

# TOWN OF WELLINGTON

## SITE PLAN

FOR PERMITTED PRINCIPLE USES OF MULTI-FAMILY, COMMERCIAL  
AND INDUSTRIAL DEVELOPMENT.

WELLINGTON, COLORADO 2008

APPLICATION AND DECISION RECORD FOR

A SITE PLAN

1 Applicant's Name \_\_\_\_\_  
Address \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Email \_\_\_\_\_ Telephone Number \_\_\_\_\_

2 Legal description of the property proposed for the land use change.  
\_\_\_\_\_  
\_\_\_\_\_

3. Zoning District \_\_\_\_\_

4. Traffic Study or Wavier Request

5 Description in writing or graphics of how the proposed structure is consistent with town standards  
\_\_\_\_\_  
\_\_\_\_\_

6 Final Landscape Plan

7 Lighting Plan

8. Provide an exterior elevation drawing of the propose structure(s) showing height and describing the exterior materials [attach drawings as necessary]

9. Provide other information that the applicant believes will assist the Planning Commission in making a fair decision. [attach additional sheets as necessary]

Signature of the Applicant.

\_\_\_\_\_ Date \_\_\_\_\_

TOWN OF WELLINGTON

Form D-5

AGREEMENT

FOR PAYMENT OF REVIEW EXPENSES

THIS AGREEMENT, made and entered into this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between the TOWN OF WELLINGTON, COLORADO, a municipal Corporation, hereinafter referred to as 'the Town,' and \_\_\_\_\_ hereinafter, referred to as 'the Applicant,'

WITNESSETH:

WHEREAS, the Applicant is the owner of certain property situated in the County of Larimer, State of Colorado, and legally described as follows, to-wit:

WHEREAS, the Applicant desires to develop said property and has made application to the Board of Trustees of the Town of Wellington for approval \_\_\_\_\_; and

WHEREAS, the Parties hereto recognize that the land use fees as specified by the Municipal Code of the Town of Wellington may not be adequate to fully cover the Town's expenses in considering the referenced application, including, but not limited to, legal publications, engineering services, attorney fees, consultant fees, reproduction of material and public hearing expenses.

NOW, THEREFORE, in consideration of the premises and of the mutual promises and conditions hereinafter contained, it is hereby agreed as follows:

1. FULL AND SEPARATE ACCOUNTING OF REVIEW EXPENSES.

The Town will maintain separate accounts of all monies expended as a result of the review of the above referenced application. Statements of expenses incurred will be made available to the Applicant monthly throughout the time the application is being reviewed by the Town. Expenses charged to the applicant's account shall include, but shall not be limited to legal publications, engineering services, attorney fees, consultant fees, reproduction of material and public hearing expenses.

2. EXPENDITURE OF FEES PAID BY THE APPLICANT.

The Town shall expend the monies collected from the Applicant in the form of land use fees, in the payment of expenses incurred in the review of the Applicants request, including, but not limited to, fees charged to the Town for legal publications, engineering services, attorney services, consultant services,

reproduction of material and public hearing expenses. Only after all expenses incurred in the review of the Applicant's request have been paid, may these monies be used for other purposes as determined by the Town.

3 PAYMENT OF REVIEW COSTS BY THE APPLICANT.

In the event that the Town incurs expenses for the review of the Applicant's request greater than the monies collected from the Applicant in the form of land use fees, the Applicant shall reimburse the Town for the additional expenses. Said reimbursement shall be made within ten (10) days of the Town submitting an invoice for the expenses. Failure by the Applicant to pay within the specified time shall be cause for the Town to cease processing the application and/or deny approval of the application.

4. APPLICATION TERMINATION.

Except where the law or an agreement with the Town provides otherwise, the Applicant may terminate his application at any time by giving written notice to the Town. The Town shall immediately take all reasonable steps necessary to terminate the accrual of costs to the applicant. e.g. notify newspapers to cancel publications, etc. The Applicant will continue to be liable for all costs reasonably incurred by the Town prior to, and after, submitting a notice of termination.

5 COLLECTION OF FEES AND COSTS.

If the Applicant fails to pay the fees required herein when due, the Town may take those steps necessary and authorized by law to collect the fees due. The Town shall also be entitled to all court and attorney's fees, other costs incurred in collection and interest on the amount due at the rate of 18% per annum.

IN WITNESS WHEREOF, the Town and the Applicant have caused this Agreement to be duly executed on the day and year first above written.

THE APPLICANT

Signature \_\_\_\_\_

TOWN OF WELLINGTON Signature

\_\_\_\_\_

ATTEST:  
Town Clerk

## Site Development Standards

Following are excerpts from Chapter 16 of the Wellington Municipal Code for design criteria applicable to multifamily, commercial or industrial development of an appropriately zoned lot(s) in a developed subdivision for use in developing a site plan submittal.

All requirements for the development of a specific site may not be included here, and the entirety of Chapters 16, 17 and 18 of the Wellington Municipal Code should be reviewed to determine all applicable requirements.

### Sec. 16-3-150. Parking.

The intent of the parking standards is to provide adequate parking for motor vehicles while minimizing the visual impact of parking lots and structures. (Ord. 11-2007 §1)

### Sec. 16-3-160. Parking; general provisions.

(a) Adequate parking. In all zoning districts, off-street parking facilities for the storage of self-propelled motor vehicles for the use of occupants, employees and patrons of the buildings or structures hereafter erected, altered or extended shall be provided and maintained as prescribed.

(b) Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete or similar impervious materials.

(c) Integrate parking lots with surroundings. Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian routes or negatively impact surrounding neighborhoods. The pedestrian character of streets and buildings shall be maximized through continuity of buildings and landscape frontage.

(d) Landscaping. Parking lots shall be landscaped, screened and buffered.

(e) Share access. Where feasible, parking lots shall share access drives with adjacent property with similar land uses.

(f) Off-street parking design. Any off-street parking area, with the exception of driveways accessing a garage of a single-family residential unit, shall be designed so that vehicles may exit without backing onto a public street. Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks, or strike against or damage any wall, vegetation, utility or other structure.

(g) Circulation area design. Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.

(h) Lighting. All parking area lighting shall be full cutoff type fixtures. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to reflect the light away from nearby residential properties and away from the vision of passing motorists. Lighting intensities shall conform to the Town's lighting standards.

(i) Shared off-street parking. When there are opportunities to support parking demand through shared off-street parking for compatible uses (such as a movie theater and an office building), a parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.

G) Cleveland Avenue parking. For all new commercial uses located on Cleveland Avenue bounded by Sixth Street on the east, the alley between Cleveland and Harrison Avenues on the north or a projection of said easements east and west of those points, First Street on the west, and the alley between Cleveland and McKinley Avenues on the south or a projection of said easement east and west of those points, parking shall be required from the east property line to the west property line along the rear setback. The rear setback shall be a minimum of twenty-five (25) feet. (Ord. 11-2007 §1)

**Sec. 16-3-170. Paved off-street parking requirements.**

Paved off-street parking shall be provided according to the minimum requirements as specified below:

<i>Use</i>	<i>Required Parking (must be outside rights-of-way)</i>
1. Single-family detached	2 spaces per unit
2. Townhouse and duplex	1 space per bedroom, up to 2 per unit
3. Multi-family dwellings	1 space per bedroom, up to 2 per unit
4. Accessory dwellings	1 space per bedroom, up to 2 per unit
5. Hotels/motels	1 space per guest room plus 1 space per 500 square feet of common area*
6. Office/business uses	1 space for every 300 square feet of gross floor area*
7. Restaurant	1 space for every 1 00 square feet of gross floor area *
8. Retail	1 space for every 200 square feet of gross floor area*
9. Health club	1 space for every 100 square feet of gross floor area*
10. Schools	1 space per 3.5 seats in assembly rooms plus 1 per faculty member
11. Warehouse	1 space for every 100 square feet of gross floor area*
12 Institutional/Churches	1 space for every 6 seats
13. Industry	1 space each for the maximum number of employees present at any one time

\* Off-street parking for commercial uses shall be sufficient to provide parking for employees of all proposed uses, as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage.

(Ord. 11-2007 §1)

**Sec. 16-3-180. Location of spaces.**

(a) Off-street parking facilities for residential uses shall be provided and located on the same lot as the building they are intended to serve. Except within a garage or in conjunction with an approved affordable housing project, tandem parking is not allowed to meet required off-street parking requirements.

(b) The location of required off-street parking facilities for other than residential uses shall be within seven hundred (700) feet of the building they are intended to serve when measured from the nearest point of the building or structure. (Ord. 11-2007 §1)

**Sec. 16-3-190. Handicap parking spaces.**

(a) Handicap parking spaces shall be required for all office, business, industrial, institutional and multi-family uses.(b)

Handicap parking spaces shall be designated as being for the handicapped with painted symbols and standard identification signs.

(c) Handicap parking spaces shall be located as close as possible to the nearest accessible building entrance.

(d) Number of handicap parking spaces:

<i>Total parking spaces in lot</i>	<i>Minimum required number of handicap parking spaces</i>
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2% of total
1,000 and over	20 plus 1 for every 100 over 1,000

For every eight (8) handicap parking spaces, there must be at least one (1) van-accessible space. If there are less than eight (8) handicap parking spaces, one (1) space must be van-accessible. (Ord. 11-2007 §1)

**Sec. 16-3-200. Handicap parking space dimensions.**

(a) Handicap parking spaces must be eight (8) feet by eighteen (18) feet with a five-foot-wide access aisle.

(b) Van-accessible handicap parking spaces must be eight (8) feet by eighteen (18) feet with an eight-foot-wide access aisle.

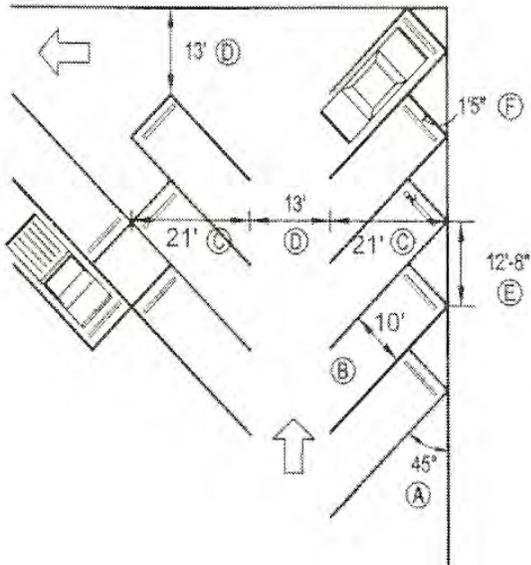
(c) Handicap parking spaces that are parallel to a pedestrian walk which is handicap accessible may have the same dimensions as those for standard vehicles. (Ord. 11-2007 §1)

**Sec. 16-3-210. Parking stall dimensions.**

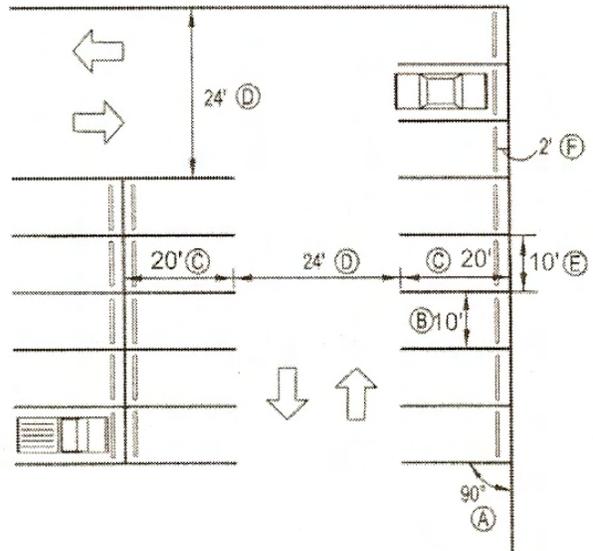
Parking stalls for automobiles shall meet the following standards. All dimensions represent the minimum requirement for any required parking space.

<i>Parking Stall Dimensions</i>					
<i>Parking angle (A)</i>	<i>Stall width (B)</i>	<i>Stall to curb (C)</i>	<i>Aisle width (D)</i>	<i>Curb length (E)</i>	<i>Overhang (F)</i>
45°	10 ft.	21 ft.	13 ft.	14'4"	1'5"
60°	10 ft.	21 ft.	13 ft.	11'6"	1'8"
90°	10 ft.	20 ft.	24 ft.	10 ft.	2 ft.
0° (parallel)	9 ft.	9 ft.	20 ft.	24 ft.	0 ft.

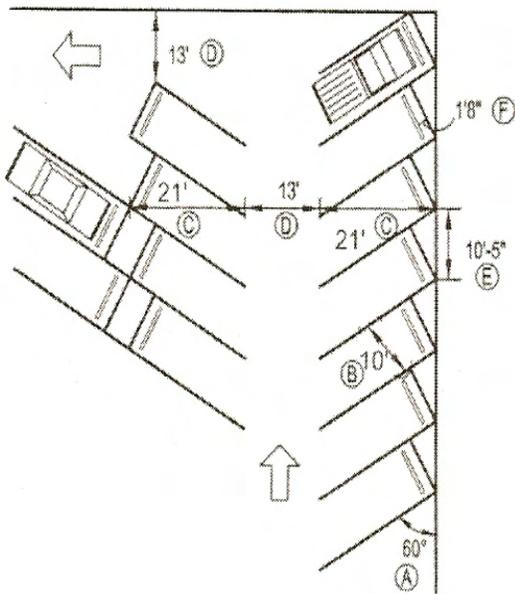
45° PARKING ANGLE



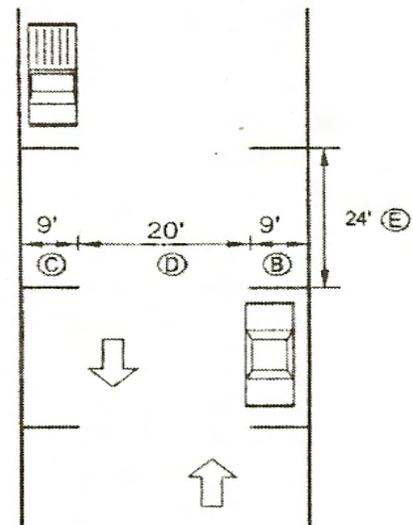
90° PARKING ANGLE



60° PARKING ANGLE



0°/PARALLEL PARKING ANGLE



RESIDENTIAL LOCAL STREET

(Ord. 11-2007 §1)

Sec. 16-3-220. Bicycle parking spaces.

Commercial, industrial, civic, employment, multi-family and recreational uses shall provide bicycle facilities as follows:

(1) A minimum number of bicycle parking spaces shall be provided, equal in number to two percent (2%) of the total number of automobile parking spaces provided by the development, but not less than one (1) space.

(2) For convenience and security, bicycle parking facilities shall be located near building entrances.

(3) Within the Downtown Zone, however, a grouping of spaces may be utilized as directed by the Town. (Ord. 11-2007 §1)

Sec. 16-3-330. Landscape design.

The intent of the landscape design criteria is to preserve the Town's special character and integrate and enhance new development by promoting quality landscape design that:

- (1) Reinforces the identity of the community and each neighborhood;
- (2) Subject to water conservation practices, provides tree-lined streets in urban areas;
- (3) Anchors new buildings in the landscape;
- (4) Subject to water conservation practices, provides tree canopies within paved areas; and
- (5) Is environmentally sensitive by preserving existing trees, using water conservation techniques, planting native species (when appropriate) and enhances valuable habitat. (Ord. 11-2007 §1)

**Sec. 16-3-340. Landscaping; general provisions.**

All land development applications shall be accompanied by an appropriate landscape plan. Building permit applications for individual single-family residences will not require landscape plans. However, all landscaping within the community shall comply with the intent of these regulations.

(2) Site landscape design. Landscape improvements shall be an integral part of the overall site design for each property. Landscape improvements shall be designed to complement and enhance the character of neighborhoods and shall follow these guidelines:

a. Landscaped areas shall be configured to maximize their interconnectivity within the site, to natural areas and to landscaped areas in adjacent developments. Small, isolated islands of landscaping should be avoided except as required in parking lots and for screening along roadways.

b. Landscape improvements in all developments shall be consistent with the character of the proposed development and the surrounding area to reinforce neighborhood identity.

c. Landscape design shall enhance natural features, drainage ways and environmental resources.

d. All landscape improvements shall be designed for mature landscapes and shall provide appropriate visibility for cars and pedestrians.

e. The elements of gateway, path and destination shall be incorporated into the design of landscapes. *Gateways* are entries that provide transitions from one (1) space to another. *Pathways* are routes that lead to a destination. *Destinations* are focal points that can include anything from a garden bench at the end of a path to a civic building at the end of a street.

f. Landscaping shall be no more than thirty (30) inches high when located in a sight distance triangle.

(3) Environmental considerations.

a. Landscapes shall use the following xeriscape design principles to facilitate water conservation:

1. Well-planned planting schemes;
2. Appropriate turf selection to minimize the use of bluegrass;
3. Use of mulch to maintain soil moisture and reduce evaporation;
4. Zoning of plant materials according to their microclimatic needs and water requirements;
5. Improving the soil with organic matter, if needed;
6. Efficient irrigation systems; and
7. Proper maintenance and irrigation schedules.

b. All landscapes shall strive to maximize the use of native species. Where native material is not appropriate for the intended use or appearance, plant species that are regionally adapted and noninvasive should be emphasized.

c. Landscapes shall consist of a variety of species to enhance biodiversity. No one (1) species may make up more than twenty-five percent (25%) of the total nongrass plant materials on one (1) site.

d. Buildings and parking areas shall be located to preserve and promote the health of existing trees, environmental resources and natural drainage ways. No healthy tree shall be removed without good cause. This requirement is not intended to prevent the removal of unhealthy trees in conjunction with site development.

e. Trees shall be located to provide summer shade and limit winter shade on walks and streets.

f. All areas disturbed by construction shall be reseeded to prevent erosion. Native, noninvasive grasses shall be used for revegetation where practical. Weed control is the responsibility of the landowner on all reseeded areas.

(4) New buildings and paved areas. Development shall be designed so as to anchor structures in the landscape through the use of trees, shrubs and ground cover. The size and intensity of plantings shall be appropriate to the size and context of the improvements. Development shall be designed so as to:

a. Integrate adjacent land uses of different intensities through a combination of berming, plantings and fencing. Use opaque screening only when necessary to mitigate the impact of noise, light, unattractive aesthetics and traffic. A fence shall not be the only screening material used.

b. Use landscaping to provide a transition from developed, managed landscape to more natural vegetation.

c. Provide a tree canopy by installing shade trees within and adjacent to paved areas.

(5) Plant materials.

a. Subject to water conservation practices approved by the Board of Trustees, minimum planting sizes on all required landscaping shall be two-inch caliper deciduous trees, one-and-one-half-inch caliper ornamental trees, six-foot-tall evergreen trees and five-gallon shrubs.

b. Required plant materials shall be grown in a recognized nursery in accordance with proper horticultural practice. Plants shall be healthy, well-branched, vigorous stock with a growth habit normal to the species and variety and free of diseases, insects and injuries.

c. All plants shall conform to standards for measurements, grading, branching, quality, ball and burlapping as stated in the American Standard for Nursery Stock, 1990 Edition, American Association of Nurserymen, Inc. (AAN-ASNS) and the Colorado Nursery Act of 1965 (CNA).

(6) Irrigation. All required landscaping shall be irrigated as required for plant establishment and maintenance. Irrigation shall be appropriate to the type and scope of the improvements.

a. Use of nontreated water for irrigation is encouraged if a permanent, suitable supply is available.

b. Required landscaping in urban developments shall be irrigated with a permanent irrigation system.

c. Temporary irrigation may be used to establish native grasses and vegetation.

(7) Guarantee of installation. Required landscape improvements shall be installed prior to issuance of a certificate of occupancy (CO) for all structures. If weather conditions prevent installation, the developer shall post a financial guarantee for the improvements. This guarantee shall be released upon completion of the installation of the landscaping.

(8) Maintenance. In order to provide for the ongoing health and appearance of landscape improvements, all landscaping shall be maintained and replaced by the landowner or occupant as necessary. All property owners or occupants shall be responsible for maintenance of landscaping within the portion of the public right-of-way between the back of the curb or street pavement and the adjacent property, unless the Town has specifically agreed in a development agreement to take over maintenance. (Ord. 11-2007 §1)

(e) Business/commercial and industrial development landscaping standards.

(1) Landscape improvements shall be designed to enhance the overall appearance of the development and integrate the project with adjacent land uses and into the surrounding neighborhood. All improvements shall consider the people who will use the site, travel through or by the site and adjacent land uses. With the exception of properties within the Downtown (D) Zone, a minimum of twenty percent (20%) of the site (gross) shall be landscaped area, outside of street rights-of-way, building footprints or hard surfaced or landscaped areas used as parking lots and driveways.

(2) Development of commercial or industrial properties shall:

a. Site trees. Subject to water conservation practices, provide a minimum of one (1) tree per one thousand (1,000) square feet of landscaped area, distributed on the site.

b. Shrubs. Provide a minimum of one (1) shrub per one hundred fifty (150) square feet of landscaped area. Group shrubs and distribute throughout the site. With approval from the Board of Trustees, trees may be substituted for up to one-half (1/2) of the required shrubs at the rate of one (1) tree for ten (10) shrubs.

c. Sod. Establish irrigated grass turf maintained to appropriate standards for active recreation in areas that will function for active recreation. Where appropriate, use native

grass for areas that will not function as active recreation areas. Native grass must be weed-free and maintained at a maximum height of eight (8) inches. There shall be a minimum of seventy-five percent (75%) live materials between the building and the street unless approved by the Board of Trustees.

d. Landscape setback to parking lots. Establish a setback thirty (30) feet from arterials or twenty-five (25) feet from other streets. The purpose of the setback is to provide a buffer between street parking areas. This setback may be reduced to fifteen (15) feet if used in combination with a three-foot to four-foot masonry or stone decorative wall. Signage may be included in this setback.

e. Screen loading areas. Create screened loading areas (including areas for vehicles being loaded) and service and storage areas which, using acceptable materials, screen areas visible from the public right-of-way or adjacent property with an opaque screen that is an integral part of the building architecture or by landscaping. Chain link fencing with slats, tires or used building materials are not acceptable screening materials.

f. Compatibility. Integrate activities on the subject property with adjacent land uses by utilizing a combination of landscaping, building orientation and appropriate architectural elements.

(3) The building owner or occupant shall maintain the yard and landscaping within the adjacent road right-of-way.

(f) Parking lot landscaping standards. Parking lot landscaping is intended to break up large expanses of pavement, create shade, buffer views of parking lots from adjacent streets and development and enhance the overall appearance of each project.

(1) Applicability. All parking lots with ten (10) spaces or more shall be subject to the following requirements.

(2) The developer or assignees shall provide:

a. Site trees. Subject to water conservation practices, a minimum of one (1) tree per twenty (20) parking spaces. Trees shall be grouped together in islands which are a minimum of ten (10) feet wide. Landscaping shall be used to break up large expanses of pavement and to create a canopy for summer shade.

b. Shrubs. A minimum of one (1) shrub per one hundred fifty (150) square feet of landscaped area, with group plantings in landscape islands.

c. Ground cover. Limited areas of irrigated sod. Grass is discouraged in areas less than ten (10) feet wide and grass buffers (native grass where possible) around the lot perimeter to filter runoff and improve water quality is encouraged.

d. Parking setback. Landscape setbacks for parking areas thirty (30) feet from arterials or twenty-five (25) feet from other streets. The purpose of the setback is to provide a buffer between the street and parking areas and to screen the parking from the street. This setback may be reduced to fifteen (15) feet if used in combination with a three-foot to four-foot articulated masonry or stone decorative wall with trees and shrubs on both the street

and parking lot sides of the wall to soften its appearance. Signage may be included in this setback.

e. Provide a mechanism for long-term maintenance of landscaping. All landscaping within and adjacent to parking lots shall be owned and maintained by the landowner or occupant.

(g) Landscape covenant. The Town may require that an owner requesting development approvals shall provide a mechanism for ensuring that landscape improvements will be maintained in order to ensure the continued upkeep of the property. (Ord. 11-2007 §1)

**Sec. 16-3-360. Storm drainage facilities.**

(a) Intent. Stormwater facilities shall be installed to serve a development to promote innovative and effective land and water management techniques that protect and enhance water quality.

(b) Storm drainage; general provisions.

(I) Storm drainage improvements shall be constructed to serve development and landscaping associated with storm drainage facilities shall be integrated into the overall design of the project.

(2) Landscaping installed to address storm drainage shall enhance the overall appearance of the project, prevent erosion and improve water quality of stormwater runoff whenever possible.

(3) Storm drainage facilities may function as open space for active recreation, trail corridors or habitat enhancement areas if they are designed appropriately and approved by the Board of Trustees.

(4) The use of planting strips and shallow, landscaped depressions in parking lots and along roads is encouraged to help trap and remove pollutants from stormwater runoff.

(c) Applicability. All storm drainage facilities shall be appropriately landscaped.

(d) Minimum requirements. Minimum storm drainage improvements shall be constructed such that:

(1) All facilities shall be seeded to grass appropriate to the function of the area. Areas to be used for active recreation shall be seeded to a turf-type grass and irrigated with a permanent irrigation system. Areas to be maintained for habitat enhancement shall be seeded to native grasses and wildflowers. Development shall establish complete, weed-free grass areas. Trail corridors may be seeded to native grasses if appropriately integrated with adjacent improvements.

(2) The maximum side slope of drainage facilities shall be no more than 4:1 and the minimum slope at the bottom of a drainage facility shall be no more than one-half percent (0.5%).

(3) Landscape improvements shall be designed to enhance the function of the facility. Subject to water conservation policies, areas designed for recreation shall include clusters of trees to provide shade, located so they do not impair the function of the facility.

(4) Habitat and water quality enhancement, including wetland plantings in low wet areas, is encouraged.

(e) Ownership and maintenance. Easements for drainage facilities shall be dedicated to the Town but not accepted for maintenance and shall be maintained by the landowner or occupant unless otherwise approved by the Board of Trustees. (Ord. 11-2007 §1)

**Sec. 16-3-370. Submittal standards for landscape plans.**

All land development applications will be accompanied by a landscape plan. (Ord. 11-2007 §1)

**Sec. 16-3-380. Prohibited plant materials list.**

The following trees are prohibited in the Town:

- (1) Russian olive (an invasive species that threatens native trees in riparian ecosystems).
- (2) Lombardy poplar (susceptible to canker-forming fungi for which there are no available controls).
- (3) Siberian elm (can dominate native vegetation, especially in disturbed areas; is weak-wooded and subject to continuous dieback when large; can be devastated by the elm leaf beetle).
- (4) Boxelder maple (primary host plant of the boxelder bug).
- (5) Cotton-bearing cottonwood. The Board of Trustees will consider cotton-bearing cottonwood areas on a case-by-case basis for restoration projects along riparian corridors. (Often considered a public nuisance.) (Ord. 11-2007 §1)

**Sec. 16-3-390. Buffering and screening techniques.**

Properties shall be buffered and screened from adjoining areas with the goal of integrating adjacent land uses and providing seamless transitions from one (1) use to another through the use of building orientation and access, landscaping and appropriate architectural elements. (Ord. 11-2007 §1)

**Sec. 16-3-400. Buffering; general provisions.**

(a) Buffering shall be provided between uses and by new users, with special consideration given to adjacent land uses of different intensities. Uses shall be required to ensure that the transition from one (1) use to another is attractive, functional and minimizes conflicts between the current and planned uses.

(b) Uses shall be required to demonstrate compatibility. This can be accomplished through the effective use of shared access and parking, appropriate building orientation and setbacks,

landscaping, architectural treatment and limited use of fencing and screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting and traffic.

(c) Under no circumstances shall a fence be the only screening material used as a buffer between land uses. (Ord. 11-2007 §1)

**Sec. 16-3-410. Location and screening of required loading and service areas.**

(a) Loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations.

(b) Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from the public rights-of-way. Screening and landscaping shall also prevent spill-over glare, noise or exhaust fumes. Screening and buffering shall be achieved through walls, architectural features and landscaping; and shall be visually impervious. Building recesses or depressed access ramps may be used. (Ord. 11-2007 § 1)

**Sec. 16-3-420. Dumpsters.**

(a) Every development that is required to provide one (1) or more Dumpsters for solid waste collection shall provide sites for such Dumpsters that are:

(1) Located to facilitate collection and minimize negative impacts, including to site occupants, neighboring properties and public rights-of-way; and

(2) Constructed to allow for collection without damage to the development site or the collection vehicle.

(b) All such Dumpsters shall be screened to prevent them from being visible to:

(1) Persons located within any dwelling unit on residential property other than that where the Dumpster is located;

(2) Occupants, customers or other invitees located within any building on nonresidential property other than that where the Dumpster is located; and

(3) Persons traveling on any public street, sidewalk or other public way. (Ord. 11-2007 §1)

**Sec. 16-3-430. Fences and walls.**

The intent is to ensure that walls and fences are attractive and in character with the neighborhood. Recognizing that fences are used to create privacy, the Town encourages privacy fences be located close to residences or other primary buildings on a property and not along side and rear property lines. (Ord. 11-2007 §1)

**Sec. 16-3-440. Fences and walls; general provisions.**

(a) Compatibility. Walls and fences shall be architecturally compatible with the style, materials and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements, such as brick or stone columns, varying the alignment or setback of the fence, softening the appearance

of fence lines with plantings or through similar techniques. A fence or wall may not consist of a solid, unbroken expanse for more than fifty (50) feet.

(b) Materials.

(1) Stone walls, or brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron fences, stucco walls and stone piers are encouraged. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for landscaping or architectural purposes. Hedges may be used in the same manner and for the same purposes as a fence or wall.

(2) Fences used in front yards (being the yard area that the primary or front entrance of the primary building on the property is oriented towards) shall be at least fifty percent (50%) open. Allowable fences within front yards are split rail, wrought iron, picket or other standard residential fences of similar material or nature approved by the Building Inspector.

(3) Other materials may be incorporated in fences and walls as may be approved by the Board of Trustees.

(c) Prohibited materials. Fencing, including concertina or razor wire, are prohibited unless specifically allowed by the Board of Trustees. Barbed wire or electrically charged fences are only allowed in the Agricultural (A) or Rural Residential (RR) Districts. Electrically charged fences shall have signage at least every twenty-five (25) feet identifying such fencing as being electrically charged. Chain link fencing with or without slats shall not be used as a fencing material for screening purposes.

(d) Retaining walls. Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property.

(e) Height limitations. Fences or walls shall be:

(1) ) No more than forty-two (42) inches high between the front building line and the front property line. Such walls shall not be solid except for retaining walls. For corner lots, front yard fence regulations shall apply to both street sides of the lot.

(2) No more than forty-two (42) inches high if located on a side yard line in the front yard, except if approved by the Board of Trustees and required for unique security purposes. Such fences and walls shall not be solid, except for retaining walls.

(3) No more than thirty (30) inches high when located within the site distance triangle, and fences or walls within this site distance triangle shall not be solid. In the Industrial (I) Zone District, chain link fence is permitted so long as the height of the fence is not higher than six (6) feet, the fence is not used for screening and the fencing does not obstruct visibility at any intersection.

(4) No more than six (6) feet high for an opaque privacy fence located on a rear property line or on a side yard line in the rear yard.

(5) Fences around a recreation court (e.g., tennis, squash racket, squash tennis or badminton) or around a publicly owned recreation area may exceed six (6) feet in height if the fence is at least fifty percent (50%) open.

(f) Maintenance. Dilapidated, unsightly or dangerous fences shall be removed or repaired when removal is ordered by the Code Enforcement Officer. Hedges shall be maintained in a healthy condition, trimmed and pruned as appropriate for the plant type. Dead plant material in hedges shall be removed or

replaced as appropriate when so ordered by the Code Enforcement Officer. Hedges shall not encroach upon sidewalks or street rights-of-way. (Ord. 11-2007 §1)

Sec. 16--3-450. Site lighting.

All site lighting for industrial and commercial uses shall conform to the following standards and minimum and maximum lighting levels for outdoor facilities used at night:

(1) Lighting levels.

Area	Minimum Foot candles	Maximum Foot candles
Parking areas/pedestrian walkways		10
Loading docks	5	20
Under-canopy fueling area	20	
Offsite (20ft. beyond property line on residential area or public right-of-way)		0.1 (as a direct result of on-site lighting)

(2) Site plan. A lighting plan indicating location and type of all outdoor light sources and indicating lighting levels achieved at all points on the site shall be submitted with the application for any land use change requiring review by the Planning Commission. For projects not requiring Planning Commission review, the lighting plan shall be submitted at the time of building permit application.

(3) Design standards. The lighting plan shall meet the following design standards:

- a. Site lighting that may be confused with warning, emergency or traffic signals is prohibited.
- b. Light sources shall be concealed and fully shielded and shall feature sharp cut-off capability minimizing up-light, spill-light, glare and diffusion. Under-canopy fueling areas shall feature flush-mount, flat lens light fixtures. (Ord 11-2007 §1)

**Sec. 16--3-460. Commercial and Industrial architecture.**

(a) Elevation and site plans. A Site Plan application as required by Chapter 17. Article 5. of this Code, including front, back and side dimensioned elevation drawings shall be submitted with any application for a land use change requiring review by the Planning Commission. For projects not requiring Planning Commission review, a site plan and elevations shall be submitted at the time of filing any building permit application. The site plan shall show the size and location of any existing or proposed buildings, the location of the lot in relation to abutting streets and other details such as parking areas, access points, landscaped areas., building areas, setbacks from lot lines, building heights, floor areas, densities, utility locations and easements. Elevations shall indicate materials to be installed on all building surfaces. (Ord. 2-2013§1)

(b) Building form. The design of all buildings shall employ textured surfaces, projections, recesses, shadow lines, colors, window patterns, overhangs, reveals, changes in parapet heights and similar architectural features to avoid monolithic shapes and surfaces and to emphasize building entries. Designs shall not contain unbroken flat walls of greater than fifty (50) feet in length. Buildings having single walls exceeding fifty (50) feet in length shall incorporate one (1) or more of the following at a minimum of every fifty (50) feet:

- (1) Changes in color, graphical patterning, texture or material;
- (2) Projections, recesses and reveals;
- (3) Windows and fenestration;
- (4) Arcades and pergolas;
- (5) Towers;
- (6) Gable projections;
- (7) Horizontal/vertical breaks; or
- (8) Other similar techniques.

(c) Facade treatment. The architectural treatment of the front facade shall be continued, in its major features, around all visibly exposed sides of a building.

(d) Screening. All air-conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes and other telecommunications receiving devices shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements and landscaping. In addition, all trash facilities, loading and parking areas shall be properly screened.

(e) Architectural details. All materials, colors and architectural details used on the exterior of a building shall be compatible with the building's style and with other nearby buildings.

(f) New buildings and exterior modifications of existing buildings on Cleveland Avenue within the C-2 Downtown Commercial District shall comply with the Cleveland Avenue Architectural Guidelines contained in Appendix A to the ordinance codified herein, a copy of which is on file at the Town Clerk's office. (Ord. 11-2007 §1)

(12) Step 12: Record minor subdivision plat. One (1) original Mylar of the minor subdivision plat shall be recorded by the Town Administrator/Clerk in the office of the Larimer County Clerk and Recorder. The recording fee shall be paid by the developer. (Ord. 11-2007 §1)

**Sec. 17-4-30. Review criteria.**

The Town shall use the following criteria to evaluate an applicant’s request for a minor subdivision: the minor subdivision plat is in compliance with the Land Use Code and the Comprehensive Plan. (Ord. 11-2007 §1)

**ARTICLE 5**

**Site Plan**

**Sec. 17-5-10. Purpose.**

The site plan shall be submitted in order to apply for a building permit for all permitted principle uses of multi-family, commercial and industrial developments. The site plan shows how the lot will be developed so that the Town can make sure that the site design will be in compliance with all Town regulations. When a development requires approval as a conditional use, the site plan approval process shall be processed concurrently with the conditional use application. (Ord. 11-2007 §1)

**Sec. 17-5-20. Process.**

- (a) Step 1: Submit site plan application.
  - (1) Land use application form.
  - (2) Traffic study or waiver request. In accordance with the Standard Design Criteria and Standard Construction Requirements.

(3) Application fee and fee agreement.

(4) Site plan map. The site plan map shall be a minimum of eighteen (18) inches by twenty-four (24) inches and shall provide the following information:

- a. Title of project.
- b. North arrow, scale (no greater than 1"=50') and date of preparation.
- c. Vicinity map.
- d. Address of project.
- e. Legal description of property.
- f. Name, address and phone number of property owner.
- g. Name, address and phone number of person or firm responsible for plan.
- h. Lot size (square footage).
- i. Bearings and distances of all lot lines.
- j. Existing and proposed easements and rights-of-way.
- k. Existing and proposed paved areas and sidewalks on the site and in the adjacent rights-of-way, all dimensioned, showing how pedestrians will have access to the site and buildings.
  - l. Gathering areas for people.
  - m. Existing and proposed curb cuts on the site and in the adjacent rights-of-way (on both sides of perimeter streets), all dimensioned.
  - n. Existing and proposed two-foot contours.

- o. Existing waterways on or adjacent to the site.
- p. Finished floor elevations for all structures.
- q. Footprint (including roof overhangs and eaves, decks, balconies, outside stairs and landings) of all proposed structures and their use with their dimensions and locations noted with respect to the property lines.
- r. Existing structures and their use.
- s. Square footage of the proposed buildings and the footprint of the proposed buildings.
- t. Proposed structure height.
- u. For commercial and industrial uses, the type of activity and number of employees.
- v. For multi-family residential, the number of residential units and bedrooms per unit.
- w. Location of proposed signs and lights.
- x. Specifications for the signs and lights, including type, height and general conformance to the Code. For commercial and industrial uses, a photometric plan prepared by a qualified electrical or lighting engineer shall be submitted that depicts all lighting fixtures and the light spread (in foot-candles) of these fixtures across the site to all property boundaries.
- y. Proposed traffic controls and striping for parking areas (all lanes, driveways and parking spaces must be dimensioned).
- z. Trash disposal areas and enclosures including specifications for enclosures.
  - aa. Location and size of existing and proposed water and sewer service connections and tap sizes (including those for irrigation systems).
  - ab. Location and size of water and sewer lines to which the service connections will be or are made.
  - ac. Location and size of water meters.
  - ad. Location and size of backflow-prevention devices.
  - ae. Indication of how and where perimeter drain will drain (if one exists).
  - af. Location of existing electrical lines and poles on or adjacent to the site.
  - ag. Location of proposed electrical service connection and meter location.
  - ah. Location of electric transformer.
  - ai. Location of all fire hydrants. If none exist on site, note distance and direction of the closest hydrant adjacent to the site within five hundred (500) feet.
  - aj. Location of detention/retention areas and storm sewer infrastructure with the required drainage easements.
  - ak. The distance from the proposed buildings or structures to adjacent lot lines, easements and adjacent structures.
  - al. A land use chart (table).
  - am. Certificate blocks for signatures of owner, surveyor, utility providers and Town approval, as applicable.

(5) Community Design Principles And Development Standards description. Demonstrate in written or graphic form how the proposed structure is consistent with the Design and Development Standards found in Article 3 of this Chapter 16 of this Code.

(6) Final landscape plan.

(7) Exterior elevations of proposed structures/graphic visual aids. Provide complete building elevations, drawn to scale, with illustrations of all colors and identifying major materials to be used in the structures. In addition, Town staff may require building floor plans, sectional drawings, perspective drawings, models and/or computer visualizations when the impacts of a proposal warrant such information.

(b) Step 2: Application certification of completion. Within a reasonable period to time, Town staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. The applicant shall then correct any deficiencies in the application package, if necessary, and submit the required number of copies of the application to the Town Administrator/Clerk. The original application and all documents requiring a signature shall be signed in blue ink.

(c) Step 3: Staff reviews application and prepares comments. Staff will review the site plan map to ensure it is consistent with the site plan review criteria. Staff may consider comments received during the referral period in its review of the site plan. Following the review, staff will prepare a written report outlining any changes that the applicant must make before the site plan can be approved. This report will be forwarded to the applicant.

(d) Step 4: Applicant addresses staff comments. The applicant makes all necessary changes to the site plan and resubmits a revised copy to the Town.

(e) Step 5: Memorandum of Agreement for Public Improvements. Staff may require that the applicant execute a MOAPI to assure the construction of on-site and off-site improvements as a condition of approval of the site plan. Guarantees in the site plan agreement shall be secured by an irrevocable letter of credit in an amount determined appropriate by Town staff.

(f) Step 6: Planning Commission review and action. The site plan shall be presented to the Planning Commission for its review and action at the Planning Commission's next available regularly scheduled meeting. The Planning Commission may approve, conditionally approve or deny the site plan based on the site plan review criteria. Any action taken by the Planning Commission shall become final unless appealed. If the site plan is denied, the request or one that is substantially the same may not be heard by the Planning Commission for a period of one (1) year from the date of denial unless otherwise approved by the Board of Trustees. Any aggrieved party, who wishes to appeal the action shall file a written appeal stating the reasons why the Planning Commission action is incorrect. The applicant shall file the appeal with the Town Administrator/Clerk within seven (7) days of the meeting at which such action was taken.

(g) Step 7: Board of Trustees consideration of appeals. The Board of Trustees shall consider any appeal within forty-five (45) days of the close of the appeal period, except an appeal associated with a concurrent development application requiring Board of Trustees review or approval, which the Board of Trustees shall consider with final action on the concurrent development application. The Board of Trustees shall apply the site plan review criteria to either uphold, modify or reverse the Planning Commission's decision.

(h) Step 8: Submit and record site plan. Upon approval by the Planning Commission or by the Board of Trustees, the applicant shall

have thirty (30) days to submit two (2) original Mylar drawings of the approved site plan to the Town Administrator/Clerk for recording, accompanied by the recording fees and all other costs billed by the Town relative to the site plan. Inaccurate, incomplete or poorly drawn plans shall be rejected. Within thirty (30) days of receipt of the site plan, the Town Administrator/Clerk shall submit the approved site plan to the Larimer County Clerk and Recorder's Office for recording.

(i) Step 9: Post-approval actions.

(1) Building permit. A building permit shall be issued only when a site plan has been approved. However, with the approval of the Town Administrator/Clerk, an applicant may submit a building permit application concurrent with the site plan application. Building permits shall not be issued for any development that is not in conformance with the approved site plan.

(2) Certificate of Occupancy. When building construction and site development are completed in accordance with the approved site plan and building permits, a Certificate of Occupancy may be issued.

(3) Phasing and expiration of approval. The site plan shall be effective for a period of three (3) years from the date of approval, unless stated otherwise in the written site plan approval. Building permits shall not be issued based on site plans that have an approval date more than three (3) years old. For multi-phased plans, building permits shall not be issued based on an approval date more than three (3) years from the date of Phase I approval. (Ord. 11-2007 §1)

**Sec. 17-5-30. Review criteria.**

The site plan must meet the following review criteria:

(1) All of the information required on a site plan is shown.

(2) The lot size and lot dimensions are consistent with what is shown on the approved final plat.

(3) No buildings or structures infringe on any easements.

(4) The proposed site grading is consistent with the requirements of \_\_\_\_\_ (insert reference to any applicable adopted storm drainage criteria or master drainage plans).

(5) The density and dimensions shown conform with Article 5 of Chapter 16 of this Code, Density and Dimensional Standards, or the approved PUD requirements.

(6) The applicable Design and Development Standards have been adequately addressed and the proposed improvements conform with Article 3 of Chapter 16 of this Code. (Ord. 11-2007 §1)

**Sec. 17-5-40. Amendments to approved site plans.**

(a) Minor variations in the location of structures, improvements or open space areas caused by engineering or other unforeseen difficulties may be reviewed and approved by the Town staff. Such changes shall not exceed ten percent (10%) of any measurable standard or modify the use, character or density of an approved site plan. All plans so modified shall be revised to show the authorized changes and shall become a part of the permanent records of the Town.

(b) Changes to approved site plans that exceed the ten-percent threshold, or other major modifications (such as changes in building size or footprint, relocation of access points, changes to required parking, etc.), shall be considered as a new site plan application. Such amendments

shall require Planning Commission review and approval to become effective. A complete site plan application shall be prepared and submitted in compliance with the requirements set forth in this Section. (Ord. 11-2007 §1)

**ARTICLE 6**

**Plot Plan**

**Sec. 17-6-10. Purpose.**

The plot plan shall be submitted in order to apply for a building permit for any building or structure constructed on a single-family home or duplex lot. The plot plan shows where the proposed building or structure will be located on the lot so that the Town can make sure that the proposed location will be in compliance with all Town regulations. (Ord. 11-2007 §1)

**Sec. 17-6-20. Process.**

(a) Step 1: Submit plot plan application package.

(1) Building permit application.

(2) Plot plan map. The plot plan map shall be a minimum of eight and one-half (8½) inches by eleven (11) inches and shall provide the following information:

- a. Title of project.
- b. North arrow, scale (1"=20' or as approved by the Town) and date of preparation.
- c. Name, address and phone number of property owner.
- d. Lot number, block number and name of subdivision.

- e. Lot size (square footage).
- f. Bearings and distances of all lot lines.
- g. Existing easements on the lot.
- h. Footprint of the proposed building or structure, dimensioned.
- i. Square footage of the proposed building and the footprint of the proposed building.
- j. Distance from the proposed building or structure to all lot lines.
- k. All existing buildings or structures on the lot.
- l. Driveway.
- m. Existing and/or proposed water and sewer service lines on the lot.
- n. Elevations of:
  - 1. The finished floor for the house and garage.
  - 2. The ground ten (10) feet away from the house and garage.
  - 3. The lot corners.
- o. Height of all proposed buildings.
- p. Street trees (right-of-way landscaping).

(3) Drainage information. Provide the Town with information regarding how the lot will drain, if requested by the Town Administrator/Clerk. Submit a copy of the subdivision master drainage plan for the area of the lot, if available.

(b) Step 2: Staff reviews plot plan. Staff will review the plot plan map and if it is consistent with the plot plan review criteria, will submit the building permit application for plan review. (Ord. 11-2007 §1)

**Sec. 17-6-30. Review criteria.**

The plot plan must meet the following review criteria:

(1) All of the information needed on a plot plan is shown.

(2) The lot size and lot dimensions are consistent with what is shown on the approved final plat.

(3) No buildings or structures infringe on any easements.

(4) The proposed site grading is consistent with the subdivision grading and drainage plan, if applicable; otherwise, it shall meet the Town's approval.

(5) The density and dimensions shown conform with the Density and Dimensional Standards (Article 5 of Chapter 16 of this Code) or the approved PUD requirements.

(6) The applicable Design and Development Standards have been adequately addressed. (Ord. 11-2007 §1)