

TITLE:

Amendments to the Larimer County Land Use Code

REQUEST:

Amend the Larimer County Land Use Code as follows:

- 1) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by incorporating references within Article 13.0 to ensure other Articles of the Land Use Code are being administered and to address misspellings and missing text.
- 2) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by incorporating language to §13.4.2. and §13.4.3. regarding when the standards contained within those subsections apply and when standards of Article 5.0 apply.
- 3) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by amending 13.6.1.D to acknowledge that approving preexisting lodging facilities by the provisions in 13.6.1.D. should only occur when no other procedure/process is available.
- 4) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by deleting §13.6.2.B.4.d, amending 13.6.2.B.4.e., and deleting 13.6.2.B.4.f. to redefine the allowances for accessory buildings and structures on residential properties.
- 5) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by amending §13.7.6. – Exterior Lighting to strike the standards therein and provide reference to the Countywide lighting standards in Article 4.0 – Development Standards, §4.10. – Exterior Lighting.
- 6) Amend Article 8.0 -Signs to add references linking the Estes Valley zone districts into the sign regulations.
- 7) Amend Article 3.0 – Use Regulations, §3.3.5.B.2.ii. Transfer of Short-term Rental License to add a new item iii. to include language allowing transfer of short-term rental licenses when such uses are in the

EV-A Estes Valley Accommodations/Highway  
Corridor or EV-A1 Estes Valley  
Accommodations/Low Intensity zoning districts.

- 8) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by amending §13.6.2.B.2.a – Accessory Dwelling Units by 1) re-titling the subsection to Accessory Living Area and 2) eliminating the existing standards and provisions within the subsection and replacing them with a reference to §3.4.5.A. Accessory Living Area standards of the Land Use Code. Furthermore, to Amend Table 13-6: Accessory Uses and Structures Permitted in the Residential Zoning Districts to change the Additional Requirements reference for Accessory Living Area, and to amend §3.4.5.A.4. Site Standards by adding additional standards.

<u>APPLICANT:</u>	Larimer County Community Development
<u>STAFF CONTACT:</u>	Matt Lafferty, Principal Planner, AICP
<u>FILE #:</u>	25-CODE0283
<u>PC HEARING:</u>	May 21, 2025
<u>NOTICE GIVEN:</u>	Newspaper publication 14 days prior to hearing in two newspapers of general circulation, posting on the Larimer.org website and posting in the officially designated area of the Larimer County Courthouse Offices no less than twenty-four hours in advance of the hearing.

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DISCUSSION:

The following report and attachments contain a variety of Land Use Code Amendments focused on standards, procedures, and regulations pertaining to the Estes Valley Planning Area. The majority of the amendments occur within Article 13.0 – Supplemental Regulations for the Estes Valley; however, some of the amendments are to other Articles within the Land Use Code. The amendments are generally as follows:

- Article 13.0 – Supplemental Regulations for the Estes Valley
  - Technical References,
  - Conservation Developments/Standards/Density,
  - Preexisting Lodging Facilities,

- Accessory Buildings/Size/Lot Coverage, and
  - Exterior Lighting
- Article 8.0 -Signs
- Amendments to Article 3.0 – Uses Regulations, §3.3.5.B.2.ee – Transfer of Short-term Rental License
- Amendments to Article 3.0 – Uses Regulations, §3.4.5.A.4 – Accessory Living Area (Site Standards)

Some of the amendments being proposed were identified by staff and other users code as they found portions of the code confusing and difficult to administer. Other amendments are being suggested as the result of State legislative amendments aimed at providing alternative housing options.

On April 17, 2025, the proposed amendments herein were presented to the Estes Valley Planning Advisor Committee (EVPAC). After much discussion, the EVPAC unanimously supported all the amendments except for the amendments to the sign regulations, in which case one of the committee members was concerned with political signs being allowed on residential properties. Staff explained that the sign regulations cannot regulate free speech, and one sign is permitted per property. Staff also explained that the amendments to the sign regulations were not about the context of the sign regulations but rather making the sign code applicable in the Estes Valley.

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**PROPOSED AMENDMENTS:**

***1) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by incorporating references within Article 13.0 to ensure other Articles of the Land Use Code are being administered and to address misspellings and missing text.***

These proposed technical amendments will create appropriate references and connections between Article 13.0 and all other parts of the Code. The references are necessary as it is not always evident as to what land use code procedures and standards apply to the Estes valley Planning Area. It is anticipated that the proposed amendments will create clarity as to which aspects of the code apply to various land use activities and under what circumstances.

The technical amendments discussed above are found on pages 1 and 4 of Attachment A. In addition, there are numerous minor word smithing changes found through the Attachment.

***2) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by incorporating language to §13.4.2. and §13.4.3. regarding when the standards contained within those subsections apply and when standards of Article 5.0 apply.***

Currently §13.4.2. and §13.4.3. of Article 13.0 provide how density calculations, dimensional standards and open space calculations are made for land divisions in the

Estes Valley Planning Area. However, when the Comprehensive Plan for the Estes Valley was adopted, it included policy direction that the Larimer County land division process and standards for Conservation Developments should apply to applicable properties in the Estes Valley Planning Area.

The amendments to §13.4.2. and §13.4.3. provide directions for when the standards of the subsections apply and when Article 5.0 of the Land Use Code applies. The changes will ensure that properties 30 acres in area or greater will be developed pursuant the rules for Conservation Developments.

The amendments discussed above can be found on pages 7 – 9 of Attachment A.

**3) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by amending 13.6.1.D to acknowledge that approving preexisting lodging facilities by the provisions in 13.6.1.D. should only occur when no other procedure/process is available.**

Preexisting Lodging Facilities (PELFs) were added to Article 13.0 at the time when the County was preparing regulations for short-term rentals. The goal was to allow preexisting lodging facilities in the Accommodation zoning districts to operate without being encumbered by the short-term rental process.

Since adding PELFs to the Code, short-term rental rules have been adopted and standard procedures for allowing existing preexisting lodging facilities has been established. As such §13.6.1.D. is to be amended to reflect that unless there is no other path forward this subsection should not be utilized for approving preexisting lodging facilities.

The amendments discussed above can be found on pages 13 and 21 of Attachment A.

**4) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by deleting §13.6.2.B.4.d, amending 13.6.2.B.4.e., and deleting 13.6.2.B.4.f. to redefine the allowances for accessory buildings and structures on residential properties.**

The current provisions for accessory buildings and structures for the Estes Valley Planning Area were carried over from the Estes Code when the County and Town dissolved the intergovernmental agreement between the two agencies. Having administered the regulations for the Estes Valley for the past 5 years, staff believes the accessory building and structure standards are overly complex and can be simplified by using 10 percent lot coverage rule that is utilized in all other parts of the County. Furthermore, it is believed that the size and number of buildings on a property should rest with the owner and not be determined by the Code.

For information purposes, the 10 percent lot coverage standard is utilized as the acceptable amount of impervious building surface area contributing to stormwater drainage from a property.

The amendments discussed above can be found on pages 11 - 43 of Attachment A.

**5) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by amending §13.7.6. – Exterior Lighting to strike the standards therein and provide reference to the Countywide lighting standards in Article 4.0 – Development Standards, §4.10. – Exterior Lighting.**

On January 13, 2025, the Larimer County Board of County Commissioners approved amendments to the exterior lighting standards in Article 4.0. – Development Standards of the Land Use Code. However, an oversight during the adoption of the new lighting standards failed to consider amending the lighting standards for the Estes Valley Planning Area. Therefore, this amendment will eliminate and replace the exterior lighting standards in §13.7.6. by creating a cross reference to §4.10, which is the exterior light standards for the County.

The amendments discussed above can be found on pages 61 - 63 of Attachment A.

**6) Amend Article 8.0 -Signs to add references linking the Estes Valley zone districts into the sign regulations.**

When Article 13.0. – Supplemental Standard for the Estes Valley were added to the Land Use Code integration of the Estes Valley zoning districts with the County sign regulations was overlooked. This amendment forms a connection between the sign regulations and the supplemental regulations for the Estes Valley by adding the Estes Valley zone district to the Article 8.0 - Signs.

The amendments discussed above can be found on pages 12 and 17 of Attachment B.

**7) Amend Article 3.0 – Use Regulations, §3.3.5.B.2. ee. Transfer of Short-term Rental License to add a new item iii. to include language allowing transfer of short-term rental licenses when such uses are in the EV-A Estes Valley Accommodations/Highway Corridor or EV-A1 Estes Valley Accommodations/Low Intensity zoning districts.**

The current short-term rental regulations prohibit the transfer of short-term rental licenses except under specific circumstances. This amendment would allow the transfer of short-term rental licenses in the EV-A Accommodations/highway Corridor and EV-A1 Estes Valley Accommodations/low Intensity zone district. The rationale with this amendment is that these are non-residential zoning districts where accommodation uses are provided for and it would be appropriate to be more permissive with license transfers in these districts.

The amendments discussed above can be found in Attachment C.

**8) Amend Article 13.0 – Supplemental Regulations for the Estes Valley by amending §13.6.2.B.2.a – Accessory Dwelling Units by 1) re-titling the subsection to Accessory Living Area and 2) eliminating the existing standards and provisions within the subsection and replacing them with a reference to §3.4.5.A. Accessory Living Area standards of the Land Use Code. Furthermore, to Amend Table 13-6: Accessory Uses and Structures Permitted in the Residential Zoning Districts to change the Additional Requirements reference for Accessory Living Area, and to amend §3.4.5.A.4. Site Standards by adding additional standards.**

In June of 2024, Larimer County amended the Land Use Code to allow Accessory Living Areas (ALAs), either attached or detached, as a use by right in the unincorporated area of the County. This, however, did not include the unincorporated areas in the Estes Valley Planning Area.

The preparation of the County ALA amendments coincided with House Bill 24-1152 passed by the State legislature requiring ALAs between 500 and 750 square feet in area to be allowed in all residential zone districts when:

“The portions of a county are both within a census designated place with a population of 40,000 or more and within the area of a Metropolitan Planning Area (MPO)”.

While there were no portions of the County that meet the qualifications, the County Commissioners and Community Development Department had already committed to code amendments in response to existing local housing issues.

Upon completion of the Code amendments for ALAs, the Community Development Department sought direction from the County Commissioners as to whether similar amendments should be considered for the Estes Valley Planning Area. The County Commissioners agreed that such amendments should be considered.

The proposed alternatives for Accessory Living Area amendments for the Estes Valley were presented and discussed with the Town of Estes Staff, the Estes Valley Planning Advisory Committee, and property owners in the area (Virtual Meeting) to determine if the standards for ALAs should align with the current standards of the Town of Estes or with those of the County. The consensus suggests that the standards should be aligned to those currently being implemented by the County.

At the March 12, 2025, Work Session of the Planning Commission and Board of County Commissioners, staff presented alternatives for Accessory Living Area standards for the Estes Valley Planning Area. Based upon the discussion at the work session, staff proposes amending Article 13.0 – Supplementary Standards for the Estes Valley to eliminate the current ALA standards for the Estes Valley Planning Area and replace them with those already in place for all other unincorporated areas of the County.

During the presentation to amend the ALA standards for the Estes Valley Planning Area, discussion regarding adding standards to the County ALA regulations came up. These discussions revolved around concerns with the siting of detached accessory living areas and how they may impact environmental features such as wetlands and riparian areas, and views from primary residences on neighboring properties.

To address the issues raised, staff proposes suggested standards that could be added to the existing sitting standards section of the accessory living area regulations. These suggested standards have been incorporated into the proposed amendments.

The amendments necessary for this change are outlined in Attachment E attached to this report.

With regard to the proposed amendments outlined above, staff believes that such changes to the standards, regulations and procedures will ensure that the intent of the code provision will be achieved as was originally intended.

#### **ATTACHEMENTS:**

- Attachment A: Amendments to Article 13.0 – Supplementary Regulations for the Estes Valley
- Attachment B: Amendments to Article 8.0 – Signs
- Attachment C: Amendments to Article 3.0 – Uses Regulations, §3.3.5.B.2.ee – Transfer of Short-term Rental License
- Attachment D: Accessory Living Area Power Point Slides
- Attachment E: Amendments to §13.6.B.2.a. and §3.4.5.A – Pertaining to Accessory Living Areas

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#### **REVIEW CRITERIA:**

*Amending the text of this Code is a matter committed to the legislative discretion of the Board of County Commissioners. Per Section 6.6.2.D. to approve a change in the Code text, the Planning Commission in their review and recommendation, and the County Commissioners in their review and decision, shall consider whether the proposed change is consistent with the Comprehensive Plan and the intent and purpose of this Code.*

The proposed code amendments address technical issues resulting from the transition of the past code to changes necessary to align terms and uses with changes mandated by state legislative changes to procedural changes to make processes more fluid and manageable. As proposed, these amendments are intended to ensure that the Code maintains consistency with the Comprehensive Plan, State law, and community expectations. Therefore, to maintain the integrity of standards, content and administration of the Code, these changes are necessary and consistent with the intent of the above review criteria.

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STAFF RECOMMENDATION:

Staff recommend that the Planning Commission recommend to the Board of County Commissioners approval of the Land Use Code amendments contained within File #25-CODE0283, subject to the following condition:

1. The effective date of the proposed code amendments will be June 23, 2025.





# PLANNING COMMISSION

## ATTACHMENT

## Article 13.0 - SUPPLEMENTAL REGULATIONS FOR THE ESTES VALLEY

### 13.1. - Purpose and Applicability

#### 13.1.1. - Purpose.

The regulations in this Article are intended to provide for coordinated and harmonious development of the Estes Valley which will, in accordance with present and future needs, best promote health, safety, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development.

#### 13.1.2. - Applicability.

The provisions of this Article 13.0 are supplemental to all the other Articles of this Code and shall apply to all land and development and use of all structures and land located within the unincorporated areas of Larimer County within the Estes Valley, as depicted on the Larimer County Zoning Districts - Estes Valley Planning Area Map, as may be amended from time to time. This map is set forth in this section of the Code and hereby incorporated by reference.

#### 13.1.3. - Official Zoning Map.

The location and boundaries of the zoning districts shall remain as historically designated and are hereby described in this chapter, and shown on the map entitled "Larimer County Zoning Districts Map - \_Estes Valley Planning Area," hereafter referred to as the official zoning map, as may be amended.

(Res. of 6-6-2023, Exh. A, 3)

### 13.2. - Estes Valley Zoning Districts

The following zoning districts are hereby incorporated into the Larimer County Land Use Code. They may be referred to by their name or their district letter abbreviations.

#### 13.2.1. - Zoning Districts.

##### A. Residential Zoning Districts include:

1. EV RE-1 Estes Valley Rural Estate
2. EV RE Estes Valley Rural Estate
3. EV E-1 Estes Valley Estate
4. EV E-1S Estes Valley Estates Short-term Rental
5. EV E Estes Valley Estate
6. EV R Estes Valley Residential
7. EV RM Estes Valley Multi-Family Residential

##### B. Nonresidential Zoning Districts include:

1. EV A Estes Valley Accommodations/Highway Corridor
2. EV A-1 Estes Valley Accommodations/Low Intensity
3. EV CO Estes Valley Outlying Commercial
4. EV O Estes Valley Office
5. EV I-1 Estes Valley Restricted Industrial

(Res. of 6-6-2023, Exh. A, 5; Res. of 11-6-2023, Exh. A)

13.2.2. - Residential Zoning Districts/Specific Purposes.

A. **EV RE-1 Estes Valley Rural Estate Zoning District.**

This district protects and preserves some of the most rural areas of the Estes Valley in which significant view sheds, woodlands, rock outcroppings, ridgelines, other sensitive environmental areas, and low-density residential development comprise the predominant land use pattern. The district regulations allow for the development of low-density single-family residential uses, generally at densities no greater than one dwelling unit per ten acres.

B. **EV RE Estes Valley Rural Estate Zoning District.**

This district permits relatively low-density single-family residential development in areas of the Estes Valley where this is the established and predominant land use pattern. New residential development is encouraged to incorporate rural residential conservation designs, such as clustering and other open space preservation techniques, in order to preserve the existing rural character and limit development in sensitive environmental areas such as steep sloped areas. The regulations contained in this district will permit continued, low-density residential development, generally at densities no greater than one dwelling unit per two and one-half acres.

C. **EV E-1 Estes Valley Estate Zoning District.**

This district preserves the predominantly lower density residential uses that have been established in the Estes Valley. The district regulations permit single-family residential uses at densities of one dwelling unit per acre.

D. **EV E-1S Estes Valley Estates Short-term Rental Zoning District.**

This district encourages moderate density single-family residential uses in areas of the Estes Valley convenient to services and the key highway corridors. District regulations are intended to continue the predominant single-family detached use, while providing for additional parks, open space and trail/bikeway linkages to Downtown Estes Park and existing systems whenever possible. District regulations permit single-family residential uses at densities of two dwelling units per acre, with a minimum lot area of one-half acre.

E. **EV R Estes Valley Single-Family Residential Zoning District.**

This district preserves and encourages relatively high-density single-family residential uses primarily within the Town of Estes Park. District regulations are intended to continue the predominant single-family detached use, while providing for additional open space and trail/bikeway linkages to Downtown Estes Park and existing systems whenever possible. District regulations permit single-family residential uses at densities of four dwelling units per acre, with a minimum lot area of one-quarter acre.

F. **EV RM Estes Valley Multi-Family Residential.**

This district provides opportunities for multifamily residential development.

G. **EV E-1S Estes Valley STR District.**

This district preserves the predominantly lower density residential uses that have been established in the Estes Valley. The district regulations permit single-family residential uses at densities of one dwelling unit per acre, and it allows STRs to be exempt from residential cap and from separation requirements.

(Res. of 6-6-2023, Exh. A, 5; Res. of 11-6-2023, Exh. A)

### 13.2.3. - Non-Residential Zoning Districts/Specific Purposes.

#### A. **EV A Estes Valley Accommodations/Highway Corridor Zoning District.**

This district applies primarily in highway-oriented commercial areas of the Estes Valley, and allows a wide variety of accommodation uses, including relatively higher-intensity accommodations such as multi-story hotels and motels. A variety of related tourist-serving retail and commercial uses, such as restaurants, bars, and gift shops, will be permitted, but only as accessory uses to a principal accommodations use and only if such supporting uses are located inside the same structure as the principal use. Stand-alone commercial or retail uses will not be permitted in this accommodations district; instead, such uses may be developed in the other commercial zones.

#### B. **EV A-1 Estes Valley Accommodations/Low-Intensity Zoning District.**

This district provides for low-intensity and small-scale residential uses, low-intensity accommodations and very limited accessory uses located along highway and roadway corridors characterized by low-intensity residential and lodging uses, including resort lodges, cabins, and condominium developments. Aside from these limited residential and accommodation uses, no new commercial development shall be permitted in this district. New uses, including new accommodations, shall be developed consistent in intensity, bulk and design with the low-scale, residential character of this district.

#### C. **EV CO Estes Valley Outlying Commercial Zoning District.**

This district encourages the development of a wide variety of commercial and retail uses along the major corridor entryways into the Valley and the Town of Estes Park. This district should accommodate the majority of the larger, freestanding commercial and retail buildings to meet future demand in the community.

#### D. **EV O Estes Valley Office Zoning District.**

This district implements office future land uses. The intensity of future office development will be controlled through district standards.

#### E. **EV I-1 Estes Valley Restricted Industrial Zoning District.**

Permitted uses in this district shall include a relatively wide variety of industrial uses, as reflected in the existing mix of industrial land uses, including several concrete/asphalt plants, propane distributors, construction trade yards and gravel mining and crushing facilities. However, to discourage future conflicts, residential uses shall not be permitted in this zoning district. An important element of development in this industrial zoning district shall be compliance with performance standards to protect adjacent uses from adverse impacts of industrial development.

### 13.3. - Compliance with District Standards

#### 13.3.1. - Compliance Required.

No building or structure shall be erected, converted, enlarged, reconstructed, or altered for use, nor shall any land, building, or structure be used or changed in use except in accordance with all of the regulations established by this Code for the zoning district in which the land, building, or structure is located.

#### 13.3.2. - Permitted Uses and Review Procedures.

Use Tables Table 13-1 and Table 13-4 set forth the use classifications and specific uses permitted within the relevant zoning districts according to the following procedures.

**A. Permitted Uses.**

1. Uses followed by an (R) are allowed by right but they may be subject to all other requirements of this Code.
2. Uses followed by an (SP) require approval through the Site Plan Review process described in §6.4.1, Site Plan Review.
3. Uses followed by an (AS) require approval through the Administrative Special Review process described in §6.4.3, Administrative Special Review.
4. Uses followed by an (S) require approval through the Special Review Process described in §6.4.2, Special Review.
5. Uses followed by an (L&E) require approval through the location and extent process described in §6.4.4, Location and Extent.
6. Uses followed by a combination of (R/SP/AS/S) may be allowed by right or require additional approvals based on thresholds set forth in Article 3.0, Use Regulations.
- 7.

**B. Uses Not Allowed.**

A "—" in a cell indicates that a use type is not allowed in the respective zoning district, unless it is otherwise expressly allowed by other regulations of this Code.

**C. Additional Regulations.**

Many uses are subject to additional use-specific regulations (in addition to those standards in Article 4.0, Development Standards that apply to all development in general). The final column of the use table contains references to applicable use-specific standards, which are set forth in §13.6, Use Regulations for the Estes Valley and §3.3, Use Regulations. Standards referenced in the Additional Regulations column apply in all zoning districts unless otherwise expressly stated.

**D. Use Classifications/Specific Use Types.**

The use classifications listed in Tables Table 13-1 and Table 13-4 are described and defined in §13.8. or in §20.0 if not in §13.8, of this Code. In some cases, specific uses are listed in the second column of the table. The use classifications are intended to be mutually exclusive. If a use type is specifically listed in the table, that use type is allowed only in the districts indicated, not within the districts that may allow the broader classification.

**E. Uses Not Listed as Permitted.**

Uses not specifically listed as permitted by right, site plan review, administrative special review, special review, or by location and extent in a specific zoning district, as depicted in Tables Table 13-1 and Table 13-4, are prohibited unless:

1. Such use is subsequently permitted pursuant to the rezoning/amendment procedure set forth in §6.6, Code Amendment Procedures, or
2. Such use has been determined to be a matter of state interest as defined in Article 10.0 – Areas and Activities of State Interest.

**13.4. - Residential Zoning Districts—Permitted Uses and Standards**

**13.4.1. - Table of Permitted Uses in Residential Zoning Districts.**

**Table 13-1: Residential Zoning Districts Zoning Table**

USE CLASSIFICATION	SPECIFIC USE	ZONING DISTRICTS							ADDITIONAL REGULATIONS (APPLY IN ALL DISTRICTS UNLESS OTHERWISE STATED)
		EV RE-1	EV RE	EV E-1	EV E-1S	EV E	EV R	EV RM	
RESIDENTIAL USES									
Household Living	Single-family dwelling	R	R	R	R	R	R	R	
	Two-family dwelling	—	—	—	—	—	—	R	
	Multi-family dwelling	—	—	—	—	—	—	SP	
	Mobile Home Park	—	—	—	—	—	—	S	§13.6.1.M
	Townhome Project	—	—	—	—	—	—	AS	§13.6.1.A
Group Living Facility, Large	Senior Care Facility	—	—	—	—	—	—	S	§13.6.1.K
	Large Group living facilities	—	—	—	—	—	—	S	§13.6.1.K
Group Living Facility, Small		R	R	R	R	R	R	R	§13.6.1.K
INSTITUTIONAL, CIVIC AND PUBLIC USES									
Day Care Center		S	S	S	S	S	S	S	§13.6.1.H
Family Home Day Care, Large		S	S	S	S	S	S	S	§13.6.1.H; As accessory to a principal residential use only
Government Facilities	Public Safety Facilities	L&E	L&E	L&E	L&E	L&E	L&E	L&E	
	Trail/Trail Head	L&E	L&E	L&E	L&E	L&E	L&E	L&E	
	Utility, Major	—	—	—	—	—	—	—	

	Utility, Minor	L&E	L&E	L&E	L&E	L&E	L&E	L&E	Use shall not include office, repair, storage, or production facilities.
	All Other Government Facilities	L&E	L&E	L&E	L&E	L&E	L&E	L&E	
Hospital		—	—	—	—	—	—	S	
Park and Recreation Facilities—Public		L&E	L&E	L&E	L&E	L&E	L&E	L&E	
Park and Ride Facilities		—	—	—	—	—	—	ASR	
Religious Assembly		—	—	—	—	—	—	S	§13.6.1.Q
Cultural Institutions		S	S	S	S	S	S	S	§13.6.1.W
Schools		—	—	—	—	—	—	S	
<b>Senior Institutional Living</b>	Continuing Care Retirement Facility	—	—	—	—	—	S	S	§13.6.1.K
	Congregate Housing	—	—	—	—	—	S	S	§13.6.1.K
	Skilled Nursing Facility	—	—	—	—	—	—	S	§13.6.1.K
Transportation Facility Without Repairs		—	—	—	—	—	—	L&E	
<b>ACCOMMODATION USES</b>									
<b>Low Intensity Accommodation</b>	STR, Hosted 1—10 Guests	AS	AS	AS	AS	AS	AS	AS	§3.3.5.A
	STR, Hosted 11—16 Guests	S	S	S	S			S	§3.3.5.A
	STR—Max Ten Guests	AS*	AS*	AS*	AS	S	S	AS*	§§13.6.1.C and 3.3.5.B

	Preexisting Lodging Facility	—	—	—	—	—	—	—	§13.6.1.D
	Bed and Breakfast Inn	—	—	—	—	—	—	—	
<b>COMMERCIAL/ RETAIL USES</b>									
<b>Wireless Communications Facilities</b>	Attached Facility on Existing Structure	SP	SP	SP	SP	SP	SP	SP	See Article 9.0
	Small Cell Facility	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	See Article 9.0
	Alternative Tower Structure (concealed)	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	See Article 9.0
	Tower (non-concealed)	—	—	—	—	—	—	—	See Article 9.0
Golf Course		R	S	S	S	S	S	—	
Accessory Uses									§13.6.2
Temporary Uses									§13.6.3

(Amd. by F&R, 6-15-2021; Res. of 6-6-2023, Exh. A, 3, 5)

#### 13.4.2. - Density/Dimensional Standards.

The density and dimensional standards contained herein shall only apply to residential land division applications of property within the Estes Valley Planning Area that are less than 30 acres in gross land area. Any residential land division applications of property within the Estes Valley Planning Area that are 30 acres or greater in gross land area shall be subject to the requirements set forth in Article 5.0. – Land Division Standards.

##### A. Density Calculation.



1. **Net land area.**

Net land area shall be determined by subtracting from the gross land area the following:

- a. Eighty percent of lands located in the 100-year floodplain;
- b. Eighty percent of lands located above the elevation serviceable by the Town of Estes Park water system;
- c. All lands within private streets or dedicated public rights-of-way; and
- d. All lands subject to a ground lease that, because of the lease terms, would not be available for development of the proposed land use(s) on the subject property.

2. **Net density.**

- a. Net density shall be calculated by dividing the net land area by the minimum lot area or land area required for each unit.
- b. When applying a density standard to a parcel's net land area, all resulting fractions shall be rounded down to the next lower whole number.
- c. The number of dwelling or accommodations units allowed on a site is based on the presumption that all other applicable standards shall be met. The maximum density established for a zoning district (See Table 13-2, below) is not a guarantee that such densities may be obtained, nor a valid justification for varying other dimensional or development standards.

B. **Table of Density and Dimensional Standards by Zoning District.**

Table 13-2 below lists the density and dimensional standards that apply within the residential zoning districts. These are "base" standards and are not guarantees that stated minimums or maximums can be achieved on every site. Other regulations of this Code or site-specific conditions may further limit development on a specific site.

C. **Maximum Number of Principal Structures Permitted Per Lot or Development Parcel.**

Except in the EV RM zoning district, only one principal structure shall be permitted per lot or development parcel.

D. **Table 13-2: Base Density and Dimensional Standards Residential Zoning Districts.**

Table 13-2: Residential Zoning Districts Base Density and Dimensional Standards								
Zoning District	Max. Net Density (units/ac)	Minimum Lot Standards [1]		Minimum Building/Structure Property Line Setbacks [2] [6]			Max. Building Height (ft)	Min. Building Width (ft)
		Area (sq. ft.)	Width (ft.)	Front (ft.)	Side (ft.)	Rear (ft.)		
EV RE-1	1/10 Ac.	10 Ac.	200	50	50	50	30	20
EV RE	1/2.5 Ac.	2.5 Ac.	200	50	50	50	30	20
EV E-1	1	1 Ac. [3]	100	25	25	25	30	20
EV E-1S	1	1 Ac. [3]	100	25	25	25	30	20

EV E	2	½ Ac. [3]	75	25-arterials; 15-other streets	10	15	30	20
EV R	4	¼ Ac.	60	25-arterials; 15-other streets	10	15	30	20
EV RM	Residential Uses: Max = 8 and Min = 3 Senior Institutional Living Uses = 24	5,400 sq. ft./unity [5] Senior Institutional Living Uses: ½ acre	60; Lots Greater Than 100,000 sq. ft: 200	25-arterials; 15-other streets	10	10	30	20 [4]

**Notes:**

- [1] (a) See Table 13-3, which allows a reduction in minimum lot size (area) for single-family residential subdivisions that are required to set aside private open areas per §13.4.3.A.  
(b) See §13.7.2, which requires an increase in minimum lot size (area) for development on steep slopes.  
[2] See §§2.9.4.F and 4.4.2, for required setbacks from stream/river corridors and wetlands.  
[3] If private wells or septic systems are used, the minimum lot area shall be 2 acres. See also the regulations set forth in §4.3, Adequate Public Facilities.  
[4] Minimum building width requirements shall not apply to mobile homes located in a mobile home park.  
[5] Single-family and duplex developments shall have minimum lot areas of 18,000 sq. ft. and 27,000 sq. ft., respectively  
[6] All structures shall be set back from public or private roads that serve more than four adjacent or off-site dwellings or lots. The setback shall be measured from the edge of public or private roads, the edge of the dedicated right-of-way or recorded easement or the property line, whichever produces a greater setback. The setback shall be the same as the applicable minimum building/structure setback.

(Res. of 6-6-2023, Exh. A, 5)

### 13.4.3. - Additional Zoning District Standards.

The additional zoning district standards contained §13.4.3.A and 13.4.3.B shall only apply to residential land division applications of property within the Estes Valley Planning Area that are less than 30 acres in gross land area. Any residential land division applications of property within the Estes Valley Planning Area that are 30 acres or greater in gross land area shall be subject to the requirements set forth in Article 5.0. – Land Division Standards.

#### A. **Private Open Areas; Applicability and Minimum Set-Aside Required.**

All residential developments and subdivisions containing five or more units shall set aside a minimum percentage of total gross land area for the purpose of private open areas in the amount shown in Table 13-3, below.

**Table 13-3: Minimum Private Open Areas for Residential Zoning Districts**

Zoning District	Minimum Private Open Areas	Adjustment Minimum Lot Size/Area
EV RE-1	30	7.00 acres
EV RE	30	1.75 acres
EV E-1	15	0.85 acres
EV E-1S	15	0.85 acres
EV E	15	0.43 acres
EV R	15	0.21 acres
EV RM	15	No reduction in minimum lot size

**B. Lot Size.**

**1. General Rule.**

Subject to the exceptions listed below, the minimum lot sizes for lots within single-family residential subdivisions that are required to set aside private open areas shall be as shown in Table 13-3 above.

**C. Exception for Lots with Private Water/Sewer.**

The minimum lot size for lots serviced by private wells or private septic systems shall be two acres in all districts, except the EV RE-1 zoning district.

**D. Exception for Development on Steep Slopes.**

Lots with an average slope of greater than 12 percent shall be subject to the lot area adjustment set forth in §13.7.2 (Table 13-9) of this Code. The minimum lot areas set forth in this subsection shall be used as the base for any required increase in lot area due to steep slopes.

**E. Pedestrian Amenities and Linkage Requirements.**

See Article 4.0, Development Standards.

(Res. of 6-6-2023, Exh. A, 5)

**13.5. - Nonresidential Zoning Districts—Permitted Uses and Standards**

**13.5.1. - Table of Permitted Uses in the Nonresidential Zoning Districts.**

Table 13-4: Nonresidential Zoning Districts Zoning Table			
USE CLASSIFICATION	SPECIFIC USE	ZONING DISTRICTS	

		EV A	EV A-1	EV CO	EV O	EV I-1	ADDITIONAL REGULATIONS (APPLY IN ALL DISTRICTS UNLESS OTHERWISE STATED)
<b>RESIDENTIAL USES</b>							
<b>Household Living</b>	Single-family dwelling	R	R	—	R	—	In EV O, such use shall not be located on the ground floor of a building
	Two-family dwelling	R	R	—	—	—	
	Multi-family dwelling	SP	SP	—	—	—	In EV A-1, no more than 4 dwelling units per multi-family structure
	Mobile Home Park	—	—	S	—	—	§13.6.1.M
	Townhome Project	AS	AS	—	—	—	§13.6.1.A
<b>Group Living Facility, Large</b>	Treatment Facility	AS	—	AS	—	—	§13.6.1.K
Group Living Facility, Small		R	R	R	—	—	§13.6.1.K
<b>INSTITUTIONAL, CIVIC AND PUBLIC USES</b>							
Civic, Social, or Fraternal Membership Clubs, Lodges, or Associations		AS	—	AS	—	—	
Cultural Institutions		AS	—	AS	AS	—	
Day Care Center		AS	S	AS	AS	AS	
Emergency Health Care		—	—	AS	AS	AS	§13.6.1.J
Event Facility		AS	—	AS	—	—	
Family Home Day Care, Large		AS	S	—	—	—	§13.6.1.K §13.6.2.B.2.c, Home Occupation As accessory to a principal residential use only
<b>Government Facilities</b>	Public Safety Facilities	L&E	L&E	L&E	L&E	L&E	
	Trail/Trail Head	L&E	L&E	L&E	L&E	L&E	

	Utility, Major	—	—	L&E	—	L&E	All structures shall be located at least 200 feet away from a residential zoning district boundary
	Utility, Minor	L&E	L&E	L&E	L&E	L&E	
	All Other Government Facilities	L&E	L&E	L&E	L&E	L&E	
Government Offices		L&E	L&E	L&E	L&E	L&E	
Maintenance and Service Facilities		—	—	—	—	P	§13.6.1.N
Park and Recreation Facilities—Public		L&E	L&E	L&E	L&E	—	
Park and Recreation Facilities—Private		AS	AS	AS	AS	—	§13.6.1.X
Park and Ride Facilities		L&E	L&E	L&E	L&E	L&E	
Religious Assembly		AS	—	AS	—	—	§13.6.1.Q
Schools, Non-Public		S	—	S	S	S	
Schools, Public		L&E	L&E	L&E	L&E	L&E	Any Public School shall comply with all applicable requirements per Colorado Revised Statutes
<b>Senior Institutional Living</b>	Continuing care retirement facility	—	—	AS	—	—	§13.6.1.K
	Congregate housing	—	—	AS	—	—	
	Skilled nursing facility	—	—	—	—	—	§13.6.1.K
Transportation Facility Without Repairs		—	—	L&E	L&E	—	
<b>Low-Intensity Accommodations</b>	STR, Hosted 1—10 Guests	SP	SP	SP	—	—	§3.3.5.A
	STR, Hosted 11—16 Guests	AS*	AS*	S	—	—	§3.3.5.A
	Hotel, Small	—	AS	—	—	—	§§13.6.1.C and 3.3.5.B

	STR — Max Ten Guests	SP	SP	SP	—	—	§§13.6.1.C and 3.3.5.B
	Resort lodge/Cottages, Low-intensity	—	AS	AS	—	—	§13.6.1.R
	Preexisting Lodging Facility	R	R	—	—	—	§13.6.1.D
	Bed and Breakfast Inn	SP	SP	SP	—	—	
<b>High-Intensity Accommodations</b>	Hostel	AS	—	—	—	—	
	Hotel/Motel	AS	—	—	—	—	§13.6.1.L
	Recreational vehicle park/campground	S	—	—	—	—	§§3.3.5.C and 3.3.5.D
	Resort lodge/cottages	AS	—	—	—	—	§13.6.1.R
<b>COMMERCIAL/ RETAIL USES</b>							
Adult Businesses		—	—	—	—	S	§13.6.1.B
<b>Animal Sales/Services</b>	Animal Boarding	—	—	—	—	AS	
	Animal Grooming	—	—	AS	—	—	
	Animal Hospital	—	—	AS	—	AS	
	Animal Retail Sales	—	—	AS	—	—	
	Animal Shows/Sales	—	—	AS	—	AS	§13.6.1.N
	Veterinary Office	—	—	AS	—	—	
Artist Studio		AS	AS	AS	AS	AS	
Bank or Other Financial Institution		—	—	AS	AS	—	
Building Materials/ Services		—	—	AS	—	AS	§13.6.1.N
Business Services		—	—	AS	AS	—	
Catering Service		—	—	AS	—	AS	

Commercial Laundry		—	—	—	—	AS	
Construction Storage Yard		—	—	—	—	AS	§§13.6.1.D and 13.6.1.N
<b>Eating/Drinking Establishments</b>	Bar/tavern	AS	—	AS	—	AS	§13.6.1.I
	Brewpub	AS	—	AS	AS	AS	§13.6.1.G In the EV A district: Permitted as accessory to an accommodations use only
	Microbrewery/ micro-distillery/ microwinery	AS	—	AS	AS	AS	§13.6.1.I In the EV A district: Permitted as accessory to an accommodations use only
	Restaurant	AS	—	AS	AS	AS	§13.6.1.I
	Tasting/tap room	AS	—	AS	AS	AS	§13.6.1.I In the EV A district: Permitted as accessory to an accommodations use only
	With outdoor seating or food service	AS	—	AS	AS	AS	§§13.6.1.I and 13.6.1.O
	With drive-through service	—	—	AS	—	AS	§13.6.1.I
<b>Food/Beverage Sales</b>	Convenience stores	—	—	AS	—	AS	§13.6.1.G
	Convenience store with fuel sales	—	—	AS	—	AS	§§13.6.1.G and 13.6.1.S
	Convenience store with outdoor seating or food service	—	—	AS	—	AS	§§13.6.1.G and 13.6.1.O
	Grocery store	—	—	AS	—	—	§13.6.1.N
	Liquor store	—	—	AS	—	—	
	All other	—	—	AS	—	—	
Funeral or Interment Services		—	—	AS	—	AS	

Laboratory		—	—	AS	AS	AS	
Maintenance/ Repair Service		—	—	AS	—	AS	§13.6.1.N
Office		—	—	AS	AS	—	
Outdoor Sales		—	—	AS	—	AS	§13.6.1.N
Personal Services		AS	—	AS	AS	AS	In the EV A district: Permitted as accessory to an accommodations use only; and Use shall be located within the same structure as a permitted accommodations use.
Plant Nurseries		—	—	AS	—	AS	§13.6.1.N
<b>Retail Establishments</b>	Retail establishments, large	—	—	AS	—	—	§13.6.1.N
	All other retail	—	—	AS	—	AS	§13.6.1.N In the EV I-1 district: Limited to sales of products manufactured or produced on the subject premises; and No more than 15% of the principal building(s)' gross floor area shall be devoted to retail sales.
Self-Service Mini-Storage		—	—	AS	—	AS /S	In EV CO, not allowed on lots abutting an arterial street or highway. If such use in EV I-1 contains more than 20,000 sq. ft. of gross floor area, it shall be subject to Special Review
Sightseeing/Tour Vehicle Facility		S	—	S	—	—	
<b>Vehicle Services, Limited</b>	Car wash	—	—	AS	—	AS	§13.6.1.S
	Quick lubrication services	—	—	AS	—	AS	§13.6.1.S
	Service station	—	—	AS	—	AS	§§13.6.1.S and 13.6.1.N
<b>Vehicle/ Equipment Sales &amp; Services</b>	Automobile rentals	AS	—	AS	—	—	In EV A, only as part of a hotel or motel use
	Commercial parking facility	—	—	AS	AS	—	



	Limited equipment rentals	—	—	AS	—	AS	§13.6.1.S
	Vehicle/ equipment repair	—	—	AS	—	AS	§13.6.1.S
	Vehicle/ equipment sales and rentals	—	—	AS	—	AS	§§13.6.1.S and 13.6.1.N
	Vehicle storage	—	—	—	—	AS	§13.6.1.N
<b>Wireless Communications Facilities</b>	Attached Facility on Existing Structure	SP	SP	SP	SP	SP	Article 9.0
	Small Cell Facility	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	SP ≤40 feet high	Article 9.0
	Alternative Tower Structure (concealed)	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	SP ≤40 feet high AS ≤60 feet high	Article 9.0
	Tower (non-concealed)	AS ≤ 60 feet high AS ≤ 80 feet high	AS ≤ 60 feet high AS ≤ 80 feet high	AS ≤ 60 feet high AS ≤ 120 feet high	AS ≤ 60 feet high AS ≤ 80 feet high	AS ≤ 60 feet high AS ≤ 120 feet high	Article 9.0
<b>RECREATION USES</b>							
<b>Commercial Recreation or Entertainment Establishments, Indoor</b>	Limited	—	—	AS	—	—	§13.6.1.E
	All other	—	—	AS	—	AS	§13.6.1.E
<b>Commercial Recreation or Entertainment</b>	Amusement parks	—	—	S	—	—	§13.6.1.E
	Miniature golf	—	—	AS	—	—	§13.6.1.E

<b>Establishments, Outdoor</b>	Riding academies, livery stables, roping or equestrian arenas	S	—	S	—	—	§13.6.1.E
	All other	—	—	S	—	—	§13.6.1.E
<b>Entertainment Event, Major</b>	Indoor Facility	S	—	AS	—	—	§13.6.1.E
	Outdoor Facility	—	—	AS	—	—	§13.6.1.C
Private-Membership Recreational Facility or Club		AS	—	AS	—	—	
<b>INDUSTRIAL USES</b>							
<b>Industry</b>	Brewery/distillery/winery	—	—	—	—	AS	§13.6.1.N
	Custom	—	—	—	—	AS	§13.6.1.N
	General	—	—	—	—	AS	§13.6.1.N
	Industrial services	—	—	—	—	AS	§13.6.1.N
	Limited	—	—	—	—	AS	§13.6.1.N
	Research & development	—	—	AS	AS	AS	
Gravel Mining		—	—	—	—	AS	
Recycling Facility		—	—	—	—	AS	§13.6.1.N
<b>Warehousing and Storage</b>	Bulk Storage	—	—	—	—	AS	§§13.6.1.N and 13.6.1.U
	General	—	—	—	—	AS	§§13.6.1.N and 13.6.1.U
	Limited	—	—	AS	—	AS	§§13.6.1.N and 13.6.1.U In EV CO, not permitted on lots abutting an arterial street or highway
<b>Wholesale Sales &amp; Distribution</b>	Small scale	—	—	AS	—	AS	§13.6.1.U
	All other wholesale sales/distribution	—	—	—	—	AS	§13.6.1.U

(Res. of 6-6-2023, Exh. A, 3)

### 13.5.2. - Density and Dimensional Standards.

#### A. Table of Density and Dimensional Standards by Zoning District.

Table 13-5 below lists the density and dimensional standards that apply within the nonresidential zoning districts. These are "base" standards, not guarantees that stated minimums or maximums can be achieved on every site. Other regulations of this Code or site-specific conditions may further limit development on a site.

#### B. Minimum Land Area Requirements for Accommodation and Residential Uses in the Nonresidential Zoning Districts.

Table 13-5 below includes a standard for "minimum land area per accommodations (guest) or residential unit," which applies only in the A, and A-1 zoning districts. The "minimum land area" necessary to meet this standard shall be measured using the net land area definition set forth in §13.4.2, Density/Dimensional Standards When applying the minimum land area standard to a parcel's net land area, all resulting fractions shall be rounded down to the next lower whole number.

#### C. Maximum Units/Density Not Guaranteed.

The number of dwelling or guest units allowed on a site is based on the presumption that all other applicable standards shall be met. The maximum residential or accommodations density established for a zoning district is not a guarantee that such densities may be obtained, nor a valid justification for varying other dimensional or development standards.

#### D. Table 13-5: Density and Dimensional Standards for the Nonresidential Zoning Districts.

Table 13-5: Nonresidential Zoning Districts Base Density and Dimensional Standards								
Zoning District	Max. Net Density (units/ac)	Minimum Lot Standards[1]		Minimum Building/Structure Property Line Setbacks[2] [6]			Max. Building Height (ft)	Min. Building Width (ft)
		Area (sq. ft.)	Width (ft.)	Front (ft.)	Side (ft.)	Rear (ft.)		
EV A	Accommodation Unit = 1,800[1]; Residential Units: SF = 9,000; 2-Family = 6,750; MF = 5,400	40,000[2]	100[3]	Arterial = 25[5]; All other streets = 15	15[6]	10[6]	30	50
EV A-1	10,890	15,000[2]	50[3]	Arterial = 25[5]; All other streets = 15	15	10	30	30
EV CO	n/a	Lots fronting arterials = 40,000[2]; Outdoor Commercial Recreation/ Entertainment = 40,000[2] All other lots = 15,000[2]	Fronting arterials = 200; All other lots = 50	Arterial = 25[5]; All other streets = 15	15[6]	15[6]	30	65

<b>EV O</b>	Residential Units (2 <sup>nd</sup> Floor) 1 unit 2,250 sq. ft. GFA of principal use	15,000[2]	Fronting Arterials = 200; All other lots = 50	Arterial = 25[5]; All other streets = 15	15[6]	15[6]	30	50
<b>EV I-1</b>	n/a	15,000[2]	Fronting Arterials = 200; All other lots = 50	Arterial = 25[5]; All other streets = 15	10[6]	10[6]	30	80

**Notes:**

- [1] For guest units in a resort lodge/cabin use that have full kitchen facilities, the minimum land area requirement per guest unit shall be 5,400 square feet.
- [2] If private wells or septic systems are used, the minimum lot area shall be 2 acres. See also the regulations set forth in §4.3, Adequate Public Facilities.
- [3] For lots greater than 2 acres, minimum lot width shall be 200 feet.
- [4] See §§2.9.4.F and 4.4.2, for required setbacks from stream/river corridors and wetlands.
- [5] All front building setbacks from a public street or highway shall be landscaped according to the standards set forth in §4.7, Landscaping.
- [6] Setback shall be increased to 25 feet if the lot line abuts a residential zoning district boundary.
- [7] See section §13.7.2 which requires an increase in minimum lot size (area) for development on steep slopes.
- [8] All structures shall be set back from public or private roads that serve more than four dwellings or lots. The setback shall be measured from the edge of public or private roads, or the edge of the dedicated right-of-way or recorded easement, whichever produces a greater setback. The setback shall be the same as the applicable minimum building/structure setback. This setback is applicable only in the EV A-1 district.

**E. Number of Principal Uses Permitted Per Lot or Development Parcel.**

**1. Maximum Number of Principal Uses Permitted.**

One or more principal uses shall be permitted per lot or development parcel, except that in the EV A zoning district, only one principal residential use shall be permitted per lot or development parcel.

**2. Permitted Mix of Uses.**

Where more than one principal use is permitted per lot or development parcel, mixed-use development is encouraged, subject to the following standards:

- a. More than one principal commercial/retail or industrial use permitted by right or by special review in the zoning district may be developed or established together on a single lot or site, or within a single structure, provided that all applicable requirements set forth in this section and Code and all other applicable ordinances are met.
- b. Any combination of residential and commercial/retail uses that are permitted by right or by special review in the zoning district may be developed or established together on a single lot or site or within a single structure, provided that all applicable requirements set forth in this section and Code, and all other applicable ordinances, are met. For example, a two-story structure on a single lot may have a restaurant or retail store on the ground floor, and residential apartments or condominiums on the second floor.

**13.5.3. - Additional Zoning District Standards.**

**A. Operational Requirements.**

**1. Performance Standards.**

All new development in the nonresidential zoning districts shall comply with the performance standards set forth in §13.7.7, Operational Performance Standards.

**B. EV CO and EV O Zoning Districts: Building Siting, Orientation and Materials Requirements.**

1. The main entrance of all buildings in the EV CO and EV O zoning districts shall be oriented to the front property line. If a lot fronts an arterial road or state highway, the main entrance of all buildings shall face the road or highway.
2. To the maximum extent feasible, each principal structure on a site shall avoid long flat or blank walls that face a public street. All sides of a building that face a public street shall be finished with the same materials as the primary facade.

**C. Vehicular Access and Circulation Requirements.**

See Larimer County Urban Area Street Standards Chapters 9 and 19, Larimer County Rural Area Road Standards Chapter 10, Article 4.0, Development Standards and §13.7.8, Street Design and Construction Standards.

**D. Pedestrian Amenities and Linkage Requirements.**

See Article 4.0, Development Standards and §13.7.8, Street Design and Construction Standards.

**13.6. - Use Regulations for the Estes Valley**

**13.6.1. - Specific Use Standards.**

This Section contains regulations that apply to specific uses or classes of uses.

**A. Townhome Project.**

1. Interior property lines within a townhome project use are not required to meet the minimum required setbacks as set forth in the dimensional standards in §§13.4.2 and 13.5.2.
2. The overall townhome project site shall comply with the required minimum lot size of the underlying zoning district. Individual lots are not required to comply with the minimum lot size of the underlying zoning district, but shall be a minimum of 2,000 square feet.
3. Townhome projects shall provide one off-street parking space for each one- or two-bedroom unit and two off-street parking spaces for each unit with more than two bedrooms.
4. Developments shall comply with all county, state, and federal water quality standards, including but not limited to, those regulating erosion and sedimentation, storm drainage and runoff control, nutrients, solid wastes, and hazardous substances and shall reduce or prevent potential pollution sources where feasible.
5. Developments shall comply with the Larimer County Stormwater Quality Ordinance and the Larimer County Stormwater Design Standards through the construction and post construction phases of development.
6. Stormwater drainage shall be achieved through concrete curb and gutter systems throughout the development.
7. An acceptable legal and physical path-of-flow for runoff through and from the development to an identified outfall facility that drains into an established channel shall be available or funded at the time of vesting of development rights. The path of flow shall be consistent with the applicable master plan.
8. Flexibility and creativity are encouraged in designing development around existing environmental features. Natural vegetation, rock outcroppings, and significant landforms shall be retained during development of a site to the maximum extent practicable.
9. Townhome projects shall contribute to the unique character of an area through compatible building massing and scale, building materials, and architectural elements. Where there is no established or consistent neighborhood or area character, or where it is not desirable to

reinforce the existing character, the proposed development shall be designed to establish a high-quality standard for future development.

**B. Adult Business.**

All adult business uses shall be subject to special review and shall also comply with the following standards:

1. No adult business use shall be located within 500 feet of any residentially zoned or used property.
2. No adult business use shall be permitted within 500 feet of any school, place for religious assembly, public park, playground, other adult business use or liquor store.
3. Adult business use buildings, entries, windows, and other openings shall be located, covered, or screened to prevent a view into the interior from any public area, including sidewalks, bike/pedestrian paths, and streets.

**C. Short-Term Rental.**

1. See §3.3.5.B, Short-Term Rental.
2. Estes Valley short-term rentals shall be subject to the requirements and approval processes outlined in §3.3.5.B.
3. A vacation home with a valid operating registration approved under the previous Estes Valley Development Code prior to April 1, 2020, may continue to operate as defined under the previous code. Such nonconforming vacation homes must comply with the requirements of the short-term rental specific use standards and the Enforcement Ordinance with the requirement to renew the license every other year. Nonconforming vacation homes are required to comply with the life-safety provisions of the Enforcement Ordinance, building codes, and Land Use Code.
4. Operating license for short-term rentals in residential zoning districts (designated herein as EV E, EV E-1, EV R, EV RE, EV RE-1, and EV RM) shall be held at a maximum total ("cap") of 208 registrations in effect at any given time. The county will maintain a waiting list for interested applicants whose application would cause the cap to be exceeded. The waiting list will rank prospective applicants in the order they were received and as operating registrations become available may be eligible to apply for approval as a short-term rental.
5. The short-term rental shall have a property manager consisting of the owner or a responsible party representing the owner to manage the use at any time it is occupied. The property manager shall affirmatively respond to complaints within one hour. Their contact information shall be posted in the operations manual located in the short-term rental. Changes to the contact information from the property manager shall be provided to the Larimer County Community Development Department within five business days of the change in contact information.

**D. Preexisting Lodging Facility.**

A legally constructed dwelling, including condominium units, cabins, or hotels, constructed prior to April 1, 2020, for transient lodging uses and located in the EV A or EV A-1 districts, that cannot be approved by the other Low-Intensity Accommodation Uses listed in Table 13-4 may be approved by the Community Development Director as a preexisting lodging facility subject to the requirements listed herein

2. Preexisting lodging facilities shall receive a basic life-safety inspection as defined by the Building Division.
3. Approved preexisting lodging facilities license shall be renewed every other year.

**E. Commercial Recreation or Entertainment Establishments.**

1. All commercial recreation or entertainment establishments shall be subject to the following standards:
  - a. The use of firearms shall not be permitted as a part of user activities.
  - b. A traffic impact study shall be submitted that assesses the impacts of the proposed use on existing roads, intersections, and circulation patterns, and that demonstrates compliance with the traffic facility standard set forth Article 4.0 of this Code, Adequate Public Facilities, and/or sets forth mitigation measures to eliminate or substantially reduce such impacts.
2. In addition to the standards set forth in paragraphE.1 above, riding academies, livery stables and roping or equestrian areas shall be subject to the following standards:
  - a. The minimum lot or parcel size for such uses shall be five acres.
  - b. The Applicant shall submit a plan for the management of odor, dust, and waste as part of the application for special review or development plan approval.

**F. Construction Storage Yards, Salvage Yards, Industrial Services (Repair or Storage).**

The following standards shall apply to all salvage yards and heavy equipment and industrial storage yards that abut an arterial street, a residential use, or a residential zoning district boundary, unless the subject use and related activities are entirely enclosed within a building:

1. Such uses shall be screened with a solid (100 percent opaque) wall or fence with a minimum height of eight feet.
2. No outdoor storage area shall be placed or maintained within a required building or yard setback.
3. Stored items shall not project above the fence or wall used to screen the material.
4. It shall be unlawful to store or otherwise have, maintain, or allow on a single parcel of land or on contiguous parcels under common ownership more than one nonfarm vehicle not having current Colorado license plates or registration unless the vehicle is in an approved auto repair garage, body shop, gas station or other similar use where vehicle storage is permitted. There shall be no limit on the number of active or serviceable agricultural vehicles on a parcel of land, regardless of whether such vehicles have current registration or license plates; however, the restrictions of one vehicle per parcel of land shall apply to agricultural vehicles that are clearly abandoned or that are not, in their present condition, suitable for active agricultural use.

**G. Convenience Stores.**

1. If fuel is sold as part of the convenience store operation, the conditions for service stations listed in §13.6.1.S below shall also apply. In addition, parking areas for retail sales and fuel service shall be separated from each other, and circulation within the property to each parking area shall be separate and clearly marked or evident.
2. No drive-through service shall be permitted as part of the operation of a convenience store.
3. Outdoor seating areas may be permitted; see §13.6.1.O below.

**H. Day Care Centers and Large Family Home Day Care.**

Day care centers and large family home day care shall be subject to the following standards:

1. The minimum lot area for a day care center in residential zoning districts shall be 12,000 square feet.
2. In approving day care centers and large family day care homes, the Decision-Making Body may impose conditions related to location, configuration and operational aspects of the

center or home to ensure that the use is compatible with surrounding uses. This includes, but is not limited to, hours of operation, noise, lighting, and parking.

3. In approving day care centers and large family day care homes, the Decision-Making Body may impose conditions on the site design and structures to ensure compatibility with the character of the surrounding neighborhood in terms of building mass, scale, and design.
4. Large family day care homes shall have direct access to a paved public street.
5. Day care centers in the EV E, EV E-1, EV RE, and EV RE-1 residential zoning districts shall be adjacent to an arterial street.

**I. Eating/Drinking Establishments.**

1. In the EV A, EV O and EV I-1 zoning districts, eating/drinking establishments may be permitted in buildings as an accessory use not occupying more than 25 percent of the gross floor area. See also the specific use regulations applicable to hotels in §13.6.1.L below.
2. For restaurants and other eating/drinking establishments with outdoor seating areas or outdoor food service, see §13.6.1.O below.

**J. Emergency Health Care.**

The provider must furnish sufficient proof that emergency response vehicles and other visitors and activities associated with the proposed use will not interfere with existing or anticipated surrounding uses.

**K. Group Living Facilities, Small; Group Living Facilities, Large; Senior Institutional Living Uses.**

**1. Generally Applicable Standards.**

All the above-listed uses shall be subject to the following standards:

- a. The number of residents occupying a facility at any one time, including staff and family of staff, shall not exceed one person per 200 square feet of living space.
- b. All structures shall be compatible in terms of building mass, scale, and design with the character of the surrounding neighborhood.
- c. Such use proposed to be sited in an existing structure and proposed to house more than five clients or persons shall, to the maximum extent feasible, meet the requirements set forth in the current applicable Building and Fire Codes.

**2. Standards for All Senior Institutional Living Uses and Large Group Living Facilities.**

If active and continuous operations are not carried on for a period of 12 consecutive months in a facility that was approved pursuant to this Code, the use shall be considered to be abandoned. As applicable, the use may be reinstated only after obtaining a new special review approval.

**L. Hotels.**

All hotel uses shall be subject to the following standards:

1. Up to 15 percent of the gross floor area of a hotel may be in nonliving-quarter accessory uses, including management/employee offices, meeting rooms, banquet halls, retail services such as newsstands and gift shops, and similar accessory uses, provided that any incidental business is conducted primarily as a service to guests, and there is no entrance to such places of business except from inside the building.
2. In addition to the accessory uses allowed in paragraph J.1 above, up to an additional 25 percent of the gross floor area of a hotel may be devoted to eating/drinking establishments as an accessory use.



**M. Mobile Home Park.**

All mobile home parks shall be subject to compliance with the regulations governing mobile home parks in §3.3.3.F, Manufactured Housing Parks.

**N. Outdoor Display/Sales and Storage.**

All uses with outdoor displays, sales or storage shall be subject to compliance with the outdoor display/sales regulations in Article 4.0, Development Standards.

**O. Outdoor Seating Areas or Food Service (Convenience Stores or Eating/Drinking Establishments).**

**1. Outdoor Seating Areas.**

- a. Eating and drinking establishments or convenience stores may provide outdoor seating areas, including tables and chairs, for the use of their customers.
- b. The outdoor seating area shall not obstruct the movement of pedestrians through plazas, along adjoining sidewalks or through other areas intended for public usage.
- c. In approving outdoor seating areas, the Decision-Making Body may impose conditions relating to the location, configuration, and operational aspects (such as lighting) of such outdoor seating areas to ensure that such outdoor seating areas will be compatible with surrounding uses, will be maintained in an attractive manner and will comply with applicable Building and Fire Codes.

**2. Outdoor Food Service.**

- a. Eating and drinking establishments may provide outdoor food service on the site of the principal use at tables provided by the establishment.
- b. Food service shall be provided by employees of the establishment.
- c. In approving outdoor food service, the Decision-Making Body may impose conditions relating to the location, configuration, and operational aspects (such as lighting and litter control) of such outdoor food service areas to ensure that such area is compatible with surrounding uses, is maintained in an attractive manner and will comply with applicable Building and Fire Codes.

**P. Prohibited Uses.**

The following uses are specifically prohibited in all Estes Valley unincorporated area zoning districts:

1. Feedlots.
2. Junkyards. Any area, lot, land, parcel, building or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk.
3. NAICS Subsector 324. All establishments falling within the North American Industry Classification System (NAICS) Subsector 324, Petroleum and Coal Products Manufacturing, as identified in the North American Industry Classification System United States Manual (OMB 1997).
4. NAICS Subsector 331. All establishments falling within the North American Industry Classification System (NAICS) Subsector 331, Primary Metal Manufacturing, as identified in the North American Industry Classification System United States Manual (OMB 1997).
5. NAICS Industry 22111. All electric power generation facilities falling within the North American Industry Classification System (NAICS) Industry 22111, Electric Power Generation, as identified in the North American Industry Classification System United States Manual (OMB 1997).

6. NAICS Industry Group 3116. All establishments falling within the North American Industry Classification System (NAICS) Industry Group 3116, Animal Slaughtering and Processing, as identified in the North American Industry Classification System United States Manual (OMB 1997).

**Q. Religious Assembly.**

1. **Caretaker Quarters.**

A single-family dwelling unit, located on the same lot as the religious assembly use, and occupied by the facility's leader, may be permitted as an accessory use to the facility. See §3.4.5.B, Business Accessory Dwelling Units for additional regulations applicable to accessory caretaker quarters use.

2. **Schools and Day Care Centers as Accessory Uses.**

Accessory schools and day care centers must comply with the specific use standards in §13.6.1.H.

**R. Resort Lodge/Cottages.**

A guest room or unit contained in a resort lodge/cottage accommodations use may contain full kitchen facilities instead of the otherwise required "limited kitchen facilities", provided that the following conditions are satisfied:

1. The guest room/unit is contained in a freestanding, detached "cottage" structure, and such structure contains no more than four such guest rooms/units.
2. For purposes of permitted density/intensity calculations, all guest rooms/units with full kitchen facilities shall comply with a minimum 5,400 square foot land area per unit requirement, in lieu of the 1,800 square foot requirement for accommodations units set forth in Table 13-9 of this Code.

**S. Vehicle Services, Limited.**

All service stations, car washes and quick lubrication service uses shall be subject to the following standards:

1. **Minimum Separation.**

Such uses shall be located at least 500 feet from schools and day care uses, as measured from the outer boundaries of the sites.

2. **Site Layout.**

Conditions of development plan approval may require buffering, screening, or planting areas necessary to avoid adverse impacts on properties in the surrounding areas.

3. **Storage and Accessory Sales of Materials and Equipment.**

- a. No outdoor displays of materials or equipment shall be allowed, except that a display rack for automobile products no more than four feet wide may be maintained within three feet of the principal building, subject to a limit of one such display rack per street frontage.
- b. Storage of unlicensed or inoperable vehicles shall be prohibited.

4. **Specific Standards for Service Stations and Quick Lubrication Services.**

- a. The use shall be located at least 100 feet from the property boundary of any residential zoning district.
- b. All minor repair work, vehicle washing, lubrication and installation of parts and accessories shall be wholly performed within an enclosed structure.

- c. All automobile parts, dismantled vehicles and similar materials shall be stored within an enclosed building or totally screened from view by a solid or privacy fence. A chain link fence with slats shall not constitute acceptable screening or fencing for the purposes of this provision.
- d. All vehicles awaiting repair or service shall be stored on site in approved parking spaces and under no circumstances shall such vehicles be stored on or obstruct access to a public right-of-way.
- e. Fuel pump location shall comply with the following requirements:
  - i. Fuel pumps shall be located at least 30 feet from the edge of the right-of-way of a public street.
  - ii. Subject to the setback in paragraph 4.a. above, except on corner lots, fuel pumps shall be located in no more than one yard. For example, if fuel pumps are located in the front yard of a lot, they may not also be located in a side or rear yard.
  - iii. On corner lots, again subject to the setback in paragraph 4.a. above, fuel pumps may be located in either or both of the yards adjacent to a street lot line, provided that safe vehicular access to the fuel pumps is available from both intersecting streets.
- f. All tanks containing fuel, oil, waste oils and greases or similar substance shall be placed underground at least 25 feet from any property line, and vented, in accordance with Colorado state health and safety requirements.
- g. All discarded materials such as tires, cans, drums, and the like shall be stored in an enclosed area and under cover.
- h. A canopy over the fuel pumps may be erected, provided that the following conditions are met:
  - i. The canopy may be either attached or detached from the principal building;
  - ii. The canopy structure shall comply with all minimum building setback standards applicable to the principal structure; and
  - iii. The canopy structure shall not be enclosed.

**T. Vehicle/Equipment Sales and Rentals.**

Vehicle and equipment sales uses (including automobiles, recreational vehicles, boats, trucks, and motorcycles) shall be subject to the following standards:

- 1. Vehicle or equipment displays shall not be located within a required setback area.
- 2. Front yard setback areas shall be landscaped to provide a buffer between the right-of-way and vehicle or equipment sales/storage areas. Side yard setback areas shall also be landscaped if the side yard abuts a public right-of-way. See §4.7, Landscaping.
- 3. No vehicle or equipment shall be stored in a required landscape area.
- 4. Not more than one vehicle display pad, which may be elevated up to three feet in height, shall be permitted per one 100 feet of street frontage.
- 5. No other materials for sale shall be displayed between the principal structure and the street.

**U. Warehousing and Storage; Wholesale Sales and Distribution.**

All warehousing and storage uses and wholesale sales and distribution uses shall be permitted subject to the following standards:

1. All wholesaling, distribution and storage of materials and equipment, except vehicles used for transporting the warehoused products, shall be conducted within a totally enclosed building.
2. Vehicles used for transporting the warehoused products shall be screened from view from all neighboring properties and from internal and external streets with a minimum six-foot solid masonry or wood fencing and landscaping, berms and landscaping or other approved comparable screening.

**V. Wireless Communications Facilities regulations.**

See Article 9.0, Wireless Communication Facilities.

**W. Cultural Institutions.**

Cultural Institutions in residential districts shall be restricted to museum use as defined herein. Museums shall be permitted with special review approval on sites that meet one or more of the following requirements:

1. The site and/or structure is identified with a person or entity who significantly contributed to the development, cultural, artistic, social, ethnic, economic, political, technological, or institutional heritage of Estes Park.
2. The site and/or structure portrays one or more historic eras characterized by a distinctive design style.
3. The site and/or structure embodies elements of design, detail, materials, or craftsmanship that represent a significant quality of design and/or development.

**X. Park and Recreation Facilities.**

Park and recreation facilities shall be divided into two classifications: public, and private, as defined in §13.8, Definitions.

1. Public park and recreation facilities include traditional public parks, cemeteries, public squares, plazas, playgrounds, ballfields, nature preserves, botanical gardens, and other indoor and outdoor recreation facilities owned by public entities such as federal, state, county and municipal government or a recreation district. Temporary commercial and non-commercial uses are allowed as specified in §13.6.3. Public park and recreation facilities are permitted in most zoning districts as listed in Table 13-4. Public park and recreation facilities in non-residential zoning districts may have private concessions and rental arrangements for use of facilities therein. A location and extent review is required to establish or modify a public park and recreation facility.
2. Private park and recreation facilities in residential districts, as standalone activities with permission of the property owner(s), shall be restricted to the following uses:
  - a. Horseback Riding with ten or fewer participants per riding group;
  - b. Fishing (including fishing lessons on private ponds), with appropriate licensing or permitting;
  - c. Photography;
  - d. Hiking and climbing activities;
  - e. Swimming;
  - f. Non-motorized boating, canoeing, kayaking (electric-assist boating shall be allowed);
  - g. Non-motorized cycling (electric-assist bicycling shall be allowed);
  - h. Passive open space.

(Res. of 6-6-2023, Exh. A, 3, 5)

13.6.2. - Accessory Uses (Including Home Occupations) and Accessory Structures.

**A. General Standards.**

1. Permitted principal uses and approved special review principal uses shall be deemed to include the accessory uses, structures and activities as set forth in this section, unless specifically prohibited.
2. See also §13.8.2, Use Classifications/Specific Use Definitions and Examples wherein incidental or accessory uses are sometimes included in the description of a specific principal use. When a use classification or specific use type definition in §13.8.2 does include permitted accessory or incidental uses, such accessory or incidental uses shall be subject to the general standards set forth in this section, as well as any use-specific standards set forth in §13.6.1.
3. All accessory uses, structures and activities shall be subject to the general, dimensional, operational, and use-specific regulations set forth in this section, in addition to the same regulations that apply to principal uses in each district. In the case of any conflict between the accessory use/structure standards of this section and any other requirement of this Code, the standards of this section shall control.
4. All accessory uses and structures shall comply with the following conditions:
  - a. The accessory use or structure shall be clearly incidental and customarily found in connection with the principal use; and
  - b. The accessory use or structure shall be conducted and/or located on the same zoning lot as the principal use; and
  - c. There shall be unity of ownership between the principal use and the accessory use.

**B. Accessory Uses/Structures Permitted in the Residential Zoning Districts.**

**1. Table of Permitted Accessory Uses and Structures.**

**a. Listed Accessory Uses/Structures.**

Table 13-6 below sets forth what types of accessory uses and structures are permitted in which residential zones. If a specific accessory use or structure is permitted in a residential zoning district, the column underneath the zoning district will be marked with a "Yes." If the accessory use or structure is not permitted in a particular zoning district, the column will be marked with a "No." If there is a reference contained in the column entitled "additional requirements," please refer to the cited section(s) for additional standards that shall apply to the specific accessory use.

**b. Unlisted Accessory Uses or Structures.**

If an accessory use or structure is not listed in Table 13-6 but satisfies all the conditions set forth in §13.6.2.A.4 above, it may be permitted subject to compliance with the general, dimensional, and operational standards set forth in this section.

**Table 13-6: Accessory Uses and Structures Permitted in the Residential Zoning Districts**

Accessory Use	EV RE- 1	EV RE	EV E-1	EV E	EV R	EV RM	Additional Requirements

Accessory living area	Yes	Yes	Yes	Yes	Yes	Yes	§3.4.5.A
Barns and stables	Yes	Yes	Yes	No	No	No	None
Day care center	No	No	No	No	No	Yes	§§13.6.1.H and 13.6.1.Q; as accessory to a permitted religious assembly use
Family home day care, small	Yes	Yes	Yes	Yes	Yes	Yes	§13.6.2.B.2.b Home Occupation As accessory to a principal residential use only
Fences and walls	Yes	Yes	Yes	Yes	Yes	Yes	
Garages, carports, and off-street parking areas used to serve the residents of the property	Yes	Yes	Yes	Yes	Yes	Yes	§13.6.2.B.2.a
Golf clubhouses, including space for the sale of golf or other sporting equipment, food, and refreshments	Yes	Yes	Yes	Yes	No	No	As accessory uses to golf courses only
Home occupation	Yes	Yes	Yes	Yes	Yes	Yes	§13.6.2.B.2.b
Kitchen, Accessory	Yes	Yes	Yes	Yes	Yes	No	§13.6.2.B.2.d
Kitchen, Outdoor	Yes	Yes	Yes	Yes	Yes	Yes	
Micro wind energy conversion systems	Yes	Yes	Yes	Yes	Yes	Yes	§13.6.2.B.2.f
Office	No	No	No	No	No	Yes	§13.6.2.B.2.h
Private greenhouses	Yes	Yes	Yes	Yes	Yes	Yes	
Private schools	No	No	No	No	No	Yes	As accessory to a permitted religious assembly use only; §13.6.1.Q
Satellite dish antennas 39 inches (1 meter) or less in diameter	Yes	Yes	Yes	Yes	Yes	Yes	Accessory to a principal residential use only. To the maximum extent feasible, but only where there is no impairment to acceptable signal quality, such satellite dish antenna shall be located in the rear yard of the residential use.
Satellite dish antennas greater than 39 inches (1 meter) in diameter	Yes	Yes	Yes	Yes	Yes	Yes	Accessory to a principal residential use only. To the maximum extent feasible, but only where there is no substantial impairment to acceptable signal quality, such satellite dish antenna shall be located in the rear yard of the residential use. To the maximum extent feasible, the satellite

							dish antenna shall be screened from view from adjacent public rights-of-way (including trails).
Small wind energy conservation systems	AS	AS	AS	AS	AS	AS	§13.6.2.B.2.g
Solar collector	Yes	Yes	Yes	Yes	Yes	Yes	Square footage of ground-mounted solar collectors shall be calculated as the area of the solar panels, not the structure footprint.
Storage or parking of trucks, cars, or major recreational equipment, including but not limited to boats, boat trailers, camping trailers, motorized homes, and house trailers	Yes	Yes	Yes	Yes	Yes	Yes	§13.6.2.B.2.c
Swimming pools/hot tubs	Yes	Yes	Yes	Yes	Yes	Yes	

2. **Additional Requirements for Specific Accessory Uses/Structures Permitted in the Residential Zoning Districts.**

a. **Garages and Off-Street Parking Areas.**

- i. Such accessory use shall serve only the residents of the property and shall not be used for commercial purposes.
- ii. For garages attached to or detached from a single-family dwelling:
  - 1) No more than 32 linear feet of garage door(s) shall be oriented towards a front lot line; and
  - 2) No more than 22 linear feet of garage wall, without architectural openings such as windows and doors, shall be oriented towards a front lot line.

b. **Home Occupations.**

i. **Size/Area.**

A home occupation shall not exceed 20 percent of the principal building floor area, excluding garage space. This size/area requirement does not apply to family home day care.

ii. **Location.**

Home occupations shall be integrated within the principal building in all zoning districts that allow home occupations. Except that on lots equal to or greater than one-and-one-half acres in size, home occupations may be detached from the principal building.

iii. **Employees.**

No one other than a resident of the dwelling shall be employed on site, report to work at the site or pick up supplies or products on site in the conduct of a home occupation. This prohibition also applies to independent contractors. Family home day care home occupations are exempt from this requirement.

iv. **Operational.**

- 1) There shall be no stock-in-trade other than products fabricated by artists and artisans.
- 2) A home occupation shall be conducted entirely within a portion of a building not within a required parking area. Outdoor play areas are permitted in conjunction with family home day care. All loose play items, such as toys and games, shall be stored inside at the close of business each day.
- 3) Vehicle or equipment sales, rentals or repairs shall not be conducted as a home occupation.
- 4) Personal and professional services shall be provided on an appointment-only basis.
- 5) No home occupation shall include a sales room open to the general public, and no articles shall be exhibited, offered for sale, or sold on the premises except by prior appointment.
- 6) There shall be no advertising of the address of the home occupation that results in attracting persons to the premises.
- 7) No kilns exceeding ten cubic feet in size shall be permitted.
- 8) All home occupations shall comply with the performance standards prescribed by §13.7.7 of this Code. There shall be no electrical or mechanical equipment not normally found in a residential structure.
- 9) No home occupation shall be allowed that will create noise, dust, fumes, odors, smoke, glare, vibration, electrical hazards, fire hazards or the storage of hazardous materials or any other nuisance to a greater degree than normally experienced in the residential district in which the permit is granted.
- 10) For home occupations on lots with shared private water systems, written approval of the water association shall be required for home occupations that will increase the demand on the water system.
- 11) Home occupations shall be prohibited on the site of a vacation home and/or accessory dwelling unit.

v. **Exterior Appearance and Outdoor Storage.**

- 1) No changes in the exterior appearance of the dwelling to accommodate the home occupation shall be allowed, except that one wall-mounted identification sign no larger than four square feet in area shall be permitted.
- 2) No outdoor storage of materials or equipment in conjunction with the home occupation shall be permitted.

vi. **Parking/Vehicles/Traffic.**

- 1) Not more than one truck with a maximum capacity of one-ton incidental to a home occupation shall be kept on the site.
- 2) The number of parking spaces available to a dwelling unit housing a home occupation shall not be reduced to less than two.
- 3) A home occupation shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount associated with residential uses in the district, i.e., ten vehicle trips per day.
- 4) The Decision-Making Body shall review the proposed home occupation to ensure that safe and adequate access is provided for customers. At a minimum, the street or shared driveway providing access to a home



occupation shall have a minimum width of 18 feet if serving more than ten customer trips per day.

- 5) For home occupations accessed via roads that are managed by a private road maintenance association, written approval of the association shall be obtained to permit customer trips generated by the home occupation.

c. **Storage or Parking of Vehicles, Recreational Equipment and Recreational Vehicles.**

- i. Only vehicles, recreational equipment and recreational vehicles owned by an occupant of a principal residential building may be parked or stored.
- ii. Parking or storage shall occur on the same lot as the principal residential use. Vehicles, recreational equipment, and recreational vehicles that are on a lot are considered parked or stored.
- iii. Recreational equipment and recreational vehicles shall have no fixed connections to electricity, water, gas, or sanitary sewer facilities, nor shall they be used for dwelling, business, or commercial purposes or for any accessory uses in any zoning district.
- iv. Recreational equipment and recreational vehicles may be parked or stored outside if all of the following requirements are satisfied:
  - 1) Recreational equipment and recreational vehicles may be parked no closer to the street than behind the front setback in a side yard.
  - 2) Recreational equipment and recreational vehicles may be parked no closer than three feet to a side or rear yard lot line.

v. **Limit on Parked or Stored Recreational Equipment and/or Recreational Vehicles on a Lot.**

1) **Applicability.**

This section applies to all recreational equipment and recreational vehicles that are not parked or stored in a fully enclosed garage.

2) **As Accessory to Single-Family and Two-Family Principal Uses.**

No more than a total of two pieces of recreational equipment and/or recreational vehicles shall be parked or stored on a lot of two acres or less. No more than a total of three pieces of recreational equipment and/or recreational vehicles shall be parked or stored on a lot greater than two acres in size, but less than five acres. No more than a total of four pieces of recreational equipment and/or recreational vehicles shall be parked or stored on a lot greater than five acres in size.

3) **As Accessory to Town Home or Multi-Family Principal Uses.**

No more than one piece of recreational equipment or one recreational vehicle shall be parked or stored for every ten dwelling units.

vi. **Limit on Number of Parked or Stored Vehicles, Not Including Recreational Equipment and Recreational Vehicles, on a Lot.**

1) **Applicability.**

This section applies to all vehicles that are not parked or stored in a fully enclosed garage.

2) **As Accessory to Single-Family and Two-Family Principal Uses.**

No more than a total of four vehicles shall be parked or stored on a lot of two acres or less. No more than a total of five vehicles shall be parked or stored on a lot greater than two acres in size, but less than five acres. No more than a total of six vehicles shall be parked or stored on a lot equal to, or greater than five acres, but less than ten acres. No more than a total of eight vehicles shall be parked or stored on a lot equal to, or greater than ten acres.

vii. **Hosted Short-term Rentals, Short-term Rentals, and Bed and Breakfast Inns—Maximum Off-Street Parking—Residential Zoning Districts.**

This section applies to all vehicles that are not parked or stored in a fully enclosed garage. No more than a total of four vehicles shall be parked or stored on a lot of two acres or less. No more than a total of five vehicles shall be parked or stored on a lot greater than two acres in size, but less than five acres. No more than a total of six vehicles shall be parked or stored on a lot equal to, or greater than five acres, but less than ten acres. No more than a total of eight vehicles shall be parked or stored on a lot equal to, or greater than ten acres.

d. **Accessory Kitchen.**

- i. Approval of a kitchen accessory to a single-family dwelling shall not constitute approval of a second dwelling unit or accessory dwelling unit.
- ii. The dwelling shall not be occupied by more than one family unit, as defined in §13.8, Definitions.
- iii. The dwelling shall have only one address.
- iv. Interior access shall be maintained to all parts of the dwelling to ensure that an accessory dwelling unit or apartment is not created.
- v. **Land Use Affidavit.**
  - 1) Accessory kitchens located in a portion of the dwelling that also includes sanitary facilities shall require a Land Use Affidavit prepared by the Community Development Department.
  - 2) The Community Development Department shall record this Land Use Affidavit at the time of issuance of a building permit.

e. **Outdoor Kitchen.**

A single-family dwelling may have one outdoor kitchen, either attached to the principal structure or detached, in addition to one or more kitchens inside the principal structure, provided that:

- i. An outdoor kitchen shall be a minimum of ten feet from the rear lot line and not closer to the side lot line than the required side yard setback of the applicable district.
- ii. Cooking appliances in an outdoor kitchen shall maintain a minimum distance from combustible materials as recommended by the appliance manufacturer and as may be required under the applicable International Fire Code (IFC).

f. **Micro Wind Energy Conversion Systems.**

i. **Size.**

The swept area of any individual micro wind energy conversion system shall not exceed 15 square feet.

ii. **Height.**

Height shall be measured from original natural grade to the highest point of the structure moving or fixed, whichever is greatest, and shall not exceed 30 feet.

iii. **Setbacks.**

Micro wind energy conversion systems shall be subject to setback requirements set forth §2.9.4, Setbacks.

iv. **Ridgeline Protection Areas.**

Micro wind energy conversion systems shall be subject to Ridgeline Protection Standards set forth in §13.7.2.C.

v. **Noise.**

All systems shall comply with the noise standards found in Larimer County Ordinance 97-03 (as amended).

vi. **Lighting Prohibited.**

Lighting, graphics, signs, and other decoration are prohibited on the system, nor shall lighting be located in such a manner to illuminate the structure.

vii. **Operating Condition.**

All systems shall be kept in safe operating condition.

viii. **Safety Regulations.**

All micro-wind energy conversion systems shall provide means of protection from any blades or moving parts by either:

1) **Ground Clearance.**

The minimum distance between the ground and any blades or moving parts utilized on a system shall be ten feet as measured at the lowest point of the swept area; or

2) **Enclosures.**

Blades and moving parts shall be enclosed with either fencing, grilles, guards, screening, shrouds, or any combination thereof.

ix. **Permit Required.**

A building permit shall be required for the installation or modification of any micro wind energy conversion system that:

- 1) Is connected to the Town of Estes Park Light and Power Distribution System; or
- 2) Has a height of 15 feet or more.

x. **Limit on Number.**

Multiple systems may be installed on a lot, but shall not exceed a cumulative aggregate swept area of 45 square feet. Swept Area shall mean the largest vertical cross-sectional area of the wind-driven parts as measured by the outermost perimeter of blades.

xi. **Electrical Connections.**

Electrical connections and lines shall be placed below ground.

g. **Small Wind Energy Conversion Systems (SWECS or "system").**

i. **Administrative Special Review.**

- 1) An Administrative Special Review approval shall be required for all systems.
- 2) The purposes of the administrative special review is to ensure the system mitigates, to the maximum extent feasible, potential adverse impacts on nearby land uses, public facilities and services and the environment.
- 3) This shall require the system to be located and sized to lessen the impacts (such as to principal view corridors) on nearby land uses and properties regardless of any associated negative impacts on system performance.

ii. **Submittal Requirements.**

- 1) Site plan, including: property lines with distances and bearings; location and dimensions of existing structures on the site; location of the proposed wind turbine and appurtenant equipment; setback from property lines; rights-of-way or easements for any adjoining roads or drives; edge of any adjoining roads or drives; existing utilities and utility easements; extent of shadow during winter solstice.
- 2) Small wind energy conversion system specifications, including manufacturer; model; rotor diameter and/or swept area; structure height to highest point; and tower design.
- 3) Tower and foundation blueprints and drawings.
- 4) Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electric Code.
- 5) The site plan and foundation plan shall be stamped by a professional engineer.

iii. **Review Criteria.**

Through the Administrative Special Review process, the small wind energy conversion system shall be evaluated for compliance to the following additional review criteria:

1) **Visual Impact.**

SWECS shall be sited and sized in a manner to minimize visual impact to principal view corridors of adjoining properties. The structure may be required to be located outside of said principal view corridors. Principal view corridors shall be those views from primary living areas of the principal structure on a lot.

2) **Noise.**

SWECS shall be sited to ensure compliance with maximum noise levels set forth in the found in Larimer County Ordinance 97-03 (as amended).

3) **Shadow-flicker.**

SWECS shall be sited in a manner that does not result in shadowing or flicker impacts on structures located on adjoining properties.

4) **Color.**

The color of the SWECS shall either be the stock color from the manufacturer or painted with a non-reflective grey or white color.

- 5) **Design.**

All towers shall be freestanding.
- 6) **Wildlife.**

SWECS shall be subject to Wildlife Habitat Protection standards set forth in §13.7.5.
- iv. **Building Permit Required.**

A building permit shall be required for the installation of all small wind energy conversion systems.
- v. **Limit on Number.**

There shall not be more than one system on a lot.
- vi. **Size.**

The swept area of any individual system shall not exceed 125 square feet. Swept area shall mean the largest vertical cross-sectional area of the wind-driven parts as measured by the outermost perimeter of blades of the largest cross-sectional area of any shroud or cowling enclosing the wind-driven parts.
- vii. **Height.**

Height shall be measured from original natural grade to the highest point of the structure moving or fixed, whichever is greatest, and shall not exceed 30 feet.
- viii. **Setbacks.**
  - 1) Setbacks from all property lines shall be at least two times the structure height. For example: a 30-foot tall system shall have a minimum setback of 60 feet from the nearest property line.
  - 2) This setback requirement shall also apply to public or private roads that serve more than four adjacent or off-site lots, and shall be measured from the edge of public or private roads, the edge of the dedicated right-of-way or recorded easement or the property line, whichever produces a greater setback.
- ix. **Ridgeline Protection Areas.**

Small wind energy conversion systems shall be subject to Ridgeline Protection Standards set forth in §13.7.2.C.
- x. **Noise.**

All systems outside the Town limits of the Town of Estes Park shall comply with the noise standards found in Larimer County Ordinance 97-03 (as amended).
- xi. **Lighting Prohibited.**

Lighting, graphics, signs, and other decoration are prohibited on the system, nor shall lighting be located in such a manner to illuminate the structure.
- xii. **Operating Condition.**

All systems shall be kept in safe operating condition.
- xiii. **Safety Regulations.**

All small wind energy conversion systems shall provide means of protection from any blades or moving parts by either:

1) **Ground Clearance.**

The minimum distance between the ground and any blades or moving parts utilized on a system shall be ten feet as measured at the lowest point of the swept area; or

2) **Enclosures.**

Blades and moving parts shall be enclosed with either fencing, grilles, guards, screening, shrouds, or any combination thereof.

xiv. **Electrical Connections.**

Electrical connections and lines shall be placed below ground.

h. **Office.**

Office permitted as an accessory use in EV RM Multi-Family Residential zoning districts upon special review use approval, subject to the following requirements.

- i. No accessory offices shall cumulatively exceed 25 percent of the gross floor area of the principal structure.
- ii. The accessory office use must be incorporated within the primary structure that exists at the time of special review approval.
- iii. Off-street parking for an accessory office use must comply one space per 200 square feet of gross floor area.
- iv. Should existing parking be insufficient, a development plan shall be required to accompany the special review application, prior to installation of additional parking spaces.

3. **Accessory Uses and Structures Permitted in the Nonresidential Zoning Districts.**

a. **Table of Accessory Uses and Structures Permitted in the Nonresidential Zoning Districts.**

i. **Listed Accessory Uses and Structures.**

Table 13-7 below sets forth what types of accessory uses and structures are permitted in which nonresidential zoning districts. If a specific accessory use or structure is permitted in a zoning district, the column underneath the zoning district will be marked with a "Yes." If the accessory use or structure is not permitted in a particular zoning district, the column will be marked with a "No." If there is a reference contained in the column entitled "additional conditions," please refer to the cited section for additional conditions that shall apply to the specific accessory use.

ii. **Unlisted Accessory Uses and Structures.**

If an accessory use or structure is not listed in Table 13-7, but satisfies all the conditions set forth in §13.6.2.A.4 above, it may be permitted subject to compliance with the general dimensional and operational standards set forth in this section.

**Table 13-7: Accessory Uses and Structures Permitted in the Nonresidential Zoning Districts**

Accessory Use	EV A	EV A-1	EV CO	EV O	EV I-1	Additional Requirements
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Barns and stables	No	Yes	No	No	No	As accessory to a principal residential or accommodations use only
Cafeteria, dining halls and similar food services	Yes	No	Yes	Yes	Yes	In the A district, accessory to a permitted accommodation use only. Such facilities shall be operated primarily for the convenience of employees, clients, customers, or visitors to the principal use
Car wash bay	No	No	Yes	No	Yes	A single-bay car wash allowed as an accessory to a permitted service station use only
Clubhouses, including space for the sale of golf or other sporting equipment, food, and refreshments	Yes	No	Yes	No	No	As accessory uses to golf courses or indoor recreational facilities only
Employee housing (Including caretaker quarters)	Yes	Yes	Yes	Yes	Yes	§13.6.2.B.3.b.i
Day care center	Yes	No	Yes	No	No	§§13.6.1.H and 13.6.1.Q; as accessory to a permitted religious assembly use
Family home day care, small	Yes	Yes	No	No	No	§13.6.2.B.2.b Home Occupations As accessory to a principal residential use only
Home occupation	Yes	Yes	No	No	No	§13.6.2.B.2.b Home Occupations As accessory to a principal residential use only
Meeting rooms, banquet halls and similar group gathering spaces and uses	Yes	No	Yes	No	No	As accessory to a principal accommodation use only. Except in the EV A zone, shall be located inside the same building housing the principal use. Such facilities shall be operated primarily for the convenience of guests, customers, or visitors to the principal use. Total gross floor area of the accessory use shall count toward any maximum FAR requirement
Micro wind energy conversion systems	Yes	Yes	Yes	Yes	Yes	§13.6.2.B.2.f
Outdoor mobile food vendors	Yes	No	Yes	No	Yes	§13.6.4
Outdoor retail sales	No	No	Yes	No	Yes	§13.6.1.O; Accessory to a principal retail sales/service or grocery store use only
Private greenhouses	Yes	Yes	No	No	No	As accessory to a principal residential use only
Private recreational facilities for use by residents, employees, or guests	Yes	Yes	Yes	Yes	Yes	

Private schools	Yes	No	Yes	No	No	As accessory to a permitted religious assembly use only; §13.6.1.Q
Restaurants, bars, newsstands, gift shops, clubs, managerial offices, and lounges	Yes	No	Yes	No	No	§§13.6.1.I and 13.6.1.L; Only allowed when inside the principal building containing a permitted principal hotel, motel, resort lodge or major entertainment event facility use
Retail sales as an accessory use to artist and photography studios	Yes	Yes	Yes	Yes	Yes	The works of art or photographs for sale shall be work product from the principal studio use.
Satellite dish antennas greater than 39 inches (1 meter) in diameter	Yes	Yes	Yes	Yes	Yes	As accessory to a principal residential use only. To the maximum extent feasible, but only where there is no substantial impairment to acceptable signal quality, the satellite dish antenna shall be located to the rear of the principal building. To the maximum extent feasible, the satellite dish antenna shall be screened from view from adjacent public rights-of-way (including trails)
Satellite dish antennas that are 39 inches (1 meter) or less in diameter	Yes	Yes	No	No	No	As accessory to a principal residential use only. To the maximum extent feasible, but only where there is no impairment to acceptable signal quality, the satellite dish antenna shall be located to the rear of the principal building.
Satellite dish antennas that are 78 inches (2 meters) or less in diameter	Yes	Yes	Yes	Yes	Yes	As accessory to a principal nonresidential use only
Satellite dish antennas that are greater than 78 inches (2 meters) in diameter	Yes	Yes	Yes	Yes	Yes	As accessory to a principal nonresidential use only. To the maximum extent feasible, but only where there is no substantial impairment to acceptable signal quality, the satellite dish antenna shall be located to the rear of the principal building. To the maximum extent feasible, the satellite dish antenna shall be screened from view from adjacent public rights-of-way (including trails)
Small wind energy conversion systems	AS					§13.6.2.B.2.g
Solar collector	Yes	Yes	Yes	Yes	Yes	Square footage of ground-mounted solar collectors shall be calculated as the area of the solar panels, not the structure footprint
Storage of merchandise and nonhazardous materials when located in the same building as the principal use	Yes	Yes	Yes	Yes	Yes	
Swimming pools and tennis courts	Yes	Yes	No	No	No	Must be located on the same parcel of a permitted principal hotel or motel use



b. **Additional Requirements for Specific Accessory Uses in the Nonresidential Zoning Districts.**

i. **Employee Housing.**

1) **Standards.**

Employee housing shall be subject to the following development and operational standards:

- (a) Dwelling units used for employee housing shall comply with all applicable provisions of this Code.
- (b) Individual dwelling units used for employee housing shall not exceed 800 square feet of gross floor area.
- (c) Employee housing shall not be occupied or rented for a term of tenancy less than 30 days.

2) **Formula for the Provision of Employee Housing.**

The amount of employee housing shall be allowed as follows:

- (a) Accommodation Uses: One unit of employee housing per seven guest rooms or units.
- (b) In no case, however, may the total cumulative square footage of the employee housing units and their accessory use areas (garages, carports, decks, etc.), exceed that of the principal use. Also, parking requirements for the employee housing units may not exceed the total required parking for the principal use.

4. **General Dimensional and Operational Requirements.**

The following standards shall apply to all accessory uses and structures in all zoning districts, except for: (1) Satellite antenna dishes accessory to residential uses that are one meter or less in diameter; and (2) Satellite antenna dishes accessory to nonresidential uses that are two meters or less in diameter.

a. **Time of Establishment.**

No accessory use shall be established, and no accessory structures shall be allowed on the subject parcel until after all required permits and approvals for the principal use or activity have been obtained.

b. **Setbacks.**

No accessory use, structure, or activity, except for permitted fences or walls, shall be located or take place within a required setback. On residential lots of less than one acre, all accessory buildings, excluding detached garages, shall be located no closer to the front property line than the residential dwelling. Small wind energy conversion systems shall be subject to setback requirements set forth in §13.6.2.B.2.g.viii.

c. **Setbacks from Easements.**

No accessory structure shall be located within any platted or recorded easement or over any known utility.

d. **Maximum Cumulative Lot Coverage Allowed for all Accessory Buildings or Accessory Structures .**

[illegible]

The height limitations set forth in the underlying zoning districts shall apply to all accessory buildings and structures located therein.

g. **Dwelling Unit Prohibited.**

Except as otherwise expressly allowed, no dwelling unit shall be located in any accessory structure or building.

h. **Operations.**

Accessory structures, buildings and uses shall be constructed, maintained, and conducted to avoid production of noise, vibration, concussion, dust, dirt, smoke, odors, noxious gases, fly ash, heat, or glare from artificial illumination or from reflection of natural light.

i. **Limits on Mobile Homes/RVs.**

No mobile home or recreational vehicle (RV) shall be used for accessory uses.

(Res. of 6-6-2023, Exh. A, 3)

13.6.3. - Temporary Uses and Structures.

A. **General Standards.**

All temporary uses or structures shall meet the following requirements:

1. The proposed temporary use will be located, operated, and maintained in a manner consistent with the provisions of this Code.
2. The proposed temporary use will not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.
3. The proposed temporary use complies with all applicable general and specific regulations of this section, unless otherwise expressly stated.
4. Permanent alterations to the site are prohibited.
5. Permanent signs are prohibited. All approved temporary signs associated with the temporary use shall be removed when the activity ends.
6. Temporary uses shall not violate any applicable conditions of approval that apply to the principal use on the site.
7. Temporary uses shall comply with building/structure setbacks established for the zoning district in which the temporary use is located. Staff may waive or adjust this provision.
8. The temporary use regulations of this section do not exempt the operator from any other required permits, such as Health Department permits.

B. **Temporary Uses Allowed.**

1. **Temporary Seasonal and Holiday Sales.**

- a. Holiday or seasonal sales activities, such as sales of Christmas trees or farm produce, shall be permitted temporary uses in the following zoning districts:
  - i. EV CO Outlying Commercial Zoning District.
  - ii. EV I-1 Restricted Industrial Zoning District.
- b. The term of the temporary use permit shall not exceed 60 days.
- c. Permitted sales activities may occur within required zoning district setbacks, provided that the following conditions are satisfied:

- i. No activity or display shall encroach into a required setback by more than 50 percent of the required setback.
    - ii. No activity or display shall be located within 25 feet of an abutting residential lot; and
    - iii. No activity, display, or related equipment shall be located within a required intersection or driveway sight triangle.
  - d. Temporary seasonal and holiday sales shall not include retail sales of bulk household goods, such as furniture, carpets, artwork/paintings or similar items, and shall not include retail sales of prepared or processed food products.
  - e. The outdoor sales and storage area shall be limited to ten percent of the gross area of the lot.
- 2. Temporary Real Estate Sales Office.**
- a. Temporary real estate sales offices shall be permitted in all zoning districts when incidental to a new residential development.
  - b. Permitted temporary real estate sales offices shall be used only as temporary field offices and for storage of incidental supplies, and shall not be used as any type of dwelling.
  - c. A real estate sales office shall not be moved, erected, or established on a residential development site until the date on or after which construction actually commences.
  - d. Use of the temporary real estate sales office for sales of residential sites or projects located off-site is prohibited.
  - e. All temporary real estate sales offices shall be removed within 30 days after the sale of the last dwelling unit in the development, even if the temporary use permit is still valid.
- 3. Contractor's Office/Temporary Construction Uses.**
- a. **Permitted in all Zoning Districts.**  
The use of construction sheds or construction trailers in connection with site construction, or an area used for the temporary storage of building materials and equipment necessary for construction of a permanent use, are permitted temporary uses in all zoning districts, subject to the following regulations and restrictions.
  - b. **Site Requirements.**
    - i. A temporary construction trailer, construction shed, or construction yard shall be located on the lot on which construction is progressing and shall not be located within 25 feet of any abutting residential lot.
    - ii. Siting of a temporary construction yard shall provide adequate buffering for adjacent structures and uses.
    - iii. A temporary construction yard shall be maintained in good condition during the time of its use. Construction yards and sites shall be regularly mowed and weed growth shall be controlled. Trash and rubbish barrels/receptacles shall be provided on-site and trash pick-up and removal shall occur on at least a weekly basis.
  - c. **Dwelling Prohibited.**  
A temporary construction trailer or construction shed shall be used only as temporary field offices and for storage of incidental equipment and supplies and shall not be used as any type of dwelling.
  - d. **Commencement of Use.**

A temporary construction trailer or construction shed, or a temporary construction yard shall be moved, erected, or established on a construction site no earlier than two weeks prior to the date on which construction actually commences. If construction is interrupted and ceases for more than 60 days, a construction trailer or construction shed shall be removed until actual construction commences again.

e. **Fire Hazards.**

No flammable materials shall be stored in a temporary construction trailer or construction shed.

f. **Trailer/Shed Requirements.**

- i. All temporary construction trailers and construction sheds shall have at least ten feet on all sides for clearance.
- ii. Every temporary construction trailer and construction shed shall be maintained in clean and orderly condition.

g. **Completion of Temporary Use.**

Upon completion of the temporary use, the site shall be cleaned, all evidence of the use(s) removed, and left in a condition that minimizes adverse impacts to the site itself and to surrounding properties.

4. **Natural Disasters and Emergencies.**

Temporary uses and structures needed as the result of a natural disaster are allowed for as provided for in Article 14.0, Disaster Re-Build Program.

5. **Temporary Fireworks Sales.**

- a. Temporary fireworks sales are permitted in the following zoning districts:
  - i. EV CO Outlying Commercial Zoning District.
  - ii. EV I-1 Restricted Industrial Zoning District.
- b. Temporary fireworks sales shall be permitted only from June 16 to July 5 of the calendar year.
- c. Permitted fireworks sales activities shall not be permitted within the required zoning district setbacks.
- d. No activity or display shall be located within 25 feet of an abutting residential lot.

6. **Other Uses.**

Subject to this section, the County may approve other temporary uses and activities or special events if it is determined that such uses would not jeopardize the health, safety, or general welfare, or be injurious or detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.

13.6.4. - Outdoor Mobile Food Vending Uses.

A. **Operational Standards.**

All outdoor mobile food vendors shall meet the following requirements:

1. Outdoor mobile food vending uses shall not violate any applicable conditions of approval that apply to the principal use on the site.

2. Outdoor mobile food vendors shall be classified as accessory uses in the zoning districts in which they are permitted provided they are on lots that contain a principal building where active operations are being conducted.
3. Outdoor mobile food vendors shall be prohibited on undeveloped lots.
4. Permanent signage shall be allowed only on the outdoor mobile food vendor vehicle. One temporary sign may be placed by the outdoor mobile food vendor on the site. The temporary sign shall meet the applicable regulations of Article 8.0, Signs.
5. The outdoor mobile food vendor vehicles shall not be located in any of the following places:
  - a. Within the extended boundaries of a crosswalk;
  - b. Within ten feet of the extension of any building entranceway, and or doorway;
  - c. In a location in which the vehicle, may impede or interfere with or visually obstruct;
    - i. The safe movement of vehicular and pedestrian traffic;
    - ii. Parking lot circulation; or
    - iii. Access to any public street, alley, or sidewalk;
6. The outdoor mobile food vendor shall have available a suitable container for the placement of litter by customers and shall pick up and dispose of any paper, cardboard, wood, or plastic containers, wrappers, or any litter on site.
7. Each outdoor mobile food vendor shall not leave the outdoor mobile food vehicle unattended for more than 15 minutes at any one time while engaged in business operations.
8. Each outdoor mobile food vendor shall comply with the provisions of all applicable rules, regulations, and ordinances of the County as well as requirements of all state and federal laws, including, but not limited to noise restrictions, sign regulations, limitations on discharge of liquid waste, sales tax requirements, food safety, wildlife protection and other related requirements.

### 13.7. - Supplemental Development Standards for the Estes Valley

#### 13.7.1. - General Development Standards.

The standards in Article 4.0, Development Standards apply to all development in the Estes Valley area. In the event of a conflict or absence of relevant regulation, the specific standards presented in this section apply.

#### 13.7.2. - Slope Protection Standards.

##### A. **Density Calculation for Residential and Accommodation Development on Steep Slopes in Excess of 12 Percent.**

###### 1. **Applicability.**

These density calculation provisions shall apply to all new residential and accommodation development in the Estes Valley, except for the following:

- a. Single-family residential development on a lot created and approved for such use prior to the effective date of this Code.
- b. Development within the EV RE-1 Zoning District.

###### 2. **General Rule.**

Notwithstanding the maximum densities permitted by the underlying zoning district, the minimum lot area for new residential and accommodation development on parcels containing slopes 12 percent or greater shall be determined by the following formulas:

**a. All Residential Zoning Districts.**

For each percentage point by which average slope exceeds 12 percent, the base zone minimum lot area requirement shall be increased by 1,000 square feet, as shown in Table 13-9 below.

Table 13-9: Density Calculation/Lot Area Adjustment for Steep Slopes by Zoning District						
Zoning District	Base Minimum Lot Area	Adjusted Minimum Lot Area (Square Feet) @ "x" % Slope				
		15%	20%	25%	30%	35%
EV RE-1	10 acres	No Slope Adjustment Required				
EV RE	2.5 acres	111,900	116,900	121,900	126,900	131,900
EV E-1	1 acre	46,560	51,560	56,560	61,560	66,560
EV E	½ acre	24,780	29,780	34,780	39,780	44,780
EV R	¼ acre	13,890	18,890	23,890	28,890	33,890

**b. EV A Zone.**

- i. Accommodation development shall comply with the base zoning minimum lot area of 40,000 square feet.
- ii. In addition, for each percentage point by which average slope exceeds 12 percent, the base zoning minimum land area per unit requirement (1,800 or 5,400 square feet per unit) shall be increased by 100 or 300 square feet per unit, respectively.
- iii. Single-family or two-family uses in the EV A Zone shall comply with the base zoning minimum lot area of 40,000 square feet. In addition, for each percentage point by which average slope exceeds 12 percent, the base zone minimum land area per unit requirement (9,000 square feet for SF uses and 6,750 square feet for 2-F uses) shall be increased by 300 square feet per dwelling unit.

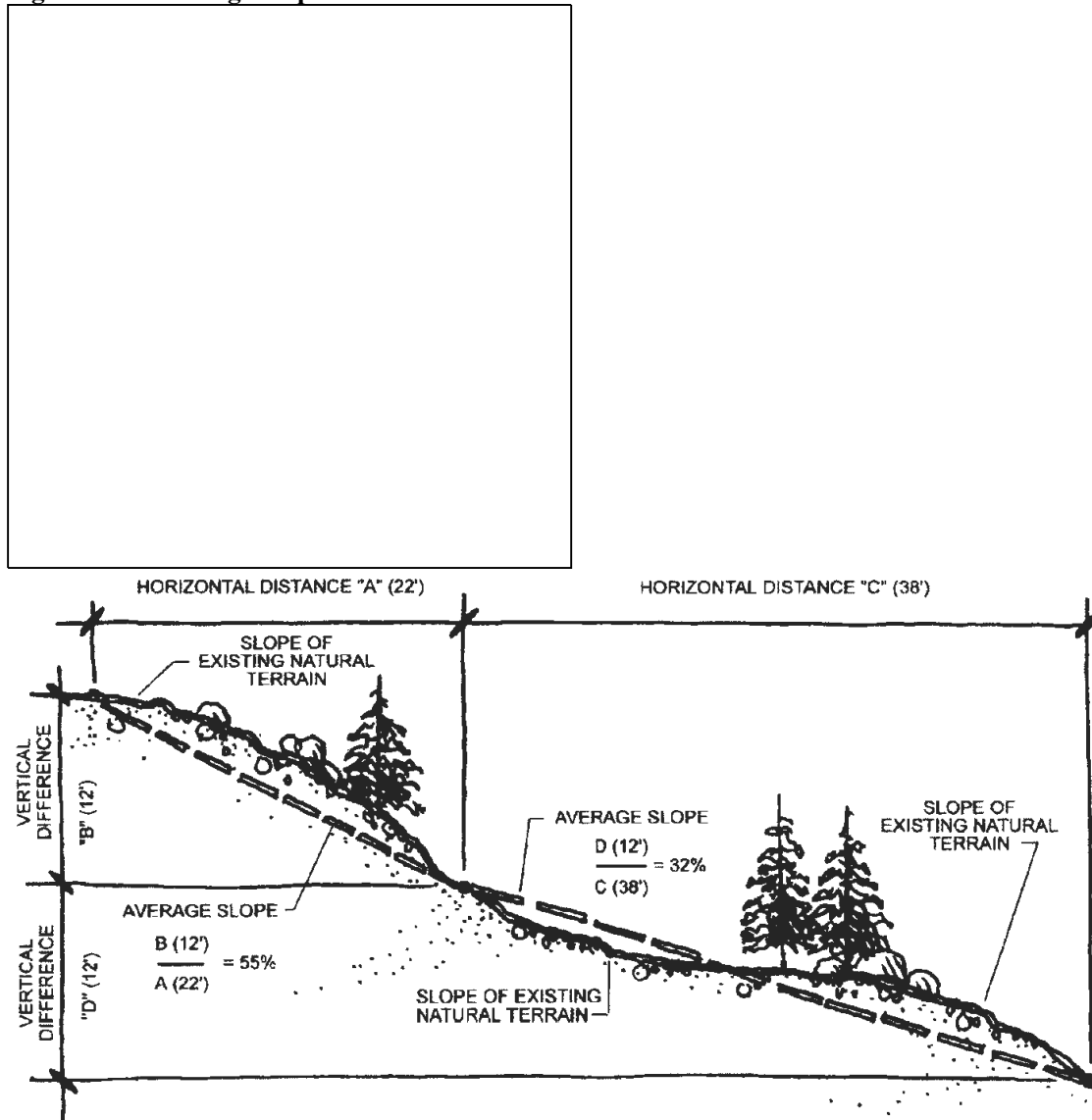
**c. EV A-1 Zone.**

Development shall comply with the base zoning minimum lot area of 15,000 square feet. In addition, for each percentage point by which average slope exceeds 12 percent, the base zone minimum land area requirement per dwelling unit or accommodation unit (10,890 square feet per unit) shall be increased by 605 square feet per unit.

**3. Definition.**

For purposes of this section, "average slope" shall be measured as set forth in §13.8.3.

**Figure 13 1: Average Slope Calculation**



**B. Development Restrictions on Steep Slopes.**

**1. Applicability.**

These development restrictions shall apply to all new development in the Estes Valley, except for development on lots that were approved for individually permitted buildings prior to the effective date of this Code.

**2. New Structures-Existing Slopes in Excess of 30 Percent.**

- a. New development proposed to be built on any portion of a site containing a slope of 30 percent or greater shall be subject to Staff review and approval of a site plan. This provision applies to development that would otherwise be exempt from the site plan review process.



- b. Staff shall review all such development plans and evaluate them according to the following standards:
  - i. Site disturbance shall be minimized to the maximum extent practicable;
  - ii. Cuts for utilities and access driveways shall be shared to the maximum extent feasible;
  - iii. To the maximum extent feasible, new construction shall not take place on any portion of a parcel that shows evidence of slope instability, landslides, avalanche, flooding or other natural or manmade hazards (see §13.7.4, Geologic and Wildfire Hazard Areas).
  - iv. The Applicant shall demonstrate that the slope's ground surface and subsurface are not unstable, that the proposed development will not cause instability or increase the potential for slope failure, and that the development of the slope will not increase the degree of hazard both on-site and on adjacent properties.
- c. For purposes of this subsection, steepness of slope shall be measured from the points with highest and lowest elevation within five feet of any portion of the proposed structure.

3. **Structure Clearance from Steep Slopes.**

Structure clearance from ascending or descending slopes greater than 30 percent shall comply with the requirements set forth in the applicable Building Code provisions.

4. **Grading, Clearing and Excavation-Slopes in Excess of 30 Percent.**

Clearing, excavation and grading on slopes greater than 30 percent would not be allowed, unless expressly approved through a development plan.

5. **Roads/Driveways-Slopes in Excess of 30 Percent.**

Shared driveways and access to sites or lots containing slopes in excess of 30 percent shall be utilized to the maximum extent feasible.

C. **Ridgeline Protection Standards.**

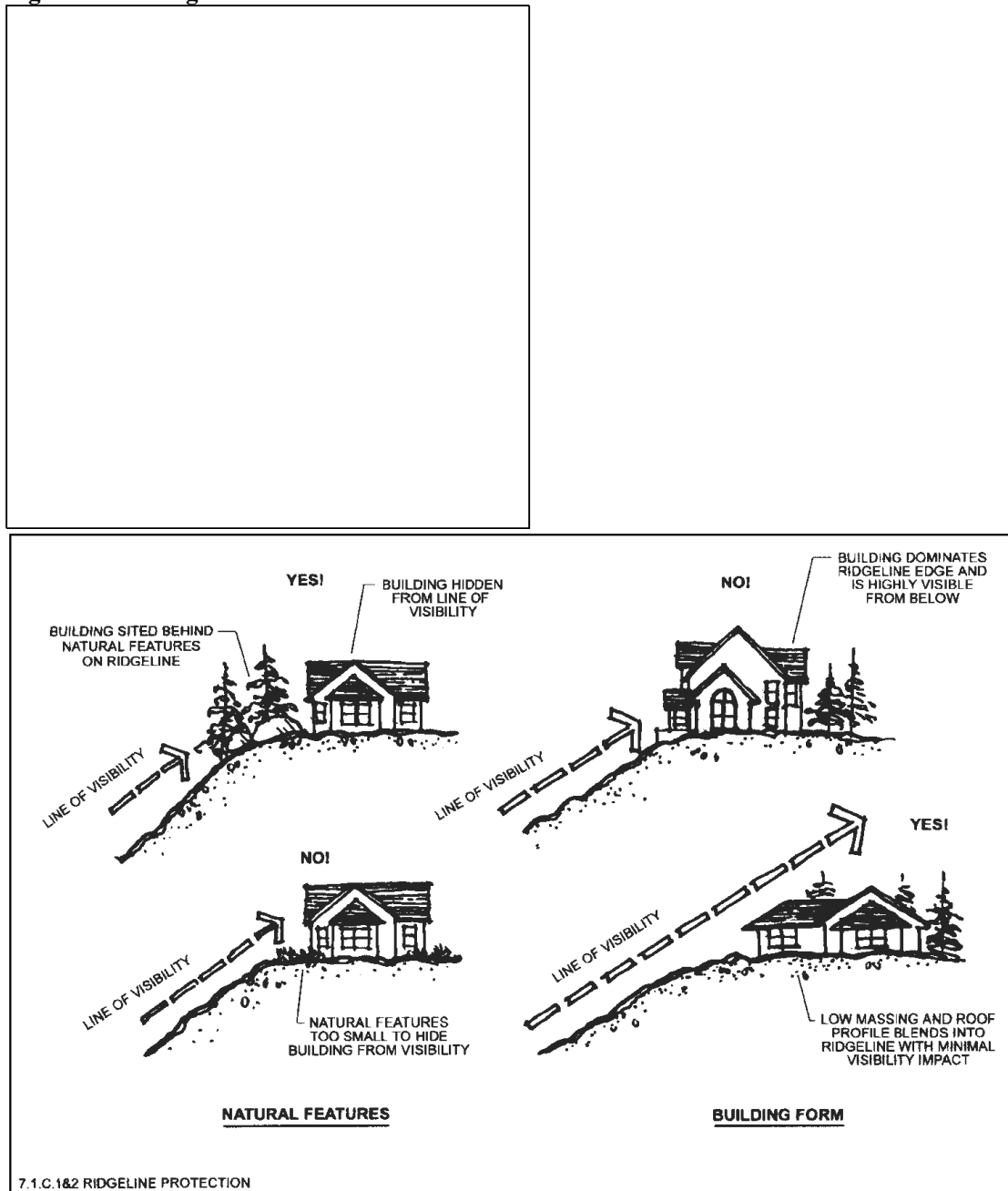
1. **Applicability.**

This Section shall apply to all new development in the Estes Valley on land identified on the Estes Valley Ridgeline Protection Map as designated ridgeline protection areas. If the site contains an identified ridgeline, the Applicant may, by site specific analysis, demonstrate that the location of the proposed development is not on an identified ridgeline. Staff may then waive these standards.

2. **Building/Roof Design for Ridgeline Protection.**

Development subject to this subsection shall be designed and sited to minimize the visible intrusion of buildings and structures above the designated ridgelines or above existing ridge-top trees or vegetation, and thus preserve identified scenic views across or through the site. Techniques to meet this standard shall include, but are not limited to, careful consideration of architectural design, building massing, siting, building colors and roofing materials, and the use of native landscaping or other permitted screening materials. For example, compliance with this standard may require siting a building below a ridgeline so there is a solid, mountain backdrop behind the building.

**Figure 13-2: Ridgeline Protection**



**D. Staff Waiver of Ridgeline Protection Standards.**

1. The Director may grant such waivers or modifications to the ridgeline protection standards only if finding, based on substantial evidence presented by the Applicant, that the following conditions are satisfied:
  - a. Application of the ridgeline standards renders the site undevelopable; or
  - b. Application of the ridgeline standards will result in a substantial economic hardship (as defined in this chapter), and the economic hardship is not created by the Applicant or otherwise self-imposed; and

- c. The development conforms with all other development, site design and environmental standards set forth in this chapter and in all other applicable ordinances and codes.
2. In granting a waiver from or modification of the ridgeline protection standards set forth in this section, the Director may impose conditions if the effect of the conditions is to reduce the adverse impacts of the development, including but not limited to a reduction in maximum building height below what would otherwise be permitted in the applicable zoning district.

### 13.7.3. - Tree and Vegetation Protection.

#### A. **Applicability.**

These tree and vegetation protection standards shall apply to all new development in the Estes Valley, except for single-family residential development on a lot created and approved for such use prior to the effective date of this Code.

#### B. **Purposes.**

Protection of existing tree and vegetation cover is intended to preserve the visual and aesthetic qualities of the Estes Valley; to encourage site design techniques that preserve the natural environment and enhance the developed environment; to control erosion, slippage and sediment run-off into streams and waterways; to increase slope stability; and to protect wildlife habitat and migration corridors.

#### C. **Exemptions for Specific Activities.**

The following activities shall be exempt from this section:

1. The removal of dead or naturally fallen trees or vegetation, or trees or vegetation that are found by the County to be a threat to the public health, safety, or welfare;
2. The selective and limited removal of trees or vegetation necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work;
3. The removal of trees or vegetation on land zoned or lawfully used for:
  - a. Agricultural and forestry activities, including tree farms and approved forestry management practices, except that if a site is substantially cleared of trees pursuant to legitimate forestry activities, no subdivision or development plan applications shall be accepted for 36 months from the date the clearing is completed; or
  - b. Commercial garden centers, greenhouses, or nurseries.

#### D. **Tree/Vegetation Removal.**

##### 1. **Outside Approved Limits of Disturbance.**

No trees or vegetation shall be removed outside the approved limits of disturbance except as specifically exempted in this section or Chapter.

##### 2. **Within Approved Limits of Disturbance.**

- a. To the maximum extent feasible, significant trees (deciduous trees four-inch DBH or larger, conifers eight-inch DBH or larger) and vegetation within the limits of disturbance shall be preserved. Significant trees removed from within the limits of disturbance shall be replaced as set forth in paragraph 5 below. This standard shall not apply to tree/vegetation removal adjacent to structures in order to comply with wildfire hazard mitigation requirements. (See §13.7.4, Geologic and Wildfire Hazard Areas).
- b. Any existing trees or vegetation that are in appropriate locations, in sufficient quantities and of acceptable quality to be utilized to fulfill landscaping or buffering requirements of this Code shall be preserved to the maximum extent feasible.

3. **Wildfire Hazards and Tree/Vegetation Removal.**

See §13.7.4, Geologic and Wildfire Hazard Areas below.

4. **Tree/Vegetation Removal for Views Prohibited.**

No trees or vegetation shall be removed for the sole purpose of providing open views to or from structures on a site.

5. **Replacement of Significant Trees.**

Except for significant trees removed for purposes of wildfire hazard mitigation (see paragraph 3 above), and except for trees removed through an expressly approved construction activity, when a significant tree or trees are removed from a site, the Applicant or developer shall replace such tree(s) on the lot, according to the following schedule and requirements:

- a. A significant deciduous tree that is removed shall be replaced by three trees each with a minimum size of two-and-one-half-inch caliper.
- b. A significant coniferous tree that is removed shall be replaced by two trees each with a minimum height of six feet.
- c. Alternatively with Director approval, acceptable replacement trees shall be determined by a person or firm qualified by training or experience to have expert knowledge of the subject. Alternatively, the valuation of trees removed may be established in accordance with the Valuation of Trees, Shrubs and Other Plants, prepared by the International Society of Arboriculture, and with Staff approval replaced with landscaping of equal dollar value.
- d. Replacement trees shall be maintained through an establishment period of at least three years, except that single-family developments on a single lot shall have an applicable establishment period of only one year. The Applicant shall post a bond or other surety acceptable to the Decision-Making Body guaranteeing the survival and health of all replacement trees during the establishment period and guaranteeing any associated replacement costs. If the replacement trees do not satisfactorily survive the establishment period, the bond or surety will be used to purchase and install new replacement trees.

E. **Tree/Vegetation Protection During Construction/Grading Activities.**

See Appendix D for tree/vegetation protection standards during construction or grading activities.

13.7.4. - Geologic and Wildfire Hazard Areas.

A. **Applicability.**

All new subdivisions and development, including residential development on lots of record approved prior to the effective date of this Code, shall comply with the procedures and standards set forth in this section.

B. **Interpretation.**

The provisions of this section shall be interpreted to apply in conjunction with all other applicable local, county and state land use requirements. Whenever a provision of any other land use regulation conflicts with the intent of this section, the provisions of this section shall apply.

C. **Description of Regulated Hazard Areas.**

Hazard areas regulated by this section shall include all areas that are or that may become hazardous due to environmental conditions. The hazards include, but are not limited to, the following: wildfire, avalanche, landslide, rock fall, mud flow and debris fan, unstable or potentially unstable slopes, seismic effects, radioactivity, ground subsidence and expansive soil and rock.

**D. Professional Qualifications.**

All maps and reports required by this section must be prepared by or under the responsible direction of a duly qualified professional.

1. Wildfire hazard analysis required by this section must be prepared by or under the direct supervision of a professional forester with at least two years' experience with wildfire hazards in the Rocky Mountain region.
2. Geologic hazard analyses required by this section must be prepared by or under the direct supervision of a professional geologist with experience in engineering geology or geotechnical engineering.
3. Engineering work required by this section must be prepared by or under the direct supervision of a licensed professional engineer who is experienced in the engineering specialty (e.g., soils, slope stability) required to meet the objectives of this section.

**E. Wildfire Hazards.**

**1. Wildfire Hazard Areas.**

**a. Mapped Wildfire Hazards.**

Wildfire hazard areas shall include all those areas shown as "high-tree" fire hazard areas on the Wildfire Hazards Resource Map.

**b. Unmapped Wildfire Hazards.**

Wildfire hazard areas shall also include areas located outside of the mapped wildfire hazard areas that are identified by the Colorado State Forest Service or the Larimer County Wildfire Safety Specialist, or designee, as hazardous areas.

- c.** In the event an Applicant questions the existence of a wildfire hazard within the proposed development or subdivision, the Applicant may submit evidence with respect thereto from a professional forester. This evidence may be considered by the decision maker, together with all other applicable evidence, in determining whether or not said development or subdivision is within a wildfire hazard area.

**2. Wildfire Hazard Mitigation Plans.**

**a. Mitigation Plan Required.**

When new development or subdivision is proposed within a wildfire hazard area, the Applicant shall be required to submit a mitigation plan prepared by a professional forester, addressing how the development or subdivision will either avoid or mitigate the hazard, as more fully set forth below.

**b. Wildfire Mitigation Plan Requirements.**

Mitigation plans shall be prepared according to the "Colorado Landowner Forest Stewardship Plan Guidelines."

**3. Review Criteria.**

- a.** In reviewing new development or subdivisions subject to this section, the decision maker may deny development within a hazard area or may approve it on the condition

that the development is designed and built in such a manner to adequately mitigate the hazard.

- b. In reviewing new development and subdivisions, the decision maker shall take into consideration the following:
  - i. The Applicant's mitigation plan;
  - ii. Vegetative, topographic, access and other technical information presented by the Applicant or other interested party, including the County or other public agency;
  - iii. Recommendations of a reviewing state agency having expertise with respect to the hazard in question and recommendations of others with similar expertise; and
  - iv. Site specific vegetation and topographical characteristics.
- c. Mitigation methods required may include, but are not limited to:
  - i. Compliance with "Guidelines and Criteria for Wildfire Hazard Areas," written by the Colorado State Forest Service, September 1974; "Wildfire Mitigation Plan Standards and Guidelines (Appendix D)," written by the Colorado State Forest Service, April 1997;
  - ii. Specific requirements for construction, location, and density of structures and/or lots;
  - iii. Provision of defensible space in compliance with current Colorado State Forest Service guidelines shall be required on all new construction in wildfire hazard areas. For additions to or changes in the type of the occupancy or use in existing structures, a defensible space shall be provided around the entire structure; and
  - iv. Specific requirements for alteration to the vegetative features of the land.

## **F. Geologic Hazard Areas.**

### **1. Geologic Hazard Areas.**

#### **a. Mapped Geologic Hazards.**

Geologic hazard areas shall include all areas shown on the Geologic Hazard Areas Resource map and all areas classified as 4, 5, 6 or 7 on the Official Geologic Hazard Maps, which have been reviewed by the Colorado Geological Survey and are incorporated by reference in this Code. The Official Geologic Hazard Maps shall be available for public review at the Community Development Department.

#### **b. Unmapped Geologic Hazards.**

Hazard areas shall further include any areas which have not been so classified, but where a hazard has been identified and confirmed by the Colorado Geological Survey. The Community Development Director, or designee, shall have the authority to identify geologic hazard areas during field inspections. Such field identifications shall be based on identification procedures set forth in "Guidelines and Criteria for Identification and Land Use Controls of Geologic Hazard and Mineral Resource Areas," written by the Colorado Geological Survey, 1974.

- c. In the event an Applicant questions the existence of a geologic hazard area within the area proposed for development or subdivision, the Applicant may submit evidence with respect thereto from a professional geologist having requisite technical expertise. Such evidence may be considered by the Decision-Making Body, together with all other available evidence, in determining whether or not said development or subdivision is within a geologic hazard area.

### **2. Geologic Hazard Mitigation Plans.**

a. **Mitigation Plan Required.**

When new development or subdivision is proposed within a geologic hazard area, the Applicant shall be required to submit a mitigation plan prepared by a professional geologist addressing how the development or subdivision will either avoid or mitigate the hazard, as more fully set forth below. Licensed professional engineers who are experienced in the engineering specialty (e.g., soils, slope stability) may submit mitigation plans for steep slope and alluvial soils hazards. Lots approved for single-family residential development prior to the adoption of this Code do not need to submit a mitigation plan for rock fall hazards.

b. **Colorado Geologic Survey Review.**

Except for single-family residential development on lots of record, new development and subdivisions within a geologic hazard area shall be referred to the Colorado Geological Survey for review and comment. At the time of application submittal, the Applicant shall submit the required fees for the Colorado Geological Survey review. Applicants seeking approval of single-family development on lots of record within an identified Geologic Hazard Area shall be exempt from Colorado Geological Survey review, but shall be subject to all other requirements in this section.

c. **Geologic Mitigation Plan Requirements.**

Mitigation plans shall be prepared according to "Guidelines and Criteria for Identification and Land Use Controls of Geologic Hazard and Mineral Resource Areas," written by the Colorado Geological Survey, 1974 and include, at a minimum, the following:

- i. An evaluation and predication of the impact of the hazard or hazards affecting the proposed development or subdivision and recommended mitigation methods;
- ii. Maps describing the extent and severity of the hazard at the particular site, and including a true north arrow, scale, ties to quarter-section corners and accurate dimensions for all lines, angles and curves used to describe property boundaries scale;
- iii. Topography;
- iv. A location map showing the general location of the development or subdivision and its relationship to surrounding topographic features;
- v. A map showing the location, type and density of the proposed development or subdivision;
- vi. In the case of an alluvial soils hazard, an on-site subsurface soils investigation and report.
- vii. In the case of rock fall geologic hazards, the mitigation plan shall:
  - 1) Specifically address each possible method of mitigation, including:
    - (a) Building outside of the run-out zone,
    - (b) Stabilization of rocks,
    - (c) Slowing or diverting moving rocks, and
    - (d) Physical barriers.
  - 2) Include maps of the fallout zone, including the rock fall source area, the acceleration zone, and the run-out zone. Computer modeling is the preferred method of determining hazard zones.

- 3) Include maps portraying the geologic conditions of a development area with particular attention given to the designated hazard condition or conditions and those geologic, hydrologic, soil and topographic features constituting the hazard.
- 4) If needed, geologic cross-sections can be utilized to portray the hazard conditions. These maps must show the topography with a contour interval of ten feet or smaller if necessary. These maps must be on a scale sufficiently detailed to meet the purposes of this section, but in no case can the scale be less than one inch equals 200 feet.

### 3. **Review Criteria.**

- a. In reviewing a development subject to this section, the Decision-Making Body may deny development within a hazard area or may approve it on the condition that the development is designed and built in such a manner as to adequately mitigate the hazard.
- b. In reviewing new development and subdivisions, the Decision-Making Body shall take into consideration the following:
  - i. The Applicant's mitigation plan;
  - ii. Geologic, topographic, and other technical information presented by the Applicant or other interested party, including the County or other public agency;
  - iii. Recommendations of a reviewing state agency having expertise with respect to the hazard in question and recommendations of others with similar expertise; and
  - iv. The relationship between the development and the hazard area and the potential impact of the development within the area on lands outside the development.
- c. Mitigation methods required by the Decision-Making Body may include, but are not limited to:
  - i. Compliance with "Guidelines and Criteria for Identification and Land Use Controls of Geologic Hazard and Mineral Resource Areas," written by the Colorado Geological Survey, 1974;
  - ii. To the maximum extent feasible, in rock fall hazard areas avoidance of the run-out zone shall be the method of mitigation;
  - iii. Location of building envelopes outside areas identified as Class II geologic hazard areas;
  - iv. Specific requirements for construction, location, density of structures and/or lots;
  - v. Specific requirements for construction of roads upon the land;
  - vi. Specific requirements for alteration to the physical characteristics of the land.

#### 13.7.5. - Wildlife Habitat Protection.

##### A. **Purpose.**

To maintain the diversity of wildlife species and habitat that occur in the Estes Valley, and to plan and design land uses to be harmonious with wildlife habitat and the species that depend on this habitat for the economic, recreational, and environmental benefit of the residents of and visitors to the Estes Valley.

##### B. **Applicability.**

This Section shall apply to all applications for review of development plans, subdivision plats, planned unit developments, special review uses and rezonings. This Section shall not apply to



development on lots that were approved for single-family residential use prior to the effective date of this Code.

**C. Exemptions.**

The procedures and regulations contained in this section shall not apply to:

1. Agricultural activities such as soil preparation, irrigation, planting, harvesting, grazing and farm ponds;
2. Maintenance and repair of existing public roads, utilities and other public facilities within an existing right-of-way or easement;
3. Maintenance and repair of flood control structures and activities in response to a flood emergency;
4. Maintenance and repair of existing residential or nonresidential structures; or
5. Activities undertaken pursuant to a wildlife conservation plan approved under this section.

**D. Other Regulations.**

This Section of the Code does not repeal or supersede any existing federal, state, or local laws, easements, covenants, or deed restrictions pertaining to wildlife. When this section imposes a higher or more restrictive standard, this section shall apply.

**E. Wildlife Habitat Data Base.**

The following sources shall be used to identify important wildlife habitat areas for purposes of review under this section:

1. Wildlife Habitat map.
2. Colorado Division of Wildlife habitat maps for Larimer County, as amended from time to time.
3. Colorado Natural Heritage Program Maps dated December 1996, or as amended from time to time.
4. Other information and maps as staff may from time to time identify in cooperation with the Colorado Division of Wildlife, such as wildlife maps produced specifically for the Estes Valley. Said maps shall be applicable only following adoption of an amendment to this Code.
5. Wildlife habitat information required by this section is intended for general planning purposes. Obvious errors or omissions may be corrected by the Staff.

**F. Review Procedures.**

The following procedures shall apply to all applications for development:

**1. Application.**

The Applicant shall submit a plat, sketch plan or site plan, as applicable, depicting the general location of the property, location of structures on the site, prominent natural areas such as streams and wetlands, and other features that Staff may require for review pursuant to this section. A Wildlife Conservation Plan shall be submitted for sites containing:

- a. An endangered or threatened species,
- b. Big Horn sheep or Big Horn sheep habitat, or
- c. Riparian areas adjacent to rivers and streams and wetlands.

**2. Preliminary Review.**

Staff shall refer the submitted plan or plat to the Colorado Division of Wildlife for review. Applicants are also advised to consult with the Colorado Division of Wildlife and other agencies responsible for regulation of wildlife and habitat, such as the U.S. Fish and Wildlife Service, U.S. Department of the Interior-Rocky Mountain National Park, U.S. Forest Service and Colorado Natural Heritage Program. These agencies may maintain maps and databases that can aid in the site-specific confirmation of the presence or absence of wildlife and habitat on a specific site.

**3. Review Determination.**

- a. The Review and Decision-Making Bodies shall issue a finding as to whether the application, including the wildlife conservation plan, complies with the requirements of this section.
- b. Wildlife studies and mitigation plans found to be adequate by the Decision-Making Body shall become binding upon the Applicant.
- c. Applications that do not comply with this §13.7.5 of this Code shall be denied.

**4. Waivers.**

Staff may waive or approve minor modifications of any development standard or review criteria contained in this section upon a finding that such waiver or modification:

- a. Is consistent with the stated purposes of this section;
- b. Will have no significant adverse impacts on wildlife species or habitat;
- c. Any potential adverse impacts will be mitigated or offset to the maximum extent practicable; and
- d. Application of the standard or criteria is not warranted based on the location of the development, the absence of a particular species on the site or other relevant factors.

**G. Review Standards.**

The following review standards shall apply to all development applications as specified, unless staff determines that a specific standard may be waived pursuant to subsection F.4 above. It is the intent of this section that these standards be applied in a flexible fashion to protect wildlife habitat and wildlife species in a cost-effective fashion.

**1. Review Standards.**

**a. Buffers.**

All development subject to a wildlife conservation plan shall provide a setback from any identified important wildlife habitat area, in accordance with any recommendations in the wildlife conservation plan.

**b. Important Wildlife Habitat.**

Restricted to native species on Recommended Plant List. There shall be no introduction of plant species that are not on the approved landscaping list in the "ComDev Recommended Plant List" on any site containing any important wildlife habitat area. Plans approved under provisions of this Code shall show existing herbaceous and woody cover on the site maintained and removal of native vegetation minimized in connection with development.

**c. Fencing.**

- i. No fencing on a site containing important wildlife habitat shall exceed 40 inches in height, except to the extent that such fencing is approved by Staff to confine

permitted domestic animals or to protect permitted ornamental landscaping or gardens.

- ii. Fences higher than 40 inches may be allowed if adequate openings are provided for the passage of deer, elk, or other identified wildlife. These openings shall be at least six feet wide and spaced a maximum of 50 feet apart along continuous fence lines exceeding this length.
- iii. No fencing using barbed wire shall be allowed.
- iv. The type of fencing (materials, opacity, etc.) shall be determined by Staff or the Decision-Making Body as appropriate for the wildlife species on the site.

d. **Exterior Lighting.**

Use of exterior lighting shall be minimized in areas of important wildlife habitat, and lighting shall be designed so that it does not spill over or onto such critical habitat. See also §13.7.6 below.

e. **Refuse Disposal.**

Developments on sites containing important wildlife habitat, such as black bear, must use approved animal-proof refuse disposal containers. With Division of Wildlife approval, refuse disposal containers and enclosures may be electrified.

f. **Domestic Animals.**

Development applications for property that includes important wildlife habitat must include a plan with specified enforcement measures for the control of domestic animals and household pets. The plan must include provisions to prevent the harassment, disturbance and killing of wildlife and to prevent the destruction of important wildlife habitat.

H. **Wildlife Conservation Plans.**

1. **Plan Preparation.**

A wildlife conservation plan required by this section shall be prepared for the Applicant, at the Applicant's expense, under the responsible direction of a qualified person who has demonstrated expertise in the field.

2. **Plan Content.**

Any wildlife conservation plan required to be prepared pursuant to this section shall include the following information at a minimum. Specific requirements may be waived by Staff due to the location of the development, the previous use of the site, the size and potential impact of the development, the absence of particular species on a site, the prohibition of a reasonable use of the site and other relevant factors.

- a. A description of the ownership, location, type, size, and other attributes of the wildlife habitat on the site.
- b. A description of the populations of wildlife species that inhabit or use the site, including a qualitative description of their spatial distribution and abundance.
- c. An analysis of the potential adverse impacts of the proposed development on wildlife and wildlife habitat on or off site.
- d. A list of proposed mitigation measures and an analysis of the probability of success of such measures.
- e. A plan for implementation, maintenance, and monitoring of mitigation measures.
- f. A plan for any relevant enhancement or restoration measures.

- g. A demonstration of fiscal, administrative, and technical competence of the Applicant or other relevant entity to successfully execute the plan.

#### 13.7.6. - Exterior Lighting.

- A. See Article 4.0 Development Standards §4.10. – Exterior Lighting

(Res. of 6-6-2023, Exh. A, 3)

#### 13.7.7. - Operational Performance Standards.

In addition to any standards required in the underlying zoning districts, all development shall meet the following performance standards:

- A. **Noise.**

All land uses and new development subject to this Chapter of the Code shall comply with the noise standards found in Larimer County Ordinance 97-03 (adopted September 22, 1997, and as amended from time to time).

- B. **Operational/Physical Compatibility.**

The following conditions may be imposed upon the approval of any development to ensure that it is compatible with existing uses, including but not limited to, restrictions on:

1. Placement of trash receptacles;
2. Location of loading and delivery areas;
3. Location, intensity, and hours of illumination; and
4. Additional landscaping and buffering.

- C. **Evidence of Compliance.**

The Decision-Making Body shall require such evidence of ability to comply with appropriate performance standards and mitigation measures as it deems necessary prior to issuance of project development plan approval or a building permit or a certificate of occupancy.

#### 13.7.8. - Street Design and Construction Standards.[\[1\]](#)

- A. **Applicability.**

1. All new development within the Estes Valley, except for single-family residential development on a lot created and approved for such use prior to February 1, 2000, shall comply with the Larimer County Rural Area Road Standards (LCRARS) and applicable Chapters and Sections of the Larimer County Urban Area Street Standards (LCUASS) as defined below.
  - a. Applicable Chapters of the LCUASS are Chapter 1 (General Provisions), Chapter 4 (Transportation Impact Studies), Chapter 7 (Street Design and Technical Criteria), Chapter 9 (Access requirement and Design Criteria), Chapter 16 ( Pedestrian Facilities), Chapter 17 (Bicycle Facilities), Chapter 22 (Construction Specifications), Chapter 23 (Inspection and Testing Procedures), Appendix A (Standard Drawings), and Appendix E (Standard Notes Approval Blocks and check lists). Applicable sections of the applicable chapters include all general sections and sections listed as "Loveland (GMA and City limits)." Remaining Chapters of the LCUASS are not included as the contents, processes, and standards contained within these chapters are either not applicable or incorporated in other parts of the Larimer County Land Use Code (LCLUC) and LCRARS.

- b. The applicable chapters of the LCUASS applies for all new non-residential and multi-family development within the Estes Valley. The applicable chapters of the LCUASS also applies for new residential land divisions that are proposed on parcels that intersect with the 1,500-foot buffer limit of the Town boundary, which is shown as reference in Figure 13-4.
- c. The LCRARS applies for new residential land divisions not within the 1,500-foot buffer of the Town boundary, which is shown as reference in Figure 13-4.

**B. Administrative Modification Process.**

- 1. Modifications or variances from these standards will be considered on a case-by case basis.
- 2. If a person desires to design and construct improvements in modification or variation to these to these standards, such modification shall be requested in writing and sealed by a licensed Colorado professional civil engineer and shall consist of:
  - a. Identification of the standard provision to be modified, waived, or varied.
  - b. Identification of the alternative design or construction standards to be adhered to that results in equivalent engineering standards.
  - c. A thorough justification of the modification request, including impact of capital and maintenance requirements and cost.
  - d. The modification request results in less visual impact; more effective environmental or open space preservation; or, relieves practical difficulties in developing a site due to mountainous terrain or other factors.
- 3. Modification requests shall first be reviewed by the County Engineer. If the request is denied by the County Engineer, the person requesting the modification may make their first appeal of the decision to the Community Development Director. If the denial of the variance is upheld by the Director, it may be appealed to the Board of County Commissioners.

**C. Additional Design and Construction Standards.**

All new applicable development shall comply with the following standards, in addition to the street design, cross-section, and construction specifications and details set forth in the LCRARS and applicable sections of the LCUASS.

**1. Typical Street Sections.**

**a. Arterial Street Sections.**

Arterial Street sections in Estes Valley that are classified as State Highways and under the jurisdiction of the Colorado Department of Transportation shall meet State standards and typical sections.

**b. Collector Street Sections.**

- i. The Minor Collector Street section shown in Figure 7-5L of the LCUASS (Loveland Only) applies for internal streets with traffic volumes in the range of 1,000 to 3,000 vehicles per day and for adjacent roads shown as Collector Streets on the Larimer County Functional Classification Map that are proposed on parcels that intersect with the 1,500-foot buffer limit of the Town boundary. The section noted as "WITHOUT PARKING" shall be used, excluding the parkway requirement. The minimum right-of-way width requirement for this collector section with curb and gutter, bike lane and sidewalk is 50 feet.
- ii. The Minor and Major Collector Street sections shown in the LCRARS applies for adjacent roads shown as Collector Streets on the Larimer County Functional Classification Map outside of the 1,500-foot buffer limit of the Town boundary. The

right-of-way width requirements apply as shown in Drawings 2 and 3 of the LCRARS.

**c. Local Street Sections.**

- i. The Residential Local Street section (Loveland Only) shown in Figure 7-7L of the LCUASS applies for internal streets with traffic volumes in the range of 100 to 999 vehicles per day and for adjacent roads shown as Local Streets on the Larimer County Functional Classification Map that are proposed on parcels that intersect with the 1,500-foot buffer limit of the Town boundary. The minimum right-of-way width requirement for the local section is 45 feet to accommodate curb, gutter, sidewalk, and optional parking if needed. Parkways are not required.
- ii. The Local Street sections shown in the LCRARS applies for streets shown as Local Streets on the Larimer County Functional Classification Map that are outside of the 1,500-foot buffer limit of the Town boundary. The right-of-way width requirements apply as shown in Drawing 4 of the LCRARS.

**d. Local Low Volume Street Sections.**

The Local Low Volume Street section shown in the LCRARS applies for streets within the Estes Valley where the average daily trip generation is expected to be less than 100 trips. The right-of-way width requirements apply as shown in Drawing 5 of the LCRARS.

**2. Shared Driveways.**

The following standards apply to shared driveways:

- a. Shared Driveways are allowed for up to four single-family residential units and up to ten multi-family units. Accesses that serve more than these thresholds are considered streets.
- b. Shared drives serving up to three single-family residential or up to three multi-family units may have a ten-foot wide minimum driving surface. Shared drives serving four single-family residential or four to ten multi-family units shall have a 20-foot minimum driving surface.
- c. Shared driveways serving four single-family residential units and four to ten multi-family units must be paved when proposed on parcels that intersect with the 1,500-foot buffer limit of the Town boundary.
- d. The primary entrance of shared driveways serving two or more dwelling units shall be maintained with unobstructed vehicular access between the dwelling entrance(s) and the public street access and shall not have gated access or other security barriers installed.
- e. Shared driveways must provide a turnaround to meet local fire department standards.
- f. Shared driveways require a recorded shared access easement and maintenance agreement.

**3. Road Surfacing.**

- a. For any non-residential and multi-family development and for residential land divisions proposed on parcels that intersect with the 1,500-foot buffer limit of the Town boundary, paved access roads and shared drives must be available to provide access to the nearest paved road.
- b. Outside of the 1,500-foot buffer limit of the Town boundary, pavement is required based on the paving threshold standards in LCLUC Section 8.1.5 (Road Capacity and Level of Service Standards).

**4. Curb and Gutter.**

- a. For any non-residential and multi-family development and for residential land divisions proposed on parcels that intersect with the 1,500-foot buffer limit of the Town boundary, concrete curb and gutter shall be required along the project frontage and on both sides of internal streets.
- b. Outside of the 1,500-foot buffer limit of the Town boundary, curb and gutter is not required.

**5. Sidewalks and Bike Lanes.**

- a. For any non-residential and multi-family development and for residential land divisions proposed on parcels that intersect with the 1,500-foot buffer limit of the Town boundary, sidewalks on both sides of an internal roads shall be required where staff determines there will be significant pedestrian usage.
- b. When development abuts an Arterial or Collector Street, sidewalks and bike lanes along the project frontage shall be installed to provide public access and connection to adjacent properties.
- c. Sidewalks and bike lanes may not be required if staff determines:
  - i. There will not be significant pedestrian and/or bicycle usage;
  - ii. There will not be a feasible connection to other sidewalks and bike lanes in the area; or
  - iii. Unusual topographic or environmental conditions exist that would make installation infeasible or would result in a significant adverse impact.

**6. Property Line Buffer.**

Roads, shared drives, and sidewalks shall be set back at least three feet from an adjacent property line unless owners of abutting properties agree in writing that the edge may be closer to or abut their common property line.

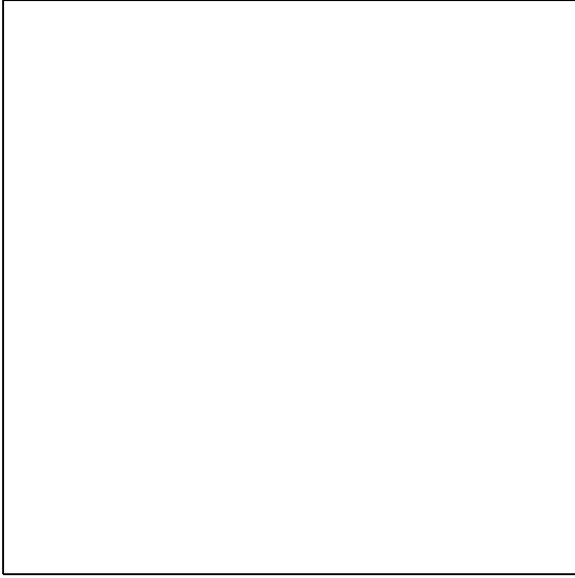
**7. Dead End Length.**

The maximum length of a cul-de-sac or dead-end street shall be 1,000 feet, measured from the center of the nearest intersection to the center of the cul-de-sac turnaround.

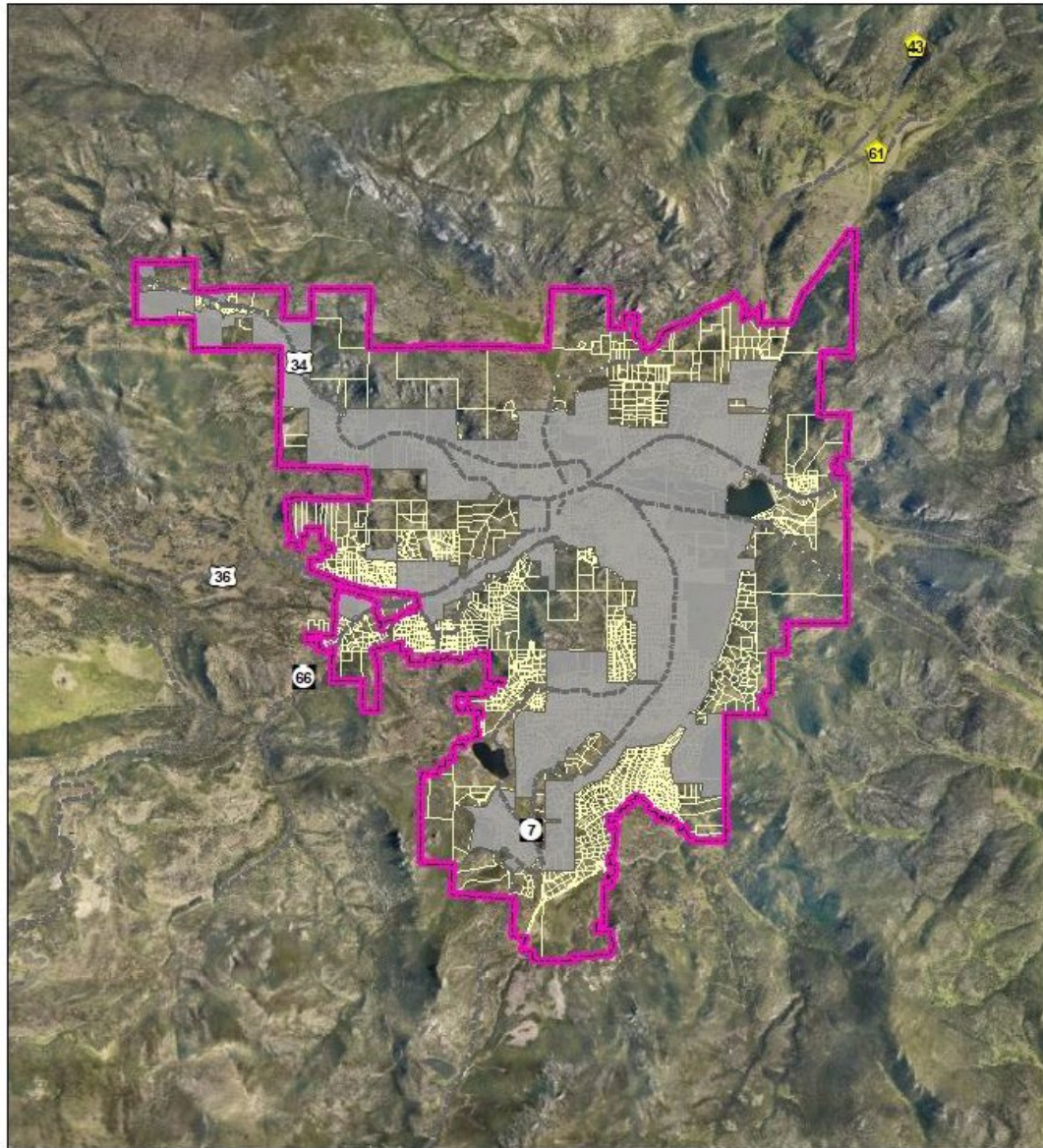
**8. Terrain Classification.**

Terrain shall be classified "mountainous" when the average cross-slope at streets being developed exceeds 15 percent. LCRARS and LCUASS allow the proposal of deviations to the standards if another alternate design and construction standard can be met such as using American Association of State Highway and Transportation Officials (AASHTO) Policy on the Geometrics Design of Highways and Streets.

**Figure 13-4: Estes Valley Street Standard Buffer Area**

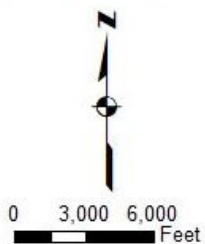






**Legend**

-  Estes Valley Street Standard Buffer Area
-  Estes Valley Planning Area
-  Town Limits



Note: This figure is for reference only and shows the Estes Valley Street Standard Buffer Area effective on April 1, 2020. The boundary is subject to change as annexations occur. Contact County Engineering for current limits.

**Footnotes:**

--- (1) ---

**Cross reference**— Roads and bridges, ch. 50.

13.8. - Definitions

### 13.8.1. - General provisions.

Definitions listed in this section shall supersede other definitions in the Code with respect to the Estes Valley only. Terms used but not specifically defined herein shall have commonly accepted meaning of the word, generally a dictionary definition.

### 13.8.2. - Use Classifications/Specific Use Definitions and Examples.

#### A. **Purpose and Applicability.**

Use classifications classify land uses and activities based on common functional, product or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use classifications provide a systematic basis for assigning present and future land uses into appropriate zoning districts.

#### B. **Uses Not Classified.**

Any new use, or any use that cannot be clearly determined to be in an existing use classification pursuant to the use classification procedure set forth in §13.3.2.D, shall be prohibited until and if such use is incorporated into the zoning regulations by a code text amendment, as provided by §6.6, Code Amendment Procedures.

#### C. **Use Classification/Specific Use Definitions and Examples.**

This Section sets forth specific use classifications in alphabetical order. A general definition is typically provided for each use classification, and in many instances, examples are provided of specific uses that fall within the broader use classification. When a specific use example is provided, the example should satisfy both the broader classification's general definition as well as the definition of the specific use, if provided. Finally, the text may provide specific examples of uses that are not included in a particular use classification (referred to in the text as "exceptions").

##### 1. **Accommodations, High-Intensity.**

- a. General Definition: Visitor-serving facilities that provide temporary lodging in guest rooms or guest units for compensation, and with an average length of 30 days or less. High-intensity accommodations generally serve a larger number of guests than low-intensity accommodations.
- b. Examples: This classification includes the following types of specific uses:
  - i. Hostel: An establishment operated, managed, or maintained under sponsorship of a nonprofit organization that holds a valid exemption from federal income taxes under the Internal Revenue Code of 1954, as amended, or which is licensed by and operated under the rules of Hosteling International-American Youth Hostels, or a comparable hosteling umbrella organization approved by the appropriate governing entity.
  - ii. Hotel/Motel: A facility offering transient lodging accommodations to the general public.
  - iii. Recreational Vehicle (RV) Park/Campground: A parcel of land where two or more recreational vehicle sites and/or camping sites are located, established, or maintained for occupancy by recreational vehicles or camping units of the general public as temporary living quarters for travel, vacation, or recreation purposes.
  - iv. Resort Lodge/Cottages: A building or group of buildings, under single management and ownership with an on-site manager or staff, containing rooms and/or units available for temporary rental to transient guests, and where the primary attraction is generally recreational features or activities.

**2. Accommodations, Low-Intensity.**

- a. General Definition: Visitor-serving facilities that provide temporary lodging for compensation, and with an average length of stay of 30 days or less. Such facility shall be designed to be compatible, in terms of building scale, mass and character, with a predominantly low-intensity and low-scale residential and/or rural setting.
- b. Examples: This classification includes the following types of specific uses:
  - i. Hosted Short-Term Rental: A principal dwelling occupied by a full-time resident (owner or operator) living on-site where short-term lodging is provided to transient guests.
  - ii. Bed and Breakfast Inn: As defined in section 20.3.
  - iii. Hotel, Small: As defined above, containing no more than eight guest rooms.
  - iv. Resort Lodges/Cottages, Low-Intensity: As defined above, with no more than a total of 20 guest rooms or guest units.
  - v. Short-Term Rental: A principal dwelling rented to transient guests for short-term lodging when not occupied by the owner/operator.
  - vi. Preexisting Lodging Facility: A legally constructed dwelling, including condominium units, cabins, or hotels, constructed prior to April 1, 2020, for transient lodging uses and located in the EV A or EV A-1 districts.

**3. Adult Businesses.**

Any facility used for an adult amusement or entertainment business. This includes an adult book store, adult photography studio, adult theater, adult drive-in theater, adult movie arcade, adult restaurant, bar or nightclub, adult tanning salon and other adult businesses characterized by offering patrons activities or material depicting, exhibiting, describing, or relating to specified sexual activities or specified anatomical areas for observation, amusement, enjoyment, satisfaction or gratification, whether for a fee or not. The uses contemplated by this definition customarily, although not always, offer adult amusement or entertainment activities or materials as a principal, significant or emphasized part of their enterprise and such uses, customarily, although not always, exclude minors under 18.

**4. Animal Sales/Services.**

- a. General Definition: Any commercial facility or establishment that conducts as a principal use of the premises the sale or boarding of animals, or the provision of care, treatment, or services for animals.
- b. Examples: This classification includes the following types of specific uses:
  - i. Animal Boarding: Provision of shelter and care for small or large animals on a commercial basis. This use includes activities such as feeding, exercising, grooming and incidental medical care.
  - ii. Animal Grooming: Provision of bathing and trimming services for small or domestic animals only on a commercial basis. This use includes boarding of domestic animals for a maximum period of 48 hours.
  - iii. Animal Hospital: Establishments where small or domestic animals receive medical and surgical diagnosis and treatment. This use includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (no more than 30 days) boarding of animals is included if incidental to the hospital use.
  - iv. Animal Retail Sales: Retail sales and boarding of small or domestic animals only, provided that such activities take place within an entirely enclosed building. This

use includes grooming if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours.

- v. **Animal Shows/Sales:** Exhibitions of small/domestic or large animals for a maximum of seven days. This use includes animal sales.
- vi. **Veterinary Office:** Any facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, and prevention of animal diseases. Overnight care and boarding of small or domestic animals is permitted for up to 30 consecutive days within the interior of such facility.

5. **Artist Studio.**

Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.

6. **Bank or Other Financial Institution.**

Establishments that provide retail banking services, mortgage lending and similar financial services to individuals and businesses. This classification includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities, but shall not include bail bond brokers. This classification also includes automated teller machines (ATM) located within a fully enclosed space or building, or along an exterior building wall intended to serve walk-up customers only.

7. **Building Materials/Services.**

Retailing, wholesaling or rental of building supplies or equipment. This classification includes lumber yards, building tool and equipment sales or rental establishments, and building contractors' yards, but excludes establishments exclusively devoted to retail sales of paint and hardware and activities classified under vehicle/equipment sales and service.

8. **Business Services/Professional Office.**

A place used primarily to conduct the affairs of a business, profession, service, industry, government, or other similar activity and where the indoor storage and sale of merchandise is secondary to the conduct of the business or profession.

9. **Catering Service.**

Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (See also Eating/Drinking Establishments.)

10. **Civic, Social or Fraternal Membership Clubs, Lodges or Associations.**

A facility to accommodate a group of people organized for a common purpose to pursue common goals, interests or activities and characterized by certain attributes, including membership qualifications, payment of fees and dues, regular meetings and/or a constitution and by-laws.

11. **Commercial Laundry.**

A business which launders and dry cleans clothing and other fabric articles in bulk. Dry cleaning agencies are distinguished from commercial laundries, the latter which perform dry cleaning of materials delivered to the premises by persons or services other than the owner of the materials. See also Personal Services.

12. **Commercial Recreation or Entertainment Establishments, Outdoor.**

A facility offering games, sports, exhibitions and/or rides. This does not include golf courses, country clubs, shooting ranges or livery stables.

**13. Construction Storage Yard.**

A facility utilized for the storage of vehicles, equipment and materials utilized in the construction industry.

**14. Cultural Institutions.**

A public or non-profit institution displaying or preserving objects of interest in one or more of the arts or sciences, including libraries and museums.

**15. Day Care Center.**

A nonresidential facility for the purpose of providing less than 24-hour care for children or adults, none of whom are receiving on-site medical or psychological treatment, therapy, or counseling but some or all of whom may be receiving on-site physical assistance with day-to-day living activities. A day care center for children is a facility that is required to be licensed as such by the State of Colorado, Department of Human Services.

**16. Eating/Drinking Establishments.**

- a. General Definition: Retail businesses serving prepared food or beverages for consumption on or off the premises.
- b. Examples: This classification includes the following types of specific uses:
  - i. Bar/Tavern: An establishment where the primary business is providing or dispensing by the drink for on-site consumption of fermented malt beverages and/or malt, special malt, vinous or spirituous liquors, in which the sale of food products such as sandwiches and light snacks is secondary, and where music, live entertainment and/or dancing may be provided.
  - ii. Brewpub: An establishment where the brewing, fermenting, or distilling of malt, vinous or spirituous liquors or other alcoholic beverages for consumption on or off the premises, which requires food sales. Food sales shall account for a minimum of 15 percent of a brewpub's gross on-premises food and drink income.
  - iii. Microbrewery/micro-distillery/microwinery: An establishment with no more than 15,000 square feet of gross floor area in which malt, vinous, spirituous liquors are brewed, distilled, or fermented for sale and distribution. An on-premises tasting/tap room is required. The sale of food products, such as sandwiches and light snacks, is permitted as an accessory use, but not required.
  - iv. Restaurant: An establishment where the principal business is the sale of food and beverages in a ready-to-consume state. Fermented malt beverages, malt, special malt, and vinous and spirituous liquors may be produced on the premises as an accessory use.
  - v. Tasting/tap room: A principal or accessory use associated with a micro/brewery/micro-distillery/microwinery or brewery/distillery/winery at which customers may purchase the manufacturer's products and other beverages for on- or off-premises consumption.

**17. Emergency Health Care.**

Facilities providing emergency medical service with no provision for continuing care on an inpatient basis.

**18. Entertainment Event, Major.**

- a. General Definition: Major entertainment event uses are characterized by activities and structures that attract people to specific (often large-scale) events or shows. Activities are generally of a spectator nature. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

- b. Examples: Examples include fairgrounds, stadiums, sports arenas, coliseums, auditoriums and exhibition and meeting halls/areas.
- c. Exceptions: This use classification does not include the following:
  - i. Exhibition and meeting areas with less than 20,000 square feet of total event area, which are classified as "retail establishments" below.
  - ii. Meeting areas, banquet halls and similar uses that are part of hotels or restaurants and are accessory to those uses, which are included in the accommodations or retail establishment classification.
  - iii. Movie theaters, which are classified under indoor commercial recreation or entertainment establishments.
  - iv. Recreation or entertainment uses conducted on a continuous basis that are classified as indoor or outdoor commercial recreation or entertainment establishments.

**19. Event Facility.**

A building or portion of a building, outdoor area(s), and related parking which is rented, leased, or otherwise made available for individuals or groups to accommodate episodic or discrete functions involving participation by multiple individuals, including but not limited to weddings, banquets, anniversaries, and other similar events. Such use may include kitchen facilities for the preparation or catering of food, or the sale and/or serving of appropriately permitted alcoholic beverages for on-premises consumption. Food service shall occur only during scheduled events and shall not be open to the general public. An event facility may be operated in conjunction with other uses, subject to all applicable provisions of the EVDC.

**20. Family Home Day Care.**

A facility in the permanent residence of the provider, for the purpose of providing less than 24-hour care for two or more adults or children who are not related to the caregiver and none of whom are receiving on-site medical or psychological treatment, therapy, or counseling but some or all of whom may be receiving on-site physical assistance with day-to-day living activities. A family home day care for children is a facility that is required to be licensed as such by the State of Colorado, Department of Human Services.

- a. Family Home Day Care, Small: A facility licensed by the State of Colorado to serve eight or fewer adults or children with no more than one nonresident caregiver on site at any time.
- b. Family Home Day Care, Large: A facility licensed by the State of Colorado to serve more than eight adults or children and may include nonresident caregivers. The maximum number of children permitted in a family day care home shall be the maximum allowed by the State of Colorado, Department of Human Services. The maximum number of adults permitted in a family day care home shall be 12.

**21. Food/Beverage Sales.**

- a. General Definition: Retail sales of food and beverages for off-site preparation and consumption. Establishments at which 20 percent or more of the transactions are sales of prepared food for on-site consumption shall be classified as eating/drinking establishments.
- b. Examples: This classification includes, but is not limited to, the following types of specific uses:
  - i. Convenience Store: Retail sales of food and beverage for off-site consumption, household items, newspapers and magazines, and other small convenience items

typically found in establishments with long or late hours of operation. A convenience store shall have a gross floor area no larger than 5,000 square feet. This definition excludes delicatessens or other specialty food stores having a sizable amount of fresh fruits, vegetables, and fresh-cut meats.

- ii. Grocery Store.
- iii. Liquor Store: An establishment licensed by the State of Colorado to sell alcoholic beverages in containers, including wine, beer, and hard liquor, for consumption off-premises.

**22. Funeral/Interment Service.**

A building used for the preparation of the deceased for burial or cremation, for the display of the deceased and/or for ceremonies or services related thereto, excluding a crematorium.

**23. Golf Course.**

A parcel of land laid out for at least nine holes for playing golf and improved with tees, greens, fairways, and hazards. It may also include a clubhouse and other accessory structures.

**24. Government Facilities.**

- a. General Definition: Facilities owned and operated by a political subdivision of the State of Colorado, including special districts (e.g., hospital, recreation, sanitation, or library districts), or facilities owned and operated by the United States government (e.g., the National Park Service or Federal Bureau of Reclamation). This classification does not include "Government Offices," defined below.
- b. Examples: This classification includes the following types of specific uses:
  - i. Public Safety Facilities: Facilities for public safety and emergency services, including police, fire protection and emergency medical and ambulance stations. Such facilities often need to be located in or near the area where the service is provided, and employees are regularly present on site.
  - ii. Trail/Trail Head: A tract of land designated and used by the public for walking, hiking, biking and/or horseback riding, including a facility for the parking of motor vehicles that provides safe access to the trail.
  - iii. Utility, Major: Generating plants, electrical substations, switching buildings, refuse collection, disposal facilities, water reservoirs, water, or wastewater treatment plants.
  - iv. Utility, Minor: Above- and below-ground electrical transmission lines or natural gas pipelines; flood control or drainage facilities; transportation or communications utilities, and similar facilities of public agencies or public utilities; utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines, poles, or cables; switch boxes; transformer boxes; cap banks; and underground water and sewer lines. Such facilities generally do not have employees on site, and the services may be public or privately provided.
- c. Exceptions: This use classification does not include wireless communications facilities, which are classified as "Wireless Telecommunications Facilities" below.

**25. Government Offices.**

Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.

**26. Group Living Facility, Large.**

- a. General Definition: Shared living quarters for nine or more individuals, without separate kitchen or bathroom facilities for each room or unit.
- b. Examples: This classification includes the following types of specific uses:
  - i. Large Group Living Facilities: Group living for nine or more unrelated individuals, none of whom are receiving on-site medical or psychological treatment, therapy, or counseling, but some or all of whom may be receiving on-site physical assistance with day-to-day living activities. The restriction to nine or more individuals shall include both residents and caretakers, if any. Provided that the use otherwise complies with this definition and size restriction, a large group living facility includes only the following:
    - 1) A nonprofit group home for the aged or an owner-occupied group home for the aged, as defined in C.R.S. §§ 30-28-115(2)(b) and 31-23-303(2)(b); or
    - 2) A state-licensed group home for the developmentally disabled or mentally ill, as defined in C.R.S. §§ 30-28-115(2)(a), 30-28-115(2)(b.5), 31-23-301(4), 31-23-303(2)(a) and 31-23-303(2)(b.5).
  - ii. Senior Care Facility: A residential care facility designed primarily for senior citizens with no serious health problems, but who may have chronic or debilitating conditions requiring assistance with daily activities. Permitted services include but are not limited to: staff-supervised meals; housekeeping and personal care; protective oversight such as supervision of self-administered medication; and social activities. Both private and shared sleeping rooms may be provided.
  - iii. Treatment Facility: Group living for nine or more unrelated individuals, some or all of whom are receiving on-site medical or psychological treatment, therapy, or counseling. The limit of nine individuals or more shall include both those individuals receiving treatment and those providing treatment. Provided that the use otherwise complies with this definition and size restriction, a treatment facility may include any of the following:
    - 1) A state-licensed group home for the developmentally disabled, as defined in C.R.S. §§ 30-28-115(2)(a) and 31-23-303(2)(b);
    - 2) A state-licensed group home for persons with mental illness, as defined in C.R.S. §§ 30-28-115(2)(a), 30-28-115(b.5), 31-23-301(4), 31-23-303(2)(a) and 31-23-303(b.5);
    - 3) An adult day treatment facility; or
    - 4) A physical/mental rehabilitation home.
- c. Exceptions: This use classification does not include:
  - i. Accommodations uses where the length of tenancy is typically shorter than 30 days;
  - ii. Small (eight or fewer) group homes that fall within the "Group Living Facilities, Small" classification below;
  - iii. Nursing homes, assisted living facilities or other uses falling within the "Senior Institutional Living" use classification; or
  - iv. Facilities for people who are under judicial detainment and under the supervision of sworn officers.

**27. Group Living Facility, Small.**

Shared living quarters for up to eight unrelated individuals (including resident and nonresident care givers) living together in a single dwelling unit, with common access to



and common use of all living and eating areas and all facilities for the preparation and serving of food within the dwelling unit. None of the residents receive on-site medical or psychological treatment, therapy, or counseling, but some or all of the residents may be receiving physical assistance with day-to-day living activities. Provided that the use otherwise complies with this definition and size restriction, a small group living facility includes only the following:

- a. A nonprofit group home for the aged or an owner-occupied group home for the aged, as defined in C.R.S. §§ 30-28-115(2)(b) and 31-23-303(2)(b); or
- b. A state-licensed group home for the developmentally disabled or mentally ill, as defined in C.R.S. §§ 30-28-115(2)(a), 30-28-115(b.5), 31-23-301(4), 31-23-303(2)(a) and 31-23-303(b.5).

**28. Hospital.**

- a. General Definition: Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for outpatient treatment, offices, and laboratories, as well as training, research and administrative services for patients and employees.
- b. Examples: Examples include medical centers and hospitals.
- c. Exceptions: This use classification does not include the following:
  - i. Medical clinics that provide care where patients are generally not kept overnight are classified as "Office."
  - ii. Emergency medical clinics are classified as "Emergency Health Care."
  - iii. Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol or drug problems, where patients are residents of the program, are classified in "Group Living."

**29. Household Living.**

- a. General Definition: A family unit related by blood, marriage, or adoption or eight or fewer unrelated individuals (including resident and nonresident caregivers) living together in a single dwelling unit, with common access to and common use of all living and eating areas and all facilities for the preparation and serving of food within the dwelling unit. Household living shall include occupancy by a renter household for terms of 30 days or more. Refer to the definition of accommodations use for renter occupancy for terms of less than 30 days.
- b. Examples: This classification includes households living in single-family houses, duplexes, townhome projects, other multi-family dwelling structures, manufactured housing, and other structures with self-contained dwelling units.

**30. Industry.**

Any manufacturing or industrial facility, including but not limited to heavy equipment storage and maintenance; junk yards; hazardous materials handling and storage; asphalt and concrete batch plants; fuel alcohol plants; fuel bulk plants; slaughter houses; recycling facilities; and ice and cold storage plants.

- a. Industry, brewery/distillery/winery: An establishment in which malt, spirituous and vinous liquors are brewed, distilled, or fermented for sale, distribution, or consumption. Tasting/tap rooms are permitted on the premises. Tasting/tap rooms shall not exceed 30 percent of the total floor area of the facility or 1,000 square feet, whichever is greater.
- b. Industrial Services: Firms engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products, or by-products. Operations often include

outdoor activities and storage of products, materials, equipment, or bulk fuel. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Few customers, especially the general public, come to the site. Accessory activities may include offices, parking, and storage.

- i. Examples: Examples include welding shops; machine shops; tool repair; electric motor repair; repair of scientific or professional instruments; repair, storage, salvage or wrecking of heavy machinery, metal and building materials; vehicle towing; auto and truck salvage and wrecking; heavy truck servicing and repair; tire retreading or recapping; building, heating, plumbing or electrical contractors; printing, publishing and lithography; exterminators; fuel oil distributors; solid fuel yards; uses that involve the transfer or storage of solid or liquid waste; and photofinishing laboratories.
- c. Industry, Limited: A facility that houses the secondary manufacture, assembly, or packaging of products from previously-prepared materials, including but not limited to electronic instruments or devices; food and beverage processing; scientific research and testing; and commercial bakeries.
- d. Research and Development: Establishments primarily engaged in the research, development, and controlled production of high technology electronic, industrial, or scientific products or commodities for sale. Uses include biotechnology, films, and nontoxic computer component manufacturers.

**31. Laboratory.**

Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified under Industry.

**32. Maintenance and Service Facilities.**

Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers and similar facilities owned by the city, public or private utilities, or other public entities.

**33. Maintenance/Repair Service.**

Establishments providing appliance repair, office machine repair or building maintenance services. This classification excludes maintenance and repair of vehicles (see vehicle/equipment repair) and excludes maintenance and repair of industrial equipment and machinery (see limited industry).

**34. Mobile Home Park.**

A parcel of land, under single ownership, that has been planned and improved for the placement of manufactured homes for single-family dwelling purposes.

**35. Museum.**

See definition for Cultural Institution above.

**36. Office.**

See definition for Professional Office above.

**37. Outdoor Sales.**

A principal commercial use that requires the outdoor display of materials, parts, inventory, or goods including, but not limited to, lumber and builder supply yards, landscape

materials, automobile and truck sales, recreational vehicle sales, boat sales, farm implement sales and manufactured housing sales, excluding flea markets.

**38. Park and Recreation Facilities.**

- a. Park and Recreation Facilities—Public. Publicly owned parks, playgrounds, recreation facilities and open spaces. Ownership is through public entities such as federal, state, county and municipal government or a public recreation district. Golf courses are classified separately as a recreational use.
- b. Park and Recreation Facilities—Private. Privately owned and operated parks, playgrounds, recreation facilities and open spaces. Golf courses are classified separately as a recreational use.

**39. Personal Services.**

A facility primarily engaged in providing services involving the care of a person and his/her apparel, appearance, or personal goods.

**40. Plant Nurseries.**

Any land parcel containing at least three acres used to raise lawn grasses, trees, flowers, shrubs, and other plants for sale or transplanting where there is no retail sale of plants on the site.

**41. Private-Membership Recreational Facility or Club.**

A facility to accommodate a group of people organized for a common purpose to pursue common goals, interests or activities and characterized by certain attributes, including membership qualifications, payment of fees and dues, regular meetings and/or a constitution and by-laws.

**42. Recycling Facility.**

A facility where used material is separated, processed, and stored prior to shipment to others who use the materials to make new products.

**43. Religious Assembly.**

A place of assembly for religious worship. Typical accessory uses include, but are not limited to, day care centers and private schools.

**44. Retail Establishments.**

- a. General Definition: Establishments that sell, lease, or rent consumer, home, and business goods, but excluding merchandise/retail uses classified more specifically in this section (e.g., food/beverage sales, restaurants). Typical uses include department stores, furniture stores, clothing stores and establishments providing the following products or services: antiques, art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, hardware, home improvements, household products, jewelry, pet food, pharmaceuticals, printed material, sporting goods, stationary and videos; and new automotive parts and accessories (excluding service and installation).
- b. Retail Establishments, Large: Retail establishments that contain 15,000 square feet or more of gross floor area.

**45. Schools.**

- a. Definitions:
  - i. School: Any building or part thereof used for instructional purposes to provide elementary, secondary, post-secondary or vocational education.

- ii. Public school: Any elementary or secondary school under the jurisdiction of a public school district or local board of education, organized under the laws of the State of Colorado. Public schools may include charter schools and institute charter schools, as defined by the Colorado Department of Education.
  - iii. Non-public school: Any elementary or secondary school not under the jurisdiction of a public school district or local board of education. Parochial schools are non-public schools.
- b. Examples: This use classification includes:
- i. Educational institutions at the primary, elementary, middle, junior, or high school level. Examples include daytime schools, boarding schools, and military academies.
  - ii. Business, vocation, and trade schools (at the secondary or higher education levels).
- c. Exceptions: This use classification does not include preschools, which are classified as "Day Care Centers."

**46. Self-Service Mini-Storage.**

Provision of storage space for household or commercial goods within an enclosed building with direct public access to individual storage spaces. This use classification includes quarters for one or more persons employed by and residing at the mini-storage facility for the purpose of on-site management and security. This classification also may include vehicle storage to a maximum of 20 percent of the site. (Where greater than 20 percent of the site is allocated to vehicle storage, the vehicle storage must be treated as a separate use.)

**47. Senior Institutional Living.**

This classification includes the following types of uses:

- a. Continuing Care Retirement Facility (also called Independent Living Facility): An age-restricted development that is planned, designed, and operated to provide a full range of accommodations and services for older adults, including independent living, congregate care housing and medical care. Dwellings include, but are not limited to, attached or detached houses, apartments, condominiums, or town homes, offering private or semi-private rooms, and may be either rental or owner-occupied units. Such facilities may offer health care and a variety of other personal services. For a facility to qualify under this definition:
  - i. The ages of all occupants shall be restricted to 60 years of age or older for all units, or in the alternative, at least one resident in 80 percent of the units shall be 55 years or older.
- b. Congregate Housing (also called Assisted Living): Specially planned, designed, and managed multi-unit rental housing with self-contained apartments. Congregate housing is designed to provide supportive environments, but also to accommodate a relatively independent lifestyle. A limited number of services such as meals, laundry, housekeeping, transportation, and social and recreational activities may be provided.
- c. Skilled Nursing Facility: A facility licensed by the State of Colorado as a nursing home and which is maintained primarily for the care and treatment of inpatients under the direction of a physician. Patients in such a facility require supportive, therapeutic, or compensating services and the availability of a licensed nurse for observation or treatment on a 24-hour basis. Nursing care may include but is not limited to terminal care; extensive assistance or therapy in the activities of daily living; continual nursing assessment and services which involve assessment of the total needs of the patient,

planning of patient care, and observing, monitoring, and recording the patient's response to treatment; and monitoring, observing, and evaluating the drug regimen. "Skilled nursing facility" includes private, nonprofit, or proprietary "intermediate nursing facilities for the mentally retarded or developmentally disabled" as that term is defined in C.R.S. § 26-4-103(8), as amended.

**48. Sightseeing/Tour Vehicle Facility.**

A facility for the location of any motor-propelled passenger-carrying vehicle, which has six or more seats, used in the conveyance, for hire, of tourists and sightseers, for the purpose of a sightseeing trip or tour in the visiting and viewing of places of interest. The facility shall include on-site ticket sales and customer parking. The facility may or may not involve on-site storage of the sightseeing/tour vehicles.

**49. Single Family Use.**

A single-family dwelling that is not attached to any other dwelling by any means, containing a primary heat source and living facilities for sleeping, cooking, eating and sanitation.

**50. Transportation Facility Without Repairs.**

A facility for the parking and storage of busses and the loading and unloading of passengers.

**51. Vehicle Service, Limited.**

- a. General Definition: Uses that provide direct services to motor vehicles where the driver or passengers generally wait in the car or nearby while the service is performed. Incidental, accessory uses may include auto repair and tire sales.
- b. Examples: This classification includes the following types of specific uses:
  - i. Car Wash: A facility for full service, self-service or automatic car and light truck washing.
  - ii. Quick Lubrication Services: Any building used for minor servicing and repair of automobiles and light trucks, with an emphasis on the sale and installation of lubricants. Body and fender work or repair of heavy trucks or vehicles and retail dispensing or sales of vehicular fuels are excluded from this use classification.
  - iii. Service Station: Any building, land area or other premises used for the retail dispensing or sales of vehicular fuels; minor towing, servicing and repair of automobiles and light trucks; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories. A single-bay car wash is also permitted as an accessory use. Body and fender work or repair of heavy trucks or vehicles are excluded from this use classification.
- c. Exceptions: This use classification does not include refueling facilities for vehicles that belong to a specific use (fleet vehicles), which are considered accessory uses if they are located on the site of the principal use.

**52. Vehicle/Equipment Sales and Services.**

- a. Examples: This classification includes the following types of specific uses:
  - i. Automobile Rentals: Rental of automobiles and light trucks only, including storage and incidental maintenance, but excluding maintenance requiring pneumatic lifts.
  - ii. Commercial Parking Facility: Lots or structures, as the principal use of a parcel, offering short-term or long-term parking to the public for a fee. See also definitions of the terms "parking area," "parking lot" and "parking structure" in §13.3 below.

- iii. Limited Equipment Rentals: The rental of supplies and equipment primarily intended for homeowner use and minor residential gardening and construction projects. All maintenance and storage of equipment shall be conducted within an enclosed building. This use classification does not include the rental, storage, or maintenance of large construction equipment, which is included in either the broader use classifications of "Vehicle/Equipment Sales and Rentals" or "Construction Storage Yard."
- iv. Vehicle/Equipment Repair: Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, wheel and brake shops and tire sales and installation. This classification excludes vehicle dismantling or salvage and tire retreading or recapping.
- v. Vehicle/Equipment Sales and Rentals: Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, boats, and similar equipment, including incidental storage and incidental maintenance.
- vi. Vehicle Storage: Storage of parking tow-aways, impound yards and storage lots for automobiles, trucks, buses, and recreational vehicles.
- b. Exceptions: This use classification does not include repair and service of industrial vehicles, equipment, or heavy trucks; and does not include vehicle wrecking and salvage, all of which are classified as "Industrial Services."

**53. Warehousing and Storage.**

This classification includes the following specific types of uses:

- a. Bulk Storage: The storage of chemicals, petroleum products, grains, and other materials in above-ground structures for subsequent resale to distributors or retail dealers or outlets. "Bulk storage" shall not include bulk storage of materials or hazardous substances that are flammable or explosive or that create hazardous or commonly recognized offensive conditions.
- b. General Warehousing and Storage: A building or tract of land used primarily for the storage of goods and materials, including tank storage, commodity warehouses, refrigerated warehouses and general merchandise warehouses.
- c. Limited Warehousing and Storage: Provision of storage space for household or commercial goods within an enclosed building without direct public access to individual storage spaces. This classification includes facilities with a maximum of 5,000 square feet of gross floor area, but excludes wholesaling and distribution, self-service mini-storage, and vehicle storage.
- d. Exceptions: This classification does not include uses that involve the transfer or storage of solid or liquid wastes (see Industrial Services above). Mini-warehouses are classified as Self-Service Mini-Storage uses. Vehicle storage is classified as "Vehicle Storage" uses.

**54. Wireless Telecommunication Facilities.**

See Article 9.0, Wireless Communication Facilities.

**55. Wholesale Sales and Distribution.**

- a. General Definition: A use engaged in enclosed storage, wholesale and/or distribution of manufactured products, supplies and equipment, including accessory offices and showrooms, and including incidental retail sales, but excluding bulk storage of materials or hazardous substances that are flammable or explosive or that create hazardous or commonly recognized offensive conditions. Products may be picked up on-site or

delivered to the customer. Other accessory uses may include product repair, parking, minor fabrication services and repackaging of goods.

- b. Examples: This classification includes the following types of specific uses:
  - i. Small-scale Wholesale Sales and Distribution: Distribution and storage having a maximum gross floor area of 5,000 square feet and having no more than two docks or service bays.
  - ii. Other Wholesale Sales and Distribution: Wholesale or rental of machinery, equipment, heavy trucks, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts and building hardware.
- c. Exceptions: This use classification does not include the following:
  - i. Uses that involve the transfer or storage of solid or liquid wastes.
  - ii. Trucking terminals, which are defined as storage and distribution facilities having more than six heavy trucks on the premises at one time, but excluding trucking accessory to a limited industry or general industry classification.
  - iii. Mini-warehouses, which are classified as "Self-Service Mini-Storage" uses.
  - iv. Vehicle storage, which is classified as "Vehicle Storage."
  - v. Firms that engage primarily in sales to the general public or on a membership basis, which are classified as "Retail Sales and Service."
  - vi. Firms that are primarily storing goods with little on-site business activity, which are classified as "Warehousing and Storage."
  - vii. Wholesale sales of building materials, which are classified as "Building Materials/Services."

(Res. of 6-6-2023, Exh. A, 1)

#### 13.8.3. - Definitions of Words, Terms and Phrases.

The following words, terms, and phrases, when used in this [Article 13], shall have the meanings ascribed to them in this section:

**Abutting or Adjoining.** To physically touch or border upon; or to share a common property line or border.

**Accessory Building.** A building detached from a principal building and customarily used with, and clearly incidental and subordinate to, the principal building or use, and ordinarily located on the same lot with such principal building.

**Accessory Dwelling Unit.** A second dwelling unit integrated with a single-family detached dwelling that is located on the same lot as the single-family detached dwelling. "Accessory Dwelling Unit" does not include mobile homes, recreational vehicles, or travel trailers.

**Accommodations Use.** The rental, leasing or occupancy of any room, mobile home, recreational vehicle, camp site or other area in a visitor-serving facility that provides temporary lodging, such as any hotel, motel, guest house, apartment, dormitory, mobile home park, recreational vehicle park or campground, any single-family dwelling, duplex, multiple-family dwelling, condominium unit, or any such similar place, to any person whom, for a consideration, uses, possesses or has the right to use or possess such room, mobile home site, recreational vehicle site, camp site or other area for a total continuous duration of less than 30 days.

**Adjacent.** The same as "abutting" or "adjoining."

**Adult Material.** Any material including but not limited to books, magazines, newspapers, movie films, slides or other photographic or written materials, video tapes or devices that are distinguished by their emphasis on depicting, describing, or relating to "specified anatomical areas" or "specified sexual activities."

**Adverse Impact.** A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-site property or facilities.

**Alter or Alteration.** Any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

**Animal, Domestic.** Small animals of the type generally accepted as pets, including but not limited to dogs, cats, and fish, but not including roosters, ducks, geese, pea fowl, goats, sheep, hogs, or similar animals.

**Barn/Stable.** A building, used exclusively to store farm implements, grain, hay, and other farm products and/or to shelter and feed livestock; or, a building having stalls or compartments used exclusively to shelter and feed livestock.

**Basement.** In Estes Valley shall mean that portion of a building that is partly or completely below natural or existing grade.

**Bikeway.** A pathway, often paved and separated from streets and sidewalks, designed to be used by bikers.

**Building Mass.** The three-dimensional bulk of a building: height, width, and depth.

**Building Scale.** The relationship of a particular building, in terms of building mass, to other nearby and adjacent buildings.

**Bylaws.** The governing covenants, controls and restrictions for a condominium owner association or corporation, containing all the information required by the Colorado Condominium Ownership Act, C.R.S. § 38-33-101 et seq.

**Camping Unit.** Any tent, trailer, recreation vehicle or similar structure established or maintained and operated in a campground as temporary living quarters for travel, recreation, or vacation purposes.

**Campsite.** Any plot of ground within a campground intended for exclusive occupancy by a camping unit or units under the control of a camper.

**Carport.** A garage that is open on at least two sides.

**Character.** Those attributes, qualities and features that make up and distinguish a development project and give such project a sense of purpose, function, definition, and uniqueness.

**Clearing.** The indiscriminate removal of trees, shrubs, and undergrowth with the intention of preparing real property for nonagricultural development purposes.

**Commercial Use.** Activity involving the sale of goods or services carried out for profit.

**Common Open Space.** Land within or related to a development, not individually owned or dedicated for public use but generally owned and/or maintained by a homeowner's association, that is designed and intended for the common use or enjoyment of the residents of the development and their guests, and may include such complementary structures and improvements as are necessary and appropriate.

**Compatible or Compatibility.** The characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.



**Estes Valley Comprehensive Plan.** The Estes Valley Comprehensive Plan, dated December 1996, as amended.

**Condominium Unit.** An individual air space unit in a condominium, together with the proportional, undivided interest in the common elements appurtenant to such unit.

**Cut.** The excavating of earth from the ground surface during the process of land development.

**Cutoff.** The point at which all light rays emitted by a lamp, light source or luminaire are completely eliminated (cut off) at a specific angle above the ground.

**Cutoff Angle.** The angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source above which no light is emitted.

**Declaration.** An instrument recorded pursuant to the statutes of the State of Colorado and that defines the character, duration, rights, obligations, and limitations of condominium ownership, including but not limited to plats and maps.

**Dedication.** The grant of an interest in property to the public for public use and benefit.

**Drive-Through.** An establishment which by design, physical facilities, service, or packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

**Easement, Conservation.** An easement stipulating that the described property will remain in its natural state and precluding future or additional development or subdivision.

**Employee Housing.** A dwelling unit(s) occupied by a person employed within the Estes Valley and that employee's household members.

**Estes Valley Ridgeline Protection Map.** The official map showing the location of specific ridgeline protection areas in the Estes Valley, together with associated view and vantage points, dated November 3, 1999, as amended from time to time.

**Excavation or Excavating.** The removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances, or organic substances, other than vegetation, from water or land, on or beneath the surface thereof, whether exposed or submerged.

**Fill.** A deposit of materials of any kind placed by artificial means.

**Floor Area, Gross.** The combined sum of the gross building floor area of all principal and accessory buildings on a lot, including basement gross floor area except as specifically excluded herein, as measured along the outside enclosing walls, but not including:

1. Parking structures accessory to a nonresidential use;
2. Any area where the floor-to-ceiling height is less than five feet;
3. Floor area placed below grade.

**Garage.** An accessory building or a portion of the principal building, including carports, for the private accessory use of the owner or occupant of a principal building intended for storage of motor vehicles and equipment with no facilities for mechanical service or repair of a commercial or public nature. All area within the walls enclosing the garage shall be considered garage space. For carports, all area under the roof shall be considered garage space.

**Garage, Public.** A garage other than a private or storage garage, where motor vehicles are housed, equipped for operation, repaired, or kept for remuneration, hire or sale.

**Garage Sale.** The sale or offering for sale to the general public of more than five items of personal property on any portion of a lot in a residential zoning district, whether within or outside any building. Sales of programs and food and beverage items at school athletic events shall not be deemed to constitute garage sales. Garage sales shall be limited to no more than four consecutive calendar days and shall occur not more than twice within a 12-month period.

**Grade.** Grade shall mean:

1. The average elevation of the land around a building; or
2. The percent of rise or descent of a sloping surface as it exists or as rendered by cut and/or fill activities.

**Grade, Existing or Natural.** The surface of the ground or pavement at a stated location as it exists prior to development or disturbance.

**Grade, Finished.** The final elevation and contour of the ground after cutting or filling/compacting and conforming to the proposed design.

**Grading.** Rearrangement of the earth's surface by stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new contours or grades.

**Hazard Areas.** All areas that are or that may become hazardous due to environmental conditions. The hazards include, but are not limited to, the following: wildfire, avalanche, landslide, rock fall, mud flow and debris fan, unstable or potentially unstable slopes, seismic effects, radioactivity, ground subsidence and expansive soil and rock.

**Hazardous Substance.** Any material that, by reason of its toxic, corrosive, caustic, abrasive, or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

**Home Occupation.** A business, profession, occupation, or trade that is conducted for gain as an accessory use within a dwelling unit, or an accessory building by a resident of the dwelling unit.

**Homeowners' Association.** A private, nonprofit corporation of property owners for the purpose of owning, operating, and maintaining various common properties and facilities (except that as this definition relates to a condominium project, the homeowners' association does not own the common property/facilities; it operates and maintains them on behalf of the condominium owners).

**Household.** A family unit related by blood, marriage, or adoption, or eight or fewer unrelated individuals (including resident and nonresident caregivers) living together in a single dwelling unit, with common access to and common use of all living and eating areas and all facilities for the preparation and serving of food within the dwelling unit.

**Impervious Surfaces.** Impervious surfaces shall mean those portions of a lot which are covered by development that prevents or impedes the passage or absorption of stormwater. This includes but is not limited to principal and accessory buildings or structures, sidewalks, streets, driveways, and parking areas. Porous pavement and graveled areas are included in this definition.

**Improvements.** Any manmade, immovable item which becomes part of, is placed upon or is affixed to real estate, including but not limited to any utility, paving, grading, drainage, or structure.

**Individual Air Space Unit.** In the context of a condominium project, any enclosed room or rooms occupying all or part of a floor or floors of a building to be used for residential, professional, commercial, or industrial purposes.

**Interactive Kiosk.** A device that allows the public to access the internet, send and retrieve e-mail or provide wayfinding or other information. These may be incorporated within an existing structure or be freestanding. These shall not be used to provide off-premises signage for other businesses. The display shall comply with the adopted sign code. Display of off-site content shall be user-activated.

**Kennel.** A commercial or noncommercial use with indoor and/or outdoor facilities for the keeping, breeding, boarding, or training of four or more adult canine or feline animals (i.e., animals over the age of three months).

**Kitchen.** A room or space within a room equipped with such electrical or gas hook-up that would enable the installation of a range, oven or like appliance using 220/40 volts or natural gas (or similar fuels) for the preparation of food, and also containing either or both a refrigerator and sink.

**Kitchen, Accessory.** A kitchen other than the principal kitchen associated with a single-family dwelling.

**Kitchen, Outdoor.** A kitchen as defined herein, except that an outdoor kitchen shall be located in an unenclosed area that may be roofed, but is open on at least two sides and exposed to weather.

**Land Disturbance.** Any activity involving the clearing, cutting, excavating, filling, or grading of land or any other activity that alters land topography or vegetative cover.

**Limits of Disturbance.** The area(s) of a site that may be disturbed by earth movement (grading), or cleared of vegetation, including disturbance or clearance to provide space for construction of principal and accessory uses and structures, driveways, parking areas, roads, drainage, and stormwater management facilities, and/or utilities.

**Lodging Facilities.** Uses in this category provide lodging services for a defined period with the incidental food, drink, and other sales and services intended for the convenience of guests. Specific use types include:

**Bed and Breakfast Inn.** An establishment operated in a principal dwelling or portion thereof, which provides transient accommodations for a fee to overnight guests, a meal limited to guests only, and that is occupied by the owner or operator of such establishment. A bed and breakfast inn may provide accommodations to individuals or multiple separate parties concurrently on both a reservation or a walk-in basis. The term "party" as used in this definition shall mean one or more persons who stay at a bed and breakfast inn as a single group pursuant to a single reservation and payment.

- a. **Maximum Number of Guests.** A Bed and Breakfast Inn shall be limited to 20 or fewer guests.

**Resort Lodge or Resort Cottages.** A building or group of buildings, under single management and ownership with an on-site manager or staff, containing rooms and/or units available for temporary rental to transient guests, which serves as a destination point for visitors, and where the primary attraction is major recreational features or activities for persons on a vacation.

**Short-term Rental.** A principal dwelling rented to transient guests who are part of one party for short-term lodging (30 days or less) when not occupied by the owner/operator. The term "party" as used in this definition shall mean one or more persons who stay at a short-term rental as a single group pursuant to a single reservation and payment.

- a. **Maximum Number of Occupants or Guests.** A short-term rental shall be limited to ten or fewer guests who are part of one party or single group of renters.

**Short-term Rental, Hosted.** A principal dwelling occupied by a full-time resident or owner living on-site where short-term lodging (30 days or less) is provided to transient guests.

- a. **1—10 Guests (Small Hosted STR).** A hosted short-term rental that serves ten or fewer guests.
- b. **11—16 Guests (Large Hosted STR).** A hosted short-term rental that serves more than ten guests, with a maximum of 16 guests.

**Management Plan.** A detailed analysis of the objectives of the landowner and a description of the resources available on a particular site which includes a plan to use "best management practices" to achieve the objectives while maintaining the needs of the total ecosystem including soil, water, air, plants, animals, and humans.

**Micro Wind Energy Conversion System (MWECS).** A wind energy conversion system consisting of a wind turbine with a swept area not to exceed 15 square feet, including appurtenant equipment, and which is intended to primarily reduce on-site consumption of utility power. Such systems are accessory to the principal use or structure on a lot.

**Mixed Use.** The development of a lot, tract, parcel of land, building or structure with two or more different principal uses including, but not limited to, residential, office, retail, personal service, or entertainment uses, designed, planned, and constructed as a unit.

**Off-Site Improvement.** Any utility, paving, grading, drainage, structure, or modification of topography that is, or will be located on property that is: (a) not within the boundary of the property to be developed, or (b) on or under any perimeter roadway surrounding the property to be developed.

**Open Areas.** Any parcel or area of land or water essentially unimproved with any residential, commercial, or industrial uses and set aside, dedicated, or reserved for public or private use and enjoyment including recreational, scenic, or environmental purposes. Open areas may include agricultural uses and natural features located on a site, including but not limited to meadows, forested areas, steep slopes, flood plains, hazard areas, unique geologic features, ridgelines, unique vegetation and critical plant communities, stream corridors, wetlands and riparian areas, wildlife habitat and migration corridors, areas containing threatened or endangered species and archeological, historical, and cultural resources.

**Outdoor Activity.** Any enterprise, operation or activity that occurs in an unroofed area as part of a permitted use on a lot and any outdoor display of materials, machinery, vehicles, or things that may or may not be for sale or rent.

**Outdoor Mobile Food Vendor.** Any person, whether as owner, agent, consignee, or employee, who sells or attempts to sell, or who offers to the public free of charge, any services, goods, wares, or merchandise, including, but not limited to, food or beverage, from any license vehicle.

**Outdoor Storage.** The keeping, in an unroofed area, of any equipment, goods, junk, material, merchandise or vehicles in the same place for more than 24 hours.

**Porch.** A covered platform, usually having a separate roof, at an entrance to a dwelling, or an open or enclosed gallery or room, which is not heated or cooled, that is attached to the outside of a building.

**Principal or Primary Entrance.** The place of ingress and egress used most frequently by the public.

**Qualified Designer.** A land surveyor or engineer who has been duly licensed by the State of Colorado to perform the type of work involved.

**Recreation, Active.** Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment, nonmotorized or otherwise, and taking place at prescribed places, sites, or fields. Included activities are swimming, tennis and other court games, baseball, and other field sports, track, and playground activities.

**Recreation, Passive.** Leisure-time activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, chess, checkers, and similar table games, and not typically requiring prescribed places, sites, courts, or fields.

**Recreational Equipment.** Recreation equipment shall include, but is not limited to, the following: boats, golf carts, all-terrain vehicles, snowmobiles, horse trailers and jet skis.

**Recreational Facility.** A place designed and equipped for the conduct of sports or passive and/or active recreational activities.

**Retail Uses.** See definition of "Retail Establishment" use classification above.

**Retaining Wall.** A structure designed to resist the lateral displacement of soil or other materials in order to protect property and/or prevent erosion.

**Review Body.** The entity that is authorized to recommend approval or denial of an application or permit required under this Code.

**Ridge.** An elongated crest or series of crests of a hill.

**Ridgeline.** A ground line located at the highest elevation of and running parallel to the long axis of the ridge.

**Ridgeline Protection Area.** Those areas designated as protected ridgelines on the Estes Valley Ridgeline Protection Map, plus the land located within 100 horizontal feet (plan view) on either side of ridgeline. See definition of "Estes Valley Ridgeline Protection Map" above.

**Sensitive Environmental Areas.** Areas with one or more of the following characteristics: (a) river and stream corridors; (b) wetlands; (c) steep slopes of 12 percent or greater; (d) soils classified as highly erodible, subject to erosion or highly acidic; (e) fault areas; (f) rock outcroppings; (g) critical wildlife habitats; or (h) view corridors that present vistas to mountains and foothills, water bodies, open areas, or other regions of principal environmental importance.

**Slope.** The deviation of a surface from the horizontal, usually expressed in percent or degree.

**Slope, Average.** The difference in elevation divided by horizontal distance, and shall be measured over the entire parcel based on two-foot contour intervals, as shown in the following formula:

$$\text{Average Slope} = \frac{0.0046 \times \text{length of contour lines (in feet)}}{\text{Site or parcel area (in acres)}}$$

**Slope, Steep.** Slopes that are 12 percent or greater.

**Small Wind Energy Conversion System (SWECS).** A wind energy conversion system consisting of a wind turbine with a swept area greater than 15 square feet and less than 125 square feet, including appurtenant equipment, which is intended to primarily reduce on-site consumption of utility power. Such systems are accessory to the principal use or structure on a lot.

**Solar Collector.** A device or combination of devices, structure or part of a device or structure that transforms direct solar energy into thermal or electrical energy which is intended to primarily reduce on-site consumption of utility power. Such systems are accessory to the principal use or structure on a lot.

**Substantial Economic Hardship.** A denial of all reasonable economic use of a subject property.

**Townhome Project.** A subdivision that subdivides land into individual lots and platted outlots. Each lot shall contain no more than one unit. Units may or may not be attached.

**Vested Right.** The right to undertake and complete development and use of real property under the terms and conditions of an approved site specific development plan, as provided in the provisions of C.R.S. Article 68 of Title 24, as amended.

(Res. of 6-6-2023, Exh. A, 1)

#### 13.9. - Reference Maps

- A. Estes Valley Boundary
- B. Estes Valley Ridgeline Protection Map
- C. Wildfire Hazards Resource Map
- D. Geological Hazard Areas Map
- E. Wildlife Habitat Map



## ATTACHMENT

## Article 8.0 - SIGNS

### 8.1. - General Provisions

#### 8.1.1. - Purpose and Interests.

The purpose of this section is to:

- A. Promote and accomplish the vision and policies of the Comprehensive Plan;
- B. Provide the public, property owners, and businesses with an opportunity for safe and effective means of communication;
- C. Recognize free speech rights by regulating signs in a content-neutral manner;
- D. Provide minimum standards in order to safeguard life, health, property and public welfare, and promote traffic safety by following the established standards, including construction, illumination, size, location and maintenance of sign and sign structures;
- E. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by, or which may be fully or partially attributable to, cluttered, distracting and/or illegible signage;
- F. Coordinate the location and type of signage with the existing and proposed scale and type of development in a manner that that contributes to the character, environmental quality, and economic health of the County;
- G. Establish sign regulation standards and processes that allow the installation of signage that is generally consistent with the sign regulations of cities and towns in Larimer County to minimize the creation of nonconformities when properties are annexed;
- H. Reduce sign and visual clutter and protect and maintain the visual appearance and property values of the various character areas of the County;
- I. Maintain a high-quality aesthetic environment to enhance community pride and protect and enhance public investments in streets, sidewalks, trails, plazas, parks, open space, civic buildings, and landscaping;
- J. Preserve the County's residents and visitor's ability to enjoy Larimer County's scenic beauty; and
- K. Adopt clear and understandable regulations that enable the fair and consistent enforcement of this article.

#### 8.1.2. - Savings and Severability.

If any clause, section, or other part of the application of these sign regulations shall be held by a court of competent jurisdiction to be unconstitutional or invalid, it is the intent of the County that such clause, section, or specific regulation be considered eliminated and not affecting the validity of the remaining clauses, sections, or specific regulations that shall remain in full force and effect.

#### 8.1.3. - Noncommercial Message Substitution.

Noncommercial copy may be substituted for commercial copy or other noncommercial copy on any legal sign, notwithstanding any other provision of this section.

#### 8.1.4. - Enforcement.

This Article 8.0 is enforceable through the provisions of §1.9, Enforcement.

### 8.2. - Applicability

#### 8.2.1. - Applicability.

The regulations of this Article 8.0 shall apply to all signs in all zoning districts including signs not requiring a sign permit. For the purposes of applying this provision, the term "sign" includes any sign type defined in this Code.

#### 8.2.2. - Sign Permit Required.

- A. A sign permit is required for the construction of, installation of, or any repairs that also require a building permit to any signs within Larimer County, otherwise provided in this Article 8.0.
  - 1. A sign permit is required to convert a temporary sign to a permanent sign.
  - 2. A sign permit is required to convert a non-EMD sign to an EMD sign, including where the EMD is replacing part of an existing or proposed non-EMD sign.
- B. The following actions are exempt from this requirement:
  - 1. Changing or replacing sign copy without changes to the sign structure,
  - 2. Changes to copy on changeable copy signs and EMD signs, and
  - 3. Change or replacement of window signs.
  - 4. Changes in temporary signs that are allowed without a permit.
- C. Changes to nonconforming signs require a sign permit and are subject to §8.6, Nonconformities.
- D. When a sign permit is requested for a parcel where an illegal or prohibited sign(s) exists, the permit shall not be issued until all such signs are removed or brought into conformance with this Code. This provision does not apply when the applicant can demonstrate that an existing sign is nonconforming.

#### 8.2.3. - Exemptions.

##### A. **Sign Permit Exemptions; Regulations Apply.**

Due to their small size, limited time duration, and limited aesthetic impact, the following signs may be erected without a sign permit ("exempt sign") but shall meet all applicable standards of this Article 8.0 and any other applicable requirements of the County and the State of Colorado.

##### B. **Exempt Sign Types.**

###### 1. **Agricultural Signs.**

- a. Where retail agricultural sales are allowed, one associated freestanding sign may be displayed per frontage of the property on which the sale is held. The sign shall not exceed 16 square feet in sign area per sign.
- b. Where agricultural crop production areas are allowed, incidental signs no larger than two square feet per sign area may be displayed.

###### 2. **Flags and Insignia.**

All properties are permitted to display one United States flag and up to three additional flags per property. No single side of any flag shall exceed 48 square feet.

###### 3. **Internal, Incidental, and Integral Signs.**

Internal, incidental, and integral signs may be displayed as follows:

- a. Internal signs that are directed in a manner to be viewed internally from within a site and that are not readily legible from the public right-of-way or adjacent residential, public, or civic districts or uses.



- b. Internal signs on fences and structures within an arena, County park, recreational complex, or athletic field, provided such signs face inward to the arena, park, recreational complex, or athletic field.
  - c. Integral signs that are carved into stone or similar material that are integral to the building. Integral signs shall not exceed six square feet in area.
  - d. Incidental signs that are less than one square foot in area that are affixed to machines, equipment, fences, gates, walls, gasoline pumps, or utility cabinets.
- 4. **Home Occupation and Accessory Rural Occupation Signs.**

Properties with an allowed home occupation or accessory rural occupation may display one additional sign per property as follows:

  - a. The sign shall be located on the same lot as the home occupation or accessory rural occupation.
  - b. Where the use is a home occupation, the additional sign shall not exceed four square feet in area per face and six feet in height.
  - c. Where the use is a rural occupation, the additional sign shall not exceed 16 square feet in area per face and six feet in height.
- 5. **Property Signs.**

Property signs may be displayed as follows:

  - a. Entryway signs: one sign located at an entryway that does not exceed a total of two square feet in area, per street frontage.
  - b. Rural property access point signs:
    - i. One sign per primary driveway entrance to the property and located at that entrance, not exceeding six square feet of total sign area for properties that are less than ten acres and 32 square feet of total sign area for properties that are ten acres or greater.
    - ii. Rural property access point signs located on entryway arches over private driveways are exempt from individual zoning district sign height limitations but shall have a minimum clearance of 20 feet for emergency vehicles and equipment.
  - c. One engraved building sign, tablet, or plaque per property, not exceeding a total of two square feet in sign face area.
- 6. **Vehicle Signs.**
  - a. All vehicle signs shall be permanently affixed, painted, magnetically applied, or otherwise mounted upon a vehicle.
  - b. The primary purpose of any vehicle upon which a vehicle sign is affixed must be to serve a useful, current function in the transportation or conveyance of persons or commodities from one place to another, including transportation to and from work, and such intermittent delays and stops as are customary in the routine conduct of the business or activity for which the transportation or conveyance occurs. The vehicle shall be operable and legally registered in the State of Colorado.
  - c. During any period of inactivity exceeding seven consecutive days, such vehicle or equipment is not so parked or placed that the signs thereon are displayed to the public. Vehicles and equipment engaged in active construction projects, the storage of equipment, and vehicles offered to the general public for rent or lease (such as rental trucks and cars) are exempt from this prohibition.

- d. Signage attached to inoperable vehicles or vehicle equipment that has been separated from a vehicle cab or motor shall comply with §8.5, Standards for Temporary Signs, as applied to the parcel on which the vehicle or equipment is located.

**C. Sign Regulation Exemptions.**

The following sign types are not subject to any standards in this Article 8.0 and may be installed or displayed without a sign permit.

**1. Government and Required Signs.**

- a. Regulatory signs, including official public signs approved by a governmental body with jurisdiction over issues such as traffic safety, pedestrian safety, schools, railroads, or public notice, as well as signs required by the Manual of Uniform Traffic Controls.
- b. Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.
- c. Safety and warning signs located at the perimeter of a property that are no more than two square feet in sign area.

**2. Seasonal Displays.**

Seasonal displays located on private property, limited to a period of 60 days before and ten days after a seasonal event.

**3. Window Signs.**

Window signs.

**8.2.4. - Prohibited Signs and Sign Locations.**

**A. Prohibited Signs, Sign Structures, and Elements.**

The following signs are not allowed in any zoning district.

**1. Distracting, Interfering, or Confusing Signs.**

- a. Signs which contain any flashing, rotating, animated or otherwise moving features.
- b. Wind-driven signs, except as allowed in §8.2.3.C.2, Flags and Insignia.
- c. Inflatable signs such as blimps, animals, inflatable representations of a product for sale and other inflatable devices used for the purposes of advertising or attracting attention, but not including ordinary balloons with a diameter of two feet or less that are used for temporary displays.

**2. External Movement and Light Projecting Signs.**

Searchlights, whether stationary or revolving, beacons, light projecting signs, or other similar devices used for the purpose of attracting attention to a property.

**3. Sign Types.**

- a. Rooftop signs, except as provided in §8.4.2, Rural Mixed-Use, Commercial, and Industrial Districts.
- b. Billboards.

**B. Prohibited Sign Locations.**

Neither allowed nor exempt signs may be installed in the following locations or manners:

**1. Improper Location.**

- a. Signs may not be placed on or over Larimer County public roads or rights-of-way unless approval from the Road and Bridge Director has been given. Signs may not be placed in road or access easements, except for utility warning signs. On private property, signs can be placed in private utility easements. Signs may not be placed in CDOT rights-of-way without CDOT approval.
- b. Signs shall not be mounted on or to natural features such as landscaping, trees, or rocks; traffic signage; utility and light poles; or other similar structures.

## 2. **Creation of Hazardous Conditions.**

- a. No sign shall be located to impair traffic visibility or the health, safety, or welfare of the public.
  - i. No sign shall be erected so as to obstruct the vision of vehicular traffic, or at any location where it may interfere with, or be confused with, any traffic signal or device.
  - ii. No sign shall constitute a traffic hazard or detriment to traffic safety because of size, location, movement, or method of illumination.
  - iii. No sign shall obstruct the vision of drivers or detract from the visibility of any official traffic control device or divert or tend to divert the attention of drivers of moving vehicles away from traffic movement on streets, roads, intersections, or access facilities.
  - iv. No sign shall be erected so that it obstructs the vision of pedestrians, or which by its glare or by its method of illumination constitutes a hazard to traffic.
- b. Sign installation shall comply with the sight triangle standards for signs contained in the Larimer County Rural Area Road Standards and the Larimer County Urban Area Street Standards.

### 8.2.5. - Prohibited Content.

No sign shall be approved or disapproved based on the content or message it displays, except that the following content, without reference to the viewpoint of the speaker, shall not be displayed on signs:

- A. Text or graphics that are harmful to minors as defined by state or federal law;
- B. Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, as such words and phrases are defined by controlling law;
- C. Text or graphics that present a clear and present danger due to their potential to interfere with, mislead, or confuse the steady and safe flow of traffic; or
- D. Signs that provide false information related to public safety (e.g., signs that use the words "stop" or "caution" or comparable words, phrases, symbols, or characters) or that seek to imitate public safety signs that are presented in a manner as to confuse or imply a safety hazard that does not exist.

### 8.3. - Standards for Permanent Signs

#### 8.3.1. - Attached Signs.

The sample sign images provided in this section are not intended to be regulatory and are provided for illustrative purposes only.

#### A. **Awning Sign.**

##### 1. **Definition.**

A sign that is mounted on a temporary shelter supported entirely from the exterior wall of the building.

**2. Generally Applicable Standards.**

- a. Awning signs must be installed over a window or building entrance.
- b. Awning signs shall not be allowed above the first story of a building.
- c. No awning sign shall project above the top of an awning on which it is mounted.
- d. No awning sign shall project from the face of an awning.
- e. The maximum amount of sign area allowed on an awning per street frontage shall be 50 square feet, unless otherwise specified in §8.4.
- f. When extended over either a public or private sidewalk, the minimum clearance from the lowest point of the awning to the top of pavement shall be eight feet.
- g. No awning sign shall be allowed to project over a private or public vehicular way.

**3. Measurement and Sample Sign Image.**

Awning signs measurements are made in the locations described in Figure 8-1.

**Figure 8-1: Awning Signs**



**B. Canopy Sign.**

**1. Definition.**

A sign that is mounted on a permanently-roofed shelter covering a sidewalk, driveway or other similar area, which shelter may be wholly supported by a building or may be partially supported by columns, poles or braces extended from the ground. Signs on detached, freestanding canopies are regulated in §8.3.3.D.

**2. Generally Applicable Standards.**

- a. No canopy sign shall project above the top of the canopy upon which it is mounted.
- b. No canopy sign shall project from the face of a canopy.
- c. Under-canopy signs which are perpendicular to the face of the building shall be deemed to be projecting signs.

- d. Under canopy signs which are parallel to the face of the building shall be deemed flush wall signs and shall have a minimum of clearance of eight feet above grade.
3. **Measurement and Sample Sign Image.**

Canopy sign measurements are made in the locations described in Figure 8-2.

**Figure 8-2: Canopy Signs**



C. **Projecting Sign.**

1. **Definition.**

A sign that is wall-mounted perpendicular to the building that may extend upwards and above the facade and/or outwards and over the walkway or parking area.

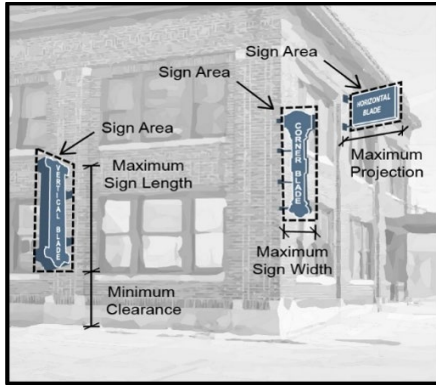
2. **Generally Applicable Standards.**

- a. No sign may project over a public right-of-way except as allowed with an encroachment permit.
- b. Signs may not project more than six feet from the face of the building or into the minimum required building setback for the zoning district in which they are located.
- c. Signs shall not exceed 15 square feet per face and must have a minimum clearance of eight feet above grade.

3. **Measurement and Sample Sign Image.**

Projecting sign measurements are made in the locations described in Figure 8-3.

**Figure 8-3: Projecting Signs**



#### D. Wall Sign.

##### 1. Definition.

A sign attached to, painted on, or erected against the wall of a building or structure in such a manner that the wall is the supporting structure for, or forms the background surface of, the sign.

##### 2. Generally Applicable Standards.

- A wall sign may not extend above the top of the wall or parapet wall of the building to which the wall sign is attached.
- Signs may not project more than 12 inches horizontally from the face of the building on which they are erected.
- Signs that are mounted on mansards or similar architectural features may not project more than 12 inches horizontally, measured at the bottom of the sign, from the surface to which they are mounted.

##### 3. Measurement and Sample Sign Image.

Wall sign measurements are made in the locations described in Figure 8-4.

**Figure 8-4: Wall Signs**



### 8.3.2. - Electronic Message Display (EMD) Signs.

#### A. **Display.**

1. Signs shall contain static messages only and shall not have movement or the appearance or optical illusion of movement during the static display period of any part of the sign.
2. Each static message shall not include flashing or the varying of light intensity and shall not scroll.
3. The sign shall be programmed to display a blank screen if a malfunction occurs.
4. The sign shall not include audio, pyrotechnic, bluecasting (bluetooth advertising), or other similar components.

#### B. **Display Time and Transitions.**

1. Display change shall be limited the following:
  - a. Rural districts: Once every five minutes
  - b. Urban districts: Once every one and one-half minutes
2. Display change shall be completed in the following timeframes:
  - a. Rural districts: Within two seconds
  - b. Urban districts: Within one second
3. There shall be a direct change from one message to the next. All transition effects, such as motion, animation, fading, scrolling, or dissolving are prohibited except as provided below. Ambient light increase of the following amount is permitted during display change:
  - a. Rural districts: 0.1 footcandle
  - b. Urban districts: 0.3 footcandles

#### C. **Sign Animation.**

Sign animation is not permitted unless administrative approval is granted for the following exception:

1. Animation of up to five seconds per minute for a maximum of 50 percent of the sign face may be permitted when the primary use on a subject property/parcel is one of the following: Indoor entertainment or recreation facility; Performing arts or cultural arts facilities; Public museums; Entertainment venues.
2. Animation may be used during the following timeframes:
  - a. Rural districts: Between 8:00 a.m. and 10:00 p.m.
  - b. Urban districts: Any time

#### D. **Display Brightness.**

1. Sign luminance shall not exceed 0.3 footcandles over ambient lighting, with a maximum nighttime luminance not to exceed 300 nits. Unless otherwise defined in this article, nighttime shall mean between the periods of sunset to sunrise as calculated by the United States Naval Observatory.
  - a. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare.

- b. Each application for electronic message display approval shall include the manufacturer's specifications programmed to meet this requirement, along with a description of the proposed dimming method.
2. EMD signs shall have an illumination curfew as follows, except for signs situated on nonresidential lots that are open 24 hours:
  - a. Rural districts: 30 minutes beyond operating hours, or at a minimum between 11:00 p.m. and 6:00 a.m.
  - b. Urban districts: 1 hour beyond operating hours, or at a minimum between 12:00 a.m. and 5:00 a.m.

**E. Display Technology.**

The technology currently being deployed for EMDs is LED (light emitting diode), but there may be alternate, preferred, and superior technology available in the future. Any other technology that operates under the brightness limits above shall not require an ordinance change for approval.

**F. Incorporation in Monument, Pole, or Attached Signage.**

EMDs are only permitted as an integral element of a monument, pole, or attached sign, which enclose the message center component on all sides with a finish of brick, stone, stucco, powder coated, painted, or comparable finished metal, or the surface of the sign face. The enclosure shall extend not less than six inches from the electronic message center in any direction.

**G. Sign Permit Conditions.**

The following conditions apply to all EMD sign permits. Failure to comply shall result in a requirement that the sign cease operation until compliance occurs.

1. That the sign shall at all times be operated in accordance with County codes and that the owner or operator shall provide proof of such conformance within 24-hours of a request by the County;
2. That a County inspector may access the property upon 24 hours' notice to the owner, operator or permittee so that the County may verify that the EMD has the automatic image dimming capability engaged. In the event of a citizen complaint regarding the EMD brightness, the owner, operator or permittee may be required by the County inspector to manually reduce the brightness to a lower setting;
3. That whether the sign is programmed from the site or from a remote location, the computer interface that programs the sign and the sign's operation manual shall be available to County staff upon 24 hours' notice to the owner, operator, or permittee; and
4. Sign permit applications to install an EMD must include a certification from the owner or operator that the sign shall at all times be operated in compliance with the conditions set out in County code. The owner, operator or permittee shall immediately provide proof of such conformance upon request of the County.

**8.3.3. - Freestanding Signs.**

The sample sign images provided in this section are not intended to be regulatory and are provided for illustrative purposes only.

**A. Access Point Signs.**

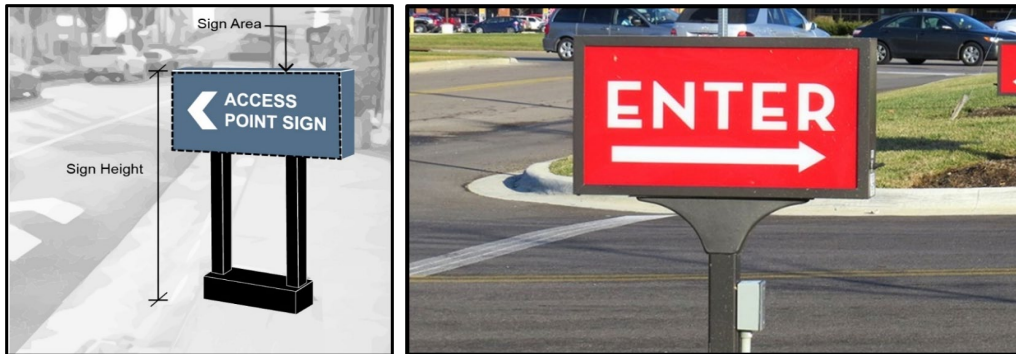
1. **Definition.**  
A sign located at a vehicular access point to a property.
2. **Generally Applicable Standards.**



- a. Access point signs that are visible from the public right-of-way shall be permanently anchored or fastened.
  - b. Access point signs are for vehicular access, not pedestrian access.
3. **Measurement and Sample Sign Image.**

Access point sign measurements are made in the locations described in Figure 8-5.

**Figure 8-5: Access Point Signs**



4. **Subdivision Entry Sign.**

- a. **Definition.**

An access point sign located at a vehicular entrance to a subdivision or neighborhood.

- b. **Generally Applicable Standards.**

- i. Subdivision entry signs may be either freestanding or attached to an entry wall.
- ii. Entrance identification signs located on both sides of the street at any one entrance are measured as one identification sign unless otherwise specified in §8.4, Permanent Sign Regulations by Zone District.
- iii. When placed on subdivision entry wall structures, only the sign face shall be used to calculate the size of the sign.

- B. **Monument Sign.**

1. **Definition.**

A freestanding sign where the base of the sign structure is on the ground.

2. **Generally Applicable Standards.**

- a. The base of the sign structure shall be on the ground or a maximum of 12 inches above the adjacent grade.
- b. The width of the top of the sign structure can be no more than 120 percent of the width of the base.

3. **Measurement and Sample Sign Image.**

Monument sign measurements are made in the locations described in Figure 8-6.

**Figure 8-6: Monument Signs**



**C. Pole Sign.**

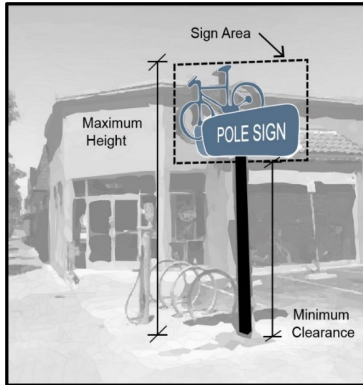
**1. Definition.**

A self-supported sign permanently attached directly to the ground supported by upright poles or posts or braces placed on or in the ground.

**2. Measurement and Sample Sign Image.**

Pole sign measurements are made in the locations described in Figure 8-7.

**Figure 8-7: Pole Signs**



#### D. **Structural Canopy (Detached Canopy).**

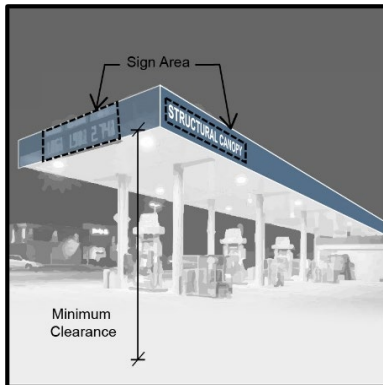
##### 1. **Definition.**

A sign attached to a permanent, freestanding canopy, such as a service station or ATM canopy.

##### 2. **Measurement and Sample Sign Image.**

Structural canopy sign measurements are made in the locations described in Figure 8-8.

**Figure 8-8: Structural Canopy Signs**



#### 8.3.4. - Illumination for Non-Electronic Message Display Signs.

Any light used to illuminate a sign must comply with §4.10, Exterior Lighting.

#### 8.4. - Permanent Sign Regulations by Zone District

##### 8.4.1. - Rural Residential Districts.

##### A. **Applicability.**

1. The standards in this section shall apply to the following:
    - a. ~~Larimer County zoning~~ districts: Natural Resources (NR), Forestry (FO), Agriculture (A), Rural Residential 1 (RR-1), Rural Residential 2 (RR-2), Open (O), and Interface Residential (IR), ~~and-~~
    - a.b. Estes Valley zone districts: Rural Estate (EV RE-1), Rural Estate (EV RE), Estate ((EV E-1), Estate Short-Term Rental (EV E-1S), and Estate (EV E).
  2. Uses and structures identified in the Use or Structure Column include nonconforming uses and uses approved by special review and administrative special review.
- B. Maximum Total Allowed Sign Area.**
- Maximum total allowed sign area in the Rural Residential districts is calculated on a use- or structure-based, per frontage basis. The total amount of signage may not exceed the amount identified in the Maximum Number Column.
- C. Sign Dimensions.**
1. Table 8-1 identifies the amount permanent signage allowed in the Rural Residential districts.
  2. Applicants may apply the allowed sign area to any sign type permitted in the zoning district. Selected sign types shall comply with the regulations associated with each sign type in §8.3, Standards for Permanent Signs.
  3. If a sign type is not listed in Table 8-1, Table 8-2, or §8.2.3, Exemptions, it is not allowed in the Rural Residential zoning districts.

Table 8-1: Permanent Signs in Rural Residential Districts						
Use or Structure	Max. Number	Sign Category	Height (max., ft.)	Sign Area per Sign (max., s.f.)	Setback (min., ft.)	Additional Standards
<b>Residential</b>						
Multifamily Access	1 per driveway	Free-standing, Access Point	6	32	5' from driveway	8.3.3.A, Access Point Sign
Multifamily Complex	1 per residential structure per street frontage	Attached	Top of wall	20	n/a	8.3.1, Attached Signs
		Free-standing	6	20	n/a	8.3.3, Freestanding Signs
Residential	1 per property	Attached	Top of wall	32	n/a	8.3.1, Attached Signs
		Free-Standing	6	32	n/a	8.3.3, Freestanding Signs
Rural Property Access	1 per property	Free-standing	14' min. clearance	8.2.3.B.5, Property Signs		

Subdivision Access	1 per subdivision entrance [1]	Attached	Top of wall	32	n/a	8.3.3.A.4, Subdivision Entry Sign
		Free-standing	6	32	n/a	
Nonresidential						
Nonresidential Use or Structure	1 per street frontage; max. 2 per property	Attached	Top of wall	32	n/a	8.3.1, Attached Signs
		Free-Standing	6	32	n/a	8.3.3, Freestanding Signs
Nonresidential Access	1 per driveway	Access Point	3	2	5' from driveway	8.3.3.A, Access Point Sign
<b>Notes:</b> Subdivision entrance signs located on both sides of the street at any one entrance are measured as one identification sign and cannot exceed the maximum single sign area.						

**D. Illumination Standards.**

1. All signs in Rural Residential districts shall be unlit or indirectly illuminated.
2. All lighting shall be aimed and/or shielded to ensure that no direct light is seen upon any nearby street or upon any nearby residential property.

**8.4.2. - Rural Mixed-Use, Commercial, and Industrial Districts.**

**A. Applicability.**

1. The standards in this section shall apply to the following zoning districts: Agricultural Commercial Enterprise (ACE), Rural Commercial (RC), and Community Facilities (CF).
2. Uses and structures identified in the Use or Structure Column include nonconforming uses and uses approved by special review and administrative special review.

**B. Maximum Total Allowed Sign Area.**

**1. Maximum Sign Area Calculation.**

The total sign area for all signs for which permits are required shall not exceed one square foot per linear foot of building frontage for the first 200 linear feet of building frontage, plus one-half square foot per linear foot of building frontage thereafter.

- a. Where a structure is not oriented parallel to the frontage, no more than two sides of a building may be counted as building frontage.
- b. The total sign area shall include all sign faces and shall be calculated according to the standards of §8.9.

**2. Minimum Sign Area Entitlement.**

Where the maximum sign calculation only permits less than the following amount of signage, all non-residential properties are entitled to the following minimum signage:

- a. Each property shall be entitled to one freestanding sign per street frontage of 50 square feet per face and one wall sign per business of 32 square feet in size so long as all other requirements of this Article 8.0 are met.
- b. For properties where the minimum sign area entitlement is applicable, maximum individual sign size shall be limited to the sizes permitted in subsection D.3.a, not the sign sizes based on lineal footage calculation above.

**C. Allowed Signs.**

Table 8-2 identifies the types of signs allowed in Rural Mixed-Use, Commercial, and Industrial districts, and the regulations associated with each sign type. If a sign type is not included in Table 8-2 or §8.2.3, Exemptions, it is not allowed.

Table 8-2: Permanent Signs in Rural Mixed-Use, Commercial, and Industrial Districts							
Use or Structure	Max. Number	Sign Category	Height (max., ft.)	Sign Area per Sign (max., s.f.)	Setback (min., ft.)	Illumination	Additional Standards
Residential							
See Table 8-1.							
Nonresidential							
Nonresidential Access	1 per driveway	Access Point	6	3	5' from driveway	Internal or Indirect	8.3.3.A, Access Point Sign
Nonresidential Use or Structure	1 per street frontage; max. 2 per property	Attached	Top of wall where affixed [1]	64 sf, no more than 7 ft vertical measure	n/a	8.4.2.D, Illumination Standards	8.3.1, Attached Signs
		Free-standing	60% of sign max allowed in Tables 8-8 and 8-9.		n/a		8.3.3, Freestanding Signs
<b>Notes:</b> Rooftop signs that extend above the wall shall be allowed in the Red Feather Lakes business district only.							

**D. Illumination Standards.**

1. Static signs in Rural Mixed-Use, Commercial, or Industrial districts may be unlit or have interior or indirect exterior illuminated. Sign illumination shall comply with §4.10, Exterior Lighting.
2. All lighting shall be aimed and/or shielded to ensure that no direct light is seen upon any nearby street or upon any nearby residential property.
3. Electronic message displays may be used in as part of an attached or freestanding sign as identified in Table 8-3. EMDs shall not be installed as stand-alone signage.

- a. The EMD shall not be larger than the following percent of the total square footage of the sign face when compared as separate components:

**Table 8-3: Permitted EMD Signage in Rural Mixed-Use, Commercial, and Industrial Districts**

Sign Type	Max. % EMD/Total Sign Area
Attached	40; 32 sf max per sign
Freestanding	
Monument > 10' height	10
Monument < 10' height	25
Pole	0

- b. For purposes of determining the allowable total sign area, the permanent graphic portion of the sign and the EMD shall be included in the same perimeter and measured as a single sign, inclusive of any physical separation between the two components.
4. Only one EMD sign, either attached or freestanding is permitted per developed parcel.
5. EMD signs shall be setback at least 500 feet from residential property, measured pursuant to §8.9.5.

#### 8.4.3. - Urban Districts.

##### A. Applicability.

1. The standards in this section shall apply to the following:
  - a. ~~Larimer County zone~~ing districts: Urban Residential 1 (UR-1), Urban Residential 2 (UR-2), Urban Residential 3 (UR-3), Multifamily Residential (MR), Manufactured Housing Park (MHP), Mixed-Use Neighborhood (MU-N), Mixed-Use Commercial (MU-C), Commercial Corridor (CC), Commercial Neighborhood (CN), Commercial Destination (CD), Industrial Light (IL), Industrial Heavy (IH), ~~and~~ Airport (AP), ~~and~~.
  - a.b. Estes Valley zone districts: Residential (EV R), Multi-Unit Residential (EV-RM), Accommodations (EV A), Accommodations (EV A-1), Office (EV O), Commercial Outlying (EV CO), and Restricted Industrial (EV I-1).
2. Uses and structures identified in the Sign Type Column include nonconforming uses and uses approved by special review and administrative special review.
3. Applicants that are within a GMA are encouraged to review the sign regulations for the municipality where their property may be annexed and select specific sign types (e.g., awning, canopy, projecting, wall, monument) that conform to the applicable sign code.
4. Where a municipality permits a sign type that the County prohibits, the applicant will need to wait until annexation to apply for that sign type.



**B. Maximum Total Allowed Sign Area.**

**1. Residential Districts.**

Maximum total allowed sign area in the Urban Residential districts is calculated on a use- or structure-based, per frontage basis. The total amount of signage may not exceed the amount identified in Table 8-4.

**Table 8-4: Maximum Total Allowed Sign Area for Urban Residential Districts and Uses**

Maximum Allowed Signage		
Single Family	1 per lot, must front arterial	
Multifamily	1 per lot plus Access Point Sign(s)	Maximum total permitted sign area calculation applies (See 8.4.3.B) unless otherwise specified in Table 8-6.
Legal Nonresidential	1 per street frontage, maximum of two signs	Maximum 20 square feet per sign face

**2. Mixed-Use, Commercial, and Industrial Districts.**

**a. Calculation of Maximum Total Sign Area by Lineal Building Frontage.**

The total sign area for all signs for which permits are required shall not exceed two square feet per linear foot of building frontage for the first 200 linear feet of building frontage, plus one square foot per linear foot of building frontage thereafter.

- i. Where a structure is not oriented parallel to the frontage, no more than two sides of a building may be counted as building frontage.
- ii. The total sign area shall include all sign faces and shall be calculated according to the standards of §8.9.

**b. Minimum Total Allowed Sign Area Entitlement.**

Where the maximum sign calculation only permits less than the following amount of signage, all non-residential properties are entitled to the following minimum signage:

- i. Each property shall be entitled to one freestanding sign per street frontage of 50 square feet per face and one wall sign per business of 32 square feet in size so long as all other requirements of this Article 8.0 are met.
- ii. For properties where the minimum sign area entitlement is applicable, maximum individual sign size shall be limited to the sizes permitted in subsection D.3.a, not the sign sizes based on lineal footage calculation above.

**Table 8-5: Maximum Total Allowed Sign Area for Urban Mixed-Use and Non-Residential Districts and Uses**



Total Permitted Signage	
Residential Uses in Mixed-Use Structure	See Table 8-4.
Non-Residential Uses in MU or NR Structure	Maximum total permitted sign area calculation applies (See 8.4.5.B) unless otherwise specified in Table 8-7.
	Signs may be either attached or freestanding; if one sign type is chosen then the other is not permitted
	Must comply with individual sign type standards below

### C. Allowed Signs.

Table 8-6 identifies the types of signs permitted in Urban Residential districts, and the regulations associated with each sign type. Table 8-7 identifies the types of signs permitted in Urban Mixed-Use, Commercial, and Industrial districts and the regulations associated with each sign type. If a sign type is not included in the applicable table or §8.2.3, Exemptions, it is not permitted.

Table 8-6: Permanent Signs in Urban Residential Districts					
Sign, Structure, or Use Type	Max. Number	Height (max., ft.)/ Clearance (min., ft.)	Sign Area per Sign (max., sf)	Illumination	Additional Standards
Attached Signs					
<b>Awning or Canopy</b> Multifamily only	1 per awning or canopy elevation	Height: May not project above canopy	<b>MF District:</b> 15% of canopy fascia where mounted; <b>SF District:</b> 10% of canopy fascia where mounted	Unlit or Indirect	See 8.3.1.B, Canopy Sign
<b>Projection</b> Multifamily only	1 per frontage per building	Clearance: 8	15	Unlit or Indirect	See 8.3.1.C, Sign
<b>Wall</b> Single Family [1]	1 per lot, must front arterial	Max. Height Dimension: 7	4	Unlit or Indirect	See 8.4.1.C.3, Wall Signs; Not included in Max Total Area
<b>Wall</b> Multifamily	1 per lot	Max. Height Dimension: 7	20	Unlit or Indirect	

Freestanding						
Sign, Structure, or Use Type	Number (max)	Height (max., ft.)/ Clearance (min., ft.)	Sign Area per Sign (max., sf)	Setback	Illumination	Additional Standards
Access Point  Multifamily only	1 per primary entrance	4	16	2' from ROW; 10' from property lines	Unlit or Indirect	See 8.3.3.A, Access Point Sign Not included in Max Total Area
Single Family or Duplex [1]	1 per lot, must front arterial	5	4	n/a	Unlit or Indirect	8.3.3, Freestanding Signs Not included in Max Total Area
Multifamily	1 per lot	6	20	n/a	Unlit or Indirect	
Notes: [1] Single family uses or structures are permitted either one wall sign or one freestanding sign.						

Table 8-7: Permanent Signs for Urban Mixed-Use, Commercial, and Industrial Districts					
Sign Type	Number (max)	Height (max., ft.)	Sign Area per Sign (max., sf)	Illumination	Additional Standards
Attached Signs					
Awning	1 per awning	Clear: 8	Lesser of 35 sf or 25% of total awning area	Indirect or Backlighting	See 8.3.1.A, Awning Sign
Canopy	1 per canopy elevation	Height: May not project above canopy	30% of canopy fascia where mounted;	Internal	See 8.3.1.B, Canopy Sign
Under Canopy	1 per building entrance	Clear: 8	4	Any	See 8.3.1.B, Canopy Sign
Projecting	1 per frontage per building	Clear: 8	15	Any	See 8.3.1.C, Projecting Sign
Wall	1 per NR use	Height: 7	100	Indirect	See 8.3.1.C.3, Wall Signs
Window	N/A; See Sign Area	Height: 7	Lesser of 50% of window or 80 sf	Internal	
Freestanding					

Sign. Structure, or Use Type	Max. Number	Height (max., ft.)/ Clearance (min. ft.)	Sign Area per Sign (max., sf)	Setback	Illumination	Additional Standards
Access Point	1 per entrance	4	16	2' from ROW; 10' from property lines	Any	See 8.3.3.A, Access Point Sign; included in Max Total Area
Monument or Pole	1 per street frontage	Monument: See Table 8-9	15' from interior property lines; min 75' spacing between freestanding signs	Any		8.3.3.B, Monument Signs; included in Max Total Area
		Pole: See Table 8-8				8.3.3.C, Pole Signs; included in Max Total Area
Structural Canopy	1 per elevation	Height: may not project above canopy	12	Any		See 8.3.3.D, Structural Canopy (Detached Canopy); included in Max Total Area

#### D. Freestanding Sign Standards by Setback.

1. The maximum height and size standards for freestanding pole and monument signs is adjustable based on the distance of the sign setback.

Table 8-8: Pole Sign Dimensions by Setback		
Setback (ft.)	Maximum Height (ft.)	Maximum Size Allowed Per Side (s.f.)
0	8	20
5	8	27
10	10	33
15	12	50
20	14	60
25	16	70
30	18	80
36 and more	18	90
Spacing		

No freestanding sign shall be located within 15 feet of any interior side lot line.

2. In order to encourage their use, the following modification of the freestanding sign requirements table is allowed for monument signs.

Table 8-9: Monument Sign Dimensions by Setback		
Setback (ft.)	Maximum Height (ft.)	Maximum Size Allowed Per Side (s.f.)
0	7	45
5	8.5	60
10	10	75
15 and more	12	90

**E. Illumination Standards.**

1. Static signs in Urban Mixed-Use, Commercial, or Industrial districts may be unlit or have interior or indirect exterior illuminated. Sign illumination shall comply with §4.10, Exterior Lighting.
2. All lighting shall be aimed and/or shielded to ensure that no direct light is seen upon any nearby street or upon any nearby residential property.
3. Electronic message displays may be used in as part of an attached or freestanding sign as identified in Table 8-10. EMDs shall not be installed as stand-alone signage.
  - a. The EMD shall not be larger than the following percent of the total square footage of the sign face when compared as separate components:

Table 8-10: Permitted EMD Signage in Rural Mixed-Use, Commercial, and Industrial Districts	
Sign Type	Max. % EMD/Total Sign Area
Attached	40; 32 sf max per sign
Freestanding	
Monument > 10' height	25

Monument < 10' height	40
Pole	50

- b. For purposes of determining the allowable total sign area, the permanent graphic portion of the sign and the EMD shall be included in the same perimeter and measured as a single sign, inclusive of any physical separation between the two components.
- 4. Only one EMD sign, either attached or freestanding is permitted per developed parcel.
- 5. EMD signs shall be setback at least 150 feet from residential property, measured pursuant to §8.9.5.

## 8.5. - Standards for Temporary Signs

### 8.5.1. - Purpose.

The purpose of these temporary sign regulations is to:

- A. Enhance opportunities for visual communication, including promoting the legibility of such communications;
- B. Create a more attractive economic and business climate within the County;
- C. Enhance and protect the physical appearance of all areas of the County;
- D. Identify permissible signage for temporary uses and temporary events, and
- E. Reduce the distractions, obstructions, and hazards to pedestrian and automobile traffic caused by the excessive number, size, or height, inappropriate means of illumination or movement, indiscriminate placement, overconcentration, or unsafe construction of signs.
- F. Establish maintenance, abandonment, and removal requirements that limit the continued use of temporary signs that are in violation of this article.

### 8.5.2. - Display.

Temporary signs shall comply with the following unless otherwise specified in this article:

- A. No temporary sign shall be erected, re-erected, or maintained for more than a cumulative 30 days per year, unless otherwise permitted in this section or specified in the sign permit.
- B. Temporary event signs, such as a Small Sales Event or Commercial Event, may be displayed on private property provided the signs meet the following requirements:
  - 1. The sign conforms to all requirements of this section;
  - 2. The sign does not interfere with pedestrian or automobile traffic;
  - 3. The sign is not placed in the public right-of-way or on public property;
  - 4. The sign is placed with the express permission of the property owner; and
  - 5. The sign is not a public danger or nuisance during high winds or inclement weather.

### 8.5.3. - Generally Applicable Standards.

#### A. **Location.**

1. Temporary signs are subject to the prohibited sign locations identified in §8.2.4.
2. No temporary sign shall cause unsafe ingress or egress or otherwise create traffic visibility problems.

**B. Temporary Sign Types.**

1. The total amount of temporary signage allowed on any lot may be allocated among any of the following temporary sign types, subject to the applicable standards of this article:

- a. Banner sign
- b. Door sign
- c. Yard sign

2. Wind driven signs, except for flags, and inflatable temporary signs are prohibited.

**C. Temporary Sign Size and Placement Limitations.**

The following temporary sign type, size, and placement limitations are generally applicable to temporary signs unless otherwise specified in this section.

**1. Temporary Sign Dimensions.**

The following temporary sign dimensions are applicable when the LUC section refers to a specific temporary sign type, such as Large Temporary Sign:

Table 8-11: Temporary Sign Dimensions								
Sign Type	Extra Large Temporary Sign		Large Temporary Sign		Medium Temporary Sign		Small Temporary Sign	
Measurement	Area (sf)	Height (ft)	Area (sf)	Height (ft)	Area (sf)	Height (ft)	Area (sf)	Height (ft)
<b>Rural</b>								
Agriculture or Conservation District	48	8	32	6	8	6	4	3
Residential District	32	6	16	6	8	6	4	3
Non-Residential in Residential District	32	6	16	6	8	6	4	3
Non-Residential District	48	8	32	8	8	6	4	3
<b>Urban</b>								
Residential District	32	6	16	6	8	6	4	3
Non-Residential in Residential District	32	6	16	6	8	6	4	3

Non-Residential District	48	8	32	8	8	6	4	3
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**2. Dimensions and Measurement.**

The maximum sign area identified in Table 8-11 is for a single sign face. Temporary signs may be printed on both sides or two single-sided banners may be placed back-to-back. V-type configurations are prohibited.

**3. Location.**

- a. Signs, except for door signs, shall be located at least 150 feet apart and a minimum of five feet behind all property lines on the parcel.
- b. Door signs shall be located within ten feet of a pedestrian entrance and shall be removed when the business is closed and during severe weather events.

4. Temporary signs shall not be illuminated.

5. Temporary signs shall not contain any digital components, or a changeable message component or mechanism.

**D. Materials.**

1. All temporary signs shall be made of durable materials.
2. Balloons shall be made of biodegradable materials.

**E. Removal.**

1. Unless specified otherwise in this section, temporary signs shall be removed at the end of the event for which the sign was permitted.
2. If the County determines that a property has excess temporary signage, the County may require the removal of an appropriate amount of square footage of temporary signage to bring the property into compliance with this LUC.

**8.5.4. - Temporary Signs Allowed Without a Permit.**

A. The temporary sign types listed in this section are named for the activity or use that the sign permit is associated with. This is done for ease of understanding by Code users. Pursuant to §8.2.5, Larimer County does not regulate the content of allowed signage.

B. Sign dimensions are provided in Table 8-12.

Table 8-12: Temporary Signs Allowed Without a Permit					
Activity, Use, or Event	Number of Signs Allowed				Duration
	Extra Large	Large	Medium	Small	
Active Real Estate Listing					
Existing Residential	—	—	1 per street frontage on the property listed	—	The sign may be placed when the real estate listing becomes active and shall be

Vacant Land	1 per street frontage on the property listed	—	—	—	removed within 45 days of the sale of the property or when the listing is deactivated.
Active Construction Permit	Larger temporary signs may be permitted according to the requirements of §8.5.5, Temporary Signs that Require a Permit.		1 per property with active construction	—	The sign may be placed when the construction permit is issued and must be removed within one week of final inspection or completion of the project, whichever occurs first.
Door Sign, Nonresidential Use Only [1]	1 sign, maximum six square feet in area per side, per business				Door signs are allowed to be used 365 days a year, are not subject to the 30-day duration limitation for temporary signs, and shall be taken in daily at the close of business.
Election Event					
Rural and Urban Residential Districts	—	—	Any number	—	The sign may be placed for a period of 60 days prior to a state, local, or national election. Total signage in excess of the maximum amount allowed on the property during non-election periods must be removed within five days after the applicable election event.
Rural and Urban Nonresidential Districts	—	Any number	—	—	
General Temporary Sign	—	—	Any number [2]		See §8.5.3.E.
Home Occupation Retail Sales Event [3]	—	—	1 per property	—	The sign may be placed seven days before the event and shall be removed within 24 hours of the end of the retail sales event.
Small Sales Events (Estate/Garage/Yard Sale)	—	—	—	1 per street frontage	The signs shall be displayed only during the day of the small sales event.
Notes:					
[1] Door signs shall be placed within 15 feet of the primary business entrance and shall not impede pedestrian sidewalk circulation. Door signs are not permitted for accessory rural or home occupations.					
[2] The maximum total area of a medium temporary sign may be distributed across more than one sign face.					
[3] The sign shall be located on private property no farther from the subject parcel than the nearest arterial road.					

#### 8.5.5. - Temporary Signs that Require a Permit.

The placement of temporary signs allowed in this section requires the issuance of a temporary sign permit. Each sign approved according to this section will have a removal date identified in the permit.



**A. Active Construction Permit, Large Sign.**

Temporary signage is permitted in association with active construction as measured by the duration of a construction permit as follows:

1. One large temporary sign shall be allowed per street frontage per property as follows:
  - a. The sign(s) must be removed within one week of final inspection or completion of the project, whichever occurs first.
  - b. One temporary sign is permitted in association with an active construction permit without a sign permit as set forth in §8.5.4, Temporary Signs Permitted Without a Permit. The total number of construction signs per property includes all temporary signs permitted in association with active construction whether they require a sign permit or not.
2. One extra large temporary sign per vehicle access point sign per, with a maximum of two signs per project or phase of a project as indicated on the construction permit.
  - a. Temporary access point signs shall be located within the development.
  - b. Signs shall be allowed to remain for no more than two years following issuance of the temporary sign permit.
3. In addition to the sign(s) above, a temporary project sales office shall be entitled to one small temporary sign that may be indirectly lit.

**B. Noncommercial Public Event on Private Property, Large Sign.**

A noncommercial public event on private property may be permitted temporary signage as follows:

1. Any number of signs is allowed, subject to the following maximum size standards:
  - a. Residential district: Medium temporary sign.
  - b. Mixed-Use and Non-Residential districts: Large temporary sign.
2. Signs may not be placed more than 45 days prior to the event and must be removed within five days after the event.

**C. Commercial Event on Private Property.**

A commercial event on private property, such as a sidewalk sale or grand opening, in a mixed-use or nonresidential zoning district may be permitted temporary signage as follows:

1. **Allowed Sign Types.**
  - a. A banner or banners that do not cumulatively exceed 100 square feet in total sign area and which are mounted flush to a building wall.
  - b. Balloons and other types of lighter than air objects which have no linear dimension greater than two feet.
2. **Conditions and Timeframe.**
  - a. The temporary sign permit may specify such conditions and limitations as are deemed necessary to protect adjoining properties and the public.
  - b. The permit may not be approved for a time period that exceeds 30 consecutive days in any calendar year for each property, or each business in a multi-tenant center.
3. **Temporary Sign Removal.**
  - a. The applicant shall remove any temporary signs on or before the expiration date of the permit.

- b. If a person erects any temporary signs for a commercial event without receiving a permit as herein provided, the person shall be ineligible to receive a temporary sign permit for the remainder of the calendar year. Applicants will be asked to verify that commercial event signage was not placed prior to the issuance of a temporary sign permit.
- c. If a temporary sign associated with a commercial event sign permit remains up for longer than 30 days, the sign will be considered a permanent sign, require a sign permit and all other regulations in this Article 8.0 apply.

#### 8.5.6. - Temporary Sign Substitution for Damaged Permanent Sign.

- A. In the event that a permanent sign is substantially damaged through fire, natural disaster, or similar emergency, or in the case of major construction projects, where existing permanent signage is removed for construction purposes, a temporary sign may be allowed for display for a period of time not exceeding 60 days.
- B. Temporary signage is limited to a maximum of 32 square feet per address unless the temporary signage is affixed to any wall face of the main structure.
- C. When temporary signage is affixed to any wall face of the primary structure, the maximum size of temporary signage may be increased to allow for a maximum coverage of 20 percent of the area of the wall face to which it is affixed. In no case shall any temporary signage exceed a maximum size of 250 square feet.

#### 8.6. - Nonconforming Signs

##### 8.6.1. - Limitations on Expanding or Altering Nonconforming Signs.

A nonconforming sign shall not be:

- A. Structurally or physically changed to another nonconforming sign, although the sign copy may be changed;
- B. Structurally or physically altered in order to prolong the life of the sign, including a change from the original materials of the sign, except to meet safety requirements;
- C. Structurally or physically altered to include an Electronic Message Display; or
- D. Altered in a way that increases the degree of nonconformity of the sign.

##### 8.6.2. - Bringing Signs into Conformance.

All nonconforming signs on a property shall be brought into conformance with this Code when:

- A. A change of use, as defined in the Code, occurs on the property;
- B. A new sign is added to the property; or
- C. A change to any sign beyond routine maintenance and repairs, except in the content of a sign occurs on the property.

#### 8.7. - Installation and Maintenance

##### 8.7.1. - Installation.

- A. All signs must be permanently affixed or attached to the ground or to a structure, except for those temporary signs and vehicle signs that are specifically allowed in this Chapter 8.0.
- B. All electrical signs placed in Larimer County shall bear the label of Underwriters Laboratories, Inc.
- C. All electrical service to a freestanding sign shall be underground.

##### 8.7.2. - Maintenance.

- A. All signs shall be maintained in good condition at all times. All signs shall be kept neatly finished and repaired, including all parts and supports. The following specific sign maintenance standards shall apply. Repairs, where required, shall be equal to, or better than the original sign in quality of materials and design:
  - 1. Sign finishes and structures shall be maintained in good condition and shall not have:
    - a. Any surface area covered with disfigured, cracked, ripped, faded, or peeling paint, poster paper, or other material.
    - b. Rusted, disfigured, peeling, faded, bent, broken, dilapidated, or deteriorated sign facings, or supports, or loose appendages, or struts.
  - 2. All signs shall have sign facings installed, whether blank or with copy content.
  - 3. Signs that are designed to be upright and level shall be installed and maintained in an upright and level position. Signs that are not upright and level shall be removed or restored to an upright and level position.
  - 4. Signs shall not have weeds, trees, vines, or other vegetation growing on, or in it, or obscuring the view of the sign from the right-of-way from which it is to be viewed.
  - 5. No internally illuminated sign shall be allowed to operate with less than full illumination.
  - 6. Temporary signs and flags shall not be faded, tattered, or torn.
- B. The building official may inspect any sign governed by this Code and shall have authority to order the painting, repair, alteration, or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.
- C. The building official shall have the power to order a change in the illumination of any sign that becomes a hazard or nuisance.

#### 8.7.3. - Abandonment.

##### A. **Abandoned Signs.**

- 1. Except as otherwise provided in this article, the County may determine that a conforming or nonconforming sign or sign structure has been abandoned where either:
  - a. The sign or sign structure is no longer used by the property or sign owner, in which case discontinuance of sign use may be shown by any of the following:
    - i. Expiration or revocation of a business license or required zoning permit or approval for the business located on the property,
    - ii. A six-month cessation of use of the property or tenant unit with which the sign or sign structure is associated, or
    - iii. Failure to display a message on the sign for 45 days.
  - b. The sign or sign structure has been damaged, and repairs and restoration have not been started within 45 days of the date the sign was damaged, or, once started, are not diligently pursued to completion.
- 2. Temporary signs shall be considered abandoned if the associated permit has expired, the permit-associated event has occurred in the past, the sign fails to meet the maintenance requirements of this section, or when there is excess temporary signage on a property following the end of an expanded temporary signage period, such as an election event.

##### B. **Damage to Nonconforming Signs.**

A nonconforming sign shall not be re-established after damage or destruction if the estimated cost of reconstruction exceeds 50 percent of the appraised replacement cost.

**C. Sign Removal.**

1. An abandoned sign or sign structure is prohibited and shall be removed by the owner of the sign or owner of the premises within 45 days of a determination of abandonment.
2. When a sign or sign structure becomes abandoned due to demolition or destruction of the structure in which the business was located, the sign and structure shall be removed at the same time as the demolition of the structure, or within 45 days of a determination of abandonment.
3. Where a successor to a business agrees in writing, prior to the demolition of the structure or as part of a determination of abandonment, to bring any sign into compliance with and to maintain the sign as provided in this section, the removal requirement shall not apply. The sign and sign structure shall be brought into full compliance prior to the issuance of a certificate of occupancy for use of any part of the associated structure or business.

**8.8. - Sign Permits**

**8.8.1. - Applicability and Process.**

- A. A sign permit is required prior to the placement of any new sign, relocation of an existing sign or remodeling of any sign for which a building permit is also required, although the copy on an existing sign may be changed without a permit. Sign permit applications for properties with multiple tenants shall be accompanied by a sign plan that indicates the total amount of signage permitted on the property and how that signage is or will be allocated by sign type and location across the property.
- B. No sign permit shall be required for those signs regulated by §8.2.3.D, Sign Regulation Exemptions.
- C. No permit for a new sign shall be approved unless such sign is in conformance with the requirements of this Article 8.0 and includes a non-residential property sign inventory form.
- D. Non-residential property sign inventory form.
  1. A sign inventory form shall be submitted prior to or concurrent with the issuance of a sign permit for any permanent sign in a nonresidential district.
  2. The form may include a graphic representation or photos showing all existing and/or proposed signage for the subject property.
  3. Properties and uses subject to the site plan requirement in §6.4.1 may include a sign inventory form as part of the site plan review process.

**8.8.2. - Additional Procedures.**

Additional procedures available in Article 6.0, Review Procedures, including variances and appeals, are also applicable to the sign permit process.

**8.9. - Measurement and Calculation**

**8.9.1. - Applicability.**

The following methods shall be used to calculate the total square footage of the sign area of any sign.

**8.9.2. - Sign Area.**

- A. **Inclusion in Maximum Sign Area Calculation.**

1. Unless otherwise specified in §8.4, Permanent Sign Regulations by Zone District, all sign faces shall be counted and considered part of the maximum total sign area allowance.
2. The sign area of building mounted signs shall not include structural elements used to attach or support the sign that do not contribute to the display.
3. Any freestanding sign that can be viewed from two street frontages and that is so placed that it has equal or nearly equal exposure from each frontage, shall be counted twice, once for each frontage.

**B. Measurement of Sign Area.**

Sign area shall be calculated as the entire area within a continuous perimeter drawn with not more than eight straight lines to create a geometric figure enclosing the extreme limits of the sign.

**1. Attached Signs.**

- a. Sign copy mounted, affixed, or painted on a background panel or area is calculated as the entire area contained within the sum of the smallest geometric figure that will enclose all of the sign copy.
- b. Signs with a frame or cabinet shall be calculated as the entire area contained within the smallest geometric figure that will enclose the outer edge of the frame or cabinet and encompass all sign copy.
- c. Signs that consist of individual letters that are mounted to a wall, or "race-way" type signs that consist of individual letters that are mounted to a base that is mounted to a wall, which utilize the building wall as the background, and freestanding individual letters that are mounted to a monument base shall be considered individual letter signs. The sign area of such signs shall be calculated as the entire area within a continuous geometric figure enclosing the extreme limits of the sign.

**2. Freestanding Signs.**

- a. The measurement of the sign area of a freestanding sign shall include, in addition to the sign face area, any portion of the freestanding sign base which exceeds one and one-half times the area of the sign face.
- b. The base shall include any structural component of the sign, including raised landscape planter boxes.
- c. Freestanding signs with two or more faces that are aligned to each other at an angle greater than 90° shall be considered a single sign face.

**3. Three-Dimensional Signs.**

The area of a spherical, cubical, or polyhedral sign equals one-half the total surface area. See Figure 8-9.

**Figure 8-9:  
3D Sign Measurement**



**2. Movable Sign Elements.**

If elements of a sign are movable or flexible, such as a flag or banner, or if the sign includes any permitted copy extensions, the measurement is taken when the elements or extensions are fully extended and parallel to the plane of view.

**8.9.3. - Determination of Frontage.**

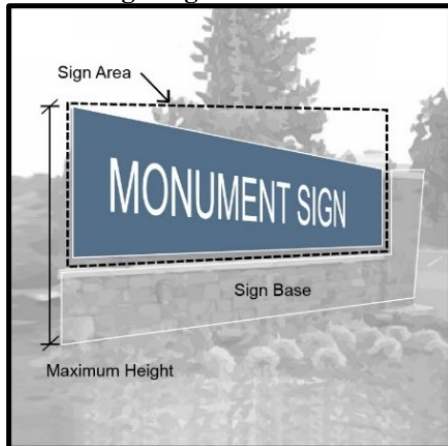
- A. Sign allowance shall be calculated on the basis of the length of the one building frontage which is most nearly parallel to the street it faces.
- B. If a lot fronts on two or more streets, the sign area for each street shall be computed separately. The area of signage allowed for each lot frontage shall be displayed on the frontage for which it was calculated and shall not be combined and placed on a single frontage unless otherwise provided in this article or when the structure has multiple tenants.
- C. Signage in multi-tenant structures shall first be calculated across all frontages to establish the overall permitted signage, and then allocated to each tenant unit based on a sign plan created for the site and submitted with each sign permit application.
- D. If a building does not have frontage on a dedicated public street, the owner of the building may designate the one building frontage which shall be used for the purpose of calculating the sign allowance.

**8.9.4. - Height and Clearance.**

**A. Height.**

- 1. The height of a freestanding sign shall be measured as the vertical distance from the average finished grade of the ground below the sign excluding any filling, berming, mounding or excavating solely for the purposes of increasing the height of the sign, to the top edge of the highest portion of the sign including any architectural appurtenances. See Figure 8-10.

**Figure 8-10:  
Measuring Height**

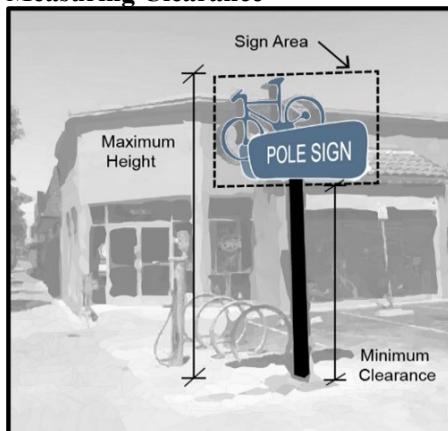


2. For purposes of this section, average finished grade shall be considered the lower of:
  - a. The lowest elevation where the base of the sign meets ground level or
  - b. The nearest public or private sidewalk within 25 feet of the sign.
3. When the existing finished grade at the point of measurement is lower than the average elevation of the adjacent street finished grade parallel to the location where the sign will be installed, that portion of the sign below the street shall not be included in determining the sign's overall height.

**B. Clearance.**

Clearance for pole and projecting signs shall be measured as the smallest vertical distance between the sign and the finished grade directly underneath the sign at the lowest point of the sign structure, including any framework or other structural elements. See Figure 8-11.

**Figure 8-11:  
Measuring Clearance**

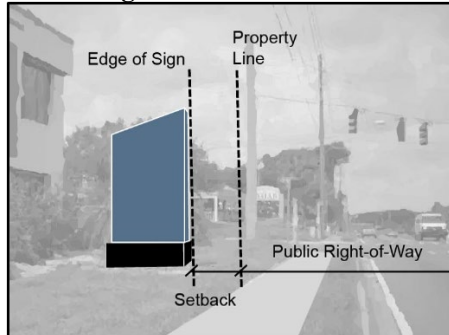


**8.9.5. - Setback and Separation.**

**A. Setback.**

Setbacks shall be measured from the nearest property boundary line to the edge of the sign face in applicable districts, or from the edge of the residential structure to the edge of the sign face in unlisted districts. See Figure 8-13.

**Figure 8-13:  
Measuring Setback**



**B. Separation.**

Sign separation shall be measured along the property lines from the center of the signs.

**8.10. - Definitions**

**8.10.1. - Definitions.**

**Abandoned Sign.** A sign that meets the criteria for abandonment in §8.7.3.

**Access Point Sign.** A sign located at a motor vehicle access point to a property.

**Ambient Light Monitor.** A device that is attached to an electronic message display that measures on a continuous basis the brightness of light surrounding the sign. The monitor is connected to the system that controls the brightness of the electronic message display. The brightness is then automatically adjusted based on the measured ambient light.

**Animated Sign.** Any sign that uses mechanical means to depict action, motion, or create a special effect or scene, including the display of video.

**Attached Sign.** A sign that is attached or affixed to a building, including: awning signs, canopy signs, marquee signs, projecting signs, roof signs, wall signs, and window signs.

**Banner.** A sign which is constructed of cloth, canvas, or other type of natural or manmade fabric, or other similar light material which can be easily folded or rolled, but not including paper or cardboard.

**Billboard.** A type of freestanding sign that incorporates a sign face that is larger than 70 square feet, mounted on one or more pole structures, such that the lowest part of the sign face is ten feet or more above adjacent grade.

**Building Frontage.** The side of the building which is parallel to or most nearly parallel to a public street.

**Business.** An activity concerned with the supplying and distribution of goods and services. For purposes of this section, the term "business" shall not include an activity which is accessory to a residential use, such as a home occupation. The term "business" shall include principal agricultural uses. See also "Multi-tenant center" regarding two or more businesses located on a single property.

**Cabinet sign.** A sign that contains all the text, artwork, logos and/or other information displayed within an enclosed cabinet.



**Changeable Copy Sign.** A sign whose informational content can be changed or altered by manual or electric, electro-mechanical or electronic means. Changeable signs include the following types:

**Electrically Activated.** Signs whose alphabetic, pictographic or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. Electrically activated signs include the following two types:

**Manually Activated.** Signs whose alphabetic, pictographic or symbolic information content can be changed or altered by manual means.

**Computer Controlled Variable Message Electronic Signs.** Signs whose informational content can be changed or altered by means of computer-driven electronic impulses.

**Fixed Message Electronic Signs.** Signs whose basic informational content has been pre-programmed to include only certain types of information projections, such as time, temperature, predictable traffic conditions or other events subject to prior programming.

**Commercial Speech.** Expression by a speaker for the purposes of commerce, where the intended audience is actual or potential consumers, and where the content of the message is commercial in character. Commercial speech typically advertises a business or business activity or proposes a commercial transaction.

**Copy.** The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

**Damaged Sign.** Any sign that, for any reason, has received less than 50 percent damage to any combination of the copy area or sign structure.

**Dangerous Sign.** A sign constituting a hazard to public safety because it no longer complies with some or all requirements of the building code or electrical code.

**Destroyed Sign.** Any sign that, for any reason, has received 50 percent or greater damage to any combination of the copy area or sign structure.

**Door Sign.** A manual changeable copy sign typically located near the entrance of a business and intended to be seen from the street such as menu boards, sandwich boards, or A-frame signs.

**Electronic Message Display (EMD).** A sign with a display surface composed of light-emitting diodes (LEDs) or similar light sources that is capable of displaying varying words, symbols, figures, or images that can be electronically or mechanically changed by remote or automatic means.

**Flag.** A flexible piece of fabric, that is attached along one edge to a straight, rigid flagpole (directly or with rope), and which is designed to move when the wind blows. Flags are typically (but not necessarily) rectangular in shape, and often (but not always) include printed or embroidered insignia that symbolizes a nation, state, or organization, or that display a graphic or message.

**Flashing Sign.** An electronic message display, portion thereof, or non-EMD lighting that changes light intensity in a brief, brilliant, or sudden and transient outburst of light causing a steady on and off, glittering, sparkling, or scintillating pattern. Neon and incandescent lamps may flash in the following ways.

**Alternating.** One section comes on as another goes off.

**Scintillating.** Random sections go on and off with part of the lighting on at all times.

**Chasing.** One section comes on at a time and is followed by one section going off at a time. Part of the sign is on at all times.

**On-Off Action.** Lighting that goes all on and then all off.

**Sweeping (Filling).** The lighting sections individually go on until all of the sections are on, then the entire group goes off and then the process is repeated.

**Freestanding Sign.** A nonmoveable sign that is anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports, and not attached to or dependent for support from any building.

**Government Sign.** Any temporary or permanent sign erected and maintained by the city, county, state, or federal government.

**Incidental Sign.** A small sign that is primarily oriented to pedestrians.

**Indirect Lighting.** A source of external illumination of any sign.

**Inflatable Sign.** A sign that is constructed from or attached to an envelope flexible material that is given shape and / or movement by inflation. The phrase inflatable sign does not include balloons that are less than 18 inches in all dimensions. Inflatable signs do not include hot-air balloons use for air travel.

**Maintenance.** For the purposes of this article, the cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the structure of the sign.

**Multi-Tenant Center.** One or more buildings, located on a single property, containing two or more separate and distinct businesses or activities which occupy separate portions of the building with separate points of entrance, and which are physically separated from each other by walls, partitions, floors or ceilings. For purposes of Article 8.0, the term "multi-tenant center" shall include buildings containing condominium units. See also "property."

**Nonconforming Sign.** A sign that does not meet one or more of the requirements of this Article 8.0, but which was erected in conformance with any adopted standards and procedures in existence at that time.

**Pennant.** A piece of fabric, plastic or other flexible medium that may be in the shape of a triangle, rectangle or other shape, is typically mounted to a flexible cord or rope that is stretched across two points, is mounted in quantity and spaced along the cord or rope.

**Permanent Sign.** A sign that is permanently affixed or attached to the ground or to a structure.

**Portable Sign.** A sign that is not permanently affixed or attached to the ground or to a structure and that is designed to be easily transportable from one location to another, including but not limited to a sign designed to be displayed while mounted or affixed to the trailer by which it is transported.

**Premises.** See "property."

**Private Sale Sign.** A sign associated with a private sale of personal property such as a house sale, garage sale, rummage sale, yard sale, and the like.

**Property.** A lot, tract, or parcel of land together with the buildings or structures thereon. For purposes of this Article 8, individual condominium ownerships in a structure shall not be considered separate property. See also "multi-tenant center."

**Remodeling.** A change in any aspect or character of a sign including addition or change in the type of lighting, increase in height or size, addition of sign faces or change from wood posts and frame to metal posts and frame, but not including a change in the content or message of the sign face.

**Required Sign.** A sign that is required by an applicable building code (e.g., address numbers) or health and safety regulations (e.g., the Occupational Safety and Health Act ("OSHA")) or other laws or regulations, whether such sign is temporary or permanent.

**Rider.** A subordinate sign panel that is attached to a swing sign, either above the horizontal member or below the principal sign face. To illustrate, but without limiting the range of messages that a rider may convey, if the swing sign is used to advertise a property as "for sale," a rider is often used to convey a related message such as "contract pending."

**Roof Sign.** A sign erected upon or above a roof or above a parapet wall of a building.

**Rural Property Access Point Sign.** An access point sign located at the entrance to a rural property. For purposes of this Article 8.0, the term rural property shall be limited to properties that are located outside a growth management area (GMA) overlay zoning district of Larimer County.

**Sign.** Any writing (including letter, word or number), pictorial representation (including illustration or declaration), product, form (including shapes resembling any human, animal or product form), emblem (including any device, symbol, trademark, object or design which conveys a recognizable meaning, identity or distinction) or any other figure of similar character that is a structure or any part thereof, or is written, painted, projected upon, printed, designed into, constructed, or otherwise placed on or near a building, board, plate, or upon any material object or device whatsoever, that by reason of its form, location, manner of display, color, working, stereotyped design, or otherwise attracts or is designed to attract attention to the subject or to the property upon which it is situated, or is used as a means of identification, advertisement, or announcement. The term "sign" shall not include the following: (1) Works of fine art; and (2) Products, merchandise, materials, or equipment which are offered for sale or used in conducting a business, along with any incidental and customary product labels on such items, when such items are kept or stored in a location which is designed and commonly used for the storage of such products, merchandise, materials, or equipment.

**Sign Area.** The total dimensions of a sign surface used to display information including text, symbols, or images.

**Sign Face.** The area of a sign upon or through which the message is displayed. For the purposes of measurement, sign faces are defined as follows:

**Single-Sided Sign.** A sign with only one face plane.

**Two-Sided (Double-Faced or "V" Sign).** A sign with back-to-back face planes that are parallel or within 30° of parallel.

**Three-Sided Sign.** A sign with three face planes.

**Three-Dimensional Sign.** A sign that is sculptural or three-dimensional in form.

**Sign Plan.** A graphic representation showing a comprehensive detailed presentation of all signage proposed for a particular property.

**Sign Structure(s).** The base, footer, support poles, framing, and all other parts and components onto which the copy area is resting or attached.

**Sign Structure Area.** The total surface area of the structure of a monument sign that supports its copy area and contains dimensional or material differences from the plane of the sign face. Architectural embellishments and decorative features that do not contain or support advertising copy shall not be included in the sign structure area.

**Sign Walker.** A person who carries a sign that is worn, held, or balanced by that person and is not installed or attached to real property.

**Street Frontage.** A property line that abuts a public right-of-way that provides public access to or visibility to the property.

**Temporary Sign.** A sign which, due to the materials used or the method, manner, or location of display; is suited only for brief display.

**Vehicle Sign.** A sign which is painted on, affixed to, or otherwise mounted on any vehicle or on any object which is placed on, in, or attached to a vehicle. For purposes of this definition, the term "vehicle" shall include trucks, buses, vans, railroad cars, automobiles, tractors, trailers, hot air balloons, motor homes, semi-tractors, or any other motorized or nonmotorized transportation device.

**Wind-Driven Sign.** Any sign consisting of one or a series of banners, pennants, ribbons, spinners, streamers, captive balloons or other objects or material fastened in such a manner as to move, upon being subjected to pressure by wind or breeze.

**Window Sign.** A sign that is applied to or attached to the exterior or interior of a window or located in such a manner within a building that it is visible from the exterior of the building through a window.

## Article 9.0 - WIRELESS COMMUNICATION FACILITIES



## ATTACHMENT

### 3.3.5. - Commercial Uses.

#### B. Short-Term Rental.

##### 2. Standards for Short-Term Rentals.

In addition to the §6.4.2.D, Review Criteria for Special Review and §6.4.3.D, Review Criteria for Administrative Special Review, applications for short-term rentals shall comply with the following standards:

##### Transfer of Short-term Rental License.

- ee. Ownership of a license may not be transferred unless meeting one of the exceptions as listed herein.
  - i. The transfer of title to real property when the grantee is a member of the grantor's immediate family. For purposes of this section, a family transaction shall mean between parents and children, spouse or domestic partners, siblings, grandparents and grandchildren, or similar family relationship.
  - ii. An active license for a specific short-term rental operating continuously (by license, renewal, or approved transfer) under the required license since prior to the effective date of June 1, 2023, may transfer the license to a different owner one time within ten years, and accordance with procedures in this Code, including paragraph (gg) below.
  - iii. The Short-term Rental is located in either the EV-A Estes Valley Accommodations/Highway Corridor or EV-A1 Accommodations/Low Intensity zoning district.
- ff. Other licenses. Licenses for short-term rental not addressed in subparagraph (ee) above are not transferrable to any person upon sale or other transfer of ownership of the property. Upon such sale or transfer of ownership, the license shall terminate automatically, and the new owner of the property shall apply for a short-term rental license if it wishes to continue the use of the property as a short-term rental. Such application shall be subject to any applicable waitlist.
- gg. If the property owner changes during the period for which the short-term rental has been licensed, and the license is eligible for transfer as described in paragraph (ee) above, a new property owner of record must file an application to transfer the license into their name within 60 days of transfer of ownership and must ensure the short-term rental is in compliance with all other County regulations. If the property is transferred to an immediate family member, that new owner must notify the county of the transfer of ownership, demonstrate that the license is in compliance with the Code, and assume responsibility for compliance.



## ATTACHMENT



**Kassidee Fior, AICP**  
Principal Planner

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**Laura Culleton**  
Planner II

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# ESTES VALLEY

## ACCESSORY LIVING AREAS (A.K.A. ACCESSORY DWELLING UNITS)

**MARCH 12, 2025**



**Matthew Lafferty, AICP**  
Principal Planner

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Community Development Department  
200 W Oak Street, Suite 3100  
Fort Collins, Co 80521  
W: 970.498.7721  
[mlafferty@larimer.org](mailto:mlafferty@larimer.org)





## WHY ARE WE HERE?

MARCH 12, 2025



## Why are we here:

To highlight House Bill 24-1152 regarding Accessory Dwelling Units.

To recognize that there are options for addressing housing issues such as multi-generational housing, housing affordability, housing attainability, and workforce housing.

To obtain insight regarding how the Planning Commission and Board of County Commissioners believes Accessory Living Areas (a.k.a. Accessory Dwelling Units) should or shouldn't be regulated in the Estes Valley Planning Area (EVPA).



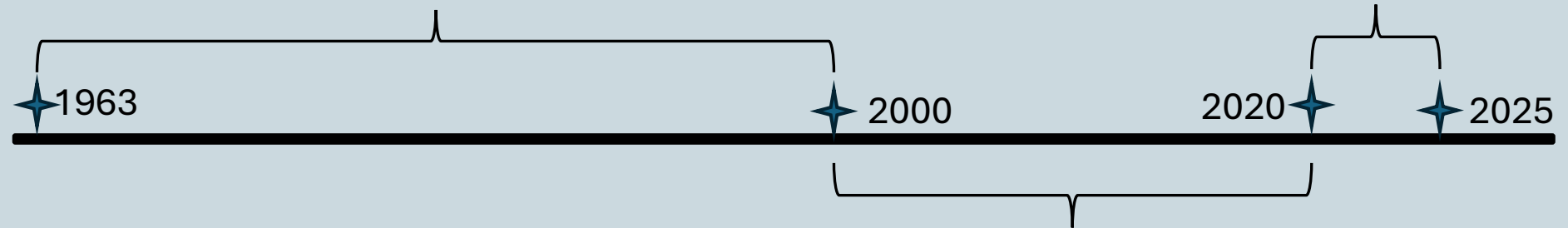
## BACKGROUND

MARCH 12, 2025



From 1963 to 2000 properties in the County surrounding the Town of Estes had County Zoning designations and followed County Land Use Regulations

The agreement between the Town and County was dissolved



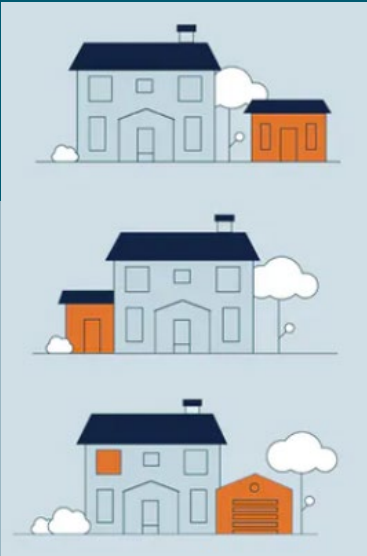
Starting in 2000 and lasting until 2020 an agreement between the Town of Estes and Larimer County resulted in the formulation of a defined area referred to as the Estes Valley Planning Area.

The zoning in the Estes Valley Planning Area was changed to coincide with the zoning of the Town. Additionally, the area was subject to the land use regulations of the Town Code instead of the County Code.



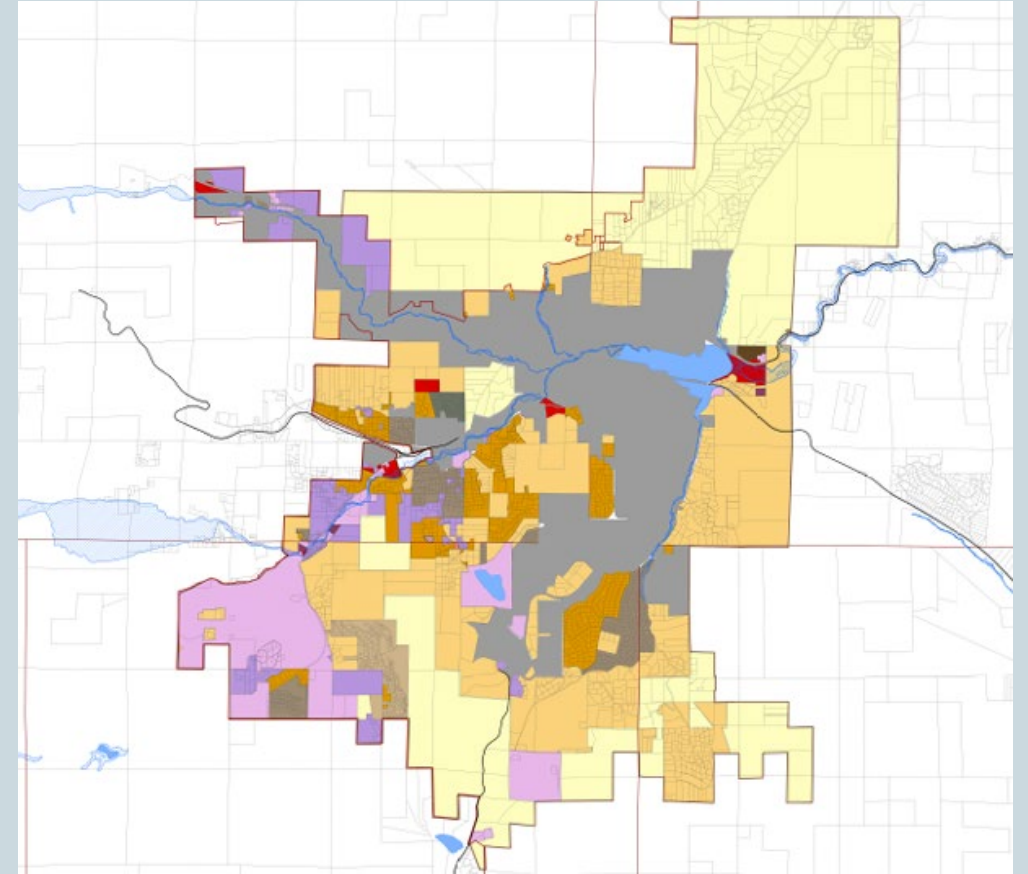
## WHAT IS THE ESTES VALLEY PLANNING AREA

MARCH 12, 2025



The Estes Valley Planning Area consists of properties located within a defined area of Larimer County that surrounds the Town of Estes. These properties are **not** within the Town.

These properties are therefore are not subject to the land use regulations for the Town, but for the County





WHERE AND  
WHOSE  
REGULATIONS  
APPLY

MARCH 12, 2025

I  
Don't  
Know

# What is an Accessory Living Area (ALA)?

**Accessory Living Areas are sometimes referred to as:**

Accessory Dwelling Units

Caretakers Quarters

Mother-in-Law Suite

Granny Flat

Garage Apartment

Carriage house

Multi-Generational Home



WHERE AND  
WHOSE  
REGULATIONS  
APPLY

MARCH 12, 2025

I  
Don't  
Know

# What is an Accessory Living Area (ALA)?

**Accessory Living Areas are sometimes referred to as:**

Accessory Dwelling Units

Caretakers Quarters

Mother-in-Law Suite

Granny Flat

Garage Apartment

Carriage house

Multi-Generational Home

*Finished accessory living space that is attached to a primary dwelling or located in a building on a same lot with a primary dwelling. ALAs are typically designed and intended to be occupied as a separate living space.*



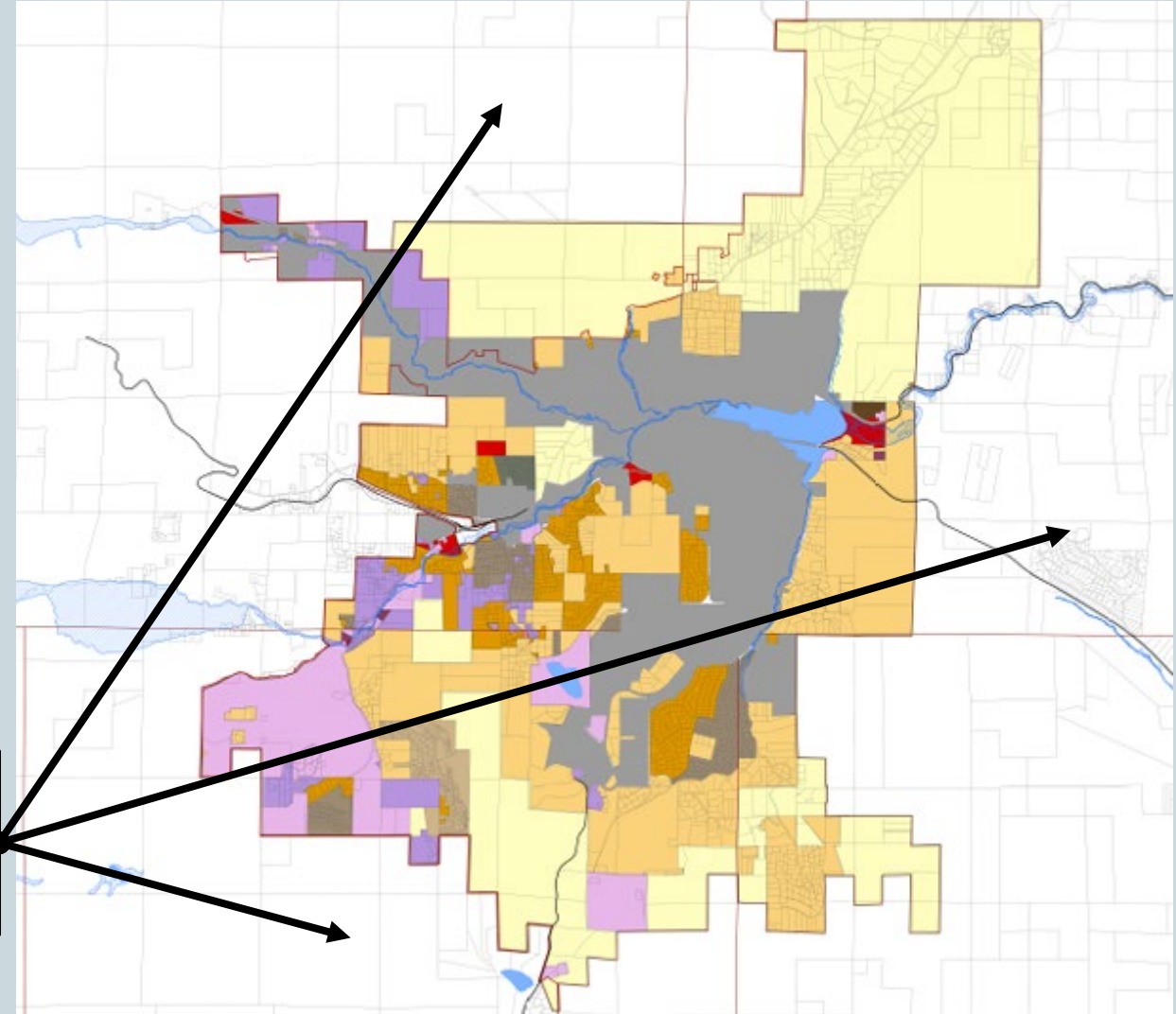
## WHERE AND WHOSE REGULATIONS APPLY

MARCH 12, 2025

I  
Don't  
Know

# Whose regulations apply to where I live?

Areas in **White** are subject to the Land Use Regulations of Larimer County.





# CURRENT ALA STANDARDS BY AREA

MARCH 12, 2025



ALA Standards by Jurisdiction/Area			
	Larimer County	Town of Estes	Unincorporated Estes Valley
Are attached ALAs Allowed?	Yes – Building Permit Req.		
Are detached ALAs Allowed?	Yes – Building Permit Req.		
Are there size limitations for an ALA?	<p>Yes - Not to exceed the lesser of 75% of the primary dwelling, or</p> <ul style="list-style-type: none"> <li>• 900 sq. ft. for lots up to 15,000 sq. ft.</li> <li>• 1,000 sq. ft. for lots between 15,000 and 100,000 sq. ft.</li> <li>• 1,200 sq. ft. for lots greater than 100,000 sq. ft.</li> </ul>		
Are there lot area requirements?	Yes - Only for determining size allowance for ALA		
How many people can occupy an ALA?	No established limit, but can be regulated through building and health regulations		
Can an ALA be rented?	Yes, but must be for period greater than 30 days		
Can an ALA be used as short-term rental?	No		





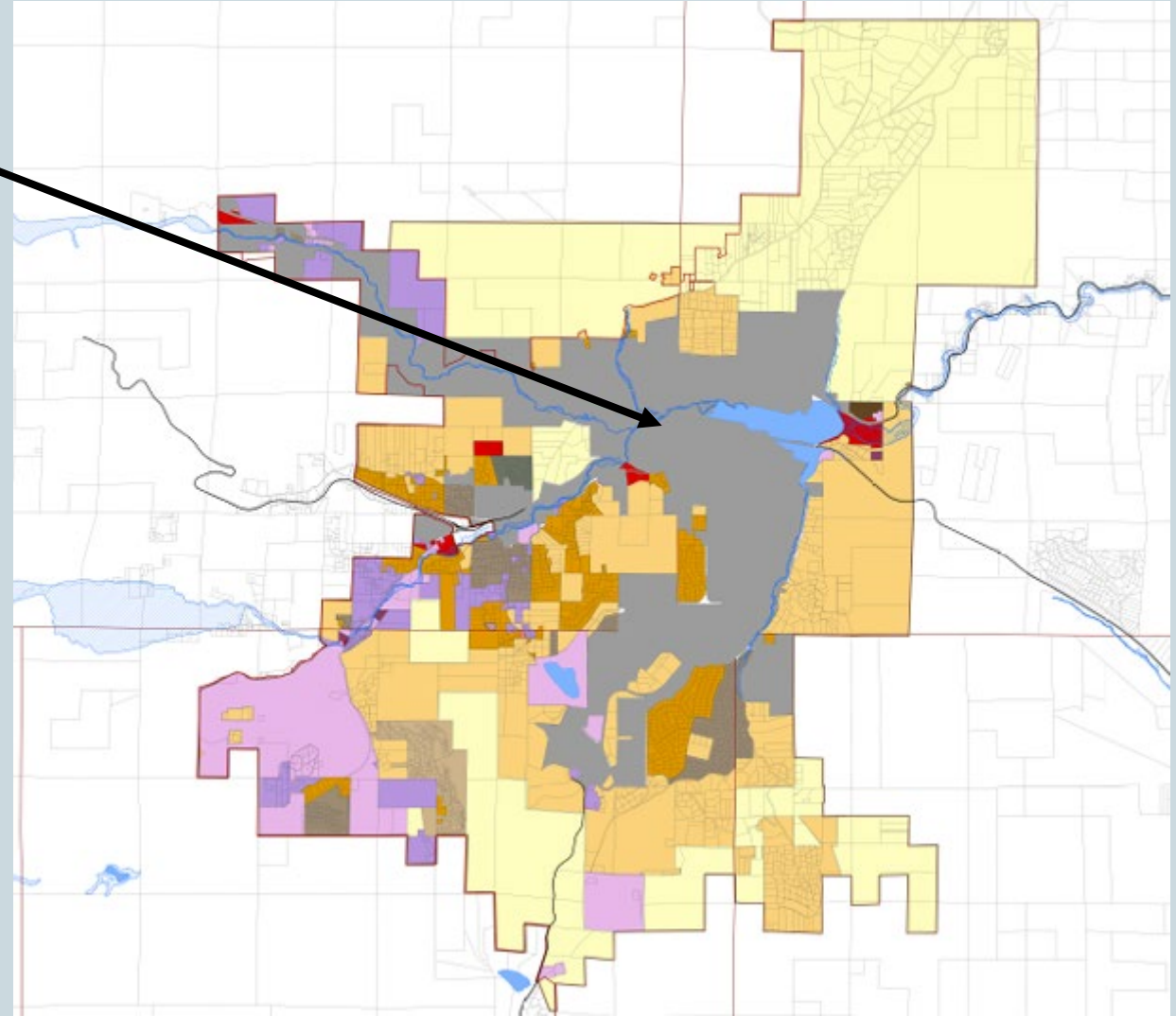
## WHERE AND WHOSE REGULATIONS APPLY

MARCH 12, 2025

I  
Don't  
Know

# Whose regulations apply to where I live?

Areas in **Grey** are subject to the Land Use Regulations of the Town of Estes.







## CURRENT ALA STANDARDS BY AREA

MARCH 12, 2025



ALA Standards by Jurisdiction/Area			
	Larimer County	Town of Estes	Unincorporated Estes Valley
Are attached ALAs Allowed?	Yes – Building Permit Req.	Yes – Building Permit Req.	
Are detached ALAs allowed?	Yes – Building Permit Req.	Yes – Building Permit Req.	
Are there size limitations for an ALA?	Yes - Not to exceed the lesser of 75% of the primary dwelling, or <ul style="list-style-type: none"> <li>• 900 sq. ft. for lots up to 15,000 sq. ft.</li> <li>• 1,000 sq. ft. for lots between 15,000 and 100,000 sq. ft.</li> <li>• 1,200 sq. ft. for lots greater than 100,000 sq. ft.</li> </ul>	Yes - Not to exceed 49% of the primary dwelling or 800 sq. ft.	
Are there lot area requirements?	Yes - Only for determining size allowance for ALA	Yes - Must meet zone district minimum lot area	
How many people can occupy an ALA?	No established limit, but can be regulated through building and health regulations	4 or fewer individuals	
Can an ALA be rented?	Yes, but must be for period greater than 30 days	Yes, but must be for period greater than 30 days	
Can an ALA be used as short-term rental?	No	No	



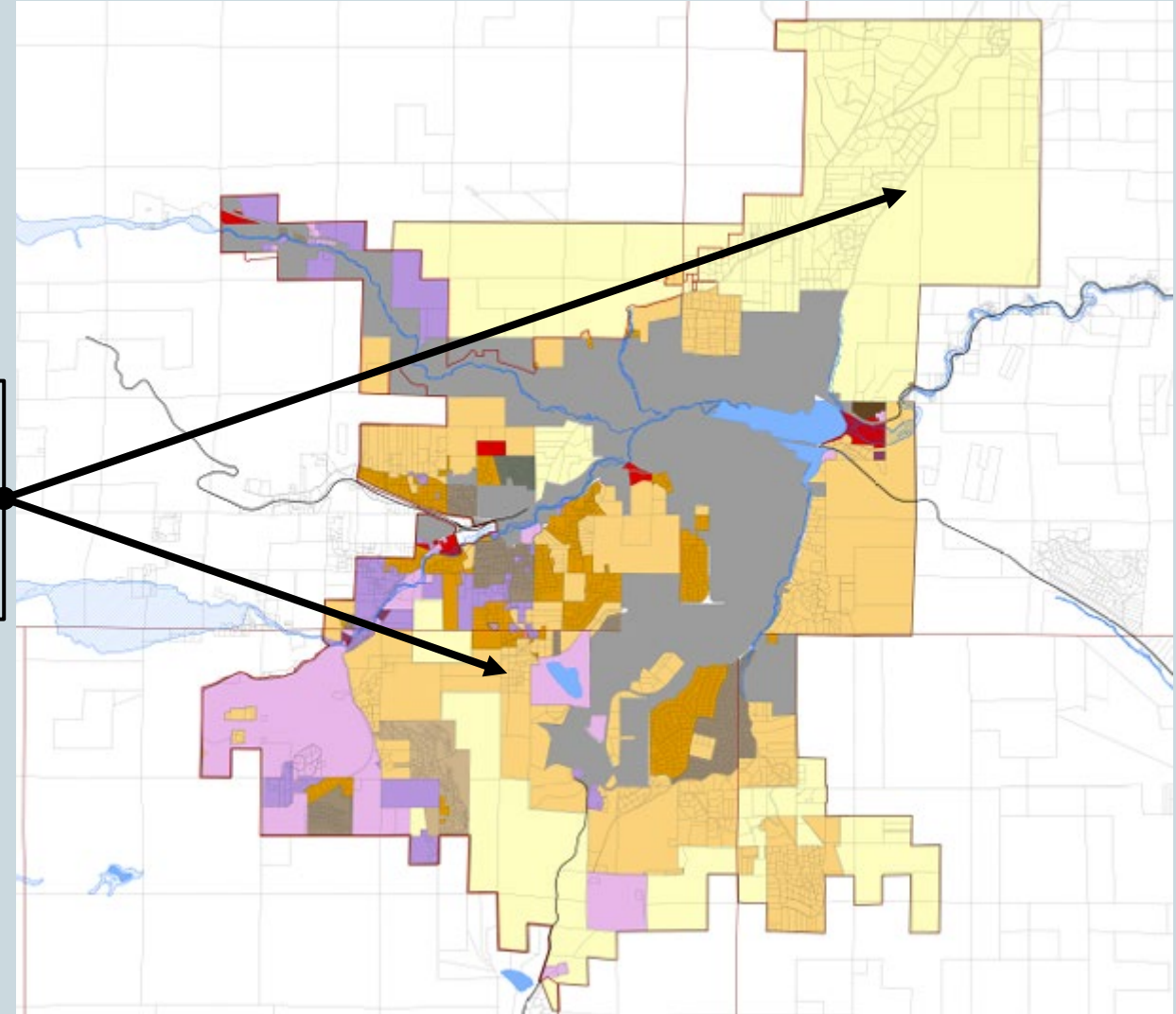
## WHERE AND WHOSE REGULATIONS APPLY

MARCH 12, 2025

I  
Don't  
Know

# Whose regulations apply to where I live?

Areas in **Color** are subject to the Land Use Regulations of Larimer County that are specific to the Estes Valley.





## CURRENT ALA STANDARDS BY AREA

MARCH 12, 2025



ALA Standards by Jurisdiction/Area			
	Larimer County	Town of Estes	Unincorporated Estes Valley
Are attached ALAs Allowed?	Yes – Building Permit Req.	Yes – Building Permit Req.	Yes – Building Permit Req.
Are detached ALAs allowed?	Yes – Building Permit Req.	Yes – Building Permit Req.	No
Are there size limitations for an ALA?	<p>Yes - Not to exceed the lesser of 75% of the primary dwelling, or</p> <ul style="list-style-type: none"> <li>• 900 sq. ft. for lots up to 15,000 sq. ft.</li> <li>• 1,000 sq. ft. for lots between 15,000 and 100,000 sq. ft.</li> <li>• 1,200 sq. ft. for lots greater than 100,000 sq. ft.</li> </ul>	Yes - Not to exceed 49% of the primary dwelling or 800 sq. ft.	Yes - Not to exceed the lesser of 33% of the primary dwelling, or 800 sq. ft. (attached only)
Are there lot area requirements?	Yes - Only for determining size allowance for ALA	Yes - Must meet zone district minimum lot area	Yes - Lot area must be 1.33 time the minimum lot area of the zone district
How many people can occupy an ALA?	No established limit, but can be regulated through building and health regulations	4 or fewer individuals	Combined total or 8 individuals in primary dwelling and ALA.
Can an ALA be rented?	Yes, but must be for period greater than 30 days	Yes, but must be for period greater than 30 days	No
Can an ALA be used as short-term rental?	No	No	No



## CURRENT ALA STANDARDS BY AREA

MARCH 12, 2025



ALA Standards by Jurisdiction/Area			
	Larimer County	Town of Estes	Unincorporated Estes Valley
Are attached ALAs Allowed?	Yes – Building Permit Req.	Yes – Building Permit Req.	Yes – Building Permit Req.
Are detached ALAs allowed?	Yes – Building Permit Req.	Yes – Building Permit Req.	No
Are there size limitations for an ALA?	Yes - Not to exceed the lesser of 75% of the primary dwelling, or <ul style="list-style-type: none"> <li>900 sq. ft. for lots up to 15,000 sq. ft.</li> <li>1,000 sq. ft. for lots between 15,000 and 100,000 sq. ft.</li> <li>1,200 sq. ft. for lots greater than 100,000 sq. ft.</li> </ul>	Yes - Not to exceed 49% of the primary dwelling or 800 sq. ft.	Yes - Not to exceed the lesser of 33% of the primary dwelling, or 800 sq. ft. (attached only)
Are there lot area requirements?	Yes - Only for determining size allowance for ALA	Yes - Must meet zone district minimum lot area	Yes - Lot area must be 1.33 time the minimum lot area of the zone district
How many people can occupy an ALA?	No established limit, but can be regulated through building and health regulations	4 or fewer individuals	Combined total or 8 individuals in primary dwelling and ALA.
Can an ALA be rented?	Yes, but must be for period greater than 30 days	Yes, but must be for period greater than 30 days	No
Can an ALA be used as short-term rental?	No	No	No



## OTHER THINGS TO CONSIDER

MARCH 12, 2025







## Next Steps

On-line Questionnaire  
February 3<sup>rd</sup> through February 23<sup>rd</sup>

Board of County Commissioners/Planning Commission  
Work Session  
March 12, 2025

Post Draft Code Amendments  
March 31, 2025

### **Tentative Dates for Public Hearings on Proposed Amendments**

Estes Valley Planning Advisory Committee Meeting  
April 17, 2025

Larimer County Planning Commission  
May 21, 2025

Larimer County Board of County Commissioners  
June 9, 2025



**Matthew Lafferty, AICP**  
Principal Planner

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W: 970.498.7721  
[mlafferty@larimer.org](mailto:mlafferty@larimer.org)



## ATTACHMENT

### 13.6.2. - Accessory Uses (Including Home Occupations) and Accessory Structures.

#### B. Accessory Uses/Structures Permitted in the Residential Zoning Districts.

##### 1. Table of Permitted Accessory Uses and Structures.

###### a. Listed Accessory Uses/Structures.

Table 13-6 below sets forth what types of accessory uses and structures are permitted in which residential zones. If a specific accessory use or structure is permitted in a residential zoning district, the column underneath the zoning district will be marked with a "Yes." If the accessory use or structure is not permitted in a particular zoning district, the column will be marked with a "No." If there is a reference contained in the column entitled "additional requirements," please refer to the cited section(s) for additional standards that shall apply to the specific accessory use.

###### b. Unlisted Accessory Uses or Structures.

If an accessory use or structure is not listed in Table 13-6 but satisfies all the conditions set forth in §13.6.2.A.4 above, it may be permitted subject to compliance with the general, dimensional, and operational standards set forth in this section.

Table 13-6: Accessory Uses and Structures Permitted in the Residential Zoning Districts							
Accessory Use	EV RE-1	EV RE	EV E-1	EV E	EV R	EV RM	Additional Requirements
<u>Accessory Living Area Accessory dwelling unit</u>	Yes	Yes	Yes	Yes	Yes	No	§13.6.2.B.2.a <u>and §3.4.5.A</u> <u>1-33 times minimum lot area required</u>

##### 2. Additional Requirements for Specific Accessory Uses/Structures Permitted in the Residential Zoning Districts.

###### a. Accessory Living Area ~~Accessory Dwelling Units.~~

###### i. **Where Permitted.**

~~See §3.4.5.A. -Accessory Living Area Accessory dwelling units shall consist of living quarters integrated within the principal single-family detached dwelling on the lot. Mobile homes, recreational vehicles and travel trailers shall not be used as accessory dwelling units.~~

###### ii. ~~Size of Accessory Unit.~~

~~No accessory dwelling unit shall exceed 33 percent of the size of the habitable floor area of the principal dwelling unit or 800 square feet, whichever is less. An accessory dwelling unit may contain private sanitary facilities with hot and cold running water and cooking and food storage facilities.~~

###### iii. ~~Limit on Tenancy.~~

~~Accessory dwelling units shall not be used as rental units.~~

###### iv. ~~Density Calculations.~~



~~Accessory dwelling units shall not count toward any applicable maximum residential density requirement.~~

~~v. — **Limit on Number.**~~

~~There shall not be more than one accessory dwelling unit on a lot in addition to the principal single-family dwelling.~~

~~vi. — **Maximum Occupancy.**~~

~~The combined total number of individuals that reside in the principal and accessory dwelling units shall not exceed the number that is allowed for a single household. See definition of "Household Living" in §13.8, Definitions.~~

~~vii. — **Off-Street Parking.**~~

~~At least one off-street parking space shall be provided for each bedroom located in an accessory dwelling unit.~~

~~viii. — **Home Occupations.**~~

~~Home occupations shall be prohibited on the site of an accessory dwelling unit.~~

~~ix. — **Lot Area.**~~

~~Lot area must be 1.33 times the minimum lot area of the district.~~

~~x. — **Other Regulations.**~~

~~1) — A permitted accessory dwelling unit shall comply with all other applicable site and building design, height, access, and other standards for principal dwelling units in the zoning district in which the accessory dwelling unit will be located.~~

~~2) — In the case of any conflict between the accessory dwelling unit standards of this section and any other requirement of this Code, the standards of this section shall control.~~

### 3.4.5. - Additional Standards for Residential Accessory Uses.

#### A. **Accessory Living Area.**

##### 1. **Occupancy.**

- a. Lodging Facilities, as defined in §20.2.4.C, Lodging Facilities, are prohibited within an accessory living area. The accessory living area shall not be rented for 30 days or less as a short-term rental unit as regulated by §3.3.5.B, Short-Term Rental.
- b. The accessory living area may be occupied by one additional living unit, separate from the principal dwelling unit.

##### 2. **Review Required.**

- a. An accessory living area in a detached building or in a portion of a residence that is attached with no direct access from the primary residence is subject to review and approval through the administrative special review process in §6.4.3.
- b. Building permit applications for accessory living areas are subject to all applicable impact fees, including transportation capital expansion fees.

##### 3. **Number and Size.**

- a. One accessory living area is permitted per lot.
- b. The total square footage of the accessory living area shall comply with the standards in Table 3-15 below.

Table 3-15: Accessory Living Area Maximum Size by Lot Area	
Lot Area (sq. ft.)	Maximum Total Area of Accessory Living Area (lesser of) [1]
Up to 15,000	75 percent of the square footage of the single-family dwelling or 900 square feet
15,000 to 100,000	75 percent of the square footage of the single-family dwelling or 1,000 square feet
Greater than 100,000	75 percent of the square footage of the single-family dwelling or 1,200 square feet
<b>Notes:</b> [1] The total square footage of the single-family dwelling excludes any basement areas, finished or not.	

- c. The Director may approve an accessory living area in an existing structure that exceeds the maximum total area requirement in Table 3-15 if the accessory living area is clearly incidental to the principal dwelling unit and meets one or more of the following criteria:
  - i. The existing structure is recognized as contributing to the historic, rural, or neighborhood character of the area;
  - ii. The interior configuration of the existing structure is arranged in a manner that the space to be used as the accessory living area cannot feasibly be divided in conformance with the size requirements; or
  - iii. There are unusual physical circumstances or conditions in the design of the existing structure that affect the total allowed area.

#### 4. Site Standards.

- a. The single-family character of the property shall be maintained.
- b. One additional off-street parking space shall be provided for the accessory living area.
- c. If the accessory living area is located in a detached building, to the maximum extent practicable it shall be located within 300 feet of the primary residence.
- d. If the accessory living area is attached to the primary residence, the accessory living unit entrance must be located on another façade leaving only one entry visible on the front façade of the primary residence.
- e. Detached accessory living areas should to the maximum extent practicable be sited to avoid hindering scenic view sheds from the principle dwellings on neighboring properties.
- f. Property owners submitting a building permit for a detached accessory dwelling shall utilize the Colorado Conservation Data Explorer (CODEX) mapping service on the Colorado Natural Heritage Program website to determine if there are any riparian or wetland areas near the location where the ALA is proposed to be built. If a riparian or

wetland area is identified on the mapping service, the property owner shall be required to buffer said area in accordance with the standards as set forth in §4.4.2. – Wetlands.