however, that the following types of signs are excepted from these provisions:

 - (1) Exception for Change of Ownership.** Signs displayed on a business temporarily suspended because of a change of ownership or management of the business are not construed to be obsolete unless the property remains vacant or the business is closed for a period of six months or more.
 - (2) Exception for Seasonal Business.** Signs displayed on a business that is open only on a seasonal basis are not construed to be obsolete unless the property remains vacant or the business is closed for a period of 12 months or more. A seasonal business is an on-going business open to the public for less than a full year, and solely to accommodate specific seasonal needs (by way of example **only**: a guide-and-outfitter operation during hunting season).

Section 5.8.C.2.g

- g. Signs Blocking Ingress or Egress.** Signs that have been installed or maintained so as to prevent free ingress or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape, except those signs that may be required by other applicable Federal, State and local statutes, laws, codes, resolutions, ordinances, and regulations.
- h. Signs Creating Optical Illusion.** Signs that create an optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion rather than fact of motion or changing of copy.
- i. Signs Making Sounds.** Any sign that contains a radio, phonograph, whistle, bell or other sound-making device.
- j. Signs Obstructing Visibility.** Signs that obstruct or interfere with traffic signs or signals or with the visibility of operators of vehicles, bicycles or other conveyances using the public right-of-way or that are located within a clear vision area.
- k. Signs on Natural Features.** Signs painted on rocks or other natural features.
- l. Signs Resembling Traffic Control Devices.** Signs that are of a size, location, movement, content, coloring or manner of illumination that may be confused with or construed as a traffic control device, but have not been erected or authorized to be erected by a governmental agency.
- m. Signs Without Adequate Clearance From Power Lines.** Signs that have been constructed or maintained with less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by Federal or State law.
- n. Structurally Unsafe.** Signs that are structurally unsafe or constitute a hazard to safety or health by reason of inadequate maintenance or dilapidation.
- o. Stationary Vehicle Signs.** Signs placed on vehicles or trailers that are commonly and consistently parked or located for the purpose of advertising a product, service or activity or to attract or direct people to a business or activity located on the premises or nearby. “Commonly and consistently parked or located” means parked in the same, or a proximate location, for 30 or more consecutive 24-hour days.

Section 5.8.D

D. Permit Required. Except as set forth below, a permit for a new sign may be required in accordance with the Teller County Building Code. No permit is required for a legal pre-existing non-conforming sign, or for the maintenance of a sign, or for a change of sign copy, provided that the sign conforms to the provisions of *Section 5.8 Signs*.

1. No Permit Required. The following **on-premise** signs, solely as may be restricted, require no permit:

- a. Addresses.** Mail boxes, address numbers or residential nameplates less than six square feet; lot numbers less than three square feet.
- b. Entry Feature.** Any structure, with or without a gate, which functions for the purpose of identifying a path for motor vehicles or pedestrians to or from a community, neighborhood, subdivision, town, campus, lot, property, or building. An entry feature may include landscaping, logos, lettering, and/or names. (Entry features over six (6) feet high may require a Building Permit under the Teller County Building Code.) [*am.* BOCC 07-22-10(36)]
- c. Flags.** Flags of any state, nation, government and any other flag not specifically used for advertising purposes. Such flags are limited to a maximum of 64 square feet.
- d. Gravestones.** Any gravestone.
- e. Hazard Warning Signs.** Temporary or permanent signs erected by a public utility company or construction company to warn of dangerous or hazardous conditions.
- f. Historic Plaques.** Memorial tablets or commemorative plaques installed by a recognized historical agency, including cornerstones for buildings.
- g. Holiday Decorations.** Temporary decorations, clearly incidental, customary, and commonly associated with any national, local or religious holiday. Such decorations must be removed no later than one week after the holiday; however that decorations for any specified December holiday may remain for up to one week after the following January 1, which shall be considered the end of the December holiday.
- h. Information Signs on Public Property.** All information signs on, or directing people to, public property, provided such signs are related to the use of the property and are erected and maintained by the agency responsible for the public property.

Section 5.8.D.1.i

- i. **Legally Non-conforming Signs.** See *Section 5.8.F Legally Non-conforming Signs.*
- j. **Official Notices Posted By Government.** Official government notices and notices posted by governmental officers in the performance of their duties to provide warning, necessary information, direction or other regulated purposes.
- k. **Official Sign.** Any sign required or authorized by law or Resolution of the Teller County Board of County Commissioners in order to meet the needs of public information, health, safety and welfare.
- l. **Political Signs.** Any sign or banner pertaining to any political candidate, party or issue in an upcoming local, State or national election. No political sign or banner shall be erected or placed within the unincorporated areas of the County sooner than 60 days prior to the officially designated election day for a local, state, or national election. Such political signs or banners must be removed within 10 days after said election day. Political signs or banners are limited to a maximum of 32 square feet. Political banners shall be securely tied down at each corner, and neither flutter, spin, obstruct visibility, nor otherwise create a distraction such as would endanger the safe movement of traffic on the public roads.
- m. **Public Notices.** Public notices or signs relating to an emergency.
- n. **Real Estate Signs.** A sign placed on private property for the sole purpose of indicating that the property is for sale, rental, or lease.

(1) **General Restrictions**

- (a) **Placement.** No real estate sign, including directional arrow signs, may be placed (a) in the public right-of-way; or (b) on a property or properties **other than** the property or properties specifically offered for sale, rental or lease by the advertising real estate brokerage or property owner. (See exception for Open House signs, *Section 5.8.E.3.*)

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5.8.D.1.n(1)(b)**

- (b) **Prompt Removal.** A real estate sign must be removed within seven days following completion of the property sale, rental, or lease.
- (c) **Signage Permitted.** See *Table 5-8 Real Estate Signage* below.

Table 5-8 Real Estate Signage		
	Residential & Agricultural Zoning	Commercial & Industrial Zoning
Lots or parcels 2.0 acres or Less	<u>Regardless of road frontage:</u> One Standard Real Estate Sign	<u>Regardless of road frontage:</u> Either one Standard Real Estate Sign OR one sign not to exceed 16 square feet
Lots or parcels greater than 2.0 acres	<u>Per road frontage:</u> Either one Standard Real Estate Sign OR one 2-sided sign not to exceed 16 square feet per side face area provided it is installed no less than 25' from the property line	

- (i) **Standard Real Estate Sign.**
For the purposes of these Regulations, a Standard Real Estate Sign is a non-reflective and unlighted two-sided sign with a face area not exceeding four square feet per side, together with sign attachments, supported by a frame of two posts not exceeding four feet in height whether or not cross-braced, or a similar arc frame of the same height, or a cross-arm stake of the same height. Sign attachments are restricted to one brochure box and not more than two additional attachments, each attachment not to exceed six inches by two and one-half feet

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5.8.D.1.n(1)(c)(i)**

in dimension. The total area of the sign face and all attachments must not exceed seven square feet per side, and the height of the sign when installed, including all attachments, can not exceed 42 inches above the natural ground level.

- (2) **Real Estate Developer/Development Signs.** Real Estate Developer/ Development Signs are signs placed on a part of the project by a real estate developer to promote the sale, rent, or lease of undeveloped lots, or dwellings, or commercial units in a specific real estate development project.
- (a) **Temporary Marketing Sign.** For the purpose of these Regulations, a Temporary Marketing Sign is single on-premise sign on a part of the project not to exceed 48 square feet in size erected to promote the initial development and sale, rent, or lease of the specific real estate development project. Temporary marketing signs must be removed, without replacement, immediately upon the sale, rent, or lease of the last undeveloped lot or dwelling or commercial unit in the project, or after a period of two years, whichever occurs
- (b) **Individual Lot Sign.** For the purpose of these Regulations and in the context of *Section 5.8.D.1.m(2)*, Individual Lot Signs are “for sale” or “for rent/lease” signs on initially unsold or unleased developed or undeveloped subdivision lots when such lots are held by the **original developer**, its heirs or assigns. There can be no more than one sign per unsold platted lot; however, in no case shall signs be spaced closer than one sign per 200 linear feet of road frontage.
- (c) **Project Identification Sign.** A permanent on-premise freestanding or embedded decorative sign, lighted or unlighted, erected at the entrance of a

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5.8.D.1.n(2)(c)**

real estate development project for the sole and explicit purpose of identifying the project by name. There can be only one such sign at each project entrance; the general provisions of *Section 5.8* for all signs applies.

- o.** **Scoreboards.** Scoreboards used for athletic events, provided they do not exceed 20 feet in height and 128 square feet in size.
- p.** **Sign Affixed to Vehicle.** See: *Section 5.8.C.2.g Portable Signs* for restrictions.
- q.** **Signs Explicitly Exempted.** Signs exempt by specific act of the Board of County Commissioners pursuant to *Section 5.8.G Exemption from Off-Premise Sign Regulations.*
- r.** **Signs Required By Law.** Signs required or specifically authorized for a public purpose by any law.
- s.** **Traffic Signs.** Signs erected in public rights-of-way by a local, State or Federal governmental agency controlling or directing traffic.
- t.** **Temporary Signs.** Any sign other than a real estate sign or political sign which is placed for a period of less than 14 consecutive days during any consecutive 120 days. Temporary signs only advertise a particular event, not an on-going activity or enterprise, and must be removed within seven days of completion of the event. The period of time for placement of a Temporary Sign may be extended beyond 14 consecutive days to a date certain solely for cause and with the express written authorization of the Planning Director.
- u.** **Works of Private Art.** Works of private art as defined in *Chapter 12: Definitions - Art.* (Private Art over six (6) feet high may require a Building Permit under the Teller County Building Code.) [*am.* BOCC 07-22-10(36)]
- v.** **Works of Public Art.** Works of public art as defined in *Chapter 12: Definitions – Art* endorsed by Resolution of the Board of County Commissioners. (Public Art over six (6) feet high may require a Building Permit under the Teller County Building Code.) [*am.* BOCC 07-22-10(36)]

Section 5.8.E

E. Allowed Off-Premise Signs. The following off-premise signs, solely as they are restricted, are allowed in unincorporated Teller County:

1. Business Directional Signs. For the purposes of *Section 5.8 Signs*, a Business Directional Sign is any sign erected by the owner or operator of a private business located more than 1,000 feet off a public road or highway, which is placed on property owned by another. Business Directional Signs may only be placed within a 150 foot strip parallel to either side of the direct access leading to the business advertised. Business Directional Signs may not exceed 20 square feet and are limited to one per business; no business may have more than one off-premise Business Directional Sign. When more than one business is similarly situated, use of a single sign for all businesses is required; however, the size of the Business Directional Sign may be the sum of eight square feet per business, not to exceed a maximum size of 64 square feet. Placement of any such off-premise Business Directional Sign requires a Teller County Building Permit for On-Site Projects, and, approval of the Business Directional Sign by the Board of County Commissioners with recommendation of the Planning Commission pursuant to *Section 3.4 Common Procedures for Review of Applications* and the following:

a. Submittal Requirements. Submittal of an application for approval of a Business Directional Sign shall contain the materials specified in *Section 3.2 Minimum Contents of Application*, and the following information:

- (1) Site plan of the lot or parcel upon which the sign is to be placed, fully dimensioned and drawn to scale with north arrow and legend, depicting the property boundaries, all roadways and accesses, all road right-of-ways and zone district setbacks, the location of all existing and proposed structures, and the proposed location of the sign. Where topography may be a consideration in the evaluation of the sign location, a topographic map with no greater than five-foot contour intervals may be required.
- (2) A photograph or photographs of the surrounding general area showing the proposed sign drawn in its exact proposed location.
- (3) A full color drawing, dimensioned and scaled, showing the sign design, structure construction, and proposed lighting, if any.

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5.8.E.1.a(4)**

- (4) Evidence of compliance with all other applicable codes Federal, State and local statutes, laws, codes, resolutions, ordinances, and regulations, including the Teller County Building Code;.
- (5) Specific plan for maintaining the proposed sign at all times in a good state of repair.

b. Action by the Board of County Commissioners.

Approval, approval with conditions, or disapproval of a Business Directional Sign shall be pursuant to *Section 3.4.F.2.a Board of County Commissioners Decision*, and the following Standards:

- (1) The sign is not be capable of being seen, whether or not legible, without visual aid by a person of normal acuity from a roadway of the State highway system.
- (2) The sign is not erected with the purpose of its message being read from the State highway system.
- (3) The sign in no way interferes with safe roadway or access horizontal or vertical curve sight distances, or safe roadway or access intersection sight triangle distances, as established by the Teller County Roadway Design and Construction Standards.
- (4) The sign meets the restrictions set forth in *Section 5.8.E.1.*
- (5) The sign does not adversely impact the historical significance and appearance of the County or have an adverse impact on its communities and the areas surrounding them.

2. **Construction Directional and Access Signs.** Construction Directional and Access Signs are off-premise signs used to facilitate contractors, sub-contractors, and materials suppliers in locating job sites. Such signs are allowed only (a) with the express written consent of any off-premises property owner; and (b) by specific permit separately applied for and issued to the General Contractor by Teller County upon payment of the fee as set forth in the fee schedule established by Resolution of the Board of County Commissioners.

Section 5.8.E.2.a

- a. **Construction Directional Signs.** Construction Directional Signs are temporary signs no larger than two square feet in size, containing solely the following information: name of general contractor, directional arrow, street address of the job site, sign expiration date. No Construction Directional Sign shall be issued for longer than six consecutive months; however the permit may be extended once for a period not to exceed an additional six months upon payment of a new fee and receipt of a new sign expiration date. The permittee for any such sign found to be expired is subject to such penalty as set forth in the fee schedule established by Resolution of the Board of County Commissioners.

 - b. **Construction Access Sign.** A Construction Access Sign is a semi-permanent sign for a single large construction project, or single phase of development in a multi-phase development under construction. Such a sign must be no larger than 12 square feet, and contain solely the following information: the words “construction access,” the name of the specific construction project or subdivision phase, the name of the General Contractor, and the expiration date. An access permit or other permit issued by the State of Colorado Department of Transportation or the Teller County Department of Transportation may additionally be required. No Construction Access Sign shall be issued for longer than 24 consecutive months. The permittee for any such sign found to be expired is subject to such penalty as set forth in the fee schedule established by Resolution of the Board of County Commissioners.
3. **Real Estate Open House Signs.** No more than a total of three directional on and/or off-premise Open House signs directing the public to the property for sale, rent or lease are allowed per Open House property. Such signs must not exceed three square feet, and shall not be displayed other than between Friday, 5:00 p.m. and Sunday, 5:00 p.m.. No Open House sign can be placed off-premise without the express written permission of the off-premise property owner. No Open House sign can be placed in the road right-of-way.

 4. **Tourist-Oriented Directional Sign (TODS) and Related Trailblazing Signs.** Teller County relies upon and encourages the tourist economy and its contributions to the economic health of the County and the State of Colorado. However, unrestricted placement of signs throughout the County would adversely impact the historical significance and appearance of the County and have an adverse impact on its communities and the areas

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5.8.E.4**

surrounding them. Pursuant to the authority granted to Teller County under CRS § 43-1-420(3) and CRS § 43-1-416, and as stated in the “Rules and Regulations for Tourist Oriented Directional Signs” (effective November 30, 1998) promulgated by the State of Colorado Department of Transportation (page 4, Section III.A.3), no TODS or related Trailblazing Sign can be erected in Teller County except in compliance with these Regulations, so long as these Regulations do not jeopardize the state’s receipt of its full share of Federal highway funds.

- a. **Definitions.** The following definitions are derived from the “Rules and Regulations for Tourist Oriented Directional Signs” (effective November 30, 1998).
- (1) **Tourist-Oriented Directional Sign (TODS).** A sign that contains one or more authorized businesses’ plaques providing directional information for tourists to said business/es in compliance with Federal and State requirements and standards.
 - (2) **Business Plaque.** A sign for a specific business that is attached to a TODS. The term “Business” means businesses, services and activities, the major portion of whose income or visitors are derived during the normal business season from motorists not residing in the immediate area of the business.
 - (3) **Trailblazing Sign (“Trailblazers”).** A supplemental guidance sign required by the State of Colorado Department of Transportation, erected off of the State Highway System to provide directional information from the TODS to a particular business.
- b. **Approval Required.** No TODS, TODS Business Plaque, or Trailblazing Sign may be erected in Teller County except with the express approval of the Board of County Commissioners by Resolution of the Board **prior to** submission of an application for same to the State of Colorado Department of Transportation. No TODS, TODS Business Plaque or Trailblazing Sign shall be erected except by subsequent permit issued by the State of Colorado Department of Transportation.
- c. **Submittal Requirements.** Applications for a TODS, TODS Business Plaque, or Trailblazing Sign shall contain the materials specified in *Section 3.2 Minimum*

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5.8.E.4.c**

Contents of Application, and the following information:

- (1) The specific type of sign requested (TODS, TODS Business Plaque, Trailblazing Sign).
- (2) The reasons for the request, including a statement explaining the how the interest of the traveling public is served by the proposed sign, and the benefit to Teller County of the proposed sign; together with full disclosure of sign ownership and ownership of the land upon which the sign is proposed to be placed.
- (3) Site plan of the lot or parcel upon which the sign is to be placed, fully dimensioned and drawn to scale with north arrow and legend, depicting the property boundaries, all roadways and accesses, all road right-of-ways and zone district setbacks, the location of all existing and proposed structures, and the proposed location of the sign. Where topography may be a consideration in the evaluation of the sign location, a topographic map with no greater than five-foot contour intervals may be required.
- (4) A photograph or photographs of the surrounding general area showing the proposed sign drawn in its exact proposed location.
- (5) A full color drawing, dimensioned and scaled, of the proposed sign. The design of any TODS or Business Plaque shall be in compliance with the requirements of the Colorado Department of Transportation “Rules and Regulations for Tourist Oriented Directional Signs” (effective November 30, 1998).
- (6) Evidence of compliance with all other applicable Federal, State and local statutes, laws, codes, resolutions, ordinances, and regulations including the Teller County Building Code; the Teller County Roadway Design and Construction Standards; the 1988 Manual on Uniform Traffic Control Devices for Streets and Highways, and the Colorado Supplement thereto (MUTCD); the State of Colorado Division of Highways “Rules and Regulations Pertaining to Outdoor Advertising” (effective January 1, 1984); and the Colorado Department of Transportation “Rules

**Section
5.8.E.4.c(6)**

and Regulations for Tourist Oriented Directional Signs” (effective November 30, 1998).

- (7) A copy of the application required to be submitted to the State of Colorado, to include all supporting permit application evidence except as it may duplicate the submittal requirements above.
- (8) Specific plan for maintaining the proposed sign at all times in a good state of repair.

d. Standards

- (1) **Interest and Benefit.** The proposed sign is in the interest of the traveling public and has a demonstrated benefit to Teller County.
- (2) **Location.** The proposed sign is located as required by the Colorado Department of Transportation “Rules and Regulations for Tourist Oriented Directional Signs” (effective November 30, 1998); has been approved by the Teller County Department of Transportation; does not interfere with the maintenance of any public road; and does not endanger motorists, the safe movement of traffic, or the public.
- (3) **Design.** The proposed sign conforms with the design and other requirements of the Colorado Department of Transportation “Rules and Regulations for Tourist Oriented Directional Signs” (effective November 30, 1998); and, further, does not adversely impact the historical significance and appearance of the County or have an adverse impact on its communities and the areas surrounding them.
- (4) **Compliance.** Unless further restricted by the Board of County Commissioners, the proposed sign complies with the Teller County Building Code; the Teller County Roadway Design and Construction Standards; all applicable requirements of these Regulations including the provisions of *Section 5.8.B.2* for lighted signs; and all applicable requirements of the 1988 Manual on Uniform Traffic Control Devices for Streets and Highways, and the Colorado Supplement thereto (MUTCD); the State of

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5.8.E.4.d(4)**

Colorado Division of Highways “Rules and Regulations Pertaining to Outdoor Advertising” (effective January 1, 1984).

(5) **Maintenance.** Sufficient evidence exists to demonstrate that the proposed sign will be properly maintained.

e. **Repeal.** These requirements for Roadway Tourism Signs may be repealed in whole or in part by the Board of County Commissioners at any time. In the event of such a repeal, the Colorado Department of Transportation shall be immediately notified.

F. Legally Non-conforming Signs. Any properly registered off-premises signs existing within the unincorporated area of the County prior to Resolution 6-20-91(32) of the Board of County Commissioners (June 20, 1991) which would be prohibited if erected thereafter is a legally non-conforming sign.

1. **Maintenance and Repair.** Legally non-conforming signs may be maintained and kept in repair; however, in the event that a legally non-conforming sign is destroyed, it shall not be replaced. If a legally non-conforming sign falls to the ground, is broken into two or more pieces, or is illegible, it shall be deemed to have been destroyed. Should a legally non-conforming sign be vandalized, it may be repaired and/or replaced to the original condition.

2. **Failure to Have Registered.** Failure to have properly registered a non-conforming sign with the County Planning Department on or before September 18, 1991 other than for good cause shown to the satisfaction of the Board of County Commissioners, is deemed to be a violation of these Regulations.

3. **Termination of Legally Non-conforming Signs**

a. **Abandonment.** Legally non-conforming signs pertaining to activities or occupants that are no longer using a property must be removed within six months after the associated activity or occupant has vacated such property. Any such sign not removed within the required period is deemed to constitute a nuisance subject to removal by action of Teller County.

b. **Failure to Maintain.** The right to continue use of a legally non-conforming sign terminates if the sign is not maintained in good structural and visual condition, as

**Section
5.8.F.3.b**

determined by the Board of County Commissioners, based upon the recommendation of the Planning Director.

- c. **Violation.** Any violation of *Section 5.8 Signs* or any pre-existing Teller County sign provisions immediately terminates the right to maintain such sign. Such sign is be deemed in violation of these Regulations and subject to the applicable provisions of *Section 1.15 Violations of These Land Use Regulations*.

G. Exemption from Off-Premise Sign Regulations. The submission of an application for approval of an Exemption from *Section 5.8 Signs* regulations concerning off-premise signs, determination of its sufficiency, Staff review of, and notice and scheduling of a public hearing for the development permit application before the Teller County Planning Commission and Board of County Commissioners shall comply with the procedures established in *Section 3.4 Common Procedure for Review of Applications* and the following:

1. Submittal Requirements. Development permit applications for an Exemption from these Sign Regulations shall contain the materials specified in *Section 3.2 Minimum Contents of Application*, and the following information:

- a. The reasons for the request, the location, a description of the proposed sign, its size, the ownership of the sign, and the ownership of the land upon which the sign is to be placed.
- b. A properly prepared site plan pursuant to the requirements for a Minor Building Permit pursuant to *Chapter 7 Site Plan and Site Plan Review*.
- c. A dimensioned and scaled drawing showing the sign design, structure construction, and proposed lighting, if any.

2. Standards.

- a. **Residential Zones.** Visible off-premises signs are incompatible with the uses permitted in residential zones.
- b. **Manufacturing Zone.** For signs in an existing manufacturing zone, they are not visible outside said zone, do not create a distraction dangerous to traffic, and are compatible with the uses permitted in a manufacturing zone.

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- c. **Does Not Endanger Traffic.** A sign having a clear sight-line less than 1,000 feet in both directions along a public road creates a distraction endangering the safe movement of traffic. Further, an off-premise sign within one thousand feet of another sign, whether off-premise or on-premise, creates a distraction such as would endanger the safe movement of traffic on the public roads.
- d. **Does Not Draw Attention to Itself.** The use of reflecting materials or moving parts or objects to draw attention to a sign creates a distraction such as would endanger the safe movement of traffic on the public roads.
- e. **Is Not Lighted.** Unless required for public safety, lighting of signs is incompatible with the rural setting of the County and will adversely affect wildlife.
- f. **Is Not Within View of A Designated Scenic Road or Roadway.** For Teller County designated Scenic Roadways see *Section 4.5.C Scenic and Wildlife Viewing Roadways*. In addition to aesthetic protection of designated scenic areas, placement of off-premise signs in such an area may distract drivers from devoting all of their attention to road and traffic and thereby endanger the safe movement of traffic on the public roads.
- g. **Is Not Within One Mile of the Boundary of a National or State Area.** Signs within one mile of the boundary of a National Forest, National Monument, National Park, State Forest, or State Park are incompatible with such areas. Placement of such signs would create a distraction that would endanger the safe movement of traffic on the public roads.
- h. **Is Not Within View of a Designated Wildlife Viewing Roadway.** For Teller County designated Wildlife Viewing Roadways see *Section 4.5.C Scenic and Wildlife Viewing Roadways*. Drivers of vehicles through such an area may be distracted from devoting all of their attention to road and traffic, and the placement of an off-premise sign in such an area would create additional distraction such as would endanger the safe movement of traffic on the public roads.
- i. **Is Not In An Area Designated by an Intergovernmental Agreement as A Joint Planning Area.** Joint planning areas created by intergovernmental agreement with an incorporated city may experience

Section 5.8.G.2.i

sudden or quick growth such that traffic management infrastructure and devices may lag behind growth. Further, off-premises signs would create additional distraction such as would endanger the safe movement of traffic on the public roads.

Section 5.9

**Section 5.9
TREES**

Section 5.9 applies when the submittal requirements and standards for approval of a development permit application include compliance with the requirements of *Chapter 5 Site Design*, and the nature of the development permit application requires site disturbance of any kind. Such types of development permit applications include applications for Subdivision, PUD, Major Building, and certain Special Review Use Permits.

Except as otherwise recommended by the Colorado State Forest Service and/or the Teller County Community Wildfire Protection Plan adopted June 2, 2005 by the Teller County Board of County Commissioners healthy existing significant trees, of at least six inches in diameter measured five feet above grade, are to be preserved to the extent reasonably feasible on all development sites. All sites shall be designed to maximize the retention of existing healthy trees, with removal of trees outside Retention Priority areas and within Tree Retention Exemption areas limited to the minimum number necessary make possible the reasonable and non-hazardous use of the land or structure.

- A. Tree Retention Priorities.** Site development shall minimize the disturbance of trees in the following situations.
- 1. Sensitive Environmental Areas.** Trees located in sensitive environmental areas including floodplains, stream corridors, wetlands, areas exceeding 30% slope, and natural drainage features.
 - 2. Wildlife Habitat.** Where these Regulations require a wildlife habitat review, trees determined by that review to be part of a High or Moderate Impact area as defined in these Regulations.
 - 3. Specimen Trees.** Outstanding tree specimens due to size, species, form or appearance identified in review comments during any required development permit application review by the Colorado State Forest Service.
 - 4. Perimeters.** Trees located outside setbacks or along property perimeters that will serve as natural landscape, buffer, open space, screening or transition areas.

Section 5.9.A.5

5. **Parking Areas.** Trees safely located within proposed parking areas that will provide shade and wind protection, or aesthetic value for the proposed use.

B. Tree Retention Exemptions. Trees that meet one or more of the following standards are exempt from the requirements of *Section 5.9*:

1. **In Building Envelopes.** Trees within a building envelope.

2. **Dead, Dying, Downed or Hazardous.** Dead, dying, or naturally fallen trees, or trees found by the County to be a threat to the public health, safety and welfare.

3. **Impairs Sight Distance.** Trees determined by the County to obstruct clear sight distance visibility at driveways and intersections.

4. **Public Nuisance.** Trees that constitute a public nuisance or threat to adjoining and/or adjacent woodlands due to species, location, disease, infestation, fire hazard, or overcrowding.

5. **In Conflict With Approved Plans.** Trees located within recreation areas, utility easements, on-site septic systems, roadways, or other special feature areas as designated on approved site plans or subdivision or PUD development plans, or trees in conflict with implementation of an approved Special Use Permit for Mining.

6. **Required for Defensible Space.** Trees that should be removed in order to provide wildfire “defensible space” pursuant to *Section 6.5 Wildfire Hazard Areas* of these Regulations.

Section 5.10

**Section 5.10
VISUAL IMPACTS**

The purpose of *Section 5.10* is to preserve and maintain Teller County’s scenic resources as viewed from the major roadway corridors important to the character and economy of the County. This is accomplished by encouraging sensitivity to ridgelines and open areas within which the location and design of the proposed development could severely impact the appearances of the County’s valued scenic environment.

A. Applicability. The provisions of *Section 5.10* apply to development permit applications that include Subdivision, Special Review Use, development in the Historic Preservation (HP) or National Monument Protection (NP) Overlay Zones, or Planned Unit Developments proposed on lands that are highly visible from Teller County’s identified Scenic

Section 5.10.A

Roadways (See *Section 4.5.C Scenic and Wildlife Viewing Roadways* of these Regulations).

- B. Submittal Requirements.** It is requested that an Applicant for development subject to the provision of *Section 5.10* submit a visual analysis illustrating the anticipated visual effects of the proposed development and describing how the potential visual impacts may be mitigated.
- 1. Subdivision or Planned Unit Development Sketch Plan.**
Applicant should submit an initial investigation of potential visual impacts and proposed mitigation techniques containing the following:
 - a. Map.** A map of the property that depicts the general locations of ridgelines and open areas in relationship to development areas. Map conventions should be followed, and include a north arrow, scale, and legend.
 - b. Written Statement.** A brief written statement describing, in a general manner, where the development is proposed to be located and the design elements that will be used to mitigate visual impacts.
 - 2. Subdivision or Planned Unit Development Preliminary Plan; Development in HP and NP Overlay Zones; Special Review.**
Applicant should submit a detailed visual analysis illustrating the existing features of the site, as viewed from all identified Scenic Roadway approaches and passing, and depict the location and design of the proposed development. The visual analysis should include:
 - a. Illustrations.** Illustrations of the mass and form of the proposed development. These may be provided as a photograph of the property onto which the development has been rendered, a computer simulation, an architectural site section, or other similar visual display technique.
 - b. Materials and Colors.** Statements or samples describing and/or showing the materials and colors proposed to be used for all structures.
 - c. Map.** A map locating proposed roads and utilities and identifying the area proposed for development. Map conventions should be followed, and include a north arrow, scale, and legend.
 - d. Plans.** Grading, landscaping and illumination plans, if not otherwise required.

Section 5.10.B.2.e

- e. **Written Statement.** A written statement explaining how the development mitigates visual impacts on affected ridgelines and open areas.

- 3. **Final Plat.** Applicant should submit those materials necessary to provide the County with assurances that the development will meet all of its commitments for ridgeline and open area development as may be agreed to during Preliminary Plan review. Such assurances may include covenants, deed restrictions and financial guarantees in a form approved by the County Attorney and Board of County Commissioners. For developments that do not require a final plat, or are only a one-step review, this information should be provided in addition to the requirements of *Section 5.10.B.2.*

- C. **Review and Consideration by County.** The Planning Director, Planning Commission, and Board of County Commissioners, as appropriate to the development permit application, may review and consider the visual analysis submittal materials during the development review process, and may suggest mitigation alternatives to the Applicant.