

Community Development Code

Chapter 26
Steamboat Springs Municipal Code
CDC Version 26-7

Adopted November 14, 2017 (Ordinance No. 2624)
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Links to Relevant Documents

[Steamboat Springs Municipal Code](#)

Engineering Documents

[Steamboat Springs Engineering Standards](#)

Planning and Community Development Documents

[Planning and Community Development Application Forms](#)

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User Guide

Content Organization

This Community Development Code is organized into eight Articles and three Appendices. Each Article is subdivided into Sections using the following hierarchy:

1 Article Title

DIVISION 1

(Divisions are not included in every Article; they are only used to group Sections into more than one major category, as necessary.)

100 SECTION HEADING

100.A Subsection Heading

1, 2, 3, 4...

a, b, c, d...

i, ii, iii, iv...

Reading the Code

- Rules have been established to interpret the language of the CDC. Refer to [Section 800](#) for all rules of interpretation.
- A number of terms are defined by the CDC. Refer to [Section 801](#) for all rules of designation and measurement and [Section 802](#) for all definitions of terms.
- Footnotes applicable to a Table are found at the end of each individual Table.
- The ? symbol identifies a User Note that includes helpful information for the user.
- When using a digital format of the CDC, [blue underlined font](#) identifies a link within the text. Clicking on the link will redirect the user to the page containing the referenced Section. The user can return to the previous page by clicking the Previous View button in the Adobe Acrobat menu. (The Previous View button is located on the Page Navigation Toolbar. For assistance, refer to the Adobe Acrobat Help menu.)
- Relevant organization, intent, and applicability language is found at the beginning of individual Articles and Sections.
- The  symbol identifies the amendment history for a Section, including Ordinance number and adoption date. If no history is listed at the end of a Section, the Section has not been amended since Ordinance No. 2624, effective January 1, 2018.
- As amendments are made to the CDC, affected Sections are updated and a new Version of the CDC is published. Versions are numbered sequentially with a “CDC Version 26-” prefix and noted on the Cover page.

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100 GENERAL PROVISIONS

100.A Title and Authority

1. Title

- a. This Community Development Code consists of the zoning, subdivision, and development regulations for the City and may be cited as the "CDC."
- b. This CDC is adopted as Chapter 26 of the Steamboat Springs Municipal Code. Unless otherwise explicitly stated, article and section references refer to articles and sections within this CDC, Municipal Code Chapter 26.

2. Authority

- a. This CDC is enacted under the authority of the City as a Colorado Home Rule municipality in accordance with Article XX, § 6 of the Colorado Constitution and pursuant to statutory powers recognized by Article 23 of Title 31, Article 20 of Title 29, and all other relevant provisions of the Colorado Revised Statutes.
- b. Through this CDC, the City intends to exercise all powers vested in it by the Colorado Constitution, the Steamboat Springs Home Rule Charter, and, to the extent such provisions may be applicable, the provisions of the Colorado Revised Statutes.
- c. It is intended that this Chapter supersede the provision of Article 23, Title 31 of the Colorado Revised Statutes, as it may be amended, to the fullest extent permitted by law.

100.B Purpose and Basis

1. Purpose

The purpose of this CDC is to set forth a unified regulatory program for development in the City that will implement the preferred direction and policies of the Steamboat Springs Area Community Plan and other applicable adopted plans. In addition, the purpose of this CDC is to achieve the following:

- a. Promote the health, safety, convenience, order, aesthetics and visual qualities, prosperity and general welfare of the present and future inhabitants of the city;
- b. Avoid unnecessary and unclear regulation;
- c. Ensure adequate infrastructure;
- d. Lessen congestion in the streets;
- e. Secure safety from fire, flood, water and other dangers;
- f. Provide adequate light and airspace;
- g. Classify land uses and distribution of land development and utilization;
- h. Protect the tax base of the city;
- i. Secure economy in governmental expenditures;
- j. Promote the adequate provision of affordable housing;
- k. Preserve existing neighborhood character;
- l. Promote elements of a pedestrian and transit friendly community;
- m. Maintain open spaces;
- n. Promote high air and water quality;
- o. Protect natural resources;

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§ 100.B

- p. Foster the city's resort, business and other economic bases; and
 - q. Encourage the most appropriate and efficient use of land.
- 2. Basis**
- a. The policies, regulations, and districts set forth in this CDC have been adopted in accordance with the Steamboat Springs Area Community Plan and studies prepared with reasonable consideration given to the following:
 - i. The social, economic, and environmental characteristics of certain areas and the community in general; and
 - ii. The compatibility of uses with each other and with social, economic, and environmental opportunities and constraints; and
 - iii. The particular suitability of certain uses in certain areas.
 - b. The Community Plan is a guiding document and shall not be construed as superseding specific provisions of this CDC. As a guiding document, the Community Plan includes long-range goals and policy objectives that are important to the broader community but that may be in conflict, inappropriate, or contradictory if applied to a specific development application.
 - c. The CDC is the implementing document which provides detail and enforceability to specific policy objectives that may be identified in the Community Plan.
 - d. In circumstances where variances to the CDC are being requested or recommended, the Community Plan should be used as a whole to provide perspective and guidance in considering the consistency of the variance with the intent of this CDC.
 - e. The Community Plan shall provide guidance to Annexations, Zone Map Amendments, Planned Unit Developments, or subdivisions and development proposals that may influence the broader community.

100.C Severability, Repeal, And Savings Clause

- 1. Severability**
- If, for any reason, any one or more sections, sentences, clauses, or parts of this CDC are held invalid, such invalidity shall not affect, impair, or invalidate the remaining provisions of this CDC.
- 2. Administrative Severability**
- This CDC is administered by the Department of Planning and Community Development, Planning Commission, Historic Preservation Commission, Board of Adjustment, City Council, and other boards and commissions created by the City Council for such purpose. Failure of any administrative body to fulfill procedural requirements contained in this CDC shall not relieve any individual, applicant, land use, or development from meeting the purpose, intent, and requirements of this CDC.
- 3. Repeal**
- a. All Articles of the previous Municipal Code Chapter 26 is hereby repealed.
 - b. [Section 100.C.3.a](#) shall not apply to the following ordinances and resolutions:
 - i. Ordinances and resolutions pertaining to municipal boundaries and annexations.
 - ii. Franchise ordinances and other ordinances or resolutions granting specific and identifiable contract rights to persons or corporations.
 - iii. Ordinances granting a vested property right.

- iv. Ordinances or resolutions establishing, naming, or vacating streets, alleys, or other public places.
- v. Ordinances or resolutions relating to the transfer or acceptance of real estate or interests in real estate to or from the City.
- vi. Any ordinance adopted and effective after the effective date of this CDC.
- vii. Any resolution of the City Council not in conflict or inconsistent with the provisions of this CDC.

4. Savings Clause

The amendment or repeal of all or part of any ordinance by this CDC shall not release, extinguish, or modify, in whole or in part, any penalty or liability, or any right of the City incurred or obtained under the amended or repealed provisions. The amended or repealed provisions, shall be treated and held as remaining in full force or effect for the following purposes:

- a. Sustaining any and all proper actions, suits, proceedings, and prosecutions.
- b. Enforcement of any penalty, liability, or any right of the City.
- c. Sustaining any judgment, decree, or order that may be rendered in such proceeding, action, act, decision, hearing, or appeal pending before any court or the Planning Commission, City Council, Planning Director, or any other decision-making body or officer.

100.D Applicability

The standards and requirements of this CDC apply to all uses, structures, development, and subdivisions within the City. Land may be used, developed, or subdivided, and structures may be used or developed, only in accordance with approved plans, permits, or applications. Conformance with the standards and requirements of this CDC and approved plans, permits, and applications are the responsibility of the property owner, the person undertaking development, the user of a development, and each such person's successors in interest.

100.E Interpretation and Administration

- 1. The provisions of this CDC shall be interpreted according to [Section 800](#) Rules of Interpretation.
- 2. The provisions of this CDC shall be regarded as minimum requirements for the protection of the public health, safety, comfort, convenience, prosperity, and welfare. This CDC shall be regarded as remedial legislation that provides a means or method whereby causes of action may be effectuated, wrongs redressed, and relief obtained; and shall be liberally construed to further its underlying purposes. Development shall be encouraged to exceed the requirements contained in this CDC.
- 3. The Planning Director may promulgate and issue written administrative interpretations of this CDC as may be necessary to promote uniformity in the application of the CDC. All administrative interpretations issued by the Planning Director shall be available for public inspection during normal business hours. The Planning Director may also promulgate forms and other standardized documentation deemed necessary by the Planning Director to properly administer the provisions of this CDC.
- 4. The Planning Director may request input and suggestions from the Planning Commission or City Council regarding interpretation of any provision of this CDC.
- 5. During the course of normal business, it is necessary for administrative officials to interpret provisions and make decisions related to the enforcement of this CDC. Any party aggrieved by an administrative decision may appeal that decision through the procedures set forth in Article 7.

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§ 101.A

101 VIOLATIONS AND ENFORCEMENT

101.A Violations

Failure to comply with the requirements of this CDC shall constitute a violation of the Steamboat Springs Municipal Code and such violation may be enforced as provided by this Article. Each day during which a violation continues shall be deemed a separate offense and violation. Enforcement action may be taken against a specific property owner, tenant, or user of the property where the violation is alleged to occur, or against any other persons as permitted by state or federal law.

Violations of this CDC may include, but are not limited to:

1. Using any land, or erecting, constructing, enlarging, altering, moving, using, or maintaining any structure (including any sign) in a manner inconsistent with this CDC, except as provided in [Section 103](#), [Section 104](#), and [Section 105](#).
2. Failure to obtain any required approval or permit.
3. Failure to abide by approvals, permits, or conditions attached to approvals or permits.
4. Obtaining approvals or permits through fraud or misrepresentation.
5. Proceeding with a development without proper approvals or permits.
6. Continuing construction or development activity after approvals have lapsed.
7. Failure to remove any sign installed, created, erected, or maintained in violation of this CDC, or for which the sign permit has lapsed.
8. Increasing the intensity of use of any land or structure, except in accordance with the procedural and substantive standards of this CDC.
9. Reducing or diminishing the lot area, setbacks, or open space below the minimum required by this CDC.
10. Excavating, grading, cutting, clearing, or undertaking any other land disturbance activity contrary to the provisions of this CDC or without first obtaining all requisite land use approvals required by this CDC or other applicable regulations.

101.B Inspections and Stop Work Order

1. The Building Official is empowered to cause any structure, use, or tract of land to be inspected and examined, and issue a written stop work order or other order requiring the remedying of any condition found to exist in violation of any provision of this CDC.
2. After any such order has been served, no work shall proceed on any structure or any land covered by such order, except work authorized by the Building Official, such as necessary work to correct or remedy such violation or to ensure the safety or security to adjacent, surrounding, or neighboring properties.
3. If the Building Official determines that the public health, safety, and welfare are not immediately at risk, he or she may cause the order to take effect no more than 48 hours after it is determined that a violation exists. The Building Official shall make reasonable effort to notify a person of authority, as indicated on the building permit application if such a permit application exists, concurrently with issuance of the stop work order at the site of the violation.
4. Any stop work order issued by the Building Official may be appealed in accordance with Article 7.

101.C Enforcement Methods

In addition to any other action or remedy available by law, the provisions of this CDC may be enforced by City Council, the City Manager, City Attorney, or Planning Director by use of any of the following methods, either individually or in combination, and in any order. The City's choice of any particular method of enforcement shall not preclude later choice of additional methods of enforcement.

1. Requiring a land use, subdivision, or site development application pursuant to Article 7.
2. Requiring a building permit, grading permit, or demolition permit.
3. Requiring a Certificate of Occupancy.
4. Revoking any approval or permit issued to any property or applicant following a public hearing conducted in general conformance with the notice requirements and procedures required for the initial approval or permit.
5. Inspecting property, structures, or signs, in accordance with Section 5-76 of the Steamboat Springs Municipal Code and ordering removal of violations. Removal of violations by the City shall only be ordered after direct consultation between the Planning Director and City Attorney.
6. Issuing a stop work order.
7. Proceedings in Municipal Court and imposition of fine and penalty as provided by Chapter 1 of the Steamboat Springs Revised Municipal Code.
8. Injunctive proceedings in any court of competent jurisdiction.
9. Where permitted by law, assessment of costs and expenses incurred by the City and imposition of a lien as permitted by law for nonpayment of any assessment.
10. Enforcement in a court of competent jurisdiction of any contractual agreement executed by the owner or the owner's successor-in-interest and the City.
11. Demand for payment, and receipt and use of collateral held by any person or financial institution which was deposited, to secure in whole or in part the performance of the obligation the City seeks to enforce.
12. The Planning Director may ensure that improvements required to be constructed as a condition of any approval, permit, or related agreement are completed through the following measures:
 - a. Withholding approval of a Certificate of Occupancy; or
 - b. Withholding approval and recordation of a Final Plat; or
 - c. Requiring an Improvements Agreement.

101.D General Enforcement Procedures

The following enforcement procedures shall apply to violations to the provisions of this CDC except violations to the provisions of Article 5 Signs and violations to open space maintenance requirements.

1. Non-Emergency Matters

- a. In the case of violations of this CDC that do not constitute an emergency or require immediate attention, written notice of the nature of the violation shall be given to the property owner, agent, occupant, or to the applicant for any relevant permit. Notice shall be given in person, or by U.S. Mail, or by posting notice on the premises and shall specify the following:
 - i. The CDC provisions allegedly being violated; and

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§ 101.D

- ii. Unless a shorter time frame is allowed by this Section, that the individual has a period of 15 days from the date of the receipt of the notice in which to correct the alleged violations before further enforcement action shall be taken; and
- iii. Any appeal or Variance procedures available pursuant to this CDC.
- b. Written notice given hereunder with respect to a particular owner, property, and violation shall satisfy the requirements of this Section with respect to any repeat violation by the same owner at the same property.
- c. The Planning Director may grant an extension of the time to cure an alleged violation upon a finding that, due to the nature of the alleged violation or other factors, it reasonably appears it cannot be corrected within 15 days.

2. Emergency Matters

In the case of violations of this CDC that constitute an emergency raising safety or public concerns, or violations that will create increased problems or costs if not remedied immediately, the Planning Director may use the enforcement powers available under this Article without prior notice. The Planning Director shall attempt to give notice simultaneously with beginning enforcement action or as soon thereafter as practicable. Notice may be provided to the property owner, agent, occupant, or to the applicant for any relevant permit.

3. Options Upon Noncompliance

In the event a person fails to comply with a notice of violation or stop work order, or to remedy the violation to the satisfaction of the Planning Director within the required time period, the Planning Director, in consultation with the City Attorney, shall determine whether to subject the violator to one or more of the enforcement methods listed in [Section 101.C](#).

101.E Enforcement Procedures – Article 5 Signs

The following enforcement procedures shall apply to violations to the provisions of Article 5 of this CDC:

1. In the case of any sign in violation of the provisions of Article 5, written notice of the violation shall be given to the sign owner or owner of the property or business on which the sign is located.
2. Notice shall be given in person to the property, business or sign owner, or by U.S. Mail, postage prepaid, to the address for such owner as shown in the records of the Routt County Assessor. Notice mailed in accordance with this Section shall be conclusively presumed to have been properly delivered and received.
3. No written notice shall be required with respect to any violation of Article 5 which occurs within 12 months after the sign owner or property owner has once been given written notice of any violation of Article 5.
4. If such sign, business, or property owner fails to repair, alter, or remove the sign so as to comply with Article 5 within 72 hours after the mailing of the notice (if such notice is mailed), within 24 hours after service of such notice (if such notice is personally served), or within such other time as is specified in the notice, the Planning Director shall proceed with enforcement methods listed in [Section 101.C](#).
5. Signs that are temporarily removed in response to a notice of violation and then re-installed in violation of this CDC shall be considered a continuation of the initial violation for purposes of enforcement.
6. The Planning Director may cause any sign located on public property, including street rights-of-way, that is not brought into compliance with this CDC after the service of the notice to be removed by City officials. Removal of signs by the City shall only be ordered after direct consultation between the Planning Director and City Attorney. Signs removed by the City from public property shall be deemed abandoned property and may be disposed of by the

City. The City shall not be liable to the sign owner for damage to or loss of any sign removed pursuant to this Section.

101.F Reserved

101.G Enforcement Procedures – Open Space Maintenance

1. City Council may serve written notice upon the party responsible for maintaining open space. Such notice shall include the following:
 - a. The manner in which the person has failed to maintain the open space in a reasonable condition; and
 - b. A demand that such deficiencies of maintenance be cured within 30 days; and
 - c. The time, date, and place of a public hearing to be held within 45 days of the date of notice.
2. At the hearing, City Council may modify the terms of the original notice as to deficiencies and may grant an extension of time within which the deficiencies must be cured.
3. If the deficiencies are not cured within the time period set, the City, in order to preserve the taxable values of the properties within the development or subdivision and to prevent the open space from becoming a public nuisance, may enter upon the open space and maintain the open space for a period of one year. Such entry and maintenance shall not vest in the public any rights to use the open space except if it is voluntarily dedicated to the City by the owners and accepted by the City in accordance with [Section 602.L.2.c.](#)
4. Prior to the expiration of the year of City maintenance, City Council shall schedule a public hearing and provide notice to the party responsible for the maintenance of the open space. At the hearing, the responsible party shall show cause why such maintenance by the City shall not continue for the succeeding year. If City Council determines that the responsible party is not ready and able to maintain the open space in a reasonable condition, the City, in its discretion, may continue to maintain the open space during the next succeeding year and, subject to a similar hearing and determination, in each year thereafter.
5. The cost of maintenance by the City shall be paid by the responsible party, and any unpaid assessment shall become a lien in the nature of general taxes on such properties. The City shall file a notice of such lien in the office of the Routt County Clerk and Recorder upon the properties affected by the lien and shall certify such unpaid assessments to the County Treasurer for collection, enforcement, and remittance of general property taxes.

101.H Penalties

1. Violations of this CDC shall be subject to the penalty provided by Chapter 1, Section 1-15 of the Municipal Code.
2. In cases of demolition or alterations to Historic Resources, Historic Landmarks, or Contributing Properties without approval or beyond the scope of an approved permit, or the failure of the owners of Eligible Resources to adhere to the required historic preservation review process, the City Council may impose one or more of the following penalties and sanctions in addition to the penalty provided by Chapter 1, Section 1-15 of the Municipal Code:
 - a. Moratorium on development or redevelopment of the Historic Resource, Historic Landmark, or Contributing Property for up to five years.
 - b. Requirement to reconstruct, repair, or rehabilitate the Historic Resource, Historic Landmark, or Contributing Property.
 - c. Charging up to triple the permit fees for future work on the Historic Resource, Historic Landmark, Contributing Property, or Eligible Resource.

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- d. Issuance of a stop work order or a court ordered injunction regarding the Historic Resource, Historic Landmark, Contributing Property, or Eligible Resource.
- e. Assessment of the costs and expenses, including reasonable attorney's fees incurred by the City in enforcing the provisions of this CDC, against the owners of the Historic Resource, Historic Landmark, Contributing Property, or Eligible Resource.

■ §101 [Ord. No. 2650, 5-15-18] [Ord. No. 2776, 11-17-20] [Ord. No. 2800, 3-16-21] [Ord. No. 2856, 6-7-22]

102 TRANSITIONAL PROVISIONS

102.A Purpose

1. Establish the applicability of new substantive standards enacted by this CDC to activities, actions, and other matters that are pending or occurring as of the effective date of this CDC.
2. Implement the preferred direction and policies of the Community Plan.

102.B Intent

The intent of this Section is to modify all development approvals to conform to this CDC unless vested under the provisions of this Section or in accordance with [Section 731](#).

102.C Applicability

1. This Section shall apply to all development permit types contained within the Steamboat Springs Revised Community Development Code effective from September 18, 2001 - 2017, except for Article 5, Sign Permits, and Master Sign Plans.
2. [Section 500.D](#) Transitional Provisions shall apply to Article 5, Master Sign Plans, and Sign Permits effective from September 18, 2001 - December 31, 2020.

102.D Effective Date

1. The effective date of this CDC is January 1, 2018.
2. The effective date of Article 5 is January 1, 2021.

102.E Violations Continue

Any violation of the previous land development regulations of the City shall continue to be a violation under this CDC and shall be subject to the enforcement set forth in [Section 101](#) of this CDC and penalties contained in the Steamboat Springs Municipal Code unless the use, development, construction, or other activity is clearly consistent with the express terms of this CDC.

102.F Completion of Development Permits Commenced or Approved Under Previous CDCs

1. If a building permit has been issued for a valid and effective development permit, and the term of approval for the development permit expires, the development covered under the building permit shall continue until the building permit expires.
2. Currently valid and effective development permits issued prior to the effective date of this CDC shall remain valid for the term of approval of the permit and shall be eligible for consideration of administrative vesting extensions as permitted in accordance with the CDC in place on the date of approval.
3. Any development that has submitted a complete application for a development permit or any other type of approval, but for which no final action had been taken by the appropriate decision-making body prior to January 1, 2018, shall be reviewed and considered in accordance with either the provisions of the CDC in place on the date of submittal of the application or the provisions of this CDC, at the applicant's option.

■ §102 [Ord. No. 2669, 12-4-18] [Ord. No. 2776, 11-17-20]

103 LEGAL NONCONFORMING USES

103.A Purpose and Intent

1. Purpose

- a. Limit the number and extent of nonconforming uses.
- b. Prohibit the enlargement of nonconforming uses.
- c. Prohibit re-establishment of nonconforming uses after abandonment.
- d. Further the goals and policies of the Community Plan and other adopted plans.

2. Intent

The intent of this Section is to apply standards that will eliminate legal nonconforming uses as speedily as possible.

103.B Determination of Legal Nonconforming Use

1. The Planning Director may determine that a nonconforming use is a legal nonconforming use and may allow the use to continue upon a finding that the use meets the following criteria:
 - a. The nonconforming use was lawfully established prior to the effective date of this CDC; or
 - b. The nonconforming use was lawfully established prior to the effective date of any amendment to this CDC that renders the use nonconforming; or
 - c. The nonconforming use was registered according to the requirements of the ordinances in effect prior to the effective date of this CDC; or
 - d. The use was lawfully authorized by a permit or regulation existing prior to the effective date of this CDC or the effective date of an amendment to this CDC, subject to the limitations as prescribed by the permit or regulation; and
 - e. Since the effective date of the ordinance that renders the use nonconforming, the use did not terminate under the provisions of [Section 103.D](#).
2. The Planning Director's determination of whether or not a nonconforming use is legal shall be based on evidence submitted by the property owner.
3. The burden of proof for demonstrating that a nonconforming use is a legal nonconforming use shall be upon the property owner. All evidence and documentation that the property owner wishes to be considered shall be submitted to the Planning Director within one year of the effective date of the ordinance that made the use nonconforming, or within 60 days of written notification by the Planning Director concerning the status of the use as illegal or nonconforming, whichever date is later. Acceptable evidence and or documentation may include:
 - a. Public records such as sales tax receipts, property tax receipts, records from the County Assessor's office, and records from the Department of Planning and Community Development, aerial photography, and surveys.
 - b. Signed and notarized letters from surrounding property owners containing information about the use.
 - c. Any other evidence that documents the existence and the scope of the use at a given point in time, in a form acceptable to the City Attorney.
4. If the Planning Director determines that the use is legal nonconforming, the Planning Director shall document the scope of the use at the time the ordinance became effective

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rendering the use nonconforming. The Planning Director may require submission of a detailed site plan to document and define the scope of the use.

103.C Continuance

A legal nonconforming use shall be allowed to continue according to the following:

1. The legal nonconforming use shall not be enlarged to occupy a greater site area or building floor area than it occupied on the effective date of the ordinance rendering the use nonconforming, except as provided in [Section 103.E](#).
2. The legal nonconforming use shall not be relocated in whole or in part to any other lot or portion of the lot where the use is located.
3. The legal nonconforming use shall not be extended or enlarged by the addition of signs visible from any location off the premises.

103.D Termination

The legal nonconforming status of a use shall be terminated immediately upon any of the following:

1. A legal nonconforming use is replaced by a conforming use in the applicable zone district; or
2. A legal nonconforming use has been abandoned or discontinued for a period of six consecutive months regardless of any intent to resume operation of use, or a seasonal (six months or less) legal nonconforming use has been abandoned or discontinued for one season regardless of any intent to resume operation of use, or an intermittent legal nonconforming use has been abandoned or discontinued for a period of 12 consecutive months regardless of any intent to resume operation of use; or
3. The structure housing a legal nonconforming use has been officially condemned; or
4. The structure housing a legal nonconforming use is removed from its previous site or relocated on the same or any other site; or
5. The structure housing a legal nonconforming use is destroyed or damaged to an extent in excess of 50 percent of current reconstruction cost or such structure is damaged or destroyed and not restored within 12 months. The Planning Director may grant an extension to the 12-month time period if a structure is of a large scale and requires changes to become compliant with the Building Code. In such cases, the applicant must apply for a building permit within 12 months, and the only changes permitted to the structure shall be those necessary to bring the structure into compliance with the Building Code.

103.E Expansion

1. One-Family and Two-Family Residential Uses

Any structure used for a legal nonconforming one-family or two-family residential use may be enlarged or replaced with a similar structure of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities and is not located within Subzone D of the Airport Overlay zone. Such expansions are subject to the limitations stated in [Section 103.D](#).

2. Multiple-Family Residential and Nonresidential Uses

- a. In Subzone D of the Airport Overlay zone, any nonresidential use or a structure used for a legal nonconforming multiple-family residential or nonresidential use may only be enlarged or increased in accordance with [Section 709.A.3.a](#).
- b. With the exception of properties located within Subzone D of the Airport Overlay zone, any legal nonconforming multiple-family residential or nonresidential use or structure used for a legal nonconforming multiple-family residential or nonresidential use may be enlarged or increased with approval of a Development Plan and Conditional Use upon a finding by City Council that:

- i. The use will not expand beyond the lot owned or leased by the legal nonconforming use as of the date it became nonconforming; and
- ii. The proposed modification will not result in further infringement of the provisions of this CDC and will comply with all standards (other than use standards), including but not limited to lot coverage, floor area ratio, setbacks, height, open space, and parking requirements, unless varied by City Council; and
- iii. The use is not an industrial use in a residential zone district.
- iv. The use is permitted in the Airport Overlay zone, if applicable.

103.F Change to Different Nonconforming Use

A nonconforming use shall not be changed to another nonconforming use except where the new nonconforming use is approved as a Conditional Use upon a finding by City Council that:

1. The new nonconforming use more closely meets the intent of this CDC; and
2. The impacts of the new nonconforming use to the surrounding properties is less than that of the existing nonconforming use.

§103 [Ord. No. 2733, 12-23-19] [Ord. No. 2792, 1-19-21] [Ord. No. 2856, 6-7-22]

104 LEGAL NONCONFORMING STRUCTURES

104.A Purpose and Intent

1. Purpose

- a. Limit the number and extent of nonconforming structures.
- b. Prohibit the enlargement of nonconforming structures.
- c. Prohibit re-establishment of nonconforming structures after removal, demolition, or destruction.
- d. Further the goals and policies of the Community Plan and other adopted plans.

2. Intent

The intent of this Section is to apply standards that will eliminate legal nonconforming structures as speedily as possible.

104.B Determination of Legal Nonconforming Structure

1. The Planning Director may determine that a nonconforming structure is a legal nonconforming structure and may allow the structure to continue upon a finding that the structure meets the following criteria:
 - a. The nonconforming structure was lawfully established prior to the effective date of this CDC; or
 - b. The nonconforming structure was lawfully established prior to the effective date of any amendment to this CDC that renders the structure nonconforming; or
 - c. The nonconforming structure was registered according to the requirements of the ordinances in effect prior to the effective date of this CDC; or
 - d. The structure was lawfully authorized by a permit or regulation existing prior to the effective date of this CDC or the effective date of an amendment to this CDC, subject to the limitations as prescribed by the permit or regulation; and

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- e. Since the effective date of the ordinance that renders the structure nonconforming, the structure has not been moved and the nonconforming status did not terminate under the provisions of [Section 104.F](#) or [Section 502](#).
2. The Planning Director's determination of whether or not a nonconforming structure is legal shall be based on evidence submitted by the property owner.
3. The burden of proof for demonstrating that a nonconforming structure is a legal nonconforming structure shall be upon the property owner. All evidence and documentation that the property owner wishes to be considered shall be submitted to the Planning Director within one year of the effective date of the ordinance that made the structure nonconforming, or within 60 days of written notification by the Planning Director concerning the status of the structure as illegal or nonconforming, whichever date is later. Acceptable evidence and or documentation may include:
 - a. Public records such as sales tax receipts, property tax receipts, records from the County Assessor's office, and records from the Department of Planning and Community Development, aerial photography, and surveys.
 - b. Signed and notarized letters from surrounding property owners containing information about the structure.
 - c. Any other evidence that documents the existence and nonconforming characteristics of the structure at a given point in time, in a form acceptable to the City Attorney.
4. If the Planning Director determines that the structure is legal nonconforming, the Planning Director shall document the nature and description of the structure as it was at the time the ordinance became effective rendering the structure nonconforming. The Planning Director may require submission of a detailed site plan and building elevations to document and define the structure.

104.C Continuance

A legal nonconforming structure shall be allowed to continue according to the following:

1. The legal nonconforming structure shall not be enlarged to occupy a greater footprint, site area, or volume than was occupied on the effective date of the ordinance rendering the structure nonconforming, except as provided in [Section 104.G](#); and
2. The legal nonconforming structure shall not be relocated in whole or in part to any portion of the lot where the structure is located.

104.D Maintenance and Repairs

1. Nonconforming structures and site improvements may be maintained and repaired as necessary for convenient, safe, or efficient operation or use, provided that no such maintenance or repairs shall increase the nonconformity of the structure or site improvements.
2. Maintenance of nonconforming structures and site improvements shall include only necessary repairs and incidental alterations that do not extend the nonconformity of such structure and site improvements; provided, that necessary alterations may be made as required by other laws or ordinances.
3. If a nonconforming structure has been condemned it may not be repaired.

104.E Restoration

A legal nonconforming structure may be restored according to the following:

1. A legal nonconforming structure that is damaged or partially destroyed to an extent of 50 percent or less of current reconstruction cost may be restored as of right if a building permit for reconstruction is issued within 12 months. The cost of land or any factors other than the cost of the structure are excluded in the determination of the cost of restoration for any

structure. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoration to the same condition as prior to such damage or partial destruction to the estimated cost of duplicating the entire structure as it existed prior thereof. Estimates of cost for this purpose shall be based upon the minimum cost of construction in compliance with the Building Code.

2. A legal nonconforming structure that is damaged or destroyed through no fault or intent of the owner, excluding natural decay or neglect, may be restored as of right, regardless of the extent of demolition or destruction, if a building permit for reconstruction is issued within 12 months of the date of damage or destruction.

104.F Termination

The legal nonconforming status of a structure shall be terminated immediately upon any of the following:

1. A legal nonconforming structure is replaced by a conforming structure; or
2. A legal nonconforming structure has been officially condemned; or
3. A legal nonconforming structure is removed from its previous site or relocated on the same or any other site; or
4. A legal nonconforming structure is destroyed or damaged to an extent in excess of 50 percent of current reconstruction cost unless restored in accordance with [Section 104.E](#). The cost of land or any factors other than the cost of the structure are excluded in the determination of the cost of restoration for any structure. The extent of damage or partial destruction shall be based upon the ratio of the estimated cost of restoration to the same condition as prior to such damage or partial destruction to the estimated cost of duplicating the entire structure as it existed prior thereof. Estimates of cost for this purpose shall be based upon the minimum cost of construction in compliance with the Building Code.
5. A legal nonconforming structure is destroyed or damaged and is not restored in accordance with [Section 104.E](#).
6. If the legal nonconforming structure is a sign, the legal nonconforming status is terminated upon any additional provisions in [Section 502](#).

104.G Expansion

Any structure that is legally nonconforming as to lot coverage, setbacks, height, open space, density, or parking standards may be enlarged, remodeled, or renovated provided such alterations conform to the regulations of the applicable zone district. Such addition or enlargement shall not result in new nonconformities or an increase of existing nonconformities.

§104 [Ord. No. 2776, 11-17-20]

105 LEGAL NONCONFORMING LOTS

105.A Purpose and Intent

1. **Purpose**
 - a. Prohibit changes to nonconforming lots that would increase the degree of nonconformity.
 - b. Further the goals and policies of the Community Plan and other adopted plans.
2. **Intent**

The intent of this Section is to apply standards that will eliminate legal nonconforming lots as speedily as possible.

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105.B Determination of Legal Nonconforming Lot

The Planning Director may determine that a nonconforming lot is a legal nonconforming lot and may allow the lot to continue upon a finding that the lot meets the following criteria:

1. The nonconforming lot was lawfully established prior to the effective date of this CDC; or
2. The nonconforming lot was lawfully established prior to the effective date of any amendment to this CDC that renders the lot nonconforming; or
3. The nonconforming lot was registered according to the requirements of the ordinances in effect prior to the effective date of this CDC; or
4. The lot was lawfully authorized by a permit or regulation existing prior to the effective date of this CDC or the effective date of an amendment to this CDC, subject to the limitations as prescribed by the permit or regulation; or
5. The lot is contained within a legal subdivision plat recorded at the Routt County Clerk and Recorder's Office, and the recording date precedes effective date of any amendment to this CDC that renders the lot nonconforming; or
6. The lot was created as a result of a foreclosure of a deed of trust or other court decision.

105.C Development of Legal Nonconforming Lots

A legal nonconforming lot may be developed according to the following:

1. The legal nonconforming lot is not contiguous to lots held in the same ownership; or
2. The legal nonconforming lot is combined with any contiguous lots under common ownership, by means of an approved Final Plat or Waiver of Replat to eliminate the nonconformity or reduce the degree of nonconformity to the greatest degree possible. Common ownership shall include any combination of husband, wife, son, daughter, father, mother, sister, brother, cousin, and any corporation where any combination of such individuals maintain a controlling interest; and
3. The legal nonconforming lot does not meet the minimum lot area in the zone district, but the proposed structure can be accommodated with side and rear setbacks that have been adjusted according to the following formulas to reflect the nonconforming area of the lot:
 - a. Adjusted minimum side setback equals the standard minimum side setback in the applicable zone district multiplied by the dividend of the lot area divided by the minimum lot area permitted in the zone district.

$$\text{Adjusted min. side setback} = \text{standard min. side setback} \times (\text{lot area} / \text{min. lot area})$$
 - b. Adjusted minimum rear setback equals the standard minimum rear setback in the applicable zone district multiplied by the dividend of the lot area divided by the minimum lot area permitted in the zone district).

$$\text{Adjusted min. rear setback} = \text{standard min. rear setback} \times (\text{lot area} / \text{min. lot area})$$
 - c. No such adjustment shall permit any side or rear setback to be reduced by more than 20 percent.
4. The proposed structure can be located on the lot so that height, open space, and floor area ratio standards of the applicable zone district can be met, or a Variance or Adjustment is approved in accordance with Article 7.

105.D Lot Area Reduction

1. No lot or interest therein shall be transferred, conveyed, sold, or subdivided so as to create a new nonconforming lot, to avoid, circumvent, or subvert any provision of this CDC, or to leave remaining any lot in violation of the dimensional requirements of the applicable zone district.

2. No lot or portion of a lot required as a building site under this Section shall be used as a portion of a lot required as a building site for another structure.
3. No building permit shall be issued for any lot or parcel of land that has been conveyed, sold, or subdivided in violation of this Section.

106 PLANNING DIRECTOR

106.A Powers and Duties

The Planning Director shall have the following powers and duties under this CDC:

1. Administer and enforce this CDC. The City Manager may direct other persons to assist the Planning Director in performing this duty.
2. Review development applications in accordance with Article 7.
3. Approve, approve with conditions or revisions, or deny certain development applications in accordance with Article 7.
4. Provide assistance to Planning Commission, Board of Adjustment, City Council, Historic Preservation Commission, and other applicable boards and commissions in their consideration of development applications.
5. Review building permit applications for conformance with this CDC. The Planning Director shall not give approval of any building permit application that is not in conformance with this CDC or any valid approval granted under this CDC or prior to this CDC.
6. Review requests for Certificates of Occupancy for conformance with this CDC. The Planning Director shall not give approval of any request for Certificate of Occupancy that is not in conformance with this CDC or any valid approval granted under this CDC or prior to this CDC.
7. Review, negotiate, and provide recommendations to City Council on Development Agreements in accordance with Article 7.
8. Prepare, review, and enforce Improvements Agreements in accordance with Article 7.
9. Administer and implement the City's participation in the National Flood Insurance Program and Community Rating System.

106.B Procedures

1. The Planning Director shall notify the Planning Commission and City Council of pending development applications being reviewed administratively.
2. After notice and review of a development application, the Planning Director shall take one of the following actions:
 - a. Approve the development application.
 - b. Approve the development application with specific conditions or revisions that are intended to protect the public health, safety, and welfare and the aesthetics of nearby property, or to bring the application into conformance with the requirements of this CDC.
 - c. Deny the development application based on specific findings and reasons for denial.
3. Denial by the Planning Director shall be final unless the decision is appealed or called up in accordance with Article 7.

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107 DEVELOPMENT REVIEW TEAM

107.A Powers and Duties

1. The Development Review Team shall have the following powers and duties under this CDC:
 - a. Provide assistance to applicants in understanding City requirements and procedures.
 - b. Review development applications in accordance with Article 7.
 - c. Analyze compliance and noncompliance of individual development applications with this CDC, City Engineering Standards, and other applicable standards, requirements, or plans.
 - d. Identify potential issues regarding individual development applications.
2. There shall be no real or implied approval or denial of a development application as a result of review by the Development Review Team.

107.B Procedures

1. The Development Review Team shall provide written comments regarding compliance and noncompliance with this CDC, City Engineering Standards, and other applicable standards, requirements, or plans.
2. At the applicant's request, the Planning Director shall schedule a meeting between the applicant and the Development Review Team to discuss the written review comments. The meeting shall be administrative and shall not require public notice.
3. The applicant shall have the opportunity to resubmit the development application with revisions in response to the Development Review Team's written comments, proceed without revisions, or withdraw the development application.
4. The Planning Director shall determine whether resubmittals of development applications require review by the Development Review Team.

§ 107 [Ord. No. 2733, 12-23-19]

108 PLANNING COMMISSION

108.A Powers and Duties

The Planning Commission shall have the following powers and duties under this CDC:

1. Review and conduct public hearings on development applications in accordance with Article 7.
2. Approve, approve with conditions or revisions, or deny certain development applications in accordance with Article 7.
3. Provide recommendations to City Council to approve, approve with conditions or revisions, or deny certain development applications in accordance with Article 7.
4. Promote implementation of the Community Plan and other adopted plans through its powers and duties set forth in this CDC.

108.B Procedures

1. The Planning Commission shall conduct public meetings and hearings in accordance with the procedures and guidelines set forth in Chapter 2 of the Steamboat Springs Revised Municipal Code and Article 7.
2. After closing a public hearing, the Planning Commission shall take one of the following actions in accordance with Article 7 by majority vote of the members present:
 - a. Approve or recommend approval of the development application.

- b. Approve or recommend approval of the development application with specific conditions or revisions that are intended to protect the public health, safety, and welfare and the aesthetics of nearby property, or to bring the application into conformance with the requirements of this CDC.
 - c. Deny or recommend denial of the development application based on specific findings and reasons for denial.
 - d. Table the development application to a date certain within six months and direct the applicant to make specific revisions to the application.
 - e. Table the development application to a date certain within six months at the request of the applicant.
3. Development applications shall not be tabled more than two times without applicant consent.

§108 [Ord. No. 2711, 7-16-19]

109 BOARD OF ADJUSTMENT

109.A Powers and Duties

The Board of Adjustment shall have the following powers and duties under this CDC:

1. Review and conduct public hearings on Adjustment applications in accordance with Article 7.
2. Approve, approve with conditions or revisions, or deny Adjustment applications in accordance with Article 7.

109.B Procedures

1. The Board of Adjustment shall conduct public meetings and hearings in accordance with the procedures and guidelines set forth in Chapter 2 of the Steamboat Springs Revised Municipal Code and Article 7.
2. After closing a public hearing, the Board of Adjustment shall take one of the following actions by majority vote of the members present:
 - a. Approve the Adjustment application.
 - b. Approve the Adjustment application with specific conditions or revisions that are intended to protect the public health, safety, and welfare and the aesthetics of nearby property, or to bring the application into conformance with the requirements of this CDC.
 - c. Deny the Adjustment application based on specific findings and reasons for denial.
 - d. Table the Adjustment application to a date certain within six months and direct the applicant to make specific revisions to the application.
 - e. Table the Adjustment application to a date certain within six months at the request of the applicant.
3. Adjustment applications shall not be tabled more than two times without applicant consent.
4. Denial by the Board of Adjustment shall be final unless the decision is appealed or called up in accordance with Article 7.

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110 CITY COUNCIL

110.A Powers and Duties

City Council shall have the following powers and duties under this CDC:

1. Review and conduct public hearings on development applications in accordance with Article 7.
2. Approve, approve with conditions or revisions, or deny certain development applications in accordance with Article 7.
3. Promote implementation of the Community Plan and other adopted plans through its powers and duties set forth in this CDC.

110.B Procedures

1. City Council shall conduct public hearings in accordance with the procedures and guidelines for quasi-judicial hearings set forth in Chapter 2 of the Steamboat Springs Revised Municipal Code and Article 7.
2. Development applications that require approval of an ordinance shall be heard at two public hearings before City Council (first reading and second reading).
3. City Council may approve development applications, as proposed, on the Consent Agenda. Applications may be pulled from the Consent Agenda in accordance with the following:
 - a. An application may be pulled by a member of City Council for discussion purposes. If after discussion, there are no revisions to the application required, the application may be placed back on the Consent Agenda for approval.
 - b. An application may be pulled by a member of City Council, the applicant, or a member of the public for a public hearing. The application shall then be scheduled for public hearing during the same City Council meeting if there is sufficient time on the agenda. If there is not sufficient time on the agenda, the public hearing shall be scheduled on the next available City Council agenda.
4. After closing a public hearing, City Council shall take one of the following actions by majority vote of the members present:
 - a. Approve the development application.
 - b. Approve the development application with specific conditions or revisions that are intended to protect the public health, safety, and welfare and the aesthetics of nearby property, or to bring the application into conformance with the requirements of this CDC.
 - c. Deny the development application based on specific findings and reasons for denial.
 - d. Remand the development application to the Planning Commission for further review pursuant to additional guidance from City Council consistent with this CDC.
 - e. Table the development application to a date certain within six months and direct the applicant to make specific revisions to the application.
 - f. Table the development application to a date certain within six months at the request of the applicant.
5. If City Council is unable to reach a majority vote, the application shall be deemed to be denied, except in the case of an appeal, in which case the underlying decision shall remain in effect.
6. Development applications shall not be tabled more than two times without applicant consent.

7. Denial by City Council shall be final.
8. If denied by City Council, a development application, or one substantially similar to it, shall not be resubmitted for a period of one year from the date of denial unless City Council explicitly states that an earlier reapplication may be permitted. If an earlier resubmittal is permitted, the resubmittal shall be considered a new application for purposes of review and fees and shall address all of City Council's findings and reasons for denial.
9. If denied by City Council, a development application that is not substantially similar to the one that was denied may be submitted as a new application for review. The Planning Director shall determine whether the application has been sufficiently revised to not be substantially similar to the application that was denied.

111 HISTORIC PRESERVATION COMMISSION

111.A Powers and Duties

The Historic Preservation Commission shall have the following powers and duties under this CDC:

1. Advise City Council on implementation of the historic preservation aspects of the Community Plan and other historic preservation issues.
2. Administer and maintain the Steamboat Springs Register of Historic Places.
3. Review building permit and sign permit applications for alterations, relocations, and demolitions to the exterior of any principal or accessory building, structure, object, site, or sign which is designated on the Local Register or is an Eligible Resource. Properties with an approved development application will be exempt from building permit review by the Historic Preservation Commission.
4. Review development applications that involve alterations and demolitions to the exterior of any principal or accessory building, structure, object, site, or sign which is designated on the Local Register or is an Eligible Resource.
5. Advise and assist owners of Local Landmarks, Historic Resources, and Historic Districts on the physical and financial aspects of preservation, rehabilitation, restoration, renovation, and re-use of their properties, including but not limited to:
 - a. Assist in identifying available sources of grants, low interest loans, and other historic preservation programs.
 - b. Provide conceptual reviews to owners of properties and sites on the Local Register and Eligible Resources.
 - c. Assist in preparing applications for nomination of properties to the Local, State, or National Registers.
6. Provide outreach and educational opportunities, via lectures, conferences, publications, walking tours, workshops, City website, historical marker programs, and any other means to educate the community on the importance of historic preservation and the historic preservation process.
7. Exercise of such other roles or duties delegated to it by the Colorado Historical Society of the State Historic Preservation Office, subject to the approval of City Council.

111.B General Procedures

1. General

- a. The Historic Preservation Commission shall conduct public meetings and hearings in accordance with the procedures and guidelines set forth in Chapter 2 of the Steamboat Springs Revised Municipal Code and Article 7.
- b. The Commission shall notify applicants in writing of all decisions of the Commission.

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- c. Decisions by the Historic Preservation Commission shall be final unless the decision is appealed in accordance with Article 7.

2. Local Register

- a. The Commission shall follow the Local Register designation process established in [Section 112.C](#) for the designation of Historic Resources, Local Landmarks, and Historic Districts in the Local Register.
- b. The Commission may update the cultural resource survey of buildings and structures within the City every two years. The update may be conducted by qualified, third party, independent contractors or by the City's historic preservation staff or consultants.
- c. Upon the written request of any property owner, the Commission may direct the City's historic preservation staff or consultants to determine the eligibility of such property for listing on the Local Register.
- d. The Commission may proactively solicit public and private property owners to nominate their properties for permanent listing on the Local Register.
- e. The Commission shall provide owners of Eligible Resources with annual, written notification of their property's eligibility for permanent listing on the Local Register.
- f. The Commission shall recommend to City Council the removal of properties from the Local Register for reasons the Commission deems appropriate, including but not limited to:
 - i. Acts of God or force majeure; or
 - ii. The property owner has demonstrated a hardship in accordance with [Section 112.H](#); or
 - iii. The property is a dangerous building as defined by the Building Code.
- g. The Commission may recommend to City Council the purchase of development rights or the issuance of historic preservation easements for Historic Resources and Local Landmarks.

111.C Review of Eligible Resources

1. Alteration or Relocation

Building permits or sign permits for alterations to the exterior of any principal or accessory building, structure, object, site, or sign which is an Eligible Resource, or relocation of an Eligible Resource, or the addition of a sign or other structure to an Eligible Resource shall be reviewed as follows:

- a. Within 14 days of receipt of an application, the Planning Director shall review the application for compliance with the Historic Preservation Design Guidelines and the Secretary of the Interior Standards.
- b. If the staff or consultant determines the proposed alteration or relocation will not significantly alter the historic character of the Eligible Resource, the staff or consultant may recommend approval without referring the application to a public hearing of the Historic Preservation Commission. The staff or consultant shall notify the Commission of the recommendation in writing. The recommendation shall become an approval seven days after the date of notification unless a member of the Historic Preservation Commission objects in writing prior to the expiration of the seven days. A commissioner's objection shall be based on an incorrectly applied standard, guideline, or other code provision.
- c. If staff or consultant determine the proposed alteration or relocation will significantly alter the historic character of the Eligible Resource, the staff or consultant shall

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provide a recommendation and forward the application to the Commission for a public hearing.

- d. Within 30 days of receipt of an application, the Commission shall hold a public hearing to review the application and determine compliance with the Historic Preservation Design Guidelines and the Secretary of the Interior Standards.
- e. At the hearing, the Commission shall advise the applicant of the benefits of listing the building, structure, object, site, or sign on the Local Register and shall discuss its determination as to compliance with the Historic Preservation Design Guidelines and the Secretary of the Interior Standards.
- f. If the application complies with the Historic Preservation Design Guidelines and the Secretary of the Interior Standards, the Commission may approve the application.
- g. Non-approval by the Historic Preservation Commission shall not be considered a denial. The applicant may proceed with the proposed building permit or sign permit after all other applicable approvals have been obtained.

2. Demolition

Building permits, sign permits, or deconstruction permits for demolition of any Eligible Resource shall be reviewed as follows:

- a. Within 14 days of receipt of an application, the Planning Director shall review the application and provide the Historic Preservation Commission with a recommendation regarding the application.
- b. Within 30 days of receipt of an application, the Commission shall hold a public hearing to review the application.
- c. At the hearing, the Commission shall advise the applicant of the benefits of listing the building, structure, object, site, or sign on the Local Register and shall discuss alternatives to the proposed demolition.
- d. If the applicant demonstrates the Eligible Resource is a dangerous structure, as defined by the Building Code, or that deferring demolition is a hardship in accordance with [Section 112.H](#), the Commission shall approve the application.
- e. If the applicant cannot demonstrate one of the conditions of [Section 111.C.2.d](#) exists, the Commission shall approve the application 30 days after the public hearing.
- f. No building permit, sign permit, or deconstruction permit for demolition of an Eligible Resource shall be issued until the Historic Preservation Commission has approved it.

111.D Review of Historic Resources, Local Landmarks, and Contributing Properties

1. Alteration or Relocation

Building permits or sign permits for relocations of or alterations to the site or exterior of any Historic Resource, Local Landmark, or Contributing Property shall be reviewed as follows:

- a. Within 30 days of receipt of an application, the Planning Director shall review the application for compliance with the Historic Preservation Design Guidelines, Secretary of the Interior Standards, and Historic District Guidelines, if applicable, and provide a recommendation to the Historic Preservation Commission.
- b. Public notice shall be given in accordance with [Section 703](#).
- c. The Historic Preservation Commission shall hold a public meeting to review the application and determine compliance with the Historic Preservation Design Guidelines, Secretary of the Interior Standards, and Historic District Guidelines, if applicable. Alterations need not comply with every applicable guideline, but there must be sufficient compliance that the characteristics that made the property an

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- Historic Resource, Local Landmark, or Contributing Property are retained and that following the alteration or relocation, the building, structure, object, site, or sign will continue to be an Historic Resource, Local Landmark, or Contributing Property.
- d. At the meeting, the Historic Preservation Commission shall take one of the following actions by majority vote of the members present:
 - i. Approve the application.
 - ii. Recommend modifications to the application.
 - iii. Deny the application based on specific findings and reasons for denial.
 - e. No building permit or sign permit for alteration or relocation of an Historic Resource, Local Landmark, or Contributing Property shall be issued until the Historic Preservation Commission has approved it.
 - f. The Historic Preservation Commission shall immediately notify City Council of all decisions approving or denying applications.

2. Demolition

Building permits, sign permits, or deconstruction permits for demolition of any Historic Resource, Local Landmark, or Contributing Property shall be reviewed as follows:

- a. Within 30 days of receipt of an application, the Planning Director shall review the application and provide the Historic Preservation Commission with a recommendation regarding the application.
- b. Public notice shall be given in accordance with [Section 703](#).
- c. The Historic Preservation Commission shall hold a public meeting to review the application.
- d. If the applicant demonstrates the Historic Resource, Local Landmark, or Contributing Property is a dangerous structure, as defined by the Building Code, or that deferring demolition of an Historic Resource is a hardship in accordance with [Section 112.H](#), the Commission shall approve the application.
- e. If the applicant cannot demonstrate one of the conditions of [Section 111.D.2.d](#) exists, the Commission shall deny the application.
- f. No building permit, sign permit, or deconstruction permit for demolition of an Historic Resource, Local Landmark, or Contributing Property shall be issued until the Historic Preservation Commission has approved it.
- g. The Historic Preservation Commission shall immediately notify City Council of all decisions approving or denying applications.

■ §111 [Ord. No. 2776, 11-17-20]

112 STEAMBOAT SPRINGS REGISTER OF HISTORIC PLACES

112.A Purpose

- 1. Preserve, protect, enhance, and perpetuate the exteriors of those buildings, structures, objects, sites, and districts that reflect outstanding elements of the City's cultural, artistic, social, economic, political, architectural, historic, or other heritage.
- 2. Stabilize or improve aesthetic and economic vitality and values of Historic Resources, Local Landmarks, and Historic Districts.
- 3. Enhance the visual character of the City by encouraging new design and construction that complements the City's Historic Resources, Local Landmarks, and Historic Districts.

4. Promote the use of outstanding historical or architectural buildings, structures, objects, sites, and districts for the education, stimulation, and welfare of the people.
5. Promote good urban design.
6. Protect property values.
7. Increase the economic benefits of historic preservation to the City and its inhabitants.
8. Conserve valuable material and energy resources by the ongoing use and maintenance of the existing built environment.
9. Promote and encourage continued private and governmental ownership and use of such Historic Resources, Local Landmarks, and Contributing Properties now so owned and used.

112.B Eligibility Criteria

1. Historic Resource Designation

A building, site, structure, or object may be eligible for designation as an Historic Resource on the Local Register if it meets at least one criterion [Section 112.B.1.a](#), [Section 112.B.1.b](#), or [Section 112.B.1.c](#). A sign may be eligible for designation as an Historic Resource on the Local Register if it meets at least one criterion in [Section 112.B.1.a](#), [Section 112.B.1.b](#), or [Section 112.B.1.c](#), and if it meets all criteria in [Section 112.B.1.d](#).

a. Historic Importance

The building, site, structure, object, or sign:

- i. Has character, interest, or value as part of the development, heritage, or cultural characteristics of the City, state, or nation; or
- ii. Is the site of an historic event with an effect upon society; or
- iii. Is identified with a person or group of persons who had some influence on society; or
- iv. Exemplifies the cultural, political, economic, social, or historic heritage of the community.

b. Architectural Importance

The building, site, structure, object, or sign:

- i. Portrays the environment of a group of people in an era of history characterized by a distinctive architectural style; or
- ii. Embodies those distinguishing characteristics of an architectural-type specimen; or
- iii. Is the work of an architect or master builder whose individual work has influenced the development of the City or contains elements of architectural design, detail, materials, and craftsmanship which represent a significant innovation.

c. Geographic Importance

The building, site, structure, object, or sign:

- i. Because of being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan based on an historic, cultural, or architectural motif; or
- ii. Due to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood, community, or City.

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d. Sign Integrity

The sign:

- i. Shall have been established in the current location and configuration for at least 25 years; and
- ii. Has not been significantly modified or altered over time; and
- iii. Because of its historic contribution to the community, has a value that is greater than the negative impacts of any nonconformities.

2. Local Landmark Designation

A governmental, commercial, institutional, residential, or other private or public building, site, structure, sign, or object within the City's boundaries may be eligible for designation as a Local Landmark on the Local Register if it meets the criteria for Historic Resource designation and at least two of the following additional criteria:

- a. Be of overwhelming historic or architectural importance and significance to the entire community.
- b. Possess such unusual or uncommon significance that the potential demolition or major alteration would diminish the character and sense of place in the community.
- c. Contain the possibility of important discoveries related to prehistory or history.
- d. Represent a significant and distinguishable entity whose components may lack individual distinction, yet represents an established and familiar feature to the community.
- e. Has significance to the community's history to the extent that it illustrates and commemorates the City's collective past and helps define the community's identity.

3. Historic District Designation

An area of two or more contiguous Eligible Resources may be eligible for designation as an Historic District on the Local Register if it possesses "a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development," as defined by the criteria for inclusion as an Historic District in the National Register of Historic Places

112.C Procedures for Designation

1. Historic Resources and Local Landmarks

- a. The owner of any building or other structure, object, sign, or site meeting the eligibility criteria set forth in [Section 112.B](#), or the Historic Preservation Commission with the written consent of the owner, may propose designation of the building, structure, object, sign, or site as an Historic Resource or Local Landmark.
- b. Proposals for designation shall include a brief description of the characteristics of the building, structure, object, or site that justify its designation and shall include a legal description of the location and boundaries of the resource.
- c. Within 30 days of receipt of a proposal, the Planning Director shall review the application and provide the Historic Preservation Commission with a recommendation.
- d. Public notice shall be given in accordance with [Section 703](#).
- e. The Historic Preservation Commission shall hold a public meeting to review the application.
- f. At the meeting, the Historic Preservation Commission shall take one of the following actions by majority vote of the members present:

- i. Approve the proposed Historic Resource or Local Landmark designation.
 - ii. Recommend modifications to the application.
 - iii. Deny the proposed Historic Resource or Local Landmark designation.
 - g. The Historic Preservation Commission shall immediately notify City Council of all decisions approving or denying applications.
 - h. The Planning Director shall record a notice of an Historic Resource or Local Landmark designation with the Routt County Clerk and Recorder within 30 days of such designation.
 - i. Once an Historic Resource or Local Landmark is listed on the Local Register, the historic preservation incentives described in [Section 112.I](#) are available to the property owner.
- 2. Historic Districts**
- a. One or more owners of an Eligible Resource may submit a preliminary application to petition the Historic Preservation Commission for the designation of an Historic District meeting the eligibility criteria set forth on [Section 112.B](#).
 - b. Proposals for designation shall include a description of the characteristic of the proposed Historic District that justify its designation and shall include a legal description of the location and boundaries of the proposed Historic District, as well as a list of the Contributing Properties.
 - c. The Planning Director shall review the preliminary application and provide the Historic Preservation Commission with a recommendation regarding whether the application has merit.
 - d. Upon the Planning Director's recommendation, the Historic Preservation Commission Chairperson shall appoint a subcommittee to coordinate with the applicant, staff, and affected property owners to prepare a final application for Historic District designation. The final application shall require written consent of 100 percent of the property owners within the boundaries of the proposed district.
 - e. Within 30 days of receipt of a final application, the Planning Director shall review the application for conformance with the eligibility criteria in [Section 112.B](#) and provide the Historic Preservation Commission with a recommendation.
 - f. Public notice shall be given in accordance with [Section 703](#).
 - g. The Historic Preservation Commission shall hold a public meeting to review the application.
 - h. At the meeting, the Historic Preservation Commission shall take one of the following actions by majority vote of the members present:
 - i. Recommend approval of the proposed Historic District designation.
 - ii. Recommend modifications to the application.
 - iii. Recommend denial of the proposed Historic District designation.
 - i. The Historic Preservation Commission shall immediately notify City Council, the applicant, and the affected property owners of all recommendations for approving or denying applications.
 - j. City Council shall hold a public hearing to review the application and receive comment from the applicant and any non-consenting property owners.

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- k. After due consideration, City Council shall take one of the following actions by majority vote of the members present:
 - i. Approve the proposed Historic District designation.
 - ii. Modify the proposed Historic District designation.
 - iii. Deny the proposed Historic District designation.
- l. If City Council approves the Historic District, City Council shall adopt an ordinance to that effect establishing the Historic District and its boundaries. The ordinance shall be recorded with the Routt County Clerk and Recorder, and City Council may provide for such other recognition, markers, and the like to identify the Historic District.
- m. Once an Historic District is listed on the Local Register, the historic preservation incentives described in [Section 112.I](#) are available to the property owners of Contributing Properties.

112.D Amendment of Designation

Designation of an Historic Resource, Local Landmark, or Historic District may be amended in accordance with the procedures for initial designation.

112.E Revocation of Designation

Designation of an Historic Resource, Local Landmark, or Historic District may be revoked by City Council upon recommendation of the Historic Preservation Commission if the property is damaged by an act of God or force majeure or otherwise falls below the standards for the designation on the Local Register.

112.F Demolition of Historic Resources, Local Landmarks, and Contributing Properties

1. Designated Properties

Demolition of a designated Historic Resource, Local Landmark, or Contributing Property within an Historic District is prohibited unless the Historic Resource, Local Landmark, or Contributing Property is demonstrated to be a dangerous structure, as defined by the Building Code, or deferring demolition of an Historic Resource is demonstrated to be a hardship in accordance with [Section 112.H](#). The foregoing exceptions shall not apply in the case of demolition by neglect.

2. Properties Within Proposed Historic Districts

- a. Commencing upon the date of the Historic Preservation Commission meeting described in [Section 112.C.2.g](#), no demolition or alteration permit shall be issued for any structure within the boundaries of a proposed Historic District for a period not to exceed 90 days, except for dangerous structures as defined by the Building Code.
- b. If the Historic Preservation Commission denies the application for designation, or if at the end of the 90-day period the Historic District has not been approved by City Council, the demolition, alteration, or sign permit shall be issued, unless the structure is listed on the Local Register.
- c. If the Historic District has been approved by City Council within the 90-day period, the Contributing Properties within the Historic District are subject to the protections of [Section 112.F.1](#).

112.G Demolition by Neglect

Demolition by neglect of an Historic Resources, Local Landmark, or Contributing Property is prohibited and shall be punishable under the provisions for penalties and sanctions contained in [Section 101.H](#).

112.H Hardship Exemption

If an owner of an Eligible Resource, Historic Resource, Local Landmark, or Contributing Property clearly demonstrates to the satisfaction of the Historic Preservation Commission that there are no

feasible measures that can be taken that will enable the property owner to make a reasonable beneficial use of the property or derive a reasonable economic return from the property in its current form, the Historic Preservation Commission may grant an exemption from requirements of [Section 111](#) and [Section 112](#), as explicitly permitted in those sections, on the basis of a hardship.

112.I Historic Preservation Incentives

As part of the City's historic preservation program, the following incentives are established:

1. Historic Preservation Fund

- a. In order to promote historic preservation of Historic Resources, Local Landmarks, and Historic Districts and to encourage the owners of Eligible Resources to list their properties on the Local Register, an Historic Preservation Fund is hereby established as part of the Planning and Community Development Department's operating budget.
- b. The Historic Preservation Fund may be funded with an annual appropriation from the City's budget, as determined by City Council in their discretion, as well as grants to the City from other governmental and private historic preservation organizations, individuals, or other sources.
- c. These funds shall be used by the Historic Preservation Commission to pursue its outreach and educational responsibilities to the community, as well as to purchase or assist the City in the purchase of development rights in appropriate cases.
- d. The Planning Director, with recommendations from the Historic Preservation Commission, shall administer the Historic Preservation Fund and account annually to City Council.

2. Economic and Regulatory Incentives

In order to induce owners of Eligible Resources to consider proposing their property for listing on the Local Register, the City may offer the owner of an Historic Resource, Local Landmark, or Contributing Property one or more of the following incentives:

- a. Federal and state income tax credits as provided by law, with reviews conducted by the Historic Preservation Commission by virtue of the City's certification as a Certified Local Government.
- b. Rebate of City sales taxes on materials purchased locally and used for rehabilitating, renovating, and restoring Historic Resources, Local Landmarks, and Contributing Properties in accordance with Section 22-183(d)(12) and Section 22-198(g) of the Municipal Code.
- c. Waiver of Planning Department permit fees in accordance with [Section 702.K](#) for work consistent with the Historic Preservation Design Guidelines and the Secretary of the Interior Standards.
- d. Recommendation for resources for architectural, design, and technical consultation and assistance at no or reduced fees.
- e. Identification and implementation of other economic incentives as they become available.
- f. Recommendation to City Council for the purchase of development rights, or for the City to cover the costs associated with the granting of preservation easements in appropriate cases.

3. Recognition

Owners of Historic Resources, Local Landmarks, and Contributing Properties shall be offered the opportunity to have an Historic Preservation Commission designed plaque or other appropriate marker placed on their property at the City's expense identifying their property as listed on the Local Register.

§ 112 [Ord. No. 2650, 5-15-18] [Ord. No. 2776, 11-17-20]

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113 FLOODPLAIN ADMINISTRATOR

113.A Powers and Duties

1. The Planning Director, or his or her designee, shall serve as the Floodplain Administrator for the City.
2. The Floodplain Administrator shall have the following powers and duties under this CDC:
 - a. Review applications for Floodplain Development Permits. In conducting this duty, the Floodplain Administer may seek technical assistance as necessary at the applicant's cost.
 - b. Approve or deny Floodplain Development Permits in accordance with Article 7.
 - c. For all new or substantially improved structures:
 - i. Obtain and record the actual elevation, in relation to mean sea level, of the lowest floor, including basement; and
 - ii. Record whether or not the structure contains a basement.
 - d. For all new or substantially improved floodproofed structures:
 - i. Verify and record the actual elevation, in relation to mean sea level, to which the structure has been floodproofed; and
 - ii. Maintain the floodproofing certifications.
 - e. Maintain for public inspection all records pertaining to Floodplain Development Permits and the City's participation in the National Flood Insurance Program and Community Rating System.
 - f. Notify adjacent communities and the State Conservation Board prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - g. Require that maintenance be provided within an altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
 - h. Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The Floodplain Administrator may require that any party requesting a determination submit a survey performed by a licensed surveyor or certification from a licensed professional engineer regarding the location of the boundary.
 - i. Maintain the records of all appeal and variance actions, including technical information, and report any variances to the Federal Emergency Management Agency.
 - j. Give written notice to any applicant that obtains approval of a variance that the structure will be permitted to be built with a lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk from the reduced lowest floor elevation.

114 RESERVED

■ §114 [Ord. No. 2714, 8-27-19]

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223	Community Commercial (CC)		
224	Commercial Services (CS)		
225	Industrial (I)		
226	Planned Unit Development (PUD)		
227	Traditional Neighborhood Development (TND)		
228	T2 Transect Zones, Neighborhood Edge (T2-NE)		
229	T3 Transect Zones, Neighborhood General - Low (T3-NG1)		
229	T3 Transect Zones, Neighborhood General - Medium (T3-NG2)		
230	T4 Transect Zones, Neighborhood Mixed (T4-NX)		
230	T4 Transect Zones, Neighborhood Center (T4-NC)		

200 ZONE DISTRICTS ESTABLISHED

200.A Purpose

The purpose of this Article is to enable the use and development of land that is compatible with other uses and development, in terms of mass, scale, and impacts, in defined geographic areas of the City and that implements the policies of the Community Plan and other adopted plans.

200.B Intent

The intent of this Article is to establish zone districts that are applied to properties within the City in a planned and orderly pattern and to apply appropriate standards within each zone district to ensure negative impacts of development are minimized.

200.C Zone Districts

The following zone districts are established by this CDC:

1. Standard Zone Districts

- a. Open Space and Recreation (OR)
- b. Residential Estate - One (RE-1)
- c. Residential Estate - Two (RE-2)
- d. Residential Neighborhood - One (RN-1)
- e. Residential Neighborhood - Two (RN-2)
- f. Residential Neighborhood - Three (RN-3)
- g. Residential Neighborhood - Four (RN-4)
- h. Residential Old Town (RO)
- i. Resort Residential - One (RR-1)
- j. Resort Residential - Two (RR-2)
- k. Manufactured Home (MH)
- l. Multiple-Family - One (MF-1)
- m. Multiple-Family - Two (MF-2)
- n. Multiple-Family - Three (MF-3)
- o. Gondola - One (G-1)
- p. Gondola - Two (G-2)
- q. Commercial Old Town (CO)
- r. Commercial Yampa - One (CY-1)
- s. Commercial Yampa - Two (CY-2)
- t. Commercial Oak - One (CK-1)
- u. Commercial Oak - Two (CK-2)
- v. Commercial Neighborhood (CN)
- w. Community Commercial (CC)
- x. Commercial Services (CS)
- y. Industrial (I)

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2. **Planned Unit Development Districts (PUD)**
3. **Traditional Neighborhood Development (TND) Zone and Transects**
 - a. Neighborhood Edge (T2-NE)
 - b. Neighborhood General - Low (T3-NG1)
 - c. Neighborhood General - Medium (T3-NG2)
 - d. Neighborhood Mixed (T4-NX)
 - e. Neighborhood Center (T4-NC)
 - f. Village Core (T5-VC)
 - g. Town Core (T5-TC)
 - h. Special District—Large-Format (SD-1)
 - i. Special District—Civic (SD-2)
4. **Overlay Zones**
 - a. Skyline Overlay (SO)
 - b. Reserved
 - c. Entry Corridor Overlay (EC)
 - d. Airport Overlay (AO)
 - e. Short-Term Rental Overlay (STR)

200.D Official Zone Map

1. **Adoption**
 - a. The boundaries of the zone districts are delineated on the Official Steamboat Springs Zone Map. The Zone Map is hereby adopted as a part of this Article 2, and it shall supersede all zone maps previously adopted by the City.
 - b. The Official Zone Map shall be filed in the office of the Department of Planning and Community Development. The Zone Map shall bear the signature of the Planning Director and the seal of the City, and it shall be attested by the City Clerk.
2. **Interpretation**
 - a. Upon request, the Planning Director shall provide a written administrative determination of a specific property's zone district or TND transect designation. This shall include overlay zones, if applicable.
 - b. Where there is uncertainty of the location of zone district boundaries as shown on the Zone Map, the following rules of interpretation shall apply:
 - i. Boundaries indicated as approximately following the centerline of streets or roads shall be construed to follow the centerline.
 - ii. Boundaries indicated as approximately following platted lot lines shall be construed as following the lot lines.
 - iii. Boundaries indicated as approximately following City limits shall be construed as following City limits.
 - iv. Boundaries indicated as parallel to or extensions of centerlines, lot lines, City limits, or similar geographical lines shall be so construed.
 - v. Distances not specifically indicated on the Official Zone Map shall be determined by the scale of the map.

- vi. Whenever any street, alley, or other public way is vacated by official action of the City Council, or whenever any street or alley area is franchised for building purposes, the zone district line adjoining each side of such street, alley, or other public way shall be automatically extended to the centerline of such vacated street, alley, or way.
- vii. Where physical or cultural features exist on the ground and are at variance with those shown on the Official Zone Map, the City Council shall interpret the zone district boundaries.
- viii. In circumstances not covered by the rules of interpretation contained in this Section, the City Council shall interpret the zone district boundaries.

200.E Applicability of Zone District Standards

- 1. No structure or land shall be used for any purpose other than for a By-Right Use, Limited Use, or Conditional Use permitted in the zone district in which it is located.
- 2. No structure shall be erected, constructed, altered, enlarged, reconstructed, or moved unless it complies with the dimensional standards of the zone district in which it is located.
- 3. Dimensional standards shall only be varied through the Variance or Adjustment processes unless otherwise explicitly stated.
- 4. Accessory building setbacks shall only apply to accessory buildings that are detached from a principal building by a minimum of six feet. Accessory buildings detached from the principal building by less than six feet shall comply with the principal building or attached garage setbacks as applicable.
- 5. No structure or land shall be used and no structure shall be erected, constructed, altered, enlarged, reconstructed, or moved unless all required development review approvals and permits have been issued in accordance with this CDC.
- 6. No setback or open space required by this CDC for any structure shall be considered as satisfying a setback or open space requirement on an adjoining lot unless specifically approved through a development review process for an offset side yard development.
- 7. In circumstances where district dimensional standards contained in this Article 2 are in conflict with any standards contained in Articles 3, 4, or 5, the more restrictive standard shall apply unless otherwise explicitly stated.

200.F Exemptions to Dimensional Standards

- 1. **Maximum Height**
Building appurtenances may exceed the maximum height limitation if the appurtenances, in aggregate, do not cover more than ten percent of the total roof area of the building and the height of any appurtenance does not exceed 50 percent of the overall building height. Building appurtenances include but are not limited to:
 - a. Unoccupied architectural features including but not limited to domes, cupolas, and spires.
 - b. Monuments.
 - c. Screened mechanical equipment.
 - d. Parapet walls not exceeding four feet in height.
- 2. **Lot Line Setback Encroachments**
The following building features may encroach into minimum required lot line setback areas:
 - a. Eaves and gutters, provided that they do not encroach more than three feet, measured horizontally, into the setback area.

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- b. Decks that are elevated no greater than 30 inches above the finished grade. Finished grade shall be measured three feet out from the perimeter of the deck.
 - c. Window wells, provided that they do not encroach more than three feet into the setback area.
 - d. Within the rear or side lot line setbacks, one-story detached accessory structures that do not exceed 120 square feet in floor area, provided that they are non-fixed and movable, exempt from Building Permit, and do not shed snow or water onto an adjacent property.
3. **Double Frontage and Corner Lots**
In the case of a residential double frontage lot or corner lot, the Planning Director may waive or modify the minimum front setback on one or more of the front lot lines after consideration of clear vision setbacks, driveway location, pedestrian entrance, building height, vehicular and pedestrian safety, and compatibility with the neighborhood.
 4. **Subdivision of Existing Manufactured Home Parks**
The Planning Director may waive or modify dimensional standards, including but not limited to minimum lot area and lot line setbacks, for an application to subdivide an existing manufactured home park into individual lots for the purpose of sale of such lots to the existing tenants of the manufactured home park upon a finding that:
 - a. The waiver of such standards will not substantially increase fire or other life safety hazards to the residents of the manufactured homes; and
 - b. The manufactured home park owner has entered into a contract with the City assuring that such subdivided lots will be offered for sale to the existing tenants of the park.
 5. **Building Across Lot Lines**
Building across lot lines is prohibited, except that decks, porches, and other similar appurtenances may encroach onto adjacent common elements, as defined in C.R.S. § 38-33.3-101, that are established in a townhome or condominium subdivision upon consent of either:
 - a. The owners association that governs the subdivision, if authorized under the subdivision's governing documents; or
 - b. The owners of the common elements.

§ 200 [Ord. No. 2650, 5-15-18] [Ord. No. 2669, 12-4-18] [Ord. No. 2700, 6-4-19] [Ord. No. 2856, 6-7-22] [Ord. No. 2932, 10-17-23] [Ord. No. 2947, 2-27-24] [Ord. No. 2969, 7-2-24]

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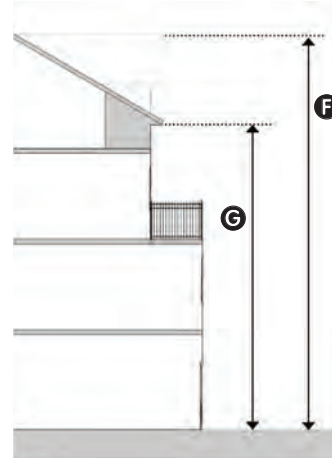
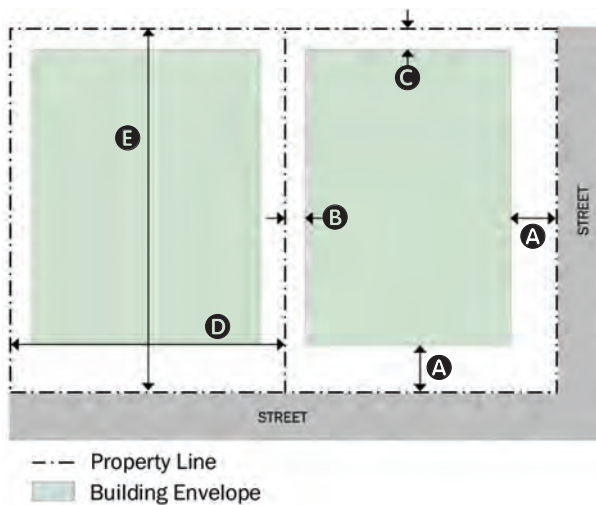
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201 ZONE DISTRICT: OPEN SPACE AND RECREATION

201.A Purpose

The Open Space and Recreation zone district is intended to provide areas for public or private recreational uses, open space preservation, and other similar uses. This zone district accommodates recreation uses, such as parks, athletic fields, ski areas, and community gathering spaces, and may also provide for development buffers and protection of environmentally sensitive areas.

201.B Dimensional Standards (See below.)



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	25' min.	
Accessory Building	25' min.	
Side		B
Principal Building	25' min.	
Accessory Building	15' min.	
Rear		C
Principal Building	20' min.	
Accessory Building	15' min.	
Lot Size		
Width ¹	25' min. no max.	D
Depth ¹	no min.	E
Area	2,500 sf min. no max.	
Parking Lot Placement		
Lot Line Setbacks		
Front		
<12 Parking Spaces	10' min.	
≥12 Parking Spaces	20' min.	

Building Form		
Building Height ¹		
Institutional Uses		
Overall Height	44' max.	F
Average Plate Height	32' max.	G
Outdoor Recreational Uses		
Overall Height	34' max.	F
Average Plate Height	22' max.	G
Amenity Structure		
Overall Height	20' max.	F
Average Plate Height	10' max.	G
Other Standards		
Building Intensity		
Lot Coverage	no max.	
Floor Area Ratio	no max.	
Density		
Dwelling Units per Lot	no max.	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

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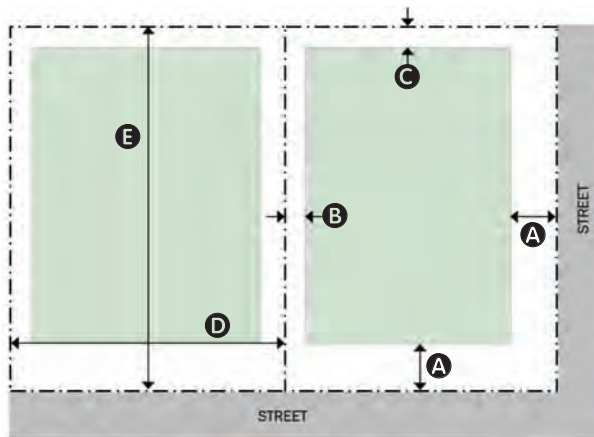
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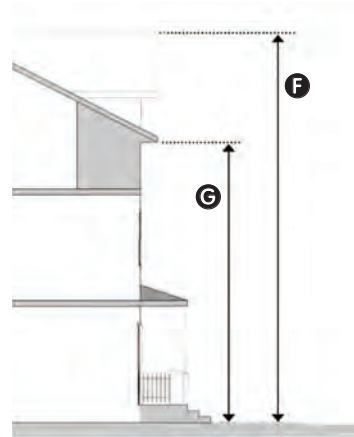
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Definitions**202 ZONE DISTRICT: RESIDENTIAL ESTATE - ONE****202.A Purpose**

The Residential Estate zone districts are primarily intended to provide areas for low-density, one-family residential neighborhoods.

202.B Dimensional Standards (See below.)

--- Property Line
 ■ Building Envelope

**Building Placement****Lot Line Setbacks**

Front		A
Principal Building	25' min.	
Accessory Building	25' min.	
Side		B
Principal Building	25' min.	
Accessory Building	25' min.	
Rear		C
Principal Building	25' min.	
Accessory Building	25' min.	

Lot Size

Width ¹	30' min.	D
	no max.	
Depth ¹	no min.	E
Area	1 acre min.	
	no max.	

Building Form**Building Height ¹**

Principal Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G
Accessory Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G

Other Standards**Building Intensity**

Lot Coverage	35% max.
Floor Area Ratio	no max.

Density ²

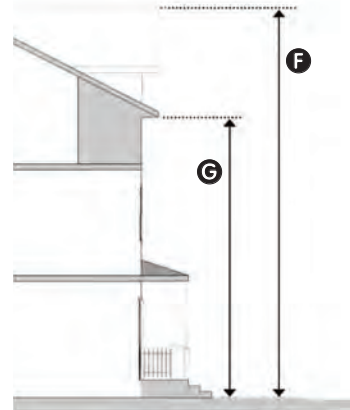
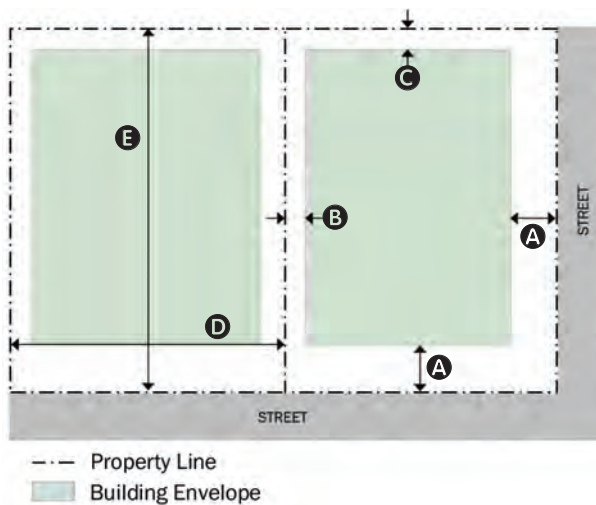
Dwelling Units per Lot	2 max.
Principal Uses per Lot	1 max.

¹The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

203 ZONE DISTRICT: RESIDENTIAL ESTATE - TWO**203.A Purpose**

The Residential Estate zone districts are primarily intended to provide areas for low-density, one-family residential neighborhoods.

203.B Dimensional Standards (See below.)

Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	25' min.	
Accessory Building	25' min.	
Side		B
Principal Building	15' min.	
Accessory Building	10' min.	
Rear		C
Principal Building	15' min.	
Accessory Building	15' min.	
Lot Size		
Width ¹	30' min. no max.	D
Depth ¹	no min.	E
Area	13,500 sf min. no max.	

Building Form		
Building Height ¹		
Principal Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G
Accessory Building		
Overall Height	28' max.	F
Average Plate Height	16' max.	G
Other Standards		
Building Intensity		
Lot Coverage	35% max.	
Floor Area Ratio		
Total	no max.	
Accessory Building	20% max.	
Density ²		
Dwelling Units per Lot	2 max.	
Principal Uses per Lot	1 max.	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

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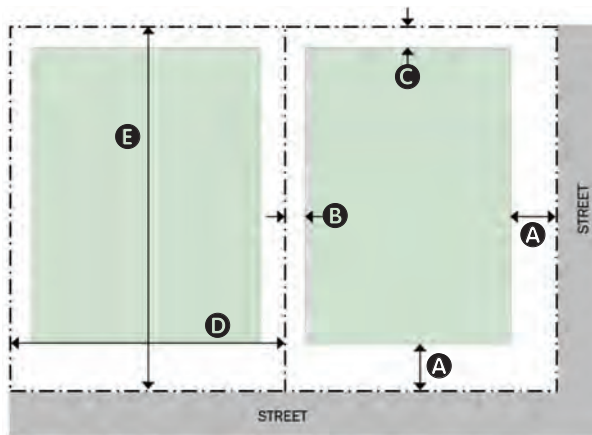
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204 ZONE DISTRICT: RESIDENTIAL NEIGHBORHOOD - ONE

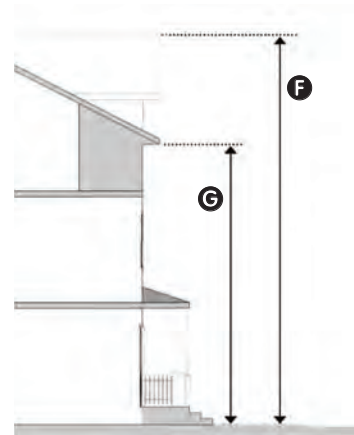
204.A Purpose

The Residential Neighborhood zone districts are intended to provide areas for one-family and two-family residential uses in a neighborhood setting, as well as limited nonresidential uses that are complimentary to and compatible with a one-family and two-family residential neighborhood.

204.B Dimensional Standards (See below.)



-- Property Line
Building Envelope



Building Placement

Lot Line Setbacks

Front		A
Principal Building	20' min.	
Attached Garage	25' min.	
Accessory Building	25' min.	
Side		B
Principal Building	15' min.	
Attached Garage	15' min.	
Accessory Building	10' min.	
Rear		C
Principal Building	15' min.	
Attached Garage	15' min.	
Accessory Building	10' min.	

Lot Size

Width ¹	30' min. no max.	D
Depth ¹	no min.	E
Area	10,000 sf min. no max.	
Duplex	20,000 sf min.	

Building Form

Building Height ¹

Principal Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G
Accessory Building		
Overall Height	28' max.	F
Average Plate Height	16' max.	G

Other Standards

Building Intensity

Lot Coverage	35% max.
Floor Area Ratio	
Total	no max.
Accessory Building	20% max.

Density ²

Dwelling Units per Lot	2 max. ³
Principal Uses per Lot	1 max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

³ Not applicable to approved Multiple-Family Residential.

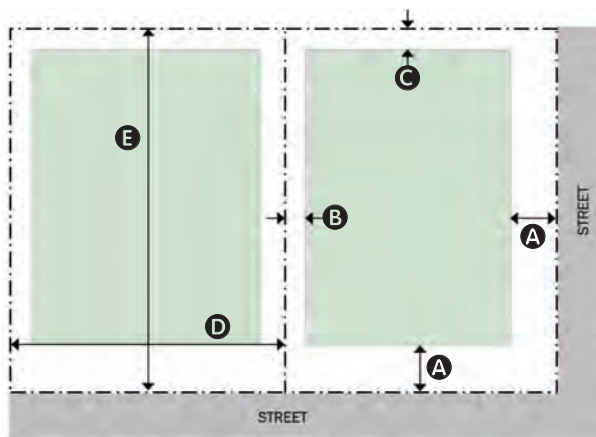
§ 5204 [Ord. No. 2947, 2-27-24]

205 ZONE DISTRICT: RESIDENTIAL NEIGHBORHOOD - TWO

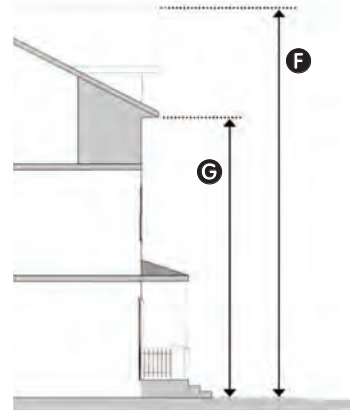
205.A Purpose

The Residential Neighborhood zone districts are intended to provide areas for one-family and two-family residential uses in a neighborhood setting, as well as limited nonresidential uses that are complimentary to and compatible with a one-family and two-family residential neighborhood.

205.B Dimensional Standards (See below.)



--- Property Line
 Building Envelope



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	20' min.	
Attached Garage	25' min.	
Accessory Building	25' min.	
Side		B
Principal Building	10' min.	
Attached Garage	10' min.	
Accessory Building	10' min.	
Rear		C
Principal Building	10' min.	
Attached Garage	10' min.	
Accessory Building	10' min.	
Lot Size		
Width ¹	30' min. no max.	D
Depth ¹	no min.	E
Area	8,000 sf min. no max.	
Duplex	16,000 sf min.	

Building Form		
Building Height ¹		
Principal Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G
Accessory Building		
Overall Height	28' max.	F
Average Plate Height	16' max.	G
Other Standards		
Building Intensity		
Lot Coverage	35% max.	
Floor Area Ratio		
Total	no max.	
Accessory Building	20% max.	
Density ²		
Dwelling Units per Lot	2 max. ³	
Principal Uses per Lot	1 max.	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

³ Not applicable to approved Multiple-Family Residential.

§ 205 [Ord. No. 2947, 2-27-24]

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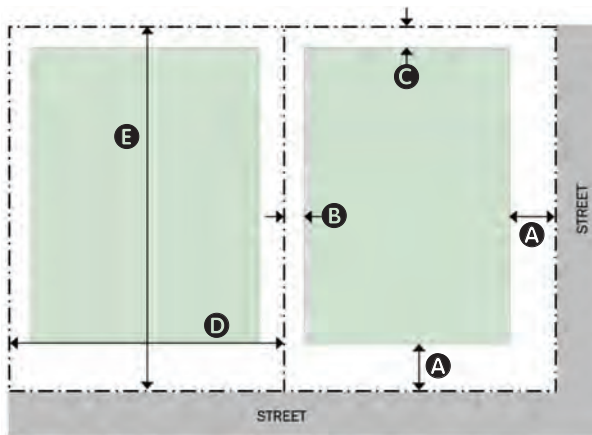
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206 ZONE DISTRICT: RESIDENTIAL NEIGHBORHOOD - THREE

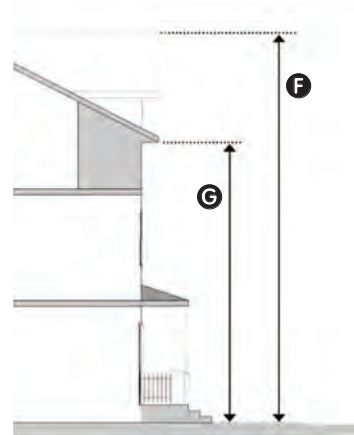
206.A Purpose

The Residential Neighborhood zone districts are intended to provide areas for one-family and two-family residential uses in a neighborhood setting, as well as limited nonresidential uses that are complimentary to and compatible with a one-family and two-family residential neighborhood.

206.B Dimensional Standards (See below.)



-- Property Line
Building Envelope



Building Placement

Lot Line Setbacks

Front		A
Principal Building	15' min.	
Attached Garage	20' min.	
Accessory Building	20' min.	
Side		B
Principal Building	10' min.	
Attached Garage	10' min.	
Accessory Building	5' min.	
Rear		C
Principal Building	10' min.	
Attached Garage	10' min.	
Accessory Building	5' min.	

Lot Size

Width ¹	30' min. no max.	D
Depth ¹	no min.	E
Area	6,000 sf min. no max.	
Duplex	12,000 sf min.	

Building Form

Building Height ¹

Principal Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G
Accessory Building		
Overall Height	28' max.	F
Average Plate Height	16' max.	G

Other Standards

Building Intensity

Lot Coverage	35% max.
Floor Area Ratio	
Total	no max.
Accessory Building	20% max.

Density ²

Dwelling Units per Lot	2 max. ³
Principal Uses per Lot	1 max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

³ Not applicable to approved Multiple-Family Residential.

§ 5206 [Ord. No. 2947, 2-27-24]

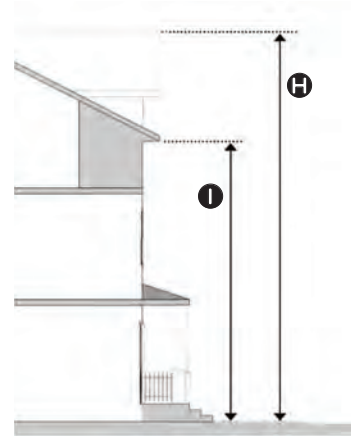
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207 ZONE DISTRICT: RESIDENTIAL NEIGHBORHOOD - FOUR

207.A Purpose

The Residential Neighborhood zone districts are intended to provide areas for single-family and two-family residential uses in a neighborhood setting, as well as limited nonresidential uses that are complimentary to and compatible with a single-family and two-family residential neighborhood.

207.B Dimensional Standards (See below.)



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	15' min. 20' max.	
Porch	7' min.	B
Accessory Building	15' min.	
Side		C
Structures	5' min.	
Driveway ²	5' min.	
Rear		D
Structures	5' min.	
Garage Accessed from Alley ⁴	5' or 20' min.	
Garage Placement (Setback) ⁵		
From Front of Principal Building	20' min.	E
Lot Size		
Width ¹	no max.	F
Lots with Alley Access	25' min.	
Lots without Alley Access	50' min.	
Depth ¹	no min.	G
Area	no max.	
Lots with Alley Access	2,500 sf min.	
Lots without Alley Access	5,000 sf min.	
Duplex with Alley Access	5,000 sf min.	
Duplex without Alley Access	9,000 sf min.	

Building Form

Building Height ¹

Principal Building			
Overall Height	40' max.		H
Average Plate Height	28' max.		I
Accessory Building			
Overall Height	28' max.		H
Average Plate Height	16' max.		I

Other Standards

Building Intensity

Lot Coverage	45% max.
Floor Area Ratio	
Total	no max.
Accessory Building	20% max.

Density ⁶

Dwelling Units per Lot	2 max. ³
Principal Uses per Lot	1 max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Not applicable to shared driveways.

³ Not applicable to approved Multiple-Family Residential.

⁴ Garages accessed from alleys shall not be setback between 5 and 20 feet from the rear property line.

⁵ Applicable to attached and detached garages.

⁶ Manufactured homes are prohibited.

§ 207 [Ord. No. 2947, 2-27-24] [Ord. No. 2984, 11-12-24]

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Rules &
Definitions**208 ZONE DISTRICT: RESIDENTIAL OLD TOWN****208.A Purpose**

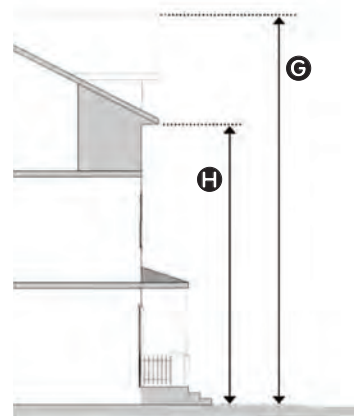
The Residential Old Town zone district is intended to provide areas for one-family residential uses, as well as limited multiple-family residential, educational, and institutional uses, and development complementary to and compatible with the traditional character of the City's original neighborhoods in terms of mass, height, setbacks, density, and street layout.

208.B Dimensional Standards (See below.)**Building Placement****Lot Line Setbacks**

Front			A
Principal Building	15' min.		
Porch	9' min.		B
Attached Garage	20' min.		
Accessory Building	20' min.		
Side			C
Principal Building	10' min.		
Attached Garage	10' min.		
Accessory Building	5' min.		
Rear			D
Principal Building	10' min.		
Attached Garage	10' min.		
Accessory Building	5' min.		

Lot Size

Width ¹	25' min.	E
	100' max.	
Depth ¹	no min.	F
Area	6,000 sf min.	
	12,500 sf max.	
Duplex	12,000 sf min.	

**Building Form****Building Height ¹**

Principal Building		
Overall Height	34' max.	G
Average Plate Height	22' max.	H
Accessory Building with Secondary Unit		
Overall Height	28' max.	G
Average Plate Height	18' max.	H
Accessory Building without Secondary Unit		
Overall Height	24' max.	G
Average Plate Height	18' max.	H

Other Standards**Building Intensity**

Lot Coverage	35% max.
Floor Area Ratio	
Total	45% max.
Principal Building	45% max.
Accessory Building	20% max.

Density ²

Dwelling Units per Lot	2 max. ³
Principal Uses per Lot	1 max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

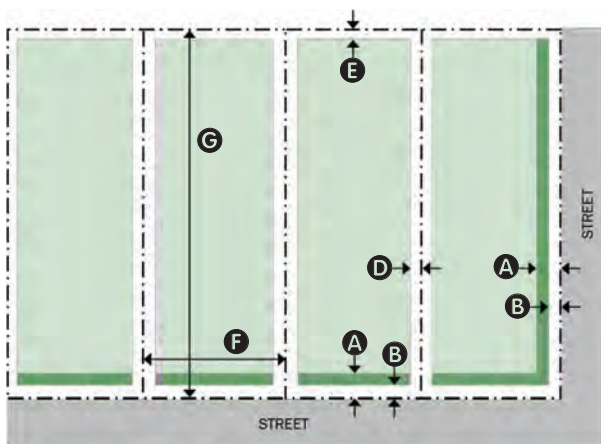
² Manufactured homes are prohibited.

³ Not applicable to approved Multiple-Family Residential.

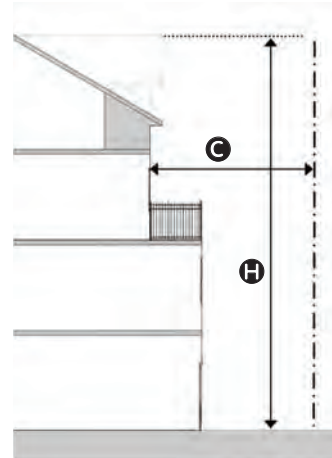
§ 5208 [Ord. No. 2947, 2-27-24]

209 ZONE DISTRICT: RESORT RESIDENTIAL - ONE**209.A Purpose**

The Resort Residential zone districts are intended to provide areas for high-intensity residential and lodging uses and development with a mountain resort character that is complementary to and supportive of the Base Area in terms of intensity, density, uses, and connectivity. These zone districts accommodate development that serves as a gateway to the mountain resort area with density and intensity increasing closer to the Base Area.

209.B Dimensional Standards (See below.)

--- Property Line
 ■ Building Envelope ■ Porch Area



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	20' min.	
Porch	15' min.	B
3rd Story and Above	25' min.	C
Accessory Building	25' min.	
Side		D
Principal Building	15' min.	
Accessory Building	15' min.	
Rear		E
Principal Building	15' min.	
Accessory Building	15' min.	
Lot Size		
Width ¹	25' min. no max.	F
Depth ¹	no min.	G
Area	6,000 sf min. no max.	

Building Form	
Building Height ¹	
Overall Height	63' max. H
Parking Lot Placement	
Lot Line Setbacks	
Front	25' min.
Other Standards	
Building Intensity	
Lot Coverage	50% max.
Floor Area Ratio	no max.
Density ²	
Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

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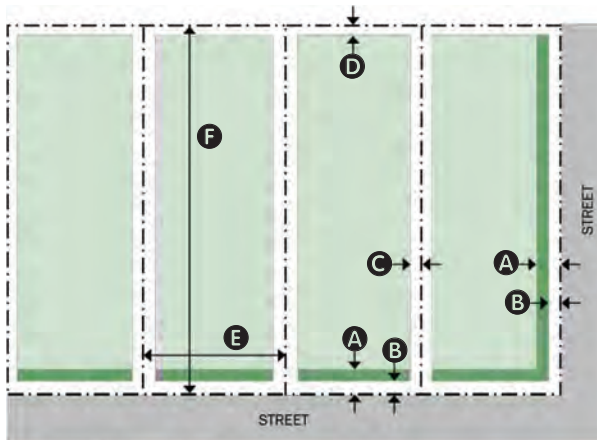
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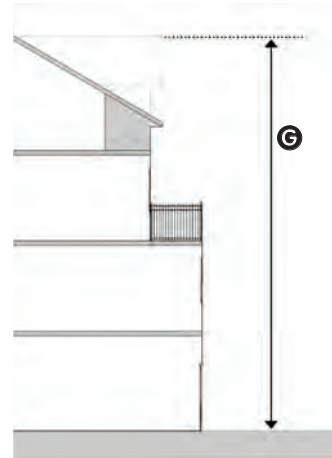
8

Rules &
Definitions**210 ZONE DISTRICT: RESORT RESIDENTIAL - TWO****210.A Purpose**

The Resort Residential zone districts are intended to provide areas for high-intensity residential and lodging uses and development with a mountain resort character that is complementary to and supportive of the Base Area in terms of intensity, density, uses, and connectivity. These zone districts accommodate development that serves as a gateway to the mountain resort area with density and intensity increasing closer to the Base Area.

210.B Dimensional Standards (See below.)

--- Property Line
 Building Envelope
 Porch Area

**Building Placement****Lot Line Setbacks**

Front		A
Principal Building	20' min.	
Porch	15' min.	B
Adjacent to Ski Slope	0' min.	
Accessory Building	25' min.	
Side		C
Principal Building	15' min.	
Adjacent to Ski Slope	0' min.	
Accessory Building	10' min.	
Rear		D
Principal Building	15' min.	
Adjacent to Ski Slope	0' min.	
Accessory Building	10' min.	

Lot Size

Width ¹	25' min. no max.	E
Depth ¹	no min.	F
Area	no min. no max.	

Building Form**Building Height ¹**

Overall Height ²	75' max.	G

Parking Lot Placement**Lot Line Setbacks**

Front	25' min.

Other Standards**Building Intensity**

Lot Coverage	65% max.
Floor Area Ratio	no max.

Density ³

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Significant variation in building height, including differences of multiple stories, is required. Refer to [Section 440](#) for Base Area design standards.

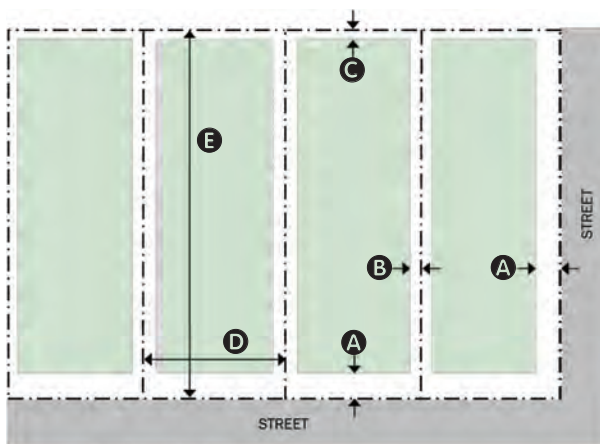
³ Manufactured homes are prohibited.

211 ZONE DISTRICT: MANUFACTURED HOME

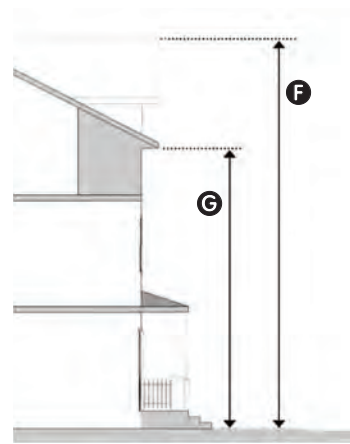
211.A Purpose

The Manufactured Home zone district is intended to provide areas for manufactured home residential development, including manufactured home parks and manufactured home subdivisions.

211.B Dimensional Standards (See below.)



--- Property Line
■ Building Envelope



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	20' min.	
Accessory Building	20' min.	
Side		B
Principal Building	10' min.	
Accessory Building	10' min.	
Rear		C
Principal Building	10' min.	
Accessory Building	10' min.	
Building Separation		
Principal Buildings ²	15' min.	
Lot Size		
Width ¹	25' min.	D
	no max.	
Depth ¹	no min.	E
Area	4,000 sf min.	
	no max.	

Building Form		
Building Height ¹		
Principal Building		
Overall Height	28' max.	F
Average Plate Height	28' max.	G
Accessory Building		
Overall Height	28' max.	F
Average Plate Height	28' max.	G
Other Standards		
Building Intensity		
Lot Coverage	no max.	
Floor Area Ratio	no max.	
Dwelling Unit Size	2,500 sf max.	
Density		
Subdivision		
Dwelling Units per Lot	1	
Manufactured Home Park		
Dwelling Units per 4,000 sf	1	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Only applicable to principal buildings in a manufactured home park.

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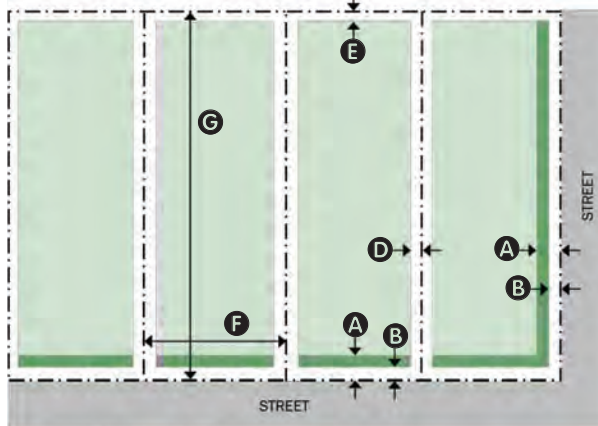
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212 ZONE DISTRICT: MULTIPLE-FAMILY - ONE

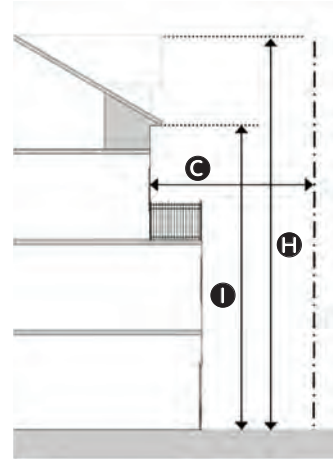
212.A Purpose

The Multiple-Family zone districts are intended to provide areas for multiple-family residential uses and development, including townhomes, condominiums, apartments, and other attached residential forms, as well as limited nonresidential uses that are complementary to and compatible with a multiple-family residential neighborhood.

212.B Dimensional Standards (See below.)



-- Property Line
Building Envelope Porch Area



Building Placement

Lot Line Setbacks

Front		A
Principal Building	20' min.	
Porch	15' min.	B
3rd Story and Above	25' min.	C
Accessory Building	25' min.	
Side		D
Principal Building	15' min.	
Accessory Building	5' min.	
Rear		E
Principal Building	15' min.	
Accessory Building	5' min.	

Lot Size

Width ¹	40' min. no max.	F
Depth ¹	no min.	G
Area	12,000 sf min. no max.	

Parking Lot Placement

Lot Line Setbacks

Front		
EC Overlay Zone	15' min.	
Non-Entry Corridor	10' min.	

Building Form

Building Height ¹

Buildings with Underground Parking		
Overall Height	63' max.	H
Average Plate Height	41' max.	I
Buildings without Underground Parking		
Overall Height	57' max.	H
Average Plate Height	35' max.	I
Single-Family Residential Buildings		
Overall Height	40' max.	H
Average Plate Height	28' max.	I

Other Standards

Building Intensity

Lot Coverage	35% max.
Floor Area Ratio	40% max.

Density ²

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

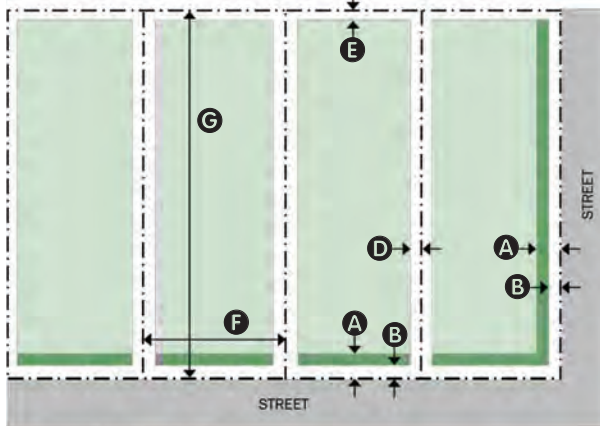
² Manufactured homes are prohibited.

213 ZONE DISTRICT: MULTIPLE-FAMILY - TWO

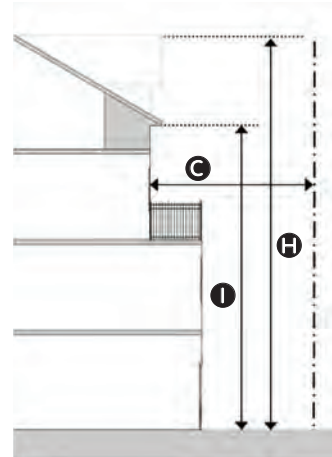
213.A Purpose

The Multiple-Family zone districts are intended to provide areas for multiple-family residential uses and development, including townhomes, condominiums, apartments, and other attached residential forms, as well as limited nonresidential uses that are complementary to and compatible with a multiple-family residential neighborhood.

213.B Dimensional Standards (See below.)



--- Property Line
 ■ Building Envelope ■ Porch Area



Building Placement

Lot Line Setbacks

Front		A
Principal Building	15' min.	
Porch	10' min.	B
3rd Story and Above	20' min.	C
Accessory Building	20' min.	
Side		D
Principal Building	15' min.	
Accessory Building	5' min.	
Rear		E
Principal Building	15' min.	
Accessory Building	5' min.	

Lot Size

Width ¹	40' min. no max.	F
Depth ¹	no min.	G
Area	12,000 sf min. no max.	

Parking Lot Placement

Lot Line Setbacks

Front		
EC Overlay Zone	15' min.	
Non-Entry Corridor	10' min.	

Building Form

Building Height ¹

Buildings with Underground Parking		
Overall Height	63' max.	H
Average Plate Height	41' max.	I
Buildings without Underground Parking		
Overall Height	57' max.	H
Average Plate Height	35' max.	I
Single-Family Residential Buildings		
Overall Height	40' max.	H
Average Plate Height	28' max.	I

Other Standards

Building Intensity

Lot Coverage	40% max.
Floor Area Ratio	45% max.

Density ²

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

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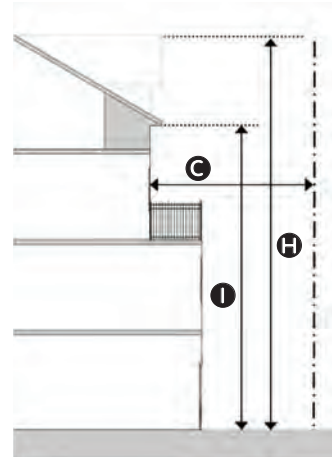
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Rules &
Definitions**214 ZONE DISTRICT: MULTIPLE-FAMILY - THREE****214.A Purpose**

The Multiple-Family zone districts are intended to provide areas for multiple-family residential uses and development, including townhomes, condominiums, apartments, and other attached residential forms, as well as limited nonresidential uses that are complementary to and compatible with a multiple-family residential neighborhood.

214.B Dimensional Standards (See below.)**Building Placement****Lot Line Setbacks**

Front			A
Principal Building	15' min.		
Porch	10' min.		B
3rd Story and Above	20' min.		C
Accessory Building	20' min.		
Side			D
Principal Building	10' min.		
Accessory Building	5' min.		
Rear			E
Principal Building	10' min.		
Accessory Building	5' min.		

Lot Size

Width ¹			F
	40' min.		
	no max.		
Depth ¹			G
	no min.		
Area			
	12,000 sf min.		
	no max.		

Parking Lot Placement**Lot Line Setbacks**

Front		
EC Overlay Zone	15' min.	
Non-Entry Corridor	10' min.	

Building Form**Building Height ¹**

Buildings with Underground Parking			
Overall Height	63' max.		H
Average Plate Height	41' max.		I
Buildings without Underground Parking			
Overall Height	57' max.		H
Average Plate Height	35' max.		I
Single-Family Residential Buildings			
Overall Height	40' max.		H
Average Plate Height	28' max.		I

Other Standards**Building Intensity**

Lot Coverage	45% max.
Floor Area Ratio	50% max.

Density ²

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

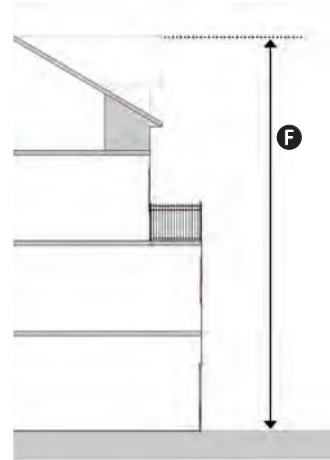
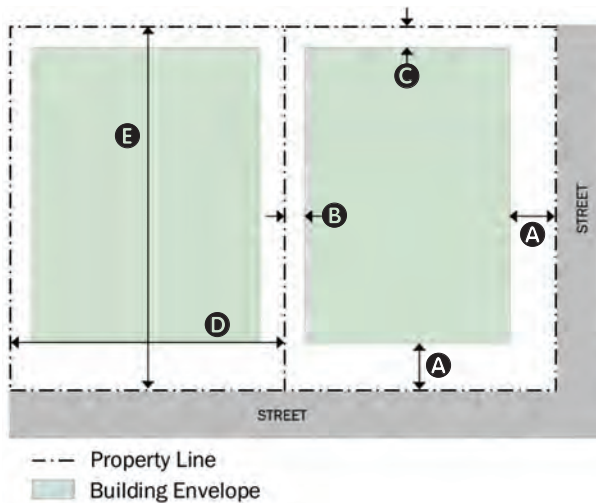
² Manufactured homes are prohibited.

215 ZONE DISTRICT: GONDOLA - ONE

215.A Purpose

The Gondola zone districts are mixed-use districts intended to provide areas for resort-oriented, high-intensity commercial uses and high-density residential and lodging uses that are complementary to and supportive of the Base Area. These zone districts allow for design flexibility and creativity and emphasize pedestrian-oriented, interconnected development that creates active public spaces with density and intensity increasing closer to the Base Area.

215.B Dimensional Standards (See below.)



Building Placement		
Lot Line Setbacks		
Front		A
Per the Mountain Town Sub-Area Plan requirements to provide public gathering spaces and pedestrian corridors.		
Side		B
Per the Mountain Town Sub-Area Plan requirements to provide public gathering spaces and pedestrian corridors.		
Rear		C
Per the Mountain Town Sub-Area Plan requirements to provide public gathering spaces and pedestrian corridors.		
Lot Size		
Width ¹	25' min. no max.	D
Depth ¹	no min.	E
Area	no max.	
Residential	6,000 sf min.	
Commercial or Mixed Use	3,000 sf min.	

Building Form	
Building Height ¹	
Overall Height ²	75' max. F
Parking Lot Placement	
Lot Line Setbacks	
Front	20' min.
Other Standards	
Building Intensity	
Lot Coverage	60% max.
Floor Area Ratio	no max.
Density	
Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Significant variation in building height, including differences of multiple stories, is required. Refer to [Section 440](#) for Base Area design standards.

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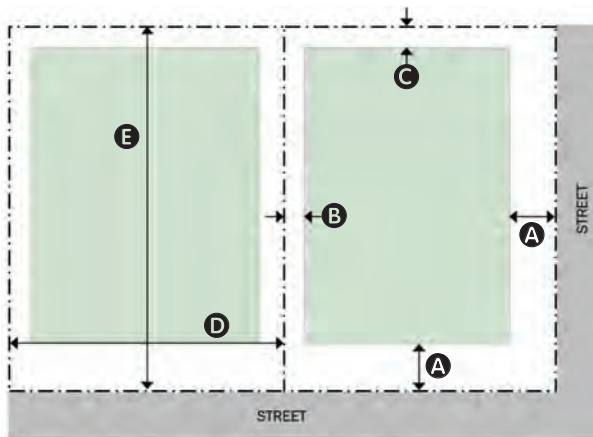
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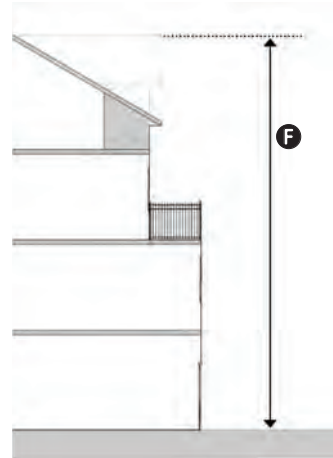
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Rules &
Definitions**216 ZONE DISTRICT: GONDOLA - TWO****216.A Purpose**

The Gondola zone districts are mixed-use districts intended to provide areas for resort-oriented, high-intensity commercial uses and high-density residential and lodging uses that are complementary to and supportive of the Base Area. These zone districts allow for design flexibility and creativity and emphasize pedestrian-oriented, interconnected development that creates active public spaces with density and intensity increasing closer to the Base Area.

216.B Dimensional Standards (See below.)

--- Property Line
 Building Envelope

**Building Placement****Lot Line Setbacks**

Front **A**

Per the Mountain Town Sub-Area Plan requirements to provide public gathering spaces and pedestrian corridors.

Side **B**

Per the Mountain Town Sub-Area Plan requirements to provide public gathering spaces and pedestrian corridors.

Rear **C**

Per the Mountain Town Sub-Area Plan requirements to provide public gathering spaces and pedestrian corridors.

Lot Size

Width ¹ 25' min. **D**
 no max.

Depth ¹ no min. **E**

Area no min.
 no max.

Building Form**Building Height ¹**

Overall Height ² 105' max. **F**

Other Standards**Building Intensity**

Lot Coverage 65% max.

Floor Area Ratio no max.

Density

Dwelling Units per Lot no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

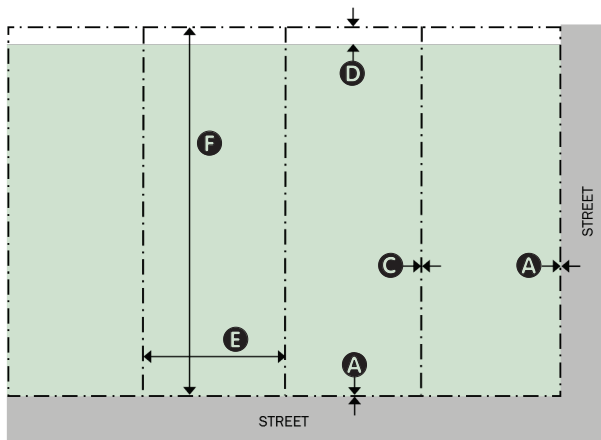
² Significant variation in building height, including differences of multiple stories, is required. Refer to [Section 440](#) for Base Area design standards.

217 ZONE DISTRICT: COMMERCIAL OLD TOWN

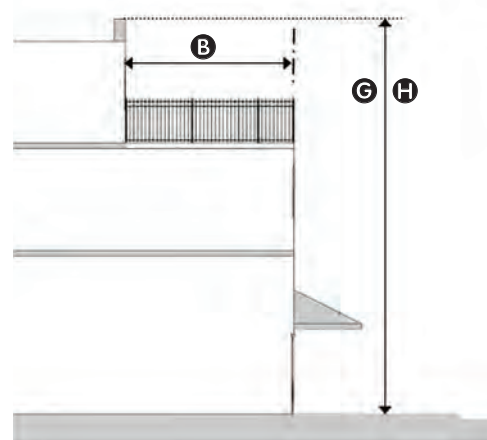
217.A Purpose

The Commercial Old Town zone district is intended to provide for commercial uses and development complementary to and compatible with the traditional character of the downtown area in terms of scale, streetscape, and pedestrian orientation. Commercial Old Town is a mixed-use district that emphasizes active commercial uses on the pedestrian level, such as retail, service, restaurants, and lodging, as well as accommodating office and residential uses that are complementary to and supportive of the active streetscape.

217.B Dimensional Standards (See below.)



- Property Line
 ■ Building Envelope



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building up to 28'	0' min. 0' max.	
Principal Building above 28'	15' min.	B
Side		C
Principal Building	0' max.	
Accessory Building	0' max.	
Rear		D
Principal Building	10' min.	
Accessory Building	10' min.	
Lot Size		
Width ¹	25' min. 150' max.	E
Depth ¹	no min.	F
Area	3,000 sf min. 22,000 sf max.	

Building Form		
Building Height ¹		
Buildings without Residential on Uppermost Floor		
Overall Height	28' max.	G
Average Plate Height	28' max.	H
Buildings with Residential on Uppermost Floor		
Overall Height	38' max.	G
Average Plate Height	38' max.	H
Public Facilities		
Overall Height	42' max.	G
Average Plate Height	42' max.	H
Other Standards		
Building Intensity		
Lot Coverage	no max.	
Floor Area Ratio	200% max.	
Density		
Dwelling Units per Lot	no max.	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

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Definitions**218 ZONE DISTRICT: COMMERCIAL YAMPA - ONE****218.A Purpose**

The Commercial Yampa zone districts are intended to provide for development along Yampa Street that is complementary to but distinctively different than Commercial Old Town. These zone districts are mixed-use districts that accommodate moderate-intensity commercial uses, including retail, restaurants, and lodging, as well as office and residential uses that are compatible with and supportive of the active streetscape. Commercial Yampa emphasizes pedestrian-oriented development that provides physical and visual connections and transitions between the Yampa River and the Commercial Old Town zone district.

218.B Dimensional Standards (See below.)

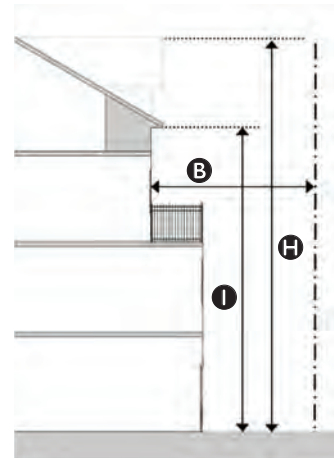
--- Property Line
 ■ Building Envelope ■ Porch Area

Building Placement**Lot Line Setbacks**

Front		A
Principal Building up to 28'	10' min.	
Principal Building above 28'	25' min.	B
Porch or Deck	5' min.	C
Accessory Building	15' min.	
Side		D
Principal Building (One Side)	0' min.	
Principal Building (Other Side)	7.5' min.	
Porch or Deck	0' min.	
Accessory Building	0' min.	
Rear ²		E
Principal Building	30' min.	
Porch or Deck	10' min.	
Accessory Building	15' min.	

Lot Size

Width ¹		F
	25' min.	
	100' max.	
Depth ¹		G
	no min.	
Area		
	3,000 sf min.	
	14,000 sf max.	

**Building Form****Building Height ¹**

Principal Building		
Overall Height	36' max.	H
Average Plate Height	24' max.	I
Accessory Building		
Overall Height	36' max.	H
Average Plate Height	24' max.	I

Other Standards**Building Intensity**

Lot Coverage	65% max.
Floor Area Ratio	100% max.

Density ³

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Rear setbacks are measured from the ordinary high water mark. Where a required waterbody setback differs from the minimum rear setback, these CY-1 standards shall apply.

³ Manufactured homes are prohibited.

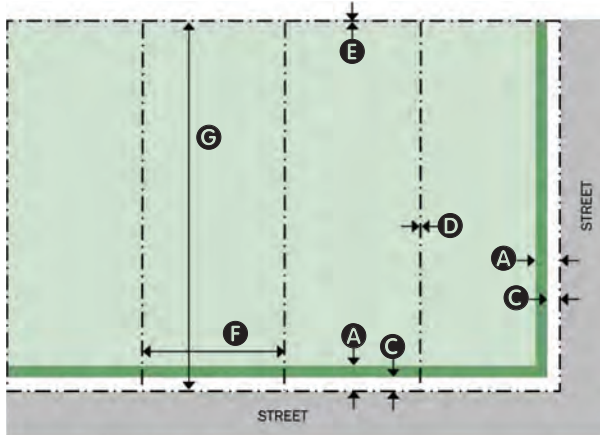
§ 218 [Ord. No. 2650, 5-15-18]

219 ZONE DISTRICT: COMMERCIAL YAMPA - TWO

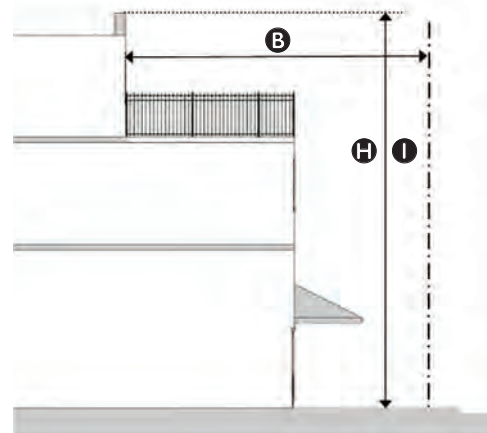
219.A Purpose

The Commercial Yampa zone districts are intended to provide for development along Yampa Street that is complementary to but distinctively different than Commercial Old Town. These zone districts are mixed-use districts that accommodate moderate-intensity commercial uses, including retail, restaurants, and lodging, as well as office and residential uses that are compatible with and supportive of the active streetscape. Commercial Yampa emphasizes pedestrian-oriented development that provides physical and visual connections and transitions between the Yampa River and the Commercial Old Town zone district.

219.B Dimensional Standards (See below.)



--- Property Line
 Building Envelope
 Porch Area



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building up to 28'	10' min.	
Principal Building above 28'	25' min.	B
Porch or Deck	5' min.	C
Accessory Building	15' min.	
Side		D
Principal Building	0' min.	
Porch or Deck	5' min.	
Accessory Building	5' min.	
Rear		E
Principal Building	0' min.	
Porch or Deck	20' min.	
Accessory Building	10' min.	
Lot Size		
Width ¹	25' min. 100' max.	F
Depth ¹	no min.	G
Area	3,000 sf min. 22,000 sf max.	

Building Form		
Building Height ¹		
Buildings without Residential on Uppermost Floor		
Overall Height	28' max.	H
Average Plate Height	28' max.	I
Buildings with Residential on Uppermost Floor		
Overall Height	38' max.	H
Average Plate Height	38' max.	I
Public Facilities		
Overall Height	42' max.	H
Average Plate Height	42' max.	I
Other Standards		
Building Intensity		
Lot Coverage	85% max.	
Floor Area Ratio		
Without 3rd Floor Residential	150% max.	
With 3rd Floor Residential	200% max.	
Density ²		
Dwelling Units per Lot	no max.	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

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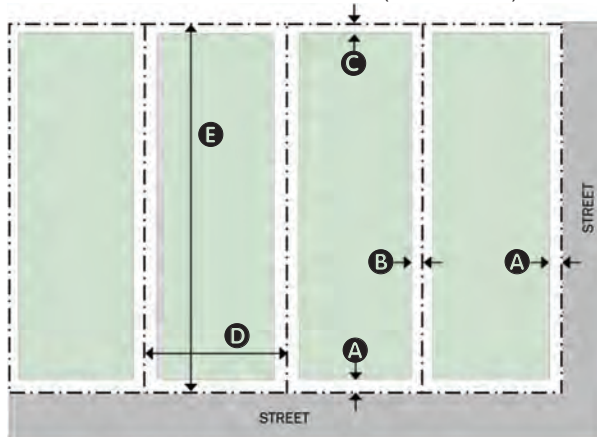
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220 ZONE DISTRICT: COMMERCIAL OAK - ONE

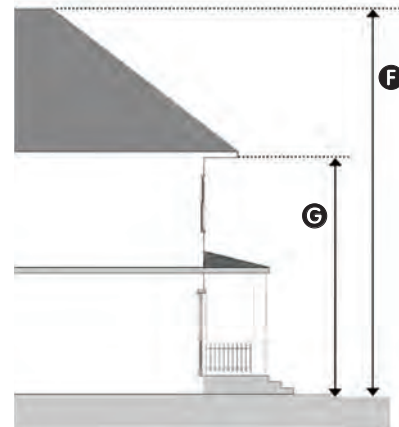
220.A Purpose

The Commercial Oak zone districts are intended to provide areas along Oak Street for low-intensity commercial uses, such as office and limited retail and service. These zone districts are also intended to provide for vertical and horizontal mixed-use development that incorporates residential densities and forms compatible with permitted commercial uses. Commercial Oak accommodates uses and development that are complementary to and compatible with the surrounding neighborhood in terms of scale and intensity, as well as provide a buffer or transition between the Commercial Old Town zone district and the Old Town residential neighborhood.

220.B Dimensional Standards (See below.)



-- Property Line
■ Building Envelope



Building Placement

Lot Line Setbacks

Front		A
Principal Building	10' min. 30' max.	
Accessory Building	15' min.	
Side		B
Principal Building	10' min.	
Accessory Building	5' min.	
Rear		C
Principal Building	10' min.	
Accessory Building	5' min.	

Lot Size

Width ¹	25' min. 100' max.	D
Depth ¹	no min.	E
Area	3,000 sf min. 14,000 sf max.	

Building Form

Building Height ¹

Principal Building		
Overall Height	32' max.	F
Average Plate Height	20' max.	G
Accessory Building		
Overall Height	32' max.	F
Average Plate Height	20' max.	G

Other Standards

Building Intensity

Lot Coverage	50% max.
Floor Area Ratio	50% max.

Density ²

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

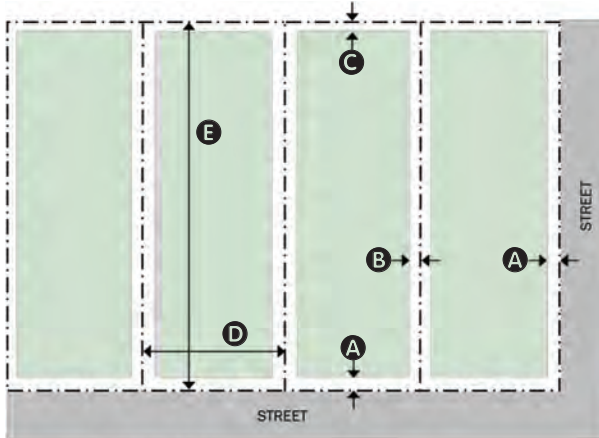
² Manufactured homes are prohibited.

221 ZONE DISTRICT: COMMERCIAL OAK - TWO

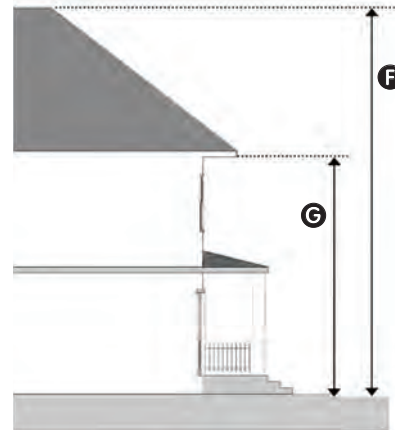
221.A Purpose

The Commercial Oak zone districts are intended to provide areas along Oak Street for low-intensity commercial uses, such as office and limited retail and service. These zone districts are also intended to provide for vertical and horizontal mixed-use development that incorporates residential densities and forms compatible with permitted commercial uses. Commercial Oak accommodates uses and development that are complementary to and compatible with the surrounding neighborhood in terms of scale and intensity, as well as provide a buffer or transition between the Commercial Old Town zone district and the Old Town residential neighborhood.

221.B Dimensional Standards (See below.)



--- Property Line
 ■ Building Envelope



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	10' min. 30' max.	
Accessory Building	15' min.	
Side		B
Principal Building	10' min.	
Accessory Building	5' min.	
Rear		C
Principal Building	10' min.	
Accessory Building	5' min.	
Lot Size		
Width ¹	25' min. 100' max.	D
Depth ¹	no min.	E
Area	3,000 sf min. 14,000 sf max.	

Building Form		
Building Height ¹		
Principal Building		
Overall Height	32' max.	F
Average Plate Height	20' max.	G
Accessory Building		
Overall Height	32' max.	F
Average Plate Height	20' max.	G
Other Standards		
Building Intensity		
Lot Coverage	50% max.	
Floor Area Ratio	100% max.	
Density ²		
Dwelling Units per Lot	no max.	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Manufactured homes are prohibited.

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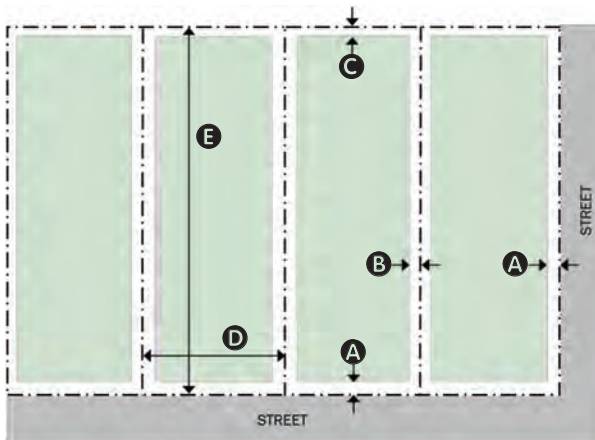
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Definitions**222 ZONE DISTRICT: COMMERCIAL NEIGHBORHOOD****222.A Purpose**

The Commercial Neighborhood zone district is intended to provide areas for low-intensity commercial uses, such as office and limited retail and service. This zone district is also intended to provide for vertical and horizontal mixed-use development that incorporates residential densities and forms compatible with permitted commercial uses. Commercial Neighborhood accommodates uses and development that are complementary to and compatible with the surrounding neighborhoods in terms of scale and intensity.

222.B Dimensional Standards (See below.)

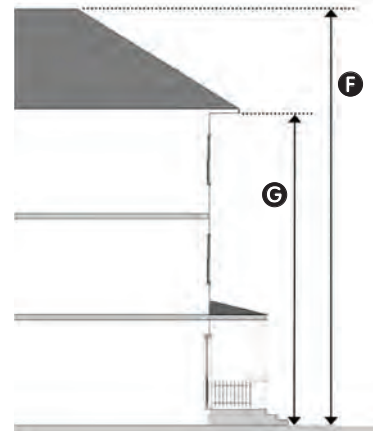
--- Property Line
 ■ Building Envelope

Building Placement**Lot Line Setbacks**

Front A	
Principal Building	10' min. 30' max.
Highway 40 Frontage	30' min.
Accessory Building	15' min.
Side B	
Principal Building	10' min.
Accessory Building	5' min.
Rear C	
Principal Building	10' min.
Accessory Building	5' min.

Lot Size

Width ¹	25' min. D 100' max.
Depth ¹	no min. E
Area	3,000 sf min. no max.

**Building Form****Building Height ¹**

Principal Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G
Accessory Building		
Overall Height	40' max.	F
Average Plate Height	28' max.	G

Parking Lot Placement**Lot Line Setbacks**

Front	
>50 Parking Spaces	15' min.

Other Standards**Building Intensity**

Lot Coverage	50% max.
Floor Area Ratio	60% max.

Density ²

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

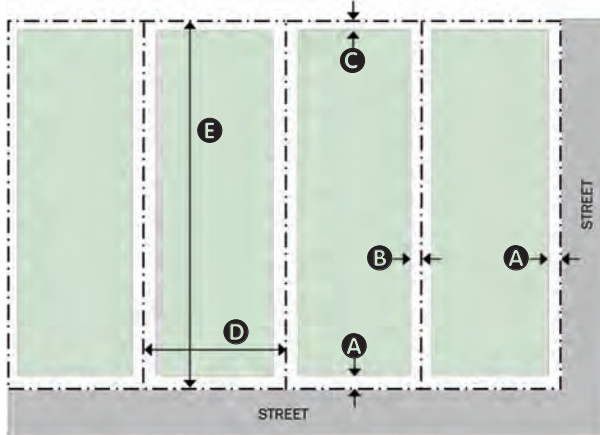
² Manufactured homes are prohibited.

223 ZONE DISTRICT: COMMUNITY COMMERCIAL

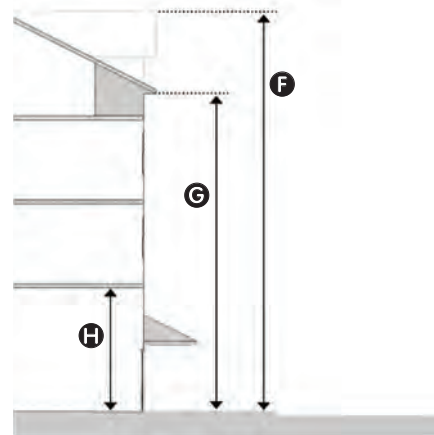
223.A Purpose

The Community Commercial zone district is a mixed-use district intended to provide areas for community-wide commercial and multiple-family residential uses. This zone district is intended to accommodate multi-modal activity nodes at major intersections along US-40 with office, lodging, and compatible residential development located between nodes. Community Commercial emphasizes pedestrian-friendly design, multi-modal access, and vertical and horizontal mixed-use development that establishes an active corridor and attractive streetscape.

223.B Dimensional Standards (See below.)



--- Property Line
 ■ Building Envelope



Building Placement

Lot Line Setbacks

Front		A
Principal Building	5' min.	
	20' max. ²	
Accessory Building	20' min.	
Side		B
Principal Building (lot width ≤50')	0' min.	
Principal Building (lot width >50')	7.5' min.	
Accessory Building	5' min.	
Rear		C
Principal Building	7.5' min.	
Accessory Building	7.5' min.	

Lot Size

Width ¹	25' min.	D
	no max.	
Depth ¹	no min.	E
Area	no min.	
	no max.	

Parking Lot Placement

Lot Line Setbacks

Front	30' min.

Building Form

Building Height ¹

Principal Building		
Overall Height	63' max.	F
Frontage Height	26' min.	G
Ground Floor Height	14' min.	H
Accessory Building		
Overall Height	63' max.	F

Other Standards

Building Intensity

Lot Coverage	no max.
Floor Area Ratio	no max.
Second Story Intensity	75% min.
Dwelling Unit Size	1,400 sf max.

Density

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

² Front setbacks in excess of 20' may be permitted by the Director where utility easements, environmentally sensitive areas, or other physical constraints prohibit compliance with the maximum front setback.

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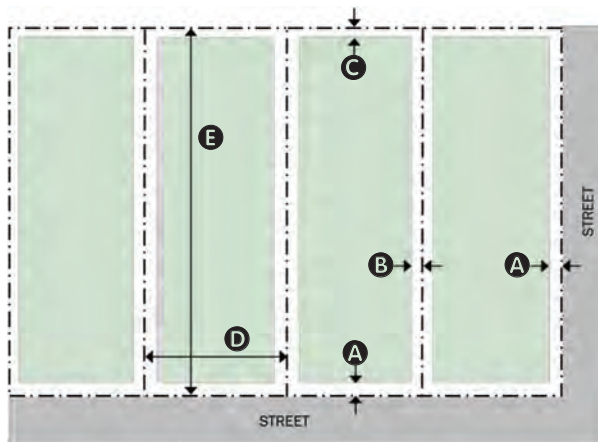
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Definitions**224 ZONE DISTRICT: COMMERCIAL SERVICES****224.A Purpose**

The Commercial Services zone district is intended to provide areas for higher intensity community-wide commercial uses. This zone district accommodates automobile-oriented uses but also emphasizes pedestrian-friendly development and multi-modal access.

224.B Dimensional Standards (See below.)

-- Property Line
 ■ Building Envelope

Building Placement**Lot Line Setbacks**

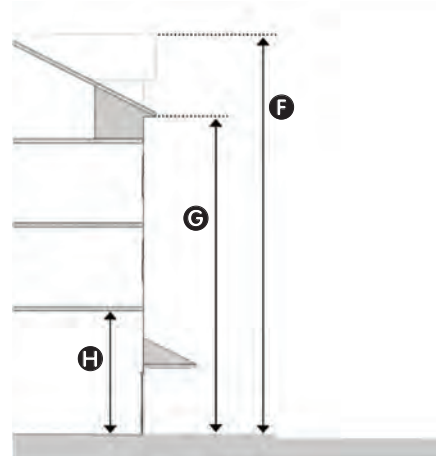
Front			A
Principal Building	5' min.		
	20' max. ²		
Accessory Building	20' min.		
Side			B
Principal Building (lot width ≤50')	0' min.		
Principal Building (lot width >50')	7.5' min.		
Accessory Building	7.5' min.		
Rear			C
Principal Building	7.5' min.		
Accessory Building	7.5' min.		

Lot Size

Width ¹			D
	25' min.		
	no max.		
Depth ¹			E
	no min.		
Area			
	no min.		
	no max.		

Parking Lot Placement**Lot Line Setbacks**

Front	30' min.

**Building Form****Building Height ¹**

Principal Building			
Overall Height	63' max.		F
Frontage Height	26' min.		G
Ground Floor Height	14' min.		H
Accessory Building			
Overall Height	63' max.		F

Other Standards**Building Intensity**

Lot Coverage	no max.
Floor Area Ratio	no max.
Second Story Intensity	50% min.
Dwelling Unit Size	1,400 sf max.

Density

Dwelling Units per Lot	no max.

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

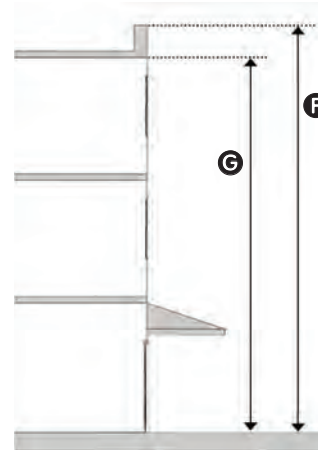
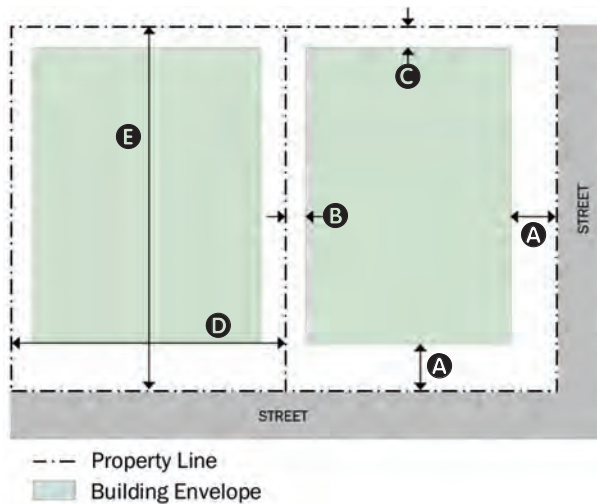
² Front setbacks in excess of 20' may be permitted by the Director where utility easements, environmentally sensitive areas, or other physical constraints prohibit compliance with the maximum front setback.

225 ZONE DISTRICT: INDUSTRIAL

225.A Purpose

The Industrial zone district is intended to provide areas for industrial uses and limited outdoor commercial uses. This zone district also accommodates mixed-use development that may incorporate limited office and compatibly integrated live/work uses and other residential densities and forms.

225.B Dimensional Standards (See below.)



Building Placement		
Lot Line Setbacks		
Front		A
Principal Building	15' min.	
Accessory Building	15' min.	
Side		B
Principal Building	10' min.	
Accessory Building	10' min.	
Rear		C
Principal Building	10' min.	
Accessory Building	10' min.	
Lot Size		
Width ¹	30' min. no max.	D
Depth ¹	no min.	E
Area	no min. no max.	
Parking Lot Placement		
Lot Line Setbacks		
Front		
EC Overlay Zone	30' min.	
Non-Entry Corridor >50 Spaces	15' min.	

Building Form		
Building Height ¹		
Principal Building		
Overall Height		
EC Overlay Zone	40' max.	F
Non-Entry Corridor	32' max.	F
Average Plate Height	28' max.	G
Special Work Areas		
Overall Height	40' max.	F
Average Plate Height	40' max.	G
Accessory Building		
Overall Height	32' max.	F
Average Plate Height	28' max.	G
Other Standards		
Building Intensity		
Lot Coverage	60% max.	
Floor Area Ratio	60% max.	
Dwelling Unit Size	1,400 sf max.	
Density		
Dwelling Units per Lot	no max.	

¹ The above graphics are not intended to illustrate how building height, lot width, or lot depth is measured. Refer to [Section 801](#) for rules of measurement.

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226 ZONE DISTRICT: PLANNED UNIT DEVELOPMENT

- 226.A

Purpose

The Planned Unit Development zone districts are intended to permit flexibility, creativity, and innovation in development when unique circumstances preclude development pursuant to standard zone district regulations or would require approval of multiple variances.
- 226.B

General Requirements

A PUD zone district shall clearly define permitted uses, dimensional standards, development standards, design standards, and subdivision standards applicable to lots within the PUD zone district.

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227 ZONE DISTRICT: TRADITIONAL NEIGHBORHOOD DEVELOPMENT

227.A Purpose

The Traditional Neighborhood Development zone district is intended to provide options and standards for development that emphasize the features of traditional neighborhoods. This zone district accommodates, encourages, and promotes innovatively designed developments, including residential and nonresidential land uses, that form an attractive and harmonious mixed-use development that promotes an interconnected, multi-modal, walkable community.

227.B Applicability

1. All property located within the boundary of the West Steamboat Springs Area Plan shall be zoned TND upon annexation.
2. Any property within the City may be zoned TND.

227.C General Requirements

Any development and use of property zoned TND shall comply with the applicable transect zone standards, building type standards, frontage type standards, and parks and open space standards.

227.D Building Type Standards

1. Purpose

Define the physical form of the built environment within the TND zone district.

2. Applicability

The TND building type standards apply to all development within the TND zone district as specified in the dimensional standards for the TND transect zones. In circumstances where standards contained in this Section are in conflict with any standards contained elsewhere in Article 4, the standards in this Section shall apply.

3. General Standards

- a. Lots shall be developed according to the specific building type designated on the TND Phase Regulating Plan.
- b. For lots assigned more than one building type, dimensional requirements must be calculated using the building type boundary lines designated in the TND Phase Plan.

4. Building Type Categories

a. Residential Building Types

- i. Single-Family
- ii. Duplex
- iii. Cottage Court
- iv. Rowhouse
- v. Triplex and Fourplex
- vi. Small Multi-Unit
- vii. Large Multi-Unit

b. Mixed Use Building Types

- i. Live-Work
- ii. Mixed Mid-Rise

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c. Special Building Types

- i. Large-Format Industrial
- ii. Large-Format Retail
- iii. Civic

5. Use Restrictions for Building Types

- a. In mixed use and special building types, any use allowed in the underlying transect zone is permitted anywhere in the building.
- b. For residential building types in a T2, T3, or T4 transect zone, the following restrictions apply:
 - i. In the small multi-unit and large multi-unit building types commercial and industrial uses allowed in the underlying transect zone are limited to 25% of the ground story of each building. Commercial and industrial uses are not allowed in the upper stories.
 - ii. In the single-family, duplex, cottage court, triplex and fourplex, and rowhouse building types, commercial and industrial uses are not allowed.
- c. For residential building types in a T5 transect zone, commercial and industrial uses allowed in the underlying transect zone are allowed on the ground story. Commercial and industrial uses are not allowed in the upper stories.

6. Building Type Permissions

Building types are allowed by transect zone as follows.

Table 227-1. Transect Zone Building Types

Transect Zone									
Building Type	T2 NE	T3 NG1	T3 NG2	T4 NX	T4 NC	T5 VC	T5 TC	SD 1	SD 2
Residential									
Single-Family	A	A	A	A		A			
Duplex	A	A	A	A	A	A			
Cottage Court		A	A	A		A			
Triplex & Fourplex		A	A	A	A	A			
Rowhouse			A	A	A	A			
Small Multi-Unit			A	A	A	A			
Large Multi-Unit				A	A	A			
Mixed Use									
Live-Work				A	A	A			
Mixed Mid-Rise					A	A	A		
Special									
Large-Format Industrial								A	
Large-Format Retail								A	
Civic								A	A

A = Allowed

7. Standards

- a. Single-Family
- b. Duplex

Single-Family

General	
The single-family building type consists of a structure that contains one dwelling unit. All units front and are accessed from the street or public open space.	
Building Intensity	
Lot Coverage	60% max.
Building Separation	10' min.
Massing and Composition	
Primary Structure	
Width	35' max.
Overall Height	40' max.
Average Plate Height	28' max.
Accessory Structure	
Width	30' max.
Overall Height	28' max.
Fences and Walls	
Front Yard	Allowed
Side Street Yard	Allowed

Duplex

General Description	
The duplex building type consists of a structure that contains two dwelling units. All units front and are accessed from the street or public open space.	
Building Intensity	
Lot Coverage	60% max.
Building Separation	10' min.
Massing and Composition	
Primary Structure	
Width	40' max.
Overall Height	40' max.
Average Plate Height	28' max.
Accessory Structure	
Width	30' max.
Overall Height	28' max.
Fences and Walls	
Front Yard	Allowed
Side Street Yard	Allowed

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- c. Cottage Court
- d. Triplex

Cottage Court

General Description

The cottage court building type consists of a series of small single-family dwellings or duplexes that are arranged next to each other to form a shared court. Units along a street or public open space may front and be accessed from the street or public open space or the shared courtyard. All the other units front and are accessed from the shared courtyard that is connected to the public right-of-way.

Building Intensity

Lot Coverage	60% max.
Building Separation	10' min.

Massing and Composition

Primary Structure	
Width	30' max.
Overall Height	28' max.
Average Plate Height	No max.

Accessory Structure	
Width	30' max.
Overall Height	28' max.

Courtyard	
Width	20' min.

Fences and Walls

Front Yard	Not allowed
Side Street Yard	Allowed

Triplex and Fourplex

General Description

The triplex and fourplex building type consists of structures that contain three or four dwelling units, respectively. This building type appears as a large single-family dwelling from the street and may take the form of a mansion apartment. Each unit may have its own individual entry or share a common entry.

Building Intensity

Lot Coverage	90% max.
Building Separation	10' min.

Massing and Composition

Primary Structure	
Width	60' max.
Overall Height	55' max.
Average Plate Height	40' max.

Accessory Structure	
Width	30' max.
Overall Height	28' max.

Fences and Walls

Front Yard	Allowed
Side Street Yard	Allowed

- e. Rowhouse
- f. Small Multi-Unit

Rowhouse

General Description

The rowhouse building type consists of attached units that form one building mass. Each unit has its own individual entry and alleys in the rear of the lots provide vehicular access to the garages.

Building Intensity

Lot Coverage	80% max.
Building Separation	10' min.

Massing and Composition

Primary Structure	
Width	120' max.
Overall Height	55' max.
Average Plate Height	40' max.

Individual Unit	
Width	30' max.

Accessory Structure	
Width	30' max.
Overall Height	28' max.

Fences and Walls

Front Yard	Allowed
Side Street Yard	Allowed

Small Multi-Unit

General Description

The small multi-unit building type consists of buildings containing five to 12 dwelling units. This building type may take the form of a mansion apartment. The units typically share a common entry accessed from the street or side yard.

Building Intensity

Lot Coverage	90% max.
Building Separation	10' min.

Massing and Composition

Primary Structure	
Width	90' max.
Overall Height	60' max.
Accessory Structure	
Width	30' max.
Overall Height	28' max.

Fences and Walls

Front Yard	Allowed
Side Street Yard	Allowed

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- g. Large Multi-Unit
- h. Live-Work

Large Multi-Unit

General Description

The large multi-unit building type consists of buildings that contain 13 or more dwelling units. The units typically share a common entry that is accessed from the street or a forecourt. Ground floor units may have individual entries that face onto the street.

Building Intensity

Lot Coverage	90% max.

Massing and Composition

Primary Structure

Width	275' max.
Overall Height	Set by transect

Accessory Structure

Width	No max.
Overall Height	28' max.

Fences and Walls

Front Yard	Allowed
Side Street Yard	Allowed

Live-Work

General Description

The live-work building type consists of an integrated housing unit and working space within a row house form. Each mixed use unit may have individual entries to both the housing unit and working space.

Building Intensity

Lot Coverage	95% max.
Building Separation	10' min.

Massing and Composition

Primary Structure

Width	120' max.
Overall Height	55' max.
Average Plate Height	40' max.

Individual Unit

Width	30' max.

Accessory Structure

Width	30' max.
Overall Height	28' max.

Fences and Walls

Front Yard	Allowed
Side Street Yard	Allowed

- i. Mixed Mid-Rise
- j. Large-Format Industrial

Mixed Mid-Rise

General Description

The mixed mid-rise building type consists of a ground floor designed for occupancy by retail, service, or office uses, with upper floors configured for either commercial or residential uses. A common ground level entry that faces the street or side yard provides access to the upper floor uses or to a common courtyard onto which the upper floor uses face.

Building Intensity

Lot Coverage 100% max.

Massing and Composition

Primary Structure

Width 275' max.

Overall Height Set by transect.

Accessory Structure

Width No max.

Overall Height No max.

Courtyard

Width 30' min.

Fences and Walls

Front Yard Allowed

Side Street Yard Allowed

Large-Format Industrial

General Description

The large-format industrial building type is designed to accommodate light-industrial uses in compatible configurations with nearby residential neighborhoods. They are designed to internalize potentially conflicting activities (e.g., machinery, unsightly storage, etc.) within courtyards that are largely screened from the street and enclosed warehouse structures.

Building Intensity

Lot Coverage 70% max.

Building Separation 15' min.

Massing and Composition

Width n/a

Overall Height 40' max.

Fences and Walls

Front Yard Allowed

Side Street Yard Allowed

Access and Parking

Primary Entrances

The main entrance to each ground floor nonresidential space shall be accessed directly from the street.

Entrances to the upper floor uses shall be through a lobby accessed directly from the street.

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- k. Large-Format Retail
- l. Civic

Large-Format Retail

General Description	
The large-format retail building type accommodates retail uses with large floor areas. It is often wrapped with a liner of a smaller footprint building, with doors and windows facing the street. This building type may be designed as a tall one-story building, or it may include upper floors to accommodate additional commercial uses.	
Building Intensity	
Lot Coverage	100% max.
Massing and Composition	
Width	n/a
Overall Height	55' max.
Courtyard	
Width	30' min.
Fences and Walls	
Front Yard	Allowed
Side Street Yard	Allowed

Civic

General Description	
The civic building type is designed to accommodate civic, public, and institutional uses.	
Building Intensity	
Lot Coverage	70% max
Massing and Composition	
Width	n/a
Overall Height	55' max
Fences and Walls	
Front Yard	Allowed
Side Street Yard	Allowed

227.E Frontage Type Standards

1. Purpose

- Define the physical form of the built environment within the TND zone district.
- Create appropriate interaction between public and private spaces.

2. Applicability

The TND frontage type standards apply to all street-facing entries required by the entrance spacing standards for the TND transect zones.

3. Frontage Type Permissions

Frontage types are allowed by transect zone as follows.

Table 227-2. Transect Zone Frontage Types

Frontage Type	Transect Zone							
	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1 SD-2
Porch	A	A	A	A	A	A		
Stoop			A	A	A	A		
Forecourt			A	A	A	A	A	A A
Shopfront				A	A	A	A	A A
Gallery					A	A	A	A A

A = Allowed

4. Encroachments

- A frontage that meets the standards of this Section may encroach into the front and side street setback areas.
- A frontage that encroaches into a setback area cannot include enclosed space.

5. Standards

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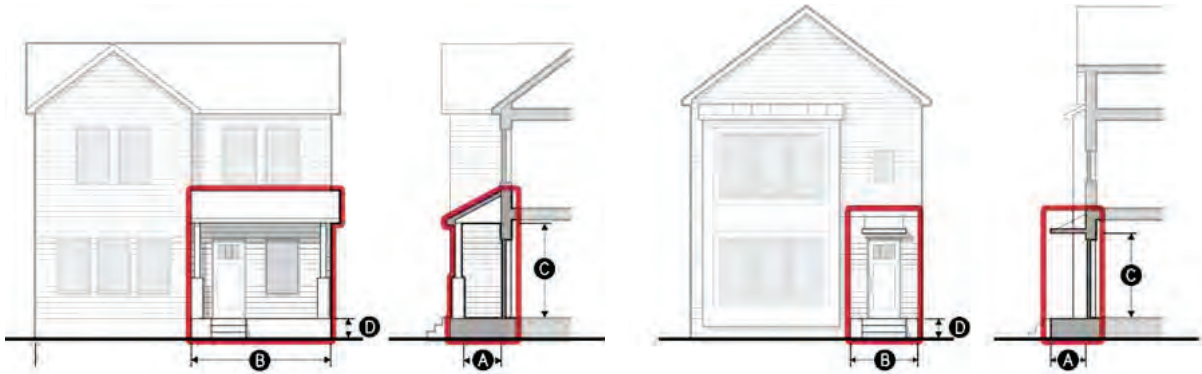
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Porch

Description

A wide, raised platform, projecting in front of a street-facing entrance, that is entirely covered but not enclosed.

Dimensional Standards

Clear Depth	5' min.	A
Width	30% of building width min.	B
Stories	2 max.	
Clear Height	7' min.	C
Finish Floor Level	2' min. / 5' max.	D

Stoop

Description

A raised platform accessed from an exterior staircase, providing covered access to a street-facing entrance.

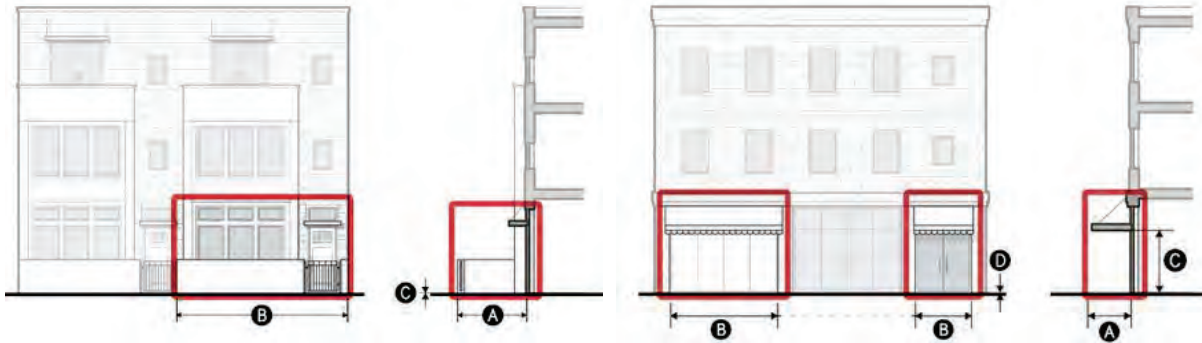
General Standards

Stairs from the stoop may lead directly to the sidewalk or may be side loaded.

The entry door must be covered or recessed to provide shelter from the elements.

Dimensional Standards

Depth	3' min.	A
Width	4' max.	B
Stories	1 max.	
Clear Height	7' min.	C
Finish Floor Level	2' min. / 5' max.	D



Forecourt

Description

A court space created by a set back portion of the main facade; or a screened yard near sidewalk grade. The space could be used as an entry court or shared garden space for apartment buildings, as an additional shopping or restaurant seating area within commercial areas, or a private space for tenants located on the ground story.

General Standards

A short wall, hedge, or fence may be placed along the edges of the forecourt.

Dimensional Standards

Depth	8' min.	A
Width	10' max.	B
Stories	n/a	
Clear Height	n/a	
Finish Floor Level	-2' min. / 5' max.	C

Shopfront

Description

A space that provides sheltered access to an at-grade street-facing entrance with an overhead projecting structure such as a awning or a canopy.

General Standards

A canopy must be a structural, cantilevered, shed roof.

An awning must be canvas or a similar material.

Dimensional Standards

Depth	4' min. / 10' max	A
Width		B
Residential Building Types	25% of building width min.	
Mixed-Use & Special Building Types	50% of building width min.	
Stories	1 max.	
Clear Height	9' min.	C
Finish Floor Level	-2' min. / 5' max.	D

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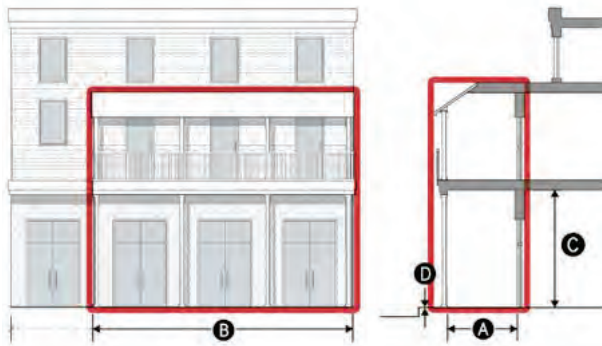
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Gallery		
Description		
A covered passage extending along the outside wall of a building supported by arches or columns that is open on one side.		
General Standards		
A gallery must extend close enough to the curb so that the pedestrian cannot pass it.		
A gallery must have a consistent depth along a frontage.		
Dimensional Standards		
Depth	10' min.	A
Width	50% of building width min.	B
Stories	2 max.	
Clear Height	9' min.	C
Finish Floor Level	-2' min. / 5' max.	D

227.F

Parking and Access Standards

1. Applicability

The TND additional standards apply to all development within the TND zone district. In circumstances where standards contained in this Section are in conflict with any standards contained in Article 4, the standards in this Section shall apply.

2. General Standards

- a. On lots with a rear lane or alley, all driveways shall be located on the rear lane or alley.
- b. On corner lots without a rear lane or alley, all driveways shall be located on the side street.
- c. Parking spaces may be accessed directly from the alley with adequate snow storage.
- d. Underground parking may be placed up to the property line.
- e. Underground parking must not be visible to pedestrians.
- f. Except for designated barrier free parking spaces, no parking spaces for any use shall be required to be individually accessible. Tandem, stacking, and valet parking shall be permitted.
- g. A street-facing garage must be positioned at least ten feet behind the front building facade and is limited in width to no more than 40% of any street-facing facade.
- h. A street-facing parking lot must be screened between the parking lot and the street for a minimum depth of ten feet with frontage landscaping that meets the standards of Category A in [Section 402.D](#).
- i. The combined frontage width of parking lots adjacent to the sidewalk must not exceed 25% of the total block perimeter. This requirement does not apply in the SD-1 and SD-2 transect zones.

3. Off-Site Parking Alternatives and Reductions

a. Off-Block Parking Allowance

- i. For any block within the TND district, 50% of the total required parking spaces for all uses located on the block must be located on the same block as the uses served.
- ii. For nonresidential uses, all other required spaces must be located within 600 feet walking distance of the lot with the use served.
- iii. For residential uses, all other required spaces must be located within 300 feet walking distance of the lot with the use served.

b. Mixed-Use Parking Reductions

- i. A reduction in the minimum required off-street parking may be granted for parking facilities that serve multiple uses including residential and nonresidential uses.
- ii. The reduction must be based on a shared parking analysis using the Urban Land Institute (ULI) Shared Parking Model.

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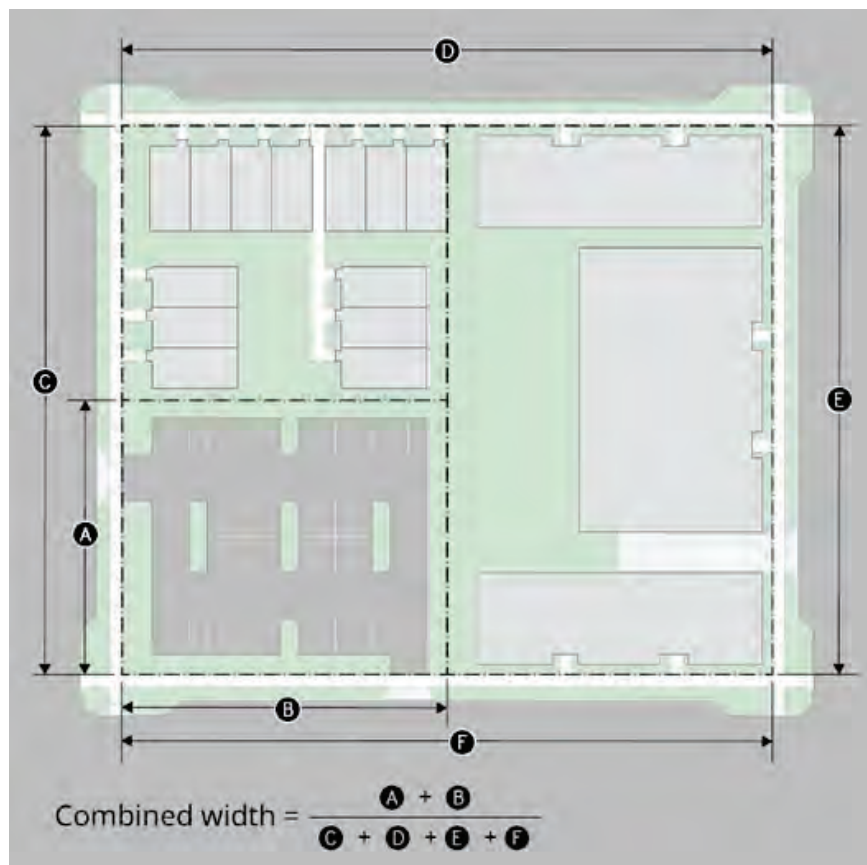
- iii. The shared parking analysis must establish that the subject uses will use the shared parking spaces at different times of the day, week or month. A shared parking analysis shall at a minimum address the intensity and type of activities and the composition of uses; hours of operation of the uses; the rate of turnover for proposed spaces; and the anticipated peak parking and traffic loads for the site.
- iv. Parking facilities must be within 600 feet walking distance of the lot with the use served.
- v. Reserved parking spaces for a specific tenant or dwelling unit may not be included in a shared parking calculation.

c. **Measurement**

i. **Parking Lot Frontage**

The combined frontage width of parking lots is measured as the cumulative width along the right-of-way relative to the block perimeter. See Figure 227-1.

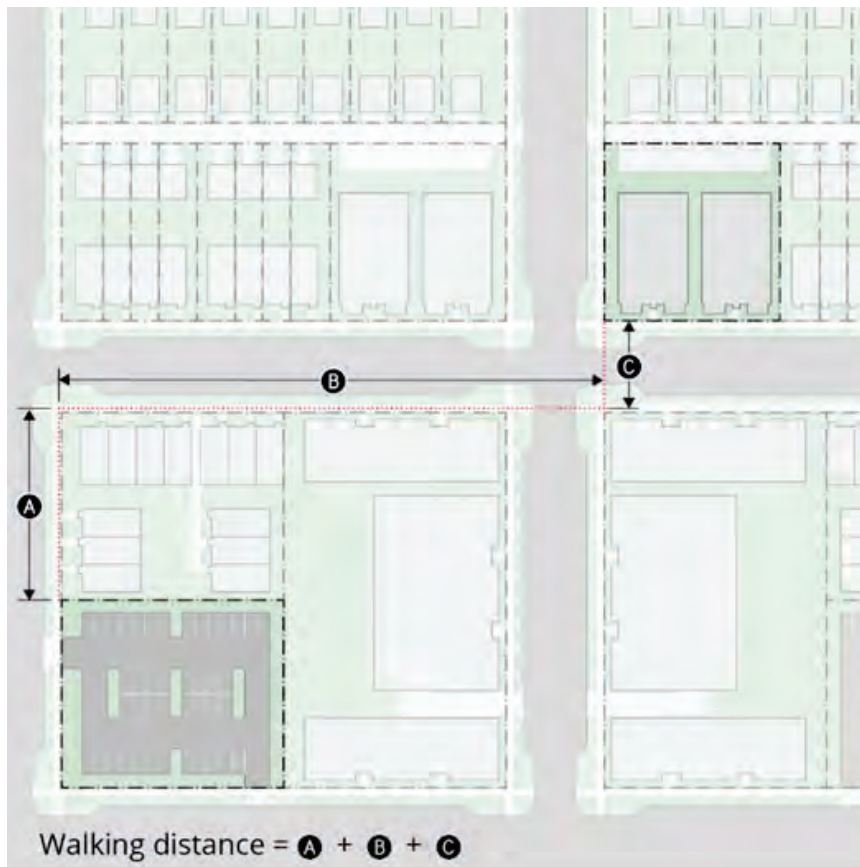
Figure 227-1. Parking Lot Frontage Measurement



ii. Walking Distance

Walking distance is measured horizontally along the most direct route of travel on the ground, starting at the edge of right-of-way at the nearest corner of a lot with the off-site parking lot; measuring along a sidewalk, walkway, or street; and ending at the edge of right-of-way at the nearest corner of the lot of the use served. See Figure 227-2.

Figure 227-2. Walking Distance Measurement



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227.G TND Hillside Strategies

1. Purpose

- a. Minimize overlot grading in subdivisions and developments.
- b. Retain the unique character and gently rolling topography of development sites.

2. Applicability

The TND hillside strategies apply to all development within the TND zone district.

3. Uphill Lots

- a. Lots that slope up from the street may utilize a deeper building setback or building-to-line than required by the applicable transect zone in order to set an acceptable and useable finish floor elevation.
- b. Front yards may be designed to gently slope up to the building's frontage, or may retain up to four feet of topography with a low masonry wall set directly behind the right-of-way. See Figure 227-3.
- c. On deeper lots, elevation of garages and other accessory structures shall be set at or near rear elevations, and rear yards shall be designed to step or terrace up to such structures. See Figure 227-3.
- d. On shallower lots in applicable transect zones, allowed building types may utilize "tuck-under" configurations that place garage elevations up to one full story above primary living spaces.

4. Downhill Lots

- a. Lots that slope down from the street may utilize a shallower building setback or build-to-line and lower finish floor elevation than required by the applicable transect zone in order to set an acceptable and useable finish floor elevation. See Figure 227-4.
- b. On deeper lots, elevation of garages and other accessory structures shall be set at or near rear elevations, and rear yards shall be designed to step or terrace down to such structures. See Figure 227-4.
- c. Walk-out basements are strongly encouraged.
- d. On shallower lots in applicable transect zones, allowed building types may utilize "tuck-under" configurations that place garage elevations up to one full story below primary living spaces.

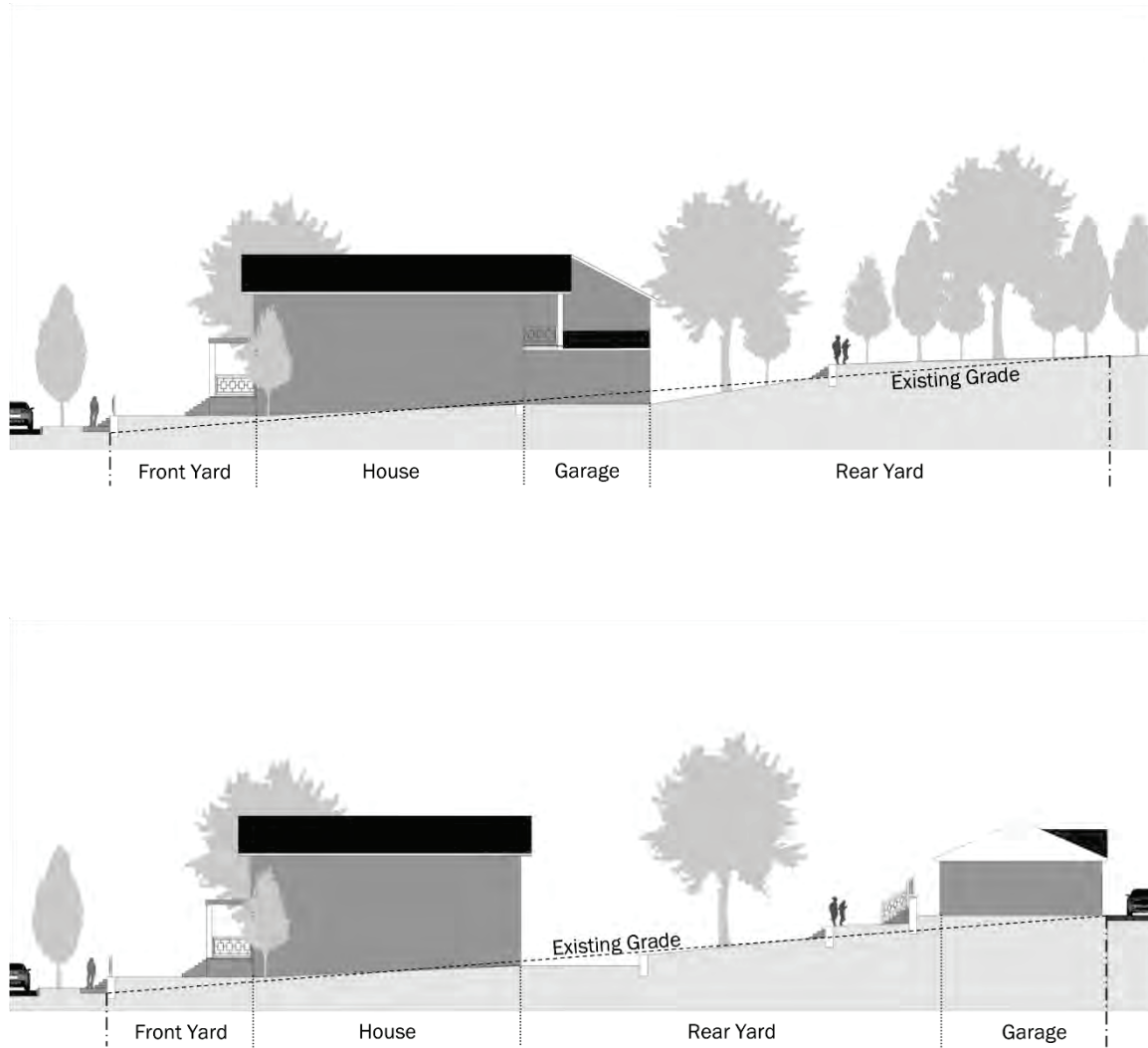
5. Cross-Slope Lots

- a. Lots with topography running parallel to the street and across lots shall utilize low retaining walls, typically set at side property lines, to transition elevations between lots. See Figure 227-5.
- b. In narrow lot configurations, the lateral foundation wall of each house may be used to retain such topography.

227.H Fences and Walls

1. Fences and walls are allowed in the front and side street yard by building type.
2. A fence in the front or side street yard shall not exceed four feet in height.
3. A wall in the front or side street yard shall not exceed three feet in height.

Figure 227-3. Uphill Lots: Front-Loaded and Alley-Loaded



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Figure 227-4 Downhill Lots: Front-Loaded and Alley-Loaded

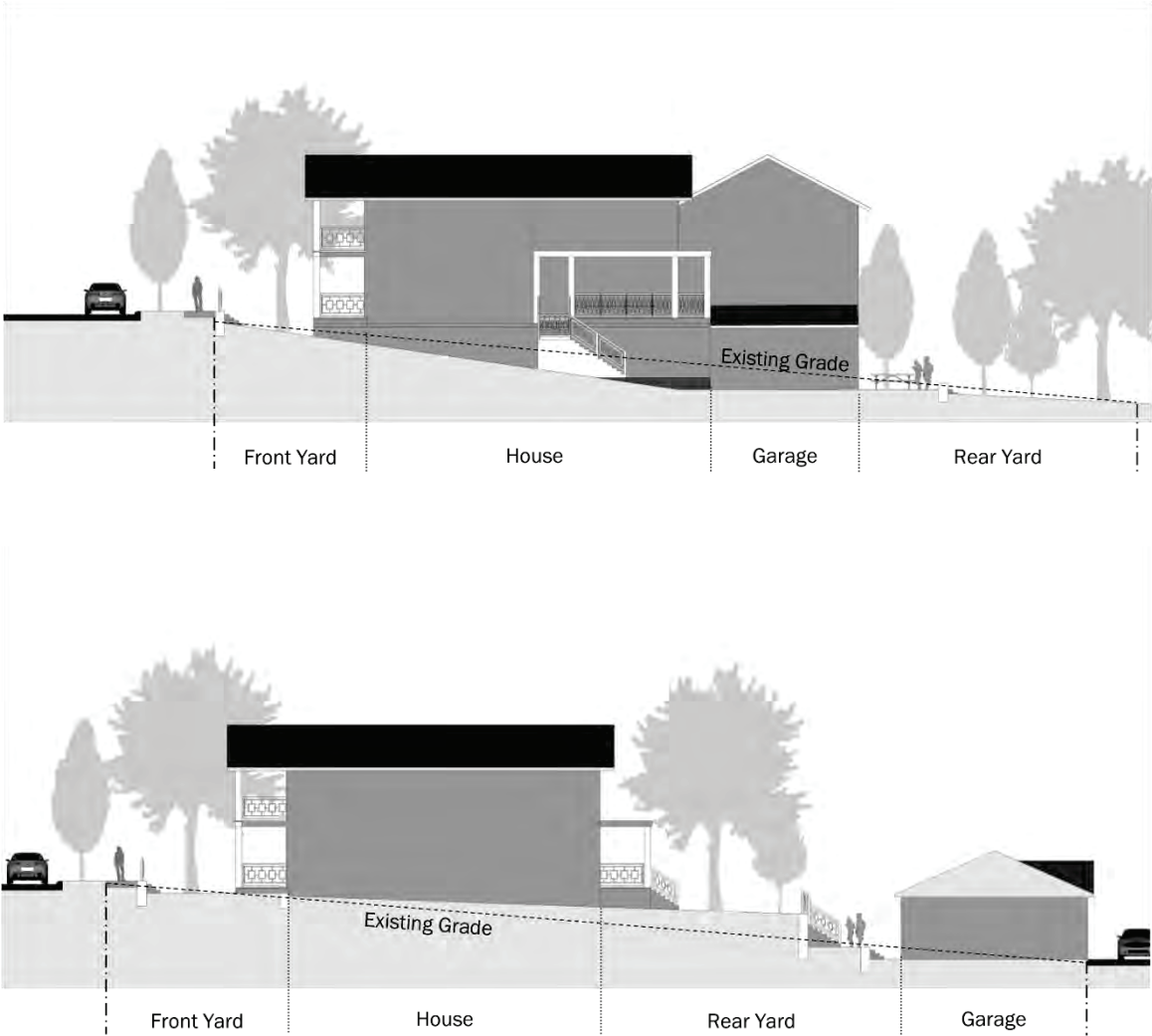
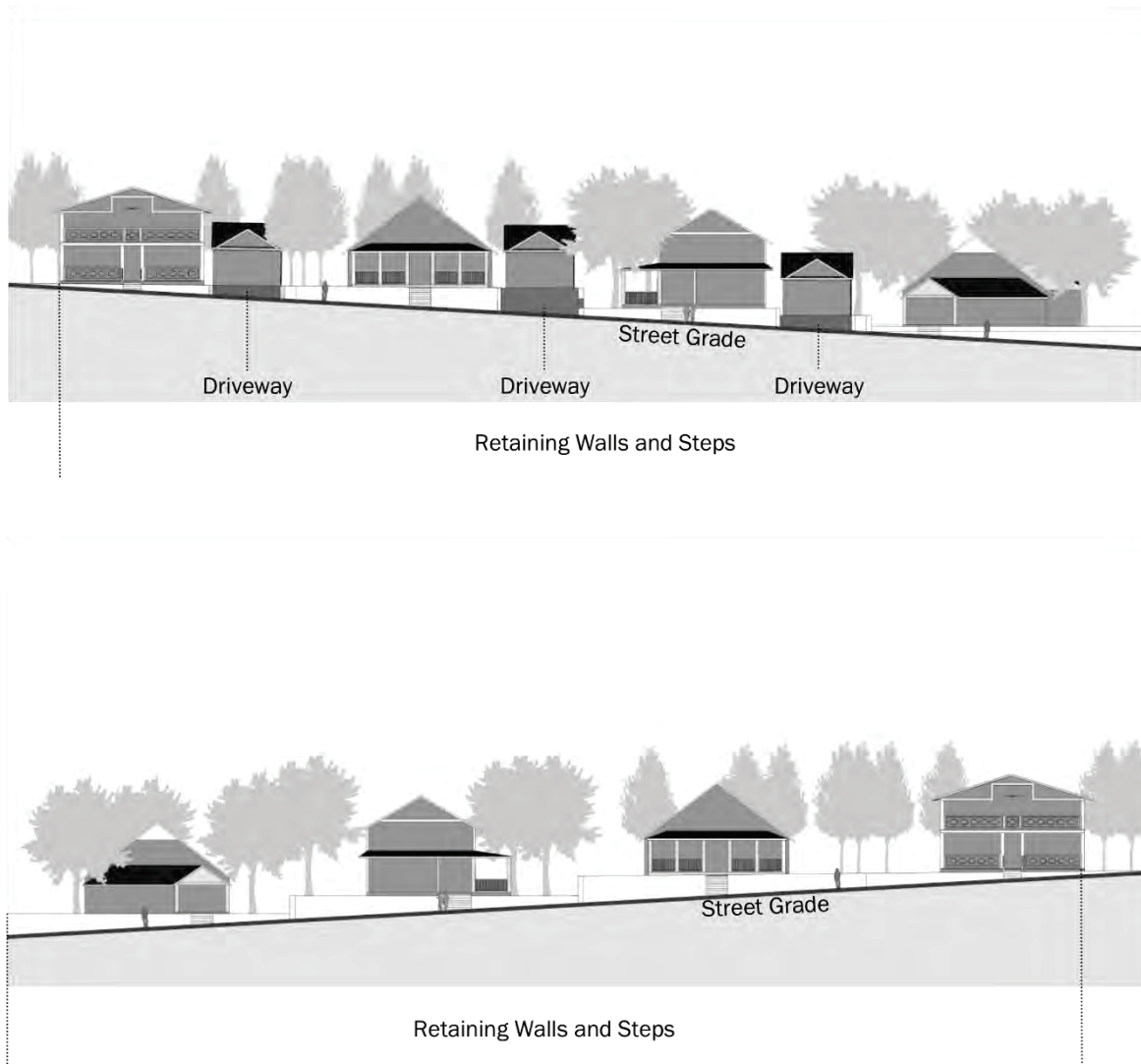


Figure 227-5 Cross-Slope Lots: Front-Loaded and Alley-Loaded



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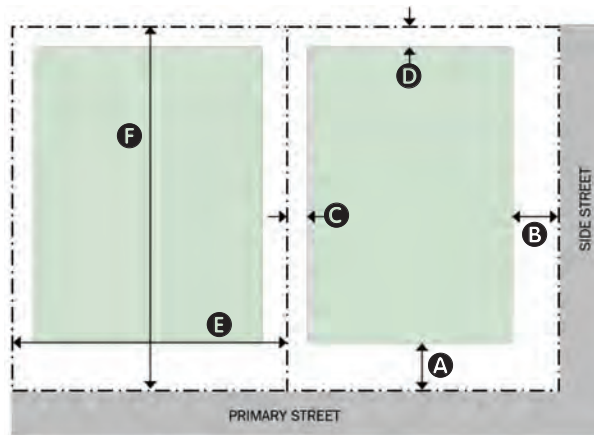
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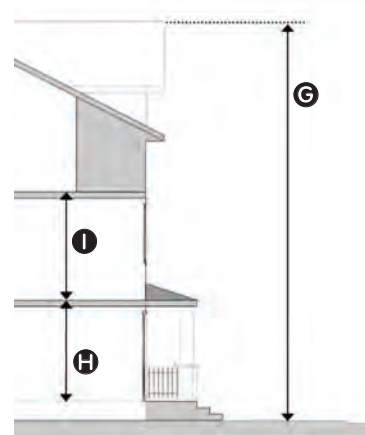
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Definitions**228 T2 TRANSECT ZONES****228.A Transect Zone: Neighborhood Edge****1. Purpose**

The Neighborhood Edge transect zone is intended to provide an appropriate transition at the edge of the community to the surrounding area. This transect zone accommodates large-lot one-family residential uses as well as large homes within a neighborhood context.

2. Dimensional Standards (See below and next page.)

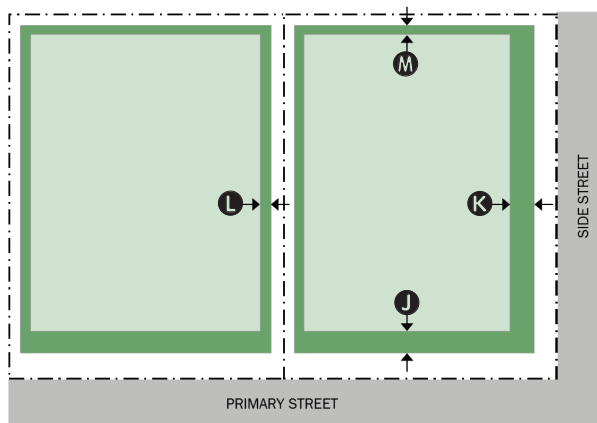
--- Property Line
 ■ Building Envelope

**Building Placement****Lot Line Setbacks**

Front A		
Up-Slope/Cross-Slope Lots	30' min. 40' max.	
Down-Slope Lots	20' min. 40' max.	
Side Street B		
Up-Slope/Down-Slope Lots	30' min. 35' max.	
Cross-Slope Lots (street low)	30' min. 35' max.	
Cross-Slope Lots (street high)	20' min. 30' max.	
Side	15' min.	C
Rear	15' min.	D
Lot Size		
Width	120' min.	E
Depth	120' min.	F
Area	14,400 sf min. 2 acre max.	

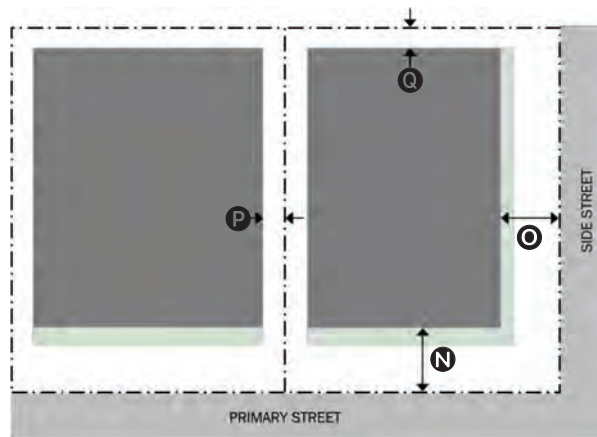
Building Form**Building Height ¹**

Principal Building		
Overall Height	35' max.	G
Ground Story Height	9' min.	H
Upper Story Height	8' min.	I
Accessory Building		
Overall Height	28' max.	G



--- Property Line ■ Encroachment Area
■ Building Envelope ■ Parking Envelope

Frontage		
Transparency		
Ground Story	20%	
Upper Story	15%	
Encroachments		
Front	12' max.	ⓐ
Side Street/Civic Space	12' max.	ⓑ
Side	5' max.	ⓒ
Rear	5' max.	ⓓ



Parking Lot Placement		
Lot Line Setbacks		
Front	50' min.	ⓓ
Side Street	40' min.	ⓔ
Side	15' min.	ⓑ
Rear	15' min.	ⓕ

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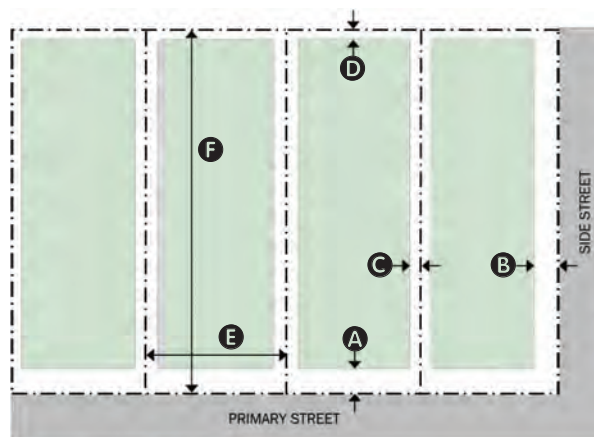
229 T3 TRANSECT ZONES

229.A Transect Zone: Neighborhood General - Low

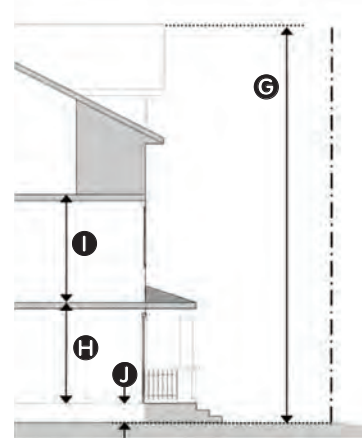
1. Purpose

The Neighborhood General - Low transect zone is intended to supply the core residential fabric within neighborhoods. This transect zone accommodates a variety of single-family, duplex, and limited multiple-family housing to enable a wide diversity of residential uses on small to large lots.

2. Dimensional Standards (See below and next page.)

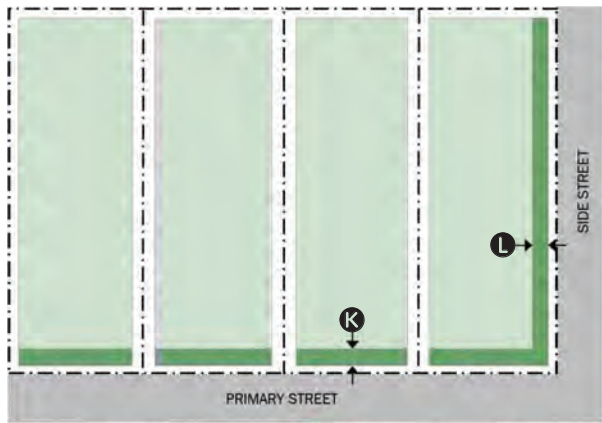


--- Property Line
■ Building Envelope



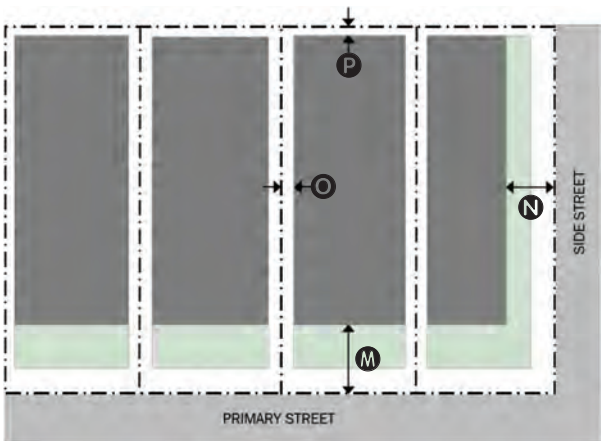
Building Placement		
Lot Line Setbacks		
Front	15' min. 25' max.	A
Side Street	10' min. 20' max.	B
Side	7.5' min.	C
Rear	5' min.	D
Lot Size		
Width ¹	50' min. 150' max.	E
Depth ¹	100' min. 200' max.	F
Area	5,000 sf min. 24,000 sf max.	

Building Form		
Building Height ¹		
Principal Building		
Overall Height	35' max.	G
Ground Story Height	9' min.	H
Upper Story Height	8' min.	I
Finish Floor Level	2' min. 5' max	J
Accessory Building		
Overall Height	28' max.	K



--- Property Line
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 Parking Envelope

Frontage		
Frontage		
Ground Story	20%	
Upper Story	15%	
Encroachments		
Front	12' max.	K
Side Street/Civic Space	12' max.	L
Side if Setback $\geq 10'$	5' max.	
Rear if Setback $\geq 10'$	5' max.	



Parking Lot Placement		
Lot Line Setbacks		
Front	50' min.	M
Side Street	20' min.	N
Side	7.5' min.	O
Rear	5' min.	P

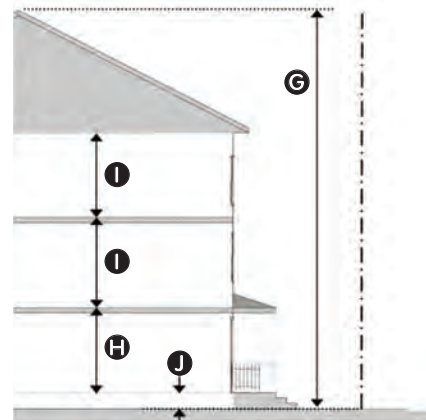
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229.B Transect Zone: Neighborhood General - Medium

1. Purpose

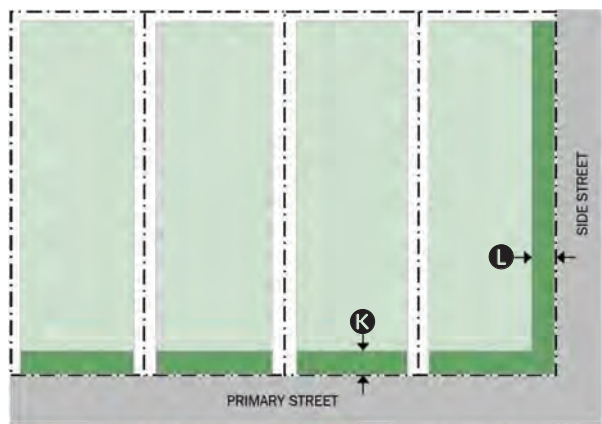
The Neighborhood General - Medium transect zone is intended to supply residential fabric at greater densities within neighborhoods. This transect zone accommodates a variety of single-family, duplex, and multiple-family housing to enable a wide diversity of residential uses on small and medium lots.

2. Dimensional Standards (See below and next page.)



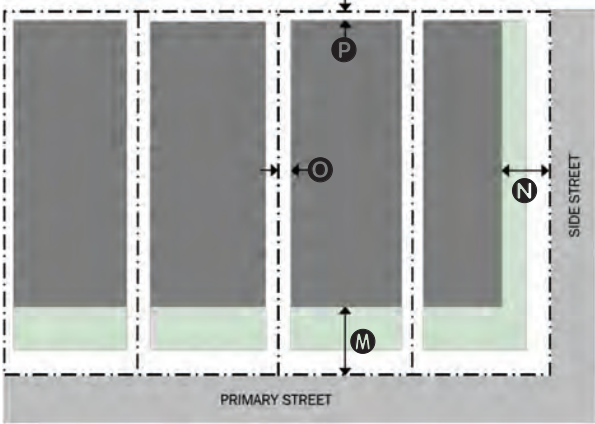
Building Placement		
Lot Line Setbacks		
Front	10' min. 20' max.	A
Side Street	5' min. 15' max.	B
Side	5' min.	C
Rear	5' min.	D
Lot Size		
Width ¹	35' min. 150' max.	E
Depth ¹	50' min. 150' max.	F
Area	2,625 sf min. 15,000 sf max.	

Building Form		
Building Height		
Principal Building		
Overall Height	40' max.	G
Ground Story Height	9' min.	H
Upper Story Height	8' min.	I
Finish Floor Level	2' min. 5' max.	J
Accessory Building		
Overall Height	28' max.	H



--- Property Line
 ■ Building Envelope
 ■ Encroachment Area
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Frontage		
Transparency		
Ground Story	20%	
Upper Story	15%	
Encroachments		
Front	10' max.	K
Side Street	10' max.	L
Side if Setback ≥10'	5' max.	
Rear if Setback ≥10'	5' max.	



Parking Lot Placement		
Lot Line Setbacks		
Front	40' min.	M
Side Street	10' min.	N
Side	5' min.	O
Rear	5' min.	P

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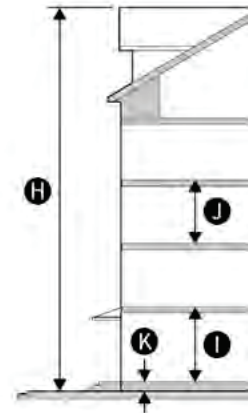
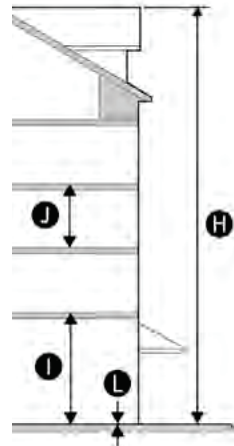
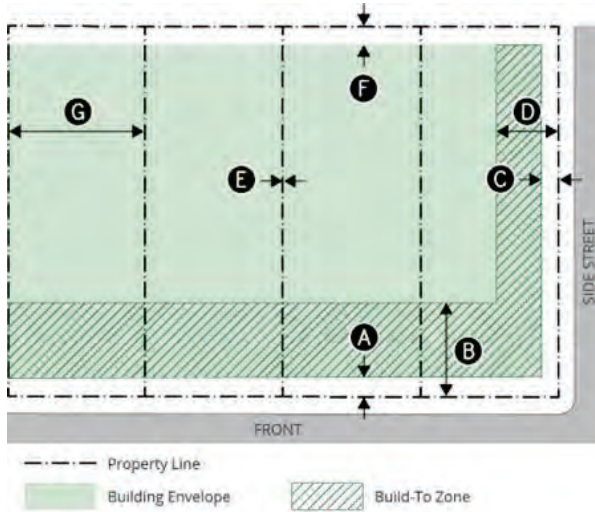
230 T4 TRANSECT ZONES

230.A Transect Zone: Neighborhood Mixed

1. Purpose

The Neighborhood Mixed transect zone is intended to supply a wide diversity of residential housing types. This transect zone accommodates locally-serving retail and services on corners lots and the ground-floor of multi-unit buildings. This transect zone emphasizes pedestrian-friendly design and multi-modal access.

2. Dimensional Standards (See below and next page.)

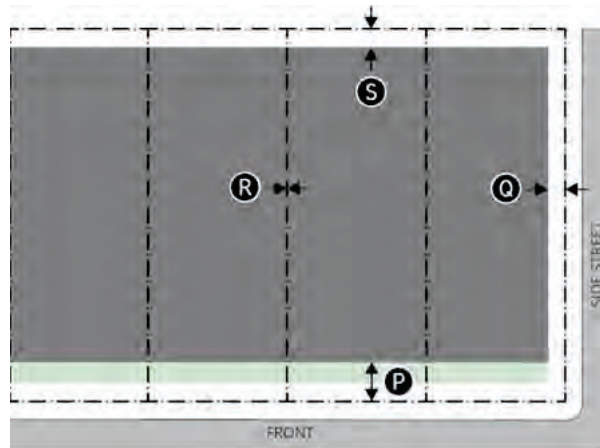


Building Placement		
Lot Line Setbacks		
Front	5' min.	A
	20' max.	B
Side Street	5' min.	C
	15' max.	D
Side	0' min.	E
Rear	5' min.	F
Build-To Width		
Front	65% min.	
Side Street	40% min.	
Lot Size		
Width	15' min.	G
Depth	no min.	
Area	no min.	

Building Form		
Building Height		
Principal Building		
Overall Height	60' max.	H
Ground Story Height	10' min.	I
Upper Story Height	9' min.	J
Finish Floor Level		
Residential	2' min/5' max	K
Residential	-2' min/5' max	L
Accessory Building		
Overall Height	28' max.	



Frontage		
Active Depth		
Depth	9' min.	M
Transparency		
Ground Story	35% min.	
Upper Story	20% min.	
Entrance Spacing		
Front	50' max.	N
Side Street	70' max.	M
Encroachments		
See Section 227.E		



Parking Lot Placement		
Lot Line Setbacks		
Front	10' min.	O
Side Street	5' min.	P
Side	0' min.	Q
Rear	5' min.	R

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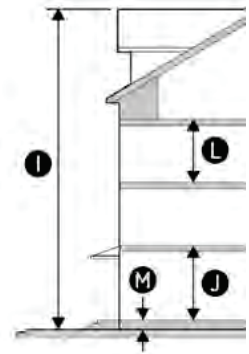
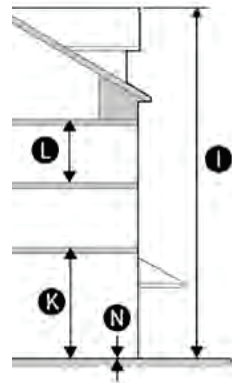
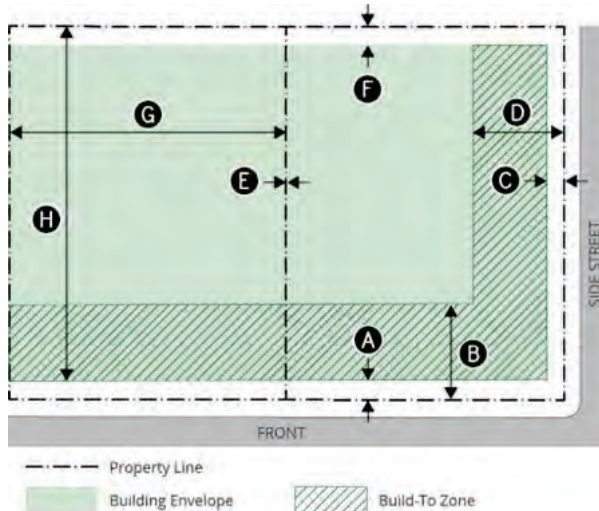
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230.B Transect Zone: Neighborhood Center

1. Purpose

The Neighborhood Center transect zone is a mixed-use zone intended to provide a choice of higher density housing units and locally-serving retail within walking distance of where residents live. This transect zone emphasizes pedestrian-friendly design and multi-modal access.

2. Dimensional Standards (See below and next page.)



Building Placement

Lot Line Setbacks

Front	5' min.	A
	15' max.	B
Side Street	5' min.	C
	15' max.	D
Side	0' min.	E
Rear	5' min.	F

Build-To Width

Front	75% min.
Side Street	50% min.

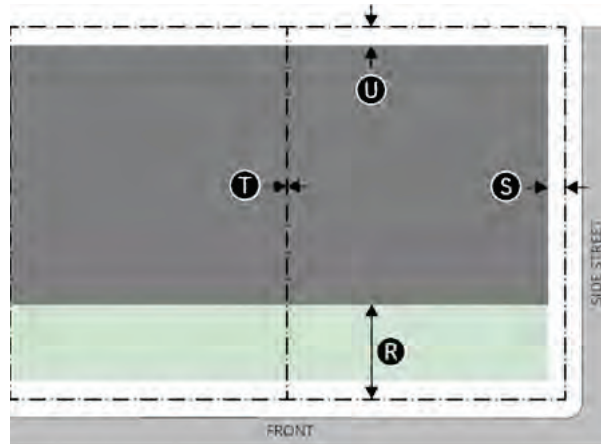
Lot Size

Width	25' min.	G
	150' max.	
Depth	50' min.	H
	200' max.	
Area	1,250 sf min.	
	30,000 sf max.	

Building Form

Building Height ¹

Principal Building		
Overall Height	16' min.	
	45' max.	I
Ground Story Height		
Commercial	14' min.	J
Residential	10' min.	K
Upper Story Height	9' min.	L
Finish Floor Level		
Residential	2' min/5' max	M
Nonresidential	-2' min/5' max	N
Accessory Building		
Overall Height	28' max.	

**Frontage****Active Depth**

Depth 9' min. **O**

Transparency

Ground Story 35% min.

Upper Story 20% min.

Entrance Spacing

Front 50' max. **P**

Side Street 70' max. **Q**

Encroachments

See Section 227.E

Parking Lot Placement**Lot Line Setbacks**

Front 20' min. **R**

Side Street 5' min. **S**

Side 0' min. **T**

Rear 5' min. **U**

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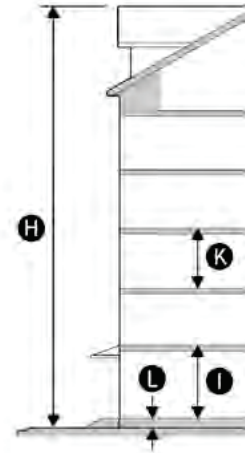
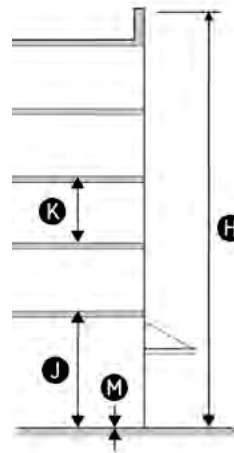
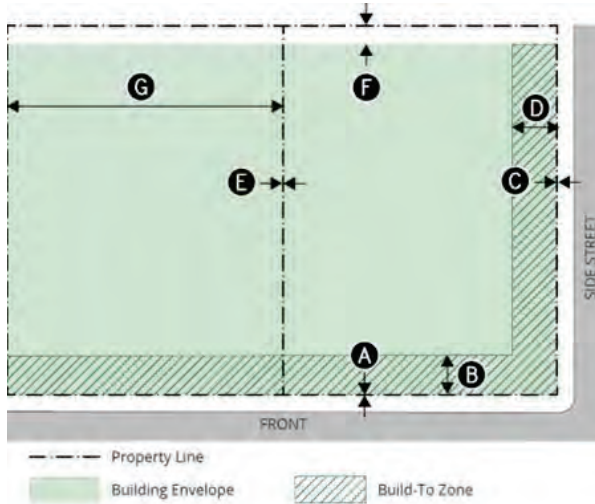
231 T5 TRANSECT ZONES

231.A Transect Zone: Village Core

1. Purpose

The Town Core transect zone is a mixed-use zone intended to provide a choice of higher density housing units, regional-serving retail, and supporting commercial uses at or near primary intersections. This transect zone emphasizes pedestrian-friendly design and multi-modal access.

2. Dimensional Standards (See below and next page.)



Building Placement

Lot Line Setbacks

Front	0' min.	A
	12' max.	B
Side Street	0' min.	C
	12' max.	D
Side	0' min.	E
Rear	5' min.	F

Build-To Width

Front	75% min.
Side Street	45% min.

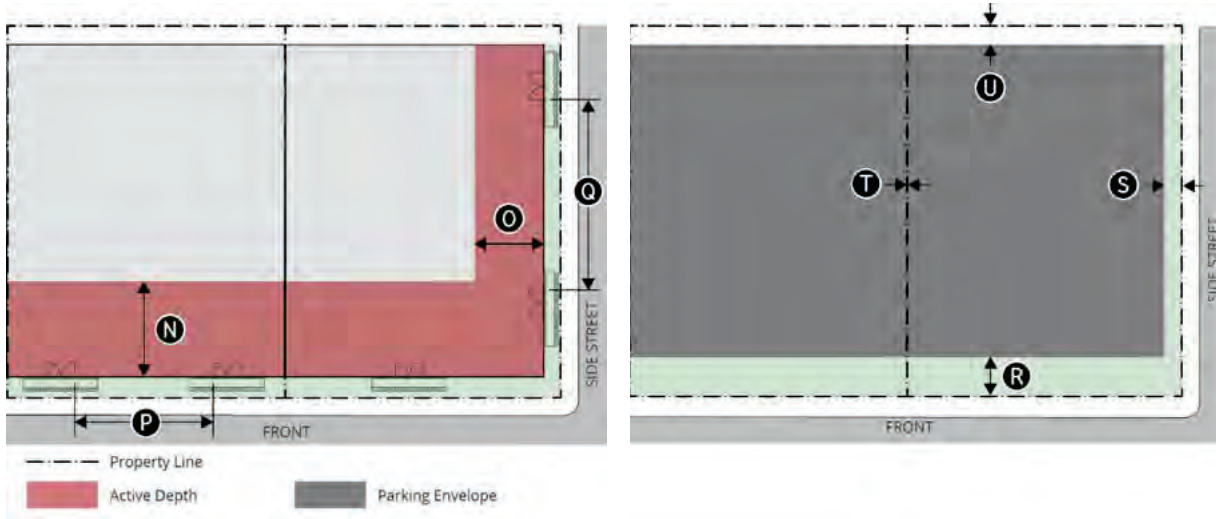
Lot Size

Width	25' min.	G
Depth	no min.	
Area	no min.	

Building Form

Building Height ¹

Overall Height	75' max.	H
Ground Story Height		
Residential	9' min.	I
Nonresidential	14' min.	J
Upper Story Height	9' min.	K
Finish Floor Level		
Residential	2' min/5' max	L
Nonresidential	-2' min/5' max	M



Frontage		
Active Depth		
Depth		
Front		N
Residential	9' min.	
Nonresidential	25' min.	
Side Street	9' min.	O
Transparency		
Ground Story		
Residential	35% min.	
Nonresidential	50% min.	
Upper Story	20% min.	
Entrance Spacing		
Front	50' max.	P
Side Street	70' max.	
Encroachments		
See Section 227.E		

Parking Lot Placement		
Lot Line Setbacks		
Front	10' min.	R
Side Street	5' min.	S
Side	0' min.	T
Rear	5' min.	U

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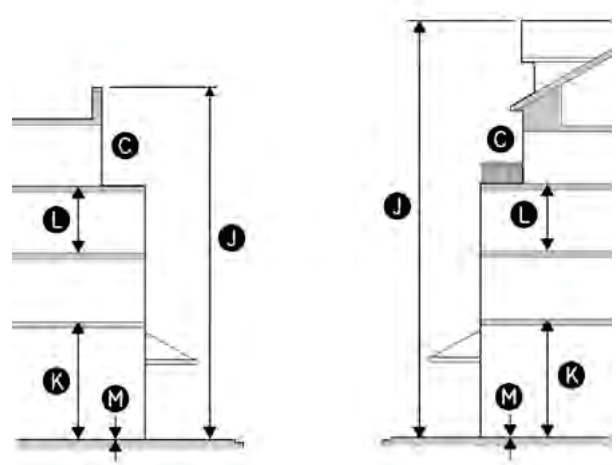
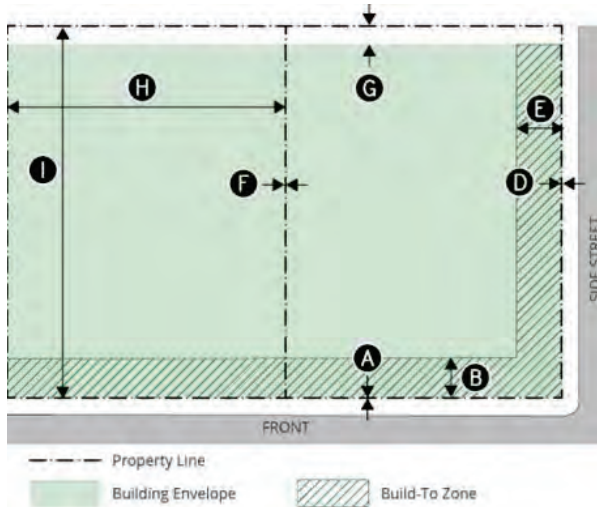
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231.B Transect Zone: Town Core

1. Purpose

The Town Core transect zone is a mixed-use zone intended to provide a choice of higher density housing units, regional-serving retail, and supporting commercial uses at or near primary intersections. This transect zone emphasizes pedestrian-friendly design and multi-modal access.

2. Dimensional Standards (See below and next page.)



Building Placement

Lot Line Setbacks (Principal and Accessory Buildings)

Front		
Third Floor and Below	0' min.	A
	10' max.	B
Fourth Floor and Above	15' min.	C
Side Street		
Third Floor and Below	0' min.	D
	10' max.	E
Fourth Floor and Above	15' min.	B
Side	0' min.	F
Rear	5' min.	G

Build-To Width

Front	75% min.
Side Street	75% min.

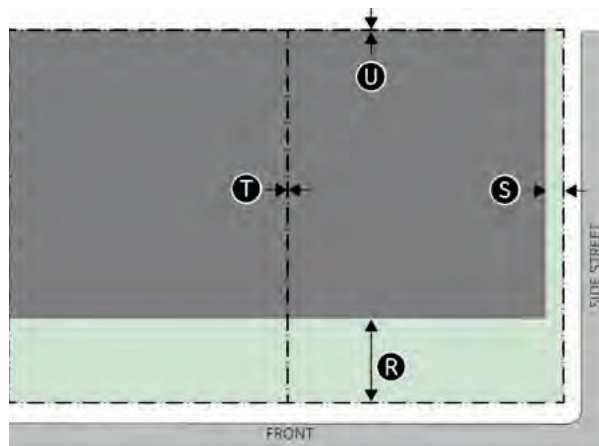
Lot Size

Width	25' min.	H
Depth	50' min.	I
Area	no min.	

Building Form

Building Height ¹

Overall Height	22' min.	
	55' max.	J
Ground Story Height	14' min.	K
Upper Story Height	9' min.	L
Finish Floor Level	-2' min/5' max	M

**Frontage****Active Depth**

Depth		
Front	25'	N
Side Street	15' min.	O

Transparency

Ground Story		
Residential	35% min.	
Nonresidential	50% min.	
Upper Story	20% min.	

Entrance Spacing

Front	50' max.	P
Side Street	70' max.	

Encroachments

See Section 227.E

Parking Lot Placement**Lot Line Setbacks**

Front	20' min.	R
Side Street	5' min.	S
Side	0' min.	T
Rear	0' min.	U

§ 231 [Ord. No. 2635, 2-6-18] [Ord. No. 2932, 10-17-23]

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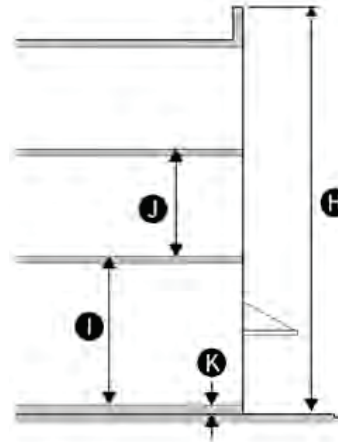
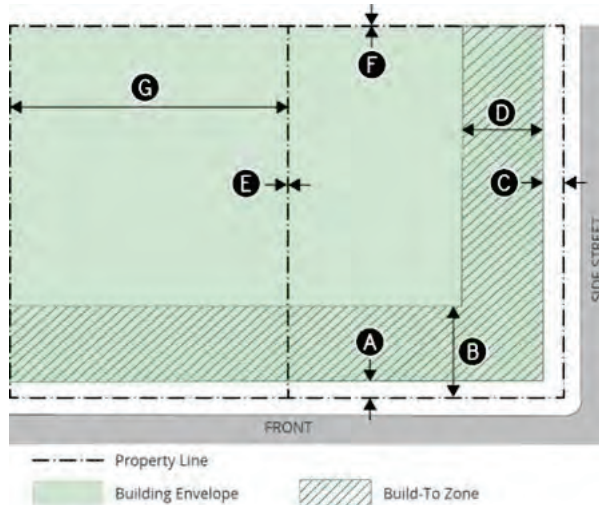
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Definitions**232 SPECIAL DISTRICT TRANSECT ZONES****232.A Transect Zone: Special District– Large-Format****1. Purpose**

The Special District transect zone is intended to provide an area for uses and building types that may not be appropriate in other transect zones. This transect zone accommodates large - format retail and limited industrial uses.

2. Dimensional Standards (See below and next page.)**Building Placement****Lot Line Setbacks**

Front	5' min.	A
	20' max.	B
Side Street	5' min.	C
	20' max.	D
Side	0' min.	E
Rear	0' min.	F

Build-To Width

Front	50% min.
Side Street	40% min.

Lot Size

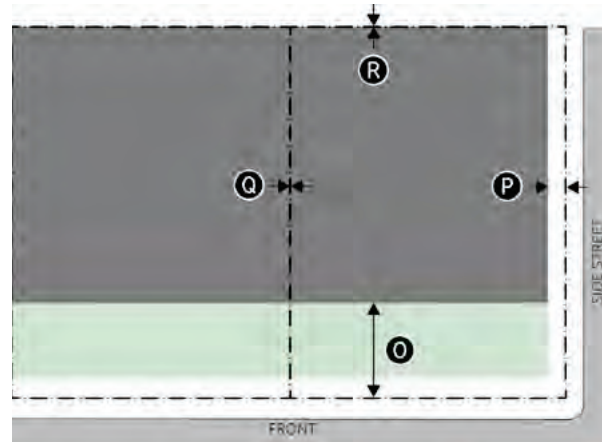
Width	50' max.	G
Depth	No min.	
Area	no min.	

Building Form**Building Height**

Overall Height	55' max.	H
Ground Floor Height	12' min.	I
Upper Floor Height	8' min.	J
Finish Floor Level	-2' min/5' max	K



Frontage		
Active Depth		
Depth	15'	L
Entrance Spacing		
Front	70' max.	M
Side Street	100' max.	N
Encroachments		
See Section 227.E		



Parking Lot Placement		
Lot Line Setbacks		
Front	20' min.	O
Side Street	5' min.	P
Side	0' min.	Q
Rear	0' min.	R

§ 232 [Ord. No. 2635, 2-6-18] [Ord. No. 2932, 10-17-23]

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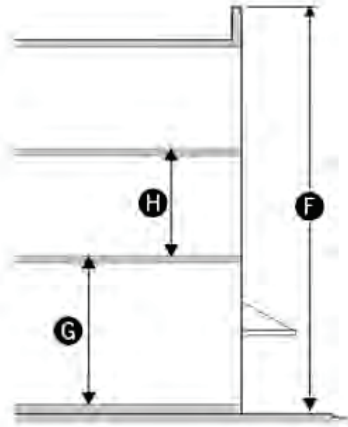
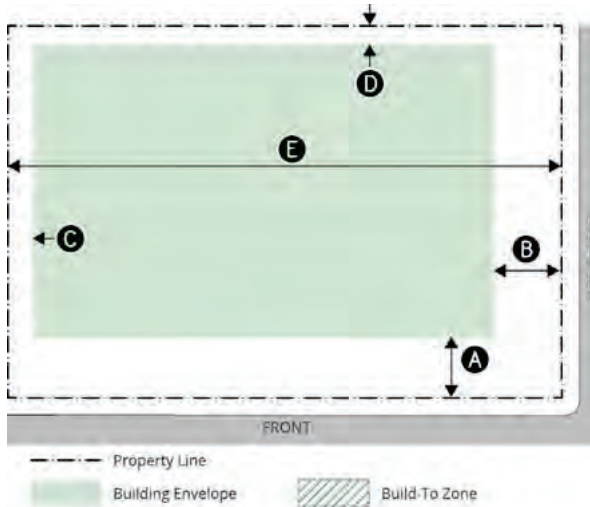
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Definitions**232.B Transect Zone: Special District– Civic****1. Purpose**

The Special District transect zone is intended to provide an area for uses and building types that may not be appropriate in other transect zones. This transect zone accommodates civic, public, and institutional, uses.

2. Dimensional Standards (See below and next page.)**Building Placement****Lot Line Setbacks**

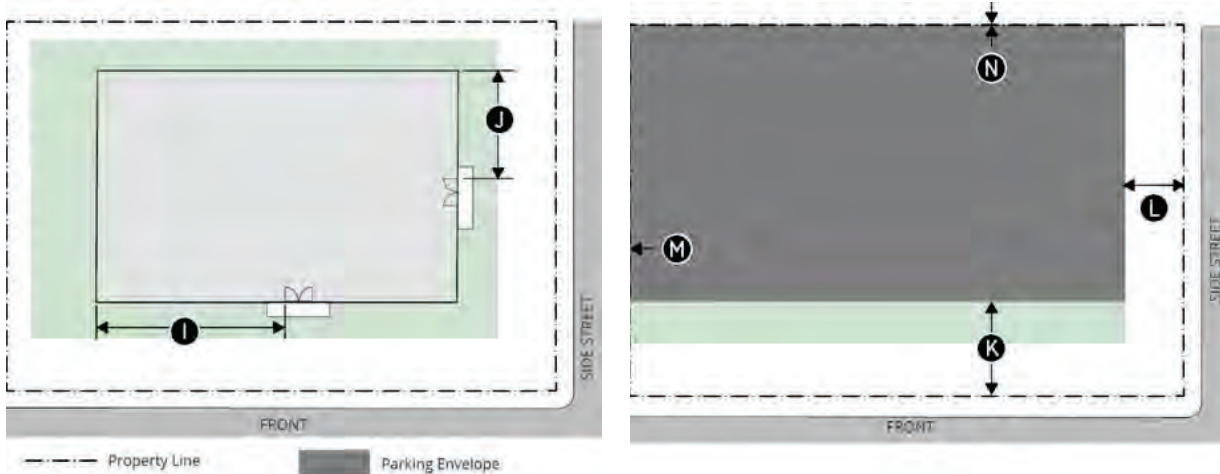
Front	10'	A
Side Street	10'	B
Side	5'	C
Rear	5'	D

Lot Size

Width	50' min.	E
Depth	No min.	
Area	10,000 min.	

Building Form**Building Height**

Overall Height	55' max.	F
Ground Story Height	12' min.	G
Upper Story Height	9' min.	H



Frontage		
Entrance Spacing		
Front	200' max.	I
Side	250' max.	J
Encroachments		
See Section 227.E		

Parking Lot Placement		
Lot Line Setbacks		
Front	20' min.	K
Side Street	5' min.	L
Side	0' min.	M
Rear	0' min.	N

§ 232 [Ord. No. 2635, 2-6-18] [Ord. No. 2932, 10-17-23]

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233 RESERVED

§ 233 [Ord. No. 2635, 2-6-18] [Ord. No. 2932, 10-17-23]

234 OVERLAY ZONE: SKYLINE OVERLAY**234.A Purpose**

The Skyline Overlay zone is intended to ensure development of properties containing visually significant skylines does not negatively impact the skyline as viewed from designated public vantage points.

234.B Interpretation

Where uncertainty exists as to the limits of the skylined ridge or knoll, the applicant or owner may submit more site-specific and detailed topographic data or information and survey that provide a conclusive location of a skylined ridgeline in relationship to the property. Upon review of this additional data, the Planning Director may determine that the property is not located on a skylined ridgeline and is exempt from the standards of the SO overlay zone.

234.C Exemptions

The following development and activities shall be exempt from the standards of the SO overlay zone:

1. Development approved for construction by a valid building permit issued prior to May 13, 1997.
2. Development vested or approved by a valid development permit prior to May 13, 1997. Renewals of such a development permit shall not be exempt.
3. Construction, remodeling, or repairs within the interior of an existing structure that is not visible from the exterior of the structure.

234.D Waivers

1. City Council may waive the requirements of the SO overlay zone upon a finding that strict application of the standards will interfere with other objectives of this CDC or the Community Plan. In granting a waiver, City Council may consider the following:
 - a. The relationship of existing structures, landforms, and mature vegetation that may serve to minimize the impact of the proposed development; or
 - b. The significance of the public vantage points from which the property is skylined.
2. For existing platted single-family and duplex lots, the Planning Director may waive the requirements of the SO overlay zone based upon a determination of the significance of the public vantage points from which the property is skylined.

234.E Standards for New Subdivisions

Proposed subdivisions shall be designed to ensure:

1. The construction of any structure will not protrude into the skyline as viewed from public vantage points; and
2. All improvements are designed and situated to blend with the physical and visual character of the landform.

234.F Standards for Existing Platted Single-Family and Duplex Lots

1. All disturbed areas shall be revegetated prior to issuance of a Certificate of Occupancy or surety shall be required.
2. Road and driveway cut and fill slopes, retaining walls, boulder walls, or earthen berms shall be designed, sited, and vegetated to blend with the existing slope and landform.

3. Exterior siding and roofing materials shall be non-reflective and shall be of colors that are subtle and muted which would not conflict with the natural surrounding terrain and vegetation. The use of bright white or light pastel colors shall be limited only to trim and accent features of the structure. For example, colors with a muted tone, brown, or gray cast are acceptable for the primary building color. Light or bright colors such as white, light blue, yellow, or lime green would not be acceptable for the primary building color.
4. Exterior lighting shall be directed, sited, and shielded in such a manner that the light source is not directly visible from adjacent properties and public vantage points.
5. If the site includes a skylined ridgeline, the building site should be chosen to be set back an adequate distance from the edge of the ridge or elevated point so as to minimize the visual impact.
6. No structure shall protrude above the crest of a skylined ridgeline by more than one story and a maximum of 25 feet for any side of the structure which is visible from a public vantage point. The definition of "one story" shall not include any portion of a basement. This standard may be waived by the Planning Director upon a finding that the relationship and height of existing mature vegetation adjacent to a proposed structure minimize the impact of the structure on the skyline.
7. The limits of disturbed area outside of the building footprint and required infrastructure improvements, such as driveways and utility installations, shall be minimized. Efforts shall be taken to preserve significant vegetation and natural features, including mature trees, stands of shrubs, and rock outcroppings.
8. Effective screening shall mitigate the impacts of development on skylined ridgelines as viewed from public vantage points. Effective screening shall be required to be installed prior to issuance of a Certificate of Occupancy or surety shall be required. Effective screening shall consist of one of the following alternates:
 - a. One evergreen tree, of a species proven hardy to the area, planted for each 20 linear feet of structure exposed to view from a public vantage point. Trees must be a minimum of eight feet tall at installation and shall be configured to create a natural appearance; or
 - b. Berming or landscaping with native-compatible plant species located to screen the sides of the structures exposed to a public vantage point in a manner that can be demonstrated to achieve adequate screening through all seasons of the year; or
 - c. Other alternatives for screening may be considered by the Planning Director that can be demonstrated to achieve similar results through all seasons of the year.
9. Other reasonable conditions or safeguards deemed necessary by the Planning Director to mitigate the adverse impacts of the proposed development or alteration or to ensure conformance with the requirements of the SO overlay zone.

234.G Standards for New Development (Other than Single-Family and Duplex Structures)

Proposed development shall be designed to ensure:

1. The construction of any structure will not protrude into the skyline as viewed from public vantage points; and
2. All improvements are designed and situated to blend with the physical and visual character of the landform.

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235 RESERVED

§235 [Ord. No. 2932, 10-17-23]

236 OVERLAY ZONE: ENTRY CORRIDOR OVERLAY

236.A Purpose

The Entry Corridor Overlay zone is intended to:

1. Create a strong visual contrast between the less formal character of development within the City's entry corridors and the more urban character predominant in Downtown.
2. Reinforce the naturalized, riparian character of the City's entry corridors.
3. Maximize the efficient use of the City's limited land area and promote a more compact, transit-supportive pattern of development.
4. Provide nodes for commercial services and sale of goods for residents and visitors, as well as nodes for office, lodging, and residential development while minimizing the impact of vehicular traffic and providing safe, efficient and well-connected pedestrian, bicycle, and transit facilities.
5. Provide a quality entryway into the City including street frontages that incorporate landscaped buffers and open space areas.

236.B Exemptions

One-family and two-family residential principal uses on individual lots shall be exempt from the Entry Corridor Overlay zone standards.

236.C Standards

The Entry Corridor Overlay zone modifies the dimensional, development, and design standards of the underlying zone district. Specific Entry Corridor Overlay zone standards are included within applicable sections of this CDC.

§236 [Ord. No. 2760, 7-7-20]

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237 OVERLAY ZONE: AIRPORT OVERLAY

237.A Purpose

The Airport Overlay zone is intended to protect aviation airspace by preventing incompatible land uses within and beyond the Steamboat Springs Airport property, place reasonable restrictions on encroachments into the Airport's Federal Aviation Regulations Part 77 surfaces, as well as protect the public health, safety and general welfare.

237.B Basis

The Airport Overlay zone boundaries are delineated by the airport influence area shown on the Airport Layout Plan Land Use Drawing of the Steamboat Springs Airport Master Plan. For the purposes of this CDC, the Airport Overlay zone includes the following subzones.

1. Subzone A: Airport Influence Area
Referred to as Zone A Airport Influence (AIZ) on the Airport Layout Plan Land Use Drawing.
2. Subzone B: Traffic Pattern Area
Referred to as Zone B Traffic Pattern (TPZ) on the Airport Layout Plan Land Use Drawing.
3. Subzone C: Approach Area
Referred to as Zone C Approach (AZ) on the Airport Layout Plan Land Use Drawing.
4. Subzone D: Runway Protection Area
Referred to as Zone D Runway Protection (RPZ) on the Airport Layout Plan Land Use Drawing.

237.C Applicability

1. All property located within the Airport Overlay zone is subject to the standards of the underlying zone district and the standards of this overlay zone.
2. In the event a legal lot is located within more than one subzone, the entire lot shall be subject to the standards of the most restrictive subzone. This provision shall not be applied to prevent or discourage subdivision of a parcel or lot to minimize encroachment into subzones or to prevent straddling the boundary between subzones.

237.D Standards

1. An aviation easement is required as a condition of approval for development applications processed in accordance with [Sections 707, 709, 713, 714, 720, 721, 722, and 725](#).
2. A disclosure of airport proximity is required as a condition of approval for development applications processed in accordance with [Sections 707, 709, 713, 714, 717, 718, 720, 721, 722, and 725](#).
3. In Subzone B, the Airport Overlay zone modifies the permitted uses of the underlying zone district. See Table 300-1 footnotes.
4. In Subzone D, the Airport Overlay zone modifies the permitted uses of the underlying zone district. See Table 300-1 and 300-2 footnotes. Uses not specifically identified as permitted are prohibited.
5. Legal nonconforming uses in all Subzones shall be continued, expanded, or terminated in accordance with [Section 103](#).

§ 237 [Ord. No. 2792, 1-19-21]

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Definitions**238 OVERLAY ZONE: SHORT-TERM RENTAL OVERLAY****238.A Purpose**

The Short-Term Rental Overlay zone is intended to provide areas for short-term rental uses that are complementary to and supportive of the community's downtown and resort areas and minimize potential negative impacts of short-term rentals on the community's housing supply and residential neighborhoods.

238.B Subzones

The Short-Term Rental Overlay zone includes the following zones and subzones:

1. Zone A: Unrestricted
2. Zone B: Restricted
 - a. Subzone B1: Sunlight
 - b. Subzone B2: Fairway / Clubhouse
 - c. Subzone B3: Walton Creek / Whistler
 - d. Subzone B4: Shadow Run
 - e. Subzone B5: Walton Creek / Village / Columbine
 - f. Subzone B6: Alpenglow
3. Zone C: Prohibited

238.C Applicability

All property located within the Short-Term Rental Overlay zone is subject to the standards of the underlying zone district and the standards of this overlay zone.

238.D Standards

1. All short-term rentals, hosted short-term rentals, and temporary short-term rentals are subject to the Short-Term Rental License regulations set forth in Article IX, Chapter 12 of the Steamboat Springs Municipal Code.
2. In Zone A:
 - a. Short-term rentals are allowed as a By-Right Use.
 - b. Hosted short-term rentals are allowed as a Limited Use subject to the use standard in [Section 306.D.4.](#)
 - c. Temporary short-term rentals are allowed as a Limited Use subject to the use standards in [Section 307.A.9.](#)
3. In Zone B:
 - a. Short-term rentals are allowed as a By-Right Use subject to the Short-Term Rental License regulations set forth in Article IX, Chapter 12 the Steamboat Springs Municipal Code.
 - b. Hosted short-term rentals are allowed as a Limited Use subject to the use standard in [Section 306.D.4](#) and are exempt from Subzone caps.
 - c. Temporary short-term rentals are allowed as a Limited Use subject to the use standards in [Section 307.A.9](#) and are exempt from Subzone caps.

4. In Zone C:
- Short-term rentals are prohibited.
 - Hosted short-term rentals are allowed as a Limited Use subject to the use standard in [Section 306.D.4.](#)
 - Temporary short-term rentals are allowed as a Limited Use subject to the use standards in [Section 307.A.9.](#)

§ 238 [Ord. No. 2856, 6-7-22] [Ord. No. 2888, 12-13-22]

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Chapter 26 | Article 3

Use Definitions and Standards

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300 ORGANIZATION OF USES

300.A Purpose and Intent

1. **Purpose**
The purpose of this Article is to minimize land use conflicts and implement the policies of the Community Plan and other adopted plans .
2. **Intent**
The intent of this Article is to organize and describe uses by type, classification, and category in order to apply appropriate standards and zoning procedures that ensure uses are compatible and negative impacts are minimized .

300.B Use Types

Specific land uses are permitted within individual zone districts as principal uses, accessory uses, or temporary uses as specified by this CDC.

1. **Principal Uses**
A principal use is the main or primary purpose that any lot and structures thereon are used or intended to be used.
2. **Accessory Uses**
An accessory use is a use or activity that is a subordinate part of a principal use on the same lot and that is incidental to and customarily found in connection with the principal use.
3. **Temporary Uses**
A temporary use is a use or activity that is established for a limited duration.

300.C Use Classifications and Categories

Permitted land uses are organized and defined within broad classifications and further grouped into specific categories. Use classifications and categories are intended to be mutually exclusive; that is, a use grouped in one use category, such as lodging accommodations, cannot be grouped in a different use category, such as group living, unless otherwise expressly allowed by this CDC.

1. **Use Classifications**
All principal land uses are grouped into one of the following broad land use classifications:
 - a. Residential Uses
 - b. Commercial Uses
 - c. Industrial Uses
 - d. Civic, Public, and Institutional Uses
 - e. Agricultural and Cultivation Uses
2. **Use Categories**
Each land use classification is subdivided into categories of similar uses.
3. **Specific Uses**
Each use category may include one or more specifically described uses. Some uses may be further divided and defined by characteristics such as size.

300.D Zoning Procedures

1. **By-Right Uses (R)**
By-Right Uses are uses that are deemed to be consistent with the purpose of the zone district and to further the preferred direction and policies of the Community Plan. When site development plans are reviewed for a By-Right Use, the use of the property shall not be in question.

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§ 300.D

2. Limited Uses (L)

Limited Uses are uses that, when specific standards are imposed, are deemed to be consistent with the purpose of the zone district and to further the preferred direction and policies of the Community Plan. When the specific use standards are met, it shall be presumed that the use will not have any greater impact than a By-Right Use, and the Limited Use shall be considered permitted without review. When the specific use standards are not met, the use shall be considered and reviewed as a Conditional Use.

a. Limited Uses Requiring Permit (L-P)

Certain Limited Uses, as specifically noted in the Permitted Use Matrix, require administrative review and approval of a Limited Use Permit to determine that specific use standards are met. When the specific use standards are not met, the use shall be considered and reviewed as a Conditional Use.

3. Conditional Uses (C)

Conditional Uses are uses that may be consistent with the purpose of the zone district and may further the preferred direction and policies of the Community Plan; however, Conditional Uses may have greater impacts to surrounding properties and the community than By-Right and Limited Uses. Conditions and additional standards may be imposed through the Conditional Use process to avoid or minimize specific impacts.

300.E Permitted Uses

1. Permitted Use Matrix (Tables 300-1, 300-2, and 300-3)

The Permitted Use Matrix organizes specific uses by type, classification, and category, references applicable use definitions and standards, and indicates zoning procedures by zone district.

2. Uses Not Specifically Listed

Uses not listed in the Permitted Use Matrix are prohibited, unless the Planning Director determines that the use is similar to another use allowed within the zone district. In order to determine that an unlisted use is similar to a permitted use, the Planning Director shall make a finding that the use is consistent with the purpose and intent of the zone district and that it furthers the preferred direction and policies of the Community Plan. If found to be similar, an unlisted use shall be reviewed according to the procedures and standards applicable to the similar permitted use.

3. Uses Permitted Through Annexation

Uses prohibited in the Permitted Use Matrix may be permitted through an approved annexation agreement.

300.F Use Standards

1. Parking Standards by Use

- Parking standards contained in the Permitted Use Matrix are minimum requirements except in the CY-1, CC, and CS zone districts. In the CC and CS zone districts, parking standards are maximum requirements for commercial uses unless a parking study demonstrates additional parking is necessary to serve the use. The Planning Director may allow a parking study to be submitted to demonstrate the minimum required parking necessary to serve the use after an evaluation of the use, the site, and the intent of this Section. In the CY-1 zone district, parking requirements are waived for all uses except one-family residential, two-family residential, and their accessory uses.
- When the parking standard is based on square feet (sf), net floor area shall be used. Accessory outdoor decks and patios shall not count toward off-street parking requirements.
- When calculation of parking results in a fraction, the required number of spaces shall be rounded up to the next whole number.

- d. For building additions and building replacements housing the same use, and changes and expansions of use, additional parking shall be provided for the net increase in required parking resulting from the change, expansion, addition, or replacement.
 - e. Refer to [Section 406](#) for additional off-street parking standards, credits, and reductions.
2. **Additional Standards**
 Use standards contained in [Section 301](#) through [Section 307](#) shall apply to specific uses when permitted as a Limited Use or Conditional Use. Use standards shall not apply to By-Right Uses. Use standards may be varied through the Conditional Use or Planned Unit Development processes.

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Table 300-1. Permitted Use Matrix — Principal Uses

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects								
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2
Residential Use Classification																											
Household Living																											
Manufactured Home Park	2 per du						L																				
Multiple-Family Residential	1 bds: 1.5 per du ³ 2-3 bds: 2 per du ³ >3 bds: 2+(1 per bedroom>3) per du ³																										
	CO, CY, CK, CN <2,000 sf: 1.5 per du ³ 2,000-3,000 sf: 2 per du ³ >3,000 sf: 2.5 per du ³																										
	RR-1 Above-ground parking: 1 per du Underground parking: 0.75 per du			C	C	R		R	R	L	L	L	L	L	L	L	C	L		L	L	R	L	R	L		
	RR-2, G Above-ground parking: 1 per du Underground parking: 0.5 per du																										
	TND <1 bds: 1 per du 1 bds: 1.5 per du 2+ bds: 2 per du																										
One-Family Residential	2 per du ³		R	R	R	C	R	C				C	R	R	R				R	R	R	R		R			
Two-Family Residential	2 per du ³			R	R	C		C	C			C	R	R	R				R	R	R	R	C	R			
Workforce Unit	1 per du																										
	CO, CY, CK, CN 1 per du (2 spaces waived)	C				L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P					L-P	L-P	L-P	L-P		
Group Living																											
Dormitory	1 per 4 residents							C	C		C					C	C	L				C	C	R	C		
Group Home for Older Adults	2+(1 per 4 residents)		L-P	L-P	L-P			L-P				L-P	L-P	L-P	L-P				L-P	L-P	L-P	L-P	L-P	L-P	L-P		
Nursing Care Facility	1 per 4 residents							C					C	C	C	R			C	C	C	C	C	R	C		C
Residential Care Facility, Large	1 per 4 residents							C					C	C	C	R			C	C	C	C	C	R	C		C
Residential Care Facility, Small	2+(1 per 4 residents)		L-P	L-P	L-P			L-P				L-P	L-P	L-P	L-P				L-P	L-P	L-P	L-P	L-P	L-P	L-P		
Shelter House	2+(1 per 4 adult residents)			C	L-P			L-P											C	C	C	L-P	C	L-P	C		
Commercial Use Classification																											
Adult-Oriented Business	Per business type (retail, tavern, etc.)																			C							
Arts, Recreation, and Entertainment																											
Amusement, Indoor	1 per 300 sf																										
	Bowling alley: 2 per lane	C			C			C	C	R	R	L	C	L	L	R	C					R	R	R	R	R	
Amusement, Outdoor	10+(20 per acre >0.5 acre)	C						C	C		C	C	C	C	C	C	C									R	
Campground	1 per campsite	C																									

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Table 300-1. Permitted Use Matrix — Principal Uses (continued)

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects										
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2		
Commercial Use Classification (continued)																													
Arts, Recreation, and Entertainment (continued)																													
Event Venue, Indoor (<2,500 sf)	1 per 300 sf	C								L-P	C	C	C	C	L-P	L-P	L-P	L-P						C		C			
	G-2, CO, CY, CK, CN 1 per 900 sf																												
Event Venue, Indoor (<2,500 sf)	1 per 300 sf	C								C	C	C	C		C	C	L-P	L-P						C		C			
	G-2, CO, CY, CK, CN 1 per 900 sf																												
Event Venue, Indoor ⁶ (>7,001 sf)	1 per 4 persons of max. capacity	C								C	C	C	C		C	C	C	C						C		C			
Event Venue, Outdoor ⁶	1 per 4 persons of max. capacity									C	C	C	C		C	C	L-P	L-P						C		C			
Golf Course	6 per golf hole	C								C	C	C	C																
Health and Recreation Center	1 per 200 sf	C							C	C	C						C	C					R	R	R	R			
Membership Organization	1 per 4 persons of max. capacity									C	C	C	C	R	R	R	L	L					R	R	R	R			
Movie Theater	1 per 4 seats										L	L												L	L	L			
Stadium ⁶	1 per 6 seats	C								C							C	C	C										
Studio, Instruction	1 per 300 sf									R	R	R	R	R	R	R	R	R	R						R	R	R		
Studio, Production	1 per 500 sf									R	R	R	R	R	R	R	R	R	R						R	R	R		
Eating and Drinking Establishments																													
Brewpub	1 per 150 sf																												
	G-2, CO, CY, CK, CN, T4-NX, T5-VC 1 per 900 sf									C	L	L	L	C	L	L	L	L					L	L	L	L			
Mobile Food Unit	Per Section 302.D.2	C				C				C	L-P	L-P	L-P	C	L-P	L-P	L-P	L-P	L-P				L-P	C	L-P	L-P			
Restaurant/Tavern	1 per 150 sf																												
	G-2, CO, CY, CK, CN, T4-NX, T5-VC 1 per 900 sf									C	L	L	L	C	L	L	L	L	C				L	L	L	L			
Restaurant, Drive-Through	1 per 150 sf																L	L								C			
Restaurant, Take-Out	4+(1 per 100 sf >400 sf)																												
	G-2, CO, CY, CK, CN, T4-NX, T5-VC n/a									C	L	L	L		L	L	L	L	C				L	L	L	L			
Lodging																													
Bed and Breakfast	1 per guestroom		C	C	C					C			L	L	L	L				L	L		L						
Hostel	1 per 4 beds					L				L	C	C	L	C	L	L							C			L			

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Table 300-1. Permitted Use Matrix — Principal Uses (continued)

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects								
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2
Commercial Use Classification (continued)																											
Lodging (continued)																											
Hotel	1 per guestroom					C			C	R	C	C		C	C	C	C						C		R		
	RR-1 Underground parking: 0.75 per guestroom																										
	RR-2, G Underground parking: 0.5 per guestroom																										
Short-Term Rental		Per Section 238 STR Overlay zone.																									
Mobile Vending	n/a	L	L	L	L	L	L	L	C	C	C	C	C	C	C	C	C	L	L	L	L	L	L	L	L	L	L
Office																											
Office, General	1 per 300 sf								C	L	L	R	R	R	R	R	R	C				R	R	R	R		
	G-2, CO, CY, CK, CN, T4-NX, T5-VC 1 per 900 sf																										
Office, Medical/Dental	1 per 200 sf								C	C	L	L	R	R	R	R	R				R	R	R	R			
	G-2, CO, CY, CK, CN, T4-NX, T5-VC 1 per 900 sf																										
Retail Sales and Service (Non-Vehicle/Equipment Related)																											
Animal Sales and Service	1 per 200 sf											C	C	L-P	L-P	L-P	L-P						L-P	L-P	L-P	L-P	
Animal Hospital	1 per 200 sf															C	C	L-P					C		C	L-P	
Animal Kennel	1 per 700 sf																L-P	L-P						L-P	L-P	L-P	
Bank	1 per 250 sf								C	C	L					R	R						L	L	R		
Funeral Home	1 per 50 sf of assembly area															R	R	R					C		C		
Marijuana Primary Caregiver, Medical		L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	C	C	C	L-P	L-P	L-P	C	C	C	C	C	
Marijuana Store	1 per 300 sf								L-P	L-P	L-P	L-P	L-P	L-P		L-P	L-P	L-P						C			
Grocery Store/Market	1 per 300 sf								C	R	R	C	C	C	C	R	R						R	L	R	R	
Large-Format Retail (≤40,000 sf)	1 per 300 sf															C ⁴	C ⁴						R		R	R	
Large-Format Retail (>40,000 sf)	3 per 1,000 sf																						C		C	R	
Neighborhood Store/Market	1 per 500 sf			L-P	L-P	C			C			L-P	C	L-P	L-P							L	L-P	L	L-P	L	
Retail/Service, Building Supplies	1 per 500 sf																L ⁵	L ⁵							L ⁵	L ⁵	
Retail/Service, General Indoor (<3,001 sf)	1 per 300 sf								C	R	R	R	R	R	R	R	R				R	R	R	R	R		
	G-2, CO, CY, CK, CN, T4-NX, T5-VC 1 per 900 sf																										
Retail/Service, General Indoor (3,001-8,000 sf)	1 per 300 sf								C	R	R	C	C	C	C	R	R					R	R	R	R		
	G-2, CO, CY, CK, CN, T4-NX, T5-VC 1 per 900 sf																										

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Table 300-1. Permitted Use Matrix — Principal Uses (continued)

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects									
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2	
Commercial Use Classification (continued)																												
Retail Sales and Service (Non-Vehicle/Equipment Related) (continued)																												
Retail/Service, General Indoor (8,001-12,000 sf)	1 per 300 sf										C						C	C	C					C	R	R	R	
	G-2, CO, CY, CK, CN, T4-NX, T5-VC 1 per 900 sf																											
Retail/Service, Outdoor	1 per 600 sf of display area	C							C	C	C	C	C	C	C	L	L	C					C		L	C		
Vehicle/Equipment Sales, Service, Rental, and Repair																												
Automobile Filling Station	3 per fueling station										C						L	L	L					C	C	C		
Automobile Service, Heavy	3 per service bay																C	L-P	L-P								L-P	
Automobile Service, Light	3 per service bay																C	L-P	L-P					L-P	L-P	L-P	L-P	
Automobile Rental	1 per 400 sf								C	C							C	L-P	C							C		
Automobile Sales	1 per 300 sf of indoor sales area																	C	C							C		
Automobile Wash	2																L	L	C					C	C	C	C	
Electric Vehicle Charging Station	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Heavy Vehicle/Equipment Sales, Rental, and Service	1 per 500 sf of indoor sales area																	C	R									
Vehicle Parking																												
Parking Structure	n/a					C			C	C	C	C	C	C	C	C	C	C						C	C	C		
Surface Lot	n/a					C			C	C	C	C	C	C	C	C	C	C					L	C	L	C		
Work/Live, Commercial	2+(1 per 300 sf of work area)											L-P	L-P	L-P	L-P	L-P	L-P						R	R	R	R		
	CO, CY, CK, CN 2+(1 per 900 sf of work area)																											
Industrial Use Classification																												
Food and Beverage Processing and Manufacturing																												
Alcoholic Beverage Production Facility, Large	1 per 700 sf																	L	L									
Alcoholic Beverage Production Facility, Small	1 per 700 sf										L-P	L-P					L-P	L-P	L					L-P		L-P		
Commissary Kitchen	1 per 300 sf													R	R	R	R	R							R			
Food Processing Facility, Large	1 per 500 sf																	C	R									
Food Processing Facility, Small	1 per 350 sf														L-P	L-P	L	L	R						L			
Meat Processing Facility	1 per 500 sf																		C								C	

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Table 300-1. Permitted Use Matrix — Principal Uses (continued)

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects								
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2
Industrial Use Classification (continued)																											
Industrial Services																											
Contractor Shop ⁷	2 per 3 employees																R	R									
Contractor Equipment/ Materials Yard ⁷	2 per 3 employees																C	L-P									
Crematorium	2 per 3 employees															L	L	L									
Marijuana Testing Facility	1 per 500 sf															C	C	C									
Taxidermy	1 per 500 sf																L	L									
Manufacturing and Production																											
Batching Plant, Asphalt or Concrete	2 per 3 employees																	L-P								C	
Craft Manufacturing	1 per 500 sf										L-P	L-P	L-P	L-P	L-P	L-P	L-P	R					L-P	L-P	L-P	L-P	
Industrial, Heavy	1 per 500 sf																	C								C	
Industrial, Light	1 per 500 sf																	L					C	C	C	L	
Marijuana-Infused Products Manufacturing	1 per 500 sf															C	C	C									
Mining	2 per 3 employees																	C									
Transportation																											
Airport																		C									
Freight Terminal	1 per 700 sf																	R									
Transit Service Facility	1 per 700 sf																	R								R	
Waste-Related Services																											
Automobile/Equipment Yard ⁷	2 per 3 employees																	C									
Hazardous Material Facility ⁷	2 per 3 employees																	C									
Recycling Collection Facility ⁷	4+(2 per 3 employees)											C	C	C	L-P	L-P	L-P						C	C	C		
Recycling Processing Facility	2 per 3 employees																C	C						C	C		
Waste Collection Facility	2 per 3 employees																	C							C		
Wholesale, Storage, Warehouse, and Distribution																											
Outdoor Storage Yard ⁷	2 per 3 employees															C	C	L-P								L-P	
Self-Service Storage Facility, Outdoor ⁷	5+(1 per 20 units >100)															C	C	L-P								L-P	
Self-Service Storage Facility, Indoor ⁷	5+(1 per 20 units >100)									C						C	C	C								C	
	G-2 n/a																										
Vehicle Towing Service and Storage Yard ⁷	2 per 3 employees																C	L-P									
Warehouse ⁷	1 per 800 sf																C	R								R	
Wholesale Facility ⁷	1 per 700 sf																C	R									
Work/Live, Industrial	2+(1 per 900 sf of work area)																	L-P				R	R	R	R		

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Table 300-1. Permitted Use Matrix — Principal Uses (continued)

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects									
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2	
Civic, Public, and Institutional Use Classification																												
Assembly																												
Amenity Space/Structure		R	C	C		R	R	R	R	R	C	C	C	C	C	C				R	R	R	R	R	R	R	R	
Religious Assembly	1 per 4 seats		C	C	C	C	C	C			C	C	R	R	R	C	C			C	R	R	R	R	R	R	R	
Community/Public Services																												
Child Care Center, Large	1 per employee +1 per 6 children	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C			C	C	R	R	R	R	R	L	
Child Care Center, Small	1 per employee +1 per 6 children	C	C	R	R	R	R	R	C		C	R	R	R	R	R	C		R	R	R	R	R	R	R	R	L	
Community Center	1 per 300 sf	C			C	C				C	C	C	C	C	C	C	C			C	R	R	R	R	R	R	R	
Hospital	1 per 2 beds + parking for medical offices															C	C						C		C	C		
Institutional		C	C			C					C					C	C	C				R	C	R	C	C	R	
Public Safety Facility	1 per 300 sf	C	C	C	C	C	C	C	C		C	C				C	C	C			C	R	C	R	C	C	R	
Cultural/Special Purpose, Parks, and Open Space																												
Cemetery	n/a	C	C																									
Library	1 per 200 sf	C								C	C	C	C	C	C	C	C	C				R	R	R	R		R	
Museum	1 per 200 sf	C				C			C	C	R	R	R	R	R	R						R	R	R	R		R	
Open Space - Conservation ⁷	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Park, Community	5 per acre	R	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	R	R	R	R	R	R		R	R	
Park, Neighborhood	3 + (2 per acre >2 acres)	R	R	R	R	R	R	R	R	R		R	R	R	R	R	R	C	R	R	R	R		R		R	R	
Park, Pocket	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Plaza	n/a						R	R	R	R	R	R	R	R	R	R	R	R				R	R	R	R	R	R	
Sports Complex	1 per 4 seats	C																				C		C			C	
Education																												
College/University	1 per 600 sf	R									C	C	C	C	C	C							C	C	C	C	C	
Elementary/Secondary School	K-8 grade: 2 per classroom	R	C	C	C			C			C	C	C	C	C	C					C	R	C	R	C	C	R	
	9-12 grade: 5 per classroom																											
Vocational/Professional School	1 per 600 sf																C	R						C		R	R	
Public Transportation																												
Transit Station		C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	
Transit Stop	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Utilities																												
Infrastructure, Above Ground ⁷	n/a	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	
Infrastructure, Underground ⁷	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Telecommunication Facility– Alternative Support Structure	n/a	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	
Telecommunication Facility– Co-Located	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	

Table 300-1. Permitted Use Matrix — Principal Uses (continued)

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects								
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2
Civic, Public, and Institutional Use Classification (continued)																											
Utilities (continued)																											
Telecommunication Facility– Stealth Design Structure	n/a	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Telecommunication Facility– Tower	n/a	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Telecommunication Facility– Small Cell	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Utility Facility, Major	n/a	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Utility Facility, Minor	n/a															C	C	L								L	L
Agricultural and Cultivation Use Classification																											
Agricultural and Cultivation																											
Agriculture	n/a	L	L																L								
Agriculture, Indoor		L	L														L	L	L								
Community Garden	1 per 4 garden plots	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Keeping of Farm Animals	n/a	L	L																								
Marijuana Cultivation, Medical/Retail	2 per 3 employees															C	C	C									
Marijuana Cultivation, Private	n/a	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	C	C	C	L-P	L-P	L-P	C	C	C	C	C	C	
	CC, CS, I 1 per responsible party																										
Plant Nursery/ Greenhouse												L	L	L	L	L	L	L				L	L	L	L		
¹ Parking standards contained in the Permitted Use Matrix are minimum requirements except in the CY-1, CC, and CS zone districts. In the CC and CS zone districts, parking standards for commercial uses are maximum requirements unless a parking study demonstrates additional parking is necessary to serve the use. The Planning Director may allow a parking study to be submitted to demonstrate the minimum required parking necessary to serve the use after an evaluation of the use, the site, and the intent of this Section. In the CY-1 zone district, parking requirements are waived for all uses except one-family residential, two-family residential, and their accessory uses. Refer to Section 406 for additional off-street parking standards, credits, and reductions. ² sf=square feet net floor area; du=dwelling unit; bds=bedrooms per unit ³ Parking standards for deed restricted affordable housing shall be reduced to one space per dwelling unit. ⁴ In CC and CS zone districts, large-format retail 40,000 square feet or less shall only be permitted through the Planned Unit Development process. ⁵ Building supplies retail/service uses over 12,000 square feet shall be classified and permitted as large-format retail uses. ⁶ For properties that are within Subzone B of the AO zone, this use is prohibited. ⁷ For properties that are within Subzone D of the AO zone, this use is permitted. Uses not specifically identified as permitted are prohibited. Refer to Section 237 for AO zone standards.																											

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Table 300-2. Permitted Use Matrix — Accessory Uses

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																		TND Transects							
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2
Accessory Uses ^{3 4}	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Accessory to All Uses																											
Accessory Antenna	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Keeping of Chickens/Ducks	n/a	L	L	L	L	L-P	L-P	L-P					L-P	L-P	L-P	L-P	L-P	L-P	L	L	L	L-P	L-P	L-P	L-P	L-P	L-P
Keeping of Domestic Animals	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Marijuana Cultivation, Accessory Private	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Minor Utility Structures	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Solar Energy System, Accessory	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Accessory to Residential Uses																											
Day Care Home	2	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R		
Home Occupation	1+(1 per nonresident employee)		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		
Hosted Short-Term Rental ⁵		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		L		L	L	L
Keeping of Goats	n/a	L	L	L	L	L		L											L	L	L	L	L	L			
Secondary Unit	1 per du		L-P	L-P	L-P	C		L-P				L-P	L-P	L-P	L-P				L-P	L-P	L-P	L-P	L-P	L-P			
Accessory to Nonresidential Uses																											
Outdoor Display ⁴									L	L	L	L		L	L	L	L	L				L	L	L	L	L	L
Outdoor Seating									R	R	R	R	C	R	R	R	R	R				R	R	R	R	R	R
Outdoor Storage, Accessory ⁴								L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P						L-P	L-P	L-P	L-P
Tasting/Tap Room	1 per 150 sf																										
	G-2, CO, CY, CK, T4-NX, T5-VC																										
	1 per 900 sf																										

¹ Parking standards contained in the Permitted Use Matrix are minimum requirements except in the CY-1, CC, and CS zone districts. In the CC and CS zone districts, parking standards for commercial uses are maximum requirements unless a parking study demonstrates additional parking is necessary to serve the use.The Planning Director may allow a parking study to be submitted to demonstrate the minimum required parking necessary to serve the use after an evaluation of the use, the site, and the intent of this Section. In the CY-1 zone district, parking requirements are waived for all uses except one-family residential, two-family residential, and their accessory uses. Refer to [Section 406](#) for additional off-street parking standards, credits, and reductions.

² sf=square feet net floor area

³ Accessory uses that are not specifically listed in Table 300-2 are subject to the general standards for accessory uses in [Section 306.B](#). Accessory uses specifically listed in Table 300-2 shall be permitted as indicated in the Table and subject to the applicable standards in [Section 306.C](#), [Section 306.D](#), and [Section 306.E](#).

⁴ For properties that are within Subzone D of the AO zone, this use is permitted. Refer to [Section 237](#) for AO zone standards.

⁵ Per [Section 238](#) STR Overlay zone.

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Table 300-3. Permitted Use Matrix — Temporary Uses

Use Category	Required Parking ^{1 2} (spaces)	Zone Districts																	TND Transects								
Specific Use		OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CK-1	CK-2	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2
Temporary Uses ³	n/a	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Construction Trailer	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L
Farmers’ Market	n/a								R	R	R	R	R	R	R							R	R	R	R	R	R
Garage Sale	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R			
Keeping of Goats, Temporary	n/a	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Real Estate Sales Office, Temporary On-Site	n/a	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	
Real Estate Sales Trailer	3		L-P	L-P		L-P	L-P	L-P	L-P	L-P		C	C	C	C	L-P	L-P	L-P	L-P	L-P	L-P	L	L-P	L	L-P	L-P	L
Seasonal Outdoor Sales	n/a										L-P	L-P		L-P	L-P	L-P	L-P					L-P		L-P		L-P	
Temporary Event	per Limited Use Permit	L-P				L-P			L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P	L-P				L-P	L-P	L-P	L-P	L-P	L-P
Temporary Short-Term Rental ⁴		L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		L		L	L	

¹ Parking standards contained in the Permitted Use Matrix are minimum requirements except in the CY-1, CC, and CS zone districts. In the CC and CS zone districts, parking standards for commercial uses are maximum requirements unless a parking study demonstrates additional parking is necessary to serve the use. The Planning Director may allow a parking study to be submitted to demonstrate the minimum required parking necessary to serve the use after an evaluation of the use, the site, and the intent of this Section. In the CY-1 zone district, parking requirements are waived for all uses except one-family residential, two-family residential, and their accessory uses. Refer to [Section 406](#) for additional off-street parking standards, credits, and reductions.

² sf=square feet net floor area

³ Temporary uses that are not specifically listed in Table 300-3 may be permitted as Conditional Uses in all zone districts. Temporary uses specifically listed in Table 300-3 shall be permitted as indicated in the Table and subject to the applicable standards in [Section 307](#).

⁴ Per [Section 238](#) STR Overlay Zone.

5300 [Ord. No. 2669, 12-4-18] [Ord. No. 2712, 8-27-19] [Ord. No. 2696, 5-21-19] [Ord. No. 2733, 12-23-19] [Ord. No. 2792, 1-19-21] [Ord. No. 2828, 12-7-21] [Ord. No. 2832, 12-14-21] [Ord. No. 2856, 6-7-22] [Ord. No. 2888, 12-13-22] [Ord. No. 2894, 1-17-23] [Ord. No. 2932, 10-17-23] [Ord. No. 2940, 12-5-23] [Ord. No. 2969 7-2-24]

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? User Note: Unless explicitly stated otherwise, use standards shall apply according to the hierarchy noted below.

30#

USE CLASSIFICATION

30#.X

Use Category

#.

Specific Use (level 1)

x.

Use Standards → apply to use defined in level 1 and any sub-levels (##)

##

Sub-Level Specific Use (level 1.1)

x.

Use Standards → apply to use defined in sublevel 1.1 and any sub-sublevels (##.##)

301 RESIDENTIAL PRINCIPAL USES

301.A Definition of Residential Use

The use of land as a fixed place of living. Residential use does not include lodging accommodations or temporary accommodations such as tents, recreational vehicles, or similar structures.

301.B Household Living Category

Household Living is the residential use of a dwelling unit by one family, as defined by this CDC.

1. Manufactured Home Park

A development planned and improved for the placement of manufactured homes on sites for lease.

Use Standards:

- Each manufactured home site shall have a building pad with a slope not exceeding 15 percent that is suitable for placement of a manufactured home.
- Each manufactured home site shall have separate electrical service.
- Running gears may be removed for repair purposes only.
- The undercarriage of all manufactured homes shall be screened from view on all sides.
- Tanks and storage areas shall be screened from view from public rights-of-way.
- Storage and parking of vehicles, recreational vehicles, and trailers shall not interfere with pedestrian and vehicle circulation, visibility and safety.
- Recreational vehicles shall not be used on a permanent basis for living.
- Single-family dwellings other than manufactured homes are prohibited.
- All lease agreements between the owner of a manufactured home park, as landlord, and the lessee of a manufactured home or a manufactured home pad, shall include language to the effect that: "All lease agreements for manufactured homes or manufactured home pads are subject to the risk that lease agreements may not be renewed and that the owner of manufactured home park may elect to terminate the use of the property as a manufactured home park in the future." If the landlord agrees to an oral tenancy or lease, the landlord shall secure a written acknowledgment of this mandatory disclosure.

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§ 301.B

2. Multiple-Family Residential

The use of land for multiple-family buildings and accessory uses. Multiple-family residential also includes dwelling units, excluding work/live units and workforce units, located in a mixed-use building, and bungalow courts regardless of the number of units and whether the units are attached or detached.

Use Standards:

- In G-2, CO, CY, CK-2, CN, CC, and I zone districts, multiple-family residential shall not be located within the pedestrian-active building frontage.
- In the I zone district, multiple-family residential shall not be located on the ground story.
- In the CK-1 zone district, multiple-family buildings shall architecturally represent a single-family building.
- In the I zone district, multiple-family residential shall not exceed 50 percent of gross floor area on the lot.
- In CC, CS, and I zone districts, multiple-family dwelling units shall not exceed 1,400 square feet gross floor area.

3. One-Family Residential

The use of land for single-family dwelling and accessory uses.

4. Two-Family Residential

The use of land for duplex and accessory uses.

5. Workforce Unit

A dwelling unit that is restricted in perpetuity on the deed of the property to be used as the full-time residence by a qualified resident, as defined by this CDC, and their family related by blood, marriage, common-law marriage, adoption, or guardianship.

Use Standards:

- When located within an accessory structure, workforce units shall comply with principal structure setbacks.
- In G, CO, CK, CN, CC, CS, and I zone districts, workforce units shall not be located within the pedestrian-active building frontage.
- In the I zone district, workforce units shall not be located on the ground story.
- In a manufactured home park, workforce units shall:
 - Be located within an amenity structure; and
 - Be limited in number to one workforce unit per 20 manufactured homes in the manufactured home park.
- Workforce units shall not exceed 1,000 square feet gross floor area.
- The deed restriction for the workforce unit shall be reviewed and approved by the City and recorded with the Routt County Clerk and Recorder.

301.C Group Living Category

Group Living is the residential use of a building by a group that may be larger than a single family, as defined by this CDC, and that may include supervisory employees who reside on-site. Residents may receive assistance, care, training, or treatment, and caregivers may or may not reside on site.

1. Dormitory

A managed residential facility that is designed specifically for housing more than six unrelated persons in sleeping rooms with private or shared sanitation facilities and shared kitchen facilities where people residing in the building live permanently or seasonally. Dormitory does not include Lodging Accommodations uses.

Use Standards:

- a. In the I zone district, a dormitory shall be:
 - i. Occupied by and maintained exclusively for employees affiliated with an employer or students affiliated with a college, university, vocational or professional school, or other recognized institution of higher learning, to serve as employee or student housing which shall be regulated and managed by such employer or institution; and
 - ii. Located within 600 feet of the employer or institution that it is associated with.
- b. In the CO, CC, CS, and I zone districts, a dormitory shall not be located within the pedestrian-active building frontage.

2. Group Home for Older Adults

A single-family dwelling or duplex unit that provides housing for the exclusive use of eight or fewer persons who are 60 years of age or older.

Use Standards:

- a. Any external modifications to the building shall not alter the single-family or two-family residential character of the building.
- b. Snow storage shall be provided in accordance with [Section 409](#).

3. Nursing Care Facility

A residential health care facility that provides housing, food, and care to persons who, due to physical or mental condition, require continuous inpatient nursing care.

4. Residential Care Facility

A residential facility that provides housing and 24-hour care to unrelated persons who are in need of personal services, supervision, or assistance essential for sustaining the activities of daily living due to developmental disability, physical condition or illness, mental condition or illness, or social or behavioral problems. Residential care facilities may offer central kitchen, dining, recreational, and other facilities.

4.1. Residential Care Facility, Large

A residential care facility that provides housing for nine or more persons.

4.2. Residential Care Facility, Small

A residential care facility that provides housing within a single dwelling unit for eight or fewer persons. Residents must be pre-screened by a mental health professional and cannot have been previously convicted of a felony involving a violent crime or have been found guilty by reason of insanity.

Use Standards:

- a. A small residential care facility shall be conducted within a single-family dwelling or duplex unit.
- b. Any external modifications to the building shall not alter the single-family or two-family residential character of the building.
- c. Snow storage shall be provided in accordance with [Section 409](#).

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5. Shelter House

A single dwelling unit that provides housing with 24-hour assistance for eight or fewer adults, with or without children, who require transitional living accommodations due to conflict or threat of personal harm arising from their former living arrangements.

Use Standards:

- A shelter house shall be conducted within a single-family dwelling or duplex unit.
- Any external modifications to the building shall not alter the single-family or two-family residential character of the building.
- The building and property shall be maintained in a manner appropriate and customary for a residential use within the same neighborhood and zone district.
- Snow storage shall be provided in accordance with [Section 409](#).
- A minimum of one employee or resident staff shall be on-site at all times to provide 24-hour supervision. Supervision shall include maintaining daily logs of occupants and visitors.

■ 5301 [Ord. No. 2832, 12-14-21]

302 COMMERCIAL PRINCIPAL USES

302.A Definition of Commercial Use

The use of land for the buying and selling or renting and leasing of commodities and services typically directly to consumers and for a profit.

302.B Adult-Oriented Business Category

Adult-Oriented Business shall have the same meaning and include the same uses as defined in Section 12-50 of the Steamboat Springs Municipal Code.

302.C Arts, Recreation, and Entertainment Category

Arts, Recreation, and Entertainment includes establishments that operate indoor or outdoor facilities or provide services for artistic, cultural, entertainment, and recreational purposes.

1. Amusement, Indoor

An indoor facility for recreational and entertainment uses, including but not limited to arcades, bowling alleys, skating rinks, climbing gyms, shooting ranges, escape rooms, and laser tag.

Use Standard:

- In CY, CK, and CN zone districts, an indoor recreation facility shall not exceed 3,000 square feet gross floor area.

2. Amusement, Outdoor

An outdoor area, under private ownership, designed and used for high-impact outdoor recreational uses, including but not limited to go-cart tracks, driving ranges, paint ball games, miniature golf, ski areas, archery ranges, rifle ranges, and riding stables. Outdoor recreation excludes parks and open spaces.

3. Campground

An area of land planned, organized, operated, and maintained for temporary occupation by travelers in recreational vehicles or tents. A campground may include cabins or yurts and accessory community and recreational amenities for campground patrons. A campground does not include a manufactured home park.

Use Standard:

- Camping cabins shall not exceed 375 square feet gross floor area.

4. Event Venue, Indoor

A commercial facility for the hosting of meetings, weddings, receptions, conferences, performances, presentations, or other similar events of a limited duration where an admission fee may be charged, or where the event venue is rented or leased by any person or organization for any such function. Event Venue, Indoor does not include Indoor Amusement, Membership Organization, Movie Theater, Studio, Restaurant, or other uses that are Civic, Public, or Institutional.

Use Standard:

- a. Total outdoor area (deck, patio, outdoor space, outdoor seating, or similar area) shall not exceed 20 percent of the indoor gross floor area.

5. Event Venue, Outdoor

A commercial facility for the hosting of meetings, weddings, receptions, conferences, performances, presentations, or other similar events of a limited duration where an admission fee may be charged, or where the event venue is rented or leased by any person or organization for any such function and where the primary activity occurs outside of a completely enclosed building. Event Venue, Outdoor does not include Outdoor Amusement, Stadium, or other uses that are Civic, Public, or Institutional.

Use Standards:

- a. Outdoor event use areas shall not obstruct, impede, or be located in any public right-of-way, easement; pedestrian, bicycle, vehicular, or emergency service access; building entrance; or required landscape or parking areas.
- b. A minimum 50-foot-long paved apron shall be provided from the front lot line or equivalent street access to the nearest proposed boundary of the event area. The paved apron shall comply with City Engineering Standards. The Director of Public Works may require additional access length after an evaluation of the use, site, and intent of the standard.
- c. An all-weather surface emergency service access shall be provided to serve the use.
- d. An Operational Plan for the use shall be provided for the site and updated regularly for the life of the use. The Operational Plan shall include but is not limited to:
 - i. An event boundary including total area to be used for events
 - ii. Estimated number of participants, spectators, vendors, volunteers, and vehicles for most events
 - iii. Maximum site capacity
 - iv. Estimated number of events annually
 - v. Average duration of individual events
 - vi. Property and event manager contact information
 - vii. Trash, recycling, and toilet services
 - viii. Location of permanent and temporary structures
 - ix. Safety, emergency, and medical services plan
 - x. Traffic Control
 - xi. Permanent and temporary food, beverage, and liquor services
 - xii. Noise management
 - xiii. Impact management
 - xiv. Parking and multi-modal plan

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- e. A Maintenance Plan for the use shall be provided for the site and updated regularly for the life of the use. The Maintenance Plan shall include but is not limited to: revegetation of areas that are not surfaced in all weather material, restoration of vegetated areas, maintenance of access and all weather surface areas, plans for managing impacts to adjacent sites and properties that may include runoff, mud tracking, or other considerations.

6. Golf Course

An area of land planned, organized, operated, and maintained for the purpose of playing golf. A golf course may include a driving range and an accessory clubhouse.

7. Health and Recreation Center

An indoor facility designed and used for physical exercise activities, including but not limited to aerobics, weight lifting, court sports, pools, saunas, running, and fitness classes. Health and recreation centers may include outdoor use areas.

8. Membership Organization

An establishment where people assemble for the promotion of a private or nonprofit common objective, such as literature, science, politics, service, or fellowship, and where membership is generally required for participation.

Use Standard:

- a. In G-1, G-2, CO, CY, CC and CS zone districts, a membership organization shall not be located within the pedestrian-active building frontage unless the organization has regular, designated hours of operation to be open for nonmember public use.

9. Movie Theater

An indoor facility for the showing of motion pictures.

Use Standard:

- a. A movie theater shall not exceed 7,000 square feet gross floor area.

10. Stadium

An outdoor or partially enclosed facility for sporting events and other performances, generally with raised or tiered seating for spectators.

11. Studio

An indoor facility, that is 5,000 square feet or less of net floor area, for individual or group instruction or production.

11.1. Studio, Instruction

A studio for instruction, training, and practice in the arts, martial arts, gymnastics, aerobics, yoga, or other similar activities.

11.2. Studio, Production

A studio for production and practice by individual musicians, painters, sculptors, photographers, or other artists.

302.D Eating and Drinking Establishments Category

Eating and Drinking Establishments include retail establishment primarily engaged in the sale of prepared, ready-to-consume food or drinks.

1. Brewpub

An indoor eating and drinking establishment where fermented malt, vinous, or spirituous beverages are manufactured on the premises, primarily for consumption on the premises. Brewpub includes distillery pubs and vintner's restaurants. A brewpub may offer accessory services including retail sales and distribution.

Use Standards:

- a. Drive-through windows are prohibited.
- b. Adverse impacts shall be minimized in accordance with [Section 410](#).

2. Mobile Food Unit

A readily movable wheeled push cart (capable of being pushed by one person), motorized wheeled vehicle, or towed wheeled vehicle, that is designed and equipped to serve prepared food or prepare and serve food for immediate consumption. Mobile food units operate or solicit business from a fixed or series of fixed outdoor locations.

Use Standards:

- a. In City-owned parks, mobile food units are exempt from the use standards in this Section and from the development review process. Approval and permitting of mobile food units in City-owned parks is through the Parks and Recreation Commission.
- b. A mobile food unit permit is valid for the calendar year in which it is issued (January 1 to December 31), with the exception that permits issued on or after November 1 shall be valid through the following calendar year.
- c. A maximum of one mobile food unit may operate on a lot at any one time. Additional mobile food units may be permitted as Conditional Uses.
- d. Mobile food units shall:
 - i. Not be located within a public right-of-way or in sensitive environmental areas such as wetlands or floodways; and
 - ii. Not displace required parking spaces for uses on the property; and
 - iii. Serve walk-up customers only; and
 - iv. Be located on a paved or all-weather surface; and
 - v. Be situated in a manner that minimizes adverse impacts to adjacent properties; and
 - vi. Be designed and built meeting normal industry standards and maintained in good order.
- e. In the CO zone district, mobile food units shall be open air push carts or unenclosed trailers of less than nine feet long by five feet wide by seven feet tall.
- f. Operation of a mobile food unit shall not obstruct the visibility of motorists, parking lot circulation, emergency access, access to or along a public street, alley, sidewalk, or trail. Customer queuing may be allowed on a public sidewalk provided a minimum of six feet of unobstructed clearance is maintained. Queuing on public trails is prohibited.
- g. All activity and equipment related to the mobile food unit shall occur within the area specifically approved for the mobile food unit as depicted in the permit.
- h. In the CO zone district, all accessory items detached from the mobile food unit shall be placed directly behind the unit and shall not be readily visible from a public right-of-way or public trail or sidewalk.
- i. Both trash and recycling receptacles shall be provided, and the operators shall be responsible for their storage and daily disposal. There shall be no loose debris, materials, or other nuisance impacts.
- j. Availability of parking shall be demonstrated in the immediate vicinity. In G-2, CO, CY, or CK-2 zone districts, it shall be assumed that adequate parking is available.
- k. Signage shall not project from the mobile food unit and shall be permanently affixed to or painted on the unit; such signs are exempt from the sign permit process. Portable signs may be permitted in accordance with Article 5 and Article 7.
- i. Exterior lighting shall comply with applicable lighting standards in [Section 405](#).

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3. Restaurant/Tavern

An indoor eating and drinking establishment where food or drinks are prepared on the premises for consumption on the premises. A restaurant/tavern may offer accessory services including take out, delivery, and catering of food and beverages for off-site consumption.

Use Standard:

- a. Adverse impacts of any baking, coffee roasting, or brewing of alcohol shall be minimized in accordance with [Section 410](#).

4. Restaurant, Drive-Through

An indoor eating and drinking establishment where food or drinks are prepared on the premises for consumption on or off the premises and that includes one or more drive-through windows. Drive-through restaurants may include customer seating areas or may be drive-through only.

Use Standards:

- a. Drive-through restaurants shall not be located adjacent to property zoned RE, RN, RO, MH, or MF.
- b. Adverse impacts of any baking, coffee roasting, or brewing of alcohol shall be minimized in accordance with [Section 410](#).
- c. Drive-through lanes shall not be located between the principal building and the primary street frontage. On corner lots abutting Highway 40/Lincoln Avenue, Highway 40/Lincoln Avenue shall be considered the primary street frontage.
- d. Drive-through lanes shall be screened from public rights-of-way.
- e. Pedestrian access and service, either indoor or outdoor, shall be provided. Drive-through restaurants shall not be exclusive to automobile service.

5. Restaurant, Take-Out

An indoor eating and drinking establishment where food or drinks are prepared on the premises for consumption off the premises. Take-out restaurants have no indoor customer seating areas, and sales may occur indoor or at a walk-up window.

Use Standard:

- a. Adverse impacts of any baking, coffee roasting, or brewing of alcohol shall be minimized in accordance with [Section 410](#).

302.E Lodging Accommodations Category

Lodging Accommodations include sleeping or housing establishments intended to be occupied on a short-term, transient basis. Payment for occupancy is typically on a daily or weekly basis, and a typical length of stay is less than 30 days.

1. Bed and Breakfast

A lodging establishment, with two or more guestrooms, located within a single-family dwelling where the dwelling also serves as the primary residence of the owner or operator. A bed and breakfast may, but is not required to, serve guest meals.

Use Standards:

- a. A maximum of four guestrooms shall be permitted.
- b. Any external modifications to the building shall not alter the single-family residential character of the building.
- c. The maximum stay for any one guest shall not exceed 14 consecutive days.
- d. Guest rooms shall not include cooking facilities.

- e. Meals shall only be served to guests.
 - f. Receptions, private parties, or similar activities for compensation are prohibited.
 - g. The owner or operator shall reside on the premises at all times when the bed and breakfast is in operation.
- 2. Hostel**
A lodging establishment that provides simple dormitory-style sleeping rooms and common rooms for cooking, meeting, recreational, or educational use.
- Use Standards:*
- a. Outdoor gathering areas shall not be located between the principal building and adjacent property zoned RE, RN, RO, or MH.
 - b. Hostels shall be supervised by resident managers.
- 3. Hotel**
A lodging establishment with guestrooms. A hotel may include accessory amenities such as common dining or restaurant, assembly or conference room, indoor recreation, personal service, or retail uses.
- 4. Short-Term Rental**
A dwelling unit offered, provided, used, or operated as a lodging accommodation to guests in exchange for remuneration or other consideration for a period of less than 30 consecutive days while the owner or other permanent resident does not reside in the dwelling unit. The term short-term rental shall only apply to periods of time when the owner or other permanent resident is not residing in the dwelling unit. Short-term rental does not include temporary short-term rental.

302.F Mobile Vending Category

Mobile Vending includes uses that sell or offer for sale merchandise, food, or beverages from any type of vehicle or conveyance operating in a public right-of-way or place of public access, and are in continuous circulation except when serving customers. Mobile Vending does not include mobile food units.

Use Standards:

- 1. In City-owned parks, mobile vending is exempt from the use standards in this Section and from the development review process. Approval and permitting of mobile vending in City-owned parks is through the Parks and recreation Commission.
- 2. Mobile vending operations shall not be limited to a fixed location or series of fixed locations.
- 3. Operation shall:
 - a. Not obstruct the public way or place; and
 - b. Not constitute a health hazard or other hazardous condition; and
 - c. Be compatible with the intended use and traffic on the public way or place.
- 4. Hours of operation shall be limited to sunrise to sunset.
- 5. Mobile vending is limited to areas and streets shown on the Mobile Vending Area Map maintained by the Planning Director.

302.G Office Category

Office includes uses conducted in an office setting and generally focused on business, professional, real estate, financial, or medical/dental services or administration. Examples of office uses include professional services such as legal, accounting, engineering, architecture, design, and travel; business services such as advertising, management, and data processing; financial services such as investment consulting, insurance, and real estate; offices and clinics of doctors, dentists, and therapists; and government and nonprofit institutions.

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1. Office, General

An office establishment for the provision of business, professional, real estate, or financial services, or the administration of business, nonprofit, or government institutions. General office does not include temporary on-site real estate sales offices.

Use Standard:

- a. In G-2 and CO zone districts, general office shall not be located within the pedestrian-active building frontage.

2. Office, Medical/Dental

An office establishment for the provision of services to and treatment of patients or clients for physical or mental ailments or disorders. Medical/dental office includes urgent care and similar clinics but does not include hospitals.

Use Standard:

- a. In CO and CY zone districts, medical/dental office shall not be located within the pedestrian-active building frontage.

302.H Retail Sales and Service Category – Non-Vehicle/Equipment Related

Retail Sales and Service includes commercial uses for the retail sales of new or used products and the provision of services to individuals, households, and businesses.

1. Animal Sales and Services

An indoor establishment for the retail sale, grooming, or veterinary care of domestic animals.

Use Standards:

- a. Animal sales and services shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except animal sales and services may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision.
- b. Animals shall be kept within a completely enclosed structure.
- c. Animals kept overnight shall be limited to those that are for retail sale or are ill, waiting to be treated, or recovering from treatment and need veterinarian care.

2. Animal Hospital

An establishment for the veterinary care of domestic and farm animals. An animal hospital may include facilities that are not within a completely enclosed building.

Use Standard:

- a. Animal hospitals shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except animal hospitals may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision.

3. Animal Kennel

An indoor or outdoor establishment for the keeping, confinement, breeding, boarding, or training of animals. Animal kennel includes animal control facilities for the safe keeping, control, adoption, or destruction of stray, homeless, abandoned, or unwanted domestic animals.

Use Standards:

- a. Animal kennels shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except animal kennels may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision.

- b. All outdoor areas where animals are kept shall:
 - i. Be effectively screened from public rights-of-way and pedestrian pathways; and
 - ii. Be limited to animal holding between 7:00 a.m. and 7:00 p.m.
 - c. Noise buffering techniques, in accordance with [Section 410](#), shall be utilized for outdoor areas to minimize conflicts with adjacent uses.
- 4. Bank**
An indoor institution where money is deposited, kept, lent or exchanged. Bank does not include pawn shops with money lending facilities.
- Use Standards:*
- a. In G and CO zone districts and the T5-VC transect zone, banks shall not exceed 3,000 square feet gross floor area.
 - b. In G and CO zone districts and T4-NC and T5-VC transect zones, banks shall not include drive-up and drive-through facilities.
- 5. Funeral Home**
An indoor establishment that provides funeral services and supplies to the public and includes facilities for the preparation of the deceased for interment or cremation. A funeral home may include an accessory crematorium.
- 6. Marijuana Primary Caregiver, Medical**
The cultivation or distribution of medical marijuana by a primary caregiver registered with the Department of Public Health pursuant to C.R.S. § 25-1.5-106 and in accordance with Article XVIII, Section 14 of the Colorado Constitution.
- Use Standards:*
- a. Medical marijuana primary caregivers shall not be located closer than 500 feet from a state licensed child care facility, elementary/secondary school, the principal campus of a college/university, a seminary, or a public park. Separation shall be measured by the shortest distance between the nearest property line of the land use for a school, college/university, seminary, park, or child care facility to the nearest point of the building or tenant space in which the medical marijuana primary caregiver is located. The establishment of a child care facility within 500 feet of a lawfully established medical marijuana primary caregiver use shall not affect the renewal, reissuance, or amendment of the medical marijuana primary caregiver approval. Development applications shall include an area map drawn to scale indicating land uses of other properties within a 500-foot radius of the subject property. The map shall depict the proximity of the property to any elementary/secondary schools, principal campuses of a college/university, seminaries, public parks, child care facilities, and other marijuana-related land uses.
 - b. In OR, RE, RN, RO, RR, MH, MF, G, CO, CY, CK, and CN zone districts and T2-NE, T3-NG1, and T3-NG2 transect zones, medical marijuana primary caregivers shall only operate within a single-family dwelling or duplex unit, and the responsible party shall use the dwelling unit as a principal residence.
 - c. Medical marijuana primary caregivers shall operate from a permanent, fixed location. Operation from a vehicle or other moveable location is prohibited.
 - d. Display of signs on the property that are visible from the exterior of the premises and that advertise the presence of marijuana on the premises are prohibited. This restriction shall include, but shall not be limited to, signage using the word “marijuana”, its synonyms, or depictions of any portion of the marijuana plant.

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- e. Staff shall be present during hours of operation. Vending machines and unsupervised transactions are prohibited.
- f. Areas used for marijuana cultivation shall:
 - i. Be restricted to an enclosed, locked area; and
 - ii. Be inspected by the Fire Marshal for fire code compliance, regardless of whether a Building Permit is required.
- g. Odor control techniques shall be utilized for marijuana cultivation. An odor control plan shall be approved as part of the Limited Use Permit or Conditional Use approval.
- h. Medical marijuana primary caregivers shall not operate in a manner that adversely impacts the public health, safety, and welfare of the immediate neighborhood in which the use is located. Adverse impacts shall be minimized in accordance with [Section 410](#).

7. Marijuana Store

An establishment for the sale or distribution of marijuana or marijuana-infused products to customers, patients, or primary caregivers in accordance with either the Colorado Retail Marijuana Code or the Colorado Medical Marijuana Act and any other statute or state administrative regulations. Marijuana store does not include the sale or distribution of marijuana by a primary caregiver registered with the Department of Public Health pursuant to C.R.S. § 25-1.5-106 and in accordance with Article XVIII, Section 14 of the Colorado Constitution.

Use Standards:

- a. Marijuana stores shall not be located closer than 500 feet from a state licensed child care facility, elementary/secondary school, the principal campus of a college/university, a seminary, or a public park. Separation shall be measured by the shortest distance between the nearest property line of the land use for the school, college/university, seminary, park, or child care facility to the nearest point of the building or tenant space in which the marijuana store is located. The establishment of a child care facility within 500 feet of a lawfully established marijuana store use shall not affect the renewal, reissuance, or amendment of the marijuana store approval. Development applications shall include an area map drawn to scale indicating land uses of other properties within a 500-foot radius of the subject property. The map shall depict the proximity of the property to any elementary/secondary schools, principal campuses of a college/university, seminaries, public parks, child care facilities, and other marijuana-related land uses.
- b. Marijuana stores shall not be located adjacent to a residential zone district.
- c. Marijuana stores shall not be located within 1,500 feet of another marijuana store permitted under this Section. The distance shall be determined by a radius measurement that begins at the principal doorway of the premises for which the application is made and ends at the principal doorway of the other retail licensed premises.
- d. Marijuana stores shall operate from a permanent, fixed location. Operation from a vehicle or other moveable location is prohibited. Deliveries are only permitted to medical marijuana patients whose medical condition precludes their travel to the marijuana store.
- e. Display of signs on the property that are visible from the exterior of the premises and that advertise the presence of marijuana on the premises are prohibited. This

- restriction shall include, but shall not be limited to, signage using the word “marijuana”, its synonyms, or depictions of any portion of the marijuana plant.
- f. Staff shall be present during hours of operation. Vending machines and unsupervised transactions are prohibited.
 - g. Marijuana stores shall not operate in a manner that adversely impacts the public health, safety, and welfare of the immediate neighborhood in which the use is located. Adverse impacts shall be minimized in accordance with [Section 410](#).
 - h. In the CO zone district, marijuana stores shall not have an entrance along Lincoln Avenue or a tenant space that has frontage on Lincoln Avenue.
- 8. Retail/Service**
An establishment for the retail sale of new or used goods or retail provision of consumer, personal, business, repair, or rental services.
- 8.1. Grocery Store/Market**
An indoor retail establishment primarily for the sale of raw, processed, and packaged food for off-site consumption. A grocery store/market may also sell convenience and household goods and offer accessory consumer, repair, or rental services.
- Use Standard:*
- a. In the T5-VC transect zone, grocery store/market shall not exceed 20,000 square feet net floor area.
- 8.1.1. Neighborhood Store/Market**
A grocery store/market that primarily serves the immediately surrounding neighborhood.
- Use Standards:*
- a. Neighborhood stores/markets shall not exceed 2,000 square feet net floor area.
 - b. In all zone districts except CK and CN, neighborhood stores/markets shall be located on a corner lot at the intersection of two public streets.
 - c. Parking shall not be located within the front setback.
- 8.2. Large-Format Retail**
A single-tenant indoor retail/service establishment that exceeds 12,000 square feet net floor area or a multi-tenant commercial building that exceeds 20,000 square feet net floor area. Large-format retail does not include grocery stores/markets.
- Use Standard:*
- a. In an existing large-format retail space or building, changes of use with no exterior modifications shall be classified and permitted based on the new use definition and single-tenant net floor area.
- 8.2.1. Large-Format Retail – 40,000 Square Feet or Less Net Floor Area**
- Use Standards:*
- a. In CC and CS zone districts, large-format retail 40,000 square feet or less shall only be permitted through the Planned Unit Development process.
 - b. In CC and CS zone districts, initial development and any exterior modifications shall comply with the large-format retail development and design standards in [Section 422](#).

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8.2.2. Large-Format Retail – Greater than 40,000 Square Feet Net Floor Area

Use Standard:

- a. Initial development and any exterior modifications shall comply with the large-format retail development and design standards in [Section 422](#).

8.3. Retail/Service, Building Supplies

An indoor or outdoor establishment for the sale of building or construction and home improvement materials. Building supplies retail/service may also include accessory fabrication of materials and offer accessory repair or rental services related to home improvement.

Use Standards:

- a. Building supplies retail/service with outdoor storage or retail areas shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except building supplies retail/service may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision. This standard shall not apply to accessory outdoor display.
- b. Outdoor storage of materials shall be screened from public rights-of-way and pedestrian paths by an opaque fence, dense landscaping, or berms.
- c. A single-tenant building supplies retail/service use greater than 12,000 square feet net floor area shall be classified and permitted as large-format retail.

8.4. Retail/Service, General Indoor

An indoor establishment for the retail sale of new or used goods or retail provision of consumer, personal, business, repair, or rental services that is not described as another specific retail/service use. (General indoor retail/service uses shall be permitted as indicated in the Permitted Use Matrix based on single-tenant net floor area.)

8.5. Retail/Service, Outdoor

An establishment for the retail sale of new or used goods or retail provision of consumer, business, repair, or rental services where the primary sale, service, or repair activity occurs outside of a completely enclosed building.

Use Standards:

- a. Outdoor retail/service shall not be located:
 - i. Adjacent to property zoned OR, RE, RN, RO, MH, or MF, except outdoor retail/service may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision; or
 - ii. On lots abutting, or separated only by open space from, US Highway 40 or Elk River Road.

302.I Vehicle/Equipment Sales, Rental, Service, and Repair Category

Vehicle/Equipment Sales, Service, Rental, and Repair includes uses engaged in the retail sales, rental, service, or repair of motor vehicles or equipment.

1. Automobile Filling Station

An establishment for the sale and dispensing of automobile fuel. An automobile filling station may include accessory retail sales of convenience goods.

Use Standard:

- a. Automobile filling stations shall not be located adjacent to property zoned RE, RN, RO, MH, or MF.

- 2. Automobile Service, Heavy**
An indoor establishment for the general service, repair, or rebuilding of vehicles. Heavy automobile service includes auto body shops.
- Use Standards:*
- Heavy automobile service shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except heavy automobile service may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision.
 - All service, repair, and rebuilding activities shall occur within a completely enclosed building.
 - Inoperable or unlicensed vehicles shall not be stored outdoors for more than two business days.
 - Service bay doors shall not be visible from public rights-of-way.
- 3. Automobile Service, Light**
An indoor establishment for the routine maintenance or minor repair of passenger vehicles and light trucks.
- Use Standards:*
- Light automobile service shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except light automobile service may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision.
 - All maintenance and repair activities shall occur within a completely enclosed building.
 - Inoperable or unlicensed vehicles shall not be stored outdoors for more than two business days.
 - Service bay doors shall not be visible from public rights-of-way.
- 4. Automobile Rental**
An establishment for short-term rental of passenger vehicles, light trucks, motorcycles, utility trailers, and similar items. Automobile rental may include vehicle storage, drop-off, and pick-up.
- Use Standards:*
- Automobile rental shall not be located adjacent to property zoned RE, RN, RO, MH, or MF.
 - Any canopies for sheltering vehicles shall not be located closer to the street than the principal structure.
 - Garage or service bay doors shall not face the front lot line.
 - In G zone districts, rental vehicles shall be stored within a parking structure.
- 5. Automobile Sales**
An establishment for the sale or long-term leasing of passenger vehicles, light trucks, motorcycles, utility trailers, and similar items. Automobile sales may include vehicle storage and display.
- 6. Automobile Wash**
A facility for automated or self-service washing of automobiles.
- Use Standards:*
- Automobile washes shall not be located adjacent to property zoned RE, RN, RO, MH, or MF.
 - Garage or wash bay doors shall not face the front lot line.

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7. Electric Vehicle Charging Station

An establishment or location offering a source of electrical power designed specifically to charge the batteries of electric vehicles, including all-electric vehicles and plug-in hybrids. Electric vehicle charging stations may be located in required parking spaces where the vehicles can be stored as they are charged.

8. Heavy Vehicle/Equipment Sales, Rental, and Service

An establishment for the sales, rental, or service of construction or agricultural vehicles, equipment, or machinery; recreational vehicles; or boats.

302.J Vehicle Parking Category

Vehicle Parking includes the parking of licensed, operable vehicles for 96 hours or less, with or without charge. Vehicle Parking shall not include storage, sale, repair, or dismantling of vehicles.

1. Surface Lot

An unenclosed, at-grade lot for the parking of vehicles.

2. Parking Structure

A structure, excluding a garage as defined by this CDC, for the parking of vehicles.

302.K Work/Live Category – Commercial

Work/Live-Commercial includes the use of a work/live unit for a principal commercial use permitted in the zone district and accessory residential use.

Use Standards:

- In CO, CY, CK-2, CN, CC, and CS zone districts, the residential component of a work/live unit shall not be located within the pedestrian-active building frontage.
- In CC and CS zone districts, the residential component of a work/live unit shall not exceed 1,400 square feet gross floor area.

§ 302 [Ord. No. 2650, 5-15-18] [Ord. No. 2670, 12-4-18] [Ord. 2712, 8-27-19] [Ord. No. 2696, 5-21-19] [Ord. No. 2733, 12-23-19] [Ord. No. 2856, 6-7-22] [Ord. No. 2888, 12-13-22] [Ord. No. 2894, 1-17-23] [Ord. No. 2932, 10-17-23] [Ord. No. 2969 7-2-24] [Ord. No. 2984, 11-12-24]

303 INDUSTRIAL PRINCIPAL USES

303.A Definition of Industrial Use

The use of land for the manufacturing, production, assembling, fabrication, processing, bulk handling, storage, warehousing, and distribution of goods, facilities that may generate significant impacts to residential and commercial areas, and establishments that typically require minimal direct interaction with the general public.

303.B Food and Beverage Processing and Manufacturing Category

Food and Beverage Processing and Manufacturing includes uses engaged in the production of prepared food and beverage items for off-site sale and consumption by others.

1. Alcoholic Beverage Production Facility

A facility where fermented malt, vinous, or distilled spirituous beverages are manufactured for sale or distribution to wholesale or retail establishments. Alcoholic beverage production facility includes brewery, distillery, winery, or other similar facility.

Use Standards:

- In CO, CY, CC, and CS zone districts and T4-NC and T5-TC transect zones, alcoholic beverage production facilities shall include a tasting/tap room.
- Adverse impacts shall be minimized in accordance with [Section 410](#).

1.1. Alcoholic Beverage Production Facility, Large

An alcoholic beverage production facility that produces more than 100,000 gallons of vinous liquors, more than 15,000 barrels of fermented malt beverages, or more than 100,000 gallons of distilled spirituous beverages per year.

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1.2. Alcoholic Beverage Production Facility, Small

An alcoholic beverage production facility that produces 100,000 gallons or less of vinous liquors, 15,000 barrels or less of fermented malt beverages, or 100,000 gallons or less of distilled spirituous beverages per year.

2. Commissary Kitchen

A commercial kitchen facility where food is stored, prepped, and prepared for off-site consumption. Commissary kitchen includes caterer kitchens, shared kitchens, and other similar facilities.

3. Food Processing Facility

A facility for the preparation, processing, canning, or packaging of food or non-alcoholic beverage products for sale or distribution to wholesale or retail establishments.

Use Standard:

- In CK-2 and CN zone districts and the T5-VC transect zone, food processing facilities shall include accessory retail sales or a tasting/tap room.
- Adverse impacts of any baking or coffee roasting shall be minimized in accordance with [Section 410](#).

3.1. Food Processing Facility, Large

A food processing facility that is greater than 3,500 square feet of net floor area.

3.2. Food Processing Facility, Small

A food processing facility that is 3,500 square feet or less of net floor area.

4. Meat Processing Facility

A facility where live animals are killed and processed or where wild game is processed or packed. Meat processing facility does not include butcher shops, rendering plants, or restaurants.

303.C Industrial Services Category

Industrial Services includes uses engaged in the servicing of industrial, business, or consumer goods and providing services primarily at off-site locations or for off-site uses.

1. Contractor Shop

An indoor facility for conducting construction trade services, the storage and maintenance of equipment, or the storage of materials associated with contracting or construction trade services.

2. Contractor Equipment/Materials Yard

An outdoor area for the storage of vehicles, equipment, and materials associated with contracting or construction trade services.

Use Standards:

- Contractor equipment/materials yards shall not be permitted on lots abutting, or separated only by open space from, US Highway 40 or Elk River Road.
- Contractor equipment/materials yards shall comply with all applicable development standards for outdoor storage areas in [Section 416](#).

3. Crematorium

A facility designed for the cremation of human or animal remains.

Use Standards:

- In CC and CS zone districts, crematoriums shall be accessory to a funeral home, animal sales and service use, or animal hospital.
- Crematoriums shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except crematoriums may be located adjacent to properties that are:

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- i. Zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision; or
- ii. Zoned RE-1 but are identified on the Future Land Use Map as planned for zoning other than OR, RE, RN, RO, MH, or MF.
- c. All activities shall occur within a completely enclosed building.
- d. Crematoriums shall not emit any noise, odor, or vibration beyond the lot lines.

4. Marijuana Testing Facility

A facility for testing and research on marijuana, including the development and testing of marijuana products, in accordance with either the Colorado Retail Marijuana Code or the Colorado Medical Marijuana Act, and any other statute or state administrative regulations.

Use Standards

- a. Marijuana testing facilities shall not be located closer than 500 feet from a state licensed child care facility, elementary/secondary school, the principal campus of a college/university, a seminary, or a public park. Separation shall be measured by the shortest distance between the nearest property line of the land use for a school, college/university, seminary, park, or child care facility to the nearest point of the building or tenant space in which the marijuana testing facility is located. The establishment of a child care facility within 500 feet of a lawfully established marijuana testing facility shall not affect the renewal, reissuance, or amendment of the marijuana testing facility approval. Development applications shall include an area map drawn to scale indicating land uses of other properties within a 500-foot radius of the subject property. The map shall depict the proximity of the property to any elementary/secondary schools, principal campuses of a college/university, seminaries, public parks, child care facilities, and other marijuana-related land uses.
- b. Marijuana testing facilities shall not be located adjacent to property zoned RE, RN, RO, RR, MH, MF, or G.
- c. Marijuana testing facilities shall operate from a permanent, fixed location. Operation from a vehicle or other moveable location is prohibited.
- d. Display of signs on the property that are visible from the exterior of the premises and that advertise the presence of marijuana on the premises are prohibited. This restriction shall include, but shall not be limited to, signage using the word “marijuana”, its synonyms, or depictions of any portion of the marijuana plant.
- e. Marijuana testing facilities shall not operate in a manner that adversely impacts the public health, safety, and welfare of the immediate neighborhood in which the use is located. Adverse impacts shall be minimized in accordance with [Section 410](#).

5. Taxidermy

An establishment that prepares, stuffs, and mounts the skins of animals.

Use Standards:

- a. Taxidermy uses shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except taxidermy uses may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision.
- b. All activities shall occur within a completely enclosed building.

303.D Manufacturing and Production Category

Manufacturing and Production includes uses engaged in the manufacturing, processing, fabrication, packaging, or assembly of goods.

1. Batching Plant, Asphalt or Concrete

A facility used for the production of asphalt or concrete, or asphalt or concrete products used in building or construction. An asphalt or concrete batching plant may include facilities for the administration or management of the facility, the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises, and the storage and maintenance of required equipment.

Use Standards:

- a. Asphalt or concrete batching plants shall not be located:
 - i. Adjacent to property zoned OR, RE, RN, RO, MH, or MF, except batching plants may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision; and
 - ii. Closer than 500 feet to any residential zone district or properties identified on the Future Land Use Map as planned for residential zoning.
- b. Outdoor storage and materials shall be screened from view of adjacent properties and public rights-of-way by an opaque fence between six and eight feet in height. Wood slat fences and chain link fences with slats are prohibited. Additional screening techniques shall be required if the fence does not effectively screen the storage area.
- c. Asphalt or concrete batching plants shall comply with all applicable local, state, and federal regulations regarding air quality, water quality, noise, glare, and vibrations.

2. Craft Manufacturing

An indoor facility for the assembly of completely hand-fabricated parts or the hand-manufacture or hand-fabrication of custom or craft products using predominantly hand tools or domestic-scaled mechanical or other equipment.

Use Standards:

- a. Craft manufacturing shall not exceed 3,000 square feet gross floor area, including all accessory uses.
- b. Manufacturing activities shall occur within a completely enclosed building.
- c. There shall be on-site sales or display of manufactured products.
- d. Adverse impacts shall be minimized in accordance with [Section 410](#).

3. Industrial, Heavy

A facility, that is not described as another specific industrial use, for manufacturing or other activities with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials.

4. Industrial, Light

A facility, that is not described as another specific industrial use, for research and development or manufacturing, processing, fabrication, assembly, servicing, preparation, treatment, packaging, research, storage, or distribution of finished or semi-finished products from previously prepared materials. Light industrial uses do not have significant external effects or pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials.

Use Standard:

- a. Light industrial uses shall not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except light industrial uses may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision.

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5. Marijuana-Infused Products Manufacturing

A facility for the manufacturing of products infused with marijuana intended for use or consumption other than by smoking including but not limited to edible products, ointments, or tinctures, in accordance with either the Colorado Retail Marijuana Code or the Colorado Medical Marijuana Act, and any other statute or state administrative regulations.

Use Standards:

- a. Marijuana-infused products manufacturing shall not be located closer than 500 feet from a state licensed child care facility, elementary/secondary school, the principal campus of a college/university, a seminary, or a public park. Separation shall be measured by the shortest distance between the nearest property line of the land use for a school, college/university, seminary, park, or child care facility to the nearest point of the building or tenant space in which the marijuana-infused products manufacturing use is located. The establishment of a child care facility within 500 feet of a lawfully established marijuana-infused products manufacturing use shall not affect the renewal, reissuance, or amendment of the marijuana-infused products manufacturing use approval. Development applications shall include an area map drawn to scale indicating land uses of other properties within a 500-foot radius of the subject property. The map shall depict the proximity of the property to any elementary/secondary schools, principal campuses of a college/university, seminaries, public parks, child care facilities, and other marijuana-related land uses.
- b. Marijuana-infused products manufacturing shall not be located adjacent to property zoned RE, RN, RO, RR, MH, MF, or G.
- c. Marijuana-infused products manufacturing shall operate from a permanent, fixed location. Operation from a vehicle or other moveable location is prohibited.
- d. Display of signs on the property that are visible from the exterior of the premises and that advertise the presence of marijuana on the premises are prohibited. This restriction shall include, but shall not be limited to, signage using the word “marijuana”, its synonyms, or depictions of any portion of the marijuana plant.
- e. Marijuana-infused products manufacturing shall not operate in a manner that adversely impacts the public health, safety, and welfare of the immediate neighborhood in which the use is located. Adverse impacts shall be minimized in accordance with [Section 410](#).

303.E Mining Category

Mining includes the removal of sand, gravel, earth, rock, stone, or mineral-bearing substance from the ground for the purposes of using such material or obtaining any mineral from such substances.

303.F Transportation Category

Transportation includes uses engaged in the movement of passengers and goods.

1. Airport

A facility designed and developed for the landing and takeoff of aircraft. An airport may include hangars, facilities for aircraft refueling and repair, and accommodations for passengers such as baggage claim and waiting areas. An airport may also include accessory uses such as food service and automobile rental services.

2. Freight Terminal

A facility for the handling, sorting, shipping, and delivery of packages and freight. A freight terminal may include vehicle storage and maintenance facilities.

3. Transit Service Facility

A facility for the storage, maintenance, and repair of transit equipment and associated operational and administrative functions.

303.G Waste-Related Services Category

Waste-Related Services includes uses that receive solid or liquid wastes from others for transfer and disposal.

1. Automobile/Equipment Yard

A facility for the collection, demolition, dismantling, keeping, storage, bailment, salvage or sale of used discarded, worn out or scrapped machinery, equipment, automobiles, automobile parts, or scrap metal.

2. Hazardous Material Facility

A facility designed for the collection, processing, or storage of hazardous material.

3. Recycling Collection Facility

A facility for the drop off of recyclable material by the public for collection, temporary storage, manual sorting, and eventual transport to a recycling processing facility. A recycling collection facility does not include processing of recyclable materials.

Use Standards:

- a. Recycling collection facilities shall not be located within a floodplain.
- b. Facilities that are open or accessible 24 hours per day shall not be located adjacent to a residential zone district.
- c. All materials shall be stored under cover or in covered, weather-tight containers.
- d. Materials storage areas shall be screened from public rights-of-way and non-industrial zoned properties.
- e. Recycling collection facilities shall be located on a paved or all-weather surface.
- f. Hours of operation and listing of accepted materials shall be posted in a visible location near the entrance of the facility.
- g. Recycling collection facilities shall operate in a manner that:
 - i. Complies with required water quality controls and stormwater management; and
 - ii. Maintains the site in good order, without loose debris, materials, or other nuisance impacts; and
 - iii. Prevents overflow of materials from containers.

4. Recycling Processing Facility

A facility designed for the collection, sorting, bundling, or temporary storage of recyclable materials for efficient transport or processing of materials to an end-user's specifications. A recycling processing facility may include a recycling collection facility.

5. Waste Collection Facility

A facility designed for the storing of waste disposal equipment, waste collection equipment, and the collection, processing, or storage of non-hazardous garbage or waste material.

303.H Wholesale, Storage, Warehouse, and Distribution Category

Wholesale, Storage, Warehouse, and Distribution includes storage services and the sale, storage, or distribution of goods and materials in large quantity to retailers or other businesses for resale.

1. Outdoor Storage Yard

An area for the unenclosed storage of goods, operable vehicles, operable equipment, or materials for more than four days. Outdoor storage yard does not include outdoor display of goods, vehicles, equipment, or materials for retail sale.

Use Standards:

- a. Outdoor storage yards shall not be permitted on lots abutting, or separated only by open space from, US Highway 40 or Elk River Road.

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- b. Outdoor storage yards shall comply with all applicable development standards for outdoor storage areas in [Section 416](#).

2. Self-Service Storage Facility

A facility for the lease or sale of individual units, spaces, or lockers for the storage of business or personal goods. Self-service storage facility includes off-site facilities of private clubs or associations providing storage spaces, units, or lockers for the exclusive use of club or association members.

2.1. Self-Service Storage Facility, Outdoor

A self-service storage facility with outdoor pads or spaces for the storage of boats, recreational vehicles, or similar vehicles and equipment.

Use Standards:

- a. Outdoor self-storage storage facilities shall not be permitted on lots abutting, or separated only by open space from, US Highway 40 or Elk River Road.
- b. Outdoor self-storage storage facilities shall comply with all applicable development standards for outdoor storage areas in [Section 416](#).

2.2. Self-Service Storage Facility, Indoor

A self-service storage facility with self-contained, indoor units or lockers for the storage of goods.

Use Standard:

- a. In CC and G-2 zone districts, individual storage units or lockers shall be accessed from the interior of the building.

3. Vehicle Towing Service and Storage Yard

A facility for the operation of vehicle towing services and the storing of damaged or impounded vehicles. Vehicle towing service and storage yard does not include demolition, dismantling, servicing, or repair of vehicles.

Use Standards:

- a. Vehicle towing service and storage yards shall not be permitted on lots abutting, or separated only by open space from, US Highway 40 or Elk River Road.
- b. Areas used for vehicle storage shall comply with all applicable development standards for outdoor storage areas in [Section 416](#).

4. Warehouse

An indoor facility for the storage of commercial or industrial goods, materials, equipment, or vehicles for off-site retail sales or services.

5. Wholesale Facility

A facility for the selling and distribution of goods to off-site retailers.

303.I Work/Live Category – Industrial

Work/Live-Industrial includes the use of a work/live unit for a principal industrial use permitted in the zone district and accessory residential use.

Use Standards:

- a. The residential component of a work/live unit shall not be located within the pedestrian-active building frontage.
- b. The gross floor area of the residential component of a work/live unit shall not exceed the gross floor area of the nonresidential component.
- c. The residential component of a work/live unit shall not exceed 1,400 square feet of gross floor area.

■ §303 [Ord. No. 2650, 5-15-18] [Ord. No. 2696, 5-21-19] [Ord. No. 2932, 10-17-23]

304 CIVIC, PUBLIC, AND INSTITUTIONAL PRINCIPAL USES

304.A Definition of Civic, Public, and Institutional Uses

The use of land for civic and community purposes that primarily benefit the health, safety, and welfare of the general public.

304.B Assembly Category

Assembly includes uses operated for the regular assembly of persons for religious worship or secular activities.

1. Amenity Space/Structure

An indoor facility or outdoor area, under private ownership for the common benefit of a use, development, or subdivision, designed and used for service, gathering, or passive and low-impact active recreational uses, including but not limited to a clubhouse, meeting rooms, personal storage areas, exercise facility, tennis courts, swimming pools, hot tubs, sitting areas, and playground equipment. An amenity space/structure may be located within the same building or on the same lot as the use or development it serves or on a separate lot within the development or subdivision it serves.

2. Religious Assembly

An establishment where people regularly assemble for participation in religious services, meetings, and other associated activities.

304.C Community/Public Services Category

Community/Public Services includes uses engaged in meeting needs for public safety and human services.

1. Child Care Center

An establishment for the care of children for less than a 24-hour consecutive period as licensed by the State of Colorado.

1.1. Child Care Center, Large

A child care center that provides care for 16 or more children at a time.

1.2. Child Care Center, Small

A child care center that provides care for 15 or fewer children at a time.

2. Community Center

A facility provided by the City or any other nonprofit group or organization for community activities.

3. Hospital

An institution that provides 24-hour health services, medical care, and surgical care primarily for inpatients. A hospital may include laboratories, emergency services, outpatient services, training facilities, central service facilities, staff offices, and other accessory uses integral to the operation of the use.

4. Institutional

An establishment, that is not described as another specific civic, public, or institutional use, that is funded and operated by a unit of government or nonprofit organization and that provides a community-wide or regional service to the public.

5. Public Safety Facility

A facility that provides health and safety service to the general public, such as a fire station, police station, ambulance station, or similar facility.

304.D Cultural/Special Purpose, Parks, and Open Space Category

Cultural/Special Purpose, Parks, and Open Space include uses generally providing for preservation or enjoyment of heritage, history, arts, parks, and open space.

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1. **Cemetery**
An area used for the interment of human or animal remains or cremated remains. Cemetery includes burial grounds, mausoleums, columbaria, and similar facilities.
2. **Library**
An institution housing a collection of printed and digital materials, such as books, magazines, photographs, audiotapes, and videotapes, for use, study, and reference by the public.
3. **Museum**
An institution that is established for the purpose of acquiring, conserving, studying, interpreting, assembling, and exhibiting a collection of natural, historic, scientific, literary, or artistic objects of interest.
4. **Open Space – Conservation**
An outdoor area, under private ownership for the common benefit of a use, development, or subdivision, set aside for preservation of significant natural resources, remnant landscapes, or visual aesthetics/buffering.
5. **Park**
An area, either publicly or privately owned, that is accessible to the general public for passive or active recreation.
 - 5.1. **Park, Community**
A park that is designed to meet community-wide recreational needs.
 - 5.1.1. **Sports Complex**
A community park that is designed to consolidate heavily programmed athletic fields and associated facilities.
 - 5.2. **Park, Neighborhood**
A park that is designed to meet recreational needs of a neighborhood. Neighborhood parks are typically between 0.5 and five acres in size.
 - 5.2.1. **Park, Pocket**
A small neighborhood park that is designed to provide a focal point for surrounding residential units within a neighborhood. Pocket parks are typically between 0.1 and one acre in size.
 - 5.3. **Plaza**
A park that is primarily hardscaped and that is designed to provide a focal point for a surrounding commercial, civic, or mixed use area. Plazas are typically between 0.1 and two acres in size.

304.E Education Category

Education includes public and private facilities for the general or specialized education or instruction of children or adults.

1. **College/University**
An educational institution that offers instruction in any number of fields of study or professions and that is authorized to confer associate, baccalaureate, or post-graduate degrees. A college/university may be comprised of multiple buildings and grounds and may include a variety of associated uses, such as classroom buildings, administrative offices, libraries, sports facilities, performing arts facilities, student housing, and research facilities.
2. **School, Elementary/Secondary**
A public or private educational institution meeting all requirements of compulsory education laws of the state and providing instruction to students in any or all levels from kindergarten through grade 12. Elementary/secondary school includes kindergartens, elementary schools, middle schools, junior high schools, and high schools.

3. **School, Vocational/Professional**
An educational institution, that is not described as another educational use or operated as a home occupation, that offers specialized instruction and training in an occupation or in the use of technical equipment or machines.
- 304.F Public Transportation Category**
Public Transportation includes facilities, open to the public, for the movement of passengers.
1. **Transit Station**
A facility that serves as a hub or terminal for mass passenger transportation (e.g., bus or rail). Transit station may include parking facilities, food service, and other accessory uses to serve passengers.
 2. **Transit Stop**
A location where transit buses stop to load and unload passengers.
- 304.G Utilities Category**
Utilities includes uses and facilities related to the generation, provision, distribution, collection, transmission, or disposal of water, wastewater, storm water, gas, power, telephone, cable, and similar services.
1. **Infrastructure, Above Ground**
Transmission, delivery, or collection pipes, lines, or similar utility infrastructure located above ground.
 2. **Infrastructure, Underground**
Transmission, delivery, or collection pipes, lines, or similar utility infrastructure located underground.
 3. **Telecommunication Facility**
A facility for the purpose of transmitting or receiving electromagnetic signals. Telecommunication facility includes antennas, microwave dishes, and other similar transmitting and receiving equipment, towers or similar support structures, equipment buildings and structures, and other accessory site improvements.
Use Standards:
 - a. Telecommunication facilities shall be located, designed, and screened to blend with the existing natural and built environment to mitigate visual impacts.
 - b. Telecommunication facilities shall comply with minimum building setbacks in the applicable zone district.
 - c. Backup generators shall only be operated during power outages and for testing and maintenance purposes. Testing and maintenance activities shall only take place on weekdays between 8:30 a.m. and 4:30 p.m.
 - d. Satellite dishes and parabolic antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their function. Satellite dishes, other than microwave dishes, shall be of mesh construction, except where technical evidence acceptable to the City is submitted showing that this is not feasible.
 - e. Upon termination or abandonment of the use of a telecommunication facility, all improvements associated with the facility shall be completely removed within 120 days of termination or abandonment. Disturbed areas of the site shall be revegetated within 180 days of termination or abandonment.
 - f. All telecommunication facilities shall make available unused space for colocation of additional telecommunication facilities, including those providing similar, competing services. Colocation is not required if a facility demonstrates that the addition of another service or facility would impair or significantly disrupt existing service.

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- g. Support facilities, such as equipment buildings, structures, and utilities shall be constructed of non-reflective materials and, when possible, shall be placed underground.
- h. Equipment buildings and structures shall not exceed 15 feet in height and shall blend with surrounding architecture or be screened from view by mature landscaping.
- i. Telecommunication facility sites shall be unlit except when authorized personnel are actually present at night.
- j. Telecommunication facilities shall be served by the minimum roads and parking areas necessary and shall use existing roads and parking areas whenever possible.
- k. Existing native vegetation shall be maintained. Suitable mature landscaping shall be utilized to screen the facility, where necessary.
- l. Telecommunication facilities shall be designed and operated in such a manner so as to minimize the risk of igniting a fire or intensifying one that otherwise occurs. Fire prevention measures may include but are limited to the following:
 - i. At least one-hour fire resistant interior surfaces used in the construction of all buildings.
 - ii. Monitored automatic fire extinguishing systems approved by the Fire Chief.
 - iii. Rapid entry (KNOX) systems.
- m. Approval of a telecommunications facility which will or is anticipated to create interference with an existing microwave band or other public service use or facility shall include provisions for the relocation of said existing public use facilities. All costs associated with said relocation shall be borne by the applicant for the additional facilities.
- n. The following telecommunications facilities shall require a maintenance and facility removal agreement, signed by the applicant and the property owner, binding the applicant and property owner to properly maintain the exterior appearance of and ultimately removal of the facility:
 - i. Telecommunication tower.
 - ii. Stealth design structure.
 - iii. Facility with equipment buildings or enclosures that exceed 300 square feet combined.
 - iv. Facility with more than three satellite dishes or with any individual satellite dish exceeding four feet in diameter.

3.1. Telecommunication Facility – Alternative Support Structure

A telecommunication facility where antennas, dishes, or similar devices are located on a structure that is not primarily used to support antennas and other similar equipment. Examples of alternative support structures include water tanks, light poles, steeples, utility poles, and buildings. Alternative support structure telecommunication facilities do not include small cell telecommunication facilities.

Use Standard:

- a. Telecommunication facilities on alternative support structure shall be located, designed, and screened to blend with the support structure to mitigate visual impacts.

3.2. Telecommunication Facility – Co-Located

A telecommunication facility where antennas, dishes, or similar devices are located on an existing telecommunication tower or stealth design structure. Co-located telecommunication facilities do not include small cell telecommunication facilities.

3.3. Telecommunication Facility – Stealth Design Structure

A telecommunication facility where antennas, dishes, or similar devices are located on a structure that is designed to appear as something other than a telecommunication tower. Examples of stealth design structures include trees, flagpoles, and clock towers. Stealth design structure telecommunication facilities do not include small cell telecommunication facilities.

Use Standards:

- a. Stealth design telecommunication facilities shall not be installed on an exposed ridgeline or a public trail.
- b. Whenever feasible, stealth design telecommunication facilities shall be designed to accommodate colocation of additional antennas and accessory equipment buildings and structures on the site.
- c. Stealth design telecommunication facilities shall be setback from property lines a minimum of 20 percent of the height of the support structure, or the minimum required setback of the zone district, whichever is greater.

3.4 Telecommunication Facility – Tower

A telecommunication facility where antennas, dishes, or similar devices are located on a mast, pole, monopole, guyed tower, lattice tower, or other similar structure designed and primarily used to support antennas and other similar equipment. A ground or building-mounted mast less than ten feet tall and six inches in diameter supporting a single antenna shall not be considered a tower.

Use Standards:

- a. Telecommunications towers shall only be permitted upon a finding by City Council that there are no feasible alternatives for co-location, alternative support structures, or placement on an existing telecommunications facility site to meet the need for the facility.
- b. In residential zone districts, telecommunication towers shall only be permitted upon a finding by City Council that there is no feasible alternative location in a nonresidential zone district.
- c. Telecommunications towers shall not be installed on an exposed ridgeline or a public trail.
- d. Telecommunication tower facilities shall be designed to accommodate colocation of additional antennas on the tower and accessory equipment buildings and structures on the site.
- e. Telecommunication towers shall be self-supporting monopoles. City Council may approve a guyed or lattice tower upon a finding that a monopole is not practical on the site.
- f. Telecommunication towers shall be setback from property lines a minimum of 20 percent of the height of the tower, or the minimum required setback of the zone district, whichever is greater.
- g. Guy wire anchors shall be setback from property lines a minimum of 20 feet.
- h. Telecommunication towers shall be constructed of metal or other nonflammable materials.
- i. Telecommunication towers, antennas, antenna supports, and other components attached to the tower shall be painted with a flat paint color approved by City Council.

3.5 Telecommunication Facility – Small Cell

A telecommunication facility that meets the definition of a small cell facility as defined by C.R.S. § 29-27-402.

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4. Utility Facility, Major

A regional, community, or district utility facility or structure such as a power plant, solar farm, switching station, substation, water or wastewater treatment plant, water storage tank, or similar facility. Major utility facility does not include solar gardens or telecommunication facilities.

5. Utility Facility, Minor

A facility for the management and operation of a utility service provider including offices and vehicle and equipment storage yards.

Use Standard:

- Vehicle and equipment storage yards shall comply with all applicable development standards for outdoor storage areas in [Section 416](#).

§ 304 [Ord. 2712, 8-27-19] [Ord. No. 2940, 12-5-23]

305 AGRICULTURAL AND CULTIVATION PRINCIPAL USES

305.A Definition of Agricultural and Cultivation Uses

The use of land for the cultivation, keeping, and maintenance of plants or farm animals.

1. Agriculture

The growing of plants, cultivation of fungi, and the raising of fish, mollusks, or crustaceans primarily for off-premise sale, consumption, or use. Agriculture does not include marijuana cultivation.

Use Standards:

- Outdoor machinery shall only be utilized between 7:00 a.m. and 7:00 p.m.
- Dust, noise, and smells resulting from agricultural uses shall be mitigated to the maximum extent practical.

1.1. Agriculture, Indoor

Agriculture conducted entirely within an enclosed structure. Such operations can include but are not limited to the growth of plants using hydroponic, aeroponic, aquaponic, or traditional horticultural techniques.

1.2. Community Garden

An area, shared and maintained by multiple users, for growing plants, including but not limited to herbs, flowers, and produce, primarily for the personal use of those users.

2. Keeping of Farm Animals

The raising, breeding, boarding, and maintenance of farm animals for sale or for personal use. Keeping of farm animals does not include the accessory keeping of goats, chickens, or ducks or the temporary keeping of goats.

Use Standards:

- A maximum of one large farm animal is permitted per one-half acre of lot area.
- A maximum of five small farm animals are permitted per one-half acre of lot area.
- Pens and corrals used for the confinement of farm animals shall be located a minimum of 30 feet from all lot lines.

3. Marijuana Cultivation, Medical/Retail

An establishment for the cultivation of marijuana in accordance with the Colorado Retail Marijuana Code or the Colorado Medical Marijuana Act and any other statute or state administrative regulations. Retail/medical marijuana cultivation does not include the cultivation of marijuana for personal use in accordance with Article XVIII, Sections 14 and 16 of the Colorado Constitution, or by a primary caregiver registered with the Department of Public Health pursuant to C.R.S. § 25-1.5-106 and in accordance with Article XVIII, Section 14 of the Colorado Constitution.

Use Standards:

- a. Medical/retail marijuana cultivation shall not be located closer than 500 feet from a state licensed child care facility, elementary/secondary school, the principal campus of a college/university, a seminary, or a public park. Separation shall be measured by the shortest distance between the nearest property line of the land use for a school, college/university, seminary, park, or child care facility to the nearest point of the building or tenant space in which the medical/retail marijuana cultivation is located. The establishment of a child care facility within 500 feet of a lawfully established medical/retail marijuana cultivation use shall not affect the renewal, reissuance, or amendment of the medical/retail marijuana cultivation use approval. Development applications shall include an area map drawn to scale indicating land uses of other properties within a 500-foot radius of the subject property. The map shall depict the proximity of the property to any elementary/secondary schools, principal campuses of a college/university, seminaries, public parks, child care facilities, and other marijuana-related land uses.
- b. Medical/retail marijuana cultivation shall not be located adjacent to property zoned RE, RN, RO, RR, MH, MF, or G.
- c. Medical/retail marijuana cultivation uses shall operate from a permanent, fixed location. Operation from a vehicle or other moveable location is prohibited.
- d. Display of signs on the property that are visible from the exterior of the premises and that advertise the presence of marijuana on the premises are prohibited. This restriction shall include, but shall not be limited to, signage using the word “marijuana”, its synonyms, or depictions of any portion of the marijuana plant.
- e. Medical/retail marijuana cultivation uses shall not operate in a manner that adversely impacts the public health, safety, and welfare of the immediate neighborhood in which the use is located. Adverse impacts shall be minimized in accordance with [Section 410](#).

4. Marijuana Cultivation, Private

An establishment for the cultivation of marijuana for personal recreational or medical use in accordance with Article XVIII, Sections 14 and 16 of the Colorado Constitution.

Use Standards:

- a. In OR, RE, RN, RO, RR, MH, MF, G, CO, CY, CK, and CN zone districts and T2-NE, T3-NG1, and T3-NG2 transect zones, private marijuana cultivation shall only operate within a single-family dwelling or duplex unit, and the responsible party shall use the dwelling unit as a principal residence.
- b. Areas used for marijuana cultivation shall:
 - i. Be restricted to an enclosed, locked area; and
 - ii. Be inspected by the Fire Marshal for fire code compliance, regardless of whether a Building Permit is required.

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- c. Odor control techniques shall be utilized for marijuana cultivation. An odor control plan shall be approved as part of the Limited Use Permit or Conditional Use approval.
- d. Adverse impacts shall be minimized in accordance with [Section 410](#).

5. Plant Nursery/Greenhouse

An indoor or outdoor establishment for the growing, cultivation, and maintenance of plants, shrubs, trees, and similar vegetation primarily for on-site wholesale or retail sales.

Use Standards:

- a. Outdoor display, sales, and storage of plants and materials shall:
 - i. Not be located adjacent to property zoned OR, RE, RN, RO, MH, or MF, except plant nurseries/greenhouses may be located adjacent to properties zoned OR that are either City-owned or designated open space in a commercial or industrial subdivision; and
 - ii. Shall not obstruct or impede pedestrian, bicycle, or vehicular access.
- b. Outdoor display, sales, and storage of nonliving landscaping materials, such as but not limited to rocks, bark, soil, and pots, shall:
 - i. Not be located in a front yard in the CK and CN zone districts; and
 - ii. Comply with all applicable development standards for outdoor storage in [Section 416](#).
- c. Stockpiling of unpackaged organic or inorganic fertilizers is prohibited.

§ 305 [Ord. No. 2696, 5-21-19]

306 ACCESSORY USES

306.A Definition of Accessory Uses

A use or activity that is a subordinate part of a principal use on the same lot and that is incidental to and customarily found in connection with the principal use.

306.B General Use Standards

The following use standards shall apply to accessory uses that are not specifically listed in [Section 306.C](#), [Section 306.D](#), or [Section 306.E](#).

1. In all zone districts except the I zone district:
 - a. A single accessory use located in a principal or accessory building shall occupy a maximum area of 25% of the gross floor area of the principal building. Multiple accessory uses located in a principal or accessory building shall cumulatively occupy a maximum area of 30% of the gross floor area of the principal building.
 - b. A single outdoor accessory use shall occupy a maximum area of 25% of the gross lot area. Multiple outdoor accessory uses shall cumulatively occupy a maximum area of 30% of the gross lot area.
2. In the I zone district:
 - a. A single accessory use located in a principal or accessory building, that is accessory to an indoor principal use, shall occupy a maximum area of 25% of the gross floor area of the principal building. Multiple accessory uses located in a principal or accessory building, that are accessory to an indoor principal use, shall cumulatively occupy a maximum area of 30% of the gross floor area of the principal building.
 - b. The cumulative area of all accessory uses located in a building, that are accessory to an outdoor principal use, shall not exceed a maximum gross floor area of 3,000 square feet.
 - c. The cumulative area of all outdoor accessory uses shall occupy a maximum area of 50% of the gross lot area.

3. In the AO zone:
 - a. Accessory uses shall be permitted in compliance with the Land Use Compatibility Guidelines Table on the Airport Layout Plan Land Use Drawing of the Steamboat Springs Airport Master Plan and be consistent with the purpose of the Airport Overlay zone.

306.C Uses Accessory to All Uses

1. Accessory Antenna

An antenna or satellite dish accessory to the principal use of the property.

Use Standard:

- a. A maximum of one amateur radio antenna greater than 40 feet in height or one satellite dish shall be permitted per lot.

1.1. Radio or Television Antenna

A receive-only antenna or satellite dish for the sole use of the subject property.

Use Standards:

- a. One radio or television antenna is permitted per lot.
- b. Ground or building-mounted antennas, including any mast, shall not exceed 35 feet in height.
- c. Satellite dishes shall not exceed 36 inches in diameter and the height of the principal structure.

1.2. Amateur Radio Antenna

A citizens band radio antenna or antenna operated by a federally-licensed amateur radio operator as part of the amateur radio service.

Use Standards:

- a. Building-mounted antennas, including any tower, pole, or mast, shall not exceed 30 feet in height above the highest part of the building.
- b. Freestanding antennas, including any towers, poles, or masts, shall not exceed 80 feet in height.
- c. Freestanding antennas shall be setback from property lines the minimum required setback of the zone district.

2. Keeping of Chickens/Ducks

The keeping of chickens or ducks for non-commercial purposes.

Use Standards:

- a. A maximum of five hens are permitted per lot or contiguous lots under common ownership. Roosters and drakes are prohibited. Additional hens may be permitted by the Planning Director upon a finding that the applicant has demonstrated the need for additional hens, and that the additional hens will not result in any adverse impacts.
- b. Chickens and ducks shall be kept in a secure coop at all times, except when under direct supervision.
- c. Coops shall comply with minimum principal structure setbacks.
- d. Coops shall be kept in a neat and sanitary condition at all times, and they must be cleaned on a regular basis to prevent offensive odors and attraction of pests.
- e. Feed shall be stored in a bear-proof container if located outdoors.
- f. In RR, MH, MF, CK, CN, CC, and CS zone districts and T4-NX, T4-NC, T5-TC, T5-VC, SD-1, and SD-2 transect zones, proof of consent is required from any applicable owners' or neighborhood associations.

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3. Keeping of Domestic Animals

The keeping of domestic animals for non-commercial purposes.

4. Marijuana Cultivation, Accessory Private

The cultivation of marijuana for personal use in accordance with Article XVIII, Sections 14 and 16 of the Colorado Constitution.

Use Standards:

- A maximum of 12 marijuana plants shall be cultivated per dwelling unit or nonresidential unit. Dwelling units or nonresidential units shall be separately addressed and separated by a one-hour fire assembly.
- If the cultivation site is a dwelling unit, the responsible party shall use the dwelling unit as a principal residence.
- If the cultivation site is a commercial or industrial space, the principal use of the property shall be a permitted and approved use in the zone district.
- Marijuana cultivation shall be restricted to an enclosed, locked area.
- Adverse impacts shall be minimized in accordance with [Section 410](#).

5. Minor Utility Structures

Accessory structures, such as pedestals, boxes, and similar structures, located above or below ground that are necessary to provide control of above ground or underground utility infrastructure or to provide service to adjacent properties.

6. Solar Energy System, Accessory

Ground or building-mounted solar arrays used to generate electricity from sunlight for the primary purpose of serving on-site uses and structures. Accessory solar energy systems may accommodate net metering of excess electricity.

306.D Uses Accessory to Residential Uses

1. Keeping of Goats

The keeping of goats for non-commercial purposes on the same lot, or contiguous lots under common ownership, as a single-family dwelling or duplex unit. Keeping of goats does not include slaughtering of animals.

Use Standards:

- Only goat wethers (altered males) and does are permitted. Bucks are prohibited.
- In all zone districts except OR and RE, a minimum of two and a maximum of three goats are permitted per lot or contiguous lots under common ownership.
- In OR and RE zone districts, a minimum of two and a maximum of five goats are permitted per half acre.
- Nursing kidlets, belonging to does on the property, may be kept in excess of the maximum number permitted until either weaned or up to 12 weeks of age.
- Goats shall be kept in a secure enclosure, such as a fence or wall, at all times, except when under direct supervision.
- Enclosures shall be located in the rear yard, be a minimum of 200 square feet per goat, and be constructed of durable materials.
- Shelter shall be provided within the enclosure and shall be accessible to the goats at all times. Shelters shall comply with minimum principal structure setbacks, be a fully enclosed, well-ventilated structure with a door that allows access to the outside enclosure, and be constructed of durable materials.

- h. Enclosures and shelters shall be kept in a neat and sanitary condition at all times, and they must be cleaned on a regular basis to prevent offensive odors and attraction of pests. Pest control shall be provided at all times.
 - i. Feed shall be stored in a bear-proof container if located outdoors.
 - j. Upon receipt of a complaint, the City may inspect properties where goats are kept.
- 2. Home Occupation**
A commercial use that is ancillary and secondary to the residential use of the same lot.
- Use Standards:*
- a. Home occupations shall be conducted entirely within the dwelling unit or an accessory structure. This standard shall not apply to outdoor play areas of day care homes.
 - b. Home occupations shall only employ residents of the dwelling unit and a maximum of one nonresident employee.
 - c. The area devoted to home occupations shall not exceed 650 square feet net floor area. This standard shall not apply to day care homes.
 - d. The exterior appearance of the dwelling unit and lot shall not be altered, nor shall the home occupation be conducted in a manner that would result in the emission of lighting, sound, dust, odor, fumes, smoke, or vibrations detectable from the outside.
 - e. No more than two customer vehicles shall be at the home occupation at one time, and no more than two deliveries shall be permitted per day. This standard shall not apply to day care homes.
 - f. No more than one vehicle shall be used in conjunction with the home occupation, and such vehicle shall not exceed Class 3 Gross Vehicle Weight Rating.
 - g. The use of utilities shall be limited to that normally associated with the residential use of the property.
 - h. Marijuana stores, marijuana testing facilities, marijuana-infused product manufacturing, and medical/retail marijuana cultivation shall not be permitted as a home occupation.
 - i. These standards may be varied by the Planning Director upon a finding that the applicant has demonstrated the need for such variation, and that the variation will not result in any adverse impacts.
- 2.1. Day Care Home**
A home occupation for the care of children on a regular basis for less than a 24-hour consecutive period, as licensed by the State of Colorado.
- 3. Secondary Unit**
A dwelling unit that is ancillary to and located on the same lot as a principal single-family dwelling. In the TND zone district, secondary unit shall include a dwelling unit that is ancillary to and located in an accessory building on the same lot as a duplex. A secondary unit shall not be accessory to a manufactured home.
- Use Standards:*
- a. Secondary units shall not exceed 650 square feet net floor area, excluding stairways and mechanical rooms.
 - b. A maximum of one secondary unit shall be permitted per lot.
 - c. Secondary units may be located within the principal structure or an accessory structure.

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- d. Vehicle access to the principal dwelling unit and secondary unit shall be shared, unless access to the secondary unit can be obtained via an alley. For lots that share a common access with another lot, proof of consent is required from all owners or easement holders of the shared access.
- e. When secondary units are located within a principal structure, the structure shall appear from the street to be a single-family dwelling and not a duplex. There shall be one primary entrance door, with all other entrances appearing as secondary.
- f. The use of secondary units as short-term rentals is prohibited. Long-term rentals are permitted.
- g. Certificates of Occupancy are required for all secondary units constructed after February 13, 2009. Certificates of Inspection by the Routt County Regional Building Department are required for all secondary units constructed prior to February 13, 2009.

4. Hosted Short-Term Rental

The use of one guestroom located within a dwelling unit offered, provided, used, or operated as a lodging accommodation to guests in exchange for remuneration or other consideration for a period of less than 30 consecutive days while the owner or other permanent resident is residing and present in the dwelling unit.

Use Standard:

- a. The guestroom shall not exceed 400 square feet net floor area.

306.E Uses Accessory to Nonresidential Uses

1. Outdoor Display

The outdoor arrangement of objects, products, or other materials for the purpose of advertising or identifying a business, product, or service related to the principal use on the property.

Use Standards:

- a. Total outdoor display shall not exceed 20 percent of the ground floor area of the associated principal use or 1,500 square feet, whichever is more restrictive.
- b. Materials displayed shall not obstruct or impede pedestrian, bicycle, or vehicular access.

2. Outdoor Seating

An outdoor area, adjoining an indoor eating and drinking establishment, consisting of tables, chairs, and related decorations and fixtures, where meals or refreshments are served for consumption on the premises.

Use Standards:

In the CK-1 zone district, outdoor seating shall:

- a. Be screened from residential zoned properties; and
- b. Have a maximum capacity of 50 people; and
- c. Cease at 9:00 p.m.; and
- d. Contain the sound of music or amplified noise within property lines.

3. Outdoor Storage, Accessory

The unenclosed storage of goods, materials, operable vehicles, or operable equipment, for more than four days, incidental and related to the principal use on the property.

Use Standards:

- a. On lots abutting, or separated only by open space from, US Highway 40 or Elk River Road, the principal building shall be located between the accessory outdoor storage area and US Highway 40 or Elk River Road.
- b. Accessory outdoor storage areas shall comply with all applicable development standards for outdoor storage areas in [Section 416](#).

4. Tasting/Tap Room

A facility, that is incidental to an alcoholic beverage production facility or food processing facility, for the public to sample and consume products produced or processed on site.

Use Standard:

- a. Tasting/tap rooms shall not exceed 1,000 square feet or 30 percent of the gross floor area of the alcoholic beverage production facility or food processing facility, whichever is greater.

§ 306 [Ord. No. 2635, 2-5-18] [Ord. No. 2700, 6-4-19] [Ord. No. 2792, 1-19-21] [Ord. No. 2828, 12-7-21] [Ord. No. 2856, 6-7-22] [Ord. No. 2932, 10-17-23] [Ord. No. 2940, 12-5-23]

307 TEMPORARY USES

307.A Definition of Temporary Uses

A use that is established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

1. Construction Trailer

The temporary use of a trailer or other moveable structure for office space, meeting space, or storage of construction tools and materials associated with a specific construction project.

Use Standards:

- a. Construction trailers shall be located on the lot that is subject to an associated, valid building permit. Construction trailers may be located in either a public right-of-way with a revocable permit or on adjacent property with consent of the property owner, upon a finding by the Planning Director that the construction trailer cannot be located on the subject property due to the size or characteristics of the lot or development activity.
- b. Construction trailers shall comply with minimum setbacks standards. The Planning Director may waive lot line setback requirements upon a finding that the construction trailer is not located in a clear vision setback and will not cause detriment to the public health, safety, and welfare.
- c. The number of construction trailers per development or subdivision shall be limited to one trailer plus one additional trailer per 15,000 square feet gross floor area being constructed.
- d. The number, location, and site layout of construction trailers shall be reviewed and approved as part of a Construction Site Management Plan.
- e. The use of construction trailers for overnight accommodations is prohibited.

2. Farmers' Market

The temporary or periodic use of land for the outdoor sales of food, farm produce, or arts and crafts products.

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3. Garage Sale

The temporary or periodic sale of personal property on the premises of a residential use.

Use Standards:

- a. Garage sales shall be conducted:
 - i. After dawn and before dark; and
 - ii. For no more than three consecutive days; and
 - iii. For no more than seven days in one calendar year.

4. Keeping of Goats, Temporary

The temporary keeping of goats for weed control purposes.

Use Standards:

- a. Only goat wethers (altered males) and does are permitted. Bucks are prohibited.
- b. A maximum of three goats are permitted.
- c. Temporary keeping of goats shall not exceed ten consecutive days.
- d. Goats shall not be “at large” as defined in Municipal Code Section 4-10.

5. Real Estate Sales Office, Temporary On-Site

An office establishment used for advertising and executing the first-time sale of on-site property interests.

Use Standards:

- a. Temporary on-site real estate sales offices shall not:
 - i. Facilitate the rental of units; or
 - ii. Advertise for off-site properties.

6. Real Estate Sales Trailer

The temporary use of a trailer or other moveable structure as an office to sell property interests within a specific subdivision or development.

Use Standards:

- a. Real estate sales trailers shall be located on the same lot or within the same development or subdivision as the property interests for sale.
- b. Real estate sales trailers are permitted for one year or until 75 percent of the property interests are sold, whichever occurs first.
- c. The number of real estate sales trailers per development or subdivision shall be limited to one.
- d. Real estate sales trailers shall not exceed 1,000 square feet gross floor area.
- e. Access and parking areas serving the real estate sales trailer shall be an approved all-weather surface and maintained in a dust-free condition.

7. Seasonal Outdoor Sales

A temporary outdoor retail establishment for the sale of seasonal goods, such as but not limited to Christmas trees, pumpkins, flowers, and fireworks.

Use Standards:

- a. Seasonal outdoor sales shall be limited to 30 consecutive days. The Planner Director may approve a longer duration upon a finding that the time period is appropriate for the seasonal sales and that the longer duration will not result in any adverse impacts.

- b. In CC and CS zone districts, seasonal outdoor sales shall be limited to three occurrences per 12-month period.
 - c. In CO, CY, CK, and CN zone districts, seasonal outdoor sales shall be limited to one occurrence per 12-month period.
 - d. Temporary buildings or structures associated with seasonal outdoor sales shall comply with minimum setbacks standards.
 - e. Reoccurring seasonal outdoor sales shall obtain approval for each occurrence.
- 8. Temporary Event**
 A temporary outdoor use, such as a festival or special sale, that takes place on private property or public property other than public parks and rights-of-way.
- Use Standards:*
- a. Temporary events shall be limited to 14 consecutive days. The Planning Director may approve a longer duration of up to seven additional days upon a finding that the additional days are necessary for set up and take down of the temporary event and that the longer duration will not result in any adverse impacts.
 - b. In all zone districts except CO, CY, CK, and CN, temporary events shall be limited to three occurrences per 12-month period.
 - c. In CO, CY, CK, and CN zone districts, temporary events shall be limited to one occurrence per 12-month period.
 - d. Temporary buildings or structures associated with temporary events shall comply with minimum setbacks standards.
 - e. Reoccurring temporary events shall obtain approval for each occurrence.
- 9. Temporary Short-Term Rental**
 A primary residence that is offered, provided, used, or operated on a temporary and limited basis as a lodging accommodation to guests in exchange for remuneration or other consideration for a period of less than 30 consecutive days while the owner or other permanent resident is not present in the dwelling unit. The term temporary short-term rental shall only apply to periods of time when the dwelling unit is being used as a lodging accommodation.
- Use Standards:*
- a. The temporary short-term rental use shall be limited to:
 - i. A maximum of two occurrences per year; and
 - ii. A maximum of 30 cumulative days per calendar year.

§ 307 [Ord. No. 2856, 6-7-22] [Ord. No. 2888, 12-13-22] [Ord. No. 2947 2-27-24]

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DIVISION 1 | DEVELOPMENT STANDARDS

400 ORGANIZATION OF STANDARDS

400.A Purpose and Intent

1. Purpose

The purpose of this Article is to:

- a. Minimize negative impacts from land uses and conflicts between land uses; and
- b. Provide an attractive and functional built environment; and
- c. Further the goals and policies of the Steamboat Springs Area Community Plan and other adopted plans.

2. Intent

The intent of this Article is to:

- a. Apply standards that permit development compatible with the purpose of this Article 4 and each Section; and
- b. Provide alternative compliance and guidelines that allow site-specific variation and flexibility for solutions that may achieve acceptable alternatives in keeping with the purpose of each Section.

400.B Applicability

1. No land shall be used and no structure shall be erected, constructed, altered, enlarged, reconstructed, or moved unless it complies with all applicable development and design standards.
2. Development and design standards shall only be varied through the Variance, Adjustment, or Planned Unit Development processes unless otherwise explicitly stated.
3. In circumstances where development and design standards contained in this Article 4 are in conflict with any standards contained in Articles 2, 3, or 5, the more restrictive standard shall apply unless otherwise explicitly stated.

400.C Format

The development and design standards in this Article are provided in the format of purpose, standards, alternative compliance, and guidelines.

1. Purpose

Purpose statements are provided to define goals which the standards and guidelines have been created to achieve. In circumstances where the appropriateness, applicability, or feasibility of a standard or guideline is in question or under consideration, the purpose statement shall provide direction.

2. Standards

Development and design standards are objective and typically measurable criteria that provide specific requirements for compliance. Standards are stated using the term “shall” to indicate compliance is required unless it can be demonstrated that an acceptable alternative meets one or more criteria for a variance. Compliance with the standards is assumed to result in development that achieves the purpose of the standard.

3. Alternative Compliance

Alternative compliance, where included, provides an acceptable alternative that is assumed to result in development that achieves the purpose of the standard. Alternative compliance shall be evaluated through the development review process and shall not require a variance.

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4. Guidelines

Guidelines, where included, provide considerations to promote the goals defined by the purpose statements. Guidelines are stated using the terms “should” or “may” to indicate they are considered relevant to the purpose but compliance is not required for approval. Guidelines shall be considered when evaluating a Variance or Adjustment to the standard.

401 WATERBODY SETBACKS

401.A Purpose

1. Reduce risk to property owners and the public from erosion and flooding.
2. Protect or enhance the integrity and quality of water resources for human consumption, agricultural use, recreational use, and wildlife.
3. Maintain, enhance, or create buffers that improve water quality, aesthetics, or wildlife habitat and movement corridors within the regulated riparian environment.

401.B Applicability

Waterbody setbacks shall apply to all buildings in all zone districts unless specifically exempted by this CDC.

401.C Exemptions

Closed loop systems, such as manmade ponds and water features, shall be exempt from the standards in this Section.

401.D Encroachments

The following building features and structures may encroach into minimum required waterbody setback areas:

1. Eaves and gutters, provided that they do not encroach more than three feet, measured horizontally, into the setback area.
2. Decks that are elevated no greater than 30 inches above the finished grade. Finished grade shall be measured three feet out from the perimeter of the deck.
3. Window wells, provided that they do not encroach more than three feet into the setback area.

401.E Standards

The waterbody setbacks in Table 401-1 shall apply in all zone districts.

Table 401-1. Waterbody Setbacks

Waterbody	Setback	Point of Measurement
Yampa River		
Yampa Street Lots ¹	30' min. ²	Ordinary high water mark
Non-Yampa Street Lots	50' min.	Ordinary high water mark
Walton Creek	50' min.	Ordinary high water mark
Spring Creek	50' min.	Ordinary high water mark
Burgess Creek		
Base Area Lots	12' min. ³	Ordinary high water mark
Non-Base Area Lots	50' min.	Ordinary high water mark
Fish Creek	50' min.	Ordinary high water mark
Soda Creek	50' min.	Ordinary high water mark
Butcherknife Creek		
Yampa Street Lots	30' min. ²	Ordinary high water mark
Non-Yampa Street Lots	50' min.	Ordinary high water mark

Table 401-1. Waterbody Setbacks (continued)

Waterbody	Setback	Point of Measurement
Tributary streams, intermittent streams, and natural drainages	30' min.	Centerline of watercourse
Lakes and ponds	see footnote ⁴	Ordinary high water mark

¹ Where a required waterbody setback differs from the minimum rear setback in the CY-1 zone district, the CY-1 standards shall apply.
² A larger setback may be required by City Council for particularly sensitive situations, such as steep slopes of erodible soils.
³ In the Base Area, the intent of the reduced setback is to accommodate an eight-foot wide sidewalk, landscaping, and access around buildings.
⁴ Waterbody setbacks for lakes and ponds shall be the same as the minimum setback for the river, creek, stream, or drainage system that the lake or pond is a part of.

5401 [Ord. No. 2969 7-2-24]

402 LANDSCAPING

402.A Purpose

1. Ensure landscaping is in keeping with the character of the Yampa Valley and suitable for the site and use of the property.
2. Enhance the community's appearance as viewed from the public realm.
3. Soften the appearance of surface parking lots.
4. Improve site permeability and reduce stormwater runoff.

402.B Applicability

Landscaping standards shall apply to all land use and development in all zone districts unless specifically exempted by this CDC.

402.C Exemptions

One-family and two-family residential principal uses on individual lots shall be exempt from the landscaping standards in this Section.

402.D Standards

1. General Requirements

- a. Required landscaping shall be located outside of a public right-of-way. Streetscape landscaping and amenities installed in conformance with City Engineering Standards, [Section 402.D.7](#), or [Section 414](#) may be located within the right-of-way.
- b. Automatic irrigation of all required landscaping is required unless low maintenance landscaping is approved.
- c. Plantings shall be located in groupings to give a natural appearance.
- d. Plantings shall be selected for their suitability to the location and characteristics of the site and the intended purpose of the landscaping. Refer to [Appendix A](#) Table A-1 for recommended plant materials.
- e. Established natural or existing vegetation on site may be credited toward minimum landscaping requirements.
- f. Landscaping shall comply with clear vision setback standards in [Section 415](#).
- g. Trees shall be located a minimum of ten feet from a water or sewer main.
- h. Noxious weeds shall be managed in accordance with the Routt County weed management plan.

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- i. Property owners shall maintain all landscaping. Dead trees and other plantings shall be removed and replaced within the current or successive growing season. If trees or other plant materials are removed for convenience purposes, the property owner shall be responsible for replacing all removed materials elsewhere on the site, and the replacement shall occur at a location approved by the City.
- j. Whenever possible, landscaping shall incorporate the following xeriscape principles and practices to reduce water consumption:
 - i. Locate plant materials with similar water needs in the same area, and design a balanced landscaped area with a mixture of turf and plant types.
 - ii. Minimize the use of expansive turf areas, but locate turf so that it is effective or functional in terms of visual experience and use.
 - iii. Incorporate a variety of plant materials that have low water needs and are indigenous to the area. Plant hardy, low water usage materials in south and west exposures. Use grasses that remain green with a limited amount of irrigation.
 - iv. Design and install an automatic irrigation system that provides the maximum efficiency. The system should be adjustable to meet actual precipitation requirements of the various planting zones and should operate only when necessary. The type of irrigation components should be selected to meet the needs of the type of planting.
 - v. Utilize soil amendments, such as organic matter and certain fertilizers and polymers, that impact the ability of the soil to conserve moisture.
 - vi. Use rock, bark, pole peelings, or other natural mulches to keep moisture in the soil around the planted materials and control weeds.
 - vii. Implement practices that impact the water needs of the landscape and prevent water waste, such as less frequent mowing of turf areas, the use of controlled-release fertilizers, and regular maintenance of the irrigation system.

2. Frontage Landscaping

- a. Frontage landscaping shall be provided in accordance with Table 402-1. Refer to [Section 801](#) for rules of measurement for frontage landscaping depth and area.
- b. Where the minimum frontage landscaping depth is greater than minimum or maximum front building setbacks, a building may encroach into the frontage landscaping area. The frontage landscaping depth shall be reduced on portions of a lot where a building encroaches in compliance with minimum or maximum building setbacks. Refer to Figure 402-1.
- c. Where frontage landscaping areas and parking lot setback landscaping areas overlap, parking lot setback landscaping standards shall apply. Refer to Figure 402-2.

Table 402-1. Frontage Landscaping

Zone District	Depth ¹	Category ²
RR	15' min.	C ³
MH		
Arterial or Collector	15' min.	C
Local Street	10' min.	A
MF		
EC Overlay: US Hwy 40 or Elk River Rd	30' min.	EC
EC Overlay: Other Public Street	15' min.	EC
Non-EC Overlay	10' min.	A
G-1	15' min.	C
CO	10' min. ⁴	A
CY	10' min. ⁴	A
CK	10' min. ⁴	A
CN	10' min. ⁴	A
CC		
EC Overlay: US Hwy 40 or Elk River Rd	30' min.	EC
EC Overlay: Other Public Street	15' min.	EC
Non-EC Overlay	15' min.	C
CS		
EC Overlay: US Hwy 40 or Elk River Rd	30' min.	EC
EC Overlay: Other Public Street	15' min.	EC
Non-EC Overlay	15' min.	C
I		
EC Overlay: US Hwy 40 or Elk River Rd	30' min.	EC
EC Overlay: Other Public Street	15' min.	EC
Non-EC Overlay	10' min.	A
T2-NE	see footnote ⁵	
T3-NG1	see footnote ⁵	
T3-NG2	see footnote ⁵	
T4-NC	see footnote ⁵	
T5-TC	see footnote ⁵	
SD	see footnote ⁵	

¹ Refer to [Section 801](#) for rules of measurement.

² Refer to Table 402-3 for landscaping category standards.

³ Properties that border the ski area may use street furnishings and public spaces to satisfy landscape standards. Substitutions shall be evaluated through the development review process and shall not require a variance.

⁴ Frontage landscaping is only required for undeveloped portions of a lot.

⁵ Refer to [Section 227](#) for TND landscaping standards.

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Figure 402-1. Frontage Landscaping with Building Encroachment

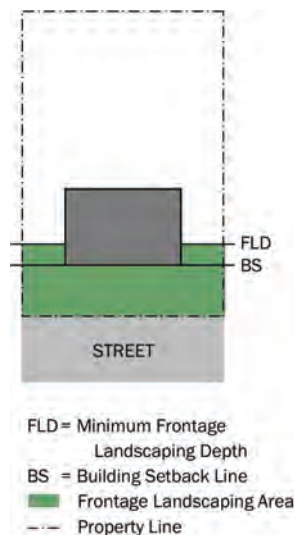
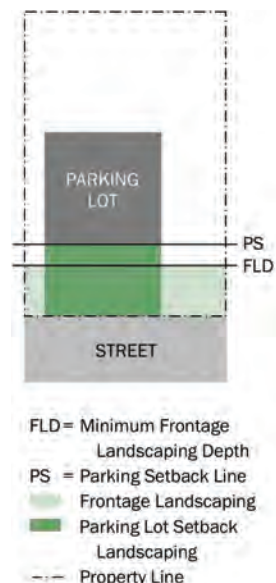


Figure 402-2. Frontage and Parking Lot Setback Landscaping Overlap



3. Parking Lot Setback Landscaping

Required parking lot setback areas shall be landscaped between the parking lot and front lot line in accordance with Table 402-2. Where frontage landscaping areas and parking lot setback landscaping areas overlap, parking lot setback landscaping standards shall apply. Refer to Figure 402-2. Minimum parking lot setbacks are specified in Article 2. Refer to [Section 801](#) for rules of measurement for parking lot setback landscaping area.

4. Interior Landscaping

Open areas that are not satisfying minimum frontage landscaping, parking lot setback landscaping, or interior parking lot landscaping shall be landscaped in accordance with Table 402-2.

5. Landscaping Categories

Where required by this CDC, landscaping shall comply with the standards for categories A, B, C, and EC as specified in Table 402-3.

Table 402-2. Parking Lot Setback and Interior Landscaping

Zone District	Parking Lot Setbacks Category ¹	Interior Landscaping Category ¹
OR	A	
RR	C ²	B ²
MF		
EC Overlay	EC	EC ³
Non-EC Overlay	A	B
G-1	C	B
G-2		B
CY		B
CK		B
CN	A	B

Table 402-2. Parking Lot Setback and Interior Landscaping (continued)

Zone District	Parking Lot Setbacks Category ¹	Interior Landscaping Category ¹
CC		
EC Overlay	EC	EC ³
Non-EC Overlay	C	B
CS		
EC Overlay	EC	EC ³
Non-EC Overlay	C	B
I		
EC Overlay	EC	
Non-EC Overlay	A	
T2-NE	see footnote ⁴	see footnote ⁴
T3-NG1	see footnote ⁴	see footnote ⁴
T3-NG2	see footnote ⁴	see footnote ⁴
T4-NC	see footnote ⁴	see footnote ⁴
T5-TC	see footnote ⁴	see footnote ⁴
SD	see footnote ⁴	see footnote ⁴

¹ Refer to Table 402-3 for landscaping category standards.

² Properties that border the ski area may use street furnishings and public spaces to satisfy landscape standards. Substitutions shall be evaluated through the development review process and shall not require a variance.

³ For interior landscaping, the EC landscape category shall be 1 planting per 500 square feet.

⁴ Refer to [Section 227](#) for TND landscaping standards.

Table 402-3. Landscaping Categories

Category	A	B	C	EC
Number of Plantings ^{1 2 3}				
	1 per 400 sf min.	1 per 500 sf min.	1 per 200 sf min.	1 per 200 sf min. ⁴
Mix of Plantings ⁵				
Evergreen Trees (≥10')	10%	10%	15%	prohibited
Evergreen Trees (8-9')	15%	15%	10%	prohibited
Evergreen Trees (6-7')	10%	10%	10%	prohibited
Deciduous Trees (2.5")	20%	20%	15%	40%
Ornamental Trees	15%	15%	20%	20% (35% max.)
Shrubs (5 gallon)	15%	15%	10%	15% (35% max.)
Ground Cover ³				
Grass Seed, Turf, or Sod ⁶	60% min.	60% min.	70% min.	
Native Perennials or Grasses				75% min.

¹ One planting shall be the equivalent of one tree or three shrubs.

² In the RR zone districts, properties that border the ski area may use street furnishings and public spaces to satisfy landscape standards. Substitutions shall be evaluated through the development review process and shall not require a variance.

³ In the G-2 zone district, street furnishings may be used to satisfy landscape standards. Substitutions shall be evaluated through the development review process and shall not require a variance.

⁴ For interior landscaping, the EC landscape category shall be 1 planting per 500 square feet.

⁵ The mix of plantings shall be minimums, except where noted as maximums. When the required number of plantings results in fewer than five plantings in category A, B, or C or fewer than four plantings in category EC, the mix of plantings shall be evaluated through the development review process and shall not require a variance.

⁶ Other living ground cover may be substituted for grass seed, turf, or sod. Substitutions shall be evaluated through the development review process and shall not require a variance.

6. Interior Parking Lot Landscaping

6.1 Standards

- a. Parking lots with ten or more parking spaces shall be landscaped in accordance with Table 402-4.
- b. Plantings and landscaped areas required to satisfy minimum frontage landscaping or parking lot setback landscaping standards shall not be counted toward meeting interior parking lot landscaping standards.
- c. Landscaped parking lot interior islands, end islands, corner projections, and interior strips shall comply with the minimum standards in Table 402-5.

Table 402-4. Interior Parking Lot Landscaping

Landscaping	Standard
Amount and Form ¹	
Minimum Area	200 sf per 9 parking spaces
Allowed Forms ²	Interior Islands
	End Islands
	Corner Projections
	Interior Strips
Type	
Required Plantings	
Deciduous Trees (2.5")	1 per 200 sf min.
Shrubs (5 gallon)	4 per 200 sf min.
Perennials or Grasses	added for seasonal color
Prohibited Materials	Evergreen Trees
	Rock Mulch
	Dyed Mulch

¹ Parking lots with less than ten parking spaces are exempt from interior parking lot landscaping standards.

² Refer to [Section 402.D.6.1.c](#) for minimum standards for the design of interior islands, end islands, corner projections, and interior strips.

Table 402-5. Interior Parking Lot Landscape Feature

Form ¹	Width
Interior Island	6' min.
End Island	6' min.
Corner Projection	equal to adjacent parking space
Interior Strip ²	15' min.

¹ Refer to Figure 402-3 and Figure 402-4 for examples.

² Interior strips running parallel to the building shall include sidewalk breaks. Interior strips running perpendicular to the building shall include a sidewalk within the landscape strip. Sidewalks shall be a minimum of 5 feet in width.

6.2 Guidelines

Variances to interior parking lot landscaping standards may include consideration as to whether the proposed variance will:

- a. Achieve a greater mix of uses or higher density of development than would otherwise be achieved without the variance; or
- b. Achieve a more compact form of development than would otherwise be achieved without the variance; or
- c. Accommodate snow removal or storage that would not be feasible without the variance.

Figure 402-3. Interior Parking Lot Landscaping



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§ 402.D

7. Streetscape Landscaping and Amenities

Street trees, landscaping, street furniture, and other amenities shall be provided within the right-of-way in accordance with City Engineering Standards and all adopted and applicable streetscape plans and standards.

402.E Alternative Compliance

Alternative landscape treatments and features, such as flower pots, hanging baskets, movable planters, sculptures, canopies, brick pavers, tile walkways, murals, ornate benches, or water features, may be approved in lieu of traditional landscaping upon a finding by the Planning Director or City Council that the following conditions exist:

1. The site does not have room to install traditional landscaping; and
2. The alternative landscape treatments and features are in keeping with the purpose of the standards; and
3. The alternative landscape treatments and features are in compliance with all applicable, adopted plans; and
4. All liability issues associated with the alternative landscape treatments and features have been mitigated.

§ 402 [Ord. No. 2669, 12-4-18] [Ord. No. 2984, 11-12-24]

403 BUFFERING, SCREENING, AND FENCING

403.A Purpose

1. Mitigate negative impacts from intensive land uses on surrounding properties, open spaces, and public rights-of-way.
2. Ensure fences and berms are attractive as viewed from adjacent properties and the public realm.

403.B Applicability

1. Buffering and screening standards shall apply to all land use and development in all zone districts when specifically required by this CDC or when required as a condition of a land use or development approval to mitigate impacts of the land use or development.
2. Fencing standards shall apply to all fences in all zone districts.

403.C Standards

1. Buffering and Screening

- a. Buffering and screening shall be in the form of fencing, berming, intensive plantings, or a combination of those techniques, as determined to be the most effective and appropriate for the specific site, land use, and development through the development review process.
- b. All buffering and screening techniques shall comply with clear vision setback standards in [Section 415](#).
- c. Fencing used for buffering and screening shall be constructed of opaque materials and shall comply with the fencing standards of [Section 403.C.2](#).
- d. Earthen berms shall:
 - i. Be located outside of public rights-of-way; and
 - ii. Be constructed to look natural with a meandering and undulating appearance; and

- iii. Be landscaped with plant materials consistent with the landscape category for the zone district and location on the site (refer to [Section 402](#)); and
- iv. Not have side slopes steeper than 2:1; and
- v. Not impede site drainage or cause drainage onto adjoining properties or roadways.

Table 403-1. Intensive Plantings

	Moderate	Dense
Number of Plantings ¹		
	1 per 20 linear feet min.	1 per 10 linear feet min.
Mix of Plantings		
Required Plantings		
Evergreen Trees (7-8')	50% min.	50% min.
Deciduous Trees (2")		
Shrubs		

¹ One planting shall be the equivalent of one tree or three shrubs.

- e. Intensive plantings shall comply with the standards in Table 403-1 to achieve either moderate or dense screening, as appropriate.
- 2. Fencing**
- a. In all zone districts except I, fences shall not exceed four feet in height when located within the front yard.
 - b. In the I zone district, fences shall not exceed six feet in height when located within the required front building setback or required frontage landscaping area.
 - c. Fencing shall comply with clear vision setback standards in [Section 415](#).

404 REVEGETATION

404.A Purpose

Ensure prompt revegetation of areas disturbed by development to prevent runoff and create an attractive appearance.

404.B Applicability

Revegetation standards shall apply to all land use and development in all zone districts that meet any of the following criteria as determined through the development review or building permit process:

- 1. Slopes of 3:1 or greater; or
- 2. Slopes with soil conditions or solar exposure that makes revegetation difficult; or
- 3. Lots that are vulnerable to erosion from drainage; or
- 4. Lots that are particularly visible from public areas; or
- 5. Lots that are specifically identified for revegetation on a Final Plat.

404.C Standards

1. Vegetation and Site Grading

- a. Existing mature vegetation shall be preserved to the maximum extent feasible.
- b. The design of the development shall preserve existing trees in accordance with Table 404-1.

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§ 404.C

Table 404-1. Tree Preservation

Tree Size	Preserved
12-23" caliper	50% min.
≥24" caliper	75% min.

- c. Clearing and grading shall be limited to areas approved for infrastructure improvements, stormwater management, drainage improvements, and building locations. Additional clearing and grading may be permitted through the development review or building permit process based upon unique topographical, geotechnical, or environmental conditions.
- d. Best management practices shall be utilized, as appropriate, and may include topsoil stockpiling, seeding, mulching, placement of hay bales or riprap, sediment ponds, interceptor ditches, retaining walls, and other slope stabilizing methods.
- e. All disturbed areas shall be revegetated within one year of disturbance or by the next growing/planting season after completion of the development, whichever is sooner.

2. **Revegetation Plan**

- a. Revegetation plans shall be required with all development applications and building permits.
- b. Revegetation plans shall provide for revegetation of all areas disturbed by development and shall include:
 - i. Limits of clearing and grading; and
 - ii. Proposed final site grading and drainage; and
 - iii. Location, type, and size of all plant materials, including limits of seeding; and
 - iv. Schedule for plan implementation.

404.D Revegetation Collateral for Single-Family Dwellings and Duplexes

- 1. Prior to issuance of a Certificate of Occupancy for a single-family dwelling or duplex, the applicant shall enter into an agreement with the City requiring the applicant to furnish the City with a cash bond in the amount of \$1,500.00 for the purpose of implementation of the revegetation plan.
- 2. Revegetation bonds are due to the City prior to issuance of final Certificate of Occupancy. If upon inspection by the City, it is determined that revegetation has been completed in compliance with the revegetation plan, the revegetation bond shall not be required.
- 3. Revegetation bonds shall be returned to the applicant within 30 days following City inspection and determination that revegetation has been completed in compliance with the revegetation plan.
- 4. If the bond has not been refunded within 12 months following the date of issuance of a Certificate of Occupancy, the cash bond shall be forfeited to the City for the purpose of implementation of the revegetation plan. Forfeiture of the bond shall not be the exclusive remedy available to the City in the event of the failure of the applicant to comply with the revegetation plan. In addition to the forfeiture of the cash bond, the City may enforce completion of the revegetation plan by application to the district court for an injunction or by prosecution in Municipal Court. The City may also fine the violator by an amount of not more than \$300.00. In addition to such fine, the Municipal Judge may impose directly, or as a condition of suspension of such fine, useful community service not exceeding 24 hours.

404.E Revegetation Collateral for Large Lot Land Disturbance

1. Prior to approval of a Building Permit or Grade and Fill Permit for any development resulting in land disturbance activity of five acres or greater, the applicant shall enter into an Improvements Agreement with the City requiring the applicant to furnish the City with collateral in an amount equal to \$5,000 per acre of proposed disturbance plus costs for maintenance of sediment and erosion control best practices necessary for implementation of the revegetation and stormwater management plan. A cost estimate for maintenance of sediment and erosion control shall be provided by a professional engineer.
2. Collateral is due to the City prior to approval of a Building Permit or Grade and Fill Permit.
3. Collateral shall be returned to the applicant within 30 days following the City inspection and determination that revegetation final stabilization has been completed in compliance with the revegetation and stormwater management plan.
4. If collateral has not been refunded in 12 months following cessation of activity on the site, the collateral shall be forfeited to the City for the purpose of implementation of the revegetation and stormwater management plan. Forfeiture of the collateral shall not be the exclusive remedy available to the City in the event of the failure of the applicant to comply with the revegetation and stormwater management plan. In addition to the forfeiture of collateral, the City may enforce completion of the revegetation plan by application to the district court for an injunction or by prosecution in Municipal Court.
5. For project conducted by Public Agencies or Utility Providers, the requirement for provision of collateral under this section shall not apply.

§404 [Ord. No. 2705, 6-17-19]

405 EXTERIOR LIGHTING

405.A Purpose

1. Permit reasonable use of lighting for safety, utility, security, productivity, enjoyment, and commerce.
2. Minimize light pollution, light trespass, and glare.

405.B Applicability

Exterior lighting standards shall apply to all land use and development in all zone districts unless specifically exempted by this CDC.

405.C Exemptions

The following exterior lighting shall be exempt from the standards in this Section provided that such lighting does not create a hazard to the public:

1. Temporary holiday tree lighting.
2. Seasonal decorative or display lighting.
3. Public street, highway, signage, or other public lighting installed for the benefit of public health, safety, and welfare.
4. Temporary special use, construction, or emergency lighting, when the Planning Director finds that such exemption is necessary to accommodate a practical need and will not create significant impacts on nearby properties for a significant length of time.

405.D Standards

1. Fixture Height, Spacing, and Lighting Type

The exterior lighting standards in Table 405-1 shall apply to all zone districts unless a different zone-specific standard is provided.

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Table 405-1. Exterior Lighting

Exterior Lighting ¹	Standard	Zone Specific Standard
Fixture Height		
Street/Parking Area	20' max.	
Pedestrian	16' max.	RR, G: 12' max.
Recreational Fields	exempt ²	
Spacing ³		
Street Lighting		
Arterial/Collector Streets	500' min.	
All Streets	at intersections	
Pedestrian Lighting		
Sidewalks/Walkways	as needed	
	per adopted streetscape plan	
Trail Lighting	per Open Space and Trail Master Plan	
Lighting Type		
Prohibited Lighting	Mercury Vapor	
Permitted Lighting ⁴	High Pressure Sodium	RR, G: lighting shall be white in color
	Low Pressure Sodium	
	Metal Halide	
	Incandescent (≤100 watts)	
	Fluorescent (≤40 watts)	

¹ Street and pedestrian lighting shall be provided in accordance with all adopted and applicable streetscape plans and standards.

² The Planning Director shall find lighting is required for effective use of the facility and will not create serious adverse impacts on surrounding properties.

³ Spacing shall be minimum industry standards to provide necessary illumination for life safety purposes, including street intersections, trails, walkways, street crossings, bridges, parking areas, building entrances, and security purposes.

⁴ The Planning Director may approve alternative types of lighting upon a finding they are substantially similar in appearance and impact on neighboring properties.

2. Shielding and Light Trespass

- All building-mounted and pole-mounted lighting shall be directed downward.
- All light sources shall be fully shielded so the light source is not visible from adjacent properties and public rights-of-way and to prevent glare.
- Exterior lighting on single-family and two-family residential lots shall not result in direct light emissions onto adjacent residential lots.

3. Amount and Location

The amount and location of lighting shall balance the need for safety with the community goal of minimizing light pollution while achieving the following:

- Illumination levels shall be highest where driveways intersect with streets; and
- Illumination levels on walkways shall be adequate to facilitate safe pedestrian travel; and
- Illumination levels of parking areas shall be the minimum necessary for security and safety; and
- Lights shall be located to provide higher illumination at building entrances, steps, stairs, ramps, driveway crossings, and entrances to parking structures and garages; and

- e. Light poles shall be located to avoid conflict with snow management operations; and
 - f. In public plazas, waterproof outlets shall be provided as a power source for seasonal and special event lighting; and
 - g. Lighting shall be provided to illuminate artwork.
- 4. Hours of Operation**
All exterior lighting shall be turned off during non-operating hours and between the hours of 11:00 p.m. and sunrise unless it meets one of the following exemptions:
- a. Lighting for businesses during operating hours open to the public between 11:00 p.m. and sunrise; or
 - b. Lighting used for security purposes as approved by the Planning Director; or
 - c. Lighting used to illuminate areas accessible at night, including but not limited to walkways, roadways, driveways, equipment or storage yards, and parking lots, as approved by the Planning Director; or
 - d. Lighting for outdoor recreation facilities that only remains on for a maximum of one hour after 11:00 p.m. to conclude an event that was in progress under the illumination prior to 11:00 p.m.
- 5. Prohibited Lighting**
The following are prohibited:
- a. Blinking and flashing lights.
 - b. Exposed strip lighting used to illuminate building facades or to outline buildings.
 - c. Lighting used to internally or externally illuminate the face of canopies or awnings. Lighting fixtures may be recessed into the underside of a canopy for the purpose of illuminating the area beneath the canopy.

405.E Nonconforming Lighting

- 1. Nonconforming lighting shall not be moved, altered, or replaced without provisions being made for the lighting to comply with this CDC. Any change in use or alteration to a structure shall cause review for compliance with this Section and for provisions to bring any nonconforming lighting into compliance.
- 2. All existing exterior lighting that does not conform to the shielding standards of this CDC shall be required to comply with minimum shielding requirements by May 13, 2002.
- 3. Existing mercury vapor lights in existence or otherwise in compliance with the exterior lighting standards of this CDC may remain in use until such time as the luminaire is to be replaced or repaired.

406 OFF-STREET PARKING

406.A Purpose

- 1. Prevent a shortage of vehicular parking areas.
- 2. Require parking areas to be designed, operated, and maintained in a manner that ensures their usefulness, prevents congestion, and protects public safety.
- 3. Encourage multi-modal transportation.

406.B Applicability

- 1. Off-street parking standards shall apply to all land use and development in all zone districts unless specifically exempted by this CDC.

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§ 406.B

- Nothing in this Section shall be interpreted to repeal any off-street parking regulation imposed pursuant to the Model Traffic Code.
- [Section 406.D](#) and [Section 406.E](#) shall not apply to TND transect zones. Refer to [Section 227](#) for parking reductions and alternative compliance in TND transect zones.

406.C Standards

- Amount**
 - Off-street parking spaces shall be provided for each use in accordance with [Section 300.F.1](#) and Table 300-1 or as approved through a Planned Unit Development. In circumstances where any general parking standards are in conflict with any zone-specific parking standards, the zone-specific standards shall apply.
 - Accessible spaces shall be provided in accordance with the Americans with Disabilities Act Accessibility Standards.
 - Uses required to provide 24 or more parking spaces shall not provide surface parking that exceeds the required number of spaces by more than 25 percent.

- Location**
 - Accessory parking facilities shall be located on the same site as the use they serve.
 - Parking spaces, aisles, and turning areas shall be located entirely within lot lines and shall not encroach on any public right-of-way.
 - Parking facilities with more than four parking spaces shall be designed so that it is not necessary for vehicles to back into any street or public right-of-way.
 - In the RO zone district, a maximum of two unenclosed parking spaces shall be located within a required front setback.

Table 406-1. RR-1 Parking Facilities

Type of Development	Surface Parking	Underground Parking
≤3-Story Buildings	100% max.	100% max.
>3-Story Buildings	50% max.	50% min.

- In the RR-1 zone district, minimum required parking shall be provided in surface lots or underground facilities in accordance with Table 406-1.
- In the G-2 zone district, parking shall be provided in underground or structured facilities. Short-term and drop-off parking spaces, in addition to minimum required parking spaces, may be provided in a surface parking area.
- In CO, CY-2, and CK zone districts, off-street surface parking shall be located in the rear yard.

- Dimensions**
The off-street parking standards in Table 406-2 shall apply in all zone districts unless a different zone-specific standard is provided.

Table 406-2. Off-Street Parking Dimensions

	Standard	Zone-Specific Standard
Width ¹	9' min.	I: 10' min.
Length	18' min.	I: 20' min.
Clearance/Height	8' min.	

¹ Accessible spaces shall be provided in accordance with the Americans with Disabilities Act Accessibility Standards.

4. Maneuvering Space

- a. Off-street parking areas shall provide for safe access and maneuvering of vehicles. Maneuvering aisles shall be provided in accordance with Table 406-3.

Table 406-3. Maneuvering Aisles ¹

Parking Arrangement	Aisle Width
Double Loaded Parking Aisle (one side/other side)	
90 Degree/90 Degree	24' min.
60 Degree/60 Degree	18' min.
45 Degree/45 Degree	15' min.
90 Degree/60 Degree	24' min.
90 Degree/45 Degree	24' min.
90 Degree/Parallel	24' min.
60 Degree/45 Degree	17' min.
60 Degree/Parallel	18' min.
45 Degree/Parallel	15' min.
Single Loaded Parking Aisle	
90 Degree	24' min.
60 Degree	18' min.
45 Degree	15' min.
Parallel	12' min.

¹ Parking for one-family and two-family residential uses shall be exempt from these maneuvering aisle standards.

- b. Off-street parking spaces for residential uses may be stacked if assigned to specific dwelling units in a manner that will ensure safe and efficient circulation and access.
- c. In CO, CY, and CK zone districts, off-street parking spaces may be stacked if specifically designated and utilized for employee parking.

5. Surfacing

- a. Required parking areas, including parking spaces, maneuvering aisles, and driveways, shall:
 - i. Be paved with asphalt, concrete, or similar permanent surfacing so as to provide a durable and dust-free surface; and
 - ii. Be graded and drained to dispose of all surface water accumulated within the parking area.
- b. In the OR zone district, parking facilities with less than 10 spaces that provide parking for trailheads may be constructed with an all-weather surface, such as gravel, rather than asphalt or concrete.
- c. In the I zone district, an all-weather surface may be approved in areas where heavy equipment is parked or stored subject to a minimum of 50 feet of pavement between the all-weather surface and a public street.

6. Stormwater Quality

- a. New and reconstructed parking lots that have ten or more spaces shall provide stormwater quality management treatment facilities.

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- b. All methods used shall be submitted with the construction site management plan or Development Plan application for review and approval. Substantiated data and details shall be submitted by a certified engineer and shall be reviewed and accepted by the Director of Public Works.
- c. Alternative methods of drainage and runoff control, such as the creation of wetlands, are encouraged.

7. Bicycle Parking

- a. Bicycle racks shall be provided within reasonable proximity and within sight of building entrances for all nonresidential, multiple-family residential, and mixed use development in accordance with Table 406-4.
- b. Bike rack design shall be in compliance with City Engineering Standards.

Table 406-4. Bicycle Parking

Zone District	Minimum Bicycle Parking Spaces
CO, CY, CK, CN	1 per 5 vehicle parking spaces
OR, RN, RO, RR, MF, G, CC, CS, I	1 per 10 vehicle parking spaces

8. Towing of Vehicles

- a. In G, CO, CY, CK, CN, CC, and CS zone districts, it shall be unlawful for the owner or lessee of private parking facilities or any towing carrier to tow or direct the towing of any automobile from such parking facility without the consent of the owner of the automobile, unless:
 - i. The parking facility is posted in accordance with [Section 406.C.8.b](#); and
 - ii. The owner or lessee of the parking facility notifies the City police of the tow prior to removing the automobile from the parking facility.
- b. Private parking facilities must be posted if the owner or lessee of a private parking facility wishes to tow or direct the towing of automobiles from such parking facility without the consent of the owner of the automobile. Posting shall be in accordance with the following:
 - i. Each parking stall shall be posted with a sign clearly visible to the driver of a vehicle parked in the stall. Each sign shall be one and one-half square feet with lettering at least one and one-half inches in height; or
 - ii. Each entrance to the parking facility shall be posted with a sign clearly visible to entering traffic. Each sign shall be three square feet in area with lettering at least two and one-half inches in height.
- c. Signs posting parking facilities in accordance with [Section 406.C.8.b](#) shall specify the private nature of the parking facility, that unauthorized users are subject to tow, and the times during which unauthorized users are subject to tow.
- d. At least one sign shall provide the name, telephone number, and location of the tow company which tows from the parking facility, or at least one sign shall provide a phone number which shall be answered 24 hours a day by a person able to provide the owner of any automobile towed from the parking facility with contact information for the towing operator which towed the automobile.
- e. Violation of this Section shall be punishable as provided in Section 1-15 of the Municipal Code. Persons liable for violations of this Section may include any towing carrier dispatching or otherwise directing the operations of the towing vehicle, any owner or lessee of the towing vehicle, the operator of the towing vehicle, and the owner, lessee, or agent thereof, of the parking facility.

406.D Credits and Reductions

1. Elimination of Curb-Cuts

A credit toward satisfying minimum off-street parking requirements shall be granted for any development that creates additional on-street parking spaces along a public street through the elimination of existing curb-cuts or driveways in accordance with the following:

- a. For each on-street parking space created, a credit of one-half space shall be granted toward the off-street parking requirements; and
- b. The location of new on-street parking spaces shall be approved by the Planning Director and the Director of Public Works.

2. Mixed Use and Shared Parking Facilities

- a. A reduction in the minimum required off-street parking may be granted for parking facilities that serve multiple uses upon a finding by the Planning Director or City Council that all of the following conditions exist:
 - i. The uses do not normally overlap; and
 - ii. No substantial conflicts will result from the parking reduction; and
 - iii. The location, operation, and maintenance of the parking facilities will fulfill the purpose of the off-street parking standards; and
 - iv. The shared facilities will not cause traffic congestion or an unsightly concentration of parked cars.
- b. Reductions for mixed use and shared parking facilities shall be in accordance with Table 406-5.

Table 406-5. Parking Credit for Mixed Use and Shared Facilities

Required Parking	Reduction
<50 space	0% max.
50-100 spaces	2.5% max.
101-150 spaces	5% max.
151-200 spaces	7.5% max.
201-250 spaces	10% max.
251-300 spaces	12.5% max.
301-350 spaces	15% max.
351-400 spaces	17.5% max.
>400 spaces	20% max.

- c. The City may require evidence of ownership, long-term lease, easement, or other legal instrument acceptable to the City Attorney to ensure unified operation, control, and continuation of multiple use or shared parking facilities.

3. Proximity to Transit

A reduction in the minimum required off-street parking may be granted for parking facilities that serve uses that are located within 660 feet of a transit line and where pedestrian connections to a transit stop exist or will be provided. Such reductions shall be in accordance with Table 406-6.

Table 406-6. Parking Credit for Transit Proximity

Required Parking	Reduction
<50 space	0% max.
50-200 spaces	10% max.
>200 spaces	20% max.

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406.E Alternative Compliance

The following methods of alternative compliance may be approved by City Council through the Development Plan-Public Hearing process.

1. Cash-in-Lieu of Off-Street Parking

- a. Cash payment may be approved by City Council in lieu of providing off-street parking spaces upon a finding that the provision of required off-street parking would be impractical, undesirable, or inconsistent with the intent of this CDC.
- b. The cash-in-lieu amount shall be as listed on the Planning Department fee schedule set by the City Manager.

2. Off-Site Parking Facilities

- a. Off-site parking facilities may be approved by City Council in lieu of on-site parking spaces upon a finding that all of the following conditions exist:
 - i. The off-site facilities are located within 300 feet of the use served in all residential zone districts, or the off-site facilities are located within 600 feet of the use served in all nonresidential zone districts; and
 - ii. The location, operation, and maintenance of the off-site parking facilities will fulfill the purpose of the off-street parking standards; and
 - iii. The off-site facilities will be as usable and convenient as on-site parking facilities; and
 - iv. The off-site facilities will not cause traffic congestion or an unsightly concentration of parked cars.
- b. The City Council may require evidence of ownership, long-term lease, easement, or other legal instrument acceptable to the City Attorney to ensure unified operation, control, and continuation of off-site parking facilities.
- c. Off-site parking facilities shall not be approved to allow the use of property in a residential zone district for any commercial parking purpose except in connection with, or as an accessory use to, a permitted use in the residential zone district.

■ §406 [Ord. No. 2776, 11-17-20] [Ord. No. 2932, 10-17-23]

407 OFF-STREET LOADING

407.A Purpose

1. Prevent traffic congestion and conflict between parking, pedestrians, and vehicular traffic and loading or unloading activity.
2. Require loading areas to be designed, operated, and maintained in a manner that ensures their usefulness and protects public safety.

407.B Applicability

Off-street loading standards shall apply to all principal uses that receive or distribute vehicles, materials, or merchandise in all zone districts unless specifically exempted by this CDC.

407.C Standards

1. The off-street loading standards in Table 407-1 shall apply in all zone districts unless a different zone-specific standard is provided.
2. Off-street loading spaces shall be located on the same lot as the building or use served and shall not be located within a parking space or an access way or circulation aisle.

Table 407-1. Off-Street Loading

Standard	
Loading Space Size ¹	
Width	12' min.
Length	25' min.
Clearance/Height	14' min.
Access to Loading Space ²	
Width	10' min.
Required Spaces per Lot	
Total Net Floor Area per Lot	
<5,000 sf	exempt
5,000-25,000 sf	1 space
≥25,000 sf	2 spaces + 1 per additional 20,000 sf

¹ Loading spaces may be required to have larger dimensions to avoid negative impact to a public right-of-way.

² Access drives shall meet minimum turning radius requirements and may coincide with parking circulation aisles.

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408 REFUSE MANAGEMENT

408.A Purpose

1. Ensure there are adequate facilities for the management and storage of trash and recyclables.
2. Ensure placement and screening that minimizes negative visual impacts.

408.B Applicability

Refuse management standards shall apply to all land use and development in all zone districts unless specifically exempted by this CDC.

408.C Exemptions

Single-family and two-family residential principal uses shall be exempt from the refuse management standards in this Section.

408.D Standards

1. **Amount**
Refuse containers or dumpsters, including trash, recycling, and food waste, shall be provided in an amount necessary for the use and development served.
2. **Location**
 - a. Refuse containers and dumpsters shall be located in a manner that shall:
 - i. Not impair vehicular access or snow removal operations; and
 - ii. Not be within any water or sewer main easements; and
 - iii. Be accessible by trash collection vehicles; and
 - iv. Be approved by the local waste collection provider; and
 - v. Encourage sharing or consolidation of refuse containers between multiple uses.
 - b. In CO, CY, CK, and CN zone districts, dumpsters shall:
 - i. Be located adjacent to an alley if the lot abuts an alley; and
 - ii. Be setback a minimum of ten feet from a public street right-of-way or pedestrian easement.

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3. Screening

- a. All refuse containers and dumpsters shall be screened on at least three sides. Screening shall:
 - i. Be a minimum height of six feet; and
 - ii. Meet operational standards of waste collection providers; and
 - iii. Be achieved through landscaping, berming, structures, or fencing; and
 - iv. Be composed of materials including but not limited to solid wood, split faced concrete masonry units, earthen berms, or evergreen plantings; and
 - v. Not be composed of chain-link fencing with lath or metal slats.
- b. A screening alternative may be approved by the Planning Director upon a finding that the alternative meets all of the following criteria:
 - i. The property does not use or have access to a dumpster; and
 - ii. Moveable refuse containers are used to serve all uses on the property; and
 - iii. The containers shall be stored in an area where they are not easily visible from streets or alleys; and
 - iv. The containers will only be visible from streets or alleys for a maximum of 14 hours on a scheduled collection day.

§ 408 [Ord. No. 2700, 6-4-19]

409 SNOW STORAGE

409.A Purpose

1. Ensure there are adequate areas for storing accumulated snowfall until it melts.
2. Maintain the safety and functionality of parking and loading areas and vehicular and pedestrian circulation.

409.B Applicability

Snow storage standards shall apply to all development in all zone districts unless specifically exempted by this CDC.

409.C Exemptions

Single-family and two-family residential principal uses shall be exempt from the snow storage standards in this Section.

409.D Standards

1. Minimum Required Area

The snow storage standards in Table 409-1 shall apply to all zone districts unless a different zone-specific standard is provided.

Table 409-1. Snow Storage

Required Area ^{1 2}	Standard	Zone-Specific Standard
Minimum Area ³	1 sf per 2 sf of paved area	G-2, CO, CY: see footnote ²
Additions		
Trees in Snow Storage	+30 sf per evergreen tree	
Up-Sloping Snow Storage	+ % equal to average slope ⁴	
Reductions ³		
Down-Sloping Snow Storage	- % equal to average slope ⁴	
Lots with Average Elevation ≤6,750'	- 25%	
¹ Required snow storage area = minimum area + additions - reductions. ² In G-2, CO, and CY zone districts, off-site snow storage and hauling may be permitted in lieu of on-site snow storage. In OR zone districts, snow storage is required only if the facility is utilized during snow months. ³ The minimum snow storage area may be reduced for the provision of an acceptable snow melt system or a perpetual snow storage easement on an adjacent property. ⁴ For example, if the average slope of the snow storage area is 20%, the minimum area required shall be increased or decreased, as applicable, by 20%.		

2. Location

- a. Snow storage areas shall be located adjacent to and within 20 feet of the edge of the pavement area to be served. An alternative snow storage location may be approved by the Planning Director upon a finding that the alternative location meets all of the following criteria:
 - i. The alternative snow storage area contains enough unencumbered space to accommodate the necessary snow storage; and
 - ii. The snow storage area is configured to adequately facilitate the proposed snow storage without damage to landscaping, sidewalks, or other site amenities; and
 - iii. Snow can be moved to the alternative snow storage area on-site through the use of commonly accessible equipment or machinery.
- b. Snow storage areas shall be free of fences, retaining walls, and similar obstructions.
- c. Snow storage areas shall not be located within wetlands or waterbodies.

3. Off-Site Hauling

- a. Off-site snow storage and snow hauling may be permitted for maintenance purposes in all zone districts.
- b. Off-site snow storage and hauling in lieu of on-site snow storage shall only be permitted in accordance with [Section 409.D.1](#) and an approved snow hauling plan that specifies receiving sites and frequency of hauling.
- c. In the G-2 zone district, provisions for off-site snow storage, snow hauling, and snowmelt systems in lieu of on-site snow storage is encouraged.

§ 409 [Ord. No. 2650, 5-15-18] [Ord. No. 2669, 12-4-18]

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410 PERFORMANCE AND OPERATION

410.A Purpose

1. Prevent offensive noise, smoke, vibration, dust, odors, heat, glare, or other objectionable impacts.
2. Prevent water and air pollution.
3. Ensure performance and operation in a manner that does not constitute a public nuisance or hazard.

410.B Applicability

Performance and operational standards shall apply to all land use and development in all zone districts unless specifically exempted by this CDC.

410.C Standards

1. **Environmental**
All materials or wastes which might cause fumes or dust, constitute a fire hazard, or may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors in closed containers.
2. **Fuel Storage**
Fuel storage equipment and practice shall comply with all local, state, and federal fire safety codes.
3. **Glare and Radiation**
Every use shall be so operated that it does not emit an obnoxious or dangerous degree of glare or radiation beyond any boundary line of the property on which the use is located.
4. **Heat and Odor**
Every use shall be operated so that heat and odors generated are imperceptible without instruments at any point of any boundary line of the property in which the use is located.
5. **Noise**
Noise emissions shall not exceed levels allowed by Section 7-65 of the Revised Municipal Code.
6. **Air Quality**
Particulates and other airborne pollution shall comply with the requirements of the Colorado Air Pollution Control Commission.
7. **Opacity**
Except as provided under state regulation, no owner or operator of a source shall allow or cause the emission into the atmosphere of any air pollutant in excess of 20 percent opacity. Visible emissions shall be measured by EPA Method 9 or other methods as approved by the Colorado Air Pollution Control Commission.
8. **Vibration**
Every use shall be so operated that the ground vibration inherently and recurrently generated is imperceptible without instruments at any point of any boundary line of the property on which the use is located.
9. **Water Pollution**
No water, except normal storm drainage and irrigation diversions, shall be discharged from property except into collection lines of an approved sewage treatment facility. Best management practices shall be utilized to ensure that erosion and sediment are controlled to the greatest extent practicable.
10. **Other**
Every use shall be operated in conformity with applicable federal, state and local laws and regulations.

411 TECHNICAL SPECIFICATIONS

411.A Purpose

Ensure development complies with proper engineering standards to protect the public health, safety, and welfare.

411.B Applicability

Technical specifications shall apply to all development in all zone districts unless specifically exempted by this CDC. Technical specifications that are varied through a process other than the Variance or Adjustment processes contained in this CDC, such as variances to Engineering Standards approved by the Director of Public Works, shall not be required to also obtain a variance to this Section through the Variance or Adjustment processes.

411.C Standards

1. Drainage

- a. Sites shall be graded to allow surface drainage, and structures shall be prohibited in areas of natural drainage.
- b. All development shall provide a drainage system that is designed to deposit all runoff into either a municipal drainage system or into natural drainage.
- c. The development shall design and construct drainage facilities in conformance with City Engineering Standards.

2. Streets and Circulation

Public streets and private drives shall be designed and constructed in conformance with City Engineering Standards.

3. Fire Prevention

- a. Applicable fire safety precautions shall be followed. Fire hydrants shall be required in all subdivisions and developments and shall be located per criteria specified in the adopted International Fire Code.
- b. No fire hydrants shall be acceptable unless the outlet threads correspond with hose threads used by the Fire Department.
- c. Structures shall not be erected in advance of adequate fire precautions and public street access.

4. Geologic Hazards

- a. Geologic hazards shall be mitigated to the satisfaction of the Planning Director and Director of Public Works.
- b. No development shall be allowed in areas of slides, mudflows, avalanches, or large rock falls unless it is demonstrated, to the satisfaction of the Planning Director and Director of Public Works, that such hazards can be eliminated.

412 CRITICAL IMPROVEMENTS

412.A Purpose

Ensure improvements related to development that are critical to public health, safety, and welfare are completed in a timely manner.

412.B Applicability

Critical improvements shall apply to all development in all zone districts unless specifically exempted by this CDC.

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412.C Standards

1. Critical improvements, as designated at the time of development approval, shall be constructed and accepted (public) or approved (private) prior to either approval of any Building Permit or issuance of any Certificate of Occupancy, as specified in the development approval, for the development or applicable phase of development.
2. The Planning Director may defer construction and acceptance of critical public improvements and issue a temporary Certificate of Occupancy if the Planning Director finds that unforeseeable circumstances have delayed the completion of the critical public improvements and that delaying the issuance of a temporary Certificate of Occupancy will cause a hardship to the developer. City Council may defer construction and acceptance of critical improvements and issue a final Certificate of Occupancy. If deferment of critical improvements is granted, an Improvements Agreement and collateral in accordance with Article 7 shall be required prior to approval of a temporary Certificate of Occupancy.
3. All conditions of development related to critical improvements shall be documented on a Development Plan, Final Plat, or in an Improvements Agreement or Development Agreement.

■ §412 [Ord. No. 2669, 12-4-18]

413 PHASING

413.A Purpose

Ensure that development occurs in an efficient and orderly manner with consideration of the importance of certain improvements to the community and the project itself.

413.B Applicability

Phasing standards shall apply to all development to be constructed in phases in all zone districts unless specifically exempted by this CDC.

413.C Standards

1. **General Provisions**
The City may approve development and installation, construction, or reconstruction of public and private improvements in phases subject to the following:
 - a. Each phase shall be a self-contained project consisting of all private and public improvements necessary to serve the phase.
 - b. Phasing cannot be used to delay construction of public improvements beyond the time of occupancy of the phase being served by the improvements.
 - c. Phasing shall be approved as part of the development review process.
 - d. A phasing plan is required for all phased development. The phasing plan shall include the following improvements with the first phase:
 - i. Critical improvements.
 - ii. Check-in and management facilities, if applicable.
 - iii. Sidewalk, trail, and multi-modal connections that are necessary to link the property with other properties or to provide a connection to a larger pedestrian network.
 - iv. Perimeter landscaping and landscaping adjacent to required sidewalk and trail connections.
 - v. A proportionate share of the entire development's amenities, as determined by the Planning Director as reasonable to serve the first phase, based upon the percentage of dwelling units, lodging units, or non-residential gross square footage to be built in the first phase.

- vi. A proportionate share of the entire development's affordable housing, if applicable, based upon the percentage of unrestricted dwelling units, lodging units, or non-residential gross square footage to be built in the first phase.
 - vii. A proportionate share of the entire development's land dedication or public access requirements, if applicable, based on the impacts of the first phase of development.
 - viii. Stormwater systems and stormwater quality systems necessary to serve drainage passing through the site.
2. **Agreement**
All conditions of development related to the phasing of development shall be documented on a Final Plat or Development Plan or in an Improvements Agreement or Development Agreement.

§ 413 [Ord. No. 2969 7-2-24]

414 MULTI-MODE FACILITIES / COMPLETE STREETS

414.A Purpose

- 1. Ensure the street network accommodates pedestrian, bicycle, transit, and vehicular modes of transportation.
- 2. Improve the ability and increase the choices of residents and visitors to move about the community safely and efficiently.
- 3. Decrease the community's dependence upon automobiles for transportation.

414.B Applicability

Multi-mode facility standards shall apply to all development in all zone districts unless specifically exempted by this CDC.

414.C Exemptions

The Planning Director and the Director of Public Works may grant exemptions from multi-mode facility standards based upon a finding that any of the following conditions exist:

- 1. A user is prohibited by law from using the multi-mode facility.
- 2. The width of the existing right-of-way or easement does not allow for the construction of all modes, the developer does not own the land where an easement or additional property would be required, and the developer has not been able to obtain an easement or the property from another owner. In this circumstance, alternatives consistent with engineering standards shall be explored to accommodate the most modes within the space available. The design shall include provisions for future construction of exempted facilities.
- 3. The cost of including accommodations for all modes would be disproportionate to the need, particularly if alternative facilities are available within a reasonable distance as determined by the Planning Director.
- 4. There is no current or future need for a mode projected.
- 5. The application of complete streets standards is unnecessary or inappropriate because it would be contrary to public safety.
- 6. The project is for routine maintenance and not new improvements, except where additional mode infrastructure is identified as needed and can be accommodated for nominal additional cost. Routine maintenance includes projects such as utility and storm system upgrades, replacement, or maintenance; chip sealing; overlays of two inches or less; potholing and patching; crack filling; and traffic signal maintenance.

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7. Existing grades do not feasibly permit the design and construction of multi-mode facilities in accordance with ADA requirements consistent with the exemption allowed by the ADA rules.
8. The project is the construction of a single-family dwelling or duplex on a platted lot.
9. The project is a Waiver of Replat, Replat, Condominium/Townhome Plat, or Easement Vacation, unless there is an existing infrastructure requirement, Improvement Agreement, or Development Agreement requiring construction of a multi-mode facility.

414.D Standards

1. General Standards

- a. All multi-mode facilities shall be designed and constructed in accordance with City Engineering Standards.
- b. Public rights-of-way and private streets shall accommodate pedestrian, bicycle, transit, and vehicle modes of transportation by integrating design components appropriate to each mode considering the context, function, and volume of the transportation facility.
- c. Multi-mode facilities shall maintain the minimum width and clearance from all obstructions to circulation as required by City Engineering Standards. Street furniture and other obstructions may require additional width to maintain minimum clearance.
- d. The design and construction of new development or redevelopment shall address existing and likely future (20-year) demand for multi-mode facilities as identified by a traffic analysis.
- e. The design and construction of new development or redevelopment shall include multi-mode facilities along corridors and at crossings and intersections in a manner that is safe, accessible, and convenient.
- f. Multi-mode facilities shall be provided in accordance with the CDC, the Multi-Mode Master Plan, the Community Plan, and other applicable plans as identified by the Planning Director.
- g. For areas proposed to develop that are not included in existing plans, the developer shall meet with the Planning Director to identify appropriate extensions of the planned facilities from the adopted plan boundaries to the subject site.
- h. Each development shall connect multi-mode facilities to adjacent properties and any adjacent transit facility to continue an interconnected, multi-mode circulation system.

2. Streets

Streets shall be provided as required by Municipal Code Chapter 20, the Multi-Mode Master Plan, the CDC, and City Engineering Standards.

3. Sidewalks and Trails

- a. Sidewalks are to be constructed on both sides of arterial and collector streets and any other street that has commercial frontage on both sides, and on at least one side of all other streets.
- b. Sidewalk widths shall be as established in City Engineering Standards and shall generally be in accordance with the following minimum standards in Table 414-1.
- c. Trails shall be provided as required by the Multi-Mode Master Plan, the Open Space and Trails Master Plan, or other applicable plans as identified by the Planning Director.

Table 414-1. Sidewalk Width

Width	
General Standard ¹	
Arterial Street	8' min.
Collector Street	8' min.
Commercial Frontage	8' min.
Local Street	6' min.
Specific Standard ¹	
Lincoln Avenue (3 rd Street – 13 th Street)	16' min.
Oak Street	6' min.
¹ When specific and general standards conflict, the specific standard shall apply.	

4. Bicycle Facilities

Bicycle facilities shall be provided as required by the Multi-Mode Master Plan and City Engineering Standards.

5. Transit Stops, Shelters, Pull Outs, and Other Transit Facilities

Transit stops, shelters, pull outs, and other transit facilities shall be provided in conformance with the Multi-Mode Master Plan.

414.E Alternative Compliance

1. Off-Site Facilities

- a. Off-site multi-mode facilities in the vicinity of the development project may be approved in lieu of on-site facilities upon a finding by the Planning Director or City Council that all of the following conditions exist:
 - i. The on-site multi-mode facility is impractical or inconsistent with the intent of the CDC or would not further the Community Plan; and
 - ii. The on-site multi-mode facility would not be part of a connected multi-mode network due to the lack of sidewalks or bike or transit facilities on adjacent developed properties; and
 - iii. Greater community benefit will be gained by constructing the off-site facility rather than constructing the on-site improvement.
- b. Approval of off-site facilities shall be subject to dedication of easements, as needed, to facilitate future development of the on-site multi-mode facility.

2. Cash-in-Lieu of On-Site Improvements

- a. Cash payment may be approved in lieu of on-site multi-mode facilities upon a finding by the Planning Director or City Council that all of the following conditions exist:
 - i. The multi-mode facility is impractical or inconsistent with the intent of the CDC or would not further the Community Plan; and
 - ii. The multi-mode facility would not be part of a connected multi-mode network due to the lack of sidewalks or bike or transit facilities on adjacent developed properties; and
 - iii. Greater community benefit will be gained by accepting a cash payment in lieu of the on-site facility to be used to construct multi-mode facilities in a different area of the community.
- b. Approval of cash-in-lieu of on-site facilities shall be subject to dedication of easements, as needed, to facilitate future development of the on-site multi-mode facility.

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- c. The cash-in-lieu amount shall be equal to the cost to construct the on-site facility plus an additional 10 percent administration fee. The cost of the on-site facility shall be determined by construction bids or cost estimates provided by the developer. Cost estimates shall be provided on the City's standard cost estimate form and shall be subject to review and approval by the Director of Public Works. Upon rejection of any estimate, the Director of Public Works may obtain an estimate from a licensed engineer in the state, and such estimate shall be binding upon the developer for purposes of determining the cost of the required facility. The developer shall be responsible for any cost associated with obtaining a cost estimate. All monies collected shall only be used by the City for the installation of public multi-mode facilities.

■ §414 [Ord. No. 2669, 12-4-18]

415 CLEAR VISION SETBACKS

415.A Purpose

Maintain a clear line of sight at intersections to maintain vehicle and pedestrian safety.

415.B Applicability

Clear vision setbacks shall apply to all property in all zone districts unless specifically exempted by this CDC.

415.C Standards

1. No building, structure, fence, or vegetation shall exceed three feet in height when located within a required clear vision setback area.
2. On corner lots, clear vision setbacks shall be a minimum of 30 feet. Refer to [Section 801](#) for rules of measurement.
3. Clear vision setbacks may also be required at the intersection of a street and a driveway or other access drive.
4. Larger minimum clear vision setbacks may be required through the development review process by the Planning Director and Director of Public Works upon a finding that the increased setback is required to maintain vehicle and pedestrian safety due to topography, vehicle speed, intersection alignment, or other relevant considerations.

416 OUTDOOR STORAGE

416.A Purpose

Ensure outdoor storage areas are located and screened to minimize negative impacts to streets and adjacent properties.

416.B Applicability

Outdoor storage standards shall apply to all property in all zone districts used for principal or accessory outdoor storage unless specifically exempted by this CDC.

416.C Exemptions

Single-family and two-family residential principal uses shall be exempt from the outdoor storage standards in this Section.

416.D Standards

1. **Location**
 - a. Outdoor storage areas shall not obstruct, impede, or be located in any public right-of-way, easement; pedestrian, bicycle, vehicular, or emergency service access; building entrance; or required landscape area.
 - b. Outdoor storage areas shall be located on an approved paved or other all-weather drivable surface in compliance with City Engineering Standards.

2. **Access**
A minimum 50-foot long paved apron shall be provided immediately adjacent to the street in compliance with City Engineering Standards.
3. **Screening**
 - a. All stored materials shall be screened from abutting public arterial and collector streets and adjacent properties zoned OR, RE, RN, RO, MH, and MF. Screening shall not be required for adjacent properties zoned OR that are designated open space in a commercial or industrial subdivision.
 - b. Screening shall be a minimum height of six feet or as otherwise approved by the Planning Director through the development review process upon a finding that a lesser or greater height will provide adequate screening.
4. **Height**
 - a. The height of materials being stored shall not exceed 12 feet or the plate height of the nearest principal building on the lot, whichever is less.
 - b. In the I zone district, the Planning Director may modify the maximum height standard upon an evaluation of the use, the site, and the intent of this Section.

417 INTERNAL SIDEWALKS

417.A Purpose

Improve the ability of residents and visitors to move about the community safely and efficiently.

417.B Applicability

Internal sidewalk standards shall apply to all multiple-family residential and commercial development in all zone districts unless specifically exempted by this CDC.

417.C Standards

1. An internal sidewalk system shall be provided to connect principal buildings to adjacent perimeter sidewalks, trails, or pedestrian pathways.
2. The internal sidewalk system shall provide access to transit facilities, on-site public gathering locations, and major site amenities.
3. Parking lots with 50 or more spaces shall provide a sidewalk between the parking lot and the front of the building that the parking lot serves.
4. Internal sidewalks shall be a minimum of four feet in width and constructed in accordance with City Engineering Standards.

418 RETAINING WALLS

418.A Purpose

Minimize the impact of retaining walls on adjacent properties.

418.B Applicability

Retaining wall standards shall apply to all development in all zone districts unless specifically exempted by this CDC.

418.C Standards

1. Retaining walls shall not be located within a drainage or utility easement without an approved revocable permit.
2. The maximum overall height of a retaining wall, as measured from the lowest point of final grade at the base of the retaining wall to the top of the wall, shall be in accordance with Table 418-1.

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Table 418-1. Retaining Wall Height

Location	Height
Within Lot Line Setback Area	6' max. ¹
Within Building Envelope	11' max.

¹ Retaining walls exceeding 6 feet in height within a required lot line setback on an existing platted lot may be permitted by the Planning Director upon a finding that the applicant has demonstrated the wall height is necessary to achieve driveway access to the lot.

3. Retaining walls over six feet in height shall be designed and constructed with a minimum of two stepped vertical wall segments. Stepped wall segments shall:
 - a. Not exceed six feet in height; and
 - b. Have a horizontal offset of at least three feet from the face of each wall segment.

■ §418 [Ord. No. 2650, 5-15-18]

419 FLOOD DAMAGE PREVENTION

419.A Purpose

1. Promote the public health, safety and welfare.
2. Protect human life and health.
3. Minimize:
 - i. Public and private losses due to flood conditions.
 - ii. Expenditure of public money for costly flood control projects.
 - iii. The need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
 - iv. Prolonged business interruptions.
 - v. Damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets, and bridges located in areas of special flood hazard.
4. Maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas.
5. Ensure that potential buyers are notified that property is in an area of special flood hazard.
6. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
7. Protect uses which are vulnerable to flooding, including public facilities, against flood damage at the time of initial construction.

419.B Applicability

1. Flood damage prevention standards apply to all property in all areas of special flood hazard and areas removed from the floodplain by the issuance of a Federal Emergency Management Agency (FEMA) letter of map revision based on fill (LOMR-F). No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with these flood damage prevention standards.

2. The areas of special flood hazard identified by FEMA, in a scientific and engineering report entitled, "The Flood Insurance Study of Routt County, Colorado and Incorporated Areas", dated February 4, 2005, with accompanying Flood Insurance Rate Map (FIRM), is hereby adopted by reference and declared to be a part of this Chapter 26. The Flood Insurance Study and FIRM are on file at the Planning Department, 124 10th Street, Steamboat Springs, Colorado.

419.C Warning and Disclaimer of Liability

The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This Section does not imply that land outside the areas of special flood hazard, or uses permitted within such areas, will be free from flooding or flood damages. This Section shall not create liability on the part of the City, any officer or employee of the City, or FEMA for any flood damages that result from reliance on this Section or any administrative decision lawfully made pursuant to this CDC.

419.D Standards for All Areas of Special Flood Hazard

1. Base Flood Elevation

- a. Base flood elevation data shall be provided for all development that contains 50 lots or five acres, whichever is less.
- b. When base flood elevation data has not been provided in the Flood Insurance Study and FIRM, the Planning Director shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from any federal, state, or other source as criteria for requiring that new construction, substantial improvements, or other development in zone A are administered in accordance with the standards of this Section.
- c. For waterways with base flood elevations for which a regulatory floodway has not been designated, no new construction, substantial improvements, or other development, including fill, shall be permitted within zones A1-30 and AE on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one-half foot at any point within the City.
- d. Under the provisions of 44 CFR Chapter 1 Section 65.12, of the National Flood Insurance Program Regulations, the City may approve certain development in zones A1-30, AE, and AH on the FIRM which increases the water surface elevation of the base flood by more than one-half foot, provided that the City first applies for a FEMA conditional letter of map revision (C-LOMR), fulfills the requirements for such revisions as established under the provisions of 44 CFR Chapter 1 Section 65.12, and receives FEMA approval.

2. Anchoring

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and to be capable of resisting the hydrostatic and hydrodynamic loads.
- b. For manufactured homes and manufactured structures, all components of the anchoring system shall be capable of carrying a force of 4,800 pounds. Methods of anchoring may include but are not limited to:
 - i. Over-the-top ties provided at each of the corners of the structure and two additional ties per side at intermediate points. Structures less than 50 feet long shall require only one additional tie per side at intermediate points.

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- ii. Frame ties provided at each corner of the structure and five additional ties per side at intermediate points. Structures less than 50 feet long shall require only four additional ties per side at intermediate points.

3. Construction Materials and Methods

All new construction and substantial improvements shall be:

- a. Constructed with materials and utility equipment resistant to flood damage; and
- b. Constructed using methods and practices that minimize flood damage; and
- c. Constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed or located to prevent water from entering or accumulating within the components during conditions of flooding.

4. Utilities

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
- c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

5. Recreational Vehicles

Recreational vehicles are required to either:

- a. Be on the site for fewer than 180 consecutive days; or
- b. Be fully licensed and ready for highway use; or
- c. Meet all standards for anchoring and elevation.

6. Construction Trailers and Similar Structures

Construction trailers and similar structures are required to either:

- a. Be on the site for fewer than 180 consecutive days; or
- b. Meet all standards for anchoring and elevation.

419.E Standards for Areas of Special Flood Hazard with Base Flood Elevation Data

1. Residential Construction

- a. New construction and substantial improvement of any residential structure shall elevate the lowest floor or basement, electrical, heating, ventilation, plumbing, air conditioning equipment, ductwork, and other service facilities to one foot above the base flood elevation.
- b. New construction and substantial improvements of any residential structure in the AO and AH zones shall meet one of the following standards:
 - i. The lowest floor or basement, and electrical, heating, ventilation, plumbing, air conditioning, ductwork, and other similar service facilities shall be elevated above the highest adjacent grade at least one foot above the depth number specified in feet on the FIRM; or
 - ii. The lowest floor or basement, and electrical, heating, ventilation, plumbing, air conditioning, ductwork, and other similar service facilities shall be elevated at least three feet above existing grade if no depth number is specified.
- c. In the AH and AO zones, adequate drainage paths around structures on slopes shall be required to guide floodwaters around and away from proposed structures.

- d. New structures or additions to existing structures on any property removed from the floodplain by the issuance of a FEMA letter of map revision based on fill (LOMR-F) shall have the lowest floor elevated to one foot above the base flood elevation that existed prior to the placement of fill.

2. Nonresidential Construction

- a. New construction and substantial improvement of any nonresidential structure shall meet one of the following standards:
 - i. The lowest floor or basement, and electrical, heating, ventilation, plumbing, air conditioning, ductwork, and other similar service facilities shall be elevated to one foot above the base flood elevation; or
 - ii. The lowest floor and attendant utility and sanitary facilities shall be floodproofed to one foot above the base flood elevation. Floodproofing shall mean that the structure is watertight with walls substantially impermeable to the passage of water, and the structural components are capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice meeting the provisions of this Section.
- b. New construction and substantial improvements of any nonresidential structure in the AO and AH zones shall meet one of the following standards:
 - i. The lowest floor or basement, and electrical, heating, ventilation, plumbing, air conditioning, ductwork, and other similar service facilities shall be elevated above the highest adjacent grade at least one foot above the depth number specified in feet on the FIRM; or
 - ii. The lowest floor or basement, and electrical, heating, ventilation, plumbing, air conditioning, ductwork, and other similar service facilities shall be elevated at least three feet above existing grade if no depth number is specified; or
 - iii. The lowest floor and attendant utility and sanitary facilities are floodproofed to at least one foot above the depth number specified in feet on the FIRM or three feet above existing grade if no depth number is specified. Floodproofing standards shall be as required in [Section 419.E.2.a.ii.](#)
- c. In the AH and AO zones, adequate drainage paths around structures on slopes shall be required to guide floodwaters around and away from proposed structures.
- d. New structures or additions to an existing structures on any property removed from the floodplain by the issuance of a FEMA letter of map revision based on fill (LOMR-F) shall have the lowest floor elevated to one foot above the base flood elevation that existed prior to the placement of fill or together with attendant utility and sanitary facilities be designed so that the structure or addition is watertight to at least one foot above the base flood level that existed prior to the placement of fill. Floodproofing standards shall be as required in [Section 419.E.2.a.ii.](#)

419.F Standards for Critical Facilities in Areas of Special Flood Hazard

1. Exemptions

- a. Certain public utility plant facilities and facilities vital to restoring normal services may be exempted from the standards for critical facilities if it can be demonstrated to the satisfaction of the Planning Director that the facility is an element of a redundant system for which service will not be interrupted during a flood. Evidence of ongoing redundancy shall be provided to the City on an as-needed basis upon request.

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- b. At a minimum, it shall be demonstrated that:
 - i. Redundant facilities are available (either owned by the same entity or utility or available through an intergovernmental agreement or other contract) and connected, if applicable; and
 - ii. The alternative facilities are either located outside of the 100-year floodplain or are compliant with the provisions of this Section; and
 - iii. An operations plan is in effect that states how redundant facilities and systems will provide service to the affected area in the event of a flood.

2. Standards

- a. All new and substantially improved critical facilities and new additions to critical facilities shall meet one of the following standards:
 - i. The lowest floor shall be elevated to two feet above the base flood elevation; or
 - ii. The lowest floor and attendant utility and sanitary facilities shall be floodproofed to two feet above the base flood elevation. Floodproofing standards shall be as required in [Section 419.E.2.a.ii.](#)
- b. When determined to be practicable by the Planning Director, new critical facilities shall have continuous non-inundated access (ingress and egress) for evacuation and emergency services during a 100-year flood event.

419.G Standards for Floodways

The following standards for floodways are in addition to the standards for areas of special flood hazard:

1. Encroachments, including fill, new construction, substantial improvements, and other development are prohibited within the floodway, unless certification by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
2. Alteration of any channel of any perennial stream shall be prohibited except as may be required for improvement to wildlife habitat or public health, safety, and welfare. In no instance shall the alteration result in any increase in flood levels during the occurrence of the base flood discharge, as certified by a registered professional engineer.
3. No uses shall be permitted within the floodway that alone or cumulatively with other such uses would result in any of the following:
 - a. The storing or processing of materials that are buoyant, flammable, explosive, or otherwise potentially injurious to human, animal or plant life; or
 - b. The disposal of garbage or other solid or liquid waste materials; or
 - c. The potential of solid debris or waste being carried downstream.

■ §419 [Ord. No. 2984, 11-12-24]

420 ACCESSORY BUILDINGS AND STRUCTURES

420.A Purpose

Ensure accessory buildings and structures are complementary to principal structures.

420.B Applicability

Accessory building and structure standards shall apply to all accessory buildings and structures in all zone districts unless specifically exempted by this CDC.

420.C Standards

1. Accessory structures shall be constructed concurrently or subsequent to a principal structure.
2. In zone districts without specific accessory building height standards, accessory buildings shall be subordinate to the principal building in terms of height.
3. Buildings accessory to multiple-family residential, commercial, and industrial uses shall not exceed 25 percent of the gross floor area of the principal building.

421 OPEN SPACE

421.A Purpose

Ensure development provides open space conservation, active or passive parks or amenity space appropriate to the use and natural features of the site for the benefit of the users of the development.

421.B Applicability

Open space standards shall apply to all development in all zone districts unless specifically exempted by this CDC.

421.C Exemptions

The following shall be exempt from the open space requirements of this Section:

1. One-family and two-family residential principal uses on individual lots.
2. Development located in the G, CO, CY, and CK zone districts.
3. Development located in an approved subdivision where open space has already been designated or dedicated in compliance with this CDC.

421.D Standards

1. Open space shall be provided in accordance with Table 421-1.

Table 421-1. Open Space

Development Type ¹	Amount ²
Residential	15% min.
Commercial/Mixed Use	15% min.
Industrial/Mixed Use	10% min.
Civic, Public and Institutional ³	15% min.
¹ Development type shall be based on Use Classifications found in Table 300-1, Permitted Use Matrix — Principal Uses. ² Minimum area shall be calculated using gross land area of the development. ³ Public Transportation and Utilities Use Categories are exempt from providing open space.	

2. Open space shall generally be contiguous and shall include environmentally-sensitive areas or areas for active or passive recreation.
3. Open space shall not be covered by buildings, streets, alleys, parking, loading, storage, or driveways.
4. Open space does not include parking lot islands, parking lot landscaping strips, and other similar isolated features regardless of whether they are landscaped or not.

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5. The integration of stormwater drainage facilities and water quality treatment facilities within open space is encouraged where they are compatible with the purpose of open space. The Planning Director and Director of Public Works may approve such combined use areas through the Development Review Process as counting toward the minimum open space standards upon a finding that:
 - a. The facilities are designed with attractive natural-looking features so they become a site amenity; and
 - b. The facilities are integrated with the building architecture, site improvements or landscaping; and
 - c. Plant materials are appropriately used to maximize the amount of landscaping to the greatest degree possible; and
 - d. The facilities function in a manner that is safe and has no adverse impacts on the health and welfare of the people the open space is intended to serve.
6. The integration of building setback areas or waterbody setback areas within open space is permissible where it is compatible with the purpose of open space. The Planning Director may approve such combined use areas through the Development Review Process as counting toward the minimum open space standards upon a finding that:
 - a. Open space is not entirely comprised of setback areas; or
 - b. Includes environmentally-sensitive areas.
7. The long-term maintenance of all designated open space shall be the responsibility of an owners association or property owner. Failure to maintain required open space may result in enforcement and remedies in accordance with [Section 101.G](#).
8. Using their sole authority and discretion, City Council may consider the dedication of open space land to the City in accordance with [Section 602.L.2.c](#) or [Section 602.L.3](#). If an open space land dedication is accepted by City Council, City Council shall have full discretion to require the developer to provide maintenance of the dedicated open space.

§ 421 [Ord. No. 2731, 12-23-19] [Ord. No. 2800, 3-16-21]

422 LARGE-FORMAT RETAIL DEVELOPMENT

422.A Purpose

Provide development standards that address the unique impacts of large-scale commercial development.

422.B Applicability

Large-format retail standards shall apply to the following unless specifically exempted by this CDC:

1. Initial development and any exterior modifications to large-format retail development in the CC and CS zone districts.
2. Initial development and any exterior modifications to large-format retail development over 40,000 square feet.

422.C Impact Assessment and Mitigation Plan

Applications for large-format retail development shall include an impact assessment and mitigation plan prepared by a qualified professional with experience and expertise necessary to complete the scope. The scope of the assessment and plan shall be approved by the Planning Director prior to submission, and may include the following:

1. The housing impacts from anticipated workforce, relocating employees, construction employees, and other housing impacts associated with the development and operation of the development, including an estimate of the additional, if any, number of units needed to accommodate the development's employees, and proposals to mitigate any negative housing impacts.

2. The short- and long-term economic impact to the City of the proposed development, including an analysis of City revenues and expenses likely to be generated by the development; the number, type, and associated wages and benefits of jobs created; the sales and property tax generation; the financial and personnel impacts on existing businesses of similar profile; and any incentives to be offered, and proposals to mitigate any negative impacts.
3. The impacts on the existing storm drainage system and proposals to mitigate any negative drainage impacts upon the community, including but not limited to: historic rainfall drainage patterns, detention and retention areas, stormwater quality and contamination mitigation, storm sewer requirements, discharged irrigation ditches, floodways and floodplains, and other stormwater and drainage impacts and improvements.
4. The impacts on the existing transportation system and proposals to enhance the transportation system and mitigate any negatives transportation impacts on the community, including but not limited to: arterial and collector street improvements, intersection improvements, intersection signalization, and alternative modes of transportation such as public transit, bikeways, pedestrian walkways, and trails, and other transportation services, improvements, or facilities.
5. The impacts of the proposed development on fire prevention and proposals to mitigate such impacts, including but not limited to: special fire hazards, fire prevention, fire detection, emergency access, additional equipment requirements, additional manpower requirements, additional fire stations, and other fire protection services and facilities.
6. The impacts on the City's police department and proposals to mitigate any impact upon the existing police services, including but not limited to: special security needs, additional officers required, additional equipment requirements, and other law enforcement services.
7. The impacts on the natural environment and proposals to mitigate any negative impacts on environmentally sensitive areas, endangered species, significant habitats, migration routes, and other environmental and wildlife impacts.
8. The impacts on City park and recreation facilities and recreation programs and proposals to mitigate any impact upon the existing facilities and programs, including but limited to: additional facilities, additional recreation programs, additional personnel required, and other park and recreation services and improvements.
9. The compatibility with the street master plan as depicted by the City's plan and proposals for mitigating any negative impacts.
10. The compatibility with the Community Plan.
11. The compatibility with the City's zoning and subdivision standards and existing subdivision or PUD approvals and any deviations in setbacks, FAR requirements, and permitted uses that may be required.
12. A review of existing and adjacent land uses, areas of compatibility or conflict, and possible mitigation measures.
13. Such additional material, as the Planning Director, Planning Commission or City Council may prescribe, or the applicant may submit, pertinent to the application.

422.D Standards

The following development and design standards are intended to exceed other development and design standards contained within this CDC. Where these standards are in conflict with other standards contained in Article 2 or Article 4, the stricter standard shall apply.

1. Building Location

- a. Where buildings are proposed to be distant from a public street, as determined by the planning commission, the overall development design shall include smaller buildings on pads or outlots closer to the street.

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- b. Building placement and orientation must:
 - i. Facilitate appropriate land use transitions and appropriate traffic flow to adjoining roads and neighboring commercial areas and neighborhoods; and
 - ii. Forward community character objectives as described in the Community Plan.
- c. The proposed development shall clearly demonstrate the provision of land use, multimodal transportation, utility, stormwater management, and community character components and patterns that clearly forward the objectives of the Community Plan.

2. Building Materials

- a. Exterior building materials shall be of comparable aesthetic quality on all sides.
- b. Building materials shall be high quality and durable (e.g., wood, sandstone, native stone, tinted and textured concrete masonry unit, glass, brick, tinted and decorative concrete block, wood, or stucco. Exterior insulation and finish systems (EIFS) may be used in limited amounts. Decorative architectural metal with concealed fasteners or decorative tilt-up concrete panels may be approved if incorporated into the overall design of the building.
- c. All buildings on outlots shall be of materials comparable in quality to the primary buildings.

3. Building Design

- a. The building exterior shall complement other buildings in the vicinity in size, scale, color, material, and character.
- b. Buildings shall obtain Leadership in Energy and Environmental Design (LEED) certification in design, materials, and construction.
- c. Building modules shall match the scale of adjacent buildings and projects.
- d. The building shall employ varying setbacks, heights, roof treatments, doorways, window openings, and other structural or decorative elements to reduce apparent size and scale of the building.
- e. Buildings shall have a minimum of two stories above grade.
- f. Facades shall be articulated to reduce the scale and the uniform appearances of large retail buildings. All facades that are visible from a public street shall employ actual protrusions or recesses with a depth of at least six feet. No uninterrupted facade shall extend more than 50 feet.
- g. A minimum of 20 percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more, as measured eave to eave or parapet to parapet.
- h. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Rooflines should have variations to reduce the scale of buildings and complement the character of adjoining neighborhoods (e.g., roofs should include the following features: parapets to conceal rooftop equipment, overhang eaves, and slopes).
- i. Ground floor facades that face public streets shall have arcades (a series of outdoor spaces located under a roof or overhang and supported by columns or arches), display windows, entry areas, awnings, or other such features along no less than 50 percent of their horizontal length.
- j. The integration of windows into building design is required. Windows shall be transparent, clear glass (not tinted) with sills a minimum of 18 inches above the walkway and headers no lower than eight feet along any facades facing a public street.

- k. Building facades shall include a repeating pattern that includes no less than three of the following elements. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.
 - i. Color change; or
 - ii. Texture change; or
 - iii. Material modular change; or
 - iv. Expression of architectural or structural bay through a change in plane no less than 48 inches in width, such as an offset, reveal or projecting rib.
 - l. All four sides of the building shall receive equal architectural treatment to avoid the appearance of the "backside" of a building.
 - m. All buildings on outlots shall be of architectural quality comparable to the primary buildings.
- 4. Building Entrances**
- a. Public building entrances shall be clearly defined, with features such as canopies, overhangs, arches or peaked roof forms, to orient customers and give character to the building.
 - b. Entrances should be located closest to the off-street parking and in the center of the site and shall be emphasized by on-site traffic flow patterns.
 - c. Two or more of the following design features shall be incorporated into all public building entryways:
 - i. Canopies or porticos; or
 - ii. Overhangs; or
 - iii. Projections, or
 - iv. Arcades; or
 - v. Peaked roof forms; or
 - vi. Arches; or
 - vii. Outdoor patios; or
 - viii. Display windows; or
 - ix. Distinct architectural details.
 - d. Where additional stores will be located in the principal building, each such store shall have at least one exterior customer entrance that shall conform to these building entrance standards.
- 5. Building Color**
- a. Building facade colors shall be non-reflective, subtle, neutral, or earth tone.
 - b. The use of high intensity colors, metallic colors, fluorescent colors, or black on facades shall be prohibited.
 - c. Building trim and architectural accent elements may feature bright colors or black, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants.
 - d. Standard corporate and trademark colors shall be permitted only on signage subject to Article 5.

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6. Screening

- All refuse containers, ground-mounted and wall-mounted mechanical equipment, and outdoor storage shall be fully concealed from on-site and off-site ground level views. Screening materials shall be identical to those used on the building exterior.
- All rooftop mechanical equipment shall be screened by parapets, upper stories, or other areas of exterior walls or roofs so as to not be visible from public streets adjacent or within one 1,000 feet of the subject property. Fences or similar rooftop screening devices may not be used to meet this requirement.
- Loading docks shall be completely screened from adjacent streets and properties. Screening may be accomplished using one or more of the following techniques:
 - Locating loading areas internal to buildings; or
 - Screen walls which match the building exterior in materials and design; or
 - Fully opaque landscaping at time of planting.
- Gates and fencing may be used for security and access, but not for screening, and they shall be of high aesthetic quality. Decorative metal picket fencing is acceptable. Chain link, wire mesh, or wood fencing is unacceptable. Decorative, heavy-duty wood gates may be used.

7. Traffic

- All large-format retail development shall have direct access to an arterial street. Access to a collector street may be approved by the Planning Director and Director of Public Works upon a finding that the collector street will provide safe and adequate access.
- Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; traffic control devices; and sidewalks.
- The site design shall provide direct connections to adjacent land uses if required by the City.
- Prior to development approval, the applicant shall complete a traffic impact analysis per City guidelines for review and approval by the Public Works Department. If the project is located on or influences a state highway, the applicant is required to also meet CDOT requirements for the traffic study and access permit. Where the project will cause off-site public streets, intersections, or interchanges to function below Level of Service (LOS) C or further degrade the LOS at intersections already functioning below LOS C, as defined by the Institute of Transportation Engineers, the City may deny the application, require a size reduction in the proposed development, or require that the developer construct or pay for required off-site improvements.

8. Parking

- Parking areas shall provide safe, convenient, and efficient access. Parking should be distributed around buildings to shorten the distance to the building and reduce the scale of the paved surface (e.g., no more than 30 percent of the off-street parking should be located between the front facade and the primary abutting street).
- Parking lot design shall include interior curbed landscaped islands at all parking aisle ends.
- Interior landscaped islands within each parking aisle shall be provided at intervals of one island per every 20 spaces in that aisle. Islands at the ends of aisles shall count toward meeting this requirement. Each required landscaped island shall be a minimum of 360 square feet in landscaped area.

- d. Landscaped and curbed medians, a minimum of ten feet in width from back-of-curb to back-of-curb, shall be used to create distinct parking areas of no more than 120 parking stalls.
 - e. Parking areas shall be designed to minimize hard surface and provide on-site stormwater quality. Use of landscaped areas as porous landscape detention, grass buffers, or other vegetated treatments are encouraged. Stormceptors are discouraged.
- 9. Bicycle and Pedestrian Facilities**
- a. The entire development shall provide for:
 - i. Safe pedestrian and bicycle access to all uses within the development; and
 - ii. Connections to existing and planned public pedestrian and bicycle facilities; and
 - iii. Connections between public sidewalks and customer entrances.
 - b. The minimum width for sidewalks adjacent to buildings shall be ten feet; and the minimum width for sidewalks elsewhere in the development shall be six feet.
 - c. Sidewalks other than street sidewalks or building aprons shall have adjoining landscaping along their length. Such landscape shall match the landscaping used for the street frontages.
 - d. Crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety by using different pavement materials, pavement color, pavement textures, and signage.
 - e. The development shall provide secure, integrated bicycle parking at a rate of one bicycle rack space for every 25 vehicle parking spaces.
 - f. The development shall provide exterior pedestrian furniture in appropriate locations at a minimum rate of one seat for every 2,500 square feet of gross floor area.
- 10. Central Areas and Features**
- a. Large-format retail development shall provide central areas or features, such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, or other such deliberately designated areas or focal points, to enhance the development or community.
 - b. All central areas and features shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and overall site, and maintained over the life of the building project.
- 11. Cart Returns**
- a. A minimum of one 200-square foot cart return area shall be provided for every 100 parking spaces, if applicable.
 - b. Cart corrals shall be of durable, nonrusting, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards.
 - c. Exterior cart return or cart storage areas shall not be located within 25 feet of the building.

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Definitions**12. Landscaping**

- a. Building foundation landscaping is required for all building frontages in order to provide visual breaks in the mass of the building. Foundation landscaping shall be placed along 30 percent of the building's total perimeter, predominately near and along customer facades and entrances facing public streets.

Table 422-1. Large-Format Retail Landscaping

Type/Location ¹	Standard
Foundation	
Ornamental Trees (3" caliper or 6' tall)	1 per 10 linear ft
Shrubs (18" tall)	4 per 10 linear ft
Interior Parking Lot	
Shade Trees (2")	1 per interior or end island
Circulation/Frontage ²	
Street Trees (2")	1 per 50 linear ft

¹ Tree and shrub species shall be approved by the City.
² Street trees shall be planted within 10 feet of all public and private streets and drives, including parking lot connections and circulation drives, and loading areas. Street trees shall be planted in tree wells along circulation drives adjacent to all building facades facing a public or private street, along both sides of internal drives, and along the outside edge of loading areas.

- b. All landscaped areas shall be at least ten feet wide in their smallest dimension, except tree wells may be a minimum of 36 square feet.
- c. Landscape plantings shall be provided in accordance with Table 422-1.

13. Lighting

- a. Exterior pole and wall-mounted light fixtures shall be fully shielded with cutoff angles of less than 90 degrees.
- b. Exterior lighting shall not exceed 0.5 footcandles above ambient levels along all property lines as measured over ambient lighting conditions on a clear night.
- c. Exterior lighting of public parking and pedestrian areas comply with Table 422-2.

Table 422-2. Large-Format Retail Lighting

Parking and Pedestrian Areas	Standard
Average Illumination	3.6 footcandles max.
Minimum Illumination	0.9 footcandle min.

14. Signage

- a. Exterior sign locations, configurations, and color shall be coordinated and complementary throughout the development, including outlots.
- b. Monument signs shall not exceed a height of eight feet.
- c. Consolidated signs for multiple users may be required instead of multiple individual signs.
- d. The use of logos, slogans, symbols, patterns, striping, and other markings and colors associated with a franchise or chain is permitted and shall be considered as contributing to the number and area of permitted signs.
- e. The city may require the use of muted corporate colors on signage if proposed colors are not compatible with the City's design objectives for the area.

15. Natural Resources Protection

- a. Existing natural features shall be integrated into the site design as a site and community amenity.
- b. The proposed development shall preserve the most valued natural and scenic resource lands on the property. These lands may include wetlands, riparian areas, sensitive wildlife habitat, scenic corridors, visually significant meadows, ridgelines, and public vistas/view corridors.
- c. The proposed development shall avoid natural and geologic hazard areas, including steep and unstable slopes and floodplains.
- d. The proposed development shall confine cuts, fills, grading, excavation, vegetation removal, and construction to designated building envelopes so mass grading of the site does not occur. Site disturbance necessary to install and maintain utilities, roadways, trails, irrigation ditches, fences, and landscaping may occur outside of building envelopes.
- e. The proposed development shall provide connections from preserved wildlife habitat and other preserved resource lands on the site to contiguous preserved lands on adjoining sites and shall not fragment wildlife habitat, including movement and migration corridors.
- f. The proposed development shall restore or enhance the riparian environment within a required waterbody setback that has been previously disturbed and incorporates the area into the plan as an amenity for the users of the development or the public. A restoration or enhancement plan prepared by a qualified consultant shall be required to demonstrate compliance with this public purpose.

16. Cultural Resources Protection

- a. The proposed development shall preserve or enhance any important cultural resources that have a specific reference to the past or contributes to the identity of the City;
- b. The proposed development shall provide appropriate functional streetscape improvements, such as public plazas, atriums, gathering spaces, or street furniture.
- c. The proposed development shall preserves functional open space at a level substantially in excess of that required by [Section 421](#) of this CDC.

Table 422-3. Large-Format Retail Public Benefit

Project Size	Public Benefits ¹
12,000-20,000 sf	1 min.
12,001-30,000 sf	2 min.
30,001-40,000 sf	3 min.
>40,000 sf	4 min.

¹ Refer to [Section 422.D.17.b](#) for description of eligible forms of public benefit.

- d. The proposed development shall create exceptional connections to transit, bicycle, and pedestrian facilities.

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17. Public Benefit

- a. Public benefit shall be provided in accordance with Table 422-3.
- b. Public benefit may include:
 - i. **Affordable Housing**
The proposed development contributes land or monies or builds affordable housing facilities for the Yampa Valley Housing Authority to an extent determined by City Council to be an adequate public benefit. The contribution shall be equal to or greater than one percent of the project's land and construction cost valuation as determined by the Routt County Building Department.
 - ii. **Community Facilities**
The proposed development contributes land or builds necessary community facilities as determined by City Council, such as a fire substation, fire apparatus and equipment, transit facilities, or other facilities as approved by the City because of the need for such community facilities. The contribution shall be equal to or greater than one percent of the project's land and construction cost valuation as determined by the Routt County Building Department.
 - iii. **Preservation of Natural Resources**
The proposed development accomplishes preservation of resource lands by a contribution equal to or greater than one percent of the project's land and construction cost valuation as determined by the Routt County Building Department.
 - iv. **Preservation or Enhancement of Cultural or Historic Resources or Public Spaces**
The proposed development accomplishes preservation or enhancement of cultural or historical resources or public spaces by a contribution equal to or greater than one percent of the project's land and construction cost valuation as determined by the Routt County Building Department.
 - v. **Public Art**
The proposed development contributes public art, in accordance with any applicable public art guidelines or policies, equal to or greater than one percent of the project's land and construction cost valuation as determined by the Routt County Building Department. The cost of the art work may include structures which enable the display of the art; expenses incurred within the artist's budget to cover professional fees for the artist; labor of assistants; materials and contracted services required for the production and installation of the art; travel expenses of the artist for site visitation and research; transportation of the art to the site; site preparation for installation; and other installation costs of the completed art.
 - vi. **Infrastructure Improvements**
The proposed development contributes to a special infrastructure improvement fund or for dedication of land and construction of improvements thereon. The contributions shall be one percent or greater of the project's land and construction cost valuation as determined by the Routt County Building Department.
 - vii. **Other**
The proposed development provides other public benefit as approved by City Council.

§ 422 [Ord. No. 2714, 8-27-19] [Ord. No. 2969 7-2-24]

423 ACCESS

423.A Purpose

Ensure safe and efficient access to development.

423.B Applicability

Access standards shall apply to all development in all zone districts unless specifically exempted by this CDC.

423.C Standards

1. Driveways shall comply with City Engineering Standards.
2. The property owner shall provide or agree to provide access easements identified in the West and East Steamboat Springs Access Control Plans.
3. In the RO zone district:
 - a. Lots with vehicular access from a public street may maintain that access.
 - b. Lots without vehicular access from a public street shall obtain access from an alley if there is an alley.
 - c. Vehicular access to garages shall occur from an alley or side street unless a lot does not have legal access to an alley or side street.
4. In MF zone districts:
 - a. Multiple-family residential developments of ten acres or more shall include a minimum of one public street that is continuous through the site and connects to a public street on both ends. The Planning Director may waive this requirement for a through-access street if the applicant demonstrates that there are adequate alternatives available for residents and vehicles to travel through the development to adjacent properties and developments.
 - b. Each entryway serving dwelling units in a multiple-family residential building shall have direct access to a sidewalk, walkway, or trail that leads to a sidewalk adjacent to a public street.
5. In the CO zone district:
 - a. Curb cuts along the Lincoln Avenue and side streets should be minimized.
 - b. No new curb cuts shall be permitted on Lincoln Avenue.
 - c. Existing curb cuts should be utilized whenever possible.
 - d. Primary access to a parking are shall be from an alley. Access from a cross street may be considered when the layout requires doing so.
 - e. Shared driveways should be utilized whenever possible.
6. In the CY-1 zone district, vehicular access shall only occur where current vehicular access exists. No new vehicular access points shall be allowed.
7. In the CY-2 zone district:
 - a. Vehicular access shall occur from an alley or side street unless topographic constraints prohibit such access.
 - b. No more than one driveway shall access any adjacent street from aggregated lots.

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8. In CK and CN zone districts:
 - a. Vehicular access to accessory structures shall occur from an alley or side street unless a lot is not bordered by an alley or side street or unless topographic constraints prohibit such access.
 - b. Wherever possible, vehicular access to principal structures shall occur from an alley or side street.
 - c. No more than one driveway shall access any adjacent street from aggregated lots.
 - d. New driveways shall be designed in a manner that minimizes visual impact, such as utilizing existing or shared access points and using tracks or modular paving materials.
9. In the CC zone district:
 - a. Commercial buildings that access onto US Highway 40 shall share access points to the maximum extent feasible, and existing access points shall be consolidated to the maximum extent practical.
 - b. Adjacent commercial developments shall be interconnected with vehicular driveways and pedestrian facilities to the maximum extent practical.
10. In the EC overlay zone, each individual nonresidential space with exterior frontage on the ground floor of a multi-tenant building shall have individual public access from the outside.

§ 423 [Ord. No. 2760, 7-7-20] [Ord. No. 2932, 10-17-23] [Ord. No. 2984, 11-12-24]

424 POSTAL FACILITIES

424.A Purpose

Ensure postal facilities are provided within residential and nonresidential development to accommodate mail delivery in the community.

424.B Applicability

Postal facilities standards shall apply to all development in all zone districts unless specifically exempted by this CDC.

424.C Standards

1. Postal facilities shall be provided in a form and location approved by the City and the United States Postal Service.
2. Adequate pullout areas shall be provided for cluster box locations to accommodate mail delivery. Pullout areas shall be paved for developments serving more than four residential units.

§ 424 [Ord. No. 2932, 10-17-23] [Ord. No. 2984, 11-12-24]

425 PUBLIC EASEMENT ENCROACHMENTS

425.A Purpose

1. To protect public easements for their intended use.
2. Allow for limited private encroachments into public easements.

425.B Applicability

Public easement encroachment standards shall apply to all private structures and improvements, including landscaping, to be located within a public easement, unless otherwise agreed to by the City in a recorded easement.

425.C Standards

1. No private structures, improvements, or trees shall encroach in a public easement except as reviewed and approved by applicable beneficiaries, or as allowed by [Section 425.C.2](#).
 - a. All public snow storage and drainage easement encroachments are subject to review and approval by the Director of Public Works.
 - b. All public pedestrian and trail easement encroachments are subject to review and approval by the Director of Public Works or Director of Parks and Recreation.
2. The following private structures and improvements may encroach into public utility easements and shall not require a revocable permit:
 - a. Paved surfaces such as driveways, walkways, patios, sidewalks, and trails.
 - b. Fences not more than six feet in height.
 - c. Landscaping such as shrubs, grasses, flowers, or other low growing vegetation.

§ 425 [Ord. No. 2946, 2-27-24] [Ord. No. 2932, 10-17-23] [Ord. No. 2984, 11-12-24]

426 RESERVED

§ 426 [Ord. No. 2984, 11-12-24]

427 RESERVED

§ 427 [Ord. No. 2984, 11-12-24]

428 RESERVED

§ 428 [Ord. No. 2984, 11-12-24]

429 RESERVED

430 RESERVED

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DIVISION 2 | COMMUNITY DESIGN STANDARDS

435 ORGANIZATION OF STANDARDS

435.A Overall Purpose and Intent

1. Purpose

The purpose of this Division is to:

- Define the desired scale and character of development within the city while not dictating any particular architectural style.
- Ensure development that contributes to the overall quality and livability of the community.
- Ensure a built environment that is comfortable, attractive, engaging.
- Recognize the community's unique western character and its role as the traditional regional center for business, entertainment, and recreation.

2. Intent

The intent of this Division is to:

- Guide the desired scale and character of development within the City, regardless of architectural style, by focusing on urban design elements, including the placement, orientation, massing, scale, and materials of buildings.
- Recognize distinct differences in the traditional as well as the desired character of different areas of the City.
- Promote the construction of high quality buildings that will maintain their quality over time and that are functional and respectful of local climate conditions.

435.B Applicability

Community design standards in this Division apply to the following types of development and zone districts within the City. Specific applicability and purpose statements are provided within each Section.

- Duplexes – All Districts except TND transect zones
- Multiple-Family Residential Buildings – CC, CS, MF and CN Zone Districts
- Commercial and Mixed Use Buildings – CC, CS, CN and MF Zone Districts
- Entry Corridor (EC) Overlay Zone District
- Base Area - RR and G Zone Districts
- Commercial Old Town (CO) Zone District
- Commercial Yampa-One (CY-1) Zone District (River frontage)
- Commercial Yampa-Two (CY-2) Zone District
- Commercial Oak (CK) Zone District

435.C Exemptions

Development approved by the Historic Preservation Commission in accordance with the Secretary of the Interior Standards shall be exempt from the Community Design Standards in this Division.

435.D Format

The design standards in this Division are provided in the format of purpose, standards, and guidelines.

1. Purpose by Category

The design standards are organized by categories, and the general purpose of each of the categories is as follows:

a. Building Placement and Orientation

- i. Site buildings to take advantage of natural features and scenic resources.
- ii. Promote a compact pattern of development that promotes pedestrian activity and supports transit usage.
- iii. Establish a pedestrian-friendly scale at the street level, including primary orientation of and access to entrances of mixed-use, commercial, and multifamily buildings.
- iv. Continue the use of porches and stoops that are typical of residential entries in established traditional neighborhoods and that help to maintain a consistent sense of scale and orientation.
- v. Shape public spaces that reinforce pedestrian activity and create a “sense of place” around public and private streets, pedestrian circulation, and gathering areas such as sidewalks, plazas, and parks.
- vi. Promote consideration of development’s impacts on interior and exterior micro-climate comfort through awareness of building massing and orientation relative to seasonal solar exposure, shading, and wind impacts on public circulation and gathering areas.

b. Access

- i. Facilitate ease of wayfinding and access by orienting public access to primary public and private streets, pedestrian circulation, and gathering areas.
- ii. Promote pedestrian scale and interaction by providing high levels of transparency on the ground floors of commercial buildings fronting primary public and private streets, pedestrian circulation, and gathering areas.
- iii. Promote pedestrian scale and interaction by providing direct access to residences on the ground floors of buildings fronting primary public and private streets, pedestrian circulation, and gathering areas.

c. Building Massing

- i. Ensure the scale and massing of development is complementary to the surrounding built and natural context by reflecting the scale and proportions of adjacent structures and the predominant topography and natural features. Massing shall be considered to include the heights, proportions, and orientation of building forms including roof forms.
- ii. Utilize the massing, orientation, and scale of development to complement natural landforms and take advantage of natural features such as scenic and natural resources, topography, and waterbodies.

d. Roof Forms

- i. Vary the form and scale of large roof planes in conjunction with building massing that is complementary to the surrounding built and natural context by complementing the scale and proportions of adjacent structures and the predominant topography and natural features.

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- ii. Assist in the effective and safe management of run-off and snow shedding in a manner that mitigates impacts on public areas, adjoining structures, and other sensitive areas.

e. Surface and Structured Parking

- i. Minimize the visual impacts of surface parking lots on public circulation and gathering areas through the use of intervening buildings, landscaping, and screening.
- ii. Ensure parking structures are compatible with adjacent development in terms of architecture, materials, scale, and screening.
- iii. Incorporate active frontage, such as commercial and residential uses, where parking structures adjoin public circulation and gathering areas.
- iv. Ensure residential parking lots are consistent with existing or desired neighborhood patterns and do not negatively impact adjoining properties or public right-of-way.

f. Building Scale, Variation and Fenestration

- i. Ensure that the scale of development, as reflected in building detail and fenestration, is complementary to the surrounding built and natural context by reflecting the scale and proportions of adjacent structures.
- ii. Avoid large areas of undifferentiated or blank building facades.
- iii. Provide visual interest at the pedestrian level of residential, commercial, and mixed use development within the City's entry corridors through the use of materials, detail and fenestration that provides human scale and a high level of quality, and craftsmanship.
- iv. Create building facades that take advantage of the sunny climate to bring out changes in plane, material, texture, and detail through the interplay of light and shadows.
- v. Promote informal oversight of public spaces or "eyes on the street" by orienting residential and commercial entries and windows toward public circulation and gathering areas.
- vi. Ensure the visibility of pedestrian-oriented uses.

g. Building Materials

- i. Ensure the use of building materials that are suitable to the rigors of the high mountain climate while minimizing maintenance costs and enhancing the long term quality of the development.
- ii. Encourage the use of materials that are evocative of the natural and historical context of the City and are complementary to the existing or desired material palettes found in varied districts such as Old Town or the Base area.
- iii. Enhance the appearance and longevity of commercial, mixed use, and multiple-family residential development through the use of durable materials.
- iv. Ensure roof materials are capable of shedding or retaining snow where necessary.

- h. **Building Color**
 - i. Utilize a range of colors and natural materials that are evocative of local vernacular buildings as well as complementary to the natural mountain backdrop.
 - ii. Limit the use strong primary hues, light colors, and finishes with high reflectivity as accents to the basic color palette in the Base Area and the majority of the City.
 - iii. Allow differentiation of the Downtown commercial area through a broader range of hues and more saturated colors.
 - i. **Mechanical, Service, and Accessory Structures**
 - i. Incorporate mechanical equipment and enclosures in a manner that is integral to the design of the principal structure in terms of form and materials.
 - ii. Mitigate visual and operational impacts of mechanical equipment on surrounding properties.
 - iii. Integrate service functions into buildings and sites in a manner that is complementary to the design of the principal structure and that minimizes visual and operational impacts on adjoining properties.
 - iv. Ensure the location and design of accessory structures is functionally and aesthetically complementary to the principal structure or site design.
2. **Standards**
Design standards are objective criteria that provide specific requirements for compliance. Standards are stated using the term “shall” to indicate compliance is required unless it can be demonstrated that an acceptable alternative meets one or more criteria for a variance. Compliance with the standards is assumed to result in development that achieves the purpose of the standard.
3. **Guidelines**
Guidelines provide considerations to promote the goals defined by the purpose statements. Guidelines are stated using the terms “should” or “may” to indicate they are considered relevant to the purpose but compliance is not required for approval. Guidelines shall be considered when evaluating a Variance or Adjustment to the standard.

§435 [Ord. No. 2650, 5-15-18] [Ord. No. 2932, 10-17-23]

436 DUPLEX DESIGN STANDARDS

436.A Purpose

- 1. Mitigate the impact and predominance of residential garages facing public streets.
- 2. Avoid proliferation of repetitive, mirror-image duplexes by promoting architectural design variation.

436.B Applicability

These community design standards apply to all duplexes and buildings accessory to duplexes in all zone districts except TND transect zones.

436.C Building Placement and Orientation

1. Standards

Not applicable.

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2. Guidelines

- a. Garage doors on all attached street-facing garages should not comprise more than 45 percent of the front façade of the principal building.
- b. No more than two street-facing one-car garage doors, or one street-facing two-car garage door should be visible from the front lot line.

436.D Access

1. Standards

- a. In areas where serviceable alley access is available, driveways and garages shall be accessed from the alley.
- b. Duplexes on corner lots shall have one garage facing each street, unless accessed off the alley or otherwise directed by City access review.
- c. Each side of a duplex shall include a porch or covered entry.
- d. A walkway shall connect each entrance to a public sidewalk or driveway. A door that leads into a garage does not qualify as a front entrance.

2. Guideline

Each dwelling unit should have a clearly defined primary entrance.

436.E Building Massing

1. Standard

Duplexes shall be designed to appear as a single-family dwelling, and the individual dwelling units shall not be designed to mirror each other.

2. Guidelines

Variations in roof forms, building massing, entry and garage orientation should be utilized to avoid symmetrical duplex design.

436.F Roof Forms

1. Standards

Not applicable.

2. Guidelines

- a. Primary roofs should incorporate simple, sloped roofs (gable and hip) on primary building forms. A variety of roof forms should be considered to break up the massing of large buildings and as a form of transition to adjoining developments.
- b. Lower pitched shed roofs and flat roofs should be limited to secondary building forms, such as ground floor entrances and porches, and accessory structures.

436.G Parking

1. Standards

- a. Driveway and garage access shall be taken from an alley or the street with the least potential for conflicts with pedestrian activity.
- b. Garage doors on all street-facing garages shall be recessed in accordance with the following:
 - i. A minimum of five feet behind the façade of the habitable interior of the building; or
 - ii. A minimum of five feet behind a front porch that is a minimum of eight feet wide by five feet deep; or

- iii. A minimum of two feet behind an enclosed second story projection that is at least equal in width to the garage.

2. Guideline

Garages should be designed so as to minimize pedestrian conflicts and to be secondary to the principal dwelling area in prominence.

436.H Building Scale, Variation, and Fenestration

1. Standards

- a. Each half of the duplex shall be architecturally distinct and shall differ on all facades in at least two of the following design elements:
 - i. Silhouette of rooflines; or
 - ii. Massing or building projections; or
 - iii. Entry configuration, including orientation, placement, architectural delineation, porches, or other features; or
 - iv. Size and placement of windows; or
 - v. Front setback; or
 - vi. Difference in unit size of at least 20 percent.
- b. Side-loaded garages shall provide windows or other architectural details that mimic the features of the living portion of the dwelling on the facade of the garage facing the street.

2. Guideline

Duplexes may be designed to appear as one single family dwelling structure.

§ 436 [Ord. No. 2932, 10-17-23] [Ord. No. 2947 2-27-24]

437 MULTIPLE-FAMILY RESIDENTIAL BUILDINGS DESIGN STANDARDS

437.A Purpose

- 1. Provide for development of multiple-family housing while ensuring compatibility with adjacent properties of lower densities.
- 2. Organize buildings to frame easily accessible shared common space that creates a sense of community within a multi-building development.
- 3. Avoid designing parking areas as the dominant use of common space.
- 4. Ensure the scale and massing of development is complementary to the surrounding built and natural context by reflecting the scale and proportions of adjacent structures and the predominant topography and natural features.
- 5. Break down the visual and physical mass and scale of large buildings.

437.B Applicability

These community design standards apply to all multiple-family residential buildings in MF, CN, CC, and CS zone districts.

437.C Building Placement and Orientation

1. Standards

- a. Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation, and gathering areas.

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- b. All new development or significant additions to existing developments adjacent to major public open spaces shall perform a sun/shadow study of the effects of the development on such spaces from autumn through spring (Sept 21-March 21).

2. Guidelines

- a. Development should consider impacts on interior and exterior micro-climate comfort through awareness of building massing and orientation. Maximizing solar exposure and mitigating wind exposure during winter months should be a consideration in public circulation and gathering areas.
- b. Development should be placed and oriented in a manner that is consistent with the traditional or desired development pattern within its immediate context as defined by the established zone district.
- c. Buildings should preserve or enhance views of significant community features from prominent public vantage points as identified in applicable plans.
- d. Development should be designed to complement natural landforms and to take advantage of natural features such as scenic and natural resources, topography, and waterbodies.

437.D Access

1. Standard

Buildings shall prioritize orientation of primary pedestrian entries to predominant public and private streets, pedestrian circulation, and gathering areas.

2. Guidelines

- a. Building entries should enhance activity and vitality in public areas as well as facilitate wayfinding.
- b. Ground floor units in multi-story buildings should include individual ground floor entries to facilitate activity and safety.

437.E Building Massing

1. Standard

- a. The maximum length of any multiple-family residential building shall be 160 feet.
- b. Taller buildings or the portions of buildings that are taller shall be concentrated at corners, along entry corridor roadway frontages, and near transit stops.

2. Guidelines

- a. Development should provide transitions in height and mass when adjoining lower scale districts.
- b. Developments that are significantly larger than adjacent existing development should provide a visual scale transitions utilizing the alignment of horizontal massing, fenestration, and architectural features to reflect the heights of adjacent development.
- c. Building design should mitigate the visual impacts of a large building mass through offsets, projections, variations in roof form and recesses in the facade.
- d. Structures should be massed to complement the topography by placing the greatest height and mass at the base of a slope and reducing height and mass higher on the slope.

437.F Roof Forms

1. General Standards

- a. Multiple-family buildings shall incorporate roof pitches of between 5:12 and 12:12 (rise: run).
- b. Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.

2. Snow Retention, Catchment, and Control Standards

- a. Roofs shall be designed to minimize hazards such as snow or ice falling onto pedestrian walkways, entrances, decks, driveways, parking areas, other areas of public access, or adjacent properties.
- b. All roof systems shall be designed to promote snow retention, minimize snow buildup, minimize the adverse effects of drifting snow, and accommodate snow removal where appropriate. These objectives shall be accomplished using at least one of the following techniques:
 - i. Orienting pitched roof forms away from high traffic areas or incorporating snow guards; or
 - ii. Incorporating flat-roof snow catchment and control areas in combination with pitched roof surfaces and snow guards to control shedding and accommodate snow removal.
- c. Roof areas downwind of parapet walls, taller building masses, and higher roof areas, that are particularly prone to snowdrift accumulation, shall be designed to avoid structural overloading, blockage of openings and equipment, water infiltration, and “roof avalanches.”
- d. Valleys created by slope changes in pitched roof forms shall be minimized to reduce snow buildup and resulting roof damage from “snow creep.” Where valleys are unavoidable, they shall be broad and open, and roof systems shall be selected that do not provide resistance to lateral “snow creep” across the roof surface.
- e. Flat-roof snow catchment and control areas, that occur where flat roofs are used in conjunction with pitched roofs, shall be no less than an area one-third as wide as the tributary pitched roof surface unless it can be demonstrated that a smaller catchment area can safely manage snow accumulation.

3. Roof Overhang Standards

- Pitched roof forms that overhang exterior building walls shall be designed to avoid shedding onto unprotected pedestrian or vehicular areas or other areas subject to unimpeded public access by:
- a. Shedding onto landscaped areas designed for snow storage and that discourage public access and use. Ground-level areas designated to accommodate roof snow shed extending as far out from the building wall as the building is tall, depending on roof slope and frictional resistance; or
 - b. Managing and mitigating snow and ice accumulation on such roof forms through the use of snow guards, ice melting devices, or roofing details which minimize the formation of ice dams.
 - c. Shedding onto lower flat roofs capable of safely intercepting and storing snow to be melted and removed using the building roof drain system. Such lower roof areas located on the leeward side of the building are subject to drift accumulation and shall be designed to manage such drifting conditions.

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4. Green Roof Standards

If a green roof occupies more than 50 percent of the total area of any building's primary roof surface, the minimum requirement for pitched roof provision shall be waived provided the building design complies with the other major design standard intentions.

5. General Guidelines

- Pitched roofs are preferred outside of the downtown area.
- Roof forms should balance compatibility with the character of the area with snow retention and snow shed considerations. The choice of roof pitch should include consideration of if and where the roof will hold or release snow to avoid hazards to people and property below.
- A variety of roof forms should be considered to break up the massing of large buildings and as a form of transition to adjoining developments.
- In the EC overlay zone, development should incorporate sloping roof forms that are appropriate to regions of heavy mountain snow. Gable, hip, or shed roof forms should be used on the principal building form. Flat roofs may be provided on secondary building elements.

437.G Surface and Structured Parking

1. Surface Parking Standards

- On lots with two street frontages surface parking shall not be placed between the principal structures and a public street.
- On lots with one street frontage surface parking shall not be the primary presence along such street frontage. Parking shall not be placed between the principal structure and the street, but may be placed to the side of a primary structure provided that the amount of frontage occupied by parking shall not exceed the width of the building frontage.
- Surface parking shall be screened from public streets by buildings, landforms, walls or fences not more than four feet in height, and landscaping.

2. Surface Parking Guidelines

- Surface parking should not be the predominant frontage on arterial or collector streets.
- The majority of surface parking should be located away from or screened from public streets by buildings, landforms, or landscaping.
- Pedestrian vehicle conflicts should be avoided where an alternate access point is possible.
- The impact of parking located between public and private streets, pedestrian circulation, and gathering areas should be minimized by limiting the need to walk through parking lots to access building entries, provision of dedicated pedestrian walkways through parking areas, and limiting the dimension of intervening parking areas.

3. Structured Parking Standards

- Parking structures shall be located and oriented to provide pedestrian access to adjacent public and private streets, pedestrian circulation, and gathering areas and to mitigate pedestrian vehicular conflicts.
- Parking structures shall be located and designed to significantly screen or buffer views of parked cars from surrounding properties.

- c. Parking structures shall be wrapped with residential uses to screen the structure and provide active frontage.
 - d. Where the feasibility of wrapping parking structures with residential uses is limited to a portion of the overall structure, active uses shall be focused along those facades adjacent to or most visible from major public streets, pedestrian circulation, and gathering areas.
 - e. Those portions of any parking structure that cannot be wrapped with residential uses shall incorporate proportions, materials, and finishes that are complementary to adjacent principal structures, including the use of three or more of the following architectural features:
 - i. Emphasis of the vertical and horizontal structural system defining a pattern of building bays; or
 - ii. Variations in wall plane not less than four inches in depth; or
 - iii. A pattern of openings and fenestration similar in size and proportion to adjacent buildings; or
 - iv. Variations in color, texture, or materials; or
 - v. Variation in roof forms or parapet height; or
 - vi. Arcades, porticos, or other forms of covered exterior circulation; or
 - vii. Permanent architectural awnings.
 - f. Sloped ramps or decks shall not be exposed on the side of the structure facing a public right-of-way, excluding alleys, and shall be located on the interior of the structure or a façade facing the interior of the property.
- 4. Structured Parking Guidelines**
- a. Parking structures should be set back from public streets and pedestrian gathering or circulation areas and wrapped with active uses wherever possible, particularly on the ground floor.
 - b. Where it is not feasible to wrap the perimeter of a parking structure with active uses, a pattern of surface variation, materials, and fenestration complementary to the principal residential buildings should be used.
 - c. The use of deep structural elements, fenestration, or screening systems around the perimeter should be considered to screen oblique views into parking structures while maintaining natural ventilation.
 - d. To avoid pedestrian vehicle conflicts, major access points along the area's primary street network should be avoided where an alternate access point is possible.
- 5. Garage Standards**
- a. Individual garages shall be either incorporated into the principal building mass or shall be within accessory structures that are complementary to the principal buildings in terms of form, materials, and finishes.
 - b. Garages incorporated into the principal building mass shall be recessed a minimum of four feet behind the front façade of the dwelling portion of the building or recessed a minimum of two feet beneath a second floor bay.
 - c. A straight run of more than two street-oriented garage doors shall be prohibited.
 - d. Banks of more than two garage doors shall be interrupted by an entry to the building.

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- e. Street-oriented front-loading garage doors shall not comprise more than 45 percent of the front façade of the principal structure.
- f. Freestanding garage banks shall not exceed 60 feet in length. The maximum length shall be increase to 80 feet if second floor residential units are incorporated above them.
- g. Freestanding garage banks shall incorporate materials, scale, colors, detailing, and roof slopes complementary to those found on the principal buildings.

6. Garage Guidelines

- a. Freestanding garage banks should be broken up into smaller structures and dispersed through the site.
- b. Garages that incorporate upper floor residential uses may utilize larger footprints as necessary to accommodate residential unit dimensions. Extended lengths of multiple garage bays should be broken up by pedestrian entries, building off-sets or other variations in building design to mitigate the visual impact of multiple garage bays.
- c. All freestanding garage banks should be complementary to the architecture and placement of principal buildings and common areas.

437.H Building Scale, Variation, and Fenestration

1. Building Variation Standards

- a. The facades of all multifamily principal buildings shall provide variation in detail and fenestration through the incorporation of three or more of the following:
 - i. Insets, projections or other relief in the wall plane; or
 - ii. Porches; or
 - iii. Balconies; or
 - iv. Bay or box windows; or
 - v. Variations in window size or proportions; or
 - vi. Variations in materials; or
 - vii. Variations in roof forms, including use of dormers.

Table 437-1. Building Variation

Number of Buildings	Models Required
3-5	2 min.
6-11	3 min
≥12	1 per 4 buildings min.

- b. Multi-building developments with buildings of four or more units per building shall incorporate a variety of distinct building designs according to the scale of the development in accordance with Table 437-1.
- c. When required by Table 437-1, building variation shall be provided through a minimum of two of the following:
 - i. Variation in length of 30% or more; or
 - ii. Variation in the footprint of the building of 30% or more; or
 - iii. Variation in the housing type contained in the building that results in a significantly different exterior scale and mass, i.e., apartments vs. townhomes or duplexes; or

- iv. Distinct variation in building height and roof form; or
 - v. Distinct variation in color and use of materials.
 - d. In the EC overlay zone, building design shall not be recognizable by its architecture as a standard trademark design utilized in other communities in the state or across the country.
- 2. Townhome Variation Standards**
- a. No more than six townhome units shall be attached in any single row or straight line.
 - b. Within each townhome row or cluster, individual units shall be differentiated by variations included but not limited to two or more of the following methods:
 - i. Distinct variations in architectural style or features, such as a porch or similar feature, between individual units; or
 - ii. Distinct variations in roof form; or
 - iii. Variation in garage orientations; or
 - iv. Variation in the plane of the front façade to provide a minimum three-foot off-set between individual units; or
 - v. Distinct color variation between individual units; or
 - vi. Distinct variations in materials between individual units.
- 3. Building Scale, Variation and Fenestration Guidelines**
- a. New development should be designed “in-the-round” to acknowledge its mountain-valley setting that typically allows buildings to be viewed from multiple angles and viewpoints, such as from the slopes above, from below, from significant distances, as well as from the adjoining street level.
 - b. All building facades should be designed with a similar level of design detail. Blank walls should be avoided except where functionally prohibitive and oriented away from highly visible and active pedestrian areas.
 - c. Building design should mitigate the visual impacts of a large building mass through offsets, projections, and recesses in the façade.
 - d. New developments that are significantly larger than adjacent existing development should provide visual scale transitions utilizing the alignment of horizontal massing, fenestration, and architectural features to reflect the heights of adjacent development.
 - e. Buildings that are three or more stories in height should incorporate a recognizable base, middle, and top through the use of changes in material, variations in fenestration patterns, architectural detail, or other features.
 - f. The scale of large buildings should be mitigated through the use of varied materials that help differentiate and break down the mass into small volumes or differentiate between floors.
 - g. Building elevations should be articulated to provide visual interest by varying the shape or pattern of windows, building materials, textures, details, and colors. Building elements such as decks, balconies, recessed or projecting shading features, snow control devices, and other elements should be considered.
 - h. Window size, proportion, and placement should be used to provide variation within large buildings and among units in multi-unit development.

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- i. Roof overhangs, projections, reveals, and awnings or canopies should contribute to the character of the building and create shadow patterns while aiding in protection of the structure and pedestrians.
- j. Exceptions from the standards may be granted for those areas of the building envelope that are not visible from adjacent development and public spaces.

4. Glazing and Transparency Standards

Transparent glazing, including glazed doors, shall be provided as follows:

- a. A minimum of 25 percent of the wall area of all floors on all building facades.
- b. In the EC overlay zone:
 - i. A minimum of 30 percent of the wall area of all ground floor building facades facing public circulation or gathering areas.
 - ii. A minimum of 40 percent of the wall area of all pedestrian-active building frontage.
 - iii. A minimum of 25 percent of the wall area of all upper floor building facades.
- c. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.
- d. Reflective glazing is prohibited.

5. Glazing and Transparency Guidelines

- a. Extensive glazing should be utilized to take advantage of views and avoid large areas of blank walls.
- b. Clear glazing incorporating UV protection technology should be used.
- c. Spandrel glass meeting color and reflectivity standards may be permitted to continue fenestration patterns where transparent glazing is functionally prohibited.

437.I Building Materials

1. Standards

- a. Building materials shall comply with [Appendix C](#) Table C-1.
- b. Changes in materials shall occur where wall planes meet at an inside corner to avoid the appearance of exterior materials as veneers.

2. Guidelines

- a. All development should use durable materials, suitable for the rigors of the mountain climate, to minimize maintenance costs and ensure the long-term quality appearance of the development.
- b. A broad palette of materials that creatively complement the existing or desired range of materials, textures, and finishes in the surrounding context should be considered. Natural materials and finishes such as wood, masonry, unpolished metals, clear glass, architectural concrete, and plaster may be considered appropriate.
- c. Materials that are not included in [Appendix C](#) Table C-1 may be considered provided they can be shown to be of a comparable quality, durability, and character.

437.J Building Color

1. Standards

Building colors shall be selected in compliance with [Appendix B](#).

2. Guidelines

- a. A range of colors should be used that are evocative of local vernacular buildings and landscapes that will complement, rather than stand out against, the areas entry corridor landscape and mountain backdrop.
- b. Light colors and finishes with high reflectivity should only be used as accents to the basic color palette.
- c. Bright or highly reflective metal finishes should be limited to accents or details and should not be used on large building areas or features.
- d. Earth-toned building and roof colors should be considered appropriate for any building or roof element.

437.K Mechanical, Service, and Accessory Structures

1. Mechanical Equipment Screening Standards

- a. Rooftop mechanical equipment shall be concealed from view from nearby public and private properties.
- b. Screening shall be complementary to the building form, materials, detailing, and colors.

2. Mechanical Equipment Screening Guidelines

All mechanical equipment attached to the building should be located away from public view or incorporated into the building massing in a manner that is complementary to the principal building in terms of form, materials, detailing, and color.

3. Service Location and Screening Standards

- a. Trash collection and other service functions shall be located away from public view or screened in a manner that is complementary to the principal building form, materials, detailing, and colors.
- b. Chain link, with or without slats, shall not be used to satisfy this screening requirement.

4. Service Location and Screening Guidelines

- a. Trash collection and other service functions should be incorporated into the form of the principal building.
- b. Trash collection and other service functions should be located away from primary street frontage and oriented toward on-site service access points.
- c. Multi-building developments should gather service functions into convenient shared facilities, where possible, to minimize dispersed impacts.

5. Accessory Structures Standards

Placement, form, materials, detailing, and colors of accessory structures shall be complementary to the principal structure, or they shall be designed to blend in with the landscape and be hidden to the greatest degree possible.

6. Accessory Structures Guidelines

Accessory structures should either be complementary to primary structures or placed and screened to be as unobtrusive as possible.

§ 437 [Ord. No. 2669, 12-4-18] [Ord. No. 2760, 7-7-20] [Ord. No. 2947 2-27-24] [Ord. No. 2969 7-2-24]

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438 COMMERCIAL AND MIXED USE BUILDINGS DESIGN STANDARDS

438.A Purpose

1. Provide for development of commercial and mixed-use buildings while ensuring compatibility with adjacent properties of lower densities.
2. Organize and design the siting of buildings to create vibrant and pedestrian-active spaces.
3. Avoid designing parking areas as the dominant use of space.
4. Ensure the scale and massing of development is complementary to the surrounding built and natural context by reflecting the scale and proportions of adjacent structures and the predominant topography and natural features.
5. Break down the visual and physical mass and scale of large buildings.

438.B Applicability

These community design standards shall apply to all nonresidential and mixed use buildings in MF, CN, CC, and CS zone districts.

438.C Building Placement and Orientation

1. Standards

- a. Development shall be placed and oriented in a manner that is consistent with the traditional or desired development pattern within its immediate context as defined by the established zone district.
- b. Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation, and gathering areas.
- c. All new development or significant additions to existing developments adjacent to major public open spaces shall perform a sun/shadow study of the effects of the development on such spaces from autumn through spring (Sept 21-March 21).

2. Guidelines

- a. Development should consider impacts on interior and exterior micro-climate comfort through awareness of building massing and orientation. Maximizing solar exposure and mitigating wind exposure during winter months should be a consideration in public circulation and gathering areas.
- b. Development should preserve or enhance views of significant community features from prominent public vantage points such as public gathering areas.
- c. Development should be designed to complement natural landforms and to take advantage of natural features such as scenic and natural resources, topography and waterbodies.

438.D Access

1. Standard

Buildings shall include entries oriented to predominant public and private streets, pedestrian circulation, and gathering areas.

2. Guideline

Building and site design should prioritize orientation of primary entries and pedestrian access to predominant public and private streets, pedestrian circulation, and gathering areas.

438.E Building Massing

1. Standards

- a. The mass of a single building or group of buildings shall be organized so that it appears to be an arrangement of smaller-scale connected structures comprised of simple building forms. The buildings shall be arranged to present significant changes in massing and roof height.
- b. Building walls that exceed three stories or 45 feet of unbroken height, as measured from finished grade to the underside of the eaves or top of parapet, shall provide step backs at least eight feet in depth and between 12 feet and 45 feet above finished grade depending on the height of the structure and the surrounding development context.
- c. Buildings that are three stories or more in height shall incorporate a recognizable base, middle, and top through the use of changes in material, architectural accents, or other features.
- d. Taller buildings or the portions of buildings that are taller shall be concentrated at corners, along entry corridor roadway frontages, and near transit stops.

2. Guidelines

- a. Development should provide transitions in height and mass when adjoining lower scale districts.
- b. Developments that are significantly larger than adjacent existing development should provide a visual scale transitions utilizing the alignment of horizontal massing, fenestration, and architectural features to reflect the heights of adjacent development.
- c. Building design should mitigate the visual impacts of a large building mass through offsets, projections, and recesses in the facade.
- d. Step backs in building massing should be provided to achieve at least one of the following:
 - i. Relate to the surrounding development context; or
 - ii. Provide human scale adjacent to public and private streets, pedestrian circulation, and gathering areas; or
 - iii. Provide transitions in scale between pedestrian areas and large building masses; or
 - iv. Provide modulation and articulation to otherwise large expansive walls.
- e. Structures should be massed to complement the topography by placing the greatest height and mass at the base of a slope and reducing height and mass higher on the slope.
- f. Where large variations in topography or other unique site constraints exist, alternatives to the building height and massing standards may be considered.
- g. It is not the intent of these standards and guidelines to create “wedding cake” building forms.

438.F Roof Forms

1. General Standards

- a. A variety of roof forms and surfaces (pitched, shed, and dormers) shall be incorporated into structures to break up large roof planes, provide visual interest, and manage snow loads.

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Table 438-1. Entry Corridor Roof Pitch

Footprint of Building	Portion of Roof with Minimum Pitch
≤12,000 sf	2/3 min.
≥12,000 sf	1/3 min.

- b. Pitched roofs shall be incorporated to provide a distinct form difference from the Downtown commercial districts.
- c. All standards governing primary pitched roofs and shed roofs shall also be applicable to dormer roofs.
- d. In the EC overlay zone, buildings shall incorporate a minimum roof pitch of 3:12 (rise: run) in accordance with Table 438-1.

2. Snow Retention, Catchment, and Control Standards

- a. Roofs shall be designed to minimize hazards such as snow or ice falling onto pedestrian walkways, entrances, decks, driveways, parking areas, other areas of public access, or adjacent properties.
- b. All roof systems shall be designed to promote snow retention, minimize snow buildup, minimize the adverse effects of drifting snow, and accommodate snow removal where appropriate. These objectives shall be accomplished using at least one of the following techniques:
 - i. Orienting pitched roof forms away from high traffic areas or incorporating snow guards; or
 - ii. Incorporating flat-roof snow catchment and control areas in combination with pitched roof surfaces and snow guards to control shedding and accommodate snow removal.
- c. Roof areas downwind of parapet walls, taller building masses, and higher roof areas, that are particularly prone to snowdrift accumulation, shall be designed to avoid structural overloading, blockage of openings and equipment, water infiltration, and “roof avalanches.”
- d. Valleys created by slope changes in pitched roof forms shall be minimized to reduce snow buildup and resulting roof damage from “snow creep.” Where valleys are unavoidable, they shall be broad and open, and roof systems shall be selected that do not provide resistance to lateral “snow creep” across the roof surface.
- e. Flat-roof snow catchment and control areas, that occur where flat roofs are used in conjunction with pitched roofs, shall be no less than an area one-third as wide as the tributary pitched roof surface unless it can be demonstrated that a smaller catchment area can safely manage snow accumulation.

3. Roof Overhang Standards

Pitched roof forms that overhang exterior building walls shall be designed to avoid shedding onto unprotected pedestrian or vehicular areas or other areas subject to unimpeded public access by:

- a. Shedding onto landscaped areas designed for snow storage and that discourage public access and use. Ground-level areas designated to accommodate roof snow shed extending as far out from the building wall as the building is tall, depending on roof slope and frictional resistance; or
- b. Managing and mitigating snow and ice accumulation on such roof forms in order to minimize ice dam formation,

- c. Shedding onto lower flat roofs capable of safely intercepting and storing snow to be melted and removed using the building roof drain system. Such lower roof areas located on the leeward side of the building are subject to drift accumulation and shall be designed to manage such drifting conditions.
- 4. Green Roof Standards**
If a green roof occupies more than 50 percent of the total area of any building's primary roof surface, the minimum requirement for pitched roof provision shall be waived provided the building design complies with the other major design standard intentions.
- 5. General Guidelines**
 - a. Development should incorporate sloping roof forms that are appropriate to regions of heavy mountain snow. Gable, hip, or shed roof forms should be used on the principal building form. Flat roofs may be provided on secondary building elements.
 - b. Roof forms should balance compatibility with the character of the area with snow retention and snow shed considerations. The choice of roof pitch should include consideration of if and where the roof will hold or release snow to avoid hazards to people and property below.
 - c. Decorative roof elements should not appear to be "tacked on," but shall be combined with other roof or wall elements to create an attractive facade from all sides of the building exposed to public areas.

438.G Surface and Structured Parking

- 1. Surface Parking Standards**
 - a. On lots with two street frontages surface parking shall not be placed between the principal structures and a public street.
 - b. On lots with one street frontage surface parking shall not be the primary presence along such street frontage. Parking shall not be placed between the principal structure and the street, but may be placed to the side of a primary structure provided that the amount of frontage occupied by parking shall not exceed the width of the building frontage.
 - c. Surface parking shall be screened from public streets by buildings, landforms, walls or fences not more than four feet in height, and landscaping.
- 2. Surface Parking Guidelines**
 - a. Surface parking should not be the predominant frontage on public streets.
 - b. The majority of surface parking should be located away from or screened from public streets by buildings, landforms, and landscaping.
 - c. Pedestrian vehicle conflicts should be avoided where an alternate access point is possible.
 - d. The impact of parking located between public and private streets, pedestrian circulation, and gathering areas should be minimized by limiting the need to walk through parking lots to access building entries, provision of dedicated pedestrian walkways through parking areas, and limiting the dimension of intervening parking areas.
- 3. Structured Parking Standards**
 - a. Parking structures shall be located and oriented to provide pedestrian access to adjacent public and private streets, pedestrian circulation, and gathering areas and to mitigate pedestrian vehicular conflicts.

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- b. Parking structures shall be located and designed to significantly screen or buffer views of parked cars from surrounding properties.
- c. The ground floor of parking structures shall be wrapped with active uses, such as retail storefronts or residential uses, to screen the structure and provide active frontage.
- d. Where the feasibility of wrapping parking structures with retail storefronts or residential uses is limited to a portion of the overall structure, active uses shall be focused along those facades adjacent to or most visible from major public streets, pedestrian circulation, and gathering areas.
- e. Those portions of any parking structure that cannot be wrapped with active uses shall incorporate proportions, materials, and finishes that are complementary to adjacent principal structures, including the use of three or more of the following architectural features:
 - i. Emphasis of the vertical and horizontal structural system defining a pattern of building bays; or
 - ii. Variations in wall plane not less than four inches in depth; or
 - iii. A pattern of openings and fenestration; or
 - iv. Architectural emphasis of building entries; or
 - v. Balconies; or
 - vi. Variations in color, texture, or materials; or
 - vii. Variation in roof forms or parapet height; or
 - viii. Arcades, porticos, or other forms of covered exterior circulation; or
 - ix. Permanent architectural awnings.
- f. Sloped ramps or decks shall not be exposed on the side of the structure facing a public right-of-way, excluding alleys, and shall be located on the interior of the structure or a façade facing the interior of the property.

4. Structured Parking Guidelines

- a. Parking structures should be set back from public streets and pedestrian gathering or circulation areas and wrapped with active uses wherever possible, particularly on the ground floor.
- b. Where it is not feasible to wrap the perimeter of a parking structure with active uses, a pattern of surface variation, materials, and fenestration complementary to the principal buildings should be used.
- c. The use of deep structural elements, fenestration, or screening systems around the perimeter should be considered to screen oblique views into parking structures while maintaining natural ventilation.
- d. To avoid pedestrian vehicle conflicts, major access points along the area's primary street network should be avoided where an alternate access point is possible.

438.H Building Scale, Variation, and Fenestration

1. Scale and Variation Standards

- a. The perceived mass and scale of commercial/mixed-use buildings shall be reduced by incorporating smaller design elements consistent with the character of the development. The facades shall be articulated through the incorporation of three or more of the following:

- i. Variation in roof forms or parapet heights; or
- ii. Insets, projections or other relief in the wall plane; or
- iii. Architectural emphasis of building entries; or
- iv. Arcades, porticos or other forms of covered exterior circulation; or
- v. Variations in window size or proportions; or
- vi. Balconies; or
- vii. Variation in color, texture or materials.
- b. Building design shall not be recognizable by its architecture as a standard trademark design utilized in other communities in the state or across the country.

2. Scale and Variation Guidelines

- a. New development should be designed “in-the-round” to acknowledge its mountain-valley setting that typically allows buildings to be viewed from multiple angles and viewpoints, such as from the slopes above, from below, from significant distances, and from the street level.
- b. All building facades should be designed with a similar level of design detail. Blank walls should be avoided except where functionally prohibitive and oriented away from highly visible and active pedestrian areas.
- c. Building design should mitigate the visual impacts of a large building mass through offsets, projections, and recesses in the façade.
- d. Buildings that are three or more stories in height should incorporate a recognizable base, middle, and top through the use of changes in material, variations in fenestration patterns, architectural detail, or other features.
- e. The scale of large buildings should be mitigated through the use of varied materials that help differentiate and break down the mass into small volumes or differentiate between floors.
- f. Building elevations should be articulated to provide visual interest by varying the shape or pattern of windows, building materials, textures, details, and colors. Building elements such as decks, balconies, recessed or projecting shading features, snow control devices, and other elements should be considered.
- g. Building design should avoid blank walls and large undifferentiated expanses of wall surface exposed to public pedestrian rights of way, plazas, or parks.
- h. Roof overhangs, projections, reveals, and awnings or canopies should contribute to the character of the building and create shadow patterns while aiding in protection of the structure and pedestrians.
- i. Exceptions from the standards may be granted for those areas of the building envelope that are not visible from adjacent development and public spaces.

3. Glazing and Transparency Standards

- a. Transparent glazing, including glazed doors, shall be provided as follows:
 - i. A minimum of 30 percent of the wall area of all ground floor building facades facing public circulation or gathering areas.
 - ii. A minimum of 40 percent of the wall area of all pedestrian-active building frontage.
 - iii. A minimum of 25 percent of the wall area of all upper floor building facades.

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- b. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.
- c. Reflective glazing is prohibited.

4. Glazing and Transparency Guidelines

- a. Clear glazing incorporating UV protection technology should be used.
- b. Spandrel glass meeting color and reflectivity standards may be permitted to continue fenestration patterns where transparent glazing is functionally prohibited.

438.I Building Materials

1. Standards

- a. Building materials shall comply with [Appendix C](#) Table C-1.
- b. Changes in materials shall occur where wall planes meet at an inside corner to avoid the appearance of exterior materials as veneers.

2. Guidelines

- a. All development should use durable materials, suitable for the rigors of the mountain climate, to minimize maintenance costs and ensure the long-term quality appearance of the development.
- b. A broad palette of materials that creatively complement the existing or desired range of materials, textures, and finishes in the surrounding context should be considered. Natural materials and finishes such as wood, masonry, unpolished metals, clear glass, architectural concrete, and plaster may be considered appropriate.
- c. Materials that are not included in [Appendix C](#) Table C-1 may be considered provided they can be shown to be of a comparable quality, durability, and character.

438.J Building Color

1. Standards

Building colors shall be selected in compliance with [Appendix B](#).

2. Guidelines

- a. A range of colors should be used that are evocative of local vernacular buildings and landscapes that will complement, rather than stand out against, the areas entry corridor landscape and mountain backdrop.
- b. Light colors and finishes with high reflectivity should only be used as accents to the basic color palette.
- c. Bright or highly reflective metal finishes should be limited to accents or details and should not be used on large building areas or features.
- d. Earth-toned building and roof colors should be considered appropriate for any building or roof element.

438.K Mechanical, Service, and Accessory Structures

1. Mechanical Equipment Screening Standards

- a. Rooftop mechanical equipment shall be concealed from view from nearby public and private properties.
- b. Screening shall be complementary to the building form, materials, detailing, and colors.

2. **Mechanical Equipment Screening Guideline**
All mechanical equipment attached to the building should be located away from public view or incorporated into the building massing in a manner that is complementary to the principal building in terms of form, materials, detailing, and color.
3. **Service Location and Screening Standards**
 - a. Loading docks, truck parking, trash collection, drive-through facilities, and other service functions shall be located away from public view or screened in a manner that is complementary to the principal building form, materials, detailing, and colors.
 - b. Chain link, with or without slats, shall not be used to satisfy this screening requirement.
4. **Service Location and Screening Guidelines**
 - a. Loading docks, truck parking, trash collection, drive-through facilities, and other service functions should be incorporated into the form of the principal building.
 - b. Loading docks, truck parking, trash collection, drive-through facilities, and other service functions should be located away from primary street frontage and oriented toward on-site service access points.
 - c. Multi-building developments should gather service functions into convenient shared facilities, where possible, to minimize dispersed impacts.
5. **Accessory Structures Standards**
Placement, form, materials, detailing, and colors of accessory structures shall be complementary to the principal structure, or they shall be designed to blend in with the landscape and be hidden to the greatest degree possible.
6. **Accessory Structures Guidelines**
Accessory structures should either be complementary to the design of the primary structure or placed and screened to be as unobtrusive as possible.

§ 438 [Ord. No. 2733, 12-23-19] [Ord. No. 2760, 7-7-20]

439 RESERVED

§ 439 [Ord. No. 2760, 7-7-20]

440 BASE AREA DESIGN STANDARDS

440.A Purpose

1. Create a distinct and unified architectural character that creates a sense of community, heritage, and harmony within the larger landscape.
2. Provide accommodation for the high-density, high-amenity residential and resort uses consistent with the gateway area to the mountain resort community.
3. Ensure all development reinforces the interconnection of the resort area through a high quality, integrated, and active pedestrian system of public streets, sidewalks, recreational paths, open spaces, and gathering areas.
4. Ensure the densest development in the City accommodates flexibility and creativity in the development of land in order to provide a quality pedestrian-oriented environment.
5. Ensure the scale and massing of development in the G zone districts are complementary to the surrounding built and natural context by reflecting the scale and proportions of adjacent structures and the predominant topography and natural features.
6. Create a unique mountain design vocabulary that is related to but discrete from that of the original historic town of Steamboat proper.

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7. Reflect the western building tradition of strong, simple, traditional building forms as seen in ranch complexes and older, WPA-era national park hotels.
8. Break down the visual and physical mass and scale of larger buildings within the Base Area.

440.B Applicability

These community design standards shall apply to all development on property located within the RR and G zone districts. These standards may be modified or waived by the Decision Maker for development that meets one of the following criteria:

1. Additions of less than 20 percent of the gross floor area of the existing principal building; or
2. Development that meets the applicability of a Minor Modification.

440.C Building Placement and Orientation

1. Standards

- a. Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation, and gathering areas.
- b. In the RR-2 and G zone districts and development with greater than six residential units in the RR-1 zone district, all residential and lodging developments shall provide an amenity space or structure that may include recreational equipment storage, hot tubs, swimming pools, meeting rooms, fitness equipment, and personal services. Recreational amenities may be located on terraces, decks, or roof tops. The area dedicated to amenities shall be a minimum of ten percent of the net floor area.
- c. Development with an estimated construction cost of more than \$250,000 shall either:
 - i. Provide on-site community amenities in an amount equal to one percent of the construction valuation; or
 - ii. Provide a contribution for community amenities in an amount equal to one percent of the construction valuation; or
 - iii. Provide a combination of on-site amenities and a contribution that is determined to be equal to one percent of the construction valuation.
- d. In the G-2 zone district, all developments with property along the ski mountain edge or along designated public gathering areas (as designated in the Mountain Town Sub-Area Plan or successive plans) shall provide area specifically designated, designed and used for gathering, sitting, recreation, entertainment or other like activities. Such areas shall include amenities that facilitate an attractive and comfortable pedestrian environment.
- e. All new development or significant additions to existing developments adjacent to major public open spaces shall perform a sun/shadow study of the effects of the development on such spaces from autumn through spring (Sept 21-March 21).

2. Guidelines

- a. Development should place and orient primary pedestrian circulation, gathering areas, and entries to take advantage of winter season solar exposure where possible.
- b. Development should consider impacts on interior and exterior micro-climate comfort through awareness of building massing and orientation. Maximizing solar exposure and mitigating wind exposure during winter months should be a consideration in public circulation and gathering areas. Specific elements to be considered include whether the structure rises in a straight vertical line from its base or if the upper levels are stepped back to improve solar access and how the design of the structure affects shadows onto pedestrian areas.

- c. Buildings should preserve or enhance views of the ski area and significant community features from prominent public vantage points.
- d. Development should be designed to complement natural landforms and to take advantage of natural features such as scenic and natural resources, topography and waterbodies.
- e. Trade-offs between a taller structure with less site coverage versus a shorter structure with more site coverage should be evaluated.

440.D Access

1. Standards

- a. Buildings shall prioritize orientation of primary entries to predominant public and private streets, pedestrian circulation, and gathering areas.
- b. Each individual nonresidential space with exterior frontage on the ground floor of a multi-tenant building shall have individual public access from the outside.
- c. Primary building entrances shall be clearly distinguished and prominent.

2. Guideline

Buildings should prioritize orientation of primary entries to predominant public and private streets, pedestrian circulation, and gathering areas.

440.E Building Massing

1. Standards

- a. The mass of a single building or group of buildings shall be organized so that it appears to be an arrangement of smaller-scale connected structures comprised of simple building forms.
- b. Structures shall be massed to complement the topography by placing the greatest height and mass at the base of a slope and reducing height and mass higher on the slope.
- c. Building walls that exceed three stories or 45 feet of unbroken height, as measured from finished grade to the underside of the eaves or top of parapet, shall provide step backs at least eight feet in depth and between 12 feet and 45 feet above finished grade depending on the height of the structure and the surrounding development context.
- d. Step backs in building massing shall be provided to achieve at least one of the following:
 - i. Relate to the surrounding development context; or
 - ii. Limit heights to no more than two stories immediately adjacent to public and private streets, pedestrian circulation, and gathering areas; or
 - iii. Provide transitions in scale between pedestrian areas and large building masses; or
 - iv. Provide modulation and articulation to otherwise large expansive walls.

2. Guidelines

- a. Development should provide transitions in height and mass when adjoining lower scale districts.
- b. Developments that are significantly larger than adjacent existing development should provide a visual scale transitions utilizing the alignment of horizontal massing, fenestration, and architectural features to reflect the heights of adjacent development.

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- c. Building design should mitigate the visual impacts of a large building mass through offsets, projections, and recesses in the facade.
- d. Where large variations in topography or other unique site constraints exist, alternatives to the building height and massing standards may be considered.
- e. It is not the intent of these standards and guidelines to create “wedding cake” building forms.

440.F Roof Forms

1. General Standards

- a. A variety of roof forms and surfaces (pitched, shed, and dormers) shall be incorporated into structures to break up large roof planes, provide visual interest, and manage snow loads.
- b. All buildings shall have a pitched roof with a slope of between 6:12 and 12:12 (rise:run) as the primary roof form. Both roof planes of any pitched roof should have the same slope.
- c. Shed roof forms shall be allowed only on secondary building masses and shall have a slope of between 3:12 and 12:12 (rise:run).
- d. Flat roof forms shall be enclosed by a parapet wall of no less than 42 inches in height.
- e. Flat roof forms shall not exceed 50 percent of the total roofed area.
- f. Dormers shall be allowed within any sloping roof plane subject to the following:
 - i. Any single dormer element shall not be longer than one-half of the total length of the associated sloping roof plane; and
 - ii. All standards governing primary pitched roofs and shed roofs shall also be applicable to dormer roofs.

2. Snow Retention, Catchment, and Control Standards

- a. Roofs shall be designed to minimize hazards such as snow or ice falling onto pedestrian walkways, entrances, decks, driveways, parking areas, other areas of public access, or adjacent properties.
- b. All roof systems shall be designed to promote snow retention, minimize snow buildup, minimize the adverse effects of drifting snow, and accommodate snow removal where appropriate. These objectives shall be accomplished using at least one of the following techniques:
 - i. Orienting pitched roof forms away from high traffic areas or incorporating snow guards; or
 - ii. Incorporating flat-roof snow catchment and control areas in combination with pitched roof surfaces and snow guards to control shedding and accommodate snow removal.
- c. Roof areas downwind of parapet walls, taller building masses, and higher roof areas, that are particularly prone to snowdrift accumulation, shall be designed to avoid structural overloading, blockage of openings and equipment, water infiltration, and “roof avalanches.”
- d. Valleys created by slope changes in pitched roof forms shall be minimized to reduce snow buildup and resulting roof damage from “snow creep.” Where valleys are unavoidable, they shall be broad and open, and roof systems shall be selected that do not provide resistance to lateral “snow creep” across the roof surface.

- e. Flat-roof snow catchment and control areas, that occur where flat roofs are used in conjunction with pitched roofs, shall be no less than an area one-third as wide as the tributary pitched roof surface unless it can be demonstrated that a smaller catchment area can safely manage snow accumulation.
- 3. Roof Overhang Standards**

Pitched roof forms that overhang exterior building walls shall be designed to avoid shedding onto unprotected pedestrian or vehicular areas or other areas subject to unimpeded public access by:

 - a. Shedding onto landscaped areas designed for snow storage and that discourage public access and use. Ground-level areas designated to accommodate roof snow shed extending as far out from the building wall as the building is tall, depending on roof slope and frictional resistance; or
 - b. Managing and mitigating snow and ice accumulation on such roof forms to minimize the formation of ice dams.
 - c. Shedding onto lower flat roofs capable of safely intercepting and storing snow to be melted and removed using the building roof drain system. Such lower roof areas located on the leeward side of the building are subject to drift accumulation and shall be designed to manage such drifting conditions.
 - 4. Green Roof Standard**

If a green roof occupies more than 50 percent of the total area of any building's primary roof surface, the minimum requirement for pitched roof provision shall be waived provided the building design complies with the other major design standard intentions.
 - 5. General Guidelines**
 - a. Development should incorporate sloping roof forms that are similar to those used traditionally in regions of heavy mountain snow. Gable, hip, or shed roof forms should be used on the principal building form. Flat roofs may be provided on secondary building elements and for snow catchment areas.
 - b. The proportion of the total roof area devoted to pitched roof forms may vary according to the height and massing of the building to ensure a higher degree of control over snow shedding as building height increases. Smaller, shorter buildings should have the highest proportion of pitched roof coverage and larger, taller buildings should have the lowest proportion.
 - c. Green roof systems are encouraged on float roof sections.

440.G Surface and Structured Parking

- 1. Surface Parking Standards**
 - a. Surface parking shall not be placed between the principal structures and an arterial or collector street.
 - b. Surface parking shall be screened from public streets by buildings, landforms, and landscaping.
- 2. Surface Parking Guidelines**
 - a. Pedestrian vehicle conflicts should be avoided where an alternate access point is possible.
 - b. The impact of parking located between public and private streets, pedestrian circulation, and gathering areas should be minimized by limiting the need to walk through parking lots to access building entries, provision of dedicated pedestrian walkways through parking areas, and limiting the dimension of intervening parking areas.

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3. Structured Parking Standards

- a. Parking structures shall be located and oriented to provide pedestrian access to adjacent public and private streets, pedestrian circulation, and gathering areas and to mitigate pedestrian vehicular conflicts.
- b. Parking structures shall be located and designed to significantly screen or buffer views of parked cars from surrounding properties.
- c. The ground floor of parking structures shall be wrapped with active uses, such as retail storefronts or residential uses, to screen the structure and provide active frontage.
- d. Where the feasibility of wrapping parking structures with retail storefronts or residential uses is limited to a portion of the overall structure, active uses shall be focused along those facades adjacent to or most visible from major public streets, pedestrian circulation, and gathering areas. Commercial uses shall be prioritized on the street level where the depth of commercial space can be accommodated within the depth of a row of parking stalls.
- e. Those portions of any parking structure that cannot be wrapped with active uses shall incorporate proportions, materials, and finishes that are complementary to adjacent principal structures, including the use of three or more of the following architectural features:
 - i. Emphasis of the vertical and horizontal structural system defining a pattern of building bays; or
 - ii. Insets, projections or other relief in the wall plane; or
 - iii. Windows or window shaped openings; or
 - iv. Architectural emphasis of building entries; or
 - v. Variations in color, texture, or materials; or
 - vi. Variation in roof forms or parapet height; or
 - vii. Arcades, porticos, or other forms of covered exterior circulation; or
 - viii. Balconies; or
 - ix. Permanent architectural awnings.
- f. Sloped ramps or decks shall not be exposed on the side of the structure facing a public right-of-way, excluding alleys, and shall be located on the interior of the structure or a façade facing the interior of the property.

4. Structured Parking Guidelines

- a. Parking structures should be set back from public streets and pedestrian gathering or circulation areas and wrapped with active uses wherever possible, particularly on the ground floor.
- b. Where it is not feasible to wrap the perimeter of a parking structure with active uses, a pattern of surface variation, materials, and fenestration complementary to the principal buildings should be used.
- c. The use of deep structural elements, fenestration, or screening systems around the perimeter should be considered to screen oblique views into parking structures while maintaining natural ventilation.
- d. To avoid pedestrian vehicle conflicts, major access points along the area's primary street network should be avoided where an alternate access point is possible.

440.H Building Scale, Variation, and Fenestration

1. Scale and Variation Standards

- a. Building entrances, retail storefronts, and other active spaces shall be oriented towards adjacent streets, public plazas, and primary pedestrian walkways.
- b. Building design shall not be recognizable by its architecture as a standard trademark design utilized in other communities in the state or across the country.
- c. Where a direct physical and visual connection cannot be made between interior and exterior spaces for programmatic reasons, building walls shall be articulated at ground level in a manner that enhances the pedestrian experience through the use of three or more of the following:
 - i. Expression of the structural system or bay modules; or
 - ii. Variations in wall plane; or
 - iii. Changes in color or texture of materials; or
 - iv. Awnings; or
 - v. Balconies; or
 - vi. Integral art work such as bas-relief of mosaics; or
 - vii. Integral pedestrian furniture such as benches, seat walls, or landscape planters.
- d. Buildings that are three or more stories in height should incorporate a recognizable base, middle, and top through the use of changes in material, variations in fenestration patterns, architectural detail, or other features.
- e. Buildings shall be visually anchored with masonry elements at the base level to provide a sense of permanence. Base level masonry elements may include:
 - i. Columns; or
 - ii. Piers; or
 - iii. Pilasters; or
 - iv. Foundations; or
 - v. Walls.
- f. Base level masonry elements shall be, or shall appear to be, functional parts of the vertical load-bearing structure of the building and shall provide a continuous visual line by wrapping corners, window wells, and other architectural features. Base level masonry elements shall not appear as though they have been “tacked on” to a single façade or building element.
- g. Spanning elements and lintels across masonry openings shall be constructed of materials traditionally associated with these functions such as:
 - i. Heavy timber; or
 - ii. Painted steel; or
 - iii. Concrete; or
 - iv. Articulated masonry arches, such as semicircular, segmental, flat arches, or soldier courses).

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2. Scale and Variation Guidelines

- a. New development should be designed “in-the-round” to acknowledge its mountain-valley setting that typically allows buildings to be viewed from multiple angles and viewpoints, such as from the slopes above, from below, from significant distances, as well as from the street level.
- b. All building facades should be designed with a similar level of design detail. Blank walls should be avoided except where functionally prohibitive and oriented away from highly visible and active pedestrian areas.
- c. Building design should mitigate the visual impacts of a large building mass through offsets, projections, and recesses in the façade.
- d. The scale of large buildings should be mitigated through the use of varied materials that help differentiate and break down the mass into small volumes or differentiate between floors.
- e. Building elevations should be articulated to provide visual interest by varying the shape or pattern of windows, building materials, textures, details, and colors. Building elements such as decks, balconies, recessed or projecting shading features, snow control devices, and other elements should be considered.
- f. Building design should avoid blank walls and large undifferentiated expanses of wall surface exposed to public pedestrian rights of way, plazas, and parks.
- g. Roof overhangs, projections, reveals, and awnings or canopies should contribute to the character of the building and create shadow patterns while aiding in protection of the structure and pedestrians.
- h. Exceptions from the standards may be granted for those areas of the building envelope that are not visible from adjacent development and public spaces.

3. Glazing and Transparency Standards

- a. A minimum of 25 percent of the wall area of all facades shall be transparent glazing, including glazed doors.
- b. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.
- c. Reflective glazing is prohibited.

4. Glazing and Transparency Guidelines

- a. Clear glazing incorporating UV protection technology should be used.
- b. Spandrel glass meeting color and reflectivity standards may be permitted to continue fenestration patterns where transparent glazing is functionally prohibited.

440.I Building Materials

1. Standards

- a. Building materials shall comply with [Appendix C](#) Table C-1.
- b. Changes in materials shall occur where wall planes meet at an inside corner to avoid the appearance of exterior materials as veneers.

2. Guidelines

- a. All development should use durable materials, suitable for the rigors of the mountain climate, to minimize maintenance costs and ensure the long-term quality appearance of the development.

- b. A broad palette of materials that creatively complement the existing or desired range of materials, textures, and finishes in the surrounding context should be considered. Natural materials and finishes such as wood, masonry, unpolished metals, clear glass, architectural concrete, and plaster may be considered appropriate.
- c. Materials that are not included in [Appendix C](#) Table C-1 may be considered provided they can be shown to be of a comparable quality, durability, and character.

440.J Building Color

1. Standards

Building colors shall be selected in compliance with [Appendix B](#).

2. Guidelines

- a. A range of colors should be used that are evocative of local vernacular buildings and landscapes that will complement, rather than stand out against, the areas entry corridor landscape and mountain backdrop.
- b. Light colors and finishes with high reflectivity should only be used as accents to the basic color palette.
- c. Bright or highly reflective metal finishes should be limited to accents or details and should not be used on large building areas or features.
- d. Earth-toned building and roof colors should be considered appropriate for any building or roof element.

440.K Mechanical, Service, and Accessory Structures

1. Mechanical Equipment Screening Standards

- a. Rooftop mechanical equipment shall be concealed from view from nearby public and private properties.
- b. Screening shall be complementary to the building form, materials, detailing, and colors.

2. Mechanical Equipment Screening Guideline

All mechanical equipment attached to the building should be located away from public view or incorporated into the building massing in a manner that is complementary to the principal building in terms of form, materials, detailing, and color.

3. Service Location and Screening Standards

- a. Loading docks, truck parking, trash collection, drive-through facilities, and other service functions shall be located away from public view or screened in a manner that is complementary to the principal building form, materials, detailing, and colors.
- b. Chain link, with or without slats, shall not be used to satisfy this screening requirement.
- c. In the G-2 zone district, off-street areas for the receipt and distribution of materials and merchandise by vehicle shall be located inside the structure or placed in a location that is least visible from public view as possible. Where such areas are visible to the public, screening may be required.

4. Service Location and Screening Guidelines

- a. Loading docks, truck parking, trash collection, drive-through facilities, and other service functions should be incorporated into the form of the principal building.
- b. Loading docks, truck parking, trash collection, drive-through facilities, and other service functions should be located away from primary street frontage and oriented toward on-site service access points.
- c. Multi-building developments should gather service functions into convenient shared facilities, where possible, to minimize dispersed impacts.

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5. Accessory Structures Standards

Placement, form, materials, detailing, and colors of accessory structures shall be complementary to the principal structure.

6. Accessory Structures Guidelines

Accessory structures should either be complementary to the design of the primary structure or placed and screened to be as unobtrusive as possible.

440.L Sustainability

1. Standards

New buildings shall obtain certification from a third party of the use of sustainable building materials and construction techniques via program completion is required. Standards and programs for sustainable building that may be utilized can include but are not limited to:

- US Green Building Council's LEED (Leadership in Energy and Environmental Design) program for commercial (including lodging), multi-family, and existing buildings; or
- Green Globes; or
- Built Green Colorado for single-family residential buildings; or
- Any other nationally recognized and accepted program that is equal to or greater than the above listed programs in terms of sustainable qualities.

2. Sustainability Guideline

New buildings should consider opportunities to employ sustainable design, materials and technology to reduce operational and maintenance costs as well as short and long term impacts on the environment.

§ 440 [Ord. No. 2650, 5-15-18] [Ord. No. 2669, 12-4-18]

441 COMMERCIAL OLD TOWN (CO) DESIGN STANDARDS

441.A Purpose

- Facilitate commercial development that is complementary to the scale, character, and variety of the traditional commercial storefront buildings on Lincoln Avenue while accommodating contemporary uses and architecture.
- Maintain the predominance of building frontage that engages pedestrians along the public sidewalk.
- Facilitate design that focuses on providing an pedestrian experience that has variety and vitality and that is not dependent upon direct vehicular access or immediately adjacent parking.

441.B Applicability

These community design standards shall apply to all development on property located within the CO zone district.

441.C Building Placement and Orientation

1. Standards

- Buildings shall be constructed at the property line adjoining the public sidewalk.
- Recessed entries shall be required to accommodate door swings and shall not be counted against the build-to requirement as long as the façade above the entry is built to the front property line.

2. Guidelines

- Development should complement traditional patterns by siting new buildings in a manner similar to traditional buildings in the district. This includes consideration of building setbacks, entry orientation, and outdoor areas.

- b. New buildings should be oriented and parallel to the front lot line.
- c. The primary entry of a principal structure should be oriented to the street, and the alignment of the street facing facades should be maintained at the sidewalk's edge for the majority of the frontage.
- d. Where a portion of a building is proposed to be setback from the sidewalk at the property line to accommodate sidewalk dining or other active uses, features such as paving patterns, railings, planter, or other urban features should be used to define the sidewalk edge.
- e. Building massing should consider impacts on solar access and opportunities to maintain views to civic landmarks. Landmarks include Howelsen Hill and designated historic structures.
- f. Alleys are an integral part of the scale and pattern of Downtown and should be retained as a part of the character of the original town grid. Alleys should be maintained as open lanes for service access and pedestrian circulation.

441.D Access

1. Standards

- a. All buildings with frontage on Lincoln Avenue shall take their primary pedestrian access from the Lincoln Avenue sidewalk.
- b. Primary building entrances shall be directly from the public sidewalk on the adjoining named or numbered street.
- c. All businesses with street level building frontage along a public sidewalk shall have individual entries from the public sidewalk.
- d. The pattern of recessed entryways to individual buildings and businesses shall be maintained to accommodate door swings.
- e. On site spaces designed for public use, such as courtyards, shall be accessible and visible from the public right-of-way. Sunken plazas or raised pedestrian access adjoining the public sidewalk shall be prohibited unless necessary to accommodate access due to varied topography.

2. Guidelines

- a. Primary building entrances should be clearly defined and oriented toward the street.
- b. The pattern of recessed entries should be considered an opportunity for outdoor display or limited seating off the public sidewalk. Where entries are recessed the building façade above should maintain alignment at the property line along the public sidewalk.
- c. Primary entrances should not orient to an interior court.
- d. All outdoor spaces should promote active uses.
- e. The development of rooftop decks is encouraged. Sunken plazas between the sidewalk and the building are strongly discouraged, especially in retail buildings, as they may create a barrier between pedestrian activity on the sidewalk and the retail storefronts.
- f. Entrances to interior courtyards shall have the appearance and scale of normal storefront openings. Courtyards shall be accessible and visible from the sidewalk and shall be designed for public uses.

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441.E Building Massing

1. Standards

- Building massing shall reflect the traditional pattern of lot widths Downtown through the expression of 25-foot increments in building massing, structural bay, and fenestration patterns.
- Buildings shall fill the full width of lots.
- Building facades greater than two stories shall be differentiated through architectural variation such as a prominent belt course, change of materials, or change of fenestration pattern.
- Ground floor height shall be between 12 and 15 feet, and display windows at the street level shall appear similar in height to those seen traditionally.

2. Guidelines

- New development should complement the traditional regularity of simple building massing within the district. Along Lincoln Avenue and the adjacent blocks, new buildings should have simple massing and roof forms similar to those seen traditionally.
- New construction should be complementary to the height, scale, mass, lot coverage, and placement of buildings found historically in the district.
- The rhythm of traditional building facades based on the underlying 25-foot lot widths should be maintained and recognizable in new buildings in order to help maintain this sense of visual continuity. This pattern should be reflected in the massing, bay widths, and fenestration of new development.
- Floor to floor heights should appear similar to those seen traditionally.
- Additions to existing buildings should be designed to be complementary to the existing structure in terms of form, scale, and materials.

441.F Roof Forms

1. Standard

Flat roofs shall be the predominant roof form. Other roof forms shall be limited to accenting features such as corners and entries.

2. Guidelines

- Mansard roofs were popular for a period in the mid-twentieth century but are not a traditional form in the region.
- Parapets may create a varied profile to the street facing facades.
- Roof top decks accommodating active uses are encouraged.

441.G Surface and Structured Parking

1. Surface Parking Standards

- Surface parking shall not be placed between the principal structures and a street.
- Automobile headlight illumination in surface parking areas shall be screened from adjacent lots and streets by buildings, walls, and landscaping.
- When a parking area abuts a public sidewalk or street, visual buffers shall be provided through either:
 - A landscaped strip, hedge, or planter, that is a minimum of five feet deep and a maximum of three feet high, and that is planted with a combination of trees and shrubs; or

- ii. A fence or wall, that is a maximum of four feet in height, and that is constructed with materials, details, and finishes that are complementary to the primary structure.

2. Structured Parking Standards

- a. Parking structures shall be located and oriented to provide pedestrian access to adjacent public and private streets, pedestrian circulation, and gathering areas and to mitigate pedestrian vehicular conflicts.
- b. Parking structures shall be located and designed to significantly screen or buffer views of parked cars from surrounding properties.
- c. The ground floor of parking structures shall be wrapped with active uses, such as retail storefronts or residential uses, to screen the structure and provide active frontage.
- d. Where the feasibility of wrapping parking structures with retail storefronts or residential uses is limited to a portion of the overall structure, active uses shall be focused along those facades adjacent to or most visible from major public streets, pedestrian circulation, and gathering areas.
- e. Those portions of any parking structure that cannot be wrapped with active uses shall incorporate proportions, materials, and finishes that are complementary to adjacent principal structures, including the use of three or more of the following architectural features:
 - i. Emphasis of the vertical and horizontal structural system defining a pattern of building bays; or
 - ii. Variations in wall plane not less than 4 inches in depth; or
 - iii. A pattern of openings and fenestration similar in size and proportion to adjacent buildings; or
 - iv. Variations in color, texture, or materials; or
 - v. Architectural screening components that are deeper than they are wide that provide screening from oblique views while maintaining natural ventilation.
- f. Sloped ramps or decks shall not be exposed on the side of the structure facing a public right-of-way, excluding alleys, and shall be located on the interior of the structure or a façade facing the interior of the property.

3. Guidelines

- a. Parking shall be placed on the site in a manner that is consistent with the predominant or desired character of the district with regard to building placement, ease of pedestrian and vehicular access and the established objectives for utilizing buildings to define and reinforce pedestrian circulation and gathering places.
- b. Surface and structured parking should not occupy Lincoln Avenue frontage.
- c. Where surface parking must be adjacent to a public street it should be screened in a manner that meets or exceeds landscape standards.
- d. Where structured parking must be adjacent to a public street it should be screened in a manner that meets architectural design standards.

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§ 441.H

441.H Building Scale, Variation, and Fenestration

1. Scale and Variation Standards

- a. Buildings shall incorporate scaling features, detailing, and fenestration patterns that are complementary to traditional buildings in the district including:
 - i. Detailing consistent with wood and masonry construction; and
 - ii. Solid to void ratios including predominant storefront glazing at the street level and smaller, vertically proportioned fenestration patterns on upper floors; and
 - iii. Frequent recessed entries from heavily trafficked sidewalks; and
 - iv. Detailing, such as a belt course, differentiating upper floors from the ground floor; and
 - v. Ground floor materials and detailing appropriate to the climate and context.
- b. Building design shall not be recognizable by its architecture as a standard trademark design utilized in other communities in the state or across the country.

2. Scale and Variation Guidelines

- a. A variety of architectural styles, including contemporary design that draws upon the fundamental similarities among traditional buildings without copying them, is encouraged.
- b. Rectangular forms and flat roofs should be dominant.
- c. The repetition of similar shapes and details along a block face should be considered a part of the basic vocabulary of the CO zone district.
- d. When large buildings are designed to appear as several buildings, there should be variation between the facade elements such as variations in materials, color, detail, or alignment.
- e. Special features such as corner entrances, unique fenestration, material variations, distinctive parapet profiles, or tower forms that highlight corner buildings may be considered.
- f. All street elevations should be designed to an equal level of quality and detail.
- g. The general alignment of horizontal features on building facades should be maintained.
- h. Visual continuity should be maintained through the repetition of window and door proportions and placement patterns complementary to those traditionally seen in the district.
- i. The distinction between the street level and upper floor to floor heights should be maintained and reflected through variation in fenestration, detailing, and materials.
- j. Ground floor building facades facing Lincoln Avenue should be designed to encourage pedestrian activity. Contemporary commercial storefronts should be used to provide pedestrian interest along the street.
- k. The pattern of recessed entryways along the Lincoln Avenue sidewalk should be maintained. Doors should be set back from the front to prevent the door swing from encroaching over the sidewalk and to establish a distinct threshold for pedestrians. Where entries are recessed, the building line at the sidewalk edge should be maintained by the upper floors. Transoms over doorways may be utilized to maintain a consistent height with storefront glazing.

- l. Awnings should be considered on a commercial buildings to provide solar control, shelter, pedestrian scale, and color. Awnings should be mounted above or within the storefront window openings.
 - m. Awning placement should generally align with other traditional storefront awnings on the street. Simple shed shapes are appropriate for rectangular openings. Exotic forms that are not traditionally found in the Downtown should be avoided. A fabric awning with a matte finish, similar in appearance to traditional canvas, is appropriate. High gloss finishes should be avoided.
 - n. Alley facades should be designed with equal attention to creating a quality pedestrian environment utilizing amenities such as balconies, courtyards, decks and additional public entrances.
 - o. Additive forms, such as enclosures or screening for utilities and service facilities, stairs, decks, covered entrances, balconies, and courtyards, that are subordinate to the principal structure should be limited to the alleys.
 - p. Secondary public entrances should be considered and are strongly encouraged along alleys. Secondary entrances should be covered or protected and clearly intended for public use but subordinate in detail to the primary entrance that faces the street.
 - q. Public art and landscaping should be considered to enhance the pedestrian experience, particularly in the alleys.
- 3. Glazing and Transparency Standards**
- a. Transparent glazing, including glazed doors, shall be provided as follows:
 - i. A minimum of 30 percent of the wall area of all ground floor building facades facing public circulation or gathering areas.
 - ii. A minimum of 60 percent of the wall area of all ground floor building facades facing Lincoln Avenue.
 - iii. A minimum of 25 percent of the wall area of all upper floor building facades.
 - b. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.
 - c. Highly reflective or darkly tinted glass shall not be used on any area of the building.
- 4. Glazing and Transparency Guidelines**
- a. Ground floor building facades facing Lincoln Avenue should be predominately transparent glass, similar to a traditional storefront, to encourage pedestrian activity.
 - b. Ground floor building facades facing numbered streets should include a large percentage of clear glazing to encourage activity.
 - c. Upper floors should have a lower percentage of glazing than the street level.
 - d. Upper story windows should have a vertical emphasis. In general, they should be twice as tall as they are wide. Headers and sills of windows on new buildings should maintain the traditional placement relative to cornices and belt courses.
 - e. Clear glazing incorporating UV protection technology should be used.
 - f. Spandrel glass meeting color and reflectivity standards may be permitted to continue fenestration patterns where transparent glazing is functionally prohibited.

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§ 441.I

441.I Building Materials

1. Standards

- Building materials shall comply with [Appendix C](#) Table C-1.
- Changes in materials shall occur where wall planes meet at an inside corner to avoid the appearance of exterior materials as veneers.

2. Guidelines

- Building materials of new structures and additions to existing buildings should contribute to the visual continuity of the vicinity by reflecting the scale and texture of traditional materials such as painted wood, brick, and stone on primary wall surfaces.
- New products that convey a scale, finish, and character similar to traditional materials that have a proven durability in the City's climate, such as metal shingles, may be considered.
- A plaster finish may be used, when its detail expresses visual interest and conveys a sense of human scale. Coverage should not exceed 40 percent of any exposed wall surface.
- EIFS (Exterior Insulation Finish Systems) should not be considered.
- Large panelized products that lack a sense of scale should be avoided.
- Where visible, roofing materials, such as metal panels, composition or concrete shingles, should be similar in appearance to those seen traditionally. Metal should be a non-reflective, matte finish.
- Materials that are not included in [Appendix C](#) Table C-1 may be considered provided they can be shown to be of a comparable quality, durability, and character.

441.J Building Color

1. Standards

Not applicable.

2. Guidelines

- A range of colors should be used that are evocative of local vernacular buildings and landscapes that will complement, rather than stand out against, the areas entry corridor landscape and mountain backdrop.
- Light colors and finishes with high reflectivity should only be used as accents to the basic color palette.
- Bright or highly reflective metal finishes should be limited to accents or details and should not be used on large building areas or features.
- Earth-toned building and roof colors should be considered appropriate for any building or roof element.

441.K Mechanical, Service, and Accessory Structures

1. Mechanical Equipment Screening Standards

- Rooftop mechanical equipment shall be concealed from view from nearby public and private properties.
- Screening shall be complementary to the building form, materials, detailing, and colors.

2. **Mechanical Equipment Screening Guideline**
All mechanical equipment attached to the building should be located away from public view or incorporated into the building massing in a manner that is complementary to the principal building in terms of form, materials, detailing, and color.
3. **Service Location and Screening Standards**
 - a. Loading docks, truck parking, trash collection, and other service functions shall be located away from public view or screened in a manner that is complementary to the principal building form, materials, detailing, and colors.
 - b. Chain link, with or without slats, shall not be used to satisfy this screening requirement.
4. **Service Location and Screening Guidelines**
 - a. Loading docks, truck parking, trash collection, and other service functions should be incorporated into the form of the principal building.
 - b. Loading docks, truck parking, trash collection, and other service functions should be located away from primary street frontage and oriented toward on-site service access points.
 - c. Multi-building developments should gather service functions into convenient shared facilities, where possible, to minimize dispersed impacts.
5. **Accessory Structures Standard**
Placement, form, materials, detailing, and colors of accessory structures shall be complementary to the principal structure.
6. **Accessory Structures Guideline**
Historically significant accessory structures should be preserved when feasible.

442 COMMERCIAL YAMPA-ONE (CY-1) DESIGN STANDARDS

442.A Purpose

1. Facilitate development and redevelopment as a commercially active mixed-use neighborhood that is distinctly different than Lincoln Avenue with a mix of urban and natural environments.
2. Reduce building scale on the river side of Yampa Street to promote visual and physical access to the river as well as reflect more varied riverfront building patterns.
3. Maintain visual connections to the Yampa River and engage the riverfront in building and site design.
4. Provide public access and physical connections to the riverfront whenever possible.
5. Accommodate new development that is complementary to traditional commercial storefront type buildings.
6. Complement the traditional character of the district while encouraging contemporary uses and architecture.
7. Provide a transition between Downtown and Howelsen Hill.

442.B Applicability

These community design standards shall apply to all development on property located within the CY-1 zone district.

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§ 442.C

442.C Building Placement and Orientation

1. Standards

- The full width of the front building façade shall be built to the minimum front setback.
- Primary building entrances shall face Yampa Street.

2. Guidelines

- Variations in the front façade setback may be considered to better accommodate desired activities such as sidewalk cafes. However, in such situations the majority of the front building façade should still be constructed to the minimum front setback.
- The primary building entrance should face Yampa Street or be clearly accessible from the street by way of a street facing porch or gateway.

442.D Access

1. Standard

Lots with frontage along the Yampa River shall have an additional entrance or access to the riverfront.

2. Guideline

Buildings on lots with frontage along the Yampa River should provide options to open up to the riverfront. This access does not need to be open to the general public but rather should serve as an amenity for the users of the development to encourage interaction with the river front.

442.E Building Massing

1. Standards

- The perceived width of the building façade at the front setback line shall be similar to the existing width of traditional structures when measured in terms of the ratio of building to lot width.
- Building massing shall be designed to incorporate off-set masses or “modules.” Building modules shall be no greater than 40 feet in width.
- Modules shall be differentiated by at least one of the following:
 - A setback in wall plane of not less than 12 feet; or
 - A change in the primary façade material to differentiate off-set modules. Materials shall change only at inside corners to enhance the appearance of complete building masses and avoid the appearance of material veneers; or
 - A change in roofline associated with off-sets in building massing.
- Floor to ceiling heights shall appear similar to traditional structures in the district.

2. Guidelines

- Building massing along the river should complement the traditional lot and building pattern on the river side of Yampa Street.
- Perceived building mass should be reduced by features such as off-sets in wall plane, variation in materials, and changes in roofline.
- The scale of large buildings should be mitigated by breaking the massing into "modules" that are similar in width to traditional buildings in the district.

- d. Buildings exceeding the traditional width of 25 to 50 feet should reflect traditional building widths through combinations of such techniques as offsets in wall plane, variations in facade material, window design, facade height, or decorative details. Variations should be utilized throughout the depth of the structure so the composition appears to be a collection of smaller buildings.
- e. Building design should recognize that riverfront buildings have generally been more varied and eclectic than the more formal development in the Downtown core.

442.F Roof Forms

1. Standards

- a. Primary roofs shall incorporate simple, sloping forms (gable and hip) on primary building forms.
- b. Shed and flat roofs shall be limited to secondary building forms and accessory structures.

2. Guidelines

- a. A variety of roof forms should be considered to break up the massing of large buildings and as a form of transition to adjoining developments.
- b. Secondary roof forms should be incorporated over ground floor entrances and decks.
- c. Roof forms should balance compatibility with the character of the area and snow shed considerations. The choice of roof pitch shall include consideration if and where the roof will hold or release snow.

442.G Surface and Structured Parking

1. Surface Parking Standards

- a. Surface parking shall not be placed between the principal structures and a street.
- b. Surface parking shall be screened from public streets by buildings, walls, and landscaping.

2. Structured Parking Standards

- a. Parking structures shall be located and oriented to provide pedestrian access to adjacent public and private streets, pedestrian circulation, and gathering areas and to mitigate pedestrian vehicular conflicts.
- b. Parking structures shall be located and designed to significantly screen or buffer views of parked cars from surrounding properties and the Yampa River.
- c. The ground floor of parking structures shall be wrapped with active uses, such as retail storefronts or residential uses, to screen the structure and provide active frontage.
- d. Where the feasibility of wrapping parking structures with retail storefronts or residential uses is limited to a portion of the overall structure, active uses shall be focused along those facades adjacent to or most visible from major public streets, pedestrian circulation, and gathering areas.
- e. Those portions of any parking structure that cannot be wrapped with active uses shall incorporate proportions, materials, and finishes that are complementary to adjacent principal structures, including the use of three or more of the following architectural features:

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§ 442.G

- i. Emphasis of the vertical and horizontal structural system defining a pattern of building bays; or
- ii. Variations in wall plane not less than 4 inches in depth; or
- iii. A pattern of openings and fenestration similar in size and proportion to adjacent buildings; or
- iv. Variations in color, texture, or materials; or
- v. Architectural screening components that are deeper than they are wide that provide screening from oblique views while maintaining natural ventilation.
- f. Sloped ramps or decks shall not be exposed on the side of the structure facing a public right-of-way or the Yampa River.

3. Guidelines

- a. Parking shall be placed on the site in a manner that is consistent with the predominant or desired character of the district with regard to building placement, ease of pedestrian and vehicular access and the established objectives for utilizing buildings to define and reinforce pedestrian circulation and gathering places.
- b. Surface and structured parking should not occupy street frontage.
- c. Where surface parking must be adjacent to a public street it should be screened in a manner that meets or exceeds landscape standards.
- d. Where structured parking must be adjacent to a public street it should be screened in a manner that meets architectural design standards.

442.H Building Scale, Variation, and Fenestration

1. Scale and Variation Standard

- a. Buildings shall incorporate scaling features, detailing, and fenestration patterns that are complementary to traditional buildings in the district through the incorporation of three or more of the following:
 - i. Insets, projections or other relief in the wall plane; or
 - ii. Porches; or
 - iii. Balconies; or
 - iv. Bay or box windows; or
 - v. Variations in window size or proportions; or
 - vi. Variations in materials; or
 - vii. Variations in roof forms, including use of dormers.
- b. Building design shall not be recognizable by its architecture as a standard trademark design utilized in other communities in the state or across the country.

2. Scale and Variation Guidelines

- a. A variety of forms, fenestration, and materials should be considered.
- b. Building design should recognize that riverfront buildings have generally been more varied and eclectic than the more formal development in the Downtown core.

3. Glazing and Transparency Standards

- a. A minimum of 25 percent of the wall area of all facades shall be transparent glazing, including glazed doors.
- b. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.

4. Glazing and Transparency Guidelines

- a. Ground floor building facades facing Yampa Street should be predominately transparent glass, similar to a traditional storefront, to encourage pedestrian activity.
- b. Ground floor building facades facing numbered streets should include a large percentage of clear glazing to encourage activity.
- c. Upper floors should have a lower percentage of glazing than the street level.
- d. Clear glazing incorporating UV protection technology should be used.
- e. Spandrel glass meeting color and reflectivity standards may be permitted to continue fenestration patterns where transparent glazing is functionally prohibited.

442.I Building Materials**1. Standards**

- a. Building materials shall comply with [Appendix C](#) Table C-1.
- b. Changes in materials shall occur where wall planes meet at an inside corner to avoid the appearance of exterior materials as veneers.

2. Guidelines

- a. Building materials of new structures and additions to existing buildings should contribute to the visual continuity of the vicinity by reflecting the scale and texture of traditional materials such as painted wood, brick, and stone on primary wall surfaces.
- b. New products that convey a scale, finish, and character similar to traditional materials that have a proven durability in the City's climate, such as metal shingles, may be considered.
- c. A plaster finish may be used, when its detail expresses visual interest and conveys a sense of human scale. Coverage should not exceed 40 percent of any exposed wall surface.
- d. EIFS (Exterior Insulation Finish Systems) should not be considered.
- e. Large panelized products that lack a sense of scale should be avoided.
- f. Where visible, roofing materials, such as metal panels, composition or concrete shingles, should be similar in appearance to those seen traditionally. Metal should be a non-reflective, matte finish.
- g. Materials that are not included in [Appendix C](#) Table C-1 may be considered provided they can be shown to be of a comparable quality, durability, and character.

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442.J Building Color

1. **Standards**
Not applicable.
2. **Guidelines**
 - a. A range of colors should be used that are evocative of local vernacular buildings and landscapes that will complement, rather than stand out against, the areas entry corridor landscape and mountain backdrop.
 - b. Light colors and finishes with high reflectivity should only be used as accents to the basic color palette.
 - c. Bright or highly reflective metal finishes should be limited to accents or details and should not be used on large building areas or features.
 - d. Earth-toned building and roof colors should be considered appropriate for any building or roof element.

442.K Mechanical, Service, and Accessory Structures

1. **Mechanical Equipment Screening Standards**
 - a. Rooftop mechanical equipment shall be concealed from view from nearby public and private properties.
 - b. Screening shall be complementary to the building form, materials, detailing, and colors.
2. **Mechanical Equipment Screening Guideline**
All mechanical equipment attached to the building should be located away from public view or incorporated into the building massing in a manner that is complementary to the principal building in terms of form, materials, detailing, and color.
3. **Service Location and Screening Standards**
 - a. Loading docks, truck parking, trash collection, and other service functions shall be located away from public view or screened in a manner that is complementary to the principal building form, materials, detailing, and colors.
 - b. Chain link, with or without slats, shall not be used to satisfy this screening requirement.
4. **Service Location and Screening Guidelines**
 - a. Loading docks, truck parking, trash collection, and other service functions should be incorporated into the form of the principal building.
 - b. Loading docks, truck parking, trash collection, and other service functions should be located away from primary street frontage and oriented toward on-site service access points.
 - c. Multi-building developments should gather service functions into convenient shared facilities, where possible, to minimize dispersed impacts.
5. **Accessory Structures Standards**
 - a. Placement, form, materials, detailing, and colors of accessory structures shall be complementary to the principal structure.
 - b. Accessory structures shall be screened from the Yampa River.
6. **Accessory Structures Guideline**
Historically significant accessory structures should be preserved when feasible.

443 COMMERCIAL YAMPA-TWO (CY-2) DESIGN STANDARDS

443.A Purpose

1. Facilitate development and redevelopment as a commercially active mixed-use neighborhood that is distinctly different than Lincoln Avenue with a mix of urban and natural environments.
2. Reduce building scale on the river side of Yampa Street to promote visual and physical access to the river as well as reflect more varied riverfront building patterns.
3. Maintain visual connections to the Yampa River and engage the riverfront in building and site design.
4. Provide public access and physical connections to the riverfront whenever possible.
5. Accommodate new development that is complementary to traditional commercial storefront type buildings.
6. Complement the traditional character of the district while encouraging contemporary uses and architecture.
7. Provide a transition between Downtown and Howelsen Hill.
8. Develop the north side of Yampa Street as a transition in scale and form from Lincoln Avenue.

443.B Applicability

These community design standards shall apply to all development on property located within the CY-2 zone district.

443.C Building Placement and Orientation

1. Standards

- a. The full width of the front building façade shall be built to the minimum front setback.
- b. Primary building entrances shall face Yampa Street.

2. Guidelines

- a. Variations in the front façade setback may be considered to better accommodate desired activities such as sidewalk cafes. However, in such situations the majority of the front building façade should still be constructed to the minimum front setback.
- b. The primary building entrance should face Yampa Street or be clearly accessible from the street by way of a street facing porch or gateway.

443.D Access

1. Standards

- a. Primary building entrances shall be directly from the public sidewalk on the adjoining named or numbered street.
- b. On site spaces designed for public use, such as courtyards, shall be accessible and visible from the public right-of-way. Sunken plazas or raised pedestrian access adjoining the public sidewalk shall be prohibited unless necessary to accommodate access due to varied topography.
- c. All businesses with street level building frontage along a public sidewalk shall have individual entries from the public sidewalk.

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§ 443.D

2. Guidelines

- Buildings should prioritize orientation of primary entries to streets, pedestrian circulation, and gathering areas to enhance activity and vitality in public areas.
- Ground floor commercial and residential units in multi-story buildings should include individual ground floor entries to facilitate pedestrian activity and safety.

443.E Building Massing

1. Standards

- Building massing shall reflect the traditional pattern of lot widths Downtown through the expression of 25-foot increments in building massing, structural bay, and fenestration patterns.
- Buildings shall fill the full width of lots.
- Building facades greater than two stories shall be differentiated through architectural variation such as a prominent belt course, change of materials, or change of fenestration pattern.
- Ground floor height shall be between 12 and 15 feet, and display windows at the street level shall appear similar in height to those seen traditionally.

2. Guidelines

- New development should provide transitions in height and mass when adjoining larger scale districts.
- New developments that are significantly larger than adjacent existing development should provide a visual scale transition utilizing the alignment of horizontal massing, fenestration, and architectural features to reflect the heights of adjacent development.
- Building design should mitigate the visual impacts of a large building mass through offsets, projections, and recesses in the facade.

443.F Roof Forms

1. Standard

Flat roofs shall be the predominant roof form. Other roof forms shall be limited to accenting features such as corners and entries.

2. Guideline

Parapets may create a varied profile to the street facing facades.

443.G Surface and Structured Parking

1. Surface Parking Standards

- Surface parking shall not be placed between the principal structures and a street.
- Surface parking shall be screened from public streets by buildings, walls, and landscaping.

2. Structured Parking Standards

- Parking structures shall be located and oriented to provide pedestrian access to adjacent public and private streets, pedestrian circulation, and gathering areas and to mitigate pedestrian vehicular conflicts.
- Parking structures shall be located and designed to significantly screen or buffer views of parked cars from surrounding properties.
- The ground floor of parking structures shall be wrapped with active uses, such as retail storefronts or residential uses, to screen the structure and provide active frontage.

- d. Where the feasibility of wrapping parking structures with retail storefronts or residential uses is limited to a portion of the overall structure, active uses shall be focused along those facades adjacent to or most visible from major public streets, pedestrian circulation, and gathering areas.
 - e. Those portions of any parking structure that cannot be wrapped with active uses shall incorporate proportions, materials, and finishes that are complementary to adjacent principal structures, including the use of three or more of the following architectural features:
 - i. Emphasis of the vertical and horizontal structural system defining a pattern of building bays; or
 - ii. Variations in wall plane not less than 4 inches in depth; or
 - iii. A pattern of openings and fenestration similar in size and proportion to adjacent buildings; or
 - iv. Variations in color, texture, or materials; or
 - v. Architectural screening components that are deeper than they are wide that provide screening from oblique views while maintaining natural ventilation.
 - f. Sloped ramps or decks shall not be exposed on the side of the structure facing a public right-of-way, excluding alleys, and shall be located on the interior of the structure or a façade facing the interior of the property.
- 3. Guidelines**
- a. Parking shall be placed on the site in a manner that is consistent with the predominant or desired character of the district with regard to building placement, ease of pedestrian and vehicular access and the established objectives for utilizing buildings to define and reinforce pedestrian circulation and gathering places.
 - b. Surface and structured parking should not occupy street frontage.
 - c. Where surface parking must be adjacent to a public street it should be screened in a manner that meets or exceeds landscape standards.
 - d. Where structured parking must be adjacent to a public street it should be screened in a manner that meets architectural design standards.

443.H Building Scale, Variation, and Fenestration

1. Scale and Variation Standard

- a. Buildings shall incorporate scaling features, detailing, and fenestration patterns that are complementary to traditional buildings in the district including:
 - i. Detailing consistent with wood and masonry construction.
 - ii. Solid to void ratios including predominant storefront glazing at the street level and smaller, vertically proportioned fenestration patterns on upper floors.
 - iii. Frequent recessed entries from heavily trafficked sidewalks.
 - iv. Detailing, such as a belt course, differentiating upper floors from the ground floor.
 - v. Ground floor materials and detailing appropriate to the climate and context.
- b. Building design shall not be recognizable by its architecture as a standard trademark design utilized in other communities in the state or across the country.

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2. Scale and Variation Guidelines

- a. Contemporary design that draws upon the fundamental similarities among traditional buildings without copying them is encouraged.
- b. Rectangular forms and flat roofs should be dominant.
- c. The repetition of similar shapes and details along a block face should be considered a part of the basic vocabulary of the CY-2 zone district.
- d. When large buildings are designed to appear as several buildings, there should be variation between the facade elements such as variations in materials, color, detail, or alignment.
- e. Special features such as corner entrances, unique fenestration, material variations, distinctive parapet profiles, or tower forms that highlight corner buildings may be considered.
- f. All street elevations should be designed to an equal level of quality and detail.
- g. The general alignment of horizontal features on building facades should be maintained.
- h. Visual continuity should be maintained through the repetition of window and door proportions and placement patterns complementary to those traditionally seen in the district.
- i. The distinction between the street level and upper floor to floor heights should be maintained and reflected through variation in fenestration, detailing, and materials.
- j. Ground floor building facades facing Yampa Street should be designed to encourage pedestrian activity. Contemporary commercial storefronts should be used to provide pedestrian interest along the street.
- k. Awnings should be considered on a commercial buildings to provide solar control, shelter, pedestrian scale, and color. Awnings should be mounted above or within the storefront window openings.
- l. Awning placement should generally align with other traditional storefront awnings on the street. Simple shed shapes are appropriate for rectangular openings. Exotic forms that are not traditionally found in the Downtown should be avoided. A fabric awning with a matte finish, similar in appearance to traditional canvas, is appropriate. High gloss finishes should be avoided.
- m. Alley facades should be designed with equal attention to creating a quality pedestrian environment utilizing amenities such as balconies, courtyards, decks and additional public entrances.
- n. Additive forms, such as enclosures or screening for utilities and service facilities, stairs, decks, covered entrances, balconies, and courtyards that are subordinate to the principal structure should be limited to the alleys.
- o. Secondary public entrances should be considered and are strongly encouraged along alleys. Secondary entrances should be covered or protected and clearly intended for public use but subordinate in detail to the primary entrance that faces the street.
- p. Rear facades should step down in scale toward the alley, including additive forms such as sheds, stairs and decks, that remain subordinate to the primary structure.
- q. Public art and landscaping should be considered to enhance the pedestrian experience, particularly in the alleys.

3. Glazing and Transparency Standards

- a. Transparent glazing, including glazed doors, shall be provided as follows:
 - i. A minimum of 30 percent of the wall area of all ground floor building facades facing public circulation or gathering areas.
 - ii. A minimum of 60 percent of the wall area of all ground floor building facades facing Yampa Street.
 - iii. A minimum of 25 percent of the wall area of all upper floor building facades.
- b. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.
- c. Highly reflective or darkly tinted glass shall not be used on any area of the building.

4. Glazing and Transparency Guidelines

- a. Ground floor building facades facing Yampa Street should be predominately transparent glass, similar to a traditional storefront, to encourage pedestrian activity.
- b. Ground floor building facades facing numbered streets should include a large percentage of clear glazing to encourage activity.
- c. Upper floors should have a lower percentage of glazing than the street level.
- d. Upper story windows should have a vertical emphasis. In general, they should be twice as tall as they are wide. Headers and sills of windows on new buildings should maintain the traditional placement relative to cornices and belt courses.
- e. Clear glazing incorporating UV protection technology should be used.
- f. Spandrel glass meeting color and reflectivity standards may be permitted to continue fenestration patterns where transparent glazing is functionally prohibited.

443.I Building Materials

1. Standards

- a. Building materials shall comply with [Appendix C](#) Table C-1.
- b. Variations in materials along the façade of a building shall occur in conjunction with a change in wall plane. Changes in material shall occur where wall planes meet at an inside corner to avoid the appearance of exterior materials as veneers.

2. Guidelines

- a. Building materials of new structures and additions to existing buildings should contribute to the visual continuity of the vicinity by reflecting the scale and texture of traditional materials such as painted wood, brick, and stone on primary wall surfaces.
- b. New products that convey a scale, finish, and character similar to traditional materials that have a proven durability in the City's climate, such as metal shingles, may be considered.
- c. A plaster finish may be used, when its detail expresses visual interest and conveys a sense of human scale. Coverage should not exceed 40 percent of any exposed wall surface.
- d. EIFS (Exterior Insulation Finish Systems) should not be considered.
- e. Large panelized products that lack a sense of scale should be avoided.
- f. Where visible, roofing materials, such as metal panels, composition or concrete shingles, should be similar in appearance to those seen traditionally. Metal should be a non-reflective, matte finish.
- g. Materials that are not included in [Appendix C](#) Table C-1 may be considered provided they can be shown to be of a comparable quality, durability, and character.

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443.J Building Color

1. **Standards**
Not applicable.
2. **Guidelines**
 - a. A range of colors should be used that are evocative of local vernacular buildings and landscapes that will complement, rather than stand out against, the areas entry corridor landscape and mountain backdrop.
 - b. Light colors and finishes with high reflectivity should only be used as accents to the basic color palette.
 - c. Bright or highly reflective metal finishes should be limited to accents or details and should not be used on large building areas or features.
 - d. Earth-toned building and roof colors should be considered appropriate for any building or roof element.

443.K Mechanical, Service, and Accessory Structures

1. **Mechanical Equipment Screening Standards**
 - a. Rooftop mechanical equipment shall be concealed from view from nearby public and private properties.
 - b. Screening shall be complementary to the building form, materials, detailing, and colors.
2. **Mechanical Equipment Screening Guideline**
All mechanical equipment attached to the building should be located away from public view or incorporated into the building massing in a manner that is complementary to the principal building in terms of form, materials, detailing, and color.
3. **Service Location and Screening Standards**
 - a. Loading docks, truck parking, trash collection, and other service functions shall be located away from public view or screened in a manner that is complementary to the principal building form, materials, detailing, and colors.
 - b. Chain link, with or without slats, shall not be used to satisfy this screening requirement.
4. **Service Location and Screening Guidelines**
 - a. Loading docks, truck parking, trash collection, and other service functions should be incorporated into the form of the principal building.
 - b. Loading docks, truck parking, trash collection, and other service functions should be located away from primary street frontage and oriented toward on-site service access points.
 - c. Multi-building developments should gather service functions into convenient shared facilities, where possible, to minimize dispersed impacts.
5. **Accessory Structures Standard**
Placement, form, materials, detailing, and colors of accessory structures shall be complementary to the principal structure.
6. **Accessory Structures Guideline**
Historically significant accessory structures should be preserved when feasible.

444 COMMERCIAL OAK (CK) DESIGN STANDARDS

444.A Purpose

1. Facilitate a mixed use area for low intensity commercial, limited retail, and residential land uses that is pedestrian and neighborhood oriented.
2. Emphasize a higher scale and higher intensity character on the south side of Oak Street and lower scale along the north side of Oak Street.
3. Maintain the residential character and scale of the district while accommodating a mix of uses including interspersed institutional uses.

444.B Applicability

These community design standards shall apply to all development on property located within the CK-1 and CK-2 zone districts.

444.C Building Placement and Orientation

1. Standards

- a. Development shall be oriented parallel to the lot lines.
- b. Development shall be placed to define the edges of and orient access to primary public and private streets, pedestrian circulation and gathering areas.
- c. Accessory structures shall be located in a manner that is similar to those seen traditionally in the district, placed along the alley or to the rear of the primary structure

2. Guidelines

- a. Development should be placed and oriented in a manner that is consistent with the traditional or desired development pattern within its immediate context as defined by the established zone district.
- b. Development should place and orient primary pedestrian circulation, gathering areas and entries to take advantage of winter season solar exposure where possible.
- c. Development should consider impacts on interior and exterior micro-climate comfort through awareness of building massing and orientation relative to predominant solar exposure, shading, and wind impacts on pedestrian circulation and gathering areas.
- d. Buildings should preserve or enhance views of significant community features from prominent public vantage points.
- e. On blocks without large institutional uses, the width of the façade at the front setback line relative to the space between buildings should appear similar to that of traditional structures in order to maintain the pattern, scale, and rhythm of building frontage along the block face. Façade area of greater width or height should be set back from the forward most building façade to reduce the visual impact at the front setback.

444.D Access

1. Standards

- a. Buildings shall include primary entries oriented to streets, pedestrian circulation, and gathering areas.
- b. Conversion of a building to another use shall preserve the traditional location and character of the porch and primary entrance.
- c. New development shall include a functional, covered front porch entry feature similar to traditional structures on Oak Street. Porches shall be similar in scale (height, width, and depth) to those seen traditionally.
- d. All street facing, ground floor residential and commercial units in multi-story buildings shall include individual ground floor entries.

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2. Guideline

Primary building entrances should be clearly defined and oriented toward the street.

444.E Building Massing

1. Standards

- a. The perceived width of the building façade at the front setback line shall be similar to the existing width of traditional structures when measured in terms of the ratio of building to lot width.
- b. Building massing shall be designed to incorporate off-set masses or “modules.” Building modules shall be no greater than 40 feet in width.
- c. Modules shall be differentiated by at least one of the following:
 - i. A setback in wall plane of not less than 12 feet; or
 - ii. A change in the primary façade material to differentiate off-set modules. Materials shall change only at inside corners to enhance the appearance of complete building masses and avoid the appearance of material veneers; or
 - iii. A change in roofline associated with off-sets in building massing.
- d. Floor to ceiling heights shall appear similar to traditional structures in the district.
- e. In the CK-1 zone district, buildings shall step down the principal structure to one-story height at the rear setback line in order to reduce the perceived scale adjacent to the RO zone district.

2. Guidelines

- a. New development should provide transitions in height and mass when adjoining lower scale districts. In the CK-1 zone district, use of building forms that step down in scale toward the alley is encouraged.
- b. New developments that are significantly larger than adjacent existing development should provide a visual scale transition utilizing the alignment of horizontal massing, fenestration, and architectural features to reflect the heights of adjacent development.
- c. Building design should mitigate the visual impacts of a large building mass through offsets, projections, and recesses in the facade.
- d. The massing and use of exterior materials should be arranged to give each building the appearance of a large single family home.

444.F Roof Forms

1. Standards

- a. In the CK-1 zone district:
 - i. Primary roofs shall incorporate simple, sloping forms (gable and hip) on primary building forms.
 - ii. Minimum primary roof pitch shall be 6:12 (rise:run).
 - iii. Shed and flat roofs shall be limited to secondary building forms and accessory structures.
- b. In the CK-2 zone district, flat roof forms shall be acceptable as a transition to the CO zone district.

2. Guidelines

- a. Roof forms should be a component of transitioning scale and building forms from the commercial buildings on Lincoln Avenue to the residential neighborhood to the north.
- b. Roof forms should balance compatibility with the character of the area and snow shed considerations. The choice of roof pitch shall include consideration if and where the roof will hold or release snow.

444.G Surface and Structured Parking

1. Surface Parking Standards

- a. Surface parking shall not be placed between the principal structures and a street.
- b. Automobile headlight illumination in surface parking areas shall be screened from adjacent lots and streets by buildings, walls, and landscaping.
- c. When a parking area abuts a public sidewalk or street, visual buffers shall be provided through either a landscaped strip, hedge or planter that is a minimum of five feet in depth and a maximum of three feet high, and is planted with a combination of trees and shrubs; or, a fence or site wall a maximum of four feet in height constructed with materials, details and finishes that are complementary to the primary structure.

2. Structured Parking Standards

- a. Parking structures shall be located and oriented to provide pedestrian access to adjacent public and private streets, pedestrian circulation, and gathering areas and to mitigate pedestrian vehicular conflicts.
- b. Parking structures shall be located and designed to significantly screen or buffer views of parked cars from surrounding properties.
- c. The ground floor of parking structures shall be wrapped with active uses, such as retail storefronts or residential uses, to screen the structure and provide active frontage.
- d. Where the feasibility of wrapping parking structures with retail storefronts or residential uses is limited to a portion of the overall structure, active uses shall be focused along those facades adjacent to or most visible from major public streets, pedestrian circulation, and gathering areas.
- e. Those portions of any parking structure that cannot be wrapped with active uses shall incorporate proportions, materials, and finishes that are complementary to adjacent principal structures, including the use of three or more of the following architectural features:
 - i. Emphasis of the vertical and horizontal structural system defining a pattern of building bays; or
 - ii. Variations in wall plane not less than 4 inches in depth; or
 - iii. A pattern of openings and fenestration similar in size and proportion to adjacent buildings; or
 - iv. Variations in color, texture, or materials; or
 - v. Architectural screening components that are deeper than they are wide that provide screening from oblique views while maintaining natural ventilation.
- f. Sloped ramps or decks shall not be exposed on the side of the structure facing a public right-of-way, excluding alleys, and shall be located on the interior of the structure or a façade facing the interior of the property.

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3. Surface and Structured Parking Guidelines

- Parking shall be placed on the site in a manner that is consistent with the predominant or desired character of the district with regard to building placement, ease of pedestrian and vehicular access and the established objectives for utilizing buildings to define and reinforce pedestrian circulation and gathering places.
- Surface and structured parking should not occupy street frontage. Within a front setback, surface parking shall be limited to driveways.
- Where surface parking must be adjacent to a public street it should be screened in a manner that meets or exceeds landscape standards.
- Where structured parking must be adjacent to a public street it should be screened in a manner that meets architectural design standards.

4. Residential Garage Standards

- Garages shall be accessed from the alleys on either side of Oak Street or from the side streets. Where parking access from Oak Street is necessary due to the infeasibility of other options it shall be limited to no more than a driveway within the front setback.
- Individual garages shall be either incorporated into the principal building mass or shall be within accessory structures that are complementary to the principal building in terms of form, materials, and finishes.
- Detached garages shall be placed in the rear yard.
- Street facing garages incorporated into the principal building mass shall be recessed a minimum of four feet behind the façade of the dwelling portion of the structure.

5. Garage Guidelines

- In the CK-1 zone district, garages should be either incorporated into the principal building or be within an accessory structure that is residential in scale and complementary to the principal buildings in terms of form, materials, and finishes.
- Front-loading garage doors should not be oriented to Oak Street but may be oriented to a side street.

444.H Building Scale, Variation, and Fenestration

1. Scale and Variation Standard

- The perceived mass and scale of buildings shall be reduced by incorporating smaller design elements consistent with the character of the development. The facades shall be articulated through the incorporation of three or more of the following:
 - Variation in roof forms or parapet heights; or
 - Insets, projections or other relief in the wall plane; or
 - Architectural emphasis of building entries; or
 - Porches, porticos or other forms of covered exterior circulation; or
 - Variations in window size or proportions; or
 - Balconies; or
 - Variation in color, texture, or materials.
- Building design shall not be recognizable by its architecture as a standard trademark design utilized in other communities in the state or across the country.

2. Scale and Variation Guidelines

- a. Contemporary interpretations of traditional building styles are encouraged. A contemporary design that draws upon the fundamental similarities among traditional buildings without copying them is preferred.
- b. In the CK-1 zone district, development should reflect the scale and forms of the adjoining residential neighborhood. With the exception of institutional buildings, new development should provide a transition between the residential neighborhoods and the CK-2 zone district.
- c. In the CK-2 zone district, development should resemble the scale and forms of the adjoining CO zone district.
- d. The repetition of similar shapes and details along a block face should be considered a part of the basic vocabulary of the CK-2 zone district.
- e. When large buildings are designed to appear as several buildings, there should be variation between the facade elements such as variations in materials, color, detail, or alignment.
- f. Details, such as stone foundations, porch railings, divided light windows, and exposed rafter tails, should be utilized to continue the strong sense of residential scale and should be incorporated into contemporary and traditional architecture.
- g. New structures should complement the prevailing pattern of vertical proportioned window and door openings in traditional residential neighborhoods.
- h. All street and alley facing elevations should be designed to an equal level of quality and detail. Buildings with access to the alley between Lincoln Avenue and Oak Street should encourage pedestrian activity utilizing amenities such as balconies, courtyards, decks and additional public entrances.
- i. Ground floor building facades facing Oak Street should be designed to encourage pedestrian activity.
- j. The distinction between the street level and upper floor to floor heights should be maintained and reflected through variation in fenestration, detailing, and materials.
- k. Additive forms, such as enclosures or screening for utilities and service facilities, stairs, decks, covered entrances, balconies, and courtyards that are subordinate to the primary structure should be considered.
- l. In the CK-1 zone district, front entrances on non-institutional buildings should incorporate front entry porches similar to those found in the residential neighborhood to the north.
- m. Secondary public entrances should be considered and are strongly encouraged along alleys. These should be covered or protected and clearly intended for public use but subordinate in detail to the primary entrance that faces the street.
- n. Public art, murals, and landscaping should be considered in the alleys to enhance the pedestrian experience.

3. Glazing and Transparency Standards

- a. A minimum of 25 percent of the wall area of all facades shall be transparent glazing, including glazed doors.
- b. Transparent glazing shall be rated at a minimum 60 percent light transmittance factor.
- c. Highly reflective or darkly tinted glass shall not be used on any area of the building.

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4. Glazing and Transparency Guidelines

- a. Clear glazing incorporating UV protection technology should be used.
- b. Spandrel glass meeting color and reflectivity standards may be permitted to continue fenestration patterns where transparent glazing is functionally prohibited.
- c. Upper floors should have a lower percentage of glazing than the street level.
- d. Upper story windows should have a vertical emphasis. In general, they should be twice as tall as they are wide. Headers and sills of windows on new buildings should maintain the traditional placement relative to cornices and belt courses.

444.I Building Materials

1. Standards

- a. Building materials shall comply with [Appendix C](#) Table C-1.
- b. Variations in materials along the façade of a building shall occur in conjunction with a change in wall plane. Changes in material shall occur where wall planes meet at an inside corner to avoid the appearance of exterior materials as veneers.

2. Guidelines

- a. Building materials of new structures and additions to existing buildings should contribute to the visual continuity of the vicinity by reflecting the scale and texture of traditional materials such as painted wood, brick, and stone on primary wall surfaces.
- b. New products that convey a scale, finish, and character similar to traditional materials that have a proven durability in the City's climate, such as metal shingles, may be considered.
- c. A plaster finish may be used, when its detail expresses visual interest and conveys a sense of human scale. Coverage should not exceed 40 percent of any exposed wall surface.
- d. EIFS (Exterior Insulation Finish Systems) should not be considered.
- e. Large panelized products that lack a sense of scale should be avoided.
- f. Where visible, roofing materials, such as metal panels, composition or concrete shingles, should be similar in appearance to those seen traditionally. Metal should be a non-reflective, matte finish.
- g. Materials that are not included in [Appendix C](#) Table C-1 may be considered provided they can be shown to be of a comparable quality, durability, and character.

444.J Building Color

1. Standards

Not applicable.

2. Guidelines

- a. A range of colors should be used that are evocative of local vernacular buildings and landscapes that will complement, rather than stand out against, the areas entry corridor landscape and mountain backdrop.
- b. Light colors and finishes with high reflectivity should only be used as accents to the basic color palette.
- c. Bright or highly reflective metal finishes should be limited to accents or details and should not be used on large building areas or features.
- d. Earth-toned building and roof colors should be considered appropriate for any building or roof element.

444.K Mechanical, Service, and Accessory Structures

1. Mechanical Equipment Screening Standards

- a. Rooftop mechanical equipment shall be concealed from view from nearby public and private properties.
- b. Screening shall be complementary to the building form, materials, detailing, and colors.

2. Mechanical Equipment Screening Guideline

All mechanical equipment attached to the building should be located away from public view or incorporated into the building massing in a manner that is complementary to the principal building in terms of form, materials, detailing, and color.

3. Service Location and Screening Standards

- a. Loading docks, truck parking, trash collection, and other service functions shall be located away from public view or screened in a manner that is complementary to the principal building form, materials, detailing, and colors.
- b. Chain link, with or without slats, shall not be used to satisfy this screening requirement.

4. Service Location and Screening Guidelines

- a. Loading docks, truck parking, trash collection, and other service functions should be incorporated into the form of the principal building.
- b. Loading docks, truck parking, trash collection, and other service functions should be located away from primary street frontage and oriented toward on-site service access points.
- c. Multi-building developments should gather service functions into convenient shared facilities, where possible, to minimize dispersed impacts.

5. Accessory Structures Standard

Placement, form, materials, detailing, and colors of accessory structures shall be complementary to the principal structure.

6. Accessory Structures Guidelines

- a. Historically significant accessory structures should be preserved when feasible.
- b. Accessory structures should be located in a manner similar to those seen traditionally in the district, placed to the rear of the primary structure and close to the alley.

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DIVISION 1 | ADMINISTRATION

500 GENERAL PROVISIONS

500.A Purpose and Intent

1. Purpose

The purpose of this Article is to:

- a. Safeguard the health, safety, convenience, order, and welfare of all residents of the City; and
- b. Enhance the economy, business, and industry through efficient communication; and
- c. Provide balanced, fair, and concise regulations for design, construction, and placement of signs; and
- d. Provide for free speech, creativity, and aesthetics; and
- e. Facilitate communication and wayfinding for residents, businesses, and guests; and
- f. Improve the quality of signage in Steamboat Springs; and
- g. Encourage innovative design; and
- h. Promote visual harmony and a respect for the character of the community; and
- i. Coordinate the type, placement, and scale of signs; and
- j. Minimize light pollution from signs; and
- k. Provide protection from visual clutter that may result from unrestricted proliferation of signs.

2. Intent

The intent of this Article is to:

- a. Advance important, substantial, and compelling governmental interests including:
 - i. Prevention of sign clutter that can create public safety hazards through visual distraction, obstructed views, or physical obstructions; or that can degrade the aesthetic and essential historic character of the City, making the City a less attractive place for tourism, commerce, and private investment; or that can dilute message display through proliferation of distracting structures and competing messages.
 - ii. Prevention of traffic accidents.
 - iii. Prevention of negative impacts associated with temporary signs that may be degraded, damaged, or destroyed by environmental conditions and that may harm the safety and aesthetics of the City if they are not removed.
 - iv. Prevention of certain types of speech that are not constitutionally protected due to the harm they cause to the individual or the community.
- b. Apply standards that permit signage compatible with the purpose of this Article 5 and each Section; and
- c. Apply standards based on placement, location, materials, lighting, and context; and
- d. Provide a content-neutral regulatory document that preserves the rights of protected free speech; and
- e. Provide alternative compliance and guidelines for site specific variation and flexibility for solutions that may achieve acceptable alternatives in keeping with the purpose of this Article.

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§ 500.B

500.B Substitution Clause

To avoid preference of commercial over non-commercial speech, the content of a sign displaying commercial speech may be substituted for content with non-commercial speech.

500.C Severability

As indicated in [Section 100.C](#) of this CDC, if, for any reason, any one or more sections, sentences, clauses, or parts of this Article are held invalid, such invalidity shall not affect, impair, or invalidate the remaining provisions of this CDC.

500.D Applicability

1. No sign, part of a sign, or lighting for a sign, may be erected, altered, constructed, changed, converted, enlarged, placed, maintained, or moved unless it complies with all applicable requirements of this Article and this CDC.
2. The standards, penalties, and violations of this Article and Section 101 shall apply to all signs within the City of Steamboat Springs. Only signs authorized by this Article shall be allowed in the applicable Context Area and zone district unless otherwise expressly provided for in this CDC.
3. Nothing contained in this Article shall be deemed a waiver or variance of the provisions of any other Sections in this CDC.
4. The City recognizes that other state or federal regulations may apply to signs within the City. Where any provision of this Article conflicts with other regulations, the more restrictive regulation shall apply.

501 TRANSITIONAL PROVISIONS

501.A Purpose

The purpose of this Section is to establish the applicability of new substantive standards enacted by this Article to activities, actions, and other matters related to and regarding signs that are pending or occurring as of the effective date of this Article.

501.B Intent

Modifications to this Article were written to improve compliance with the Supreme Court case of *Reed V. Town of Gilbert*, 135 S. CT. 2218 (2015) and to remove previous standards that were not content neutral. As a result, signs that were named and regulated by type of message (for example: political, real estate, construction) have been removed and this Article, as amended, shall be interpreted in a manner consistent with the requirements of applicable State and Federal law.

501.C Applicability

This Article shall apply to all Sign Permits, Sign Plans, and Master Sign Plans contained within the Steamboat Springs Revised Community Development Code effective from September 18, 2001 – December 31, 2020.

501.D Effective Date

The effective date of this Article is January 1, 2021.

501.E Violations Continue

Any violation of the previous sign regulations of the City shall continue to be a violation under this CDC and shall be subject to the enforcement set forth in Section 101 of this CDC and penalties contained in the Steamboat Springs Municipal Code unless the use, development, construction, or other activity is clearly consistent with the express terms of this CDC.

501.F Completion of Permits Commenced or Approved Under Previous CDCs

1. If a building permit has been issued for a valid and effective Sign Permit, and the term of approval for the Sign Permit expires, the development covered under the building permit shall continue until the building permit expires.
2. Currently valid and effective Sign Permits issued prior to the effective date of this CDC shall remain valid for the term of approval of the permit.

3. Currently valid and effective Master Sign Plans issued prior to the effective date of this CDC shall remain valid through the amortization period as indicated in [Section 502.B](#).
4. Any development that has submitted a complete application for a Sign Permit or any other type of approval for signs, but for which no final action had been taken by the appropriate decision-making body prior to December 31, 2020, shall be reviewed and considered in accordance with either the provisions of the CDC in place on the date of submittal of the application or the provisions of this CDC, at the applicant's option.

502 LEGAL NONCONFORMING SIGNS

502.A General Provisions

Legal nonconforming signs are legal nonconforming structures that shall comply with the provisions of [Section 104](#) and this Section.

502.B Amortization

An Amortization period allows a sign owner to recover value invested in a legal nonconforming sign while planning for removal and replacement of the sign. Amortization ensures that the community will benefit from a substantial uniformity of signage consistent with the purposes of this Article.

1. All existing Master Sign Plans are granted an amortization period from January 1, 2021 to January 1, 2022.
2. After January 1, 2022, Master Sign Plans shall no longer be in effect.
3. Any sign existing on January 1, 2022 that was permitted through an approved Master Sign Plan but that does not comply with this Article shall be a legal nonconforming sign and shall be registered as a legal nonconforming sign.

502.C Termination

1. The legal nonconforming status of a temporary sign shall be terminated immediately upon the expiration of the term of an approved permit or 30 days after the effective date of this Article, whichever is less.
2. The legal nonconforming status of a permanent sign shall be terminated immediately upon any of the following:
 - a. A legal nonconforming sign is determined to be an abandoned sign; or
 - b. A legal nonconforming sign structure does not display copy for 60 days or more; or
 - c. A legal nonconforming sign has been determination by the Building Official to be an immediate hazard to public health, safety, or welfare; or
 - d. The legal nonconforming status is terminated based upon any additional provision in [Section 104](#).

502.D Incentives, Reduction of Nonconforming Signs

The following incentives apply to properties where existing signage is nonconforming.

1. **New Sign Permit for a Nonconforming Sign**
If a nonconforming sign requires a sign permit and does not have one, no alterations are being proposed, and the sign is determined to be legally nonconforming, the nonconforming sign may be permitted without a fee.
2. **Addition of a new Sign Type**
One new sign of a new sign type may be added to a property if one nonconforming sign is removed or brought into compliance with the current code. The new sign shall meet all standards.
3. **Illumination Alteration**
Lighting may be added to one sign or sign lighting may be altered to utilize current standards

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without a Major Adjustment process if one nonconforming sign is removed or brought into compliance with the current code. The new lighting shall meet all standards.

4. **Sign Area Alteration**
An existing sign that exceeds the sign area standard may be reduced in area so that it is no more than ten percent over the standard. The sign may be altered without an Adjustment process. The altered sign shall meet all other standards.
5. **Sign Height Alteration**
An existing sign that exceeds the sign height standard may be reduced in height so that it is no more than ten percent over the standard . The sign may be altered without an Adjustment process. The altered sign shall meet all other standards.
6. **Change to Sign Location**
If a legally nonconforming sign proposes no alterations other than a change of location, the sign may be moved to a conforming location without an Adjustment process. The moved sign shall meet all other standards.
7. **Cabinet/Box Removal**
A nonconforming Cabinet/Box sign may be removed and replaced with a different sign type of the same size without an Adjustment process. The new sign shall meet all other standards.
8. **Reduction of Pole Signs**
 - a. A Pole sign may be reduced to a maximum of 10 feet in height without approval of an Adjustment if the altered sign complies with all other Freestanding sign requirements.
 - b. A pole sign may be removed and the sign area from the pole sign may be added to other existing signs on the site without an Adjustment process. Existing signs shall be increased by no more than 10% over the standard area for the sign.
9. **Use of Permanent Materials**
A sign constructed of materials that are not permanent as specified in this Article, may be removed and replaced with a sign constructed of permanent materials at a size equivalent to the existing sign without approval of an Adjustment.

§ 502 [Ord. No. 2850, 5-3-22]

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503 CONTEXT AREAS ESTABLISHED

503.A Purpose

The purpose of Context Areas is to divide the community into areas that are distinguished by character and zoning to allow signage to be more tailored to an area rather than a “one size fits all” approach. Signage will be regulated and allowed based on the nature and character of an area.

503.B Intent

The intent of Context Areas is to respect differing character and signage needs throughout the City. Context Area regulations will help preserve and enhance unique aspects of each Context Area’s existing and future development.

503.C Applicability

1. Each zone district shall be included in a specific Context Area as listed in Table 503-1. If a new zone district is created after the enactment of this Article, the Context Area shall be determined at the time of adoption of the new zone district.
2. Sign regulations are applied based on the zone district of the lot and the Context Area for that zone district. Each Context Area shall have sign standards consistent with the character of the area.
3. The boundaries of the Context Areas correspond to the boundaries of the zoning districts they include.

Table 503-1. Context Areas and Applicable Zone Districts ^{1 2 3}

Context Areas	Applicable Zone Districts					
Single-Family Residential (SFR)	OR	RE	RN	RO	MH	T2-NE
Multiple-Family Residential (MFR)	RR	MF	T3-NG1	T3-NG2		
Base Area (BA)	G					
Town Center Commercial (TCC)	CO	T4-NC	T5-TC			
Pedestrian Commercial (PC)	CY	CK	CN			
Commercial Corridor (CCR)	CC	CS				
Industrial (IC)	I					

¹ The Context Area for a PUD zone district or SD transect zone shall be determined at the time of adoption of the PUD or SD zoning. If the Context Area was not determined at the time of zoning adoption, the Director shall assign the Context Area that is most consistent with the PUD or SD zoning.

² If the Context Area for a specific lot is determined by the Director to be inconsistent with the surrounding area, the Director may assign a different Context Area to the specific lot.

³ The Context Area for a property with overlay zoning of LFR or EC shall be assigned based on the underlying zone district unless otherwise determined by the Director.

503.D Context Areas

Refer to [Section 503.E](#), [Section 503.F](#), [Section 503.G](#), [Section 503.H](#), [Section 503.I](#), [Section 503.J](#), and [Section 503.K](#) for specific descriptions of the following Context Areas:

1. Single-Family Residential (SFR)
2. Multiple-Family Residential (MFR)
3. Base Area (BA)
4. Town Center Commercial (TCC)
5. Pedestrian Commercial (PC)
6. Commercial Corridor (CCR)
7. Industrial (IC)

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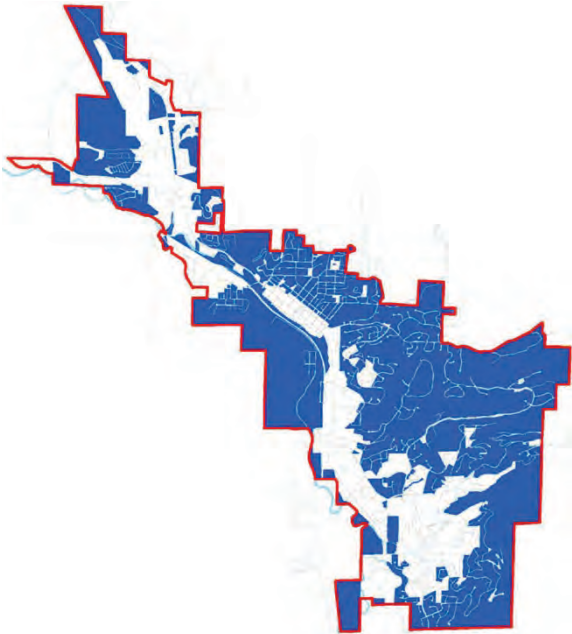
Context Area: Single-Family Residential (SFR)

General Description

The Single-Family Residential Context Area includes properties zoned primarily for one and two-family residential uses. The Context Area may include Home Occupation, neighborhood, or subdivision signage.

The Single-Family Residential Context Area includes the Open Space and Recreation (OR), Residential Estate (RE-1, RE-2), Residential Neighborhood (RN-1, RN-2, RN-3), Residential Old Town (RO), and Manufactured Home (MH) zone districts and the Neighborhood Edge (T2-NE) transect zone.

Sign Types	
Permanent	
Awning/Canopy	
Freestanding	
Incidental	
Integral	
Wall	
Temporary	
Yard Sign, Large	
Yard Sign, Small	



Note: Maps shown are intended for reference only in Sections 503.E through 503.K to illustrate which areas of the City are generally included in each Context Area. Zoning and Context Area of a specific lot may change over time and specific accurate zoning and Context Area shall be in accordance with the Official Zoning Map.

503.F

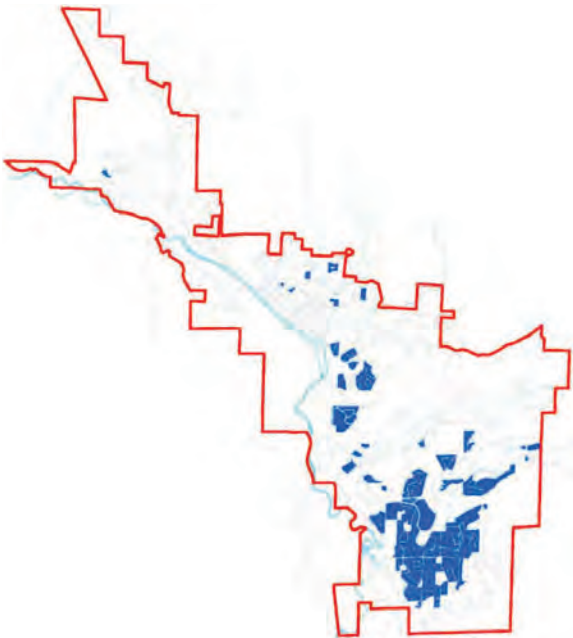
Context Area: Multiple-Family Residential (MFR)

General Description

The Multiple-Family Residential Context Area includes properties zoned primarily for multiple-family residential uses including condominium and townhome developments located across town and at the Base Area, serving residents and visitors. The Context Area may include neighborhood and subdivision signage as well as wayfinding signage to navigate between buildings or to shared amenities. Limited commercial uses may also be present as well as one-family and two-family residential uses.

The Multiple-Family Residential Context Area includes the Resort Residential (RR-1, RR-2), and Multiple-Family Residential (MF-1, MF-2, MF-3) zone districts and the Neighborhood General - Low (T3-NG1) and Neighborhood General - Medium (T3-NG2) transect zones.

Sign Types
Permanent
Freestanding
Incidental
Integral
Temporary
Yard Sign, Large
Yard Sign, Small



Note: Maps shown are intended for reference only in Sections 503.E through 503.K to illustrate which areas of the City are generally included in each Context Area. Zoning and Context Area of a specific lot may change over time and specific accurate zoning and Context Area shall be in accordance with the Official Zoning Map.

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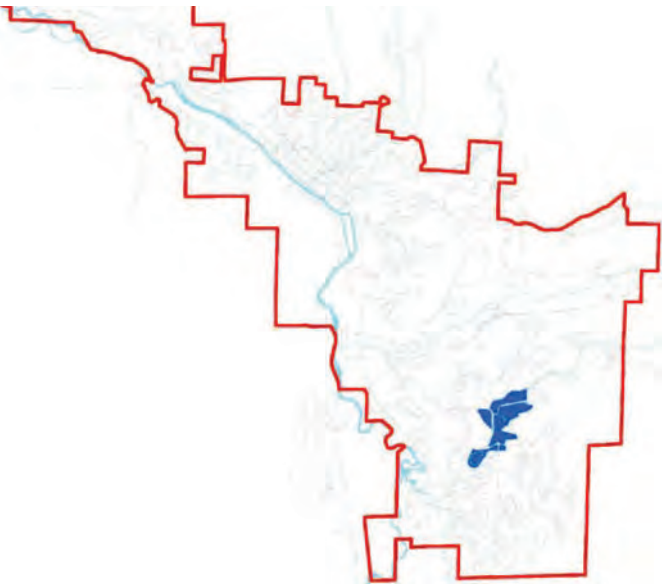
503.G

Context Area: Base Area (BA)

General Description

The Base Area Context Area includes properties located near and adjacent to Steamboat Ski area. The Context Area emphasizes retail, entertainment, and other nonresidential uses oriented towards visitors. The area can serve a large amount of people in a relatively small geographic area. Signage should accommodate wayfinding as the Base Area is linked with residential neighborhoods and tourist accommodations located throughout the community. The Base Area Context Area includes the Gondola (G-1, G-2) zone districts.

Sign Types
Permanent
Awning/Canopy
Display
Free Form
Freestanding
Incidental
Integral
Marquee
Portable
Projected
Projecting
Wall
Window
Temporary
Banner
Yard Sign, Large
Yard Sign, Small



Note: Maps shown are intended for reference only in Sections 503.E through 503.K to illustrate which areas of the City are generally included in each Context Area. Zoning and Context Area of a specific lot may change over time and specific accurate zoning and Context Area shall be in accordance with the Official Zoning Map.

503.H

Context Area: Town Center Commercial (TCC)

General Description

The Town Center Commercial Context Area includes downtown historic areas and future town center areas to the west. Downtown is connected to the City's cultural heritage and is a vibrant commercial corridor that serves residents and visitors. West of town, the T4-NC and T5-TC transect zones will be a developing town center that may include patterns and character similar to those found downtown. Town Center Commercial includes retail, office, restaurant, residential, institutional, lodging/accommodation, and other non-residential uses with frequent interaction, pedestrian activity, and on-street parking. This Context Area includes a focus on preserving historic heritage and downtown character while anticipating new compatible development.

The Town Center Commercial Context Area includes the Commercial Old Town (CO) zone district and the Neighborhood Center (T4-NC) and Town Core (T5-TC) transect zones.

Sign Types
Permanent
Awning/Canopy
Display
Free Form
Incidental
Integral
Marquee
Portable
Projecting
Wall
Window
Temporary
Banner
Yard Sign, Large
Yard Sign, Small



Note: Maps shown are intended for reference only in Sections 503.E through 503.K to illustrate which areas of the City are generally included in each Context Area. Zoning and Context Area of a specific lot may change over time and specific accurate zoning and Context Area shall be in accordance with the Official Zoning Map.

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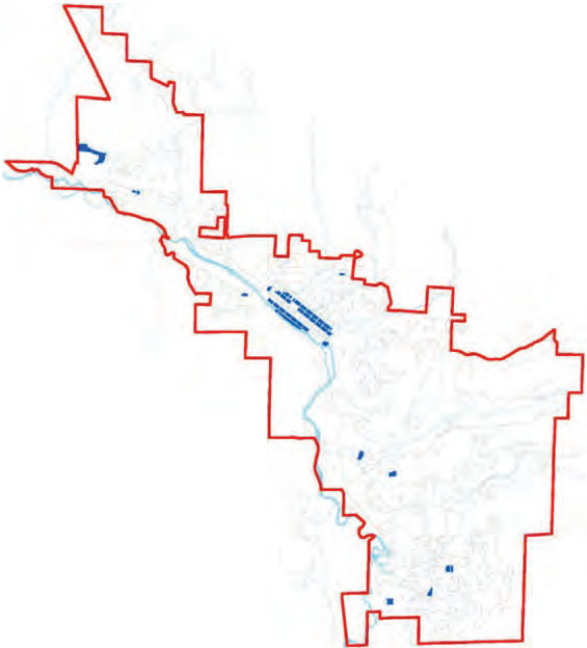
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Context Area: Pedestrian Commercial (PC)

General Description
 While similar to the TCC Context Area, the Pedestrian Commercial Context Area should accommodate a mix of uses, function as a transition to areas of different density, and be pedestrian oriented with lower vehicle speeds and on-street parking. A range of uses, including single family and multiple family residential, retail, service, restaurant, office, medical office, and institutional uses, is anticipated in these areas.

The Pedestrian Commercial Context Area includes the Commercial Yampa (CY-1, CY-2), Commercial Oak (CK-1, CK-2) and Commercial Neighborhood (CN) zone districts.

Sign Types
Permanent
Awning/Canopy
Display
Free Form
Freestanding
Incidental
Integral
Portable
Projecting
Wall
Window
Temporary
Banner
Yard Sign, Large
Yard Sign, Small



Note: Maps shown are intended for reference only in Sections 503.E through 503.K to illustrate which areas of the City are generally included in each Context Area. Zoning and Context Area of a specific lot may change over time and specific accurate zoning and Context Area shall be in accordance with the Official Zoning Map.

503.J

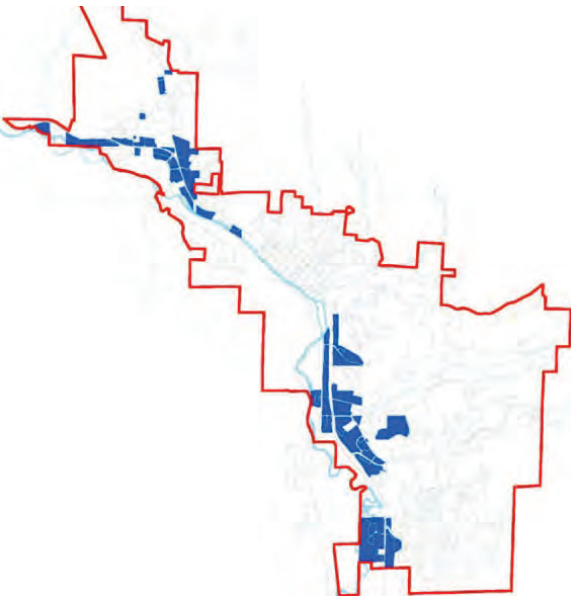
Context Area: Commercial Corridor (CCR)

General Description

The Commercial Corridor Context Area emphasizes larger office, retail, and entertainment uses. This classification is applied to auto-oriented development; however, there is still a strong emphasis on pedestrian connections. Signage may include signs visible from US Hwy 40, collector, and arterial roadways with consideration for pedestrian signage as well.

The Commercial Corridor Context Area includes the Community Commercial (CC), and Commercial Services (CS) zone districts.

Sign Types
Permanent
Awning/Canopy
Display
Free Form
Freestanding
Incidental
Integral
Portable
Wall
Window
Temporary
Banner
Yard Sign, Large
Yard Sign, Small



Note: Maps shown are intended for reference only in Sections 503.E through 503.K to illustrate which areas of the City are generally included in each Context Area. Zoning and Context Area of a specific lot may change over time and specific accurate zoning and Context Area shall be in accordance with the Official Zoning Map.

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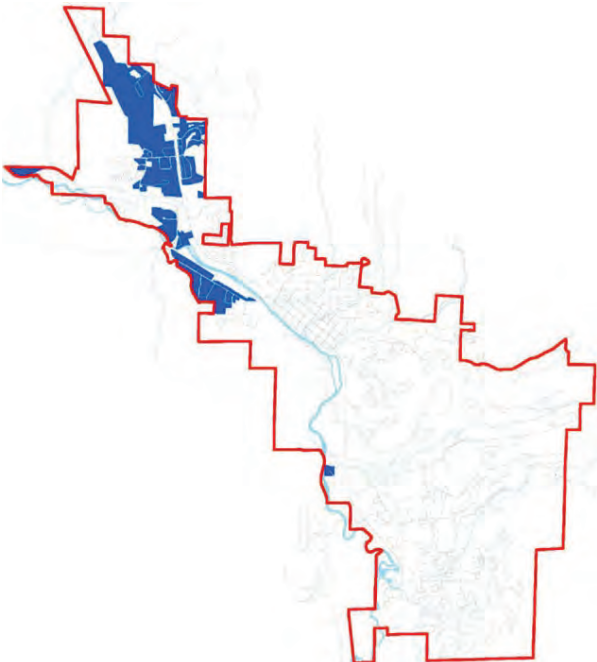
§ 503.K

503.K
Context Area: Industrial (IC)

General Description
The Industrial Context Area includes properties located along entry corridors to the community and away from residential areas. Properties and uses are typically auto oriented and are located on arterial or collector streets with higher vehicle speeds and limited pedestrian movement. Signs should be visible, attractive, and functional for properties within the area and for those with frontage along the entry corridors and major streets.

The Industrial Context Area includes the Industrial (I) zone district.

Sign Types
Permanent
Awning/Canopy
Freestanding
Incidental
Integral
Wall
Temporary
Yard Sign, Large
Yard Sign, Small



Note: Maps shown are intended for reference only in Sections 503.E through 503.K to illustrate which areas of the City are generally included in each Context Area. Zoning and Context Area of a specific lot may change over time and specific accurate zoning and Context Area shall be in accordance with the Official Zoning Map.

§ 503 [Ord. No. 2850, 5-3-22]

504 ORGANIZATION OF SIGNS

504.A Sign Categories and Types

Signs are organized and defined within broad categories and further defined into specific sign types for purposes of permitting and regulation.

1. Sign Categories

All signs are grouped into one of the following categories:

- Permanent Signs
- Temporary Signs

2. Sign Types

Each sign category includes specifically defined and regulated sign types.

504.B Permitting Procedures

Table 504-1 organizes specific signs by type and category and indicates permitting procedures by Context Area.

1. Permitted Signs (P)

Permitted sign types are sign types allowed with a Sign Permit.

2. Limited Signs (L)

Limited sign types are sign types that, when in compliance with all applicable standards, are allowed without a Sign Permit. Sign owners are encouraged to submit a Sign Compliance form for Permanent Limited sign types.

3. Signs Allowed by Major Adjustment (A)

Some sign types may only be allowed in specific Context Areas by a Major Adjustment. Signs allowed by Major Adjustment also require a Sign Permit.

4. Signs Allowed by Alternative Compliance

A sign may vary standards using Alternative Compliance in [Section 507.B](#). Permitted sign types shall be approved for Alternative Compliance by a Sign Permit. Limited sign types shall be approved for Alternative Compliance by completing a Sign Compliance form.

Table 504-1 Permitted and Limited Sign Types

Sign Type	Context Areas						
	SFR	MFR	BA	TCC	PC	CCR	IC
Permanent Sign Category							
Awning/Canopy		P	P	P	P	P	A
Display			L	L	L	L	A
Free Form			P	P	P	P	A
Freestanding ¹	P	P	P		P	P	P
Incidental	L	L	L	L	L	L	L
Integral	L	L	L	L	L	L	L
Marquee			P	P	A	A	A
Portable		A	L	L	L	L	A
Projected			P	P	A	A	
Projecting ²	P		P	P	P	A	A
Wall ²	P	P	P	P	P	P	P
Window ²	P		L	L	L	L	A
Temporary Sign Category							
Banner			P	P	P	P	A
Yard Sign, Large	P ³	P	P	P	P	P	P
Yard Sign, Small	L	L	L	L	L	L	L
Yard Sign, Small, Limited Time	L	L	L	L	L	L	L

¹ In the SFR Context Area, Freestanding Signs are allowed for a neighborhood or a nonresidential lot. Freestanding Signs are prohibited for single-family or two-family residential uses.

² See [Section 509.N Home Occupation](#) Signage Standards for signs in the SFR Context Area. These sign types are prohibited for lots or buildings without an approved Home Occupation use.

³ In the SFR Context Area, a Large Yard Sign is only allowed for an approved subdivision, multiple-family residential development, or non-residential development.

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504.C Exempt Signs

The following sign types are exempt from a Sign Permit and all standards contained in this Article 5 except the applicable limitations and standards included in this Section. An exempt sign that does not meet the applicable limitations and standards shall require a Sign Permit, may require an Adjustment, and shall count toward overall sign area allowed per lot, use, or project area.

1. Flags

Flags and flagpoles shall meet standards in [Section 508.B](#) and are subject to the following limitations:

- Flagpoles shall be a maximum height of 20 feet above existing grade; and
- Flags shall not exceed 25 square feet in area and shall be generally rectangular in shape; and
- A maximum of two flags shall be allowed per lot or project area.

2. Public Signs

Public signs shall meet standards in [Section 508.B 3-5](#).

3. Vehicle Signs

The purpose of this standard is to manage vehicle signs when the vehicle is being used for off premises advertising. Vehicle signs shall meet standards in [Section 508.B](#) and are subject to the following limitations:

- Vehicle signs shall display a product or activity offered by a use on the lot or within the project area where the vehicle is located; and
- Vehicle signs shall be painted on or otherwise similarly adhered to a vehicle; and
- Any vehicle displaying a vehicle sign shall meet all legal requirements and be regularly operated; and
- Any vehicle displaying a vehicle sign shall not be used for storage; and
- An off-premises vehicle sign is prohibited, excluding vehicles temporarily parked for the purpose of actively conducting business.

504.D Prohibited Signs

The following signs and devices are determined to be a nuisance and are prohibited in all Context Areas.

- Signs which are of a size, location, movement, content, coloring, or manner which may be confused with or construed as a traffic control device or which obscure any traffic or street sign or signal.
- The tacking, posting, or otherwise affixing of signs or bills of a miscellaneous character on public buildings, structures, trees, natural features, poles, fences, benches, utility structures, bus stops, or other public structures.
- Abandoned signs.
- Animated, moving, reflective, or other similar signs.
- Audible signs.
- Beacons or searchlights.
- Emitting signs.
- Feather flags, pennants, streamers, balloons, lighter than air objects, or other similar wind driven signs.
- Gas pump canopy signs.

10. Inflatable signs.
11. Off-premises signs, unless allowed by an approved Major Adjustment, Variance, or Development Plan as outlined in this Article.
12. Open channel letters.
13. Projected copy, such as motion pictures, film slides, holographs, or other similar images. This does not include projected signs.
14. Roof signs.

504.E Historic Signs

1. Historic Sign Permit

- a. An Historic Sign Permit shall be issued by the Planning Director for:
 - i. A sign designated as an Historic Resource or Local Landmark on the Local Register; or
 - ii. A sign determined by the Historic Preservation Commission to be important to or a contributing feature of an Historic Resource, Local Landmark, or Contributing Property.
 - iii. An obsolete sign designated as an Historic Resource or Local Landmark, or determined to be a contributing feature of an Historic Resource or Local Landmark.
- b. An Historic Sign Permit shall document:
 - i. Parties responsible for ownership and maintenance; and
 - ii. Location of the sign on the lot; and
 - iii. Condition of the sign, including but not limited to its materials (neon, wood, etc.) and manner (age, location, dimensions, illumination, etc.); and
 - iv. Other information relevant to the sign.
- c. An Historic Sign Permit shall be revoked by the Planning Director upon a finding that one of the following has occurred:
 - i. The sign's Historic Resource or Local Landmark designation has been revoked; or
 - ii. The sign has been altered in a manner that results in it no longer being important to or a contributing feature of an Historic Resource, Local Landmark, or Contributing Property.

2. Historic Sign Standards

- a. Maintenance shall be consistent with [Section 508.D](#) of this Article.
- b. Alteration or demolition of an Historic Sign shall comply with [Section 111](#) and [Section 112](#).
- c. Signs with an approved Historic Sign Permit shall be excluded from maximum sign area.
- d. Signs with an approved Historic Sign Permit shall be exempt from any limitations for a lot, use or project area as listed in this Section.

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DIVISION 2 | DEFINITIONS AND RULES

505 DEFINITIONS OF TERMS

505.A General Sign Terms

For the purpose of Article 5 and this CDC as it relates to signs, the following terms shall be defined as follows:

A

Abandoned Sign. A sign that is not an Eligible Resource, Historic Sign, or Obsolete Sign and that advertises an on-premises or off-premises activity that has been discontinued or is otherwise unused.

Alteration. Any change to the sign area, materials, structure, size, location, or lighting of an existing sign.

Art. Any visual work of art that is accessible to public view, is intended for enjoyment by the public, does not contain characteristics of an advertising sign, and has been approved and permitted through a City process. Art may include but is not limited to ceramics, frescoes, fountains, monuments, murals, paintings, sculpture, or stained glass. Art is not considered a sign.

Conforming Sign. A sign that is legally installed in conformance with all prevailing jurisdictional laws and ordinances.

Display Time. The amount of time a message or graphic is displayed on an electronic message sign.

F

Foot-Candle (fc). The unit of measure expressing the amount of light received on a surface. A measure of illuminance.

Frontage. The following types of frontage are defined and measured in accordance with [Section 506](#) Rules of Measurement.

Primary Frontage. As defined in accordance with [Section 506.C.1.](#)

Secondary Frontage. As defined in accordance with [Section 506.C.2.](#)

I

Illegal Sign. A sign that does not meet the requirements of this CDC and is not a legal nonconforming sign, including but not limited to signs installed or altered without or inconsistent with an approved Sign Permit or signs that have been installed or altered that do not meet requirements or standards.

Illuminated Sign. A sign that utilizes artificial light, either projecting through its surfaces or reflecting off its surfaces.

Externally Illuminated Sign. A sign that utilizes a light source external to the sign, such as wall, bracket, or ground mounted lighting fixtures.

Internally Illuminated Sign. A sign that utilizes a light source contained within the structure of the sign.

Interior Sign. A sign placed within a building or a project area that does not contain characteristics of an advertising sign and is not easily visible from a public right-of-way, private street easement, or similar public view as determined by the Planning Director.

L

Legal Nonconforming Sign. A sign that was legally installed and maintained and conformed to the applicable standards when installed but that does not now conform to the standards of this CDC.

Luminance. Luminance is the measure of light output at its source or the measure of light output of an illuminated surface, a measure of brightness, that does not vary with ambient light conditions.

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N **Neighborhood.** An area of community with characteristics that distinguish it from others, defined by distinct boundaries or physical barriers, within which the residents share a common identity that may include an owners association or other similar organization.

Nit (cd/m2). A unit of measure for luminance or brightness, one nit is one candela per square meter.

O **Off-Premises Sign.** A sign located on a lot or within a project area that advertises a use that is not located on the same lot or within the same project area as the sign.

On-Premises Sign. A sign located on a lot or within a project area that advertises a use that is located on the same lot or within the same project area as the sign.

P **Pedestrian-Active Building Frontage.** As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Permanent Sign. A sign that is permanently affixed or attached to the ground or to a structure or building.

Permitted Sign. A sign that has been approved through a sign permit process and that has been issued a sign permit.

Pixel Pitch. The distance between the center of one pixel to the center of an adjacent pixel.

Project Area. An area comprised of one or more lots, buildings, common area, or uses that for the purpose of this Article 5 is determined to be a single project by the Planning Director upon a finding that each individual lot, building, area, or use cannot stand alone and is dependent on shared facilities, infrastructure, or features. Shared facilities, infrastructure, or features may include but are not limited to access, parking, common area, utilities, drainage, or other similar features.

Property Address. Numbers or letters assigned to a lot by the City for identification of the lot.

S **Sign.** An object, device, or part thereof, located outdoors or indoors, that is visible from a street, alley, right-of-way, pedestrian circulation area, or public gathering area and that contains copy used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, purpose, product, activity, or location. Sign does not include art or property address.

Sign Area. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Sign Clearance. As defined and measured in accordance with [Section 506](#) Rules of Measurement.

Sign Copy. The words, letters, numbers, figures, graphics, designs, symbols, logos, projections, images, colors, color differentiation, background differentiation, or other graphic elements comprising the content of a sign.

Sign Face. The surface of the sign where sign copy is displayed.

Sign Height. As defined and measured in accordance with [Section 506](#) Rules of Measurement.

Sign Maintenance. The routine upkeep of a sign to ensure the components are safe, neat, and orderly in condition and appearance and to prevent deterioration caused by weather, age, or other conditions. Maintenance includes cleaning, painting, repair, or replacement of defective parts of a sign. Maintenance does not include any changes to the sign area, copy, materials, structure, size, location, or lighting.

Sign Permit. A permit or approval required for any sign type listed in Article 5.

Sign Plan. A comprehensive sign program for a building, lot, neighborhood, or project area.

Sign Projection. As defined and measured in accordance with [Section 506](#) Rules of Measurement.

Sign Structure. A structure that supports or frames a sign face.

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T

Temporary Sign. A sign that is not permanently affixed or attached to the ground or to a structure or building and that is intended to be displayed for a limited period of time.

Window Area. As defined and measured in accordance with [Section 506](#) Rules of Measurement.

505.B Sign Types

A

Animated Sign. A sign employing motion, the illusion of motion, moving objects, flashing or oscillating lights, spotlights, light or color changes, mirrors, brightly illuminated or highly reflective material, or other visible movement by any means that causes the sign or copy to move, change, flash, or alter in appearance. Animated sign does not include a changeable message sign.

Awning/Canopy Sign. As defined in accordance with [Section 509.A](#).

Audible Sign. A sign that projects an audible message intended to be heard by either pedestrians or vehicles.

Banner Sign. As defined in accordance with [Section 510.A](#).

C

Cabinet/Box Sign. A sign comprised of an enclosed, hollow, three-dimensional structure that frames or displays a sign face. A cabinet/box sign is not a free-form sign.

Changeable Message Sign. As defined in accordance with [Section 509.B](#).

Channel Letter Sign. A sign, whether internally illuminated or not, entirely composed of hollow three-dimensional individual letters, figures, or copy. A channel letter sign may also be known as pan-channel letters.

Dimensional Letter Sign. A sign, not internally illuminated, entirely composed of three-dimensional individual letters, figures, or copy formed from a solid material.

Display Sign. As defined in accordance with [Section 509.C](#).

Emitting Sign. A sign that emits smoke, open flames, visible vapors, particles, sound, or odor.

F

Feather Flag. A temporary sign made of flexible material intended to be inserted directly into the ground or into a mounting device that sits on the ground, often with a feather-like shape. Feather flags may also be known as blade flags, sail flags, quill flags, or flutter flags. See Figure 505-1.

Flag. An article of cloth or similar material, typically oblong or square, attachable by an edge to a pole or “flagpole” and displayed to the public.

Free-Form Sign. As defined in accordance with [Section 509.D](#).

Freestanding Sign. As defined in accordance with [Section 509.E](#).

Gas Pump Canopy Sign. A sign, including color, graphics, color differentiation, background differentiation, or sign copy, on a gas pump canopy.

H

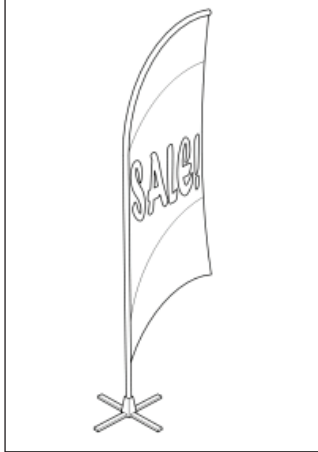
Historic Sign. A sign designated as having historical significance by an approved Historic Sign Permit.

Incidental Sign. As defined in accordance with [Section 509.F](#).

Inflatable Sign. A sign composed of nonrigid material that utilizes air or gases, either under pressure or heated, to maintain its shape.

Integral Sign. As defined in accordance with [Section 509.G](#).

Figure 505-1. Feather Flag



Marquee Sign. As defined in accordance with [Section 509.H.](#)

Neon Sign. A sign that utilizes neon or other gases within translucent tubing or that has an appearance similar to a neon sign that utilizes a different light source.



Obsolete Sign. A sign which may or may not be applicable to the building or use where it is located and that may be eligible for designation as an Historic Resource consistent with [Section 112.B.](#) See Figure 505-2.

Open Channel Letter Sign. A sign with individual three-dimensional letters that have no face, or a clear face where, if illuminated, the light source is visible.



Pole Sign. A freestanding sign that is supported by one or more poles, columns, or other similar structures where the total width of the pole(s) is less than two-thirds of the width of the sign face.

Portable Sign. As defined in accordance with [Section 509.I.](#)

Projected Sign. As defined in accordance with [Section 509.J.](#)

Projecting Sign. As defined in accordance with [Section 509.K.](#)

Public Signs. Signs required or specifically authorized for a public purpose by law or erected by a government entity, including but not limited to transit or bus stop signs, interpretive signs, commemorative or historic plaques or signs, wayfinding signs for public facilities, towing signs, traffic control signs, and civic or public event signs.



Roof Sign. A sign that is affixed to the roof or parapet of a building or that projects above the roof or eaves of a building.

Single-Face Sign. A sign with only one face plane that is not thicker than three inches.

Vehicle Sign. A sign that is mounted upon, painted on, or otherwise erected upon a vehicle, including but not limited to a van, truck, automobile, bus, trailer, or other vehicle.

Wall Sign. As defined in accordance with [Section 509.L.](#)

Window Sign. As defined in accordance with [Section 509.M.](#)



Yard Sign. A temporary sign that is constructed of paper, fabric, wood, metal, plastic, or other light material, with or without a frame, and that is intended to be displayed for a limited period of time.

Large Yard Sign. As defined in accordance with [Section 510.B.](#)

Small Yard Sign. As defined in accordance with [Section 510.C.](#)

Figure 505-2. Obsolete Sign



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506 RULES OF MEASUREMENT

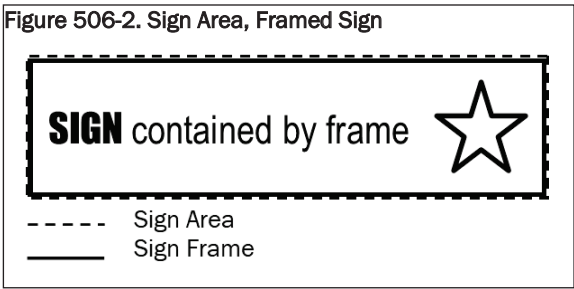
506.A Sign Area

Sign area is the total area of sign copy as applied to any background and including any background with color, material, or texture differentiation. The structure supporting the sign shall be excluded from sign area measurement unless otherwise determined by the Director. Sign area shall be expressed as the sum of the geometrically computed shape or shapes encompassing separate individual letters, words, color differentiation, or graphic elements according to the following rules. Signs separated by six inches or more shall have separate sign areas.

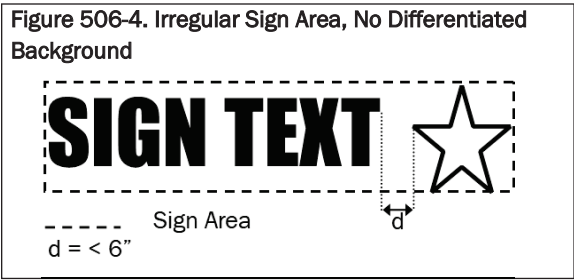
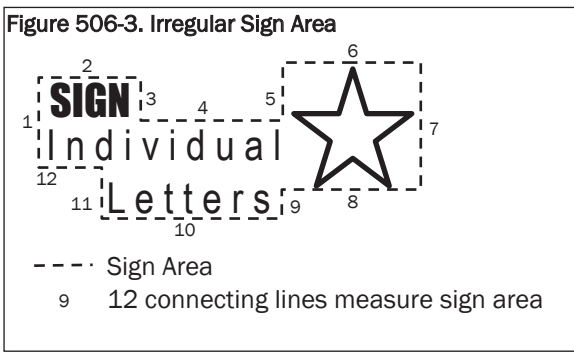
- 1. **Differentiated Background**
Sign area shall include all copy, graphics, and the limits of any differentiated background that can be enclosed by no more than 12 connecting lines. See Figure 506-1.



- 2. **Framed Sign**
The area measurement of a sign contained within a cabinet, border, or frame shall include the total area of the sign copy and the cabinet, border, or frame to the outer extent of the sign. See Figure 506-2.

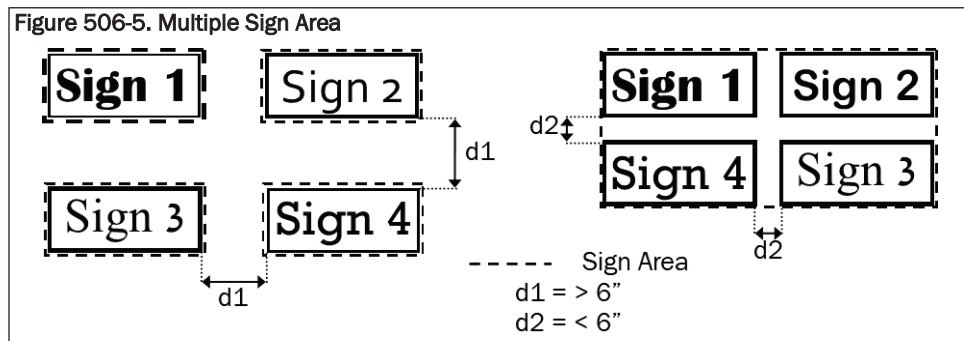


- 3. **Irregular Sign Area**
The area measurement of a sign that includes individual letters shall be determined by encompassing all letters, shapes, and any differentiated background in a geometric form of no more than 12 connecting lines. See Figure 506-3 and Figure 506-4.



4. **Sign Area for more than one sign**

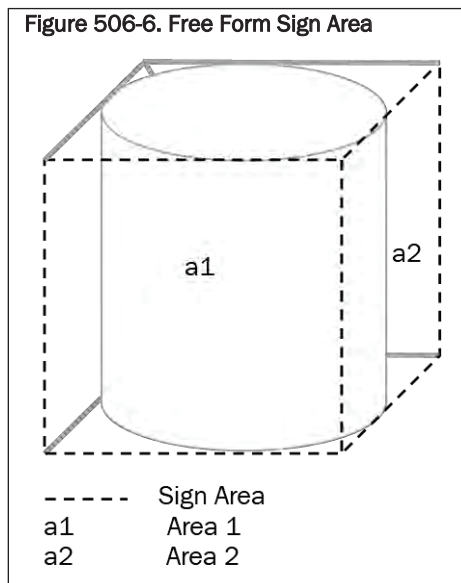
The total sign area for multiple signs includes sign frames and vertical and horizontal spacing between signs. See Figure 506-5.



5. **Free Form Sign Area**

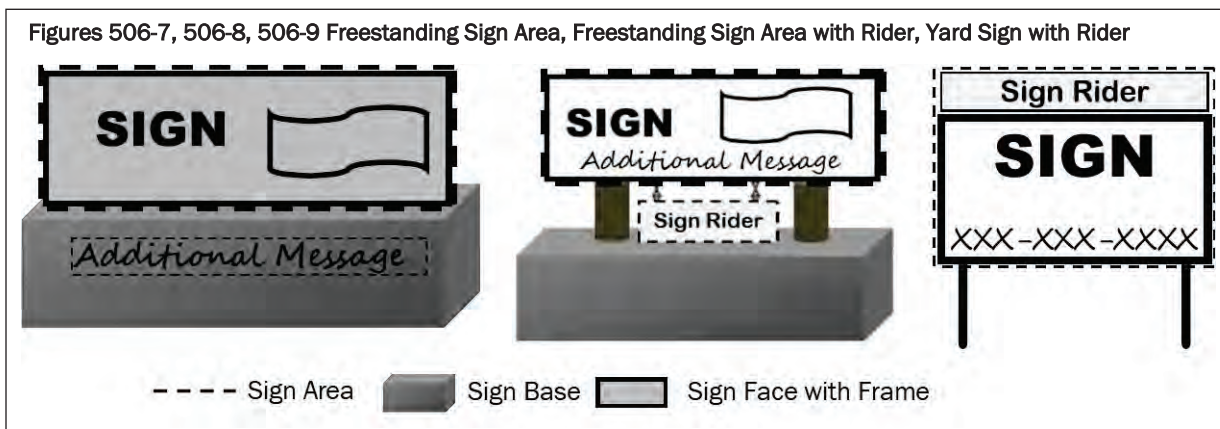
The sign area of a Free Form Sign shall be the sum of two adjacent vertical faces, as seen at the same time from a viewer's perspective, of the smallest cube that can encompass the sign. See Figure 506-6.

Area 1 + Area 2 = Free Form Sign Area



6. **Freestanding Sign Area**

The sign area of a freestanding sign shall include the extent of sign copy and outer extent of any frame, excluding the poles and base. If copy is placed as a rider attached to the sign the additional area of copy and outer extent of any frame will be included in total sign area. See Figures 506-7, 506-8, and 506-9.



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7. **Parallel Faces.**

The sign area of a sign that has two parallel faces shall be measured as one sign area.

8. **Faces that are not parallel.**

- The sign area of a sign that has two or more faces that are not parallel, with an angle of less than 45 degrees between the sign faces, shall be measured as one sign area. See Figure 506-10.
- The sign area of a sign that has two or more faces that are not parallel, with an angle of greater than 45 degrees between the sign faces, shall be measured as two (or more) sign areas. The area of all sign faces shall be included in total sign area. See Figure 506-11.

9. **Window Area**

Window area shall be calculated as the area of glass within the structure surrounding the window. See Figure 506-12.

10. **Window with more than one frame.**

If a window includes multiple areas or frames, the outer most frame will determine the extent of the Window Area. See Figure 506-13.

11. **Angled Windows**

Windows that are angled at 90 degrees or greater, shall be separate windows for Window Area calculations.

12. **Allowable Window Sign Area**

Allowable window sign area shall be total window sign area of all window signs divided by window area. Allowable Window Sign Area is conveyed as a percent. See Figure 506-12.

$$\text{Allowable Window Sign Area} = \text{Total Window Sign Area} / \text{Window Area}$$

Figure 506-10 Faces that are not parallel, angle ≤ 45 degrees



Figure 506-11 Faces that are not parallel, angle ≥ 45 degrees

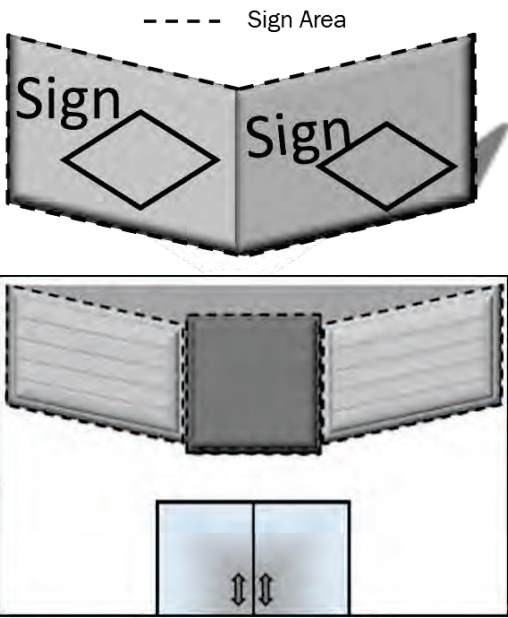


Figure 506-12 Window Sign Area within Window Area

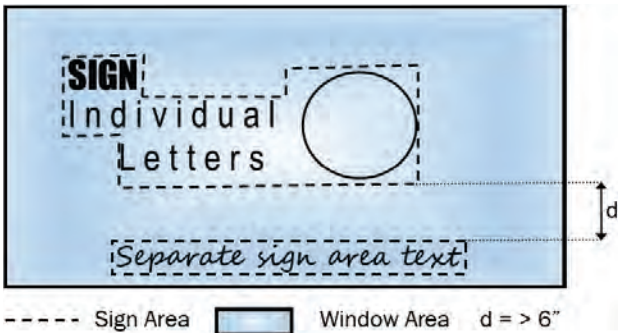
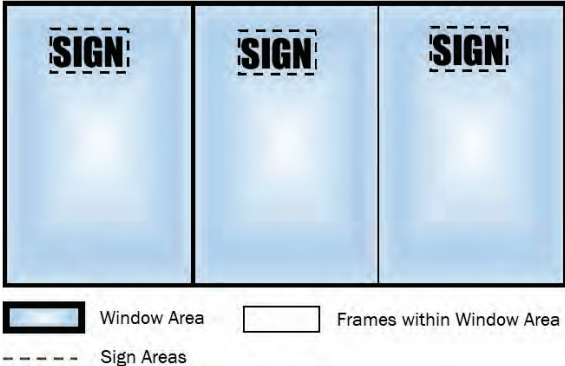
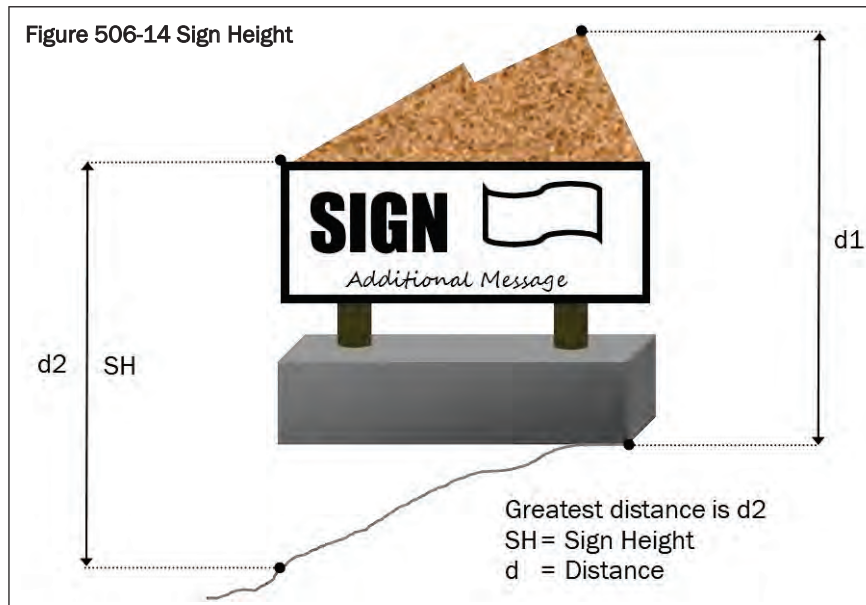


Figure 506-13 Window with more than one frame



506.B Sign Height

Sign height is the greatest distance, measured vertically plumb, between the elevation of any point on the sign and the existing grade directly below that point. See Figure 506-14.



506.C Frontage

For purposes of this Article, frontage shall be designated according to the following rules.

1. **Primary Frontage**
Primary frontage is:
 - a. Pedestrian-Active Building Frontage as defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement; or
 - b. In the case of a use, lot, or project area without a principal building, the front lot line.
2. **Secondary Frontage**
Secondary frontage is frontage on an alley, access easement, drive aisle, private access, lower classified street, a Story that is not at Pedestrian Level, or other frontage that is not primary as determined by the Planning Director.
3. **Multiple Primary Frontages**
If a use, lot, or project area has more than one pedestrian-active building frontage or front lot line, the frontage facing or abutting the higher classified street shall be designated the primary frontage. All other frontages shall be designated secondary frontage unless otherwise determined by the Planning Director.
4. **Uses Without Pedestrian-Active Building Frontage Area**
If a use is located within a building but not within the building's Pedestrian-Active Building Frontage area, signage may be placed on a secondary frontage or on the primary frontage of the same building where the use is located, subject to all applicable standards. If the standards cannot be achieved, a Sign Plan is required.
5. **Frontage Substitution**
Signage allowed on a primary frontage may be placed on a secondary frontage, in lieu of the primary frontage, unless explicitly prohibited by this Article. Frontage substitution does not require an adjustment and shall be indicated on the Sign Permit.

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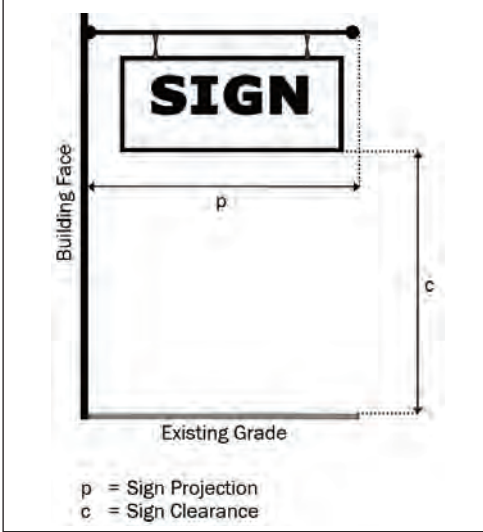
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506.D Sign Clearance
 Sign clearance is the distance, measured vertically plumb, between the lowest point of the sign or sign structure and the existing grade directly below that point. See Figure 506-15.

506.E Sign Projection
 Sign Projection is the distance measured horizontally from the face of a building to the outer extent of the sign structure. See Figure 506-15.

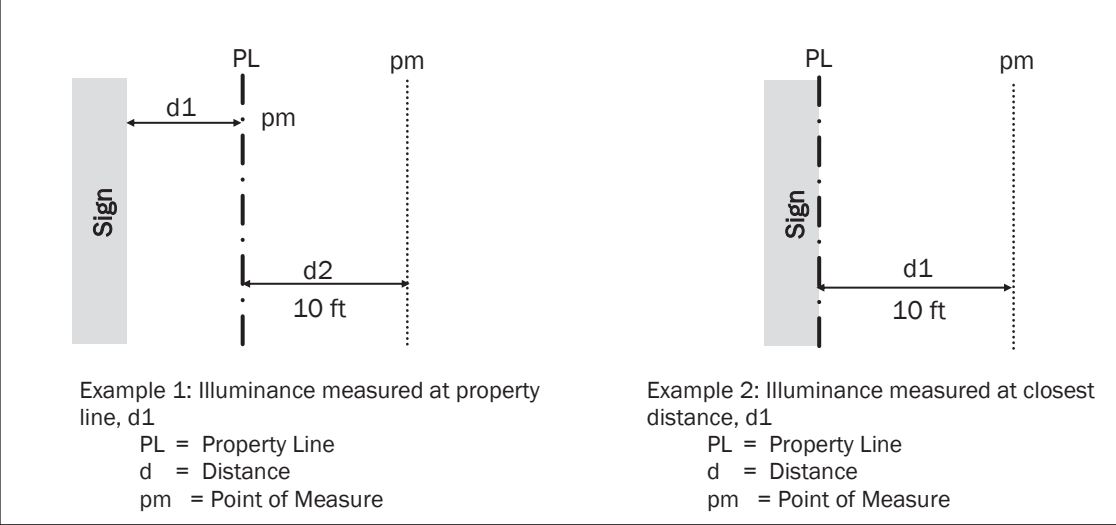
Figure 506-15 Sign Clearance, Sign Projection



506.F Illuminance
 Illuminance is the measure of the projection of light into surrounding space, such as light cast by a sign onto a property line or ground surface. Illuminance is measured in foot-candles. Illuminance is typically used to evaluate light trespass.

1. **General Rules**
 - a. Illuminance shall be measured in all directions.
 - b. Foot-candle measurement shall be taken with ambient light only and then with the sign illuminated.
 - c. Illuminance shall be measured with an illuminance meter.

Figure 506-16. Sign Illuminance Measurement



2. **Special Rules**
 - a. Illuminance for EMCs shall be measured at the measurement distance indicated in Table 506-1.
 - b. In the case where a sign legally projects across a property line, illuminance measurement shall be taken 10 feet from the edge of the sign or sign structure. See Figure 506-18.

Table 506-1. EMC Measurement Distance

Sign Area	Measurement Distance
10 sf	32 ft
15 sf	39 ft
20 sf	45 ft
25 sf	50 ft
30 sf	55 ft
32 sf	57 ft

For signs with an area in square feet other than those specifically listed in the table, the measurement distance may be calculated with the following formula:

$$\text{Measurement Distance} = \sqrt{(\text{Area of Sign sf} \times 100)}$$

Figure 506-17 EMC Illuminance Measurement Distance

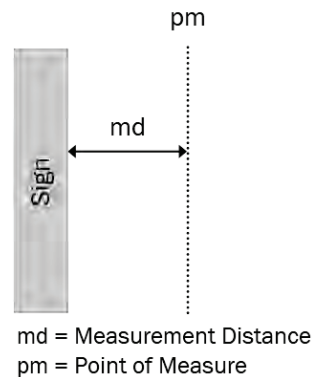
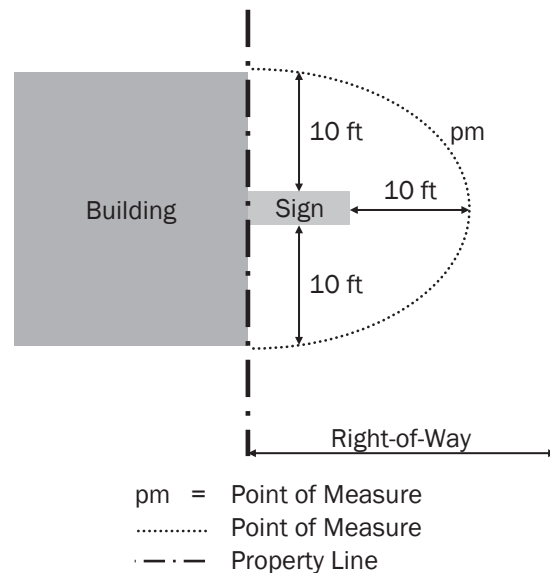


Figure 506-18 Projecting Sign Illuminance Measurement



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DIVISION 3 | STANDARDS

507 ORGANIZATION OF STANDARDS

507.A Applicability

1. Signs and sign structures shall comply with all applicable requirements and standards of this Article.
2. Standards shall only be varied through the Adjustment or Alternative Compliance unless otherwise explicitly stated.
3. In circumstances where standards contained in this Article 5 are in conflict with any standards contained in the CDC, the more restrictive standard shall apply unless otherwise explicitly stated.

507.B Format

1. Standards

Sign standards are objective and typically measurable criteria that provide specific requirements for compliance. Standards are stated using the term “shall” to indicate compliance is required unless it can be demonstrated that an acceptable alternative meets one or more criteria for an adjustment or alternative compliance. Compliance with the standards is assumed to result in signage that achieves the purpose of the Article.

2. Alternative Compliance

Alternative Compliance provides an acceptable alternative that is assumed to result in development that achieves the purpose of the standard. Alternative compliance shall be evaluated through the development review process and shall not require an Adjustment.

a. Applicability

Alternative Compliance may be requested for any standard in this Article unless specifically exempted or prohibited by [Section 504](#).

b. Limitations to Alternative Compliance

- i. Alternative Compliance does not apply to and shall not be used for:
- ii. Any change that requires an Adjustment.
- iii. Any change that creates a nonconformity or results in an increase of a nonconformity.
- iv. Signs approved as part of a Sign Plan.
- v. Signs that have been approved by an Adjustment.
- vi. Anything that is prohibited within this Article.
- vii. Nonconforming, abandoned, or illegal signs.

c. Criteria for Approval

Alternative Compliance may be approved by the Planning Director upon a finding that the alternative meets the following criteria:

- i. Alternative or innovative practices have been implemented that are equal to or better than the intent and purpose of the Section, Standard, or this Article; and
- ii. The proposed sign will have no adverse impact on adjacent properties or uses; and
- iii. The proposed sign does not pose a threat to public health, safety, or welfare; and
- iv. Either there are practical difficulties, hardships, or unusual aspects of the lot; or the proposed sign is in substantial conformance with standards in this Article and is consistent with the Context Area.

3. Guidelines

Guidelines provide considerations to promote the goals defined by the purpose statements and shall be reviewed when evaluating an Adjustment. Adjustments to sign standards may include consideration as to whether the proposed adjustment will provide signage that is:

- a. Informative, creative, and aesthetically complementary to the surrounding area and which contributes to the common welfare and needs of the public.
- b. Limited to the fewest number of signs necessary to accomplish the purpose for which they are intended.
- c. Sized with consideration of the purpose of the sign, the presence of vehicles or pedestrians that will interact with the sign, the distance from which it will be viewed, the speed of passing vehicles, the presence of other signs in the vicinity, the size of other signs in the vicinity, the amount of total sign area allocated to the same use, and the size of the use, lot, or project area in proportion to the size of the sign.
- d. Not excessively tall or that may create a visual obstruction of the natural scenery surrounding the City. Adjustments to sign height should consider the topography of the lot or project area, the location of the sign on the lot or project area, and the sign's relationship to pedestrian and vehicular circulation.
- e. Illuminated with lighting that is no brighter than necessary to accomplish the purpose of the sign. Sign lighting should not impact adjacent properties or hinder the vision of drivers viewing the sign.

4. Sign Compliance

- a. **Purpose**
The purpose of Sign Compliance is to develop an inventory of signage over time and ensure compliance with standards in Article 5.
- b. **Applicability**
A Sign Compliance form is encouraged for existing or proposed Permanent Limited Sign Types listed in [Table 504-1](#).
- c. **Procedures**
 - i. A Sign Compliance form may be submitted at any time.
 - ii. Review shall be prior to or concurrent with review of another development application or building permit, if applicable.
- d. **Criteria for Approval**
Sign Compliance forms shall be approved upon a finding that the following criteria are met:
 - i. The proposed sign complies with standards listed in Article 5.
 - ii. The proposed sign complies with all other applicable requirements of this CDC.
- e. **Term and Effect of Approval**
 - i. Approval of a Sign Compliance form shall be final on the date of the Planning Director's signature on the form.
 - ii. Approval of a Sign Compliance form shall remain in effect for perpetuity, until amended, or until the sign is terminated based on provisions in this CDC.
- f. **Amendments**
Amendments to a Sign Compliance form shall be approved through the Sign Compliance process.

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508 GENERAL STANDARDS

508.A Applicability

The following standards shall apply to all signs unless specifically exempted by this CDC.

508.B Placement

1. Signs shall not be off premises, unless specified by an approved Adjustment, Variance, or Development Plan.
2. Signs shall not obstruct any public street, sidewalk, trail, or other similar right-of-way, access, driveway, or easement.
3. Signs shall not be placed in a Clear Vision or Waterbody setback unless otherwise allowed by Adjustment or Sign Plan.
4. Sign location shall not interfere with the use of or free passage from any structure or opening intended as a means of ingress or egress.
5. Signs shall not obstruct any opening to an extent that light or ventilation is reduced to a level below that required by the CDC or the Building Code.
6. Signs shall not extend into or be placed within a public right-of-way or easement unless specified by an approved Revocable License.

508.C Materials

1. **All Signs**
Primary sign materials shall be appropriate for exterior use in the high mountain climate, including exposure to sun, snow, ice, and temperature variation.
2. **Permanent Signs**
 - a. Materials may include but are not limited to metal, glass, stone, concrete, brick, plexiglass, fiberglass, wood, or other approved materials.
 - b. Premium materials may include but are not limited to metal, glass, stone, concrete, brick, or other approved materials.
 - c. Woven fabrics or vinyl fabrics that are intended for long-term exterior use and that are permanently secured to a structure may be used for sign types where specified.
 - d. Paint, vinyl, or other similar materials may be used for window signage.
 - e. Plastic substrate, plywood, unfinished wood, or similar materials are prohibited.
3. **Temporary Signs**
Materials may include but are not limited to metal, plexiglass, fiberglass, wood, plastic substrate, plywood, woven fabrics, vinyl fabrics, or other approved materials.

508.D Maintenance

1. Every sign shall be maintained in good condition at all times as defined in this Article and as determined by Director. A sign in good condition shall:
 - a. Be kept neatly painted, including all surfaces such as metal parts and supports that are not galvanized or made of rust resistant materials.
 - b. Not have broken, cracked, torn, stained, rusted, or faded materials.
 - c. Not present a hazard through instability, unsecured elements, or other unsafe condition.
 - d. Have functional lighting, where permitted.
2. The Director shall have the authority to inspect signs to ensure they are adequately maintained and in compliance with this CDC.

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3. If upon inspection, the Director determines a sign to be in violation of this CDC or if the sign is determined to be a safety hazard, the Director may order the sign to be maintained or removed by the property owner.
4. Damaged signs shall be repaired by the owner within 60 days of the date of the damage.

508.E Illumination

1. Purpose

- a. Permit reasonable use of lighting to illuminate a sign in order to see the sign or read sign copy from an adjacent street or primary frontage.
- b. Ensure sign lighting is not noticeably brighter than is necessary to illuminate the sign for visibility.
- c. Ensure sign lighting is not noticeably brighter than other lighting in the vicinity.
- d. Ensure sign lighting is complementary to the site.

2. General Standards

- a. The light source of a sign shall not be visible from adjacent properties.
- b. External light sources shall be fully shielded and directed to illuminate only the sign face and to avoid spill light.
- c. The light source of an internally illuminated sign shall not be seen from any point exterior to the sign.
- d. Hours of sign illumination shall comply with [Section 405.D.4.](#)

3. Illuminance (Light Trespass)

- a. **Internally or Externally Illuminated Signs**
 - i. Illuminance of a sign shall not exceed 0.3 foot-candles over ambient lighting at the primary or secondary frontage property line or at 10 feet beyond the primary or secondary frontage property line, whichever is greater. Refer to [Section 506](#) for rules of measurement.
 - ii. Illuminance of a sign shall not exceed 0.3 foot-candles over ambient lighting at any other property line that is not a primary or secondary frontage. Refer to [Section 506](#) for rules of measurement.
- b. **Electronic Changeable Message Signs (EMC)**
Illuminance of a sign shall not exceed 0.3 foot-candles over ambient lighting when measured at the measurement distance, Refer to [Section 506](#) for rules of measurement.

4. Luminance (Brightness)

- An internally illuminated sign or electronic changeable message sign (EMC) shall be equipped with a sensor or other device that can be programmed to adjust the display's brightness according to ambient light conditions.
- a. During daytime hours between sunrise and sunset, sign brightness shall not exceed 6,500 nits, or 5,000 Kelvin.
 - b. During nighttime hours between sunset and sunrise, and during low light conditions, sign brightness shall not exceed 150 nits, or 3,000 Kelvin.

508.F Projection and Clearance

1. Projection

- a. A sign or sign structure shall not project more than four feet into a street, alley, right-of-way, or other public access.
- b. A sign or sign structure shall be more than two feet from the curb line of a street, alley, right-of-way, or other public access.

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2. Clearance

- Pedestrian Clearance.** In sidewalks and other pedestrian circulation areas, the minimum sign clearance shall be eight feet.
- Vehicular Clearance.** In streets, alleys, or other vehicular access areas, the minimum sign clearance shall be 16 feet.
- Utility Line Clearance.** A sign shall be located a minimum of six feet horizontally and 12 feet vertically from overhead lines or other similar utility infrastructure.

508.G Use and Activity Standards for Signs

The following uses and activities include standards for signage in addition to those listed in this Article. Additional standards may be found in Article 3 or Article 4 as the CDC is amended over time; this may not be a complete list of specific use or activity standards for signs.

- Marijuana Primary Caregiver, Medical
- Marijuana Store
- Marijuana Testing Facility
- Marijuana-Infused Products Manufacturing
- Marijuana Cultivation, Medical/Retail
- Mobile Food Unit
- Towing of Vehicles

508.H Abandoned Signs

- Abandoned signs are considered to be a nuisance and shall be removed or replaced by the property owner after a period of 12 months. Removal or replacement shall be as specified in [Section 101.E](#).
- Sign copy on abandoned signs shall be repainted or refaced with a blank neutral color or material until a new use achieves Sign Permit approval or the sign is removed per [Section 508.H.1](#).
- A legal, safe sign structure may remain on a lot until a new use achieves Sign Permit approval or the sign is removed per [Section 508.H.1](#).
- Legal nonconforming signs that have been abandoned shall be terminated in accordance with [Section 502.C](#).

508.I Number of Signs

The maximum number of allowable signs per use, lot, project area, or use shall be the aggregate number of all permanent and temporary signs allowed per lot, project area, or use. The aggregate number of signs on a lot, project area, or use shall not exceed the maximum allowable, unless otherwise approved.

508.J Sign Area

The maximum sign area per lot, project area, or use shall be the aggregate sign area of all permanent and temporary signs allowed per lot, project area, or use. The aggregate sign area of all signs on a lot, project area, or use shall not exceed the maximum allowable, unless otherwise approved.

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509 SPECIFIC SIGN TYPE STANDARDS – PERMANENT SIGN

509.A Awning /Canopy Sign



Definition. A sign attached or applied to any surface of an awning or canopy.

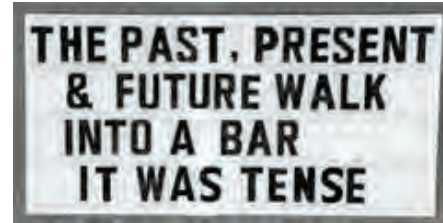
Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Sign Area: Display Area

The area of sign copy displayed on a Awning/Canopy shall be used to determine the sign area. The entire Awning/Canopy area shall not be included in Sign Area calculation.

Standards					
Number of Signs	MFR	BA	TCC	PC	CCR
Per Primary Frontage Entrance	1 max.	1 max.	1 max.	1 max.	1 max.
Per Secondary Frontage Entrance	1 max.	1.max.	1 max.	1 max.	1 max.
Per Use	3 max.	3 max.	3 max.	3 max.	3 max.
Sign Area					
Per sign	20 sf max.	25 sf max.	25 sf max.	25 sf max.	25 sf max.
Sign Height					
Per sign	Pedestrian Level				
Illumination ¹					
Internal	Prohibited				
External	Allowed				
¹ See Section 508.E Illumination for additional standards.					
Limitations					
Awning/Canopy Signs shall be located on a Primary Frontage.					
Frontage Substitution is prohibited for Awning/Canopy Signs.					
One Awning/Canopy Sign may be substituted for one Wall Sign where allowed as specified in Table 504-1 .					

509.B Changeable Message Sign



Definition. A sign with copy that can be changed or altered regularly.

Electronic Changeable Message Sign (EMC). A sign with a sign face composed of a series of lights that is changed through electronic means. An Electronic Changeable Message Sign may also be known as an electronic message center.

Manual Changeable Message Sign. A sign with a sign face that is changed by manual means.

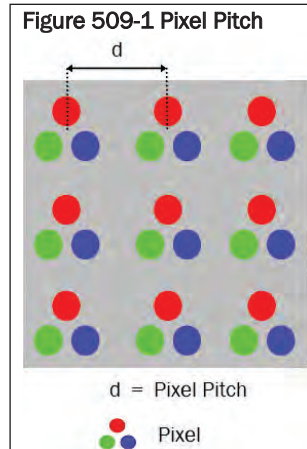
Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Table 506-1. EMC Measurement Distance

Sign Area	Measurement Distance
10 sf	32 ft
15 sf	39 ft
20 sf	45 ft
25 sf	50 ft
30 sf	55 ft
32 sf	57 ft

For signs with an area in square feet other than those specifically listed in the table, the measurement distance may be calculated with the following formula:

$$\text{Measurement Distance} = \sqrt{(\text{Area of Sign sf} \times 100)}$$



General Standards

Changeable Message signs may be a component of Display, Freestanding, Marquee, or Portable signs.

A changeable message sign may be one component of another sign type.

Changeable message signs shall be enclosed on all sides with material that is distinct from the changeable message sign. The enclosure shall be a minimum of three inches on all sides.

Electronic Changeable Message Standards

Sign content shall remain static and have a hold time of a minimum of eight seconds.

Sign content transitions shall be instantaneous, without any transition animation.

Sign content shall not move, blink, flash, or be animated in any way.

Illuminance of an EMC shall not exceed 0.3 foot-candles over ambient lighting when measured at the measurement distance, see Table 506-1 and [Section 506](#) for rules of measurement.

Illuminance measurement requires two steps: First, ambient light shall be measured with the sign turned off. Second, sign light output shall be measured with the sign turned on as a solid white display. The difference between the two measurements shall be 0.3 foot-candles or less.

Pixel Pitch for Freestanding and Marquee EMC signs shall be no less than 10 MM, see Figure 509-1.

Pixel Pitch for Display EMC signs shall be no less than 8 MM, see Figure 509-1.

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509.C Display Sign



Definition. One of the following:

Pedestrian-Oriented Display Sign. A wall or portable sign located near an entrance to a nonresidential use, on which information may be displayed and changed.

Vehicle-Oriented Display Sign. A freestanding or wall sign, designed to be read by occupants of vehicles in a drive aisle of a drive-through facility, on which information may be displayed and changed.

Standards				
Number of Signs	BA	TCC	PC	CCR
Pedestrian-Oriented Display Signs				
Per Nonresidential Use	1	1	1	1
Vehicle-Oriented Display Signs				
Per Nonresidential Use	May be allowed by Major Adjustment			4 max.
Sign Area				
Per Pedestrian-Oriented Display Sign	4 sf max			
Per Vehicle-Oriented Display Sign	May be allowed by Major Adjustment			25 sf max
Total Display Sign Area per Use	50 sf maximum			
Sign Height				
Pedestrian-Oriented, Portable	4' max.			
Pedestrian-Oriented, Wall	Pedestrian Level			
Vehicle Oriented, Freestanding	May be allowed by Major Adjustment			9'
Vehicle-Oriented, Wall	May be allowed by Major Adjustment			Ground Story max.
Design				
Single-Face Sign	Allowed			
Cabinet/Box Sign	Allowed			
Changeable Message ²	Max. 100% of sf each display sign area			
² See Section 509.B for additional standards.				
Illumination ³				
Internal	Allowed			
External	Allowed			
³ See Section 508.E for additional standards.				
Limitations				
Pedestrian-Oriented Display Signs shall be located on a Pedestrian Active Building Frontage.				
Pedestrian-Oriented Portable Display Signs shall meet location standards for Portable Signs, see Section 509.I .				
Vehicle-Oriented Freestanding or Wall Display Signs shall be located on an internal drive aisle.				

509.D Free-Form Sign



Definition. A sign or portion thereof that consists of one or more three-dimensional objects such as balls, cubes, or sculpture. A Free-Form sign may also be known as a three-dimensional or iconographic sign. Free-Form sign does not include cabinet/box sign.

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Standards				
Number of Signs	BA	TCC	PC	CCR
Per Nonresidential Use	1			
Sign Area				
Per Sign	25 sf max.	20 sf max.	20 sf max.	32 sf max.
Sign Height				
Freestanding	9 ' max.			
Wall	Second Story max.			
Projecting	Pedestrian Level			
Design				
A free-form sign may be a component of a wall, projecting or freestanding sign.				
Illumination ¹				
Internal	Prohibited			
External	Allowed			
¹ See Section 508.E for additional standards.				
Limitations				
Free- form signs shall be located on a pedestrian-active building frontage.				
Frontage substitution is prohibited for free-form signs.				
A free-form sign may be substituted for one wall sign, one projecting sign, or one freestanding sign, where allowed as specified in Table 504-1 .				

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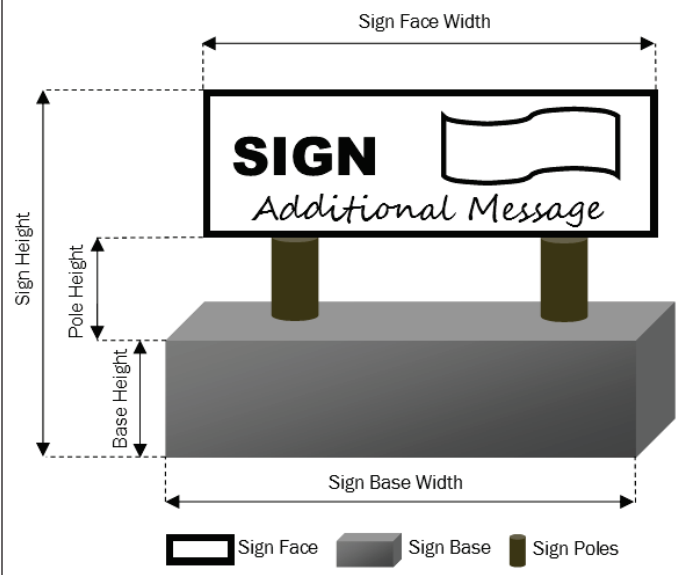
509.E Freestanding Sign



Definition. A sign that is permanently supported in a fixed location on the ground by poles, braces, foundation, planter, pedestal, or other structure and not attached to or supported by a building. Freestanding sign includes pole sign and monument sign.

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Figure 509-2 Freestanding Sign Components



Structure Design Standards

Sign Base- required	1 min.
Sign Poles- optional ^{1,2}	1 or 2
Base Width	≥ Sign Face
Base Height	Max. 50% of Sign Height
Pole Height	Max. 30% of Sign Height

Poles and a base may be used in combination to support a sign. Each component shall meet the standards listed in this section.

¹When a sign includes only one pole, the pole shall be offset, not in the middle of the width of the sign and closer to a vertical edge of the sign than to the middle.

²Signs with a single pole shall include a pole that is at least 30% of the width of the sign.

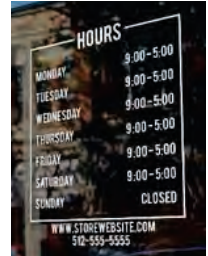
³Pole Height shall be less than Base Height.

Alternative Compliance

Landscaping, including plants, rocks, or structures, may be used instead of a traditional sign base. Landscaping shall provide year-round height equivalent to sign base standards

Standards						
Number of Signs	SFR	MFR	BA	PC	CCR	IC
Neighborhood Street Frontage ³	1	1				
Neighborhood	2 max.	2 max.				
Nonresidential Lot Primary Frontage ^{3,4}	1	1	2 max.	1	2 max.	1 max.
Project Area Primary Frontage ⁴			2 max.		2 max.	2 max.
³ In SFR and MFR Context Areas a lot will either be part of a neighborhood or a nonresidential lot.						
⁴ In BA, CCR, and IC Context Areas a lot will either be part of a Project Area or an individual lot.						
Sign Area						
Per Sign	10 sf	20 sf	25 sf	20 sf	32 sf	20 sf
Changeable Message ⁵						
Number of Signs						
Per Nonresidential Use	1 max.	1 max.	1 max.	1 max.	1 max.	Prohibited
Sign Area						
Per sign	5 sf max.	5 sf max.		5 sf max.		Major Adjustment
Per lot or Project Area			12 sf max.		12 sf max.	
⁵ See Section 509.B for additional standards.						
Sign Height						
Per sign	7 ‘		9 ‘			
Design						
Dimensional Letters	Allowed					
Single-Face Sign	Allowed					
Free Form Sign	Prohibited		Allowed			Major Adjustment
Cabinet/Box Sign ⁶	Prohibited		Allowed			
⁶ An Internally illuminated Cabinet/Box Sign shall not be fully illuminated. A minimum of 60% of sign area shall be opaque.						
Illumination ⁷						
Internal	Prohibited	Allowed	Allowed	Allowed	Allowed	Allowed
External	Allowed					
⁷ See Section 508.E for additional standards.						
Limitations						
Freestanding Signs shall be located on a Pedestrian Active Building Frontage.						

509.F Incidental Sign



Definition. A sign that is minor in nature, incidental to the use, and secondary in size and style to other signs on a lot or within a project area that require a permit.

Standards							
Number of Signs	SFR	MFR	BA	TCC	PC	CCR	IC
Attached to a Structure Per Use	2 max.	4 max.	No max.				
Detached ² Per Use	2 max.	4 max.	4 max.				
Sign Area							
Per sign	1.5 sf	1.5 sf	1.5 sf	1.5 sf	1.5 sf	1.5 sf	1.5 sf
Total Sign Area per Use	6 sf	12 sf	15 sf	12 sf	12 sf	15 sf	12 sf
Sign Height							
Attached to a Structure	Pedestrian Level						
Detached ²	6 ft max.						
Design							
Single-Face Sign	Allowed						
Cabinet/Box Sign	Prohibited						
Changeable Message	Prohibited						
Neon Sign ^{1 3}	Prohibited		Allowed				
¹ A maximum of 50% of total sign area may be neon signage.							
² A detached incidental sign may be a single pole sign exempt from other freestanding sign requirements.							
³ A neon sign shall be attached to a structure and shall not be a detached sign.							
Illumination							
Attached to a Structure							
Internal	Prohibited		Allowed				
External	Prohibited						
Detached							
Internal	Prohibited						
External	Prohibited						

509.G Integral Sign



Definition. A sign that is constructed as an integral part of a building. Integral sign may include a cornerstone or similar sign.

Sign Permit. Signs may require a permit as specified in [Table 504-1](#).

Standards		
Number of Signs	TCC	PC
Per Building	2	2
Sign Area		
Per sign	6 sf	6 sf
Total Sign Area per Building	6 sf	6 sf
Illumination		
Internal	Prohibited	
External	Allowed	
Limitations		

An integral sign may be substituted for one wall sign where allowed as specified in [Table 504-1](#).

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509.H Marquee Sign



Definition. A sign that is attached to or part of a permanent roof-like structure projecting out from a building and not supported by the ground. Marquee sign does not include signs on an awning or canopy. A marquee sign typically includes a changeable message sign.

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Standards		
Number of Signs	BA	TCC
Per Primary Frontage	1 max.	
Sign Area		
Total Sign Area	100 sf max.	
Sign Height ¹		
Per sign	No max.	
¹ A Marquee shall not be a roof sign.		
Changeable Message ²		
	Max. 75% of Marquee Sign Area	
If more than one Electronic Changeable Message Sign is used, sign transitions and changes to sign content shall be synchronized.		
² See Section 509.B for additional standards.		
Illumination ³		
Internal	Allowed	
External	Allowed	
³ See Section 508.E for additional standards.		
Limitations		
A Marquee Sign is allowed for Movie Theater and Performance Venue uses. A Marquee Sign may be allowed for other uses through a Major Adjustment process.		
A Marquee Sign may be substituted for one Wall Sign.		
Frontage Substitution is prohibited for Marquee Signs.		
A Marquee Sign is prohibited on a façade that faces property in a different Context Area.		

509.I Portable Signs



Definition. A sign that is not affixed to a building, structure, or the ground.

Standards				
Number of Signs	BA	TCC	PC	CCR
Per Nonresidential Use	1 max.			
Dimensions				
Sign Area	6 sf max.			
Sign Height	4' max.			
Sign Width	2.5' max.			
Design				
Single-Face Sign	Allowed			
Free Form	Allowed			
Changeable Message ¹ , Manual only	Max. 100% of portable sign area			
¹ See Section 509.B for additional standards.				
Illumination				
Internal	Prohibited			
External	Prohibited			
Limitations				
Signs shall be located immediately adjacent to a Pedestrian-Active Building Frontage.				
Signs shall not obstruct pedestrian or vehicular movement.				
Portable Signs may be permitted within the public right-of-way with a revocable license.				
Signs shall only be visible during public hours of operation and must be removed and stored out of sight at all other times.				
Signs must be appropriately weighted or restrained to resist strong winds or other weather conditions.				

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509.J Projected Sign

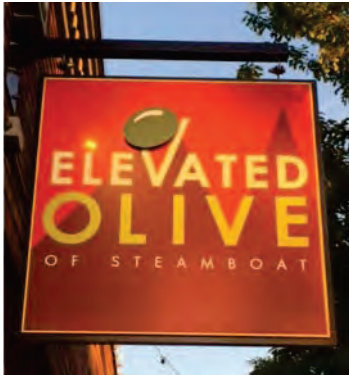


Definition. A sign that is formed by light projected onto a surface. Projected sign does not include projected films, television, photographs, or other similar images.

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Standards		
Number of Signs	BA	TCC
Per Nonresidential Use	1 max.	
Sign Area		
Per sign	9 sf max.	
Design		
Projected signs are prohibited on surfaces other than the ground.		
Illumination		
All lighting standards in this Article 5 and this CDC apply to Projected Signs.		
Limitations		
Projected Signs shall be located on a Pedestrian-Active Building Frontage.		
One Projected Sign may be substituted for one Projecting Sign.		

509.K Projecting Sign



Definition. A sign that is attached perpendicular to a building wall or suspended perpendicular from a structure, awning, or canopy, and that is designed to be read perpendicular. Projecting sign may also be known as a blade sign.

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Standards			
Number of Signs	BA	TCC	PC
Per Nonresidential Use	2 max.		
Sign Area			
Per sign	9 sf max.		
Sign Height			
Per sign	Pedestrian Level		
Design			
Free Form Sign	Allowed		
Single-Face Sign	Allowed		
Cabinet/Box Sign ²	Allowed		
Changeable Message	May be allowed by Major Adjustment		
Woven or Vinyl material	Allowed		
² An Internally illuminated Cabinet/Box Sign shall not be fully illuminated. A minimum of 60% of sign area shall be opaque.			
Illumination ³			
Internal ²	Allowed		
External	Allowed		
³ See Section 508.E for additional standards.			
Limitations			
Projecting Signs shall be located on a Pedestrian Active Building Frontage.			
Home Occupation uses shall comply with Section 509.N and all Home Occupation Standards as listed in this CDC.			

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509.L Wall Sign



Definition. A sign that is in any manner affixed generally parallel to the exterior wall of a building or structure.

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Standards						
Amount	MFR	BA	TCC	PC	CCR	IC
Primary Frontage		1 sf of sign area per 1 linear foot of individual use Frontage				
Secondary Frontage		0.2 sf of sign area per 1 linear foot of individual use Frontage				
Number of Signs ¹						
Per use, per Primary Frontage				No max.		
Per use, per Secondary Frontage				No max.		
Per Nonresidential Lot ¹ Primary Frontage				1 max.		
¹ A nonresidential lot is allowed one wall sign that is not specific to an individual use and may be used for the entire lot. The sign shall meet sign area and number standards as listed above and shall count toward total sign area.						
Sign Area						
Per Primary Frontage sign	20 sf max.	40 sf max.	35 sf max.	25 sf max.	50 sf max.	35 sf max.
Per Secondary Frontage sign		15 sf max.	10 sf max.	10 sf max.	15 sf max.	12 sf max.
Sign Height						
Per sign	Ceiling of top floor max.					
Design						
Channel Letters	May be allowed by Major Adjustment				Allowed	
Dimensional Letters	Allowed					
Single-Face Sign	Allowed					
Free Form	Prohibited	Allowed				Prohibited
Cabinet/Box Sign ²	Prohibited	Allowed				
Changeable Message	Prohibited					
² An Internally illuminated Cabinet/Box Sign shall not be fully illuminated. A minimum of 60% of sign area shall be opaque.						
Illumination ³						
Internal ²	Prohibited	Allowed				
External	Allowed					
³ See Section 508.E for additional standards.						
Limitations						
A Multiple-Family Residential use in any Context Area shall comply with MFR Wall Sign standards.						
Home Occupation uses shall comply with Section 509.N and all Home Occupation Standards as listed in this CDC.						

509.M Window Sign



Definition. A sign that is applied or attached to a window or door or located within three feet of the interior surface of a window or door for the purpose of being legible from outside of the building.

Standards				
Number of Signs	BA	TCC	PC	CCR
Primary Frontage	No max.			
Secondary Frontage	No max.			
Sign Area				
Per sign	20 sf max.			
Allowable Window Sign Area	30% max.			
Guideline				
Window signs should be generally located in the upper 30% or lower 30% of window area.				
Design				
Channel Letters	Prohibited			
Dimensional Letters	Allowed			
Single-Face Sign	Allowed			
Cabinet/Box Sign	Prohibited			
Changeable Message	Prohibited			
Paint	Allowed			
Vinyl	Allowed			
Illumination				
Internal	Prohibited			
External	Prohibited			
Limitations				
Home Occupation uses shall comply with Section 509.N and all Home Occupation Standards as listed in this CDC.				

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509.N Home Occupation Signage



Definition. A sign advertising a [Home Occupation](#) as defined in [Section 306 Accessory Uses](#).

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Standards							
Number of Signs	SFR	MFR	BA	TCC	PC	CCR	IC
Per Home Occupation Use	1 max.						
Sign Area							
Per sign	4 sf max.						
Sign Height							
Per sign	Pedestrian Level						
Sign Types							
Projecting Sign	See Section 509.K						
Wall Sign	See Section 509.L						
Window Sign	See Section 509.M						
Design							
Single-Face Sign	Allowed						
Dimensional Letters	Allowed						
Channel Letters	Prohibited						
Cabinet/Box Sign	Prohibited						
Changeable Message	Prohibited						
Free Form Signs	Prohibited						
Illumination							
Internal	Prohibited						
External	Allowed						
Limitations							
Signs for a Home Occupation shall be located on a Pedestrian-Active Building Frontage.							
Frontage Substitution Prohibited.							

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510 SPECIFIC SIGN TYPE STANDARDS – TEMPORARY SIGN

510.A Banner Sign



Definition. A temporary sign utilizing a flexible substrate as its sign face.

Sign Permit. Signs shall require a permit as specified in [Table 504-1](#).

Standards				
Number of Signs	BA	TCC	PC	CCR
Per Nonresidential use	1 max.			
Per Project Area	2 max.			
Sign Area				
Per Sign	32 sf max.			
Sign Height				
Freestanding	9' max.			
Attached to a structure	9' max.			
Attached to a building	20' max.			
Changeable Message	Prohibited			
	Illumination	Prohibited		
Limitations				
A Temporary Sign Permit may be issued for one use for a maximum of four occasions during one calendar year.				
A Banner Sign may be displayed for a maximum of 14 consecutive days during one occasion.				
A Banner sign shall be removed for a minimum of 3 days before it can be placed for a new occasion.				

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510.B Yard Sign, Large



Definition. A temporary sign that is constructed of paper, fabric, wood, metal, plastic, or other light material, with or without a frame, and that is intended to be displayed for a limited period of time.

Standards

Number of Signs

SFR

MFR

BA

TCC

PC

CCR

IC

Primary Frontage¹

2 max.

Project Area¹

4 max.

¹In the SFR Context Area, a Large Yard Sign is only allowed for an approved Subdivision, Multiple-Family development, or nonresidential development project.

Sign Area

Per Sign

32 sf max.

Sign Height

Freestanding

9' max.

Attached to a structure

9' max.

Attached to a building

Pedestrian Level

Changeable Message

Prohibited

Illumination

Prohibited

Limitations

A Temporary Sign Permit for a Large Yard Sign shall be valid for the approved term of the development project.

All Large Yard Signs shall be removed prior to issuance of the final Building Permit for the project or upon expiration of the project term.

510.C Yard Sign, Small



Definition. A temporary sign that is constructed of paper, fabric, wood, metal, plastic, or other light material, with or without a frame, and that is intended to be displayed for a limited period of time.

Standards							
Number of Signs	SFR	MFR	BA	TCC	PC	CCR	IC
Per Lot	2 max.						
Sign Area							
Per Sign	6 sf max.						
Sign Height	3' max. ¹						

¹From November 1 until May 1, a Small Yard Sign may exceed height requirements to accommodate seasonal snow fall with approval from the Director upon a finding that the sign meets Alternative Compliance criteria as listed in [Section 507.C](#).

Limited Time	Up to two additional small yard signs, may be allowed for a total of 6 months during one calendar year with a temporary sign permit. A Limited Time Small Yard Sign shall be a maximum of 3 sf per sign and may be placed in addition to other signs allowed on a lot. Limited time signs shall be removed for a minimum of 14 days before they can be placed for a new 6-month period.
Changeable Message	Prohibited
Illumination	Prohibited

§ 510 [Ord. No. 2850, 5-3-22]

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DIVISION 4 | INCENTIVES

511 DESIGN INCENTIVES

511.A Sign Plan Required

A sign plan is required for any sign, building, lot, or project area that utilizes design incentives.

511.B Sign Area Exclusion

The Director may allow additional sign structure or design elements to be excluded from sign area total if the sign meets all other requirements and if the structure or elements will meet one of the following criteria:

1. Be less than 30% of the total sign structure area or are minor in nature; or
2. Achieve better consistency with the character of the area or building; or
3. Improve the quality of the sign or;
4. Demonstrate innovation in sign technology or design, or
5. All nonconforming signs on the property will be brought into compliance or removed.

511.C Innovative Illumination

The Director may allow up to 20% additional sign area if the sign meets all other requirements and the lighting will meet at least two of the following criteria:

1. Bring a different or complementary style to the Context Area; or
2. Be consistent with the character of the area or building; or
3. Improve the quality of the sign or;
4. Demonstrate innovation in design; or
5. Demonstrate innovation in sign technology; or
6. All nonconforming signs are brought into compliance or removed.

511.D Premium Materials

The Director may allow up to 20% additional sign area if the sign meets all other requirements and the sign will meet at least two of the following criteria:

1. Premium materials are used for at least 80% of the sign and sign structure; or
2. Bring a different or complementary style to the Context Area; or
3. Be consistent with the character of the area or building; or
4. Demonstrate innovation in design; or
5. Demonstrate innovation in sign technology; or
6. All nonconforming signs are brought into compliance or removed

511.E Dimensional Letters or Channel Letters

The Director may allow up to 20% additional sign area if the sign meets all other requirements and the sign will meet at least two of the following criteria:

1. Bring a different or complementary style to the Context Area; or
2. Be consistent with the character of the area or building; or
3. Improve the quality of the sign or;
4. Demonstrate innovation in design; or

5. Demonstrate innovation in sign technology; or
6. All nonconforming signs are brought into compliance or removed.

511.F New Sign Exceeds Sign Height

When a new sign exceeds the maximum height based upon existing site conditions, the Director may allow a sign to be 9' tall as viewed from the primary frontage if the sign is consistent with the character of the area or building, meets all other requirements, and will meet one of the following criteria:

1. Premium materials are used for at least 80% of the sign and sign structure; or
2. Demonstrate innovation in design; or
3. Demonstrate innovation in sign technology; or
4. All nonconforming signs are brought into compliance or removed.

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Chapter 26 | Article 6

Subdivision Standards

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600 ORGANIZATION OF STANDARDS

600.A Purpose and Intent

1. Purpose

The purpose of this Article is to:

- a. Promote orderly growth and development consistent with the City's zone districts; and
- b. Provide for adequate public lands for open space, trails, pedestrian facilities, and emergency facilities; and
- c. Ensure that public facilities, infrastructure, and services are available and will have sufficient capacity to serve new development while not negatively impacting existing development; and
- d. Provide for safe and efficient multi-modal circulation throughout the City; and
- e. Ensure appropriate development that complements natural features, topography, and environmentally sensitive areas; and
- f. Ensure proper legal descriptions and monumenting of subdivided land; and
- g. Ensure subdivisions occur in an efficient and orderly manner with consideration of the importance of certain improvements to the community and the subdivision itself; and
- h. Ensure that all land dedications are roughly proportional to the impacts created by a subdivision and that any nonformula dedications are determined through an individualized determination of impacts; and
- i. Further the goals and policies of the Community Plan and other adopted plans.

2. Intent

The intent of this Article is to:

- a. Apply standards that permit land subdivisions compatible with the purpose of this Article 6; and
- b. Provide alternative compliance and guidelines that allow site-specific variation and flexibility for solutions that may achieve acceptable alternatives in keeping with the purpose of each Section.

600.B Applicability

1. These subdivision standards shall apply to all subdivisions within City limits unless the subdivision is specifically exempted by [Section 600.C](#) or any specific standard contained in this CDC.
2. The standards contained in [Section 602](#), [Section 603](#), and [Section 604](#) shall apply to developments other than subdivisions upon a finding by the Planning Director that such development may create impacts similar to a subdivision.
3. No plat of a subdivision shall be recorded until approved in accordance with this CDC.
4. No plat of a subdivision shall be used for purposes of sale or development unless it has been approved and recorded or is in compliance with [Section 601](#).
5. Subdivision standards shall only be varied through the Variance or Planned Unit Development processes unless otherwise explicitly stated. When standards in this Article 6 refer to City Engineering Standards, the Director of Public Works shall have the authority to approve variances to those Engineering Standards. Such variances approved by the Director of Public Works shall not be required to obtain a variance to the standard in this Article through the Variance process.

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- In circumstances where subdivision standards contained in this Article 6 are in conflict with any standards contained in Articles 2, 3, or 4, the more restrictive standard shall apply unless otherwise explicitly stated.

600.C Exemptions

The following divisions of land shall be exempt from the standards in this Section:

- The lease of land as a manufactured home pad site in a manufactured home park in compliance with an approved development approval.
- The division of land as a cemetery plot within an approved cemetery, where the cemetery maintains property records as to the size, location, and ownership of the plots.
- The division of land through court action or foreclosure of a deed of trust.
- The conveyance of an identifiable portion of an unplatted parcel to the City for public use, subject to acceptance of the conveyance by resolution of City Council. Separate parcels created and conveyed through this exemption shall not be developed in any manner until platted in accordance with this CDC.

600.D Format

The subdivision standards in this Article are provided in the format of standards, alternative compliance, and guidelines.

1. Standards

Standards are objective and typically measurable criteria that provide specific requirements for compliance. Standards are stated using the term “shall” to indicate compliance is required unless it can be demonstrated that an acceptable alternative meets one or more criteria for a variance. Compliance with the standards is assumed to result in development that achieves the purpose and intent of the subdivision standards in this Article.

2. Alternative Compliance

Alternative compliance, where included, provides an acceptable alternative that is assumed to result in development that achieves the purpose and intent of the subdivision standards in this Article. Alternative compliance shall be evaluated through the development review process and shall not require a variance.

3. Guidelines

Guidelines, where included, provide considerations to promote the goals defined by the purpose and intent of the subdivision standards in this Article. Guidelines are stated using the terms “should” or “may” to indicate they are considered relevant to the purpose but compliance is not required for approval. Guidelines shall be considered when evaluating a Variance or Adjustment to the standard.

§ 600 [Ord. No. 2635, 2-6-18]

601 SALES PRIOR TO RECORDING OF FINAL PLAT

601.A Prerequisites

No subdivider or agent of a subdivider shall transfer, sell, or advertise, offer, agree to transfer, or agree to sell separate interest in a subdivision prior to recording of a Final Plat unless:

- The subdivision is a land subdivision that has received approval of a Preliminary Plat or Final Plat; or
- The subdivision is a townhome or airspace (condominium) subdivision of a building that has received approval of a Conceptual Development Plan, Development Plan, or Final Plat.

601.B Sales Agreement

Any transfer, sale, or agreement to transfer or sell a separate interest in a subdivision prior to recording of a Final Plat shall:

1. Be conditioned upon later approval, if applicable, and recording of the Final Plat; and
2. Include a reference to the approved Preliminary Plat, Minor Subdivision Plat, Final Plat, Conceptual Development Plan, or Development Plan, as applicable; and
3. Include a deposit disclosure containing the following information:
 - a. A full written disclosure of how the subdivider may use any deposit made pursuant to the agreement; and
 - b. Identification of the conditions upon which the deposit shall be returned to the prospective purchaser, including the failure of the subdivider to accomplish approval and recording of the Final Plat; and
 - c. Identification of the remedies available to the prospective purchaser in the event of a default by the subdivider.

§ 601 [Ord. No. 2733, 12-23-19]

602 GENERAL STANDARDS

602.A Applicability

The following standards shall apply to all subdivisions in all zone districts unless specifically exempted by this CDC. In circumstances where standards contained in this Section are in conflict with any standards contained in [Section 605](#), the standards in [Section 605](#) shall apply.

602.B Exemptions

1. A Final Plat reviewed through the Replat process shall be exempt from the standards contained in [Section 602.C](#), [602.D](#), [602.E](#), [602.G](#), [602.H](#), [602.K](#), and [602.L](#).
2. A Final Plat reviewed through the Condominium/Townhome Plat process that results in four or fewer townhome lots or condominium units shall be exempt from the standards contained in [Section 602.C](#), [602.D](#), [602.E](#), [602.G](#), [602.H](#), [602.K](#), and [602.L](#).
3. A Final Plat reviewed through the Condominium/Townhome Plat process that results in more than four townhome lots or condominium units shall be exempt from the standards contained in [Section 602.C](#), [602.D](#), [602.E](#), [602.G](#), [602.H](#), [602.K](#), and [602.L](#).

602.C Lot Shape

1. A street shall not divide a lot.
2. Lot depth shall not exceed five times the lot width.
3. Minimum gross lot area for double frontage and corner lots shall be 15 percent larger than the minimum lot area of the applicable zone district.
4. Remnant parcels with less than the required minimum lot size shall be prohibited unless dedicated to, and accepted by the City as an easement, tract, open space, or other similar public purpose consistent with the requirements of [Section 602.I](#) regarding dedications.
5. Side lot lines shall be within 15 degrees of perpendicular to the front lot line.
6. Lots shall typically be rectangular in shape. Non-rectangular lots may be approved by the Planning Director upon a finding that the shape is responsive to topography, streets, or other conditions of the land and generally consistent with other lots in the vicinity.

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602.D Useable Lot Area

1. Lots shall have a minimum contiguous useable lot area equal to the maximum lot coverage (%) multiplied by the minimum lot area (square feet) of the applicable zone district.
Minimum contiguous useable lot area = maximum lot coverage x minimum lot area
2. In RR-2, G-2, CC, CS, and I zone districts and T4-NX, T5-VC, T5-TC and SD-1 transect zones, where there is no minimum lot area standard, minimum contiguous useable lot area shall be equal to the maximum lot coverage (%) multiplied by the gross lot area (square feet) of the lot.
Minimum contiguous useable lot area = maximum lot coverage x gross lot area
3. The following areas of lots shall be designated as unbuildable on the subdivision plat unless the Director grants an exemption per [Section 602.D.4](#):
 - a. Areas where the existing slope exceeds 30 percent; or
 - b. Areas with unstable slopes; or
 - c. Wetlands.
4. The Planning Director and the Director of Public Works may grant an exemption to [Section 602.D.3](#) based upon a finding that both of the following conditions exist:
 - a. The exemption will result in significant reduction in the undesirable impacts of development; and
 - b. The useable land area on the lot is not appropriate for development due to one or more of the following:
 - i. Geologic or soil instability; or
 - ii. Negative impacts to environmentally sensitive areas; or
 - iii. Inability to provide basic utilities to the building envelope; or
 - iv. Inability to provide reasonable vehicular access to the building envelope; or
 - v. Negative impacts to visually sensitive areas; or
 - vi. Excessive cut and fill necessary.

602.E Blocks

Block faces shall be a minimum of 200 feet and a maximum of 660 feet. Variances to block face may be approved by the Director of Public Works in accordance with criteria established in the Engineering Standards.

602.F Circulation

1. **Applicability**
 - a. A Final Plat reviewed through the Replat process shall be exempt from all standards contained in this Section except [Section 602.F.2.d](#).
 - b. A Final Plat reviewed through the Condominium/Townhome Plat process that results in four or fewer townhome lots or condominium units shall be exempt from all standards contained in this Section except [Section 602.F.2.d](#).
 - c. In circumstances where the following standards conflict with City Engineering Standards, the City Engineering Standards shall apply.
2. **Standards**
 - a. Subdivisions shall be designed to comply with the multi-mode facilities/complete streets standards of [Section 414](#).

- b. Public and private streets shall be designed and constructed in conformance with City Engineering Standards.
- c. Access for emergency vehicles and emergency services shall be provided in conformance with City Engineering Standards and the adopted International Fire Code.
- d. Subdivisions and individual lots shall be designed so that driveways can meet City Engineering Standards.
- e. Subdivisions shall be designed to allow for improvements to existing, abutting rights-of-way to comply with multi-mode facilities standards and to offset or mitigate the anticipated traffic impacts of the subdivision. Required improvements may include but are not limited to additional right-of-way, street surface widening, shouldering, drainage, grading, tree removal, multi-mode facilities, and other improvements necessary to offset or mitigate the anticipated traffic impacts of the subdivision.
- f. Offsite improvements to existing rights-of-way shall be required to mitigate the anticipated traffic impacts of the subdivision. If requiring construction of offsite improvements would be disproportionate to the traffic impacts of the subdivision, the developer shall contribute a proportionate share of the estimated cost of the offsite improvements in accordance with the following:
 - i. The developer's proportionate share shall be determined on the basis of a traffic study conducted in accordance with City Engineering Standards.
 - ii. The estimated cost of the offsite improvements shall be inclusive of all project costs regardless of whether the project is constructed by the Colorado Department of Transportation or otherwise funded by public agencies other than the City.
 - iii. The City shall not impose a condition of approval requiring payment of a contribution toward an offsite improvement after a notice to proceed is issued for construction of the improvement.
- g. Streets and other multi-mode facilities shall be designed with consideration of and provisions for future connections to adjacent properties. Temporary cul-de-sac easements and surfaces may be required to allow for a turnaround until the future connection is completed. Temporary cul-de-sac easements shall expire upon construction and final acceptance of the future connection.
- h. A street shall be either public or privately-maintained for its entire length. No public street shall be joined or interrupted by a section of a privately-maintained street. Collector and connector streets shall be public streets.
- i. Any street that provides access to more than two lots or four units shall be a public street.
- j. Access easements shall not serve more than two lots and shall not exceed 100 feet in length.
- k. Street and pedestrian lighting shall be provided in conformance with [Section 405](#) and City Engineering Standards.
- l. Street names shall be approved by the City. Street signs shall be required at each intersection in accordance with Department of Public Works specifications for street signs.
- m. Electronic railroad signals shall be required at any vehicular railroad crossing within a subdivision. A contribution toward installing signals at railroad crossings located outside of the subdivision may be required based on the subdivision's proportionate share of traffic at the existing crossing.

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602.G Vegetation and Site Grading

- Existing mature vegetation shall be preserved to the maximum extent feasible.
- The design of the subdivision shall preserve existing trees in accordance with Table 602-1.
- Clearing and grading shall be limited to areas approved for infrastructure improvements, stormwater management, drainage improvements, and building locations. Additional

Table 602-1. Tree Preservation

Tree Size	Preserved
12-23" caliper	50% min.
≥24" caliper	75% min.

clearing and grading may be permitted through the development review process based upon unique topographical, geotechnical, or environmental conditions.

602.H Drainage

- Historic drainage patterns shall be maintained to the maximum extent practical.
- Storm drainage facilities, such as culverts, shall be designed and installed in accordance with City Engineering Standards.

602.I Easements and Dedications

- Required land dedications shall be roughly proportional to the anticipated impacts of the development required to make a dedication.
- Rights-of-way or easements shall be dedicated for required multi-mode facilities located within or abutting a subdivision.
- Easements shall be dedicated for water, sewer, telephone, electric, gas, cable, fiber, and other utility facilities as required by utility service providers to provide those services to the subdivision.
- Where it is necessary for easements to be located outside of a public right-of-way, easement width shall be in accordance with Table 602-2.
- Easements shall be dedicated for drainage and stormwater facilities in accordance with City Engineering Standards.

Table 602-2. Easements

Location	Width
Front Lot Line	20' min.
Side Lot Line	10' min. ¹
Rear Lot Line	
Along Perimeter of Subdivision	10' min.
Abutting an Alley	10' min.
Abutting Another Rear Lot Line	10' min. ¹
¹ 5' on each side of common lot line.	

- Additional easements for utility, drainage, or other public purposes may be required upon a finding by the Planning Director and Director of Public Works that the easements are necessary to address impacts created by the subdivision.

602.J Utilities

1. All new lots shall be connected to water and sewer service provided by a designated service provider of the City.
2. Water and sewer infrastructure and facilities shall be constructed in conformance with the standards and specifications of the designated service provider.
3. All telephone lines, electric distribution lines, street lighting circuits, gas lines, cable and fiber lines shall be placed underground.
4. Minor utility structures accessory to underground utilities may be placed above-ground within public rights-of-way or easements dedicated for such facilities.
5. The subdivider shall be responsible for complying with the requirements of this Section, shall make the necessary arrangements, including any construction or installation charges, with each of the serving utilities for the installation of such facilities, and shall be subject to all applicable laws and regulations for construction of those facilities.

602.K Postal Facilities

Postal facilities shall be provided in a form and location approved by the City and the United States Postal Service.

602.L Open Space, Parks, and Amenity Space

1. Applicability

This Section shall apply to all subdivision except the following:

- a. A Minor Subdivision.
- b. Preliminary Plat and Major Subdivision of any lot within a subdivision for which open space was provided with the original subdivision approval.
- c. Preliminary Plat and Major Subdivision that results in a one-lot subdivision.

2. Standards

- a. Land area in a subdivision shall be designated and used for open space-conservation, active or passive parks, or amenity space for the benefit of the residents of the subdivision in accordance with Table 602-3.

Table 602-3. Open Space, Parks, and Amenity Space

Zone Districts ¹	Amount ²
RE, RN, RO, RR, MH, MF, G, CO, CY, CK, CN, CC, CS	15% min.
I	10% min.
PUD	To be determined through Development Review Process

¹ If a subdivision is more than one zone district, the applicable standard shall be applied to each portion of the subdivision comprising the different zone districts. The sum of gross land area for all portions shall equal the gross land area of the subdivision.

² Minimum area shall be calculated using gross land area of the subdivision.

- b. Open space shall generally be contiguous and shall include environmentally-sensitive areas or areas for active or passive recreation.
- c. Open space shall not be covered by buildings, streets, alleys, parking, loading, storage, or driveways.
- d. Open space does not include parking lot islands, parking lot landscaping strips, and other similar isolated features regardless of whether they are landscaped or not.

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- e. The integration of stormwater drainage facilities and water quality treatment facilities within open space is encouraged where they are compatible with the purpose of open space. The Planning Director and Director of Public Works may approve such combined use areas through the Development Review Process as counting toward the minimum open space standards upon a finding that:
 - i. The facilities are designed with attractive natural-looking features so they become a site amenity; and
 - ii. The facilities are integrated with the building architecture, site improvements or landscaping; and
 - iii. Plant materials are appropriately used to maximize the amount of landscaping to the greatest degree possible; and
 - iv. The facilities function in a manner that is safe and has no adverse impacts on the health and welfare of the people the open space is intended to serve.
 - f. The integration of building setbacks or waterbody setback areas within open space is permissible where it is compatible with the purpose of open space. The Planning Director may approve such combined use areas through the Development Review Process as counting toward open space standards upon a finding that:
 - i. Open space is not entirely comprised of setback areas; or
 - ii. Includes environmentally-sensitive areas.
 - g. The long-term maintenance of all designated open space, parks, or amenity space shall be the responsibility of an owners association or property owner. If a land dedication is accepted by City Council in accordance with [Section 602.L.2.c](#) or [Section 602.L.3](#), City Council shall have full discretion to require the subdivider to provide maintenance of the dedicated open space or park. Failure to maintain required open space may result in enforcement and remedies in accordance with [Section 101](#).
 - h. Using their sole authority and discretion, City Council may consider the dedication of open space or park land to the City. City Council may use the following considerations in determining whether to accept a proposed land dedication:
 - i. The size of the subdivision and its adequacy for accommodating suitable active parks or trails; or
 - ii. The topography, geology, and location of the land in the subdivision available for development as active parks and trails; or
 - iii. The availability of existing parks and other public uses in the area, and the ability of those facilities to accommodate additional users; or
 - iv. The public facility components of the Community Plan, the Mobility and Circulation Plan, and any other adopted City plans; or
 - v. Other factors as deemed relevant by City Council to the ability of the property to be integrated into the subdivision and the City as a public park, including cost of future maintenance.
- 3. Alternative Compliance**
- Dedication of off-site open space or park land in lieu of on-site open space, parks, or amenity space designation may be approved by City Council. The off-site land shall be at least the same size as the minimum required on-site designation, and City Council shall find the proposed land is capable of use for recreational purposes and will serve the proposed subdivision. City Council shall have sole authority and discretion to accept a proposed off-site land dedication and may use [Section 602.L.2.c](#) in determining whether to accept a proposed dedication.

602.M Subdivision Names

1. New Subdivisions

Subdivisions of property, that are not located within an existing approved and recorded subdivision, shall be given names that are not duplicative of or similar to that of any previously recorded subdivision within the City or County. The City may reject any proposed subdivision name that is determined by the City to be the same or substantially similar to another subdivision. Subdivision names shall be a reflection of:

- a. The actual physical qualities of a site; or
- b. Improvements to be made upon the site such as a "village green" or a "square;" or
- c. The history of the site or area; or
- d. The natural history, wildlife, plant life, and geology of the site or area; or
- e. The character of the city and the Yampa River Valley.

2. Replats and Subsequent Filings

Replats or subsequent filings of a previously subdivided piece of land shall use the name of the most recently approved plat on record that includes the property to be subdivided. For example, a replat of a lot within the "ABC Subdivision" shall be named "ABC Subdivision Filing 2, a replat of ABC Subdivision." Subsequent filings shall be named "ABC Subdivision Filing 3" and so on.

602.N Surveying and Monumenting

1. Lot dimensions shall close in accordance with Colorado Revised Statutes.
2. Prior to recording of a final plat, permanent reference monuments shall be placed on the property in accordance with Title 38, Article 51 of the Colorado Revised Statutes, as amended, and as required and approved by the City. Monuments shall, at a minimum, meet the following standards:
 - a. At the time of Final Plat application, the external boundaries, including points of curvature and corners of the subdivision shall be monumented on the ground by permanent monuments solidly embedded in the ground.
 - b. A durable cap bearing the state registration number of the land surveyor responsible for the establishment of the monument shall be affixed securely to the top of each monument.
 - c. Monuments shall be set:
 - i. Not more than 1,400 feet apart along any straight boundary line; and
 - ii. At all angle points; and
 - iii. At the beginning points (points of curvature), ending points (points of tangency), and points at which the radius changes (points of reverse curvature or points of compound curvature) defined by circular arcs; and
 - iv. At the end of any spiral curve.
 - d. Wherever streets bound any block, monuments may be set using offset lines from the centerline as designated on the Final Plat. No monument or pin in the pavement shall be offset to a right-of-way line.
 - e. The corners of lots, tracts, or other parcels of land, all aliquot corners, and any line points or reference points which are set to perpetuate the location of any land boundary or easement shall be marked by permanent markers appropriately secured with a durable cap.

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- f. If any corner falls within the traffic area of a street, road, or highway, the top of the monument shall be provided with a monument box. The top of the monument box shall be set flush with the surface of the pavement.
- g. Streets within the subdivision boundaries shall be monumented along the right-of-way:
 - i. At all angle points and intersections of streets; and
 - ii. At beginning points (points of curvature), ending points (points of tangency), and points at which the radius changes (points of reverse curvature or points of compound curvature) on horizontal curves; and
 - iii. At radius points of cul-de-sacs and bulbs.

602.O Critical Improvements

1. Critical improvements, as designated at the time of development approval, shall be constructed and accepted (public) or approved (private) prior to either approval of any Building Permit or issuance of any Certificate of Occupancy, as specified in the development approval, for the development or applicable phase of development.
2. The Planning Director may defer construction and acceptance of critical public improvements and issue a temporary Certificate of Occupancy if the Planning Director finds that unforeseeable circumstances have delayed the completion of the critical public improvements and that delaying the issuance of a temporary Certificate of Occupancy will cause a hardship to the subdivider. City Council may defer construction and acceptance of critical improvements and issue a final Certificate of Occupancy. If deferment of critical improvements is granted, an Improvements Agreement and collateral in accordance with Article 7 shall be required prior to approval of a temporary Certificate of Occupancy.
3. All conditions of development related to critical improvements shall be documented on a Final Plat or in an Improvements Agreement or Development Agreement.

602.P Phasing

Phasing standards shall apply to all subdivisions to be platted constructed in phases.

1. General Provisions

The City may approve development and installation, construction, or reconstruction of public and private improvements in phases subject to the following:

- a. Each phase shall be a self-contained project consisting of all private and public improvements necessary to serve the phase.
- b. Phasing cannot be used to delay construction of public improvements beyond the time of occupancy of the phase being served by the improvements.
- c. Phasing shall be approved as part of the development review process.
- d. Required open space designation shall be included in the first Final Plat of land adjacent to the designated open space.

2. Agreement

All conditions of development related to the phasing of development shall be documented on a Final Plat or in an Improvements Agreement or Development Agreement.

3. Improvements Required in First Phase

For all subdivisions platted and constructed in phases, the phasing plan shall include the following improvements in the first phase:

- a. Entry features such as monument signs and landscaping, if applicable.
- b. Sidewalk and trail connections that are necessary to link the property with other properties or to provide a connection to a larger pedestrian network.

- c. Landscaping along the perimeter of the subdivision.
- d. Landscaping adjacent to required sidewalk and trail connections.
- e. A proportionate share of the entire development's affordable housing, if applicable, based upon the percentage of unrestricted dwelling units, lodging units, or commercial gross square footage to be built in the first phase.
- f. A proportionate share of the entire development's land dedication or public access requirements, if applicable, based on the impacts of the first phase of development.
- g. Stormwater systems and stormwater quality systems necessary to serve drainage passing through the site.
- h. Critical improvements related to the first phase.

602.Q Flood Damage Prevention

- 1. All subdivisions shall be consistent with the need to minimize flood damage.
- 2. All subdivisions shall have public utilities and facilities, such as sewer, gas, electrical, and water systems, located and constructed to minimize flood damage.
- 3. All subdivisions shall have adequate drainage provided to reduce exposure to flood damage.
- 4. All subdivisions shall comply with flood damage prevention standards of [Section 419](#).

§ 602 [Ord. No. 2669, 12-4-18] [Ord. No. 2731, 12-23-19] [Ord. No. 2800, 3-16-21] [Ord. No. 2932, 10-17-23] [Ord. No. 2947 2-27-24]

603 STANDARDS FOR RESIDENTIAL SUBDIVISIONS

603.A Applicability

The following standards shall apply to all residential subdivisions in all zone districts other than TND transect zones.

603.B Exemptions

- 1. A Final Plat reviewed through the Replat process shall be exempt from all standards in this Section.
- 2. A Final Plat reviewed through the Condominium/Townhome Plat process shall be exempt from all standards in this Section.

603.C Lots

Areas of lots with less than 15 feet between lot lines shall be excluded from the calculation of lot area and useable lot area.

603.D Blocks

The gross area contained in a block shall not exceed four acres.

603.E Circulation

- 1. All lots shall abut a public street or private street.
- 2. Shared driveways between lots are encouraged and shall be required where a lot has less than 40 feet of frontage on a public street or topography or line of sight constraints.

603.F Grading and Drainage

- 1. Overlot grading on infill sites may be permitted on a case-by-case basis through the development review process after analysis of potential impacts to the site and adjacent properties.
- 2. Slopes on individual lots shall not exceed three to one (3:1) within required lot line setback areas.

§ 603 [Ord. No. 2669, 12-4-18] [Ord. No. 2800, 3-16-21]

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604 STANDARDS FOR COMMERCIAL AND INDUSTRIAL SUBDIVISIONS

604.A Applicability

The following standards shall apply to all non-residential subdivisions in all zone districts other than TND transect zones.

604.B Exemptions

1. A Final Plat reviewed through the Replat process shall be exempt from all standards in this Section.
2. A Final Plat reviewed through the Condominium/Townhome Plat process shall be exempt from all standards in this Section.

604.C Lots

Areas of lots with less than 25 feet between lot lines shall be excluded from the calculation of lot area and useable lot area.

604.D Circulation

All commercial lots shall abut a public street or private street.

§ 604 [Ord. No. 2800, 3-16-21]

605 STANDARDS FOR SUBDIVISIONS IN TND TRANSECT ZONES

605.A Applicability

The following standards shall apply to all subdivisions in TND transect zones. In circumstances where standards contained in this Section are in conflict with any standards contained in [Section 602](#), the standards in this Section shall apply.

605.B Exemptions

1. A Final Plat reviewed through the Replat process shall be exempt from all standards in this Section.
2. A Final Plat reviewed through the Condominium/Townhome Plat process that results in four or fewer townhome lots or condominium units shall be exempt from all standards in this Section.
3. A Final Plat reviewed through the Condominium/Townhome Plat process that results in more than four townhome lots or condominium units shall be exempt from the standards contained in [Section 605.C](#), [605.D](#), [605.E](#), and [605.G](#).

605.C General Standards

1. Land shall be subdivided into a network of interconnected streets, blocks, and publicly accessible open spaces.
2. Gated communities and other residential developments designed to appear or function as walled-off areas, disconnected and isolated from the rest of the community, are prohibited.
3. Public access and visibility to public parks and civic uses shall be provided and maintained. Public access, such as bicycle and pedestrian paths, shall be provided, where possible, for natural open spaces including creeks and drainages.
4. Transitions between TND transect zones shall occur midblock or across streets, alleys, or rear lanes in accordance with Table 605-1.

605.D Lots

1. Lots shall be classified for specific building types as described in [Section 227.D](#).
2. Lots shall be graded in accordance with the hillside strategies as described in [Section 227.G](#).

Table 605-1. Transect Zone Transitions

	T2-NE	T3-NG1	T3-NG2	T4-NX	T4-NC	T5-VC	T5-TC	SD-1	SD-2	OR
T2-NE		S	R		R		R	R	R	S, R, M
T3-NG1			R		R		R	R	R	S, R, M
T3-NG2				S, R, M	R		R	R	R	S, R, M
T4-NX					S, R, M	S, R, M	S, R, M	S, R, M	S, R, M	S, R, M
T4-NC						S, R, M	S, R, M	S, R, M	S, R, M	S, R, M
T5-VC							S, R, M	S, R, M	S, R, M	S, R, M
T5-TC								S, R, M	S, R, M	S, R, M
SD-1									S, R, M	S, R, M
SD-2										S, R, M

S = Across streets R = Across alleys or rear lanes M = Midblock Blank = Prohibited

605.E Blocks

1. Blocks shall comply with the block face, block perimeter, and building type mix standards of Table 605-2.

Table 605-2. Block Face, Perimeter, and Building Type Mix

Transect Zone	Standard
Block Face ¹	
T2-NE, T3-NG1, T3-NG2	300' min. 600' max.
T4-NX, T4-NC, T5-VC, T5-TC, SD-1, SD-2	150' min. 400' max.
Block Perimeter ¹	
T2-NE, T3-NG1	2,000 max.
T3-NG2, T4-NX, T4-NC, T5-VC, T5-TC, SD	1,600' max.
Building Types per Block	
T2-NE, T5-TC, SD-1, SD-2	no requirement
T3-NG1	2 min.
T3-NG2, T4-NX, T4-NC, T5-VC	3 min. ²

¹ Variances to block face and perimeter in TND subdivisions shall not be the authority of the Director of Public Works and shall only be approved through the Variance process.

² Alternative compliance: Two building types are permitted on a block that includes a large multi-unit or mixed mid-rise building type.

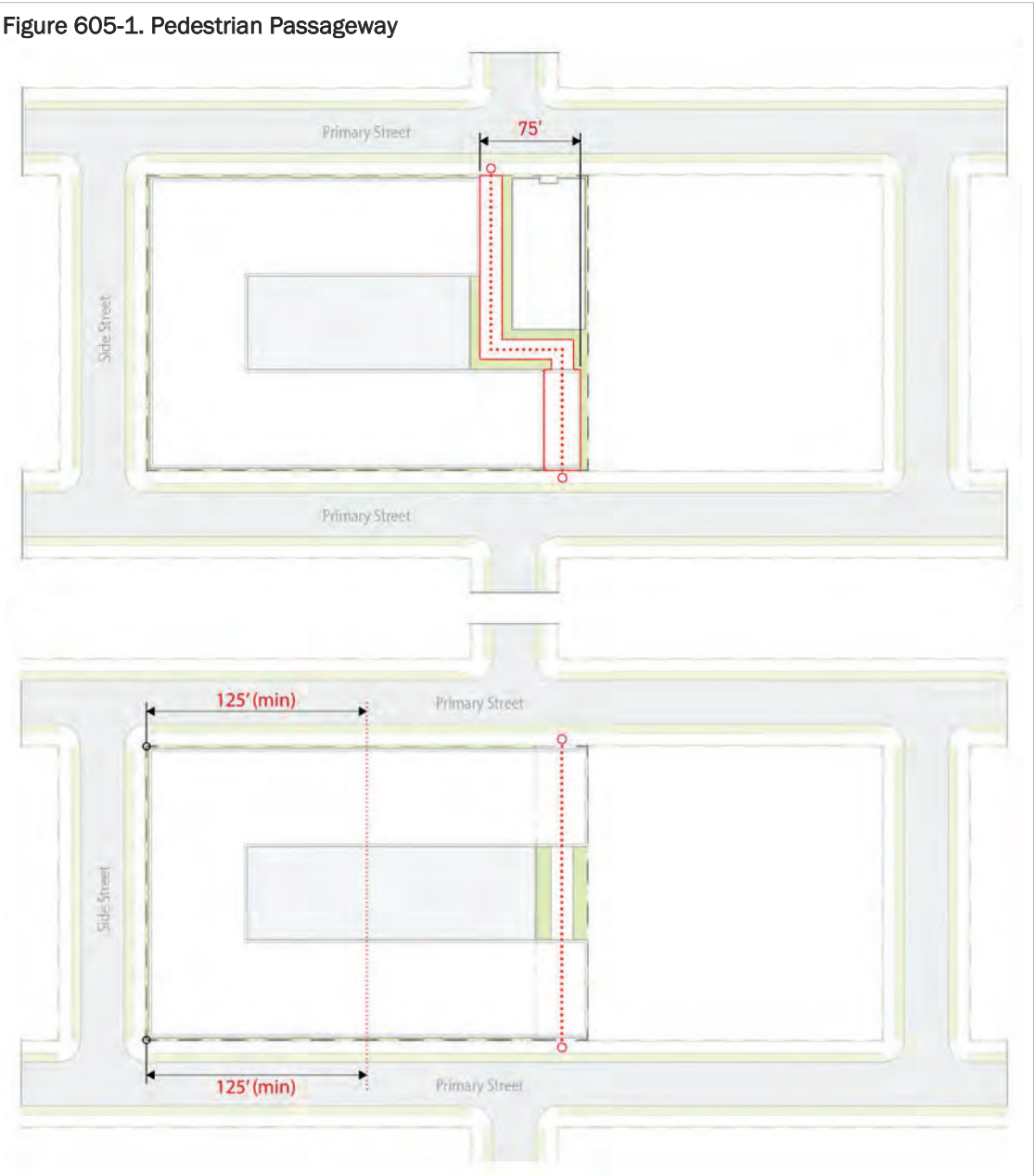
2. Blocks shall be in compliance with the intersection standards established for TND street types in accordance with City Engineering Standards.
3. A publicly accessible greenway with continuous pedestrian and bicycle facilities that connect to at least one street may be considered streets when calculating block face and block perimeter length.
4. Where the block is bisected by a pedestrian connection that meets the following standards, the maximum block perimeter and block length may be increased by 25 percent:
 - a. The pedestrian passageway must connect from the public sidewalk on the primary street through the lot to a publicly accessible sidewalk, alley, other public way, or easement abutting the opposing lot line.
 - b. The pedestrian passageway may be uncovered or covered. Uncovered portions must be at least 15 feet wide and covered portions must be at least 25 feet wide.

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- c. The pedestrian passageway must have a minimum clear height of 15 feet, with the exception of required lighting and trees.
- d. A pedestrian passageway may vary up to 75 feet from the access point on the primary street, measured parallel to the primary street lot line. See Figure 605-1.
- e. Access to the pedestrian passageway must be located a minimum of 125 feet from the nearest street intersection, measured along the primary street. See Figure 605-1.
- f. The pedestrian passageway must be physically separated from and uninterrupted by motor vehicle use areas, except where required to cross a drive-aisle. Drive-aisle crossings must be the shortest practical distance.



- g. The pedestrian passageway must be made permanently available to the general public, at no cost, between sunrise and sunset daily, or during the operating hours of the building, whichever would result in a longer period of time. No gates or other barriers may block any portion of the pedestrian passageway from pedestrian access during the required public hours.
- h. A pedestrian passageway open to the general public before sunrise or after sunset must be illuminated in accordance with [Section 405](#).

605.F Circulation

1. Streets shall be designed to create a grid-like, interconnected network.
2. Streets, sidewalks and trails within a subdivision shall be interconnected and shall connect with adjacent infrastructure external to the subdivision to provide multiple routes for pedestrian, bicycle, and vehicle trips from, to, and within the subdivision.
3. Street, sidewalk, and trail stubs shall be provided to adjacent undeveloped land to ensure an integrated street network is achieved over time. At a minimum, street connections shall be established in accordance with an approved regulating plan or shall be at intervals which adhere to block face standards.
4. Complete streets, alleys, and trails shall comply with the palette of streets, alleys, and trails as described in the City's TND street standards as they correspond with their anticipated transect zones, in organizing principal and secondary access to development.
5. Traffic calming measures shall be in accordance with the City's TND street standards.
6. Cul-de-sacs are prohibited.
7. In SD-1, SD-2, T5-TC, T5-VC, T4-NC, T4-NX, T3-NG2 and T3-NG1 transect zones, alleys or rear lanes are required except for lots that are bounded on the rear lot line by open space.

605.G Parks and Open Space

1. The integration of stormwater drainage facilities and water quality features within parks is encouraged where they are compatible with the intended open space use. The Planning Director and Director of Public Works may approve such combined use areas as counting toward the minimum open space standards.

§ 605 [Ord. No. 2800, 3-16-21] [Ord. No. 2932, 10-17-23] [Ord. No. 3001, 3-18-25]

606 TND PARKS AND OPEN SPACE STANDARDS

606.A Purpose

Provide subdivisions with a diverse palette of parks and other publicly accessible open spaces that comprise essential components of mixed use neighborhoods.

606.B Applicability

1. The TND parks and open space standards apply to all subdivisions within the TND zone district.
2. The dimensional requirements of each park type are regulatory in nature. The descriptions of each type, along with the character, allowed/typical uses, and storm water management techniques, and descriptive in nature, describing a broad range of possible characteristics and uses that are permitted within the open spaces. It is not intended that each open space provide the full range of typical uses and characteristics, but that the entire network of parks and open space within the plan area provide a wide variety of places and activities.

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606.C Exemptions

1. A Final Plat reviewed through the Replat process shall be exempt from all standards in this Section.
2. A Final Plat reviewed through the Condominium/Townhome Plat process shall be exempt from all standards in this Section.

606.D Parks and Open Space Categories

There are nine different park and open space types organized into three categories.

1. Primary Park and Open Space Types

The primary open space types will in most cases have their general locations and alignments set by the Steamboat Springs Parks, Recreation, Open Space, Trails, and River Master Plan and shall typically be improved and maintained by the City. These types shall provide open spaces and recreational opportunities that are appropriate for the entire project area and, in some cases, will make suitable additions to the City's open space system. Primary parks and open space shall total a minimum of 15 percent of the gross land area of a TND Framework Plan. Refer to [Section 606.F](#) and [Section 605.G](#) for specific standards for the following primary types of parks and open spaces:

- a. Natural Preserves, Hillside, and Riparian Areas
- b. Community Parks

2. Secondary Park and Open Space Types

The two secondary park types include neighborhood parks and plazas. These types are designed to provide principal community gathering spaces for social activity, commerce, structured and unstructured recreation, and children's play. These spaces will typically be maintained by neighborhood associations or other local governing entities. Secondary parks shall be provided so that 80 percent of all lots are within a 1,320-foot buffer of a secondary park. Secondary parks located in previously approved TND Phase Plans may be used to comply with this standard. While a TND Phase Plan typically sets the general location of these open spaces, their disposition, orientation, size, and shape are determined by the performance standards herein. Refer to [Section 606.H](#) and [Section 606.I](#) for specific standards for the following secondary types of parks and open spaces:

- a. Plazas and Civic Spaces
- b. Neighborhood Parks

3. Tertiary Parks and Open Space Types

The four tertiary park types provide an additional "kit of parts" for developers to use in the subdivision of neighborhoods and other land parcels. These types are designed to provide additional, smaller community gathering spaces for social activity, structured and unstructured recreation, and children's play within close proximity to residences. In most cases, these spaces shall also be maintained by neighborhood associations or other local governing entities. Tertiary parks shall be provided so that 100 percent of all lots are within an 880-foot buffer of a tertiary park. Tertiary parks located in previously approved TND Phase Plans may be used to comply with this standard. Refer to [Section 606.J](#), [Section 606.K](#), [Section 606.L](#), and [Section 606.M](#) for specific standards for the following tertiary types of parks and open spaces:

- a. Pocket Plazas
- b. Neighborhood Pocket Parks
- c. Community Gardens
- d. Playgrounds

606.E General Standards

1. Accessory Structures

All accessory structures within parks and open spaces, including but not limited to open-air pavilions, gazebos, picnic shelters, and outdoor theaters, shall not be subject to the dimensional standards of the TND transect zones. They shall be designed and furnished to be consistent with the character of the transect zone in which they are located. Such consistency may require accessory structures to maintain building setbacks, frontage, massing, disposition, and character similar to adjacent development.

2. Civic Buildings

Civic building located in larger parks and open spaces, including but not limited to community centers, meeting rooms, public safety facilities, houses of worship, and schools, shall not be subject to the dimensional standards of the TND transect zones. The Planning Director may require civic buildings to maintain building setbacks, frontage, massing, disposition, and character similar to adjacent development.

3. Landscaping

- a. Publicly-accessible parks and open spaces shall utilize high-efficiency irrigation equipment.
- b. All parks and open spaces may accommodate storm water BMP's, including porous pavers and landscaping, dry wells and French drains, flow-through planters, bioretention basins, vegetated swales, extended detention basins, and natural and constructed wetlands, in accordance with their designated transect zone. BMP's shall be designed to complement parks and open spaces and shall not adversely impact the use of parks and open space facilities.
- c. All parks and open spaces must be designed, landscaped, and furnished to be consistent with the character of the transect zone in which they are located.

§ 606 [Ord. No. 2932, 10-17-23]

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§ 606.F

606.F Natural Preserves, Hillsides, and Riparian Areas (See below.)

Primary: Natural Preserves, Hillsides, and Riparian Areas

General Description
Natural preserves, hillsides, and riparian areas include large open spaces located at the edges of neighborhoods and additional development areas that provide passive open space and natural areas with limited enhancement. Trails shall be provided in accordance with an approved trails plan and shall be constructed to meet the trails standards in City Engineering Standards. Natural preserves, hillsides, and riparian areas shall remain outside the transect zone and preserved as naturally-disposed open spaces that are typically independent of building frontages or the open space requirements of individual neighborhoods and development areas. Improvements to these areas shall be limited to enhancements to existing landscapes, such as: - Enhancements to riparian corridors and natural drainages, including tree or other native planting, and erosion control. - Enhancements to native plant landscapes, including the careful clearing and management of invasive plant species, and the re-introduction of native grasses and plants. - Enhancements to natural drainages for the purpose of storm water management, including the construction or improvements of naturally-disposed extended detention basins, natural treatment wetlands, and wet ponds. - Construction of soft-surface hiking trails that follow existing topography. - Construction of low-impact outdoor public facilities, such as picnic shelters, exercise stations, or rustic outdoor amphitheaters. - Community gardens, provided they are located within 50 feet of a surrounding neighborhood, installed with care, and located to avoid sensitive drainage areas (within 200 feet of wetlands/riparian corridors).

Size and Location	Allowed/Typical Uses
Minimum Width	n/a
Maximum Width	n/a
Acreage	per Regulating Plan
Character	
Natural	Restricted access natural areas
Passive open space	Wildlife corridors
Irregular/Linear	Passive recreation
Independent of building frontages	Soft-surface hiking trails
Responsibility	
Implementation	Low-impact civic uses, including exercise stations, picnic shelters, outdoor seating, public restrooms
	Community gardens (limited use)
Operation/Maintenance	Stormwater Management Techniques
	Natural/enhanced treatment wetlands and drainages
	Limited extended detention

606.G Community Parks (See below.)

Primary: Community Parks

General Description

Community parks are designed to meet community-based recreational needs as well as to preserve unique landscapes and open space. They typically serve two or more neighborhoods.

Community Parks include larger open spaces available for unstructured recreation and structured recreational facilities. They may be spatially defined by building frontages or landscaping and typically consist of combinations of formal and naturalistic landscape, combining paths, lawns, and tree plantings. They are often irregular in shape. Community parks are larger versions of neighborhood parks intended to serve all of the residents of multiple neighborhoods. These parks typically provide larger-scaled structured recreational playfields (soccer, baseball, football, ice skating, etc.). Due to their role within the larger community, community parks should be easily accessible by public transit.

Size and Location

Minimum Width	n/a
Maximum Width	n/a
Acreage	per Regulating Plan

Character

Naturally and formally disposed

Combination of areas intended for both passive and active recreation, including structured recreational/athletic facilities

Irregular/Linear

Independent of building frontages

Responsibility

Implementation	Master Developer/ Homeowners Association
Operation/Maintenance	City/Homeowners Association

Allowed/Typical Uses

Multi-use trails and paths

Community gardening/limited crop production

Playgrounds

Off-street parking for community park users

Low-impact civic uses, including picnic shelters, outdoor seating, outdoor amphitheaters, public restrooms

Limited community facilities, including meeting rooms, community centers

Structured recreational facilities, including basketball courts, swimming pools, tennis courts, soccer fields, football fields, baseball/softball fields, ice skating, etc.

Stormwater Management Techniques

Integrated runoff

Bioretention BMPs

Extended detention basins

Porous pavers and landscaping

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§ 606.H

606.H Plazas and Civic Spaces (See below.)

Secondary: Plazas and Civic Spaces

General Description		
Plazas and civic spaces add to the vibrancy of streets within more urban sub-areas and create formal open spaces available for civic purposes and commercial activity. These spaces are defined by building frontages and are primarily hardscaped with formally arranged trees.		
Plazas are open spaces available for civic purposes and commercial activities. Building frontages should define these spaces. The landscape should consist primarily of hardscape. If trees are included, they should be formally arranged and of appropriate scale. Casual seating, along with table and chairs, should be provided.		
Size and Location		Allowed/Typical Uses
Minimum Width	40’	Passive/active (unstructured) open space
Maximum Width	300’	Civic uses, including outdoor pavilions, open air shelters, outdoor assembly, outdoor seating, public restrooms
Acreage	0.5 - 2 acres	Commercial uses, including farmers’ markets, outdoor dining
Character		Playgrounds
Formally disposed		Stormwater Management Techniques
Passive open space		Dry wells and French drains
Regular		Porous pavers and landscaping
Primarily hardscape		
Tree and planting optional		
Building frontage on at least 3 sides		
Responsibility		
Implementation	Subdivider/ Homeowners Association	
Operation/Maintenance	City/Homeowners Association	

606.I Neighborhood Parks (See below.)

Secondary: Neighborhood Parks

General Description

Neighborhood parks provide a central open space focus for neighborhoods or groups of neighborhoods available for unstructured recreation and smaller structured recreational facilities. They are spatially defined by building frontages or landscaping, and typically consist of formal and naturalistic landscape, combining paths, lawn, and tree plantings.

Neighborhood parks include larger open spaces available for unstructured recreation and smaller structured recreation facilities. They may be spatially defined by building frontages or landscaping and typically consist of combinations of formal and naturalistic landscape, combining paths, lawn, and tree plantings. They are often irregular in shape. Neighborhood parks may be centrally located at the geographic heart of neighborhoods and/or at the intersection of important thoroughfares. They may also be located at the edges of neighborhoods in locations where several residential areas may benefit from recreational amenities, and serve as a transition between developed areas and natural open spaces.

Size and Location		Allowed/Typical Uses
Minimum Width	100' average	Multi-use trails and paths
Maximum Width	n/a	Community gardening/limited crop production
Acreage	0.5 - 5.5 acres	Playgrounds
Character		Low-impact civic uses, including picnic shelters, outdoor seating, outdoor amphitheaters, public restrooms
Naturally and formally disposed		Limited community facilities, including meeting rooms, community centers
Passive/active (unstructured) open space		Small structured recreational facilities, including basketball courts, swimming pools, tennis courts, etc.
Irregular/Regular		Stormwater Management Techniques
Building frontage along at least 1 side		Integrated runoff
Responsibility		Bioretention BMPs
Implementation	Master Developer/ Homeowners Association	Extended detention basins
Operation/Maintenance	City/Homeowners Association	Porous pavers and landscaping

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§ 606.J

606.J **Pocket Plazas** (See below.)

Tertiary: Pocket Plazas

General Description

Pocket plazas include small-scaled open spaces that function in a similar manner and follow the same rules as the larger plazas. These smaller scaled spaces create more intimate places for seating or dining and provide a place where commercial and neighborhood activity can spill into. These plazas can also be used to create formal space in front of a prominent building entrance.

Size and Location

Minimum Width	20'
Maximum Width	50'
Acreage	0.1 - 1 acres

Character

Formally disposed
Passive open space
Regular
Primarily hardscape
Trees and planting optional
Building frontages on at least 3 sides

Responsibility

Implementation	Subdivider/ Homeowners Association
Operation/Maintenance	City/Homeowners Association

Allowed/Typical Uses

Passive/active (unstructured) open space
Civic uses, including outdoor pavilions, open air shelters, outdoor assembly, outdoor seating
Commercial uses, including farmers' markets, outdoor dining

Stormwater Management Techniques

Dry wells and French drains
Porous pavers and landscaping

606.K Neighborhood Pocket Parks (See below.)

Tertiary: Neighborhood Pocket Parks

General Description

Neighborhood pocket parks provide smaller open spaces for neighborhoods within close proximity to residences. These parks accommodate a wide-range of activities and vary in character, sensitive to specific needs and surroundings.

These parks shall be located throughout the TND Phase Plan area and provide secondary focal points for neighborhoods and other development areas, typically in the T3 and T4 transect zones. The landscape may be formal or informal with arrangements of trees and shrubs, utilizing the natural landscape of both open and wooded areas, and are typically furnished with path, benches, and open shelters. Generally, these parks may be located in public locations, such as the intersection of principal streets, or in more intimate locations, such as mid-block locations or even tucked away from the street. They can be regular or irregularly shaped.

Size and Location		Allowed/Typical Uses
Minimum Width	40'	Multi-use trails and paths
Maximum Width	300'	Community gardening
Acreage	0.1 - 1 acres	Playgrounds
Character		Civic uses, including picnic shelters, outdoor seating, public restrooms
Formally disposed		Limited community facilities, including meeting rooms, community centers
Passive/active (unstructured) open space		Stormwater Management Techniques
Irregular/Regular		
Building frontages along at least 2 sides		Integrated runoff
Responsibility		Bioretention BMPs
Implementation	Subdivider/ Homeowners Association	Porous pavers and landscaping
Operation/Maintenance	City/Homeowners Association	§ 606 [Ord. No. 2932, 10-17-23]

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§ 606.L

606.L Community Gardens (See below.)

Tertiary: Community Gardens

General Description

Community gardens provide groupings of garden plots in a publicly-accessible area that are available to nearby residents for small-scale cultivation. Such gardens may be provided as a component of other publicly-accessible open spaces or civic uses, or may be provided as freestanding open spaces.

Community gardens may be placed within natural hillsides, preserves, and riparian areas, provided they are located within 50 feet of a surrounding neighborhood, installed with care, and located to avoid sensitive drainage areas (within 200 feet of wetlands/riparian corridors).

Size and Location

Minimum Width	n/a
Maximum Width	n/a
Acreage	0.1 - 1 acres

Character

Space organized for agriculture
Passive open space
Regular planting beds
Independent of building frontage

Responsibility

Implementation	Subdivider/ Homeowners Association
Operation/Maintenance	Homeowners Association

Allowed/Typical Uses

Gardening/agriculture

Stormwater Management Techniques

Integrated runoff
Bioretention BMPs
Permeable paving

606.M Playgrounds (See below.)

Tertiary: Playgrounds

General Description

Playgrounds are open spaces designed and equipped for the recreation of children. They shall be interspersed within residential areas so that every neighborhood or freestanding development area has at least one playground. Playgrounds may be free standing or located within larger neighborhood parks, pocket parks, or civic spaces. Playgrounds should serve as quiet, safe places protected from the streets and typically in locations where children do not have to cross major, if any, roads to get to. Often playgrounds and tot-lots are located in the center of larger blocks and interspersed within residential areas. An open shelter, play structures, or interactive art and fountains may be included with landscaping between. Shaded areas and seating must be provided. Playgrounds may be included within larger parks and public spaces.

Size and Location

Minimum Width	n/a
Maximum Width	n/a
Acreage	n/a

Character

Focused toward children
Fenced with minimal exits
Independent of building frontage
Protected from traffic

Responsibility

Implementation	Subdivider/ Homeowners Association
Operation/Maintenance	City/Homeowners Association

Allowed/Typical Uses

Passive/active (unstructured) open space
Low-impact civic uses, including picnic shelters, outdoor seating
Play structures, interactive art, fountains

Stormwater Management Techniques

Bioretention BMPs
Porous pavers and landscaping

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Development Process

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DIVISION 1 | DEVELOPMENT REVIEW

700 APPLICABILITY AND INTENT

700.A Purpose and Intent

1. Purpose

- a. Apply an efficient, effective, and predictable review process for proposed development.
- b. Encourage development to occur in conformance with the standards of this CDC.
- c. Provide for adequate public review of development that is not in conformance with the adopted standards or creates greater impacts to the community.
- d. Ensure that any conditions imposed on development approvals have a reasonable connection to the impacts of the development.
- e. Ensure that all dedications of land, public access, or payments of money are roughly proportional to the impacts created by the development and that any discretionary decisions to require dedications of land, public access, or payments of money are determined through an individualized determination of impacts.

2. Intent

The intent of this Article and Division is to establish straightforward procedures for evaluating land use applications, subdivision requests, and site development plans for conformance with the CDC and apply simplified review processes to development that meets the standards of this CDC.

700.B Applicability

This Division applies to all land use, development, and subdivisions within the City unless specifically exempted by a Section of this CDC.

§ 700 [Ord. No. 2800, 3-16-21]

701 BUILDING PERMIT REVIEW

701.A Residential Structures

1. The Routt County Regional Building Department shall refer all building permit applications for residential construction within the City to the Planning Director for review and approval. For purposes of this Section, residential structure means any single-family dwelling, duplex, or multiple-family residential structure, regardless of whether the structure is intended to be used as the owner's principal residence or leased or sold as a long term rental, short-term rental, or timeshare.
2. All approved building permit drawings shall include:
 - a. A tie showing the distance to the property line from the end points of one wall segment of the foundation; and
 - b. Location, description, and the elevation of a benchmark that is on the same vertical datum as the elevations or contours shown on the approved site plan; and
 - c. Any additional information required at the Planning Director's discretion to determine compliance with applicable City regulations.

701.B Foundation Location Survey for Residential Construction

1. No more than 30 days after the Building Department inspects and approves the forms that substantially complete the foundation walls, the permittee shall obtain and submit to the Planning Director an as-built survey of the substantially completed foundation prepared by a registered land surveyor. For purposes of this Section, a foundation is substantially completed as of the last pour before framing commences.

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2. An as-built foundation survey shall not be required for additions to existing structures if no part of the foundation of the proposed addition is to be located within two feet of any setback or easement.
3. In the case of modular construction, the permittee shall submit the as-built foundation survey two weeks prior to placement of the structure.
4. The Planning Director shall review the as-built survey to determine that the foundation location substantially conforms to the approved building plans.
5. The as-built survey shall show:
 - a. The as-built location of the foundation; and
 - b. Dimensions along the outside face of the perimeter walls with a tie illustrating the distance to the property line from the end points of one wall segment of the completed foundation; and
 - c. Additional ties to the foundation corners, as necessary, to clearly demonstrate the foundation corner locations at critical setback lines; and
 - d. Setback lines per the approved building plans; and
 - e. The elevation at the centerpoint of the joint between the driveway and the edge of the street and an elevation at the top of the foundation wall at the garage entry. If there is no garage, the elevation may be at any point at the top of the main floor foundation wall.

§ 701 [Ord. No. 2856, 6-7-22]

702 DEVELOPMENT REVIEW PROCESSES

702.A Exemptions

1. **Applicability**
Certain activities or development may be exempt from development review. Exemption from development review does not exempt any development or use from any other applicable requirement of this CDC or the requirement to obtain a building permit or Certificate of Occupancy.
2. **Determination of Exemption**
Any person may request a written determination from the Planning Director regarding whether a specific proposed development meets one of the listed exemptions and is therefore exempted from one or more of the review processes contained in this Article. In determining the applicability of any exemption listed, the Planning Director may require the submittal of accurate and scaled sketches, site plans, photographs, subdivision plats, existing conditions plans, improvement location surveys, or other information describing the proposed activity, construction, or development.
3. **Single-Family Dwelling and Duplex Exemption**
Development review is not generally required for construction, grading, filling, and other site preparation for single-family dwellings, including manufactured homes, duplexes, and related accessory uses or structures, where the Planning Director determines all of the following conditions are met:
 - a. The use or development takes place on a legal lot or within an approved manufactured home park; and
 - b. The use is a By-Right or Limited Use in the zone district; and
 - c. The use or development is in conformance with the requirements of the applicable zone district; and
 - d. The use or development is in conformance with all applicable development standards of this CDC.

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4. Internal Modification Exemption

Development review is not required for alterations, modifications, or changes to nonresidential, multiple-family residential, or mixed use structures, where the following conditions are met:

- The changes are internal to the structure and do not alter or affect the exterior appearance or size of the structure; and
- The changes do not result in an increase in traffic or parking impacts; and
- The changes do not result in any noncompliance with any use, development, or dimensional standards contained in this CDC.

5. Agricultural Exemption

Development review is not required for agricultural practices in conformance with the applicable zone district.

6. Temporary Emergency Exemption

Development review is not required for temporary emergency measures necessary for the safety or protection of persons or property as determined by the City Manager.

7. Tent Exemption

Development review is not required for the erection of tents or other fabric shelters having an area less than 200 square feet or canopies less than 400 square feet for a period of time not to exceed 21 days, provided that such structures are not utilized for any commercial use.

8. Short-Term Event Exemption

Development review is not required for events that take place on public or private property, including but not limited to special events and sales, for a period of time not to exceed 7 days.

9. Routine Maintenance Exemption

Development review is not required for maintenance of property and structures for the purposes of routine upkeep that does not result in noncompliance with this CDC or City Engineering Standards. Routine maintenance does not include maintenance that modifies any approved development permit, regardless if a building permit is required. Routine maintenance does not include development or activities that require Development Plan, Substantial Conformance, or Sign Permit review and approval. In addition to this Section, routine maintenance of signs is defined in [Section 508.D](#).

10. Public Agency and Utility Service Provider Land Disturbing Activity Exemption

Development review is not required for land disturbing activity that is associated with installation and maintenance of public infrastructure conducted by a public agency or utility service provider. This exemption does not apply to Conditional Uses.

702.B Qualifications of Applicant

An applicant for a development approval must either be the owner or have the right to possess the land for which the development approval is sought, or submit documents to the Planning Department that provide evidence that the applicant will become the owner of the land subsequent to the approval of a development or have the right to possession of the land. No development approval shall be issued to any applicant who does not possess the land or have a right to possession of the land. If the holder of an easement on the land for which the development approval is sought objects to such development, that person must seek relief in a court of competent jurisdiction.

702.C Effect of Approval

Except as may be specifically limited, a development approval runs with the land to successive owners and possessor of such land during the term of the development approval.

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702.D Call Up

1. Applicability

- Final approvals of Development Plans and Final Plats made by the Planning Director may be called up for review by any member of the Planning Commission or City Council.
- Approvals of Conditional Uses, Conceptual Development Plans, Development Plans, and Preliminary Plats made by the Planning Commission may be called up for review by any member of City Council.

2. Procedures

- Requests for Call Up shall be filed in writing with the Planning Director within ten days following the date of decision.
- Requests for Call Up shall clearly state the decision being called up and the grounds for call up, including specific sections of this CDC that the Planning Commission or City Council member believes to have been applied in error.
- Administrative decisions called up shall be reviewed in public hearings by the Planning Commission and City Council. The Planning Commission shall make a recommendation to City Council.
- Decisions called up shall be heard and evaluated based on the original information available to the initial Decision Maker.
- After the public hearing, City Council shall take one of the following actions:
 - Uphold the original decision; or
 - Remand the decision back to the initial Decision Maker for further review and reconsideration based on specific recommendations; or
 - Reverse or revise the original decision.

3. Criteria for Decision

City Council shall apply the criteria for approval of the applicable development process.

702.E Application Types

Application types and development review procedures are established by this CDC in accordance with Table 702-1.

702.F Concurrent Processing of Applications

- With approval from the Planning Director, applications for different types of development approvals may be processed concurrently in order to reduce total review and processing time for a project.
- Whenever two or more forms of development approval are being processed concurrently and this CDC provides for the approvals to be made by two or more decision makers, all approvals shall be contingent upon the last required approval, and no approval shall be effective until all requested approvals have been granted.
- Whenever two or more development applications are being processed concurrently and the applications cannot be separated based on the nature of the request, and this CDC provides for decision to be made by two or more decision makers, all applications will follow the most stringent review process and receive a decision by the highest decision making authority.

Table 702-1. Development Review Application Types and Procedures

Application Type ¹	Public Notice ²	Administrative Review		Public Hearing				Form of Decision
		DRT	Director	HPC	BOA	PC	CC	
Land Use								
Limited Use Permit			DM					Permit
Conditional Use	■	□				DM	CU	Resolution
Site Development								
Conceptual Development Plan	■	■		□		DM	CU	Resolution
Development Plan								
Minor Modification		□	DM	□		CU	CU	Letter
Development Plan-Administrative	■	■	DM	□		CU	CU	Letter
Development Plan-Public Hearing	■	■		□		DM	CU	Resolution
Floodplain Development Permit		□	DM					Letter
Sign Plan		□	DM					Letter
Sign Permit		□	DM					Permit
Subdivision								
Preliminary Plat	■	■				DM	CU	Resolution
Final Plat								
Major Subdivision		■	DM			CU	CU	Plat
Minor Subdivision	■	■	DM			CU	CU	Plat
Replat		■	DM					Plat
Condominium/Townhome Plat		■	DM					Plat
Waiver of Replat		□	DM					Waiver
Extraterritorial Subdivision	■	■				□	DM	Letter
Variance								
Adjustment								
Minor Adjustment	■	□	DM					Letter
Major Adjustment	■	□			DM			Resolution
Variance								
Minor Variance	■	■	DM					Letter
Major Variance	■	■				■	DM	Resolution
Zoning								
Zone Map Amendment	■	■				■	DM	Ordinance
Planned Unit Development	■	■				■	DM	Ordinance
TND Regulating Plan								
Framework Plan	■	■				■	DM	Ordinance
Phase Plan	■	■				DM	CU	Resolution
CDC Text Amendment	■	□		□	□	■	DM	Ordinance
Other								
Community Plan Amendment	■	□				■	DM	Resolution
Annexation	■	■				■	DM	Ordinance
Pre-Application Review		■						Letter
Written Interpretation		□	DM					Letter
Substantial Conformance	□ ³	□	DM					Letter
Appeal of Decision		□				□	DM	Resolution
Easement Vacation	■	■				□	DM	Ordinance

Legend

DRT=Development Review Team

BOA=Board of Adjustment

■=Required

DM=Decision Maker

Director=Planning Director

PC=Planning Commission

□=May be required by the Planning Director or as specified elsewhere in this CDC

CU=May call up the final decision for review

HPC=Historic Preservation Commission

CC=City Council

¹ Refer to [Section 705](#) through [Section 729](#) for applicability of each application type.² Refer to [Section 703](#) for specific public notice requirements.³ Minor amendments to PUDs reviewed through Substantial Conformance shall require public notice.

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702.G Pre-Submittal Meeting

1. A pre-submittal meeting with the Planning Director or designee is required prior to submission of certain types of applications.
2. Failure of the Planning Director to identify all applicable requirements, standards, and issues does not relieve the applicant from the responsibility of meeting all requirements and standards of this CDC and other adopted City standards.
3. Pre-submittal meetings are intended to clarify submittal requirements and provide information to potential applicants before substantial commitments of time and money are made in connection with the proposed development. The pre-submittal meeting seeks to assist the applicant to:
 - a. Identify the necessary materials for the submittal package that the applicant will be required to prepare; and
 - b. Identify and coordinate the required procedures for review and approval; and
 - c. Identify the requirements and standards that may apply to the specific project; and
 - d. Identify probable referral and review agencies within the Development Review Team and others, if necessary; and
 - e. Obtain preliminary feedback from review agencies as necessary; and
 - f. Identify other possible issues that may arise under this CDC.

702.H Submittal Requirements and Fees

1. Submittal requirements for each application type shall be set forth in forms maintained by the Planning Director.
2. The Planning Director may waive certain submittal requirements to reduce the burden on the applicant and to tailor the requirements to the information necessary to review a particular application. The Planning Director may waive such requirements upon a finding that the projected size, complexity, anticipated impacts, or other factors associated with the proposed development clearly support such waiver.
3. Fees for development review and City services provided pursuant to this CDC shall be established by the City Manager. Fees shall be subject to annual review and ratification by City Council through the budget process.
4. The Planning Director may waive all or a portion of fees for concurrent review of applications when review time and analysis are similar.

702.I Application Completeness

1. A complete application is required prior to review of any application.
2. Within 14 days after the submission of an application, the City shall review the application and determine whether it is complete. To be complete, the application shall contain all submittal requirements that were not waived in writing by the Planning Director.
3. If the application is determined to be incomplete, the City shall promptly notify the applicant in writing and shall identify the materials needed to complete the application.
 - a. If the required materials are received by the City within 30 days after such notice to the applicant, the City shall begin processing the application.
 - b. If the required materials are not received within the 30-day period, the City shall notify the applicant that unless the required materials are received within the following 30 days, the City shall treat the application as withdrawn.
 - c. If the required materials are not received within the second 30-day period, the City shall return the incomplete application materials and the application fee to the applicant, and the applicant shall be required to resubmit all materials to re-activate the process.

4. During the processing of a complete application, if the City or any review agency identifies any additional materials that are needed to accurately evaluate the potential impacts of the proposed application, the City shall promptly notify the applicant in writing and shall identify the materials needed to complete the review of the application.
 - a. If the required materials are received by the City within 30 days after such notice to the applicant, the City shall continue processing the application
 - b. If the required materials are not received within the 30-day period, the City shall notify the applicant that unless the required materials are received within the following 30 days, the City shall treat the application as withdrawn.
 - c. If the required materials are not received within the second 30-day period, the City shall return the submitted materials to the applicant. The applicant shall be required to resubmit all materials to re-activate the process, and any resubmitted materials shall be treated as a new application. In any case where a complete application is withdrawn, the applicant shall forfeit the entirety of the application fee and shall be required to submit a new application fee upon submittal of any new application.
 - d. If such materials are not able to be submitted within the 30-day period due to their technical nature, the Planning Director may grant additional time for required materials to be submitted. The amount of time necessary shall be negotiated between the applicant and the Planning Director and shall be set to a date certain. Such additional time shall be requested in writing by the applicant.

702.J Burden of Proof

The applicant shall bear the burden of presenting sufficient competent evidence to support the criteria for approval set forth by this Article.

702.K Fee Waiver for Historic Structures

Development application fees shall be waived for development applications for the restoration or rehabilitation of historic structures that are registered on the National Register of Historic Places, the State Register of Historic Places, or the Local Register. Fees shall only be waived for development applications that are consistent with the Historic Preservation Guidelines and the Secretary of the Interior Standards.

702.L Revocable Permit

In no event shall any private structure or improvement encroach into or upon any public property, right-of-way, or easement without issuance of a revocable permit as provide in Section 12.11 of the City Charter or as provided in Section 428, Public Easement Encroachments.

702.M Expedited Development Review

Development applications that serve an identified community need, as identified below, are eligible for Expedited Development Review. Expedited applications shall be given priority over other projects in the development review process and processed in shortened time frames as determined by the Planning Director and DRT Policies.

1. Applicability

To be eligible for Expedited Development Review, the development application shall develop deed restricted workforce or affordable housing dwelling units or lots and either:

- a. Be a residential development project with affordable housing or workforce deed restrictions on a minimum of 30% of the total proposed dwelling units or lots; or
- b. Be a mixed-use development project with affordable housing or workforce deed restrictions on a minimum of 30% of the residential net floor area within the project.

§ 702 [Ord. No. 2635, 2-6-18] [Ord. No. 2668, 12-4-18] [Ord. No. 2705, 6-4-19] [Ord. No. 2714, 8-27-19] [Ord. No. 2711, 7-16-19] [Ord. No. 2733, 12-13-19] [Ord. No. 2776, 11-17-20] [Ord. No. 2849, 5-3-22] [Ord. No. 2856, 6-7-22] [Ord. No. 2932, 10-17-23] [Ord. No. 2946, 2-27-24] [Ord. No. 2947 2-27-24]

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703 PUBLIC NOTICE

703.A General Requirements

1. Type of Notice

The following types of notice shall be used, in accordance with Table 703-1, to notify the public of development applications submitted to the City for review and decision:

- Publication in a newspaper of general circulation in the City.
- Mail to surrounding property owners.
- Posting a sign on the property.
- Certified mail to mineral rights owners, if applicable.

2. Requirements by Application Type

Public notice shall be required in accordance with Table 703-1.

703.B Notice Content

Whenever this CDC requires public notice types listed in [Section 703.A](#), the notice shall include:

1. Newspaper Publication and Surrounding Property Owners Mailing

- Name of the project and a brief summary of the requested action and type of application; and
- General description of the location of the subject property; and
- Name of the applicant; and
- Name and contact information of the Planning and Community Development Department contact person; and
- A statement that the application is available for public review at the Planning and Community Development Department during regular business hours and on the Department website; and
- The time, date, and location of any public hearings, if applicable, or the final decision date, or a statement that additional notice will be provided when public hearing or final decision dates have been scheduled; and
- Address where written comments may be sent.

2. Property Posting

- Name and contact information of the Planning and Community Development Department contact person; and
- A statement that the application is available for public review at the Planning and Community Development Department during regular business hours and on the Department website.

703.C Notice Procedures

1. Newspaper Publication

The Planning Director shall cause notice to be published once in a newspaper of general circulation in the City no less than seven days prior to the public hearing or final decision date.

2. Surrounding Property Owners Mailing

- The Planning Director shall make a best faith effort to identify the most current owners of property located partially or completely within 300 feet of the property subject of the development application.

Table 703-1. Public Notice by Application Type

Application Type	Newspaper Publication	Surrounding Property Owner Mailing	Property Posting	Mineral Rights Notification
Land Use				
Conditional Use	■	■	■	■
Site Development				
Conceptual Development Plan	■	■	■	■
Development Plan-Administrative	■	■	■	■
Development Plan-Public Hearing	■	■	■	■
Subdivision				
Preliminary Plat	■	■	■	■
Final Plat-Minor Subdivision	■	■	■	■
Extrateritorial Subdivision	■	■	■	■
Variance				
Minor Adjustment	■	■	■	
Major Adjustment	■	■	■	
Minor Variance	■	■	■	
Major Variance	■	■	■	
Zoning				
Zone Map Amendment	■	■	■ ²	
Planned Unit Development	■	■	■	
TND Framework Plan	■	■	■	■
TND Phase Plan	■	■	■	■
CDC Text Amendment	■			
Other				
Community Plan Amendment	■	□	□	
Annexation	■	■	■	
Substantial Conformance ¹	■	■	■	
Easement Vacation	■	■	■	
Legend				
■=Required □=Required when the application is regarding one or more specific properties				
¹ Public notice shall only be required for minor amendments to Planned Unit Developments reviewed through the Substantial Conformance process.				
² Property posting may be waived by the Planning Director for City-initiated Zone Map Amendments that include multiple lots or property owners.				

- b. The applicant shall mail a copy of the notice by first class mail to all property owners identified by the Planning Director no later than 14 days prior to the public hearing or final decision date.
 - c. The applicant shall submit a signed affidavit to the Planning Director no later than eight days prior to the required public hearing or final decision date confirming the required mailed notice has been completed in accordance with this Section.
 - d. If the required mailed notice is not completed in accordance with this Section, the Planning Director may require a second mailed notice and amended hearing or final decision date.
- 3. Property Posting**
- a. The applicant shall post a sign on the property within seven days of a complete application being accepted.
 - b. The sign shall remain until a final decision is made.

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- c. The sign shall be located on the subject property in a location approved by the Planning Director that is conspicuously and readily visible from a public right-of-way. If there is no location on the property that is conspicuously and readily visible from a public right-of-way, the Planning Director may approve an alternative location. In all situations, the sign shall be posted where the greatest number of public will have a reasonable opportunity to view the sign.
- d. For projects that include more than one lot, more than one street frontage, or property greater than one acre, the Planning Director may require additional signs to be posted.
- e. The applicant shall submit a signed affidavit to the Planning Director no later than eight days prior to the required public hearing or final decision date confirming the sign was placed in the approved location in accordance with this Section.

4. Mineral Rights Notification

- a. The applicant shall mail a copy of the notice by certified mail to all mineral rights owners and lessees, at the last known address of record, at least 30 days prior to the public hearing date. To comply with the 30-day notice period, the applicant may mail an initial notice after an application has been submitted but prior to public hearing dates being scheduled. Such initial notice shall include a statement that additional notice will be provided once public hearing dates have been scheduled.
- b. The applicant shall submit a signed affidavit to the Planning Director no later than eight days prior to the required public hearing confirming the required notice has been completed in accordance with this Section.
- c. Mineral rights notification shall also be in accordance with C.R.S. § 24-65.5-101–24-65.5-104.

■ §703 [Ord. No. 2635, 2-6-18] [Ord. No. 2650, 5-15-18] [Ord. No. 2668, 12-4-18] [Ord. No. 2732, 12-23-19] [Ord. No. 2856, 6-7-22] [Ord. No. 2932, 10-17-23] [Ord. No. 2947 2-27-24]

704 PUBLIC HEARINGS

704.A Conduct of Hearings

Public hearings required or authorized by this Article shall be conducted in accordance with the City Charter, the Steamboat Springs Municipal Code, this CDC, and the bylaws of City Council, Planning Commission, Board of Adjustment, and Historic Preservation Commission.

704.B Evidence

The applicant and all interested parties shall be afforded an opportunity to submit evidence, exceptions to the record, contentions, and arguments with respect to the issues of the application.

1. All maps, drawings, illustrations, graphs, and written evidence shall be marked as exhibits, dated, and made a part of the record.
2. No written or graphic material that changes the project proposal shall be submitted at a public hearing or consent agenda unless the material has first been submitted and reviewed by staff in accordance with this Section at least five business days prior to the hearing date. Staff, Planning Commission, City Council, or any other board or commission may table any application where evidence is submitted to the Planning Director or City Clerk after the administrative deadline for inclusion in the Planning Commission, City Council, or other board or commission packets, or staff, Planning Commission, City Council, or any other board or commission may consider such evidence.

■ §704 [Ord. No. 2669, 12-4-18]

705 LIMITED USE PERMIT

705.A Applicability

A Limited Use Permit shall be required for any use listed in Table 300-1, Table 300-2, or Table 300-3 as a Limited Use Requiring Permit (L-P).

705.B Procedures

1. Review shall be prior to or concurrent with review of another development application or building permit, if applicable.
2. Limited Use Permits for telecommunication facilities shall be processed in compliance with C.R.S. § 29-27-401 et. seq.

705.C Criteria for Approval

Limited Use Permits shall be approved upon a finding that the following criteria are met:

1. The proposed use complies with the specific use criteria listed in Article 3.
2. The proposed use complies with all other applicable requirements of this CDC.

705.D Term and Effect of Approval

1. Approval of a Limited Use Permit shall be final on the date of the Planning Director's signature on the permit.
2. Approval of a Limited Use Permit shall remain effective for three years from the date of approval. If the use does not commence within the three-year period, the Limited Use Permit shall be considered expired.
3. Once the proposed use has commenced within the three-year period, the Limited Use Permit shall remain in effect for perpetuity, until amended, or until the use ceases to operate for 12 consecutive months.

705.E Amendments

Amendments to a Limited Use Permit shall be approved through the Limited Use Permit process.

706 RESERVED

§ 706 [Ord. No. 2856, 7-6-22]

707 CONDITIONAL USE

707.A Applicability

Conditional Use approval shall be required for:

1. Any use listed in Table 300-1, Table 300-2, or Table 300-3 as a Conditional Use (C).
2. Any Limited Use (L or L-P) that does not comply with specific use standards contained in Article 3.
3. Any cessation, conversion, or change of use of an existing manufactured home park in accordance with [Section 730](#).
4. Any change of use of an existing park.

707.B Procedures

1. Review shall be prior to review of a building permit, if applicable.
2. Conditional Use review shall be concurrent with Conceptual Development Plan or Development Plan review, if applicable.
3. Conditional Use review for telecommunication facilities shall be processed in compliance with C.R.S. § 29-27-401 et. seq.

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707.C Criteria for Approval

Conditional Uses shall be approved upon a finding that the following criteria are met:

1. The proposed use is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.
2. The proposed use is consistent with the purpose of the zone district.
3. The proposed use will mitigate any negative impacts to surrounding properties and the community, considering factors such as hours of operation and the potential for off-site impacts such as odors, noise, smoke, dust, glare, vibrations, shadows, and visual impacts.
4. The proposed use complies with all other applicable requirements of this CDC.

707.D Conditions

Reasonable conditions may be imposed on a Conditional Use approval in order to ensure the use is compatible with the zone district and surrounding properties, to mitigate anticipated negative impacts of the use, and to ensure compliance with the purpose and intent of specific standards.

707.E Term and Effect of Approval

1. Approval of a Conditional Use shall be final upon the expiration of ten days after the date of the Planning Commission resolution approving the use.
2. The term and effect of approval of a Conditional Use, that is approved concurrently with a Conceptual Development Plan or Development Plan, shall be the same as the concurrent Conceptual Development Plan or Development Plan approval.
3. Approval of a Conditional Use, that is not approved concurrently with a Conceptual Development Plan or Development Plan, shall remain effective for three years from the date of approval. If the use does not commence within the three-year period, the Conditional Use approval shall be considered expired.
4. Once the proposed use has commenced within the approval period, the Conditional Use approval shall remain in effect for perpetuity unless otherwise approved for a specific timeframe, or until amended or the use ceases to operate for 12 consecutive months.

707.F Amendments

Amendments to a Conditional Use approval may be approved through the Substantial Conformance process. Amendments that cannot be approved through Substantial Conformance shall require review and approval through the Conditional Use process.

§ 707 [Ord. No. 2711, 7-16-19]

708 CONCEPTUAL DEVELOPMENT PLAN

708.A Applicability

1. Conceptual Development Plan approval may be requested for development that meets the applicability requirements of a Development Plan when the applicant is seeking limited approval of the proposed project.
2. Conceptual Development Plan approval cannot be requested for development in a TND transect zone.

708.B Procedures

1. Review shall be prior to review of a Development Plan.
2. Review shall be limited to the level of detail provided on the Conceptual Development Plan and the specific aspects of the project identified by the applicant as intended for review and consideration.

708.C Criteria for Approval

Conceptual Development Plans shall be approved upon a finding that the following criteria are met:

1. The Conceptual Development Plan is consistent with the character of the immediate vicinity or enhances or complements the mixture of uses, structures, and activities present in the immediate vicinity.
2. The Conceptual Development Plan will minimize any adverse impacts on surrounding properties and will not cause a nuisance, considering factors such as the potential for off-site impacts such as odors, noise, smoke, dust, glare, vibrations, shadows, and visual impacts.
3. The Conceptual Development Plan will minimize any adverse impacts on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.
4. The Conceptual Development Plan complies with all applicable requirements of this CDC.

708.D Conditions

Reasonable conditions may be imposed on a Conceptual Development Plan in order to ensure the development is compatible with the zone district and surrounding properties, to mitigate any anticipated negative impacts, and to ensure compliance with the purpose and intent of specific standards.

708.E Term and Effect of Approval

1. Approval of a Conceptual Development Plan shall be final upon the expiration of ten days after the date of the Planning Commission resolution approving the plan.
2. Approval of a Conceptual Development Plan shall remain effective for two years from the date of approval or any other time frame approved by Planning Commission through a Development Agreement reviewed and approved concurrently with a Conceptual Development Plan.
3. If a complete application for a Development Plan, that is in substantial conformance with the approved Conceptual Development Plan, is not submitted within the approval period, the Conceptual Development Plan shall be considered expired unless extended in accordance with [Section 708.F](#).
4. Approval of a Conceptual Development Plan shall be only for those aspects and qualities of the proposed development specifically identified for review in the application and included in the Planning Commission resolution approving the Conceptual Development Plan. Details and aspects of the project not specifically identified for review in the application and included in the resolution shall not be implied to be approved.

708.F Extension of Approval

1. Approval of a Conceptual Development Plan may be extended by the Planning Director for a period of two years beyond the initial two-year approval period. Conceptual Development Plans approved by Planning Commission for a time period other than two years shall not be eligible for an administrative extension under this Section.
2. Applicants seeking administrative approval of an extension shall submit a request to the Planning Director no earlier than 90 days and no later than 30 days prior to the expiration of the initial two-year approval period.
3. An extension shall only be approved by the Planning Director upon a finding that the Conceptual Development Plan is in substantial conformance with this CDC.
4. An extension shall not be considered by-right. The Planning Director shall have the discretion to refer an extension request to the Planning Commission.

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708.G Amendments

Amendments to a Conceptual Development Plan may be approved through the Development Plan process as long as the amendments are in substantial conformance with the Conceptual Development Plan. Amendments that are not in substantial conformance with the Conceptual Development Plan shall require review and approval through the Conceptual Development Plan process.

§ 5708 [Ord. No. 2711, 7-16-19] [Ord. No. 2932, 10-17-23]

709 DEVELOPMENT PLAN

709.A Applicability

1. Development Plan approval shall be required for all site development in all zone districts unless specifically exempted by [Section 702.A](#) or elsewhere in this CDC.
2. Development Plan approval shall be required prior to issuance of a demolition permit for any structure located in the G, CO, CY, and CK zone districts unless the property meets one of the following exemptions:
 - a. The property is located in the CK zone district, and a building permit had been issued to construct a single-family dwelling on the property; or
 - b. The structure is a dangerous building as defined by the Building Code.
3. The following types of Development Plans are established for purposes of review process and public notice requirements:
 - a. **Minor Modification**
Development Plans shall be reviewed through the Minor Modification process when the Development Plan complies with all applicable requirements of this CDC and one or more of the following criteria are met:
 - i. The Development Plan includes only changes to the exterior of an existing multiple-family residential or nonresidential building, including changes in materials, significant changes in color, or significant changes in window or door location or size; or
 - ii. The Development Plan includes only a building addition or new accessory structure with gross floor area of less than 1,500 square feet; or
 - iii. The Development Plan includes only changes to landscaping materials on an existing developed property resulting in land disturbing activity of less than one acre; or
 - iv. The Development Plan includes only the construction of a small cell telecommunication facility.
 - b. **Development Plan - Administrative**
Development Plans shall be reviewed through the Development Plan-Administrative process when the Development Plan complies with all applicable requirements of this CDC or is being reviewed concurrently with a Minor Variance application and one or more of the following criteria are met:
 - i. The total proposed and existing gross floor area on the subject property does not exceed 16,000 square feet; or
 - ii. The development is in a TND transect zone; or
 - iii. The Development Plan includes grading, filling, clearing, and site preparation resulting in land disturbing activity of one acre or greater; or
 - iv. The Development Plan includes grading, filling, clearing, and site preparation on a site that is part of a common plan of development or sale resulting in land disturbing activity of one acre or greater.

c. Development Plan - Public Hearing

Development Plans shall be reviewed through the Development Plan-Public Hearing process when one or more of the following criteria are met:

- i. The Development Plan is being reviewed concurrently with a Major Variance application; or
- ii. The Development Plan requires Conditional Use approval; or
- iii. The total proposed and existing gross floor area on the subject property exceeds 16,000 square feet and the subject property is not in a TND transect zone; or
- iv. The Development Plan is required prior to issuance of a demolition permit in the G, CO, CY, and CK zone districts.

709.B Procedures

1. Review shall be prior to review of a building permit or grade and fill permit, as applicable.
2. Development Plan review shall be concurrent with Conditional Use or Variance review, if applicable.
3. Development Plans for telecommunication facilities shall be processed in compliance with C.R.S. § 29-27-401 et. seq.

709.C Criteria for Approval

Development Plans shall be approved upon a finding that the following criteria are met:

1. The Development Plan is consistent with the character of the immediate vicinity or enhances or complements the mixture of uses, structures, and activities present in the immediate vicinity.
2. The Development Plan will minimize any adverse impacts on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.
3. The Development Plan provides adequate vehicular access, considering grade, width, and capacity of adjacent streets and intersections; parking; loading, unloading, refuse management, and other service areas; pedestrian facilities; and public or private transportation facilities.
4. The Development Plan complies with all applicable requirements of this CDC.
5. The Development Plan is in substantial conformance with an approved Conceptual Development Plan, if applicable.

709.D Conditions

1. Reasonable conditions may be imposed on a Development Plan in order to ensure the development is compatible with the zone district and surrounding properties, to mitigate any anticipated negative impacts, and to ensure compliance with the purpose and intent of specific standards.
2. The following conditions shall be placed on approved Development Plans required prior to issuance of a demolition permit in the G, CO, CY, and CK zone districts:
 - a. If a building permit for the approved redevelopment is not issued within 45 days of the date of Development Plan approval, the property shall be regraded and revegetated.
 - b. Prior to issuance of the demolition permit, the applicant shall submit a grading and revegetation plan, a long-term maintenance plan, and a cost estimate to complete and maintain the grading and revegetation.

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- c. Prior to issuance of the demolition permit, the applicant shall provide collateral in accordance with [Section 739](#) to ensure implementation of the grading and revegetation plan.
- d. If a building permit for the approved redevelopment is issued within 45 days of the date of Development Plan approval, the applicant shall not be required to implement the grading and revegetation plan and the collateral shall be released.

709.E Term and Effect of Approval

1. Approval of a Development Plan shall be final upon the expiration of ten days after the date of the Planning Commission resolution or the Planning Director's signature approving the plan.
2. Approval of a Development Plan shall remain effective for three years from the date of approval or any other time frame approved by Planning Commission through a Development Agreement reviewed and approved concurrently with a Development Plan.
3. If an active building permit has been issued for all or part of a Development Plan and the term of approval for the Development Plan expires, the development covered under the active building permit may continue. Any part of a Development Plan for which an active building permit has not been issued within the approval period shall be considered expired unless the Development Plan approval is extended in accordance with [Section 709.F](#). No building permits shall be issued for any part of an expired Development Plan.
4. Once any development covered by a building permit has been fully executed, the Development Plan approval of such development shall remain in effect for perpetuity or until amended.
5. When there are inconsistencies between an approved Development Plan and the standards of this CDC, the Development Plan approval does not relieve the development from meeting the standards, unless such standards were specifically waived or modified through an approved Variance.
6. Approval of a Development Plan does not relieve the development from meeting all other local, state, and federal regulations.

709.F Extension of Approval

1. Approval of a Development Plan may be extended by the Planning Director for a period of two years beyond the initial three-year approval period. Development Plans approved by Planning Commission for a time period other than three years shall not be eligible for an administrative extension under this Section.
2. The Planning Director may grant a three-year extension upon a finding that the following conditions exist:
 - a. The initial approval included multiple buildings in a single phase; and
 - b. Required public and private infrastructure improvements have been completed and have been granted preliminary acceptance or preliminary approval; and
 - c. Any other outstanding agreements regarding infrastructure have been fulfilled.
3. Applicants seeking administrative approval of an extension shall submit a request to the Planning Director no earlier than 90 days and no later than 30 days prior to the expiration of the initial three-year approval period.
4. An extension shall only be approved by the Planning Director upon a finding that the Development Plan is in substantial conformance with this CDC.
5. An extension shall not be considered by-right. The Planning Director shall have the discretion to refer an extension request to the Planning Commission.

709.G Amendments

Amendments to a Development Plan may be approved through the Substantial Conformance process. Amendments that cannot be approved through Substantial Conformance shall require review and approval through the same Development Plan process as the initial approval.

§ 709 [Ord. No. 2669, 12-4-18] [Ord. No. 2705, 6-17-19] [Ord. No. 2714, 8-27-19] [Ord. No. 2711, 7-16-19] [Ord. No. 2932, 10-17-23]

710 FLOODPLAIN DEVELOPMENT PERMIT

710.A Applicability

A Floodplain Development Permit shall be required prior to any site disturbance activity within an area of special flood hazard.

710.B Procedures

Review shall be prior to or concurrent with review of a building permit or grade and fill permit, as applicable.

710.C Criteria for Approval

Floodplain Development Permits shall be approved upon a finding that the following criteria are met:

1. All necessary permits have been obtained from federal, state, or local governmental agencies from which prior approval is required.
2. The proposed activity complies with all applicable requirements of this CDC.

710.D Term and Effect of Approval

1. Approval of a Floodplain Development Permit shall be final on the date of the Planning Director's signature on the permit.
2. Approval of a Floodplain Development Permit shall remain effective for three years from the date of approval.
3. If an active building permit has been issued for all or part of a Floodplain Development Permit and the term of approval for the Floodplain Development Permit expires, the activity covered under the active building permit may continue. Any part of a Floodplain Development Permit for which an active building permit has not been issued within the approval period shall be considered expired. No building permits shall be issued for any part of an expired Floodplain Development Permit.
4. Once any development or activity covered by a building permit has been fully executed, the Floodplain Development Permit shall remain in effect for perpetuity or until amended.
5. When there are inconsistencies between an approved Floodplain Development Permit and the standards of this CDC, the Floodplain Development Permit approval does not relieve the development from meeting the standards, unless such standards were specifically waived or modified through an approved Adjustment.
6. Approval of a Floodplain Development Permit does not relieve the development from meeting all other local, state, and federal regulations.

710.E Amendments

Amendments to a Floodplain Development Permit shall be approved through the Floodplain Development Permit process.

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711 SIGN PERMIT

711.A Applicability

1. A Sign Permit shall be required for the following:
 - a. Any placement or construction of a permanent, historic, or temporary sign except as exempted, limited, or prohibited in [Section 504](#). Placement or construction of a sign shall include:
 - i. Erection, alteration, installation, relocation, reconstruction, enlargement, lighting, addition of color, color differentiation, or display of a sign that was not previously visible; or
 - ii. The painting or application of wall or window signs.
 - b. Any sign approved by Minor or Major Adjustment.
 - c. Any sign that is included in a Sign Plan.
 - d. Any alterations to a sign that are not consistent with sign maintenance as defined in [Section 508.D](#). Alteration includes but is not limited to changes to sign area, materials, structure, size, location, or lighting of an existing sign.
 - e. Any addition of differentiated background, or modification of a differentiated background.
2. The following types of Sign Permits are established for the purposes of review process:
 - a. Permanent Sign Permit.
 - b. Temporary Sign Permit.
 - c. Historic Sign Permit.

711.B Procedures

1. Review shall be prior to or concurrent with review of a building permit, if applicable.
2. Review may be concurrent with Sign Plan review, if applicable.

711.C Criteria for Approval

A Sign Permit shall be approved upon a finding that the following criteria are met:

1. The proposed sign complies with applicable standards in Article 5.
2. The proposed sign complies with an approved Sign Plan, Minor Adjustment, or Major Adjustment, if applicable.

711.D Term and Effect of Approval

1. Approval of a Sign Permit shall be final on the date of the Planning Director's signature on the permit.
2. Approval of a Permanent Sign Permit shall remain effective for one year from the date of approval.
3. Approval of a Temporary Sign Permit shall remain effective for the term specified on the permit.
4. Once a permanent sign has been placed or constructed or a historic sign has been approved, the permit shall remain in effect for the reasonable life of the sign or until amended. The "reasonable life" of a sign allows a sign to be maintained or repaired as necessary for convenient, safe, or efficient operation or use, provided that no such maintenance or repairs shall substantially change the sign from that which was approved.
5. Once a temporary sign has been placed or constructed, the permit shall remain in effect for the term specified in the Sign Permit.

711.E Amendments

Amendments to a Sign Permit shall be approved through the Sign Permit process.

■ §711 [Ord. No. 2776, 11-17-20] [Ord. No. 2850, 5-3-22]

712 SIGN PLAN

712.A Purpose

The purpose of the Sign Plan process is to allow for a site-specific plan that permits standards to be varied when flexibility is necessary to either achieve minimum allowable signage or a result that is better than the standard.

712.B Applicability

A Sign Plan shall be required for the following:

1. The circumstances of a building, lot, or project area limit each individual use from achieving the minimum signage allowed.
2. Standards conflict for uses on the same property or within the same project area.
3. Flexibility in site design or sign design is desired for a building, lot, use, or project area to achieve a result that is better than the standard.

712.C Limitations

A Sign Plan shall not vary or modify:

1. Any standard that requires an Adjustment.
2. Any standard that creates a nonconformity or results in an increase of a nonconformity.
3. Any sign that has been approved by an Adjustment.
4. Anything that is prohibited by Article 5.
5. Any sign that is nonconforming, abandoned, or illegal.

712.D Procedures

Review shall be prior to or concurrent with review of a building permit, if applicable. A Sign Plan may be applied for after approval of an Adjustment.

712.E Criteria for Approval

A Sign Plan shall be approved upon a finding that the following criteria are met:

1. The proposed signs comply with all standards in Article 5.
2. The Sign Plan is a comprehensive plan for all signs on the lot or within the project area.
3. The Sign Plan is consistent with guidelines in [Section 507.B.3](#).
4. For Sign Plans proposed under [Section 712.B.3](#), the following additional criteria shall apply:
 - a. The proposed signs demonstrate creativity in design, architecture, or materials where the result is better than the standard; and
 - b. The proposed signs complement the architectural style, character, materials, color, and detail of buildings on and adjacent to the lot; and
 - c. The proposed signs are consistent with the Context Area for the specific property; and
 - d. The total number of signs is consistent with the number of signs on other properties in the Context Area; and
 - e. The number of signs allocated to a specific sign type is similar to the standard number of signs for that sign type for other properties in the Context Area; and
 - f. The proposed signs, both individually and in the aggregate, are proportional to the building's size, massing, and neighborhood context.

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712.F Term and Effect of Approval

1. Approval of a Sign Plan shall be final on the date of the Planning Director's signature approving the plan.
2. Approval of a Sign Plan shall remain effective for one year from the date of approval or for an alternative term as specified and approved as part of the plan.
3. If, after one year or the specified term of the plan, the majority of signs included in the plan have not been installed, the plan shall expire.
4. Once the majority of signs included in the Sign Plan have been installed, the Sign Plan shall remain in effect for the reasonable life of all such signs or until amended. The "reasonable life" of a sign allows a sign to be maintained or repaired as necessary for convenient, safe, or efficient operation or use, provided that no such maintenance or repairs shall substantially change the sign from that approved by the plan.

712.G Amendments

Amendments to a Sign Plan shall be approved through the Sign Plan process.

§ 712 [Ord. No. 2776, 11-17-20]

713 PRELIMINARY PLAT

713.A Applicability

Preliminary Plat approval shall be required for the following:

1. Any subdivision of land unless specifically exempted by [Section 713.B](#).
2. Any subdivision of land that requires approval of a Major Variance.
3. Any vacation of public right-of-way.
4. The development of any lot that has not been previously legally platted, unless specifically exempted by [Section 713.B](#).
5. Any subdivision of land that was subdivided through the Minor Subdivision process within the previous five years that would result in any of the following in the five-year period:
 - a. More than three nonresidential lots; or
 - b. More than six one-family residential lots; or
 - c. More than three two-family residential lots.

713.B Exemptions

1. Subdivisions that meet the Final Plat applicability for a Minor Subdivision or Replat, Condominium/Townhome Plat shall be exempt from the Preliminary Plat process.
2. City-owned properties.

713.C Procedures

Review shall be prior to or concurrent with Final Plat review.

713.D Criteria for Approval

A Preliminary Plat shall be approved upon a finding that the following criteria are met:

1. The Preliminary Plat substantially conforms to all applicable requirements of this CDC, including requirements of the applicable zone district.
2. Each lot in the subdivision that is proposed for development shall be developable. Elements reviewed for developability include a demonstrated ability to meet the requirements of this CDC in terms of zone district standards, development standards, and subdivision standards.

3. The Preliminary Plat conforms to all other applicable regulations and requirements including but not limited to state law, the Steamboat Springs Municipal Code, any capital improvement plan or program, or any Improvements Agreement or Development Agreement for the property.
4. The Preliminary Plat shall be compatible with the character of existing or planned land development pattern in the vicinity and shall not adversely affect the future development of the surrounding area.
5. The land proposed for subdivision shall be physically suitable for development, considering its topography, the presence of steep or unstable slopes, existing natural resource features such as wetlands, floodplains, and sensitive wildlife habitat areas, and any environmental hazards such as avalanche or landslide paths, rockfall hazard areas, or wildfire hazard areas that may limit the property's development potential.

713.E Term and Effect of Approval

1. Approval of a Preliminary Plat shall be final upon the expiration of ten days after the date of the Planning Commission resolution approving the plat.
2. Approval of a Preliminary Plat shall remain effective for three years from the date of approval or any other time frame approved by Planning Commission through a Development Agreement.
3. If a complete application for a Final Plat, that is in substantial conformance with the approved Preliminary Plat, is not submitted within the approval period, the Preliminary Plat shall be considered expired unless extended in accordance with [Section 713.F](#).

713.F Extension of Approval

1. Approval of a Preliminary Plat may be extended by the Planning Director for a period of two years beyond the initial three-year approval period.
2. The Planning Director may grant a second two-year extension. The maximum approval period possible through administrative extension shall be seven years.
3. Preliminary Plats approved by Planning Commission for a time period other than three years shall not be eligible for an administrative extension under this Section.
4. Applicants seeking administrative approval of an extension shall submit a request to the Planning Director no earlier than 90 days and no later than 30 days prior to the expiration of the approval period.
5. An extensions shall only be approved by the Planning Director upon a finding that the Preliminary Plat is in substantial conformance with this CDC.
6. An extension shall not be considered by-right. The Planning Director shall have the discretion to refer an extension request to the Planning Commission.

713.G Amendments

Amendments to a Preliminary Plat may be approved through the Final Plat process as long as the amendments are in substantial conformance with the Preliminary Plat. Amendments that are not in substantial conformance with the Preliminary Plat shall require review and approval through the same Preliminary Plat process as the initial approval.

§ 713 [Ord. No. 2668, 12-4-18] [Ord. No. 2714, 8-27-19] [Ord. No. 2711, 7-16-19] [Ord. No. 2801, 3-16-21]

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714 FINAL PLAT

714.A Applicability

1. Final Plat approval is required for all new subdivisions of land, subdivisions of previously platted lots, and right-of-way vacations.
2. The following types of Final Plats are established for purposes of review process and public notice requirements:
 - a. **Major Subdivision**
Final Plats shall be reviewed through the Major Subdivision process when the subdivision has obtained Preliminary Plat approval.
 - b. **Minor Subdivision**
Final Plats shall be reviewed through the Minor Subdivision process when either the Final Plat is for the subdivision or platting of land owned by the City; or the Final Plat complies with all applicable requirements of this CDC or is being reviewed concurrently with a Minor Variance application and all of the following criteria are met:
 - i. The Final Plat does not meet the applicability of a Replat or Condominium/Townhome Plat; and
 - ii. The Final Plat is to adjust a lot line that affects more than two lots; adjust a Platted Building Envelope; dedicate land to the public for vehicle, pedestrian, or utility rights-of-way; or create three or fewer nonresidential lots with each lot being less than one acre in area; or six or fewer one-family residential lots; or three or fewer two-family residential lots.
 - c. **Replat**
Final Plats shall be reviewed through the Replat process when no new lots are created, the Final Plat complies with all applicable requirements of this CDC, and at least one of the following criteria are met:
 - i. The Final Plat is for the consolidation of no more than five lots; or
 - ii. The Final Plat is for an adjustment to a lot line that affects no more than two lots and that will not diminish the size of open space or other protected area; or
 - iii. The Final Plat is a correction of an engineering or survey error, plat note, or other minor change to a recorded plat that has no effect on the degree to which the plat conforms to City standards; or
 - iv. The Final Plat is for an easement vacation where the applicant has elected to replat the property to reflect the easement vacation. Easement vacations do not require a Replat and may be vacated in accordance with [Section 732](#).
 - d. **Condominium/Townhome Plat**
Final Plats shall be reviewed through the Condominium/Townhome Plat process when one of the following criteria are met:
 - i. No new lots are created and the Final Plat is only to create condominium or townhome units in or around existing structures; or
 - ii. The Final Plat is to create condominium or townhome units in or around existing structures and any new lot lines are in substantial conformance with the phasing of an approved Development Plan.

714.B Procedure

1. Review shall be prior to recording of the Final Plat.
2. Review shall be concurrent with review of civil construction drawings, an Improvements Agreement, and estimate of collateral, if applicable.

714.C Criteria of Approval

1. General Criteria

A Final Plat shall be approved upon a finding that the following criteria are met:

- a. The Final Plat substantially conforms to all applicable requirements of this CDC, including requirements of the applicable zone district, unless specifically varied through a Variance process.
- b. Each lot in the subdivision that is proposed for development shall be developable. Elements reviewed for developability include a demonstrated ability to meet the requirements of this CDC in terms of zone district standards, development standards, and subdivision standards.
- c. The Final Plat conforms to all other applicable regulations and requirements including but not limited to state law, the Steamboat Springs Municipal Code, any capital improvement plan or program, or any Improvements Agreement or Development Agreement for the property.
- d. The Final Plat shall be compatible with the character of existing or planned land development patterns in the vicinity and shall not adversely affect the future development of the surrounding area.
- e. The land proposed for subdivision shall be physically suitable for development, considering its topography, the presence of steep or unstable slopes, existing natural resource features such as wetlands, floodplains, and sensitive wildlife habitat areas, and any environmental hazards such as avalanche or landslide paths, rockfall hazard areas, or wildfire hazard areas that may limit the property's development potential.
- f. The Final Plat shall be prepared in substantial conformance with state law governing subdivisions, plats, and surveying requirements.
- g. The required infrastructure, including but not limited to streets, drainage, water, and sewer, are complete and have final acceptance, or an Improvements Agreement has been executed.

2. Additional Criterion for Major Subdivision

The following criterion for approval shall apply to Major Subdivisions and shall be in addition to the general criteria for approval in [Section 714.C.1:](#)

- a. The Final Plat shall be consistent with the approved Preliminary Plat including any conditions of approval.

3. Additional Criterion for Condominium/Townhome Plats

The following criterion for approval shall apply to Condominium/Townhome Plats and shall be in addition to the general criteria for approval in [Section 714.C.1:](#)

- a. The use of the property shall be a conforming use in the applicable zone district.

4. Additional Criteria for Minor Subdivision for a Platted Building Envelope

The following criteria shall apply to Minor Subdivisions for Platted Building Envelopes that are designated for compliance with the SO overlay zone; these criteria shall be in addition to the general criteria for approval in [Section 714.C.1:](#)

- a. The proposed change has been approved by the homeowners association of the subdivision, if applicable.
- b. The proposed change will provide a suitable building site which will substantially comply with the purpose of the SO overlay zone.
- c. There are no other restrictions related to the infrastructure required to serve the lot.

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714.D Term and Effect of Approval

1. Approval of a Final Plat shall be final on the date of the Planning Director's signature approving the plat.
2. An approved Final Plat shall be signed by the Planning Director and City Council President. The City Clerk shall attest the signature of the City Council President.
3. An approved Final Plat shall be recorded at the Routt County Clerk and Recorder's Office. A Final Plat shall become effective on the date of recording.
 - a. All Final Plats, except Replats, shall be recorded within three years of the approval date unless another time frame is approved by the Planning Director through a Development Agreement.
 - b. Replats shall be recorded within 12 months of the approval date.
 - c. One or more party wall agreements shall be recorded concurrently with a Townhome Plat.
4. Any Final Plat not recorded within the required time period shall be considered expired.
5. Once recorded, a Final Plat shall run with the land in perpetuity or until amended or vacated.

714.E Amendments

1. Amendments to a Final Plat shall be approved through the Final Plat process.
2. No Final Plat shall be amended or vacated in a manner that deprives any lot owner of access, open space, or other amenity included in the Final Plat unless each affected lot owner has given written consent to the amendment or vacation.

■ 5714 [Ord. No. 2650, 5-15-18] [Ord. No. 2668, 12-4-18] [Ord. No. 2700, 6-4-19] [Ord. No. 2801, 3-16-21] [Ord. No. 2984, 11-12-24]

715 WAIVER OF REPLAT

715.A Purpose

The purpose of the Waiver of Replat process is to allow for the combination of certain previously platted lots or legal portions of previously platted lots for the construction, alteration, or addition to a single-family dwelling or duplex without review, approval, and cost of a Final Plat.

715.B Applicability

The Waiver of Replat process may be utilized in lieu of a Final Plat process when the following conditions exist:

1. The property contains legally platted lots of record or portions of legally platted lots of record; and
2. The individual lots do not conform to the minimum lot area for the applicable zone district; and
3. The combined area of the individual lots meets the minimum and maximum lot area for the applicable zone district; and
4. No vacation of rights-of-way is required as a result of the combination of the lots or the proposed development; and
5. No portion of the property has been included in a previously approved Waiver of Replat.

715.C Procedures

Review shall be prior to building permit review.

715.D Criteria for Approval

Waivers of Replat shall be approved upon a finding that all of the applicability criteria are met.

715.E Term and Effect of Approval

1. Approval of a Waiver of Replat shall be final on the date of the Planning Director's signature on the Waiver.
2. An approved Waiver of Replat shall be recorded at the Routt County Clerk and Recorder's Office within 90 days of the approval date. The Waiver shall become effective on the date of recording.
3. Any Waiver of Replat not recorded within 90 days of the date of approval shall be considered expired.
4. Once recorded, the Waiver of Replat shall run with the land in perpetuity or until amended through a Final Plat.

■ §715 [Ord. No. 2733, 12-23-19] [Ord. No. 2947 2-27-24]

716 EXTRATERRITORIAL SUBDIVISION PLAT

716.A Purpose

The purpose of the Extraterritorial Subdivision Plat process is to allow detailed administrative and public review of major street plans for subdivisions of land located outside of the City's limits but subject to the City and Routt County's major street planning.

716.B Applicability

Extraterritorial Subdivision Plat review shall be required for all proposed extraterritorial subdivisions.

716.C Procedures

1. Review shall be prior to recording of any Extraterritorial Subdivision Plat.
2. Within 30 days of receipt of a complete application, City Council shall review the Extraterritorial Subdivision Plat at a public hearing. A longer review period may be permitted with the consent of the applicant.
3. Public notice shall be provided in accordance with Table 703-1. The applicant shall also provide notice to surface owners, mineral owners, and the lessees of mineral owners in accordance with C.R.S. § 31-23-215 and C.R.S. § 24-65.5-101 et seq.

716.D Criteria for Approval

1. The Extraterritorial Subdivision Plat shall be in conformance with any applicable major street plan that has been approved and recorded in accordance with C.R.S. § 31-23-213.
2. The Extraterritorial Subdivision Plat shall dedicate rights-of-way to Routt County for the construction and maintenance, including snow removal, of any street and appurtenant structures, such as drainage ditches, sidewalks, or trails, that are shown on the applicable major street plan.
3. Rights-of-way shall be dedicated in locations and widths sufficient to allow the construction and maintenance of streets in accordance with the adopted Routt County road standards.

717 MINOR ADJUSTMENT

717.A Purpose

1. The purpose of the Minor Adjustment process is to allow for variations and alternatives to certain standards in this CDC to be approved by the Planning Director when an equal or better alternative is proposed or a practical difficulty exists.
2. This CDC sets forth a unified regulatory program for development, including but not limited to best practices for site development, engineering, architectural design, compatibility with

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surrounding context, and mitigation of off-site impacts, that will implement the preferred direction and policies of the Community Plan and other adopted plans. It is understood that no standard can anticipate all possible circumstances, alternative approaches, and unanticipated consequences of its application.

717.B Applicability

1. Minor Adjustment approval is required for the following types of variations or modifications to standards in this CDC for construction of or modification to single-family dwellings and duplexes:
 - a. Variations of 20 percent or less of any setback, building height, or lot coverage standards specified in Article 2.
 - b. Variations of 20 percent or less of any numeric landscaping standards specified in Article 4.
 - c. Variations of 20 percent or less of any numeric buffering, screening, or fencing standards specified in Article 4.
 - d. Variations of five percent or less of floor area ratio standards specified in Article 2.
 - e. Construction of an accessory building prior to a principal single-family dwelling or duplex.
 - f. Variations of 20 percent or less of retaining wall height standards specified in Article 4.
2. Minor Adjustment approval is required for the following types of variations or modifications to standards specified in Article 5:
 - a. Variations of 10 percent or less of any dimensional or numerical standard.

717.C Procedures

Review shall be prior to building permit review.

717.D Criteria for Approval

Applicable guidelines, as specified in this CDC, shall be considered when evaluating a Minor Adjustment. Minor Adjustments shall be approved upon a finding that the following criteria are met:

1. The standard proposed to be varied has not already been varied or modified through an Adjustment, Variance, Planned Unit Development, or Alternative Compliance as indicated in Article 5, if applicable.
2. The Minor Adjustment is the least modification possible to accomplish the purpose of the standard.
3. The Minor Adjustment will not injure or adversely impact legal conforming uses of adjacent property, or the applicant has accurately assessed the impacts of the proposed Minor Adjustment and has agreed to mitigate those impacts.
4. The Minor Adjustment application meets either the following criteria for practical difficulty or the criteria for an acceptable alternative:
 - a. **Practical Difficulty**
The Minor Adjustment is of a technical nature and is required to compensate for some practical difficulty or unusual feature of the site or the proposed development that is not shared by landowners in general.
 - b. **Acceptable Alternative**
The proposed development provides at least one of the following acceptable alternatives to the standard:

- i. The alternative achieves a result that is equal to or better than the code standard to which a variation is being sought; or
 - ii. The purpose and intent of the code standard will not be achieved by strict application of the standard in the particular circumstance; or
 - iii. The application of other code standards, purposes, or intents will be improved by varying the standard.
5. A Minor Adjustment application to permit construction of an accessory building prior to a principal building has demonstrated the ability for compliance with dimensional and development standards at the time of principal building construction.

717.E Term and Effect of Approval

1. Approval of a Minor Adjustment shall be final on the date of the Planning Director's signature approving the adjustment.
2. Approval of a Minor Adjustment shall remain effective for three years from the date of approval.
3. If an active building permit has been issued for all or part of a Minor Adjustment and the term of approval for the Minor Adjustment expires, the development covered under the active building permit may continue. Any part of a Minor Adjustment for which an active building permit has not been issued within the approval period shall be considered expired. No building permits shall be issued for any part of an expired Minor Adjustment.
4. Once any development covered by a building permit has been fully executed, the Minor Adjustment approval of such development shall remain in effect for perpetuity or until amended.

717.F Amendments

Amendments to a Minor Adjustment may be approved through the Substantial Conformance process. Amendments that cannot be approved through Substantial Conformance shall require review and approval through the same Minor Adjustment process as the initial approval. No amendment to a Minor Adjustment shall be approved that will result in a total variation that exceeds the applicability of a Minor Adjustment.

§ 717 [Ord. No. 2776, 11-17-20] [Ord. No. 2850, 5-3-22] [Ord. No. 2969, 7-2-24] [Ord. No. 2984, 11-12-24]

718 MAJOR ADJUSTMENT

718.A Purpose

The purpose of the Major Adjustment process is to allow for variations to certain standards in this CDC and to allow for limited development of nonconforming lots and alteration of nonconforming structures and structures housing nonconforming uses.

718.B Applicability

Major Adjustment approval is required for the following development activities and types of variations or modifications to standards in this CDC:

1. Variations of numerical dimensional and development standards specified in Article 2 and Article 4, that do not meet the applicability of a Minor Adjustment, for single-family dwellings and duplexes.
2. Variations of duplex design standards in Article 4.

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3. Variations of the following sign standards or approval of the following sign types as specified in Article 5:
 - a. Variation of any sign standards that do not meet the applicability of a Minor Adjustment.
 - b. Use of a sign type as indicated in [Table 504-1](#).
 - c. Placement, construction, or use of an off-premise sign.
4. Variations to Floodplain Development Permit requirements and standards specified in Article 4.
5. Development of a legal nonconforming lot when the criteria of [Section 105.C](#) are not met.
6. Alteration or modification of a legal nonconforming structure or a conforming structure housing a nonconforming use when the proposed alteration or modification does not comply with the applicable dimensional standards of the zone district.

718.C Procedures

1. Review shall be prior to building permit, Sign Permit, or Floodplain Development Permit review, as applicable.
2. Every property is unique, so evidence that a Major Adjustment was previously granted under similar circumstances shall not be considered binding grounds for granting a Major Adjustment.

718.D General Criteria for Approval

The following general criteria for approval shall apply to all Major Adjustment applications that are not reviewed in accordance with any of the alternative criteria for approval in [Section 718.E](#) and [Section 718.F](#). When these general criteria for approval are applicable, Major Adjustments may be approved upon a finding that the following criteria are met:

1. The property and the use of such property for which the Major Adjustment is requested meets one of the following:
 - a. The property is in full compliance with all requirements of the applicable zone district; or
 - b. The lot is a legal nonconforming lot; or
 - c. Any nonconformities on the lot are legal nonconforming structures or uses.
2. The Major Adjustment will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and applicable zoning district.
3. The Major Adjustment is necessary due to special circumstances relating to the size, shape, topography, location, or surroundings of the subject property and to provide it with use rights and privileges permitted to other properties in the vicinity and in the applicable zone district.
4. The special circumstances of the subject property make the strict application of the standard an unnecessary hardship to the applicant, and the special circumstances are not the result of actions of the property owner or applicant.
5. The Major Adjustment will not injure or adversely impact legal conforming uses of adjacent property, or the applicant has accurately assessed the impacts of the proposed Major Adjustment and has agreed to mitigate those impacts. In making this determination, the Board of Adjustment shall begin with the assumption that variations from standards create impacts on adjacent properties and shall place the burden of proof on the applicant to demonstrate compliance with this criterion for approval. Unsupported opinions of impacts from surrounding property owners shall not be conclusive evidence of impacts.

6. The Major Adjustment is the least modification possible of the standard that will afford relief to the applicant.
7. When considering the amount of variation requested, any existing nonconformity will be considered part of the overall Major Adjustment request. For example, an existing nonconforming structure encroaches five feet into the required setback, and the applicant is requesting a Major Adjustment to encroach an additional five feet. The Major Adjustment request shall be for a ten-foot encroachment into the required setback.
8. The Major Adjustment is consistent with the purpose and intent of this CDC, the Community Plan, and other adopted plans, as applicable.
9. Waterbody setback adjustments shall also comply with the additional criteria for approval for waterbody setback adjustments in [Section 718.H](#).

718.E Alternative Criteria for Approval for Historic Structures

The following criteria for approval shall apply to Major Adjustment applications for the restoration, modification, or expansion of an historic building or structure. When these alternative criteria for approval are applicable, Major Adjustments may be approved upon a finding that the following criteria are met, as applicable:

1. Restorations or Rehabilitations

Major Adjustments for restorations or rehabilitations shall meet the following criteria:

- a. The restoration or rehabilitation relates to and is reasonably necessary to permit the restoration or rehabilitation of a previous condition of historical significance or historic period of significance to the building.
- b. The Major Adjustment shall not be materially detrimental to the public welfare nor injurious to the property or improvements in the vicinity and applicable zoning district.

2. Modifications or Expansions

Major Adjustments for modifications or expansions shall meet the following criteria:

- a. The modification or expansion has been designed to preserve the historic character-defining elements of the building.
- b. The Major Adjustment is the minimum necessary to fulfill the purpose and the need of the applicant.
- c. The Major Adjustment shall not be materially detrimental to the public welfare nor injurious to the property or improvements in the vicinity and applicable zoning district.

718.F Alternative Criteria for Approval for Signs

The following criteria for approval shall apply to Major Adjustment applications for signs. Applicable guidelines, as specified in this CDC, shall be considered when evaluating a Major Adjustment. When these alternative criteria for approval are applicable, Major Adjustments may be approved upon a finding that the following criteria are met:

1. The Major Adjustment is the least modification possible to accomplish the purpose of the standard.
2. The Major Adjustment will not constitute an unfair advantage inconsistent with limitations upon other properties in the vicinity and applicable context area.
3. The Major Adjustment is necessary due to special circumstances relating to the size, shape, topography, location, surroundings, or other features of the subject property, building, or

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project area and to provide it with rights and privileges permitted to other properties in the vicinity and in the applicable Context Area.

4. The Major Adjustment will not injure or adversely impact legal conforming uses or signage of adjacent property, or the applicant has accurately assessed the impacts of the proposed Major Adjustment and has agreed to mitigate those impacts.
5. When considering the amount of variation requested, any existing nonconformity will be considered part of the overall Major Adjustment request. For example, an existing nonconforming sign is five square feet larger than the total sign area allowed and the applicant is requesting a Major Adjustment for an additional five square feet of sign area. The Major Adjustment request shall be for ten additional square feet of sign area.

718.G Additional Criteria for Approval for Floodplain Development Permits

The following considerations and criteria for approval shall apply to Major Adjustments to flood damage prevention standards and shall be in addition to either the general criteria for approval in [Section 718.D](#) or the alternative criteria for historic structures in [Section 718.E](#).

1. Review of Major Adjustments to flood damage prevention standards shall take into account the following considerations:
 - a. The danger that materials may be swept onto other lands to the injury of others.
 - b. The danger to life and property due to flooding or erosion damage.
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
 - d. The importance of the services provided by the proposed facility to the community.
 - e. The necessity to the facility of a waterfront location, where applicable.
 - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
 - g. The compatibility of the proposed use with the existing and anticipated development.
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - j. The expected heights, widths, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
 - k. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as streets, bridges, and sewer, gas, electrical, and water systems.
2. Major Adjustments may be approved upon a finding that the following additional criteria are met:
 - a. The subject lot is an existing platted lot of one-half acre or less gross lot area. Existing platted lots larger than this may be considered.
 - b. The Major Adjustment is for the reconstruction, rehabilitation, or restoration of a structure listed on the National Register of Historic Places, the State Register of Historic Places, the County Register of Historic Properties, or the Local Register.
 - c. For improvements within the floodway, there shall be no increase in flood levels during the base flood discharge.
 - d. Failure to grant the Major Adjustment would result in extraordinary and exceptional hardship to the applicant.

- e. The Major Adjustment shall not result in any of the following:
 - i. Increased flood heights.
 - ii. Additional threats to public safety.
 - iii. Extraordinary public expense.
 - iv. Creation of nuisances.
 - v. Fraud on or victimization of the public.
 - vi. Conflict with other provisions of this CDC or other portions of the Steamboat Springs Revised Municipal Code.

718.H Additional Criteria for Approval for Waterbody Setback Adjustments

The following criteria for approval shall apply to Major Adjustments to waterbody setback standards on existing platted one-family residential or two-family residential lots and shall be in addition to the general criteria for approval in [Section 718.D](#). These additional criteria shall not apply when the Major Adjustment is being reviewed in accordance with the alternative criteria for historic structures in [Section 718.E](#). Major Adjustments may be approved upon a finding that at least one of the following additional criteria are met:

1. Strict enforcement of the setback requirement will deprive the property owner of all reasonable economic uses of the property in accordance with the applicable zone district; or
2. The riparian environment within the required setback has been previously disturbed on the subject property; or
3. The circumstances of the subject property meet all of the following:
 - a. The riparian environment within the required setback has been previously disturbed on immediately adjacent properties; and
 - b. Appropriate avoidance measures will be implemented to eliminate any potential negative impacts on the waterbody; and
 - c. Natural drainage patterns will not be affected; and
 - d. Any applicable Army Corps of Engineer's permit has been applied for and will be obtained; and
 - e. A Floodplain Development Permit has or will be obtained, if applicable.

718.I Conditions

Reasonable conditions may be imposed on a Major Adjustment in order to ensure the development is compatible with the zone district and surrounding properties, to mitigate any anticipated negative impacts, and to ensure compliance with the purpose and intent of specific standards.

718.J Term and Effect of Approval

1. Approval of a Major Adjustment shall be final on the date of the Board of Adjustment resolution approving the adjustment.
2. Approval of a Major Adjustment shall remain effective for three years from the date of approval.
3. If an active building permit has been issued for all or part of a Major Adjustment and the term of approval for the Major Adjustment expires, the development covered under the

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active building permit may continue. Any part of a Major Adjustment for which an active building permit has not been issued within the approval period shall be considered expired. No building permits shall be issued for any part of an expired Major Adjustment.

4. Once any development covered by a building permit has been fully executed, the Major Adjustment approval of such development shall remain in effect for perpetuity or until amended.
5. In the case of Floodplain Development Permits, approved Major Adjustments shall include written notice to the applicant that the structure will be permitted to be built with a lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increase risk from the reduced lowest floor elevation.

718.K Amendments

Amendments to a Major Adjustment may be approved through the Substantial Conformance process. Amendments that cannot be approved through Substantial Conformance shall require review and approval through the same Major Adjustment process as the initial approval.

§ 718 [Ord. No. 2650, 5-15-18] [Ord. No. 2733, 12-23-19] [Ord. No. 2776, 11-17-20]

719 VARIANCE

719.A Purpose

1. The purpose of the Variance process is to allow for variations and alternatives to the standards in this CDC when an equal or better alternative is proposed or a hardship or difficulty exists.
2. This CDC sets forth a unified regulatory program for development, including but not limited to best practices for site development, engineering, architectural design, compatibility with surrounding context, and mitigation of off-site impacts, that will implement the preferred direction and policies of the Community Plan and other adopted plans. It is understood that no standard can anticipate all possible circumstances, alternative approaches, and unanticipated consequences of its application.

719.B Applicability

1. Variance approval is required for all variations or modifications to standards in this CDC that do not meet the applicability of a Minor Adjustment or Major Adjustment, unless specifically exempted from a variance process by this CDC.
2. The following types of Variances are established for purposes of review process:
 - a. **Minor Variance**
Variances shall be reviewed through the Minor Variance process when the following criteria are met:
 - i. The Variance application is submitted concurrently with a Development Plan or Final Plat that will be reviewed administratively and approved by the Planning Director; and
 - ii. The proposed variation is equal to 20 percent or less of any lot area, lot width, setback, building height, or lot coverage standards specified in Article 2; or
 - iii. The proposed variation is equal to 20 percent or less of any numeric landscaping standards specified in Article 4; or
 - iv. The proposed variation is equal to 20 percent or less of any numeric buffering, screening, or fencing standards specified in Article 4; or
 - v. The proposed variation is equal to five percent or less of a floor area ratio standard specified in Article 2; or
 - vi. The proposed variation is equal to 20 percent or less of any numeric standard in the TND zone district.

- b. Major Variance**
Variances shall be reviewed through the Major Variance process when proposed application type or variation do not meet the applicability of a Minor Variance.
- 719.C Procedures**
Review shall be concurrent with Conceptual Development Plan, Development Plan, Preliminary Plat, or Final Plat review.
- 719.D General Criteria for Approval**
The following general criteria for approval shall apply to all Variance applications that are not reviewed in accordance with the alternative criteria for waterbody setback variances in [Section 719.E](#). When these general criteria for approval are applicable, Variances may be approved upon a finding that the following criteria are met
1. The Variance will not injure or adversely impact legal conforming uses of adjacent property, or the applicant has accurately assessed the impacts of the proposed Variance and has agreed to mitigate those impacts.
 2. The Variance is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.
 3. The Variance application meets either the criteria for unnecessary hardship or practical difficulty, as applicable, or the criteria for an acceptable alternative:
 - a. Unnecessary Hardship or Practical Difficulty**
 - i. Major Variance**
The special circumstances of the subject property make the strict application of the standard an unnecessary hardship to the applicant, and the special circumstances are not the result of actions of the property owner or applicant.
 - ii. Minor Variance**
The proposed variation is of a technical nature and is required to compensate for some practical difficulty or unusual feature of the site or the proposed development that is not shared by landowners in general.
 - b. Acceptable Alternative**
The proposed development provides at least one of the following acceptable alternatives to the standard:
 - i. The alternative achieves a result that is equal to or better than the code standard to which a variance is being sought; or
 - ii. The purpose and intent of the code standard will not be achieved by strict application of the standard in the particular circumstance; or
 - iii. The application of other code standards, purposes, or intents will be improved by varying the standard.
- 719.E Alternative Criteria for Approval for Waterbody Setback Variances**
The following criteria for approval shall apply to Variances to waterbody setback standards. When these alternative criteria for approval are applicable, Variances may be approved upon a finding that the following criteria are met:
1. The property and the use of such property for which the Variance is requested meets one of the following:
 - a. The property is in full compliance with all requirements of the applicable zone district; or
 - b. The lot is a legal nonconforming lot; or
 - c. Any nonconformities on the lot are legal nonconforming structures or uses

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2. The Variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and applicable zoning district.
3. The special circumstances of the subject property make the strict application of the standard an unnecessary hardship to the applicant, and the special circumstances are not the result of actions of the property owner or applicant.
4. The Variance is necessary due to special circumstances relating to the size, shape, topography, location, or surroundings of the subject property and to provide it with use rights and privileges permitted to other properties in the vicinity and in the applicable zone district.
5. The Variance will not injure or adversely impact legal conforming uses of adjacent property, or the applicant has accurately assessed the impacts of the proposed Variance and has agreed to mitigate those impacts.
6. The Variance is the least modification possible of the standard that will afford relief to the applicant.
7. When considering the amount of variation requested, any existing nonconformity will be considered part of the overall Variance request. For example, an existing nonconforming structure encroaches five feet into the required setback, and the applicant is requesting a Variance to encroach an additional five feet. The Variance request shall be for a ten-foot encroachment into the required setback.
8. The Variance is consistent with the purpose and intent of this CDC, the Community Plan, and other adopted plans, as applicable.
9. The property and the use of such property meets at least one of the following:
 - a. Strict enforcement of the setback requirement will deprive the property owner of all reasonable economic uses of the property in accordance with the applicable zone district; or
 - b. The circumstances of the subject property meet all of the following:
 - i. The riparian environment within the required setback has been previously disturbed on the subject property; and
 - ii. The development is for the purposes of irrigation and water diversion facilities, flood control structures, trails, recreation access sites, bridges, fences, erosion control devices, underground utilities, and all riparian areas disturbed will be restored to the greatest degree possible; and
 - iii. Appropriate avoidance measures will be implemented to eliminate any potential negative impacts on the waterbody; and
 - iv. Natural drainage patterns will not be affected; and
 - v. Any applicable Army Corps of Engineer's permit has been applied for and will be obtained; and
 - vi. A Floodplain Development Permit has or will be obtained, if applicable.

719.F Term and Effect of Approval

1. Approval of a Variance shall be final on the date of the City Council resolution or the Planning Director's signature approving the variance.
2. The term and effect of approval of a Variance shall be the same as the concurrent Conceptual Development Plan, Development Plan, Preliminary Plat, or Final Plat approval.

719.G Amendments

Amendments to a Variance may be approved through the Substantial Conformance process. Amendments that cannot be approved through Substantial Conformance shall require review and approval through the same Variance process as the initial approval.

§ 719 [Ord. No. 2932, 10-17-23]

720 ZONE MAP AMENDMENT

720.A Applicability

This Section shall apply to all amendments to the Official Zone Map.

720.B Criteria for Approval

Zone Map Amendments may be approved upon a finding that the following criteria are met:

1. The Zone Map Amendment will be consistent with the purpose and standards of the proposed zone district.
2. The type, height, massing, appearance, and intensity of development that would be permitted in the proposed zone district will be compatible with surrounding zone districts, land uses, and neighborhood character and will result in a logical and orderly development pattern within the community.
3. The advantages of the proposed zone district substantially outweigh the disadvantages to the community or neighborhood.
4. The proposed amendment will minimize any adverse impacts on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.
5. One of the following conditions exists:
 - a. The proposed amendment substantially furthers the preferred direction and policies outlined in the Community Plan and other applicable adopted plans; or
 - b. The proposed amendment is necessary to respond to changed conditions since the adoption or last amendment of the Official Zone Map; or
 - c. The proposed amendment will correct an error on the Official Zone Map.

720.C Term and Effect of Approval

1. Zone Map Amendments shall become effective on the date specified in the ordinance adopted by City Council.
2. The Zone Map Amendment shall remain in effect for perpetuity or until amended.

721 PLANNED UNIT DEVELOPMENT

721.A Applicability

This Section shall apply to all proposed Planned Unit Developments.

721.B Procedures

The Permitted Use Matrix, zone district dimensional standards, development and design standards, that are applicable to the property that is the subject of the PUD application shall be used as a starting basis and a guide when determining the appropriate type of standards to be applied to a proposed Planned Unit Development.

721.C Criteria for Approval

A Planned Unit Development (PUD) shall be approved upon a finding that the following criteria are met:

1. The proposed development cannot be accommodated with the current zoning of the property or any other City zone district.
2. The Planned Unit Development shall meet at least one of the following:
 - a. The PUD addresses a community need as described in the Community Plan; or
 - b. The development site has special physical characteristics including but not limited to an irregular or oddly-shaped lot, or a lot with significant topographical barriers to standard development construction practices; or

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- c. The PUD will preserve valued environmental, cultural, or scenic resource lands or view corridors, minimize the disturbance of natural hazard areas, increase the amount of functional open space within the development, or create functional public spaces; or
 - d. The PUD is necessary to protect and preserve the character of a historic structure or historic district; or
 - e. The proposed scale or timing of a development project demands a more customized zoning approach to achieve a successful phased development; or
 - f. The PUD allows for creativity in the development process, use of land, or use of related physical facilities to produce a superior outcome as described in [Section 721.C.6](#); or
 - g. The PUD is necessary to respond to a changed condition where the current zone map or standard zone district do not meet the needs of the lot owner or community for this particular site.
3. The type, height, massing, appearance, and intensity of development permitted by a PUD is compatible with surrounding zone districts, land uses, and neighborhood context and character, and the PUD will result in a logical and orderly development pattern within the community.
4. The PUD shall substantially further the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.
5. The PUD shall minimize any adverse impacts on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.
6. In return for flexibility in zoning, development permitted by the PUD shall provide significant community enhancement not achievable through application of a standard zone district. A community enhancement may include but is not limited to:
 - a. Diversification of land use to provide opportunities for commercial, recreational, and educational facilities to be conveniently located near a mix of housing types; or
 - b. A variety of housing types; or
 - c. Innovation in development, site design, or architectural quality; or
 - d. More efficient use of land and energy; or
 - e. Exemplary pedestrian connections and amenities; or
 - f. Expanded opportunities for public transportation; or
 - g. Safe, compact, and efficient street or utility networks; or
 - h. Any other feature or features that furthers the direction of the Community Plan as a whole and not just a specific individual goal or policy.
7. The Planned Unit Development shall provide an outcome superior in terms of community enhancement than would be achievable with the current zoning of the property or any other City zone district and is not being used solely as a means to enhance a development's economic feasibility.

721.D Term and Effect of Approval

1. Planned Unit Developments shall become effective on the date specified in the ordinance adopted by City Council.
2. Planned Unit Developments change the zoning of property and shall be indicated on the Official Zone Map.
3. The Planned Unit Development shall remain in effect for perpetuity or until amended.

4. Approval of a Planned Unit Development does not relieve the development from complying with CDC requirements not expressly waived or modified by the Planned Unit Development. In the case of conflict between the Planned Unit Development and the requirements of this CDC, the CDC requirements shall govern unless expressly waived or modified in the Planned Unit Development.
5. Approval of a Planned Unit Development does not relieve the development from meeting all other local, state, and federal regulations.

721.E Amendments

Minor amendments to a Planned Unit Development may be approved through the Substantial Conformance process. Amendments that cannot be approved through Substantial Conformance shall be considered major amendments and require review and approval through the same Planned Unit Development process as the initial approval.

722 TND REGULATING PLAN

722.A Applicability

TND Regulating Plan approval shall be required for all property zoned TND.

722.B TND Framework Plan

1. Procedures

Review shall be concurrent with a Zone Map Amendment.

2. Content

- a. The Framework Plan shall include the boundaries of transect zones. The Framework Plan may include the Open Space and Recreation zone district.
- b. The Framework Plan shall include the specific location of arterial and collector streets. Deviations up to 100 feet based on actual field conditions may be shown on the Phase Plan.
- c. The Framework Plan shall include the approximate location of local streets, alleys and rear lanes. Refinement based on actual field conditions and additional requirements shall be shown on the Phase Plan.
- d. The Framework Plan shall include the approximate location of blocks with applicable transect zones applied. Refinement based on actual field conditions and additional requirements shall be shown on the Phase Plan.
- e. The Framework Plan shall include specific boundaries of any proposed overlay zones.
- f. The Framework Plan shall contain adequate land set aside for civic uses in accordance with the adopted plans, if applicable.
- g. The Framework Plan shall have adequate land set aside for active and passive recreation in accordance with the Parks, Recreation, Open Space, Trails, and River Master Plan and Section 606. At a minimum, the Framework Plan shall include the following:
 - i. The locations and approximate sizes of the primary parks and open spaces. Minor deviations to their general form, disposition, and boundaries based on actual field conditions may be shown on the Phase Plan.
 - ii. The locations and approximate sizes of the secondary park types for illustrative purposes only. Refinement based on actual field conditions and additional requirements shall be shown on the Phase Plan.

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Development & Design Standards	4
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3	Use Definitions & Standards
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3. Criteria for Approval

TND Framework Plans may be approved upon a finding that the following criteria are met:

- The Framework Plan shall meet the purpose and intent of the TND zone district.
- The Framework Plan shall substantially further the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.
- The Framework Plan shall promote preservation of environmental quality, energy conservation, and resource and water conservation and reuse.

4. Term and Effect of Approval

- Framework Plans shall become effective on the date specified in the ordinance adopted by City Council.
- The Framework Plan shall remain in effect for perpetuity or until amended.

722.C TND Phase Plan

1. Procedures

Review is required before or concurrent with a Preliminary Plat or Development Plan.

2. Content

- The Phase Plan shall include the location of all public streets, private streets, alleys and rear lanes.
- The Phase Plan shall include all lots. Lots shall be assigned one or more building types. For lots with more than one building type, a building type boundary line shall be designated between unique building types. For lots with parking as a principal use, no building type is required.
- The Phase Plan shall include the location of district parking lots (that will allow parking serving buildings on other blocks).
- The Phase Plan shall include an estimate of the number of dwelling units anticipated in the Phase Plan area.
- The Phase Plan shall include the location and size of primary, secondary and tertiary parks in accordance with Section 606.

3. Criteria for Approval

- The Phase Plan shall be consistent with the Framework Plan and any annexation agreement associated with the property within the Phase Plan.
- The Phase Plan shall conform to all applicable requirements of this CDC and City Engineering Standards.
- The Phase Plan shall demonstrate that general densities anticipated as part of any annexation agreement remain likely to be met after approval of the Phase Plan.

4. Term and Effect of Approval

- Phase Plans shall become effective on the date specified in the ordinance adopted by City Council.
- The Phase Plan shall remain in effect for perpetuity or until amended.

722.D Amendments

Amendments require review and approval through the same Regulating Plan process as the initial approval.

■ §722 [Ord. No. 2932, 10-17-23]

723 CDC TEXT AMENDMENT

723.A Applicability

This Section shall apply to all amendments to the text of this CDC.

723.B Criteria for Approval

Text amendments to the CDC shall be evaluated and may be approved if one of the following criteria exists:

1. The proposed amendment is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans; or
2. The proposed amendment will correct an error or will further a public goal or objective; or
3. The proposed amendment is necessary to ensure the public health, safety, and welfare.

723.C Term and Effect of Approval

1. The text amendment shall become effective on the date specified in the amendment ordinance.
2. The text amendment shall remain in effect for perpetuity or until amended.

724 COMMUNITY PLAN AMENDMENT

724.A Applicability

1. This Section shall apply to all amendments to the Community Plan including the Future Land Use Map and Urban Growth Boundary, whether initiated by the City or proposed by an applicant.
2. A Community Plan Amendment is required for any Zone Map Amendment where the proposed zone district is inconsistent with the land use designation on the Future Land Use Map.
3. A Community Plan Amendment is required upon a finding by the City that either the community's vision has changed or the Community Plan is in error.
4. The Future Land Use Map shall be updated every five years or as such other interval as determined by the Planning Director or City Council.

724.B Procedures

1. Review shall be prior to or concurrent with review of an Annexation or Zone Map Amendment, if applicable.
2. Any proposed Community Plan Amendment shall be referred to Routt County in accordance with any Intergovernmental Agreements regarding coordinated planning efforts.

724.C Criteria for Approval

1. **All Amendments**
Community Plan Amendments shall be evaluated and may be approved in accordance with the applicable criteria established in the Community Plan.
2. **Future Land Use Map Amendments**
Future Land Use Map Amendments shall also be evaluated using the following additional criteria:

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- a. The current Future Land Use Map does not provide sufficient land with the proposed land use designation, and the location proposed is the best site to provide such designation.
- b. The change in land use designation is compatible with the preferred direction and policies outlined in the Community Plan.

724.D Term and Effect of Approval

1. Community Plan Amendments shall become effective on the date of the City Council resolution adopting the amendment.
2. The Community Plan Amendment shall remain in effect for perpetuity or until amended.

725 ANNEXATION

725.A Applicability

This Section shall apply to all proposed annexations to the City.

725.B Procedures

1. In connection with an anticipated or proposed annexation, the City may conclude one or more intergovernmental agreements with Routt County or any other governmental or quasi-governmental entity regarding the timing or phasing of development on the land, the construction or maintenance of infrastructure to serve the land, or allocation of costs associated with the provision of infrastructure or public services to the land proposed for annexation. The City may decide to delay processing of a proposed annexation until the conclusion of such an intergovernmental agreement and may decide to review a proposed annexation for compliance with the terms of such agreement.
2. No petition for annexation of land shall be approved until the petitioner and the City have negotiated and entered into a pre-annexation or annexation agreement governing the proposed development of the land, the timing and phasing of such development, provisions regarding the construction and maintenance of required infrastructure, pre-existing vested property rights, and any other matters as the City determines appropriate for inclusion in such agreement in order to protect the public health, safety, and welfare.

725.C Criteria for Approval

Annexations and related agreements shall be evaluated and may be approved in accordance with the following criteria:

1. The proposed annexation is compatible with the preferred direction and policies outlined in the Community Plan and other applicable adopted plans.
2. The type, height, massing, appearance, and intensity of development that would be permitted by the proposed annexation will be compatible with surrounding zone districts, land uses, and neighborhood character and will result in a logical and orderly development pattern within the community.
3. The proposed annexation will be consistent with the purpose and standards of the zone district proposed for the land that is subject of the annexation.
4. The advantages of the proposed annexation substantially outweigh the disadvantages to the community or neighborhood.
5. The proposed annexation will minimize any adverse impacts on the natural environment, including water quality, air quality, wildlife habitat, vegetation, wetlands, and natural landforms.
6. The proposed annexation is consistent with any adopted guidelines or requirements for the inclusion of affordable housing in new development or annexation proposals.

725.D Term and Effect of Approval

1. The annexation shall become effective on the date specified in the annexation ordinance.
2. The annexation shall remain in effect for perpetuity except as provided in C.R.S. § 31-12-101 et seq.

725.E Amendments

Amendments to a pre-annexation or annexation agreement shall be approved through the same process as the initial approval of the agreement.

726 CONCEPT REVIEW

726.A Applicability

Concept Review may be requested for any development application type when the applicant is seeking preliminary review and feedback on the proposed project. Preliminary review and feedback may include identification of the applicable development review process, submittal requirements, standards, and review agencies and identification of potential issues related to the development project or property.

726.B Procedures

1. Concept Review shall be completed by the Development Review Team.
2. Review shall be limited to the level of detail provided in the Concept Review submittal.

726.C Effect of Review

There shall be no real or implied approval or denial of a project as a result of Concept Review. Statements made by the Development Review Team during the Concept Review are statements of opinion and are not intended to establish final positions or conclusions on the part of the City.

§ 726 [Ord. No. 2733, 12-23-19] [Ord. No. 2947 2-27-24]

727 WRITTEN INTERPRETATION

727.A Applicability

This Section shall apply to all requested interpretations of all provisions contained within this CDC, all boundaries contained on the Official Zone Map, and all boundaries regarding floodways and special flood hazard areas.

727.B Procedures

Within 30 days of receipt of a complete request for a Written Interpretation, the Planning Director shall:

1. Review and evaluate the request in the context of this entire CDC, the Community Plan, and any other applicable documents.
2. Consult with the Development Review Team and City Attorney, as necessary.
3. Render an interpretation in writing.
4. Mail a copy of the Written Interpretation to the applicant and applicable boards and commissions.

727.C Official Record

An official record of Written Interpretations shall be kept on file in the Planning and Community Development Department and shall be available for public inspection during normal business hours.

§ 727 [Ord. No. 2733, 12-23-19]

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728 SUBSTANTIAL CONFORMANCE

728.A Purpose

The purpose of the Substantial Conformance process is to allow for administrative approval of minor changes to approved development applications that may arise prior to or during construction.

728.B Applicability

1. The Substantial Conformance process may be used to review and approve minor changes to previously approved, still valid development applications. Substantial Conformance shall not be used to amend or extend approval of any expired development application.
2. The Substantial Conformance process may be used prior to or during construction of an approved development.

728.C Procedures

Review shall be prior to issuance of a Certificate of Occupancy, recording of a Final Plat, or release of an Improvements Agreement, as applicable.

728.D Criteria for Approval

A development application shall be found to be in substantial conformance with the original approval upon a finding that any changes to the approved application comply with this CDC and are within the following parameters, as applicable:

1. **General**
The location, design, or phasing of buildings, structures, footprints, parking, access, circulation, loading, entrances, landscaping, amenities, architectural features, building materials, and similar site design and architectural features may be varied upon a finding by the Planning Director that the changes are minor in nature.
2. **Buildings and Structures**
 - a. The height of buildings and structures shall not vary by more than five percent.
 - b. Roof pitch shall not vary by more than 1/12 slope.
 - c. Transparency of front facades shall not vary by more than five percent.
 - d. Gross floor area shall not vary by more than five percent.
 - e. The area of interior and exterior amenity space shall not vary by more than five percent.
3. **Off-Street Parking**
 - a. The number of parking spaces shall not vary by more than five percent.
 - b. The parking lot area shall not vary by more than five percent.
4. **Landscaping**
 - a. The amount of landscaped area shall not vary by more than five percent.
 - b. Planting locations shall only vary due to utilities, trails, sidewalks, snow shed, grading, or drainage considerations. Changes in planting locations shall not reduce the effectiveness of the landscaping for the purpose of screening or buffering.
5. **Land Subdivisions**
 - a. The total number of lots shall not increase.
 - b. The total number of lots shall not decrease by more than ten percent.
 - c. The gross lot area of individual lots shall not be varied by more than five percent.

- d. The number and size of pedestrian linkages shall not decrease, and the type of linkages shall not be varied.
- e. The amount of public land dedication or open space designation shall not increase by more than five percent.
- f. The amount of public land dedication or open space designation shall not decrease.
- g. The degree of conformity with City street standards shall not have decreased.
- 6. Uses**
The gross floor area of approved uses shall not vary by more than 20 percent.
- 7. Planned Unit Developments**
The changes shall not change the overall character of the PUD.

728.E Term and Effect of Approval

- 1. Substantial Conformance approval shall be final on the date of the Planning Director's signature approving the application.
- 2. The term and effect of approval shall be the same as the original development approval. Substantial Conformance approval shall not extend the term of approval of the original approval.

§ 728 [Ord. No. 2932, 10-17-23]

729 APPEAL OF DECISION

729.A Applicability

This Section shall apply to all appeals of the following types of decisions:

- 1. Administrative Decisions**
 - a. Daily Administration**
Appeals of day-to-day administrative decisions, orders, or determinations made by the Planning Director regarding interpretation and application of this CDC.
 - b. Applications and Permits**
Appeals of final decisions made by the Planning Director regarding development application types where the Planning Director is listed as the Decision Maker in Table 702-1.
- 2. Board of Adjustment Decisions**
Appeals of final decisions made by the Board of Adjustment regarding development application types where the Board of Adjustment is listed as the Decision Maker in Table 702-1.
- 3. Historic Preservation Commission Decisions**
Appeals of final decisions made by the Historic Preservation Commission in accordance with [Section 111](#) and [Section 112](#).
- 4. Planning Commission Decisions**
Appeals of decisions made by the Planning Commission regarding development application types where the Planning Commission is listed as the Decision Maker in Table 702-1.

729.B Procedures

- 1. Appeals of decisions made by the Planning Director, Board of Adjustment, or Historic Preservation Commission shall be filed in writing with the Planning Director by the applicant or an aggrieved party within ten days following the date of decision.

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2. Appeals of decisions made by the Planning Commission shall be filed in writing with the Planning Director by anyone choosing to appeal within ten days following the date of the decision.
3. Appeals shall clearly state the decision being appealed and the grounds for appeal, including specific sections of this CDC that the appellant believes to have been applied in error.
4. Appeals of administrative decisions shall be reviewed in a public hearing by the Planning Commission and City Council. If the Planning Director determines the decision being appealed does not present issues requiring Planning Commission review, the appeal shall only be heard by City Council.
5. Appeals of Board of Adjustment, Planning Commission, or Historic Preservation Commission decisions shall be heard by City Council.
6. Appeals shall be heard and evaluated based on the original information available to the initial Decision Maker. Any new information included in the appeal shall be clearly identified as being new and not having been included in the original request or application.
7. After the public hearing, City Council shall take one of the following actions:
 - a. Uphold the decision being appealed; or
 - b. Remand the decision back to the initial Decision Maker for further review and reconsideration based on specific recommendations; or
 - c. Find in favor of the appellant and reverse the decision being appealed.
8. If City Council is unable to reach a majority vote, the decision being appealed shall remain in effect.

729.C Criteria for Decision

City Council shall find in favor of the appellant upon a finding that the following criteria are met:

1. The application for appeal is complete.
2. The opinion or interpretation of the appellant is more consistent with this CDC than the decision of the initial Decision Maker.

§ 729 [Ord. No. 2650, 5-15-18] Ord. No. 2711, 7-16-19]

730 PRESERVATION OF MANUFACTURED HOME PARKS

730.A Purpose

1. To provide for the preparation and approval of a report evaluating the impact of changes of use of manufactured home parks because manufactured home park space is difficult to obtain, relocating is difficult and costly, and closures and changes of use may have serious implications for homeowners.
2. To provide for measures to mitigate the impact on manufactured home park residents from changes of use of manufactured home parks.

730.B Applicability

The requirements of this Section shall apply to any existing manufactured home park containing five or more occupied manufactured homes and operated for the pecuniary benefit of the owner of the land, his agents, lessees, or assigns that is being proposed for any of the following, unless specifically exempted by [Section 730.C](#):

1. Use for any other purpose than the rental or the holding out for rent of manufactured home sites to accommodate manufactured homes for human habitation; or
2. Cessation or closure of all or a portion of the manufactured home park, whether immediate or on a gradual basis.

730.C Exemption

The requirements of this Section shall not apply if, prior to the change of use, the land owner and at least 75 percent of the manufactured home park tenants have entered into an agreement to waive the requirement for the conversion impact report. The agreement shall be provided to the City and shall be in a form satisfactory to the City Attorney.

730.D Conversion Impact Report

A conversion impact report shall be completed and submitted by the applicant with the Conditional Use application. The report shall include the following information as of the date of the application:

1. The names, addresses, and manufactured home site identification numbers of all persons living in or owning manufactured homes in the manufactured home park.
2. The age and type of each manufactured home in the park, by site identification number, including date of manufacture, characteristics, and size.
3. A list of known available manufactured home sites in comparable manufactured home parks within a 50-mile radius of the subject park.
4. A schedule of site rental rates for each comparable manufactured home park and the criteria of the management of each park for acceptance of new homeowners and used manufactured homes.
5. A relocation plan, including the proposed date for closing the manufactured home park, what, if any, relocation assistance payments will be offered to the park tenants, and the method of calculation of such assistance.
6. The intended use of the property following closure of the manufactured home park, including conceptual plans describing the proposed new use.
7. Other information as may be required by the Planning Director, Planning Commission, or City Council.
8. Certification from the applicant that the conversion impact report has been delivered to all of the owners and tenants of manufactured homes in the manufactured home park at least 30 days prior to the first public hearing on the Conditional Use.

730.E Criteria for Approval

The submission of a full and complete conversion impact report in accordance with [Section 730.D](#) shall be deemed compliance with the Conditional Use criteria for approval.

731 VESTED PROPERTY RIGHTS

731.A Purpose

The purpose of this Section is to provide the procedures necessary to implement the provisions of C.R.S., tit. 24, art. 68, which establish a vested property right to undertake and complete development and use of real property under the terms and conditions of an approved site specific development plan, and which further establish the applicable rules and regulations governing applications for a site specific development plan.

731.B Applicability

A vested property right shall attach only to an approved site specific development plan. A “site specific development plan” shall mean final approval, including the applicant’s acceptance of any terms and conditions of approval, of the following types of applications where the applicant has expressly requested a vested property right:

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1. Development Plan-Public Hearing.
2. Final Plat-Major Subdivision.

731.C Procedures

1. A request for a vested property right shall be made in writing as part of an application for the applicable Development Plan or Final Plat. A request for a vested property right shall comply with all other submittal requirements for the type of approval requested, including any required fees or fee deposits.
2. In the case of Development Plans, the notice and public hearing requirements of C.R.S. § 24-68-103(b) shall be satisfied by the notice and public hearing requirements of [Section 702](#) and [Section 703](#). Vested property rights shall only be created upon approval of a Development Plan-Public Hearing by City Council in accordance with [Section 709](#).
3. In the case of Final Plats, the notice and public hearing requirements of C.R.S. § 24-68-103 (b) shall be satisfied by the notice and public hearing requirements of [Section 702](#) and [Section 703](#) for the related Preliminary Plat. Vested property rights shall only be created upon approval of a Final Plat-Major Subdivision by the Planning Director in accordance with [Section 714](#).
4. Pursuant to C.R.S. § 24-68-102.5, the review, approval, approval with conditions, or denial of an application for a site specific development plan shall be governed by the adopted laws and regulations in effect at the time an application for a site specific development plan is submitted pursuant to this CDC. The City may apply any subsequently enacted or amended ordinances, rules, regulations, or policies that are necessary for the immediate preservation of the public health and safety to the pending application for a site specific development plan.

731.D Term and Effect of Approval

1. The effective date of a vested property right approval shall be the date of publication, in a newspaper of general circulation within the City, of a notice advising the general public of the vested property right approval and creation of a vested property right pursuant to this Section and C.R.S. § 24-68-103. Such publication shall occur no later than 14 days following the approval of the Development Plan or Final Plat or the City Council's decision to grant a vested property right.
2. Approval of a site specific development plan shall create a vested right to undertake and complete development and use of real property pursuant to C.R.S. § 24-68-103 but only as to those terms and conditions contained in the approved site specific development plan.
3. The granting of a vested property right in an approved site specific development plan shall not prevent the City, in subsequent actions, from applying any of the following to the subject property:
 - a. New ordinances, rules, regulations, and policies that do not conflict with those rules, regulations, and policies in effect as of the site specific development plan's effective date of approval; or
 - b. New ordinances, rules, regulations, and policies that are specifically anticipated and provided for in the terms or conditions of the approved site specific development plan; or
 - c. New ordinances, rules, regulations, and policies that are necessary for the immediate preservation of the public health and safety; or
 - d. New ordinances, rules, regulations, and policies when the City finds that the site specific development plan is based on substantially inaccurate information supplied by the applicant.

4. A vested property right shall remain vested for a period of three years from the effective date of approval, unless a longer term is agreed to by the City in a Development Agreement in accordance with [Section 738](#).
5. An amendment to any site specific development plan shall not extend the period of vested rights unless otherwise authorized by agreement approved by City Council.
6. Each site specific development plan shall contain the following language: "Approval of this plan or plat creates a vested property right subject to all conditions of approval pursuant to C.R.S. § 24-68-103. The effective date is [insert date]."
7. A landowner may waive a vested property right by separate agreement, which shall be recorded at the Routt County Clerk and Recorder's Office. Unless otherwise agreed to by the city, any landowner requesting annexation to the city shall waive in writing any pre-existing vested property rights as a condition of such annexation.
8. Approval of a site specific development plan shall not constitute an exemption from or waiver of any other provisions of his CDC pertaining to annexation, development, and use of property.

732 EASEMENT VACATION

732.A Applicability

Easement Vacation is required for the vacation of any public easement, or a portion thereof. This does not include vacation of right-of-way.

732.B Procedures

The applicant shall provide proof of consent to vacate the easement, or portion of the easement, by all beneficiaries of the easement.

732.C Criteria for Approval

Easement Vacations may be approved upon a finding that the following criteria are met:

1. The utility providers, or other beneficiary of the subject easement, have reviewed the request and determined that the subject public easement is not necessary; and
2. The Easement Vacation will promote the public interest by removing unnecessary easements.

732.D Term and Effect of Approval

1. Approval of the Easement Vacation shall be final on the effective date of the ordinance approving the vacation.
2. The ordinance approving the Easement Vacation shall be recorded at the Routt County Clerk and Recorder's Office within 90 days of the approval date.
3. An ordinance not recorded within the required time period shall be considered expired.

§ 732 [Ord. No. 2668, 12-4-18] [Ord. No. 2947 2-27-24] [Ord. No. 2969, 7-2-24]

733 RESERVED

734 RESERVED

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DIVISION 2 | AGREEMENTS

736 APPLICABILITY AND INTENT

736.A Purpose and Intent

1. Purpose

- Ensure adequate funds are available for installation of public improvements.
- Ensure public improvements and secured private improvements are installed in a coordinated and timely manner as development occurs.
- Ensure public improvements are installed in conformance with City standards.
- Ensure development and improvements are completed in accordance with approved plans and approved phasing.
- Ensure all agreements between the City and the applicant are documented and enforceable.

2. Intent

The intent of this Article and Division is to establish straightforward procedures and requirements for agreements, collateral, and acceptance and approval of improvements.

736.B Applicability

This Division applies to all Improvements Agreements and Development Agreements entered into by the City pursuant to this CDC.

737 IMPROVEMENTS AGREEMENT

737.A Purpose

The purpose of an Improvements Agreement is to provide a mechanism where a developer can obtain a Certificate of Occupancy for a building or receive approval of a Final Plat prior to completing all of the required public and private improvements.

737.B Applicability

- An Improvements Agreements shall be executed prior to approval of a Final Plat for a subdivision or a Certificate of Occupancy for development unless all public improvements and private improvements required by the plat or development are installed and accepted or approved.
- An Improvements Agreement may address the following types of public improvements:
 - All elements of a complete street system including but not limited to roadway curbs and gutters, alleys, stormwater systems, sidewalks, street lights, traffic control (such as signs, striping, and traffic signals), bridges, railroad crossings, transit stops, and transit shelters.
 - Water, fire hydrants, sewer, gas, electric, telephone, cable television, and postal delivery facilities.
 - Parks, open space, landscaping, playground equipment, and other recreational facilities.
 - Sidewalks, trails, associated lighting, overpasses, and underpasses.
 - Stormwater detention ponds, water quality facilities, drainage ditches, flood prevention and flood mitigation improvements, wetlands, and other components of the stormwater system.
 - Landscaping, survey monuments, and other public improvements as determined by City Council or the Planning Director.

3. The Planning Director may require construction of private improvements to be secured in an Improvements Agreement if the private improvements are necessary for efficient and orderly development or to prevent or mitigate the impact of development on adjacent property or the general public. Such private improvements include but are not limited to: sidewalks and trails, private stormwater quality systems, private stormwater systems, grading, revegetation, and wetland mitigation. Private improvements so designated by the Planning Director shall be referred to as "secured private improvements".

737.C Procedures

1. Review shall be prior to issuance of a Certificate of Occupancy or approval and recording of a Final Plat, as applicable.
2. Prior to preparation of an Improvements Agreement, sufficient design information must be prepared to identify the scope of the improvements. When required by the Director of Public Works for sites with public infrastructure, the design must be in the form of approved civil construction plans.
3. Improvements Agreements shall be in the form of a standard agreement, maintained by the Planning Director, with language acceptable to the City Attorney. Revisions to the standard agreement shall only be permitted if approved by the City Attorney, Planning Director, and Director of Public Works.
4. Improvements Agreement collateral calculations shall include the cost of construction management items such as mobilization, construction surveying, engineering testing and inspection, as-built documentation, erosion control, traffic control, and major permitting.

737.D Term and Effect

1. Approval of an Improvements Agreement shall be final on the date of the City Manager's signature on the agreement.
2. Signed Improvements Agreements shall be recorded at the Routt County Clerk and Recorder's Office.
3. An executed Improvements Agreement shall run with and be a burden upon the land described in the agreement.
4. All improvements shall be constructed within two years of the effective date of the Improvements Agreement, unless otherwise provided in the terms of approval of the related development application or building permit or in the terms of a Development Agreement.

737.E Extensions

1. The developer may request one extension not to exceed one year. The request for extension shall be made in writing to the Planning Director prior to the expiration of the two-year deadline for completion of improvements. The request shall contain an explanation of the reason for the requested extension and updated cost estimates for any remaining work. The Planning Director may approve the request upon a finding of good cause and provided that no provision of this CDC, the development approval, or the Improvements Agreement prohibit the extension and the extension request included all completed forms, exhibits, and fees established by the Planning Director.
2. The City may approve a development agreement pursuant to [Section 738](#) that allows for different time frames and lapsing provision related to public and private improvements.

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738 DEVELOPMENT AGREEMENT

738.A Purpose

Development Agreements are voluntary contracts between the applicant and the City that may include provisions clarifying the phasing of construction; the timing, location, and financing of public or private infrastructure; reimbursement for oversized infrastructure; vesting of property rights; assurances that adequate public facilities will be available as they are needed; and mitigation of anticipated impacts of the development on the general public.

738.B Applicability

1. City Council may enter into a Development Agreement with the applicant of any discretionary development approval, including without limitation Zone Map Amendments, Preliminary Plats, Development Plans, Conditional Uses, or Planned Unit Developments.
2. Development Agreements may, without limitation, address the following:
 - a. Provisions for the reservation or dedication of land for public purposes.
 - b. Provision for the timing, location, and financing of public improvements including roads, water, sewer, fire protection, and emergency medical services.
 - c. Provision for the timing, location, and maintenance of private on-site improvements including landscaping of common open space, and amenities for residents, users, or the public.
 - d. Provisions for the reimbursement of oversized infrastructure or other facilities.
 - e. Proposed timing and phasing of public or private construction.
 - f. Provisions to mitigate the impacts of the proposed development on the general public or nearby properties including the protection of environmentally sensitive lands.
 - g. Provisions for public benefits or improvements in excess of what is required by current City policy or law.
 - h. Terms for subsequent discretionary actions, provided such terms shall not prevent the development of the property for the uses set forth in the Development Agreement.
 - i. Provisions that construction shall begin by a specified date or that certain phases shall be completed within a specified time.
 - j. Provisions for the vesting of property rights for the periods between three and ten years.
 - k. A termination date for the Development Agreement.
 - l. Any other provisions appropriate to guide the completion of the development as approved.

738.C Procedures

1. Review shall be concurrent with the related development application.
2. Procedures for approval of Development Agreements shall be the same as for the related development application.

738.D Criteria for Approval

Development Agreements shall be evaluated using the criteria for approval of the related development application and in accordance with the following criteria:

1. The benefit of the Development Agreement to the City should outweigh the costs to the City.

2. The Development Agreement shall mitigate impacts that would otherwise make the proposed development unacceptable.
3. The City shall receive adequate assurances that the development will go forward as planned in return for any vesting of property rights beyond the three-year vesting period set forth in C.R.S. § 24-68-101 et seq.

738.E Term and Effect of Approval

1. Approval of a Development Agreement shall be final on the date of the City Manager's signature on the agreement.
2. Signed Development Agreements shall be recorded at the Routt County Clerk and Recorder's Office.
3. An executed Development Agreement shall run with and be a burden upon the land described in the agreement.
4. Unless amended or terminated pursuant to [Section 738.F](#), a Development Agreement shall be enforceable by any party to the agreement.
5. Development Agreements may be reviewed by the Planning Director every two years, unless the Development Agreement provides for more frequent reviews. At the review, the developer shall provide such information as may be required by the Planning Director to demonstrate compliance with the terms of the Development Agreement. If the Planning Director determines that the developer is not in compliance with the agreement or that the agreement should be terminated or modified, the matter shall be referred to City Council for review and action.
6. When a Development Agreement provides for the vesting of rights for longer than the three-year vesting period set forth in C.R.S. § 24-68-101 et seq., the following provisions shall govern:
 - a. Notwithstanding the provisions of C.R.S. § 24-68-102.5 and unless otherwise provided by the Development Agreement, the ordinances, rules, regulations, and official policies applicable to permitted uses of the land, density, design, improvement, and construction shall be those ordinances, rules, regulations and official policies in force at the time of execution of the Development Agreement.
 - b. Ordinances, rules, regulations, and official policies that govern permitted uses of the land, density, design, improvement, and construction that are enacted subsequent to execution of the Development Agreement shall not be enforced against development governed by the agreement.
 - c. Notwithstanding [Section 738.E.6.b](#), a Development Agreement shall not prevent the City, in subsequent actions, from applying any of the following to the subject property:
 - i. New ordinances, rules, regulations, and policies that do not conflict with those ordinances, rules, regulations, and policies applicable to the subject property as set forth in the Development Agreement.
 - ii. New ordinances, rules, regulations, and policies that are specifically anticipated and provided for in the Development Agreement.
 - iii. New ordinances, rules, regulations, and policies that are necessary for the immediate preservation of the public health and safety.

738.F Amendment or Termination

1. A Development Agreement may be canceled or modified by the mutual consent of the developer and the City acting through City Council.

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- City Council may terminate or modify a Development Agreement based upon evidence that the developer, or successor in interest thereto, has not complied with the terms or conditions of the agreement.
- In the event that state or federal laws or regulations are enacted after execution of the Development Agreement and prevent or preclude compliance with one or more provisions of the Development Agreement, such provisions of the agreement shall be modified or suspended to the extent necessary to comply with such state or federal laws or regulations.
- The Decision Maker that approved the Development Agreement may modify or terminate a Development Agreement using the same procedures used for its approval.

739 COLLATERAL

739.A Purpose

The purpose of this Section is to establish requirements for the sufficient amount and form of collateral to insure the satisfactory and timely construction of improvements.

739.B Applicability

All public improvements and secured private improvements that are required to be installed in accordance with a development approval, approved civil construction drawings, and the project specifications shall be secured by collateral in accordance with this Section.

739.C Procedures

- Collateral, in an amount stipulated in an Improvement Agreement or Development Agreement, shall be submitted prior to the execution of the Final Plat in accordance with the Improvements Agreement, or prior to the issuance of a Certificate of Occupancy if the improvement requirements relate to an approval other than a subdivision.
- It is the responsibility of the developer to maintain the necessary amount of collateral at all times until the required improvements are completed and accepted or approved by the City.

739.D Amount, Form, and Term of Collateral

- The amount of required collateral shall be determined by cost estimates provided by the developer in the form of an engineer's estimate or construction bids. All cost estimates are subject to review and approval by the Planning Director and Director of Public Works. Upon rejection of any estimate, the Planning Director and Director of Public Works may obtain an estimate from a licensed engineer in the state, which shall be binding upon the applicant for purposes of determining the amount of collateral required.
- The amount of collateral required to accompany an Improvements Agreement shall be as follows:
 - At least 15 percent of the cost of installing any public improvements that have preliminary acceptance.
 - At least 115 percent of the cost of installing any public improvements without preliminary acceptance.
 - At least 115 percent of the cost of installing any secured private improvements not completed and approved.
- Collateral may be posted in the form of cash or letter of credit. Any letter of credit from a financial institution located outside the state shall include specific language stating that the issuer agrees that the proper venue for any legal action is the county, and that the letter of credit shall be governed by the laws of the state. All language is subject to approval by the City Attorney.
- The collateral shall remain effective for a period of not less than 60 days following the completion date listed in the Improvements Agreement.

739.E Use and Release of Collateral

1. As the required improvements in a development are completed, the developer may request that collateral be released in increments of not less than 20 percent of the original amount held. Requests for release shall be made in writing and include documentation, such as engineer estimates and copies of paid invoices, to demonstrate that the work has been completed.
2. Release requests will be processed in conformance with [Section 740](#) of this CDC regarding preliminary acceptance and final acceptance of public improvements and [Section 741](#) regarding approval of secured private improvements.
3. The City Manager shall have the authority to draw upon collateral provided by any irrevocable letter of credit that is within 15 days of the expiration date. Determination that the developer is failing or will fail to install improvements is not required. The City will hold such funds until such time as the developer has provided a new letter of credit or other collateral in conformance with this Section.
4. If the City Manager determines that reasonable grounds exist to believe that a developer is failing or will fail to install improvements as required by the Improvements Agreement, the City Manager shall notify the developer in writing that the City intends to draw on the collateral for the purpose of completing the improvements. The written notice shall include the reasons for such decision.
 - a. The developer may request a hearing before City Council on the matter, provided that the request for a hearing is made no more than 15 days following the date of the notice.
 - b. Should a hearing not be requested within 15 days, or should City Council conduct a hearing and determine that the developer is failing or has failed to satisfactorily install required improvements, the City may draw on the collateral as necessary to construct the improvements.
 - c. In the event the City constructs the improvements, the City shall be entitled to recover from the developer such costs as are reasonable to administer the construction of the improvements.

§ 739 [Ord. No. 2969, 7-2-24]

740 ACCEPTANCE OF PUBLIC IMPROVEMENTS

740.A General Process

1. Acceptance of public improvements is a three-step process that requires preliminary acceptance, completion of a warranty period, and final acceptance.
2. The Director of Public Works shall grant acceptance upon completion of an entire improvement; partial acceptance shall not be considered unless approved as part of a phasing plan.

740.B Specific Procedures

The process for acceptance shall be established by the Director of Public Works and at a minimum includes the following procedures:

1. **Request for Inspection**
Upon completion of public improvements or any applicable warranty period, the developer shall notify the City in writing and request inspection.
2. **Improvements Summary Letter**
 - a. In the case of a request for preliminary acceptance, the developer shall provide a letter from the project engineer and testing firm verifying completion of the improvements in substantial conformance with approved project plans and specifications.

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- b. In the case of a request for final acceptance, the developer shall provide a letter from the project engineer and testing firm verifying completion of the warranty period and that the present condition of the improvements substantially conforms to the approved project plans and specifications.
- c. Improvements summary letters shall be prepared as required by the City's engineering and utility standards.

3. Inspection of Improvements

The City shall inspect the improvement for which acceptance is being requested. The City is not required to conduct inspections when climatic conditions prevent a thorough inspection.

4. Preliminary Acceptance

- a. The Director of Public Works shall grant preliminary acceptance upon a finding that the improvements have been completed in substantial conformance with the approved project plans and specifications.
- b. Preliminary acceptance may include the identification of conditions that will require correction prior to final acceptance.
- c. If the Director of Public Works does not grant preliminary acceptance, the Director of Public Works shall notify the developer, in writing, of the reasons for non-acceptance and identify any corrective measures that must be carried out by the developer.

5. Warranty Period

- a. Prior to final acceptance, a minimum two-year warranty period for public roads, bridges, water and sewer mainlines shall be completed.
- b. The warranty period for other public items shall be as established by the Director of Public Works.
- c. Acceptance and warranty procedures of other service providers may apply.

6. Final Acceptance

If any warranty period has expired and no unsatisfactory conditions are found, the Director of Public Works shall grant final acceptance in writing.

- b. If the improvements do not meet City standards for final acceptance, the Director of Public Works shall notify the developer, in writing, of the reasons for non-acceptance and identify any corrective measures that must be carried out by the developer.

740.C Effect

1. Effect of Preliminary Acceptance

- a. Upon preliminary acceptance, the City will assume responsibility for street snow removal, but the applicant shall remain responsible for all other snow removal, maintenance, and repairs pending final acceptance.
- b. Preliminary acceptance shall remain in effect until revoked or until final acceptance of public improvements.
- c. Upon preliminary acceptance, the City shall release collateral in the amount of 100 percent of the estimated costs to construct the preliminarily accepted improvements and shall retain warranty collateral in the amount of 15 percent of such costs.

2. Effect of Final Acceptance

Upon final acceptance, the City shall fully release any guarantee for the public improvements and assume full maintenance responsibility for such public improvements unless otherwise specified in a Development Agreement.

3. Effect of Non-Acceptance

- a. If the developer fails to complete the corrective measures identified by the Director of Public Works prior to the expiration of the Improvements Agreement date or as outlined in a notice of non-acceptance, the City may revoke preliminary acceptance.
- b. The City may require the posting of additional collateral, revoke approval of any development approval, cease issuing building permits for the property, and pursue any remedy provided in the Improvements Agreement, or otherwise available by law.

741 APPROVAL OF PRIVATE IMPROVEMENTS

741.A Procedures

The process for approval shall be established by the Director of Public Works and at a minimum includes the following procedures:

1. Request for Inspection

Upon completion of private improvements, the developer shall notify the City in writing and request inspection.

2. Letter of Completion

- a. The developer shall provide a letter from the project engineer and testing firm verifying completion of the improvements in substantial conformance with approved project plans and specifications.
- b. Letters of completion shall be prepared as required by the City's engineering and utility standards.

3. Inspection of Improvements

The City shall inspect the improvement for which approval is being requested. The City is not required to conduct inspections when climatic conditions prevent a thorough inspection.

4. Approval

- a. The Director of Public Works shall grant approval upon a finding that the improvements have been completed in substantial conformance with the approved project plans and specifications.
- b. If the improvements have not been satisfactorily completed, the Director of Public Works shall notify the developer, in writing, of the reasons for non-approval and identify any corrective measures that must be carried out by the developer.

741.B Effect

1. Effect of Approval

- a. Upon written approval by the Director of Public Works, the City shall release all collateral for the secured private improvements.
- b. Maintenance for private improvements shall continue to be the responsibility of the property owner, the person undertaking development, the user of a development, and each such person's successors in interest.

2. Effect of Non-Approval

If the developer fails to complete the corrective measures identified by the Director of Public Works prior to the expiration of the Improvements Agreement date or as outlined in a notice of non-acceptance, the City may require the posting of additional collateral, revoke approval of any development approval, cease issuing building permits for the property, and pursue any remedy provided in the Improvements Agreement, or otherwise available by law.

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742 PUBLIC IMPROVEMENTS REIMBURSEMENT AGREEMENT

742.A Statement of Policy

1. The general policy of the City is that development shall pay its own way and that the owners of undeveloped property benefited by the installation of public improvements shall contribute financially to the cost of such improvements as a condition of the development of their property. This policy is designed to achieve fairness in the division of costs of installation of public improvements and to protect the taxpayers of the City.
2. City Council has determined that Reimbursement Agreements, where agreed to by the initial developer and the City, are an equitable and efficient means of promoting private installation of public improvements. The policy does not apply to special improvement districts or public improvements constructed within new developments.
3. The decision of whether to enter into a Reimbursement Agreement between the City and an initial developer is wholly discretionary on the part of the City and the initial developer and depends on the individual circumstances of each development. In any specific development proposal where the City deems it inappropriate to do so, the City may decline to enter into a Reimbursement Agreement pursuant to this policy or may vary the terms of any Reimbursement Agreement in a manner that the City deems appropriate to the circumstances. The adoption of this policy does not create an obligation upon the City to enter into a Reimbursement Agreement with any particular initial developer, nor require any specific terms thereof.
4. The adoption of this policy is not to be interpreted as creating or giving rise to an expectation that a Reimbursement Agreement will be entered into between the City and an initial developer, nor such an agreement is entered into, that any sums will be collected by the City for reimbursement to the initial developer except pursuant to the terms of the written Reimbursement Agreement.

742.B Eligibility Requirements

In order to be eligible for reimbursement, all public improvements shall meet the following requirements:

1. Public improvements shall be engineered by the initial developer.
2. All public improvements shall conform to and be in accordance with the City construction standards and specifications.
3. All plans for public improvements will be approved in advance by the Department of Public Works.
4. Prior to acceptance by the City, all public improvements will be inspected and approved in accordance with [Section 740](#) and any other applicable City regulations.
5. All public improvements for which reimbursement is sought shall be dedicated by the initial developer to the City and shall be the sole property of the City.
6. With respect to water distribution or sewer collection facilities located in the Mt. Werner Water and Sanitation District or other public improvements under the jurisdiction and control of a local government other than the City, construction plans, inspections, approvals, and dedications required by this Section shall be made to or by the applicable local government.

742.C Reimbursement

1. An initial developer who extends public improvements to the initial developer's property, and in making such extensions, provides capacity therein to serve other property and who has paid the entire cost of such construction will be eligible for reimbursement pursuant to a Reimbursement Agreement.

2. In the event a Reimbursement Agreement is entered into, the City is hereby authorized to assess a charge against each subsequent developer whose property is specially benefited by the public improvements for the subsequent developer's share of the cost of the extension at the time connection to the public improvements is approved as a condition of such connection. The City shall give written notice to the affected property owner of its intent to assess such charges.
3. In the event a Reimbursement Agreement is entered into and reimbursement is collected from a subsequent developer, the City shall reimburse the initial developer to the extent of such collection. All construction costs of the public improvements must be fully paid by the initial developer before the initial developer shall be entitled to any reimbursement. Reimbursement of the initial developer is absolutely contingent upon actual collection from the subsequent developer by the City.
4. For purposes of this [Section 742](#), construction costs shall mean actual costs borne by the initial developer for master planning, right-of-way acquisition, engineering and design, labor, materials, testing and as-built documents, and all other documented amounts paid for the actual installation of public improvements, as well as administrative costs not to exceed five percent of all costs as detailed in a sworn affidavit from the initial developer.
5. The amount of reimbursement which the City shall assess upon subsequent developers shall be based upon the City's determination of the reasonable costs of construction, not to exceed the original actual construction costs.

742.D Reimbursement Agreement

An initial developer who extends public improvements in accordance with [Section 742.C.1](#) may enter into a Reimbursement Agreement with the City, the terms of which shall be fully described in such agreement and which agreement is mutually reached between the initial developer and the City. The agreement shall specify, at a minimum, the following terms and conditions:

1. Total reimbursable costs.
2. Method of determining reimbursement obligations (formula using lineal or square footage or other method).
3. Properties subject to reimbursement obligations.
4. Estimated reimbursement obligations of each affected property.
5. Administration fee to the City of the lesser of one percent of the total reimbursable costs or \$2,500.00, which shall be payable to the City at the time of execution of the agreement.
6. Nonliability clause for failure to collect or the impossibility of collection by the City.

742.E Procedures

1. To obtain approval of a Reimbursement Agreement by the City, the initial developer shall request such an agreement be considered during review of the initial development application for the project.
2. The initial developer shall submit to the Planning Director the following material within 120 days of completion of the public improvements:
 - a. Completed bid forms from qualified contractors indicating which contractor was awarded the project, and evidence of a bidding process. All bid forms must contain the description, estimated quantity, and unit price for each utility included in the project.
 - b. Satisfactory evidence that all costs in connection with the public improvements have been paid, as detailed in a sworn affidavit of the initial developer, and supported by evidence of payment.

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- c. A map which shall include the following information:
 - i. Location of the public improvements.
 - ii. Names and addresses of the owners of each property specially benefited by the public improvements and the amount of those benefits.
 - iii. Legal descriptions of the properties specially benefited by the public improvements extensions.
 - iv. Such additional information which the Planning Director or Department of Public Works may deem necessary.
3. During the preparation of the Reimbursement Agreement, the books and records of the initial developer relating to the constructions costs of the public improvements for which the initial developer seeks reimbursement shall be open to the City for purposes of auditing and verifying the initial developer's cost.
4. In the event the information required in [Section 742.E.2](#) is not submitted by the initial developer within 120 days of the date of completion of the improvements, there shall be no Reimbursement Agreement.
5. In the event the information required in [Section 742.E.2](#) is submitted within 120 days of the date of completion of the improvements, the City will review such information and prepare an appropriate Reimbursement Agreement to be executed between the initial developer and the City.

742.F Term and Effect

1. Approval of a Reimbursement Agreement shall be final on the date of the City Manager's signature on the agreement.
2. Signed Reimbursement Agreements shall be recorded at the Routt County Clerk and Recorder's Office.
3. The term of a Reimbursement Agreement shall not exceed a period of 15 years from the date of its execution and, unless earlier terminated, shall expire when all reimbursable costs have been reimbursed to the initial developer.
4. The City shall not be liable for any portion of the uncollected balance of reimbursable costs. There shall be no assessment of reimbursement payments by the City on or after the expiration of the term of the Reimbursement Agreement. Subsequent developers shall have no obligation to make reimbursement payments after the expiration of the term of the Reimbursement Agreement, unless the reimbursement amount was assessed prior to expiration of the Reimbursement Agreement.
5. The right to receive reimbursement pursuant to the Reimbursement Agreement is personal to the initial developer who executes the Reimbursement Agreement. Any assignment of such right shall be by written assignment signed and acknowledged by the initial developer, its successor or assign, and physically delivered to the City.
6. The city shall attempt to identify reimbursement obligations at the time of development of property specially benefited by public improvements and identified in Reimbursement Agreements and to collect such charges as a condition of connection by the subsequent developer. The City shall not be liable for failure to collect pursuant to a Reimbursement Agreement unless the developer notifies the City of development that is subject to a Reimbursement Agreement prior to the City's approval of connection and requests the City to collect such reimbursement charges.
7. Reimbursement payments shall be made to the City by the subsequent developer for distribution to the initial developer. The City shall notify the initial developer of its receipt of such reimbursement payments in writing by delivery to the initial developer's last known

address. The initial developer shall have 90 days, from and after the date of mailing of written notification by the City to the initial developer, in which to claim the proceeds of reimbursement payments. After such time, the City shall have no further obligation to the initial developer with regard to reimbursement payments referred to in the notice, and such amounts shall be refunded to the reimbursing developer.

8. Upon request of the initial developer, which request shall not occur more than once every 12 months, the City shall provide an accounting of each reimbursement payment collected during the preceding 12 months, the name and address of the remitter of such reimbursement payment, the property address for which the reimbursement was paid, and the current balance of the actual reimbursable costs incurred by the initial developer remaining unreimbursed.

742.G Appeals

Subsequent developers that are assessed a charge in accordance with [Section 742.C.2](#) may appeal the Planning Director's decision in accordance with [Section 729](#). In hearing an appeal, City Council shall consider whether the subject public improvements benefit the appellant's property, whether the assessment represents an equitable share of the eligible reimbursement costs, and whether the benefit to the assessed property equals or exceeds the amount of the assessment.

742.H Pre-existing Reimbursement Agreements

1. Nothing in this Section shall be construed to invalidate any Reimbursement Agreement executed prior to the effective date of this Section.
2. The provisions of this Section authorizing the assessment of charges against property owned by subsequent developers may be applied to assess and collect charges pursuant to Reimbursement Agreements executed prior to the effective date of this Section.

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DIVISION 1 | RULES

800 RULES OF INTERPRETATION

800.A Applicability and Intent

1. Words, phrases, terms, and uses defined in this CDC shall be given the defined meaning.
2. Words, phrases, terms, and uses not defined in this CDC, but defined in other portions of the Steamboat Springs Municipal Code, shall be given the meaning as defined in the Municipal Code.
3. Words, phrases, terms, and uses not defined in this CDC or in other portions of the Municipal Code shall be given their usual and customary meanings as found in the most current edition of Webster's Dictionary except where the context clearly indicates a different meaning.

800.B Construction of Language and Interpretation

1. **Tense**
Words used in one tense (past, present, or future) shall include all other tenses unless the context clearly indicates the contrary.
2. **Gender**
Words importing gender shall include masculine, feminine, and neuter.
3. **Singular and Plural Terms**
Words in the singular shall include the plural, and words in the plural shall include the singular.
4. **Person**
The words person or people shall include natural persons, corporations, limited liability companies, partnerships, or governmental entities, unless the context clearly indicates otherwise.
5. **Mandatory and Permissive Terms**
The words "shall", "must", and "will" are mandatory and not voluntary or permissive. The words "may" or "should" are permissive and not mandatory.
6. **Conjunctions**
Unless context clearly indicates the contrary, conjunctions shall be interpreted as follows:
 - a. "And" indicates that all connected items, conditions, provisions, limitations, or events shall apply.
 - b. "Or" indicates that one or more of the connected items, conditions, provisions, limitations, or events shall apply.
7. **Lists and Examples**
Unless otherwise clearly indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language, are intended to provide examples and shall not be construed to be exhaustive lists of all possibilities.
8. **Computation of Time**
Periods of time defined by a number of days shall mean a number of consecutive calendar days, including all working days, weekend days, holidays, and other nonbusiness days. However, if the last day falls on a Saturday, Sunday, or City holiday, the period of time extends to the next day that is not a Saturday, Sunday, or City holiday.

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9. **Conflicting Regulation**
Whenever a provision of this CDC conflicts with any other provision of this CDC, the Steamboat Springs Municipal Code, or any other law, ordinance, resolution, rule, or regulation, the provision that imposes the more restrictive or higher standard or requirement shall govern.
10. **Text Controls**
Whenever the text of this CDC conflicts with a graphic contained in this CDC, the text shall govern.
11. **Outside References**
Whenever a provision of this CDC references an outside source, it is referring to the most recently adopted version of that source. If the named source no longer exists, then the most recent version of the most nearly comparable source, as determined by the City, shall be used.
12. **Delegation of Authority**
Whenever this CDC requires a director, division head, or other City official or employee to perform an act or duty, the CDC shall be construed as authorizing the director, division head, or other official or employee to delegate the responsibility to subordinates, unless the CDC specifies otherwise.

801 RULES OF DESIGNATION AND MEASUREMENT

- 801.A **Block Face**
Block face is the length of a block measured on one side of a street between either two intersecting streets or an intersecting street and a qualifying park or open space. Qualifying parks and open spaces shall be those that provide pedestrian connections and that are not less than the minimum lot size in the applicable zone district. See Figure 801-1.

Figure 801-1. Block Face



801.B Lot Lines

1. General Rules

Lot lines shall be designated according to the following rules. See Figure 801-2.

a. Front Lot Line

A front lot line is:

- i. Any property line that separates a lot from an abutting public street right-of-way; or
- ii. Any private street easement or property line that separates a lot or portion of a lot from a private street.

b. Rear Lot Line

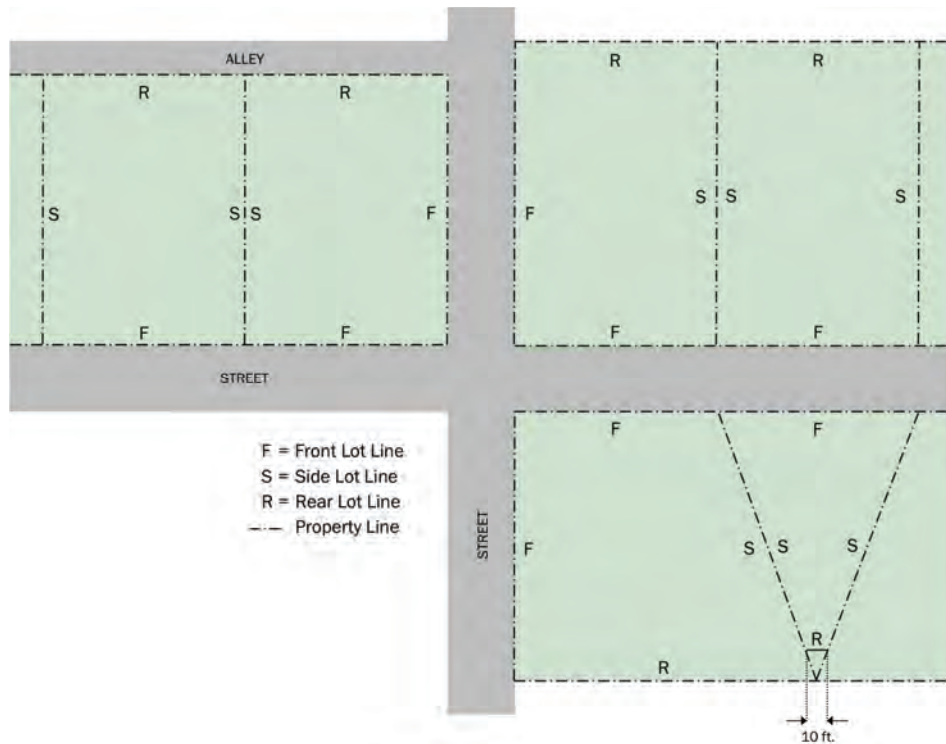
A rear lot line is:

- i. The property line that is most opposite a front lot line of an interior lot; or
- ii. Any property line that separates a lot from an adjacent alley right-of-way; or
- iii. In the case of a corner lot, any property line that generally continues the path of the rear lot line of an adjacent interior lot; or
- iv. In the case of a triangular-shaped interior lot, a straight line 10 feet in length which is parallel to the front lot line or its chord and intersects the side lot lines at points most distant from the front lot line.

c. Side Lot Line

A side lot line is any property line that is not a front lot line or rear lot line.

Figure 801-2. Lot Lines



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§ 801.B

2. Special Rule

In the case of irregularly-shaped lots or lots that are not adjacent to a public street right-of-way or private street, the Planning Director shall designate front, side, and rear lot lines.

801.C Lot Types

Lot type shall be designated according to the following rules. See Figure 801-3.

1. Corner Lot

A corner lot is:

- Any lot where the interior angle of two intersecting front lot lines is less than 135 degrees; or
- Any lot adjacent to a curved street where the radius of the front lot line's arc is less than 150 feet and the tangents to the curve, at the points where the side and front lot lines meet, intersect to form an interior angle of less than 135 degrees.

2. Interior Lot

An interior lot is any lot that is not a corner lot.

3. Double Frontage Lot

A double frontage lot is any interior lot that has two or more front lot lines.

801.D Lot Size

1. Gross Lot Area

Gross lot area is the total area of land within the lot lines excluding any area of public right-of-way or private street easement.

2. Useable Lot Area

Useable lot area is the total lot area excluding:

- Any area of land within a required property line setback or waterbody setback; and
- Any area of land below the ordinary high water mark of a natural watercourse or body of water or within a floodway or wetland; and
- Any area of land where the existing slope exceeds 30 percent; and
- Any area of land with unstable slopes; and
- Any area of land encumbered by an easement or other building restriction that imposes restrictions on the land's use or development, unless the landowner demonstrates to the Planning Director's satisfaction that the easement or restriction does not materially affect the utility of the land for the proposed use or development.

801.E Lot Width

Lot width is the horizontal distance between the side lot lines, or whichever two lot lines intersect the front lot line, measured along a straight line connecting the points where the required front setback line intersects with the side lot lines. See Figure 801-4.

801.F Lot Depth

Lot depth is the horizontal distance between the front lot line and the rear lot line, or whichever lot line is most opposite the front lot line, measured along a straight line connecting the midpoints of the front and rear lot lines. See Figure 801-5.

Figure 801-3. Lot Types

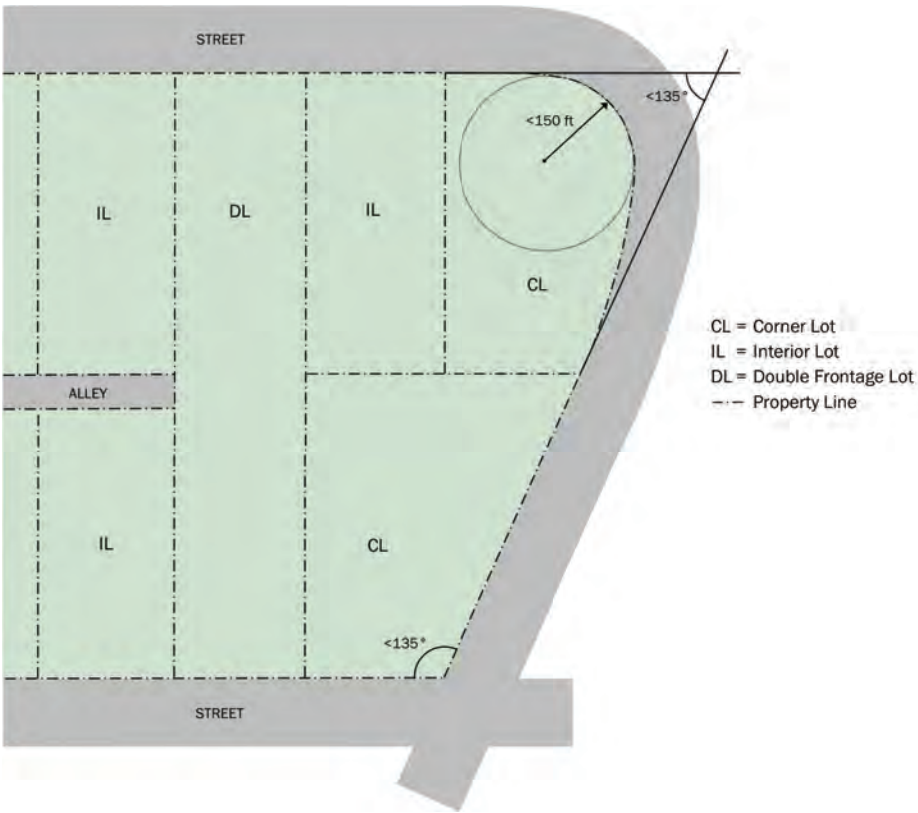
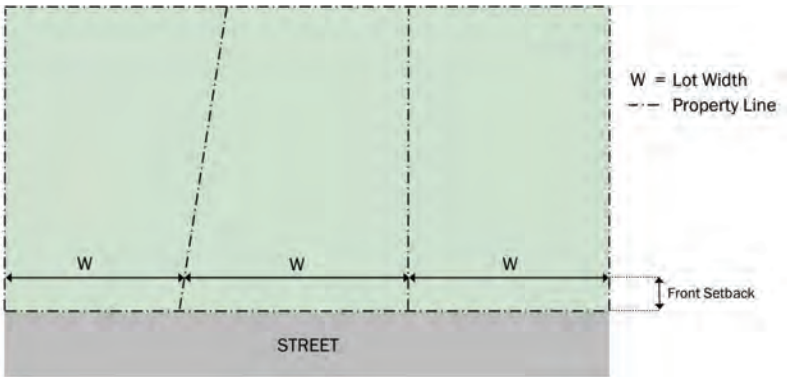


Figure 801-4. Lot Width



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801.G Setbacks

1. **Lot Line Setbacks**
Lot line setbacks are the required minimum or maximum horizontal distance between a lot line and a structure, building, parking lot, or other improvement, as applicable. See Figure 801-6.
 - a. **Front Setback**
The front setback extends across the full length of the front lot line measured perpendicular to the front lot line.
 - b. **Rear Setback**
The rear setback extends across the full length of the rear lot line measured perpendicular to the rear lot line.
 - c. **Side Setback**
A side setback extends the full length of a side lot line measured perpendicular to the side lot line. The side setback overlaps with the front and rear setbacks.
2. **Waterbody Setback**
A waterbody setback is the required minimum horizontal distance between a structure and either the ordinary high water mark or the centerline of a waterbody as specified by this CDC. See Figure 801-7.
3. **Clear Vision Setback**
A clear vision setback is a triangular area bounded by the front lot lines of a corner lot and a line connecting a point on each front lot line at a specified distance measured from the intersection of the front lot lines. See Figure 801-8.

801.H Yards

- Yards are the spaces between the principal building and the front, rear, and side lot lines. See Figure 801-9.
1. **Front Yard**
The front yard extends across the full length of the front lot line between the front lot line and the front building façade. In the case of a building that does not extend to the side lot lines, the front yard shall extend between the front lot line and a line perpendicular to the side lot line that connects the front building façade to the side lot line.
 2. **Rear Yard**
The rear yard extends across the full length of the rear lot line between the rear lot line and a parallel line connecting the side lot lines and the point on the building façade nearest to the rear lot line.
 3. **Side Yard**
A side yard extends between the side lot line and the building façade from the front yard to the rear yard.

Figure 801-5. Lot Depth

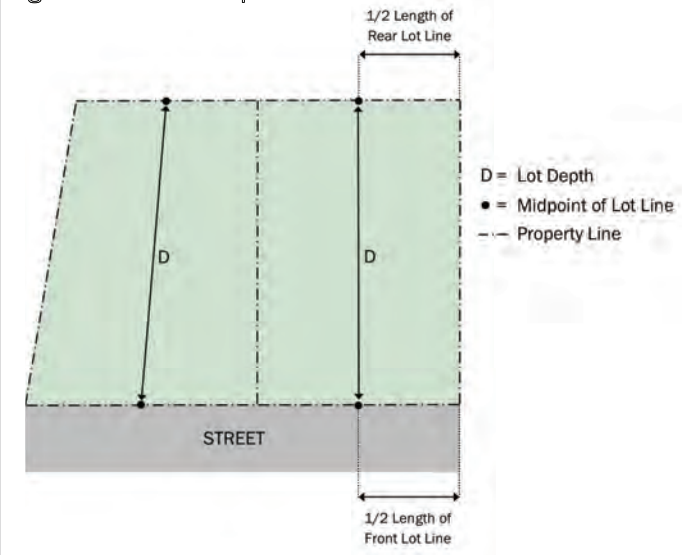


Figure 801-6. Lot Line Setbacks

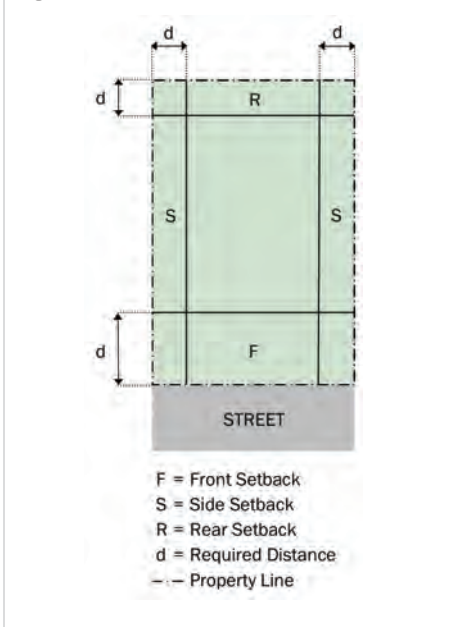


Figure 801-7. Waterbody Setback

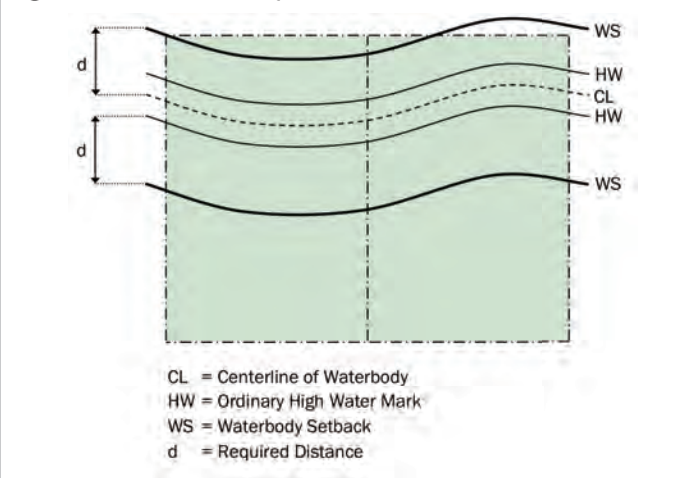


Figure 801-8. Clear Vision Setback

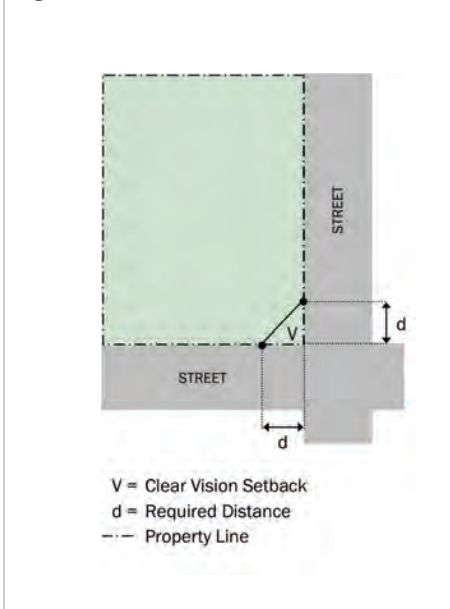
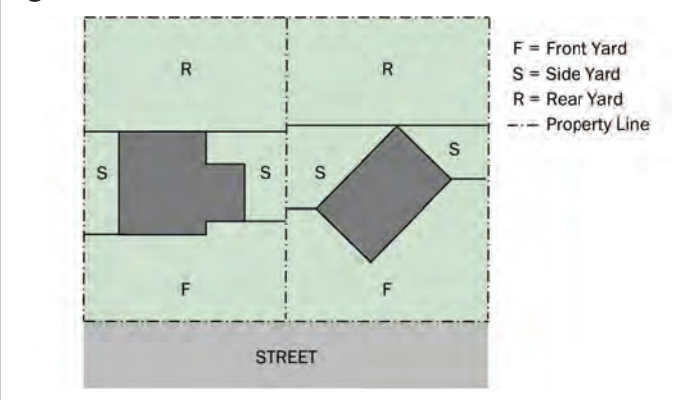


Figure 801-9. Yards



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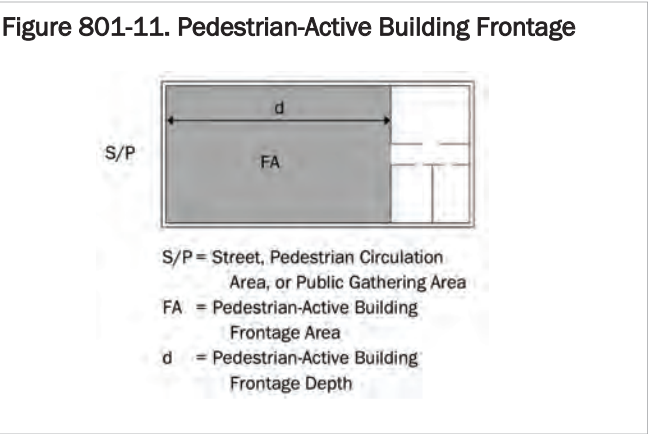
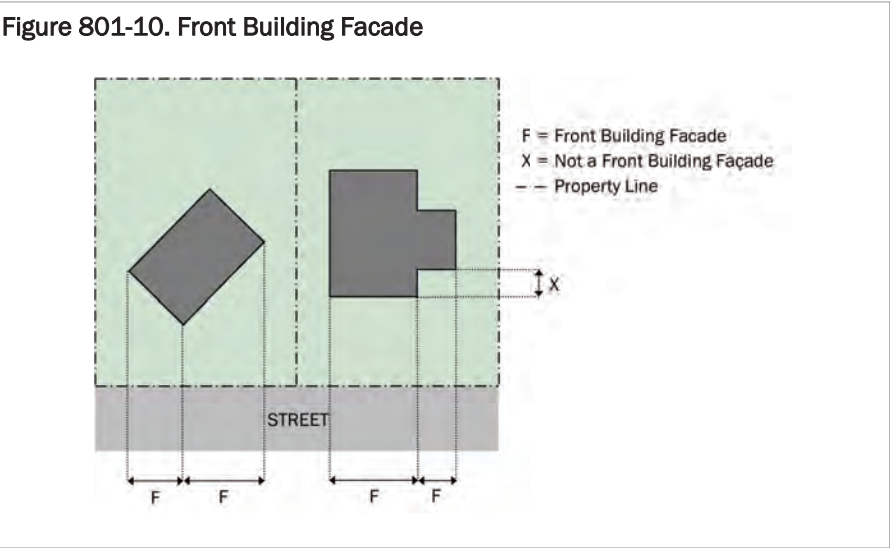
§ 801.I

801.I Front Building Façade

The front building façade is the exterior wall or walls of a building that face the front lot line. See Figure 801.10.

801.J Pedestrian-Active Building Frontage

- Pedestrian-Active Building Frontage Area**
Pedestrian-active building frontage area is any interior portion of a building, located on the pedestrian level, with an exterior wall facing an abutting street, pedestrian circulation area, or public gathering area. For the purpose of this definition, pedestrian circulation area shall not include alleys. See Figure 801.11.
- Pedestrian-Active Building Frontage Depth**
Pedestrian-active building frontage depth is the horizontal distance between the exterior wall of the building and either an interior wall, exterior wall, or other feature defining the interior space. Unless otherwise permitted or required in Article 2, the pedestrian-active building frontage depth shall be a minimum of 25 feet. See Figure 801.11.



801.K Floor Area

1. Gross Floor Area

Gross floor area is the combined gross horizontal area of all stories of a building measured from the exterior side of exterior walls. For individual units in a multi-unit building, gross floor area shall be measured from the center of common walls and from the exterior side of exterior walls. Gross floor area shall also include carports, mezzanines, and interior balconies.

2. Net Floor Area

Net floor area is the combined horizontal area of all stories of a building measured from the interior side of exterior walls. For individual units in a multi-unit building, net floor area shall be measured from the center of common walls and the interior side of exterior walls. Net floor area shall also include mezzanines and interior balconies. Net floor area shall exclude the following:

- a. Basements where the floor to ceiling distance is at or less than six feet six inches; and
- b. Portions of a building where the floor to ceiling distance is less than five feet; and
- c. Carports and enclosed vehicular parking areas; and
- d. In the case of multiple family residential, nonresidential, or mixed used buildings:
 - i. Common hallways, stairwells, lobbies, and atriums that provide access to more than one residential unit or nonresidential tenant space as measured from exterior of wall to exterior of wall; and
 - ii. Vent shafts as measured from exterior of shaft to exterior of shaft; and
 - iii. Areas primarily for maintenance and maintenance access, such as mechanical rooms, as measured from exterior of wall to exterior of wall; and
 - iv. Elevators as measured from exterior wall of shaft to exterior wall of shaft; and
- e. In the case of multiple family residential and lodging developments, common use areas and amenity areas, such as lobbies, conference rooms, copy rooms, swimming pools, hot tubs, reading rooms, lounges, restrooms, recreational equipment storage areas, and supply storage areas, as measured from exterior of wall to exterior of wall.

801.L Lot Coverage

1. General Rule

Lot coverage is the combined gross area of the footprint (or foundation) of all buildings on a lot, plus the gross area of any enclosed projections beyond the footprint (such as cantilevered floors or bays), divided by gross lot area of the lot on which the buildings are located. Lot coverage is conveyed as a percent.

$$\text{Lot coverage} = ((\text{gross floor area of footprint} + \text{enclosed projections}) / \text{gross lot area}) \times 100$$

2. Secondary Units

In the case of gross floor area of a secondary unit that, under [Section 801.L.1](#) General Rule, would otherwise contribute to the gross floor area of the footprint (or foundation) or any enclosed projections beyond the footprint (such as cantilevered floors or bays), such floor area of a secondary unit shall be excluded from the measurement of gross floor area for the purpose of calculating lot coverage.

801.M Floor Area Ratio (FAR)

1. General Rule

Floor area ratio (FAR) is the ratio of gross floor area, excluding basements, of a building or buildings to gross lot area of the lot on which the building or buildings are located. FAR is conveyed as a percent.

$$\text{Floor area ratio} = ((\text{gross floor area} - \text{basement}) / \text{gross lot area}) \times 100$$

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a. Principal Building FAR

Principal building FAR is measured using the combined gross floor area, excluding basements, of all principal buildings on the lot.

b. Accessory Building FAR

Accessory building FAR is measured using the combined gross floor area, excluding basements, of all accessory buildings on the lot.

c. Total FAR

Total FAR is measured using the combined gross floor area, excluding basements, of all principal and accessory buildings on the lot.

2. Special Rules

a. Stories Greater Than 20 Feet in Height

In the case of a building or a portion of a building with a story that is greater than 20 feet in height, one half of the horizontal area at a height of 10 feet shall be considered as floor area in the measurement of gross floor area for the purpose of calculating FAR.

b. Workforce Units

i. In the case of a workforce unit or units in an accessory building, one half of the floor area of the workforce unit or units shall be excluded from the measurement of gross floor area for the purpose of calculating FAR.

ii. In the case of a workforce unit or units in a principal building, one half of the floor area of the workforce unit or units, up to a maximum of 18 percent of the gross floor area of the principal building, shall be excluded from the measurement of gross floor area for the purpose of calculating FAR.

c. Secondary Units

The gross floor area of a secondary unit shall be excluded from the measurement of gross floor area for the purpose of calculating FAR.

801.N Second Story Intensity

Second story intensity is the ratio of gross floor area of the second story to gross floor area of the ground story. Second story intensity is conveyed as a percent.

Second story intensity = (gross floor area of second story / gross floor area of ground story) x 100

801.O Building Height

1. Overall Height

a. General Rule

Overall building height is the greatest distance, measured vertically plumb, between the elevation of any point on the building and the existing grade directly below that point. See Figure 801-12.

b. Resort Residential (RR) and Gondola (G) Zone Districts

In the Resort Residential and Gondola zone districts, overall building height is the greatest distance, measured vertically plumb, between the elevation of any point on the building and the nearest adjacent proposed finished grade. In the case of a point on a building that is equidistant to two or more adjacent grades, the lower of the grades shall be used. See Figure 801-13.

2. Plate Height

a. Wall Plate

A wall plate is the horizontal member placed on a wall to bear the joists of a ceiling or floor or the rafters or trusses of a roof.

Figure 801-12. Building Height, General Rule

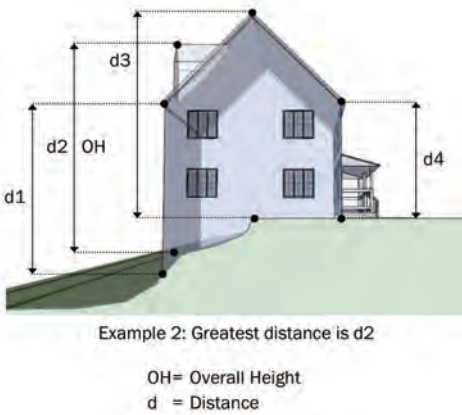
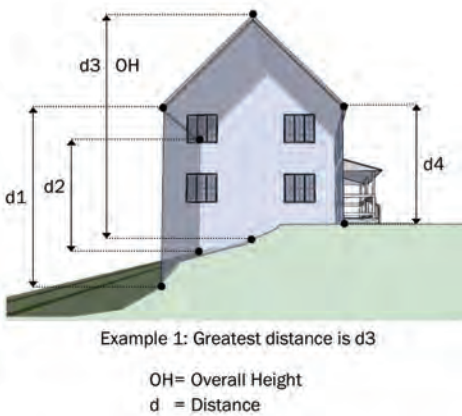
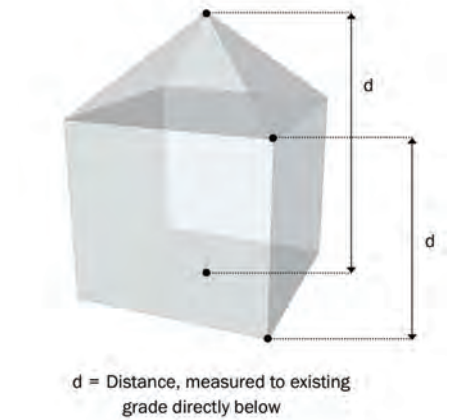
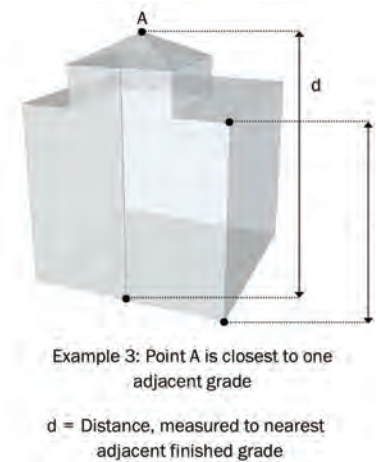
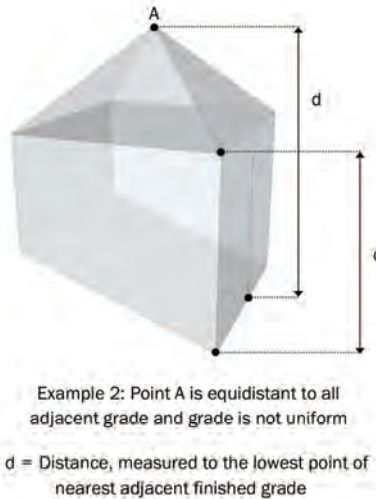
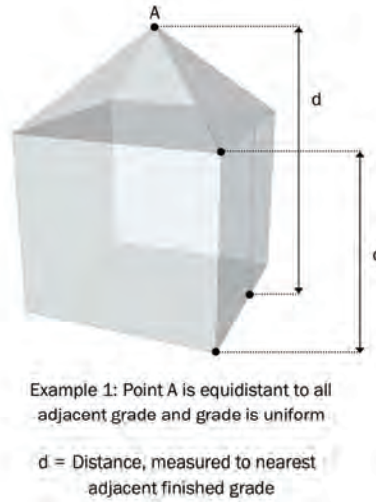


Figure 801-13. Building Height, RR and G



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b. Plate Height

Plate height is the distance, measured vertically plumb, between any point on the top of the uppermost wall plate of the exterior wall that bears the building's highest roof structure and the existing grade directly below that point.

c. Average Plate Height

Average plate height is the average of the greatest and lowest measurement of plate height. Average plate height shall be calculated separately for each building façade. See Figure 801-14.

$$\text{Average plate height} = (\text{greatest plate height} + \text{lowest plate height}) / 2$$

3. Frontage Height

Frontage height is the plate height of the front building façade.

4. Ground Story Height

a. General Rule

Ground story height is the height of the ground story. See Figure 801-15.

b. Special Rule

In the case of a ground story that does not contain the pedestrian-active building frontage, ground story height shall be the height of the story at the pedestrian level. See Figure 801-15.

801.P Story

A story is the portion of a building between the finish elevation of any floor and the finish elevation of the floor above. If there is no floor above, a story shall be measured between the finish elevation of any floor and the finish elevation of the ceiling above. Any portion of a building where the floor to ceiling distance is at or less than five feet for more than 50 percent of the area shall not be considered a story. A mezzanine shall not be considered a story.

1. Basement

A basement is any story of a building that projects three feet or less above existing grade for a minimum of 60% of the perimeter of the story.

2. Ground Story

The ground story of a building is the story, excluding a basement, with the lowest finished floor elevation.

3. Second Story

The second story of a building is the story directly above the ground story.

4. Upper Story

An upper story of a building is any story above the ground story.

5. Pedestrian Level

The pedestrian level is any story of a building with a finish floor elevation at, or within three feet vertically of, the elevation of an abutting street, pedestrian circulation area, or public gathering area.

801.Q Glazing

1. Wall area.

Wall Area is the portions of a building façade between the finished elevation of each floor and the finished elevation of the ceiling above. For stories with a finished floor elevation below finished grade, wall area shall be the portions of a building façade between finished grade and the finished elevation of the ceiling above. Basements and unfinished attic spaces shall be excluded.

2. Transparency Area

Transparency areas shall include the area of the glass and the frame.

Figure 801-14. Average Plate Height

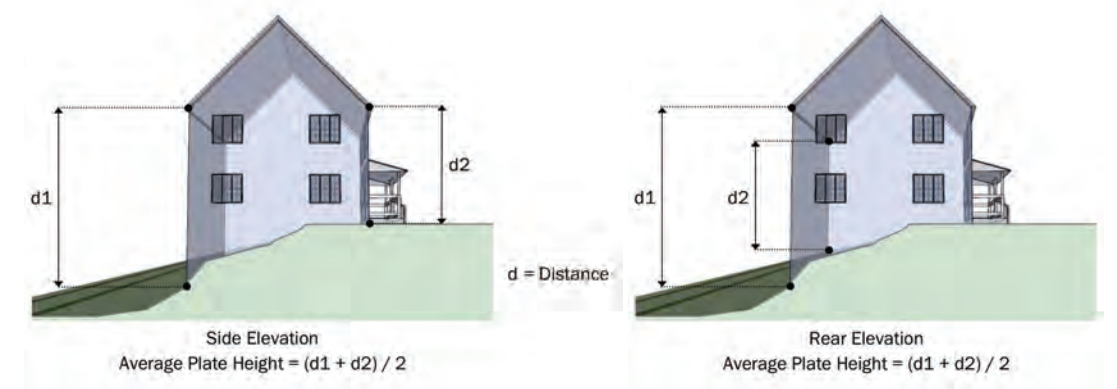
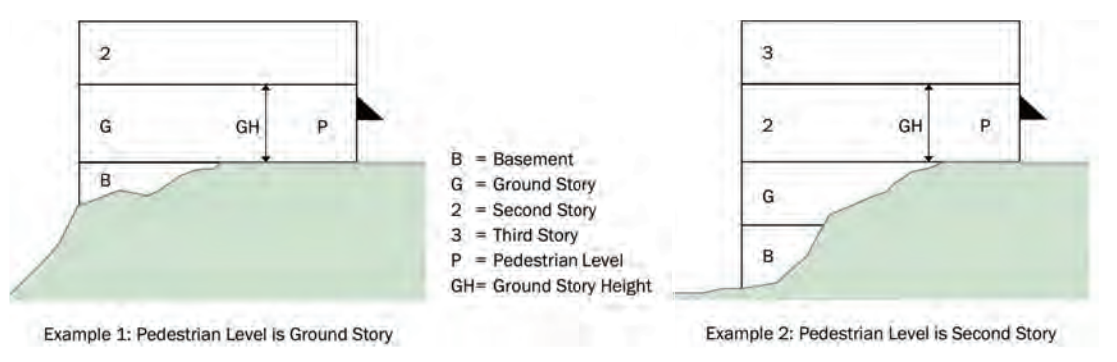


Figure 801-15. Ground Story Height



801.R Frontage Landscaping

- 1. Frontage Landscaping Depth**
Frontage landscaping depth is the horizontal distance between the front lot line and a parallel line at a specified distance from the front lot line. See Figure 801-17.
- 2. Frontage Landscaping Area**
Frontage landscaping area is the area extending across the full length of the front lot line for the required frontage landscaping depth. See Figure 801-17.

801.S Parking Lot Setback Landscaping Area

Parking lot setback landscaping area is the area between the front lot line and the minimum parking lot setback line for the width of the parking lot. See Figure 801-18.

Figure 801-17. Frontage Landscaping

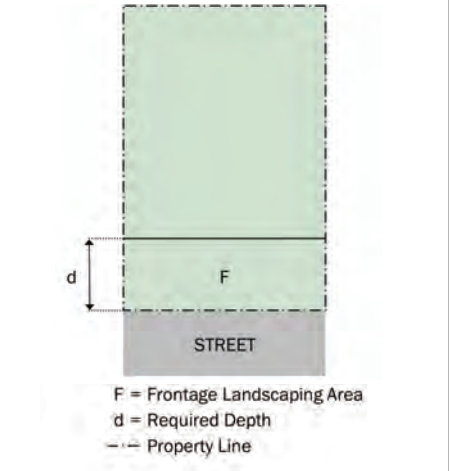
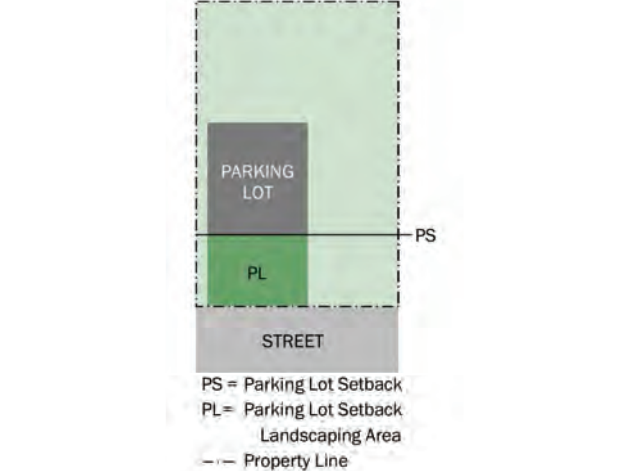


Figure 801-18. Parking Lot Setback Landscaping Area



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§ 801.T

801.T TND Rules of Designation and Measurement

1. Applicability

The TND rules of interpretation apply to all development within the TND transect zones. In circumstances where standards contained in this Section are in conflict with any standards elsewhere in [Section 801](#), the standards in this Section apply.

2. Lot Lines

In the TND zone district, lot lines shall be designated according to the general and special rules with the exception of the following:

a. Front Lot Line

- i. For lots that abut one street, the front lot line is the lot line that abuts the street.
- ii. For lots that abut multiple streets, the front lot line is determined using the street or streets with the highest classification or the street parallel to an alley that runs the entire length of the block.
- iii. A lot may have more than one front lot line.
- iv. A lot line abutting a park, open space, or greenway may be designated as a front lot line.

b. Side Street Lot Line

A side street lot line is any lot line that abuts a street and is not determined to be the front lot line.

3. Build-To Width

- a. The build-to width is the cumulative building width that occupies the build-to zone relative to the width of the site at the street lot line.
- b. The build-to zone is the area on the site between the minimum and maximum building setbacks for the full width of the site. See Figure 801-19.
- c. Buildings must be located within the build-to zone for not less than the minimum build-to width required in the zoning district.
- d. Build-to width is calculated separately along each street lot line where a build-to width is required.
- e. Build-to width is a percentage measured as the sum of all building width occupying the build-to zone, divided by the total lot width or lot line width between two building type boundary lines. See Figure 801-20.
- f. On corner lots where both streets have build-to width requirements, a building must occupy the portion of the area where the two intersecting build-to zones overlap. The building must occupy the build-to zones for both streets lot lines for a minimum of 30 feet from the corner. The minimum requirement is measured starting at the edge of the building occupying the area of overlap and moving away from the corner, parallel to the street lot line. See Figure 801-21.
- g. A forecourt that meets the standards of [Section 227.E](#) or pedestrian passageway that meets the standards of [Section 605.E](#) may substitute for a maximum of 15 percent of the build-to width requirement.

Figure 801-19. Build-To Zone

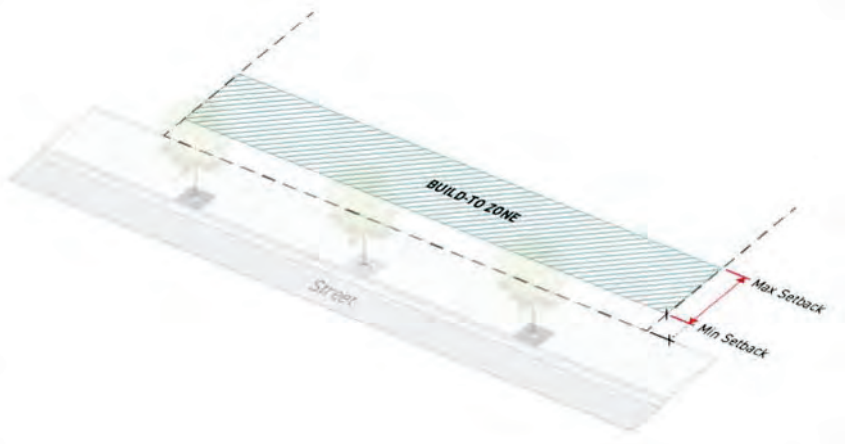


Figure 801-20. Build-To Width

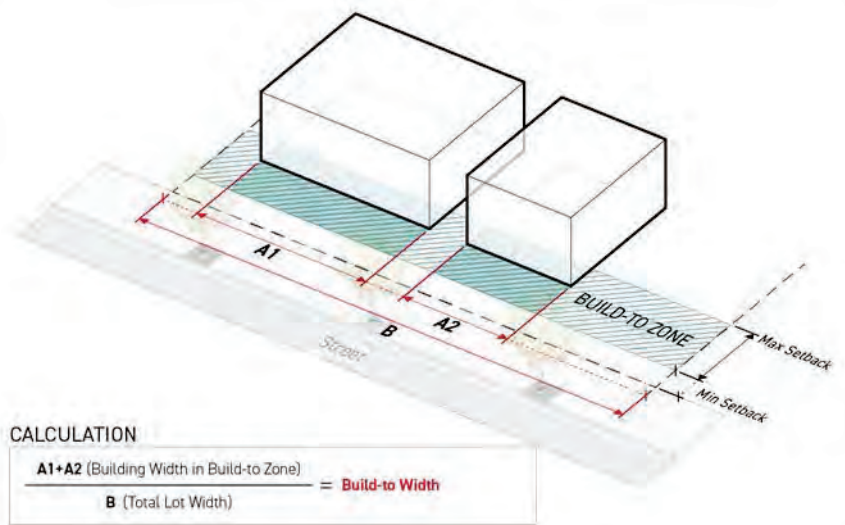
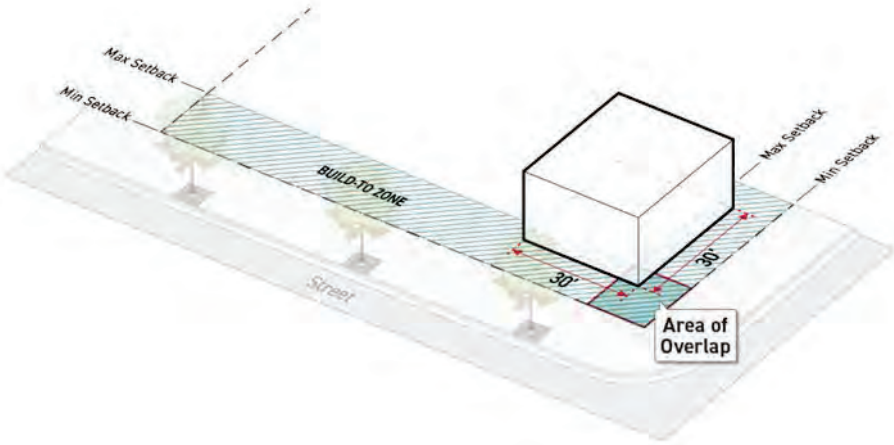


Figure 801-21. Corner Lot Build-To Zone



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4. Story

- a. The ground story of a building is determined using any street-facing building facades as follows:
 - i. The ground story must have a minimum of six feet of facade exposed above the abutting finished grade along the full width of the street facing building facade.
 - ii. The finished floor level of the ground story may be no higher than six feet above the abutting finished grade along the full width of the street-facing building facade. See Figure 801-22.
- b. Based on the criteria for determination, the ground story may change along the same building facade.
- c. Any story located above the ground story is an upper story.

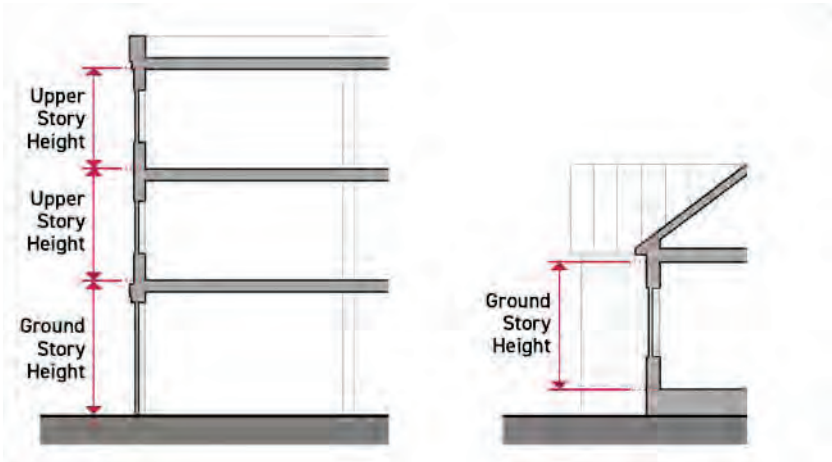
Figure 801-22. Ground Story



5. Story Height

- a. Story height is measured from the top of the finished floor to the top of the finished floor of the story above. See Figure 801-23.
- b. Where there is no story above, story height is measured from the top of the finished floor to the bottom of the roof structure.
- c. Story height requirements do not apply to accessory structures.

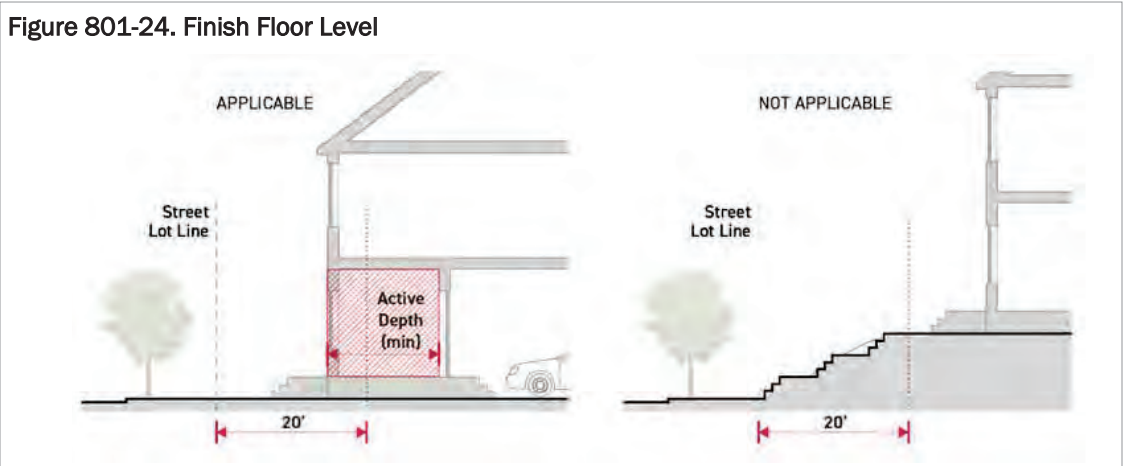
Figure 801-23. Story Height



6. Finish Floor Level

- a. Finish floor level standards apply to all buildings that contain habitable space on the ground story and that are located within 20 feet of a street lot-line.
- b. Where a transect zone regulates active depth, the finish floor level standards apply only to the required ground story active depth.
- c. The finish floor level standards do not apply to accessory structures unless the ground story of the accessory structure contains habitable space for a dwelling unit.
- d. Finish floor level is measured from average finished grade to the top of the finished floor of the ground story. On corner sites, for the purpose of determining finish floor level, average grade must be established independently for each street-facing building facade. See Figure 801-24.

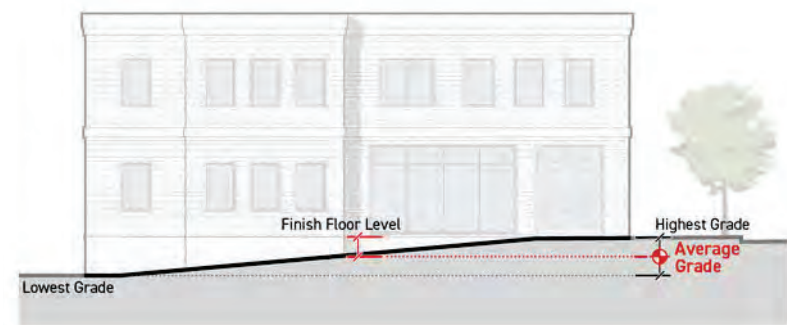
Figure 801-24. Finish Floor Level



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Figure 801-25. Finish Floor Level, Average Grade

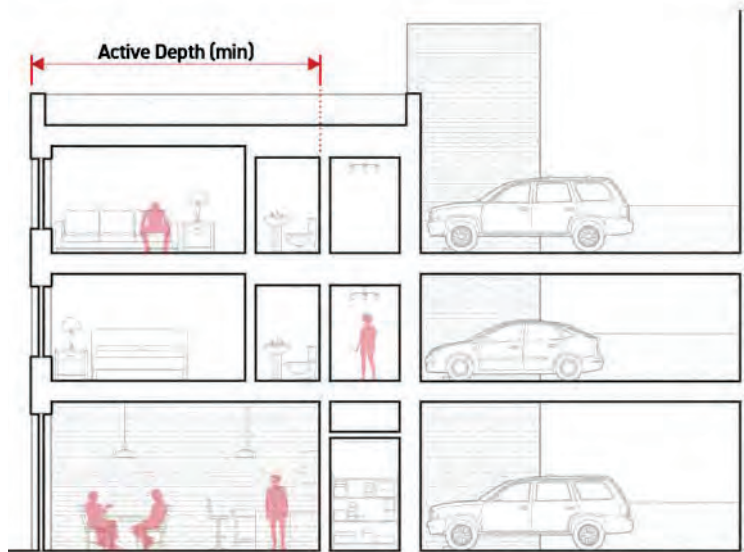


- e. Average grade is calculated by averaging the highest and lowest elevation abutting finished grade along the street-facing building facade. See Figure 801-25.

7. Active Depth

- a. Active depth standards apply to the portions of the ground story used to meet the minimum built-to width requirement.
- b. Applicable portions of the building must provide a minimum active depth required by the transect zone. See Figure 801-26.
- c. No more than 20 percent of the floor area of the required active depth may be used for inactive uses such as storage, hallways, stairwells, elevators, and equipment rooms.
- d. Parking spaces and motor vehicle use areas are not allowed in any portion of the required active depth.
- e. Active depth is measured from the street-facing building facade inward to the interior of the building.

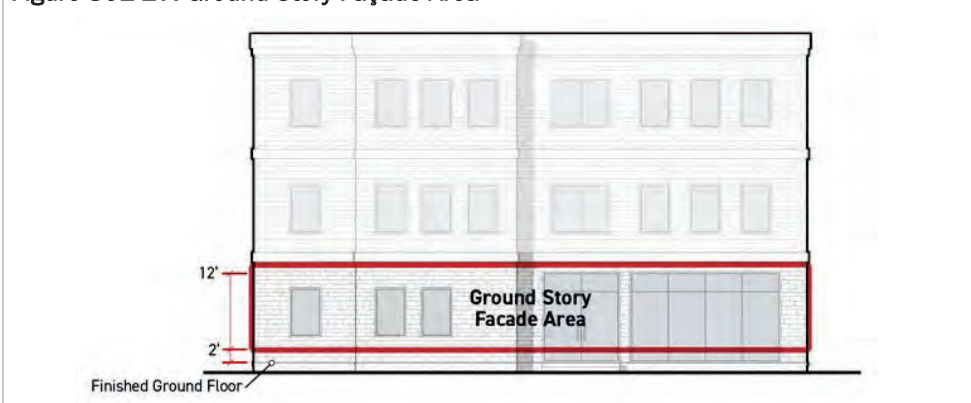
Figure 801-26. Active Depth



8. Transparency

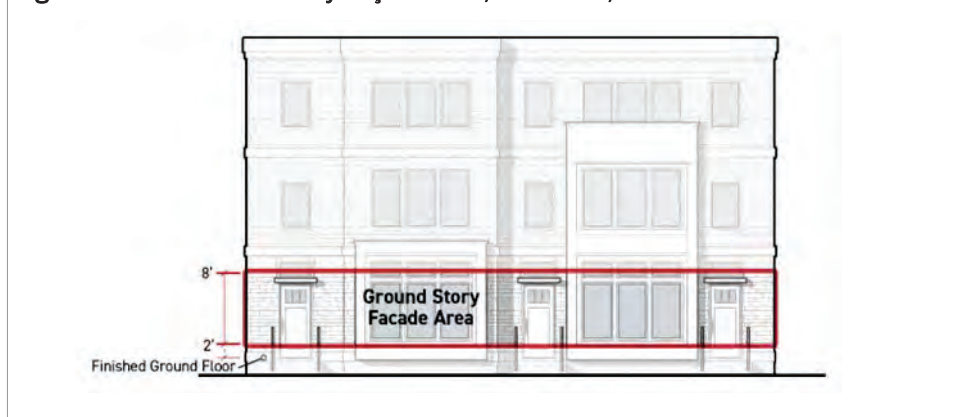
- a. Transparency is measured as a percentage calculated as the sum of all façade area meeting the definition of transparency, divided by the total applicable façade area.
- b. For Live-Work and Mixed Mid-Rise building types, the ground story façade area is measured as follows:
 - i. For the purpose of calculating transparency, the ground story façade area is measured between two and 12 feet above the top of the ground story finished floor. See Figure 801-27.
 - ii. If the clear height of the ground story is less than 12 feet, the façade area is measured between two feet and the bottom of floor or roof structure above.

Figure 801-27. Ground Story Façade Area



- c. For all building types other than Live-Work and Mixed Mid-Rise, the ground story façade area is measured as follows:
 - i. For the purpose of calculating transparency, the ground story façade area is measured between two and eight feet above the top of the ground story finished floor. See Figure 801-28.
 - ii. If the clear height of the ground story is less than eight feet, the façade area is measured between two feet and the bottom of floor or roof structure above.

Figure 801-28. Ground Story Façade Area, Live-Work, Mixed Mid-Rise



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- d. For the purpose of calculating upper story transparency, the upper story façade area is measured between the top of the finished floor for that story and the bottom of the floor or roof structure above.
- e. Upper story transparency is measured separately for each individual story of a building above the ground story.

9. Entrance Spacing

- a. Entrance spacing standards apply to all ground story street-facing facades.
- b. Accessory structures do not have to provide a street-facing entry and are not included in the calculation of maximum entrance spacing requirements.
- c. Street-facing entries that meet the following requirements shall not be located farther apart than the maximum entrance spacing standards in the transect zone:
 - i. Be located on the street-facing ground story facade; and
 - ii. Provide both ingress and egress pedestrian access to the ground story of the building; and
 - iii. Must access an occupiable space.
- d. Entrance spacing is measured horizontally and parallel to the street lot line from the edge of the door to the edge of the adjacent door, or to the edge of the building. See Figure 801-29.
- e. A street-facing entry facing the front lot line is required for all buildings.
- f. A side street-facing entry is only required when the building width along the side street is greater than the maximum entrance spacing requirement for the transect zone.
- g. On a corner lot, an angled entry at the corner of the building where two street lot lines meet may be used to meet the requirement along both streets.

10. Building Width

- a. Building width standards apply to all front lot line and side street lot line facing building facades.
- b. Building width is measured horizontally and parallel to the front lot line or the side street lot line from one end of a building to the opposite end. See Figure 801-30.
- c. For a building with both a front lot line and side street lot line facing building facade, building width does not apply to the side street facing building facade.
- d. One open space per building that meets the following standards may be used to establish a continuous structure as separate buildings for the purpose of meeting a maximum building width requirement:
 - i. The width of the open space can be no less than $\frac{1}{4}$ the width of the widest adjacent building width provided.
 - ii. The depth of the open space must be at least equal to the width of the open space or 30 feet, whichever is less. See Figure 801-31.

§ 801 [Ord. No. 2664, 9-18-18] [Ord. No. 2669, 12-4-18] [Ord. No. 2932, 10-17-23] [Ord. No. 2969, 7-2-24] [Ord. No. 3001, 3-18-25]

Figure 801-29. Entrance Spacing

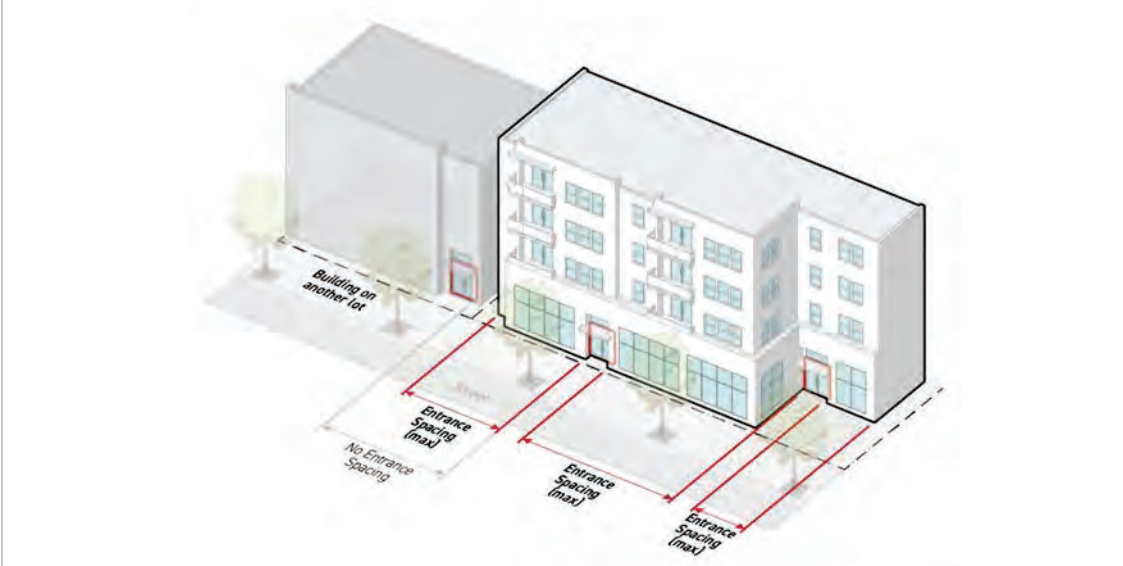


Figure 801-30. Building Width

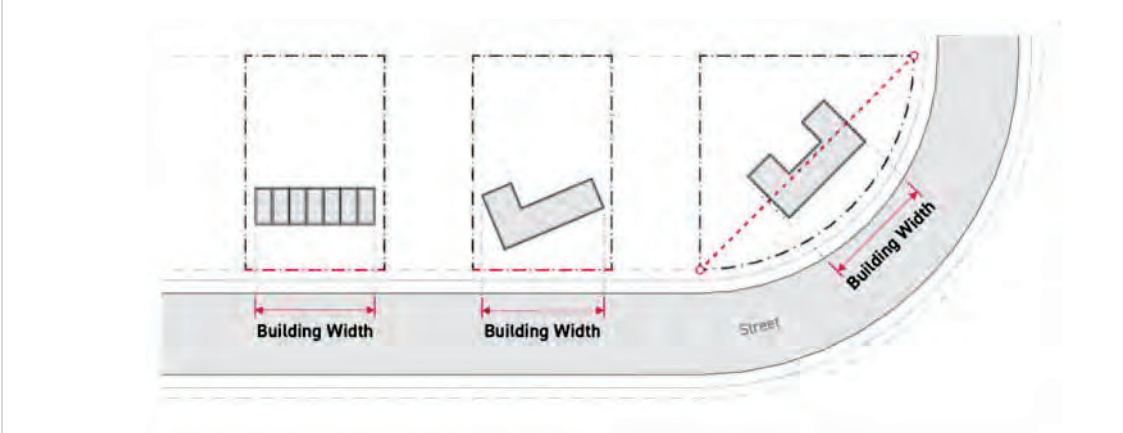
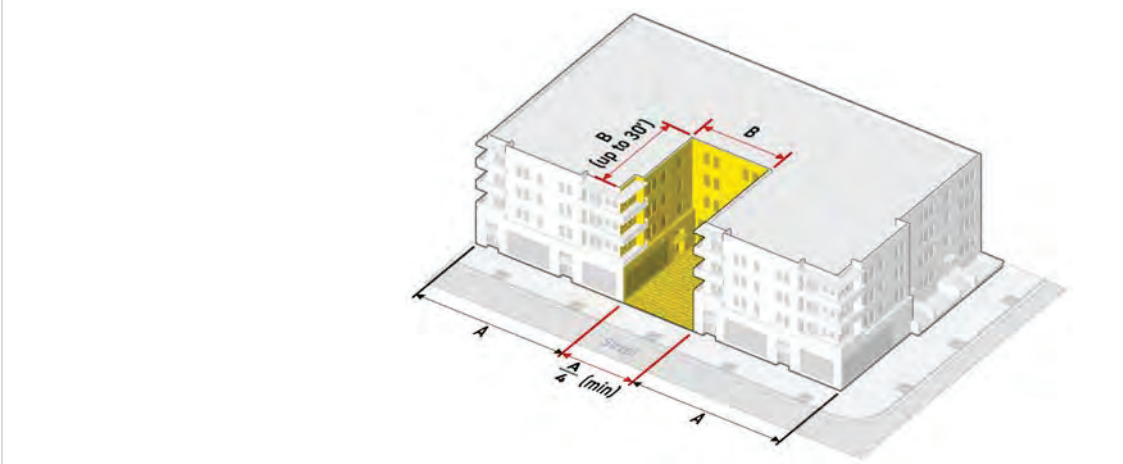


Figure 801-31. Continuous Structure, Open Space



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DIVISION 2 | DEFINITIONS

802 DEFINITIONS OF TERMS

For the purpose of this CDC, the following terms shall be defined as follows:



Abut or Abutting. Physically touching or bounding at a point or line.

Accessory Building. See “Building, Accessory” definition.

Accessory Structure. See “Structure, Accessory” definition.

Accessory Use. See “Use, Accessory” definition.

Adjacent. Sharing all or part of a common lot line, or would share all or part of a common lot line if not for the separation caused by a street, alley, sidewalk, railroad right-of-way, utility line, trail, or irrigation ditch.

Affordable Housing. A residential dwelling unit for which an individual or family, with an income equal to or less than 120 percent of the median income for the county, pays no more than 30 percent of their monthly income as a rental or mortgage payment.

Aggrieved Party. An individual or entity that:

1. Is entitled by the CDC to receive mailed notice of a development application; or
2. In the case of a development application for which a public hearing is not required, submitted written comments regarding the development application to the Planning and Community Development Department prior to the decision on the project; or
3. In the case of a development application for which a public hearing is required, submitted written or oral comments regarding the application at one or more public hearings on the project.

Alley. A public or private way that is not intended for through travel and that is used primarily as a means of access to the rear of abutting property.

Alteration of Historic Property. See “Historic Preservation” definition.

Alternative Energy. An energy that is derived from sources other than fossil fuels. Alternative energy sources include but are not limited to solar, water, wind, and geothermal.

Animals, Domestic. Animals that are customarily considered household pets, including but not limited to dogs, cats, birds, fish, nonvenomous reptiles, and domesticated pigs, provided that they are not bred and raised on the property for commercial purposes.

Animals, Farm. Animals not customarily considered household pets, or those kept wholly or partially outside of a dwelling unit, including but not limited to horses, mules, burros, llamas, bison, elk, deer, cattle, swine, sheep, goats, poultry, and ostrich. Under certain provisions of this CDC, chickens, ducks, and goats are regulated differently from other farm animals. Farm animal does not include domesticated pigs weighing less than 150 pounds.

Antenna. An exterior transmitting or receiving device mounted on the ground or a tower, building, or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, or other communication signals.

Appeal. The review of a final decision by a body with the authority to reverse the decision of City staff or another board or commission. The appeal process is initiated by the applicant or an aggrieved party.

Articulation. Variation in the depth of the building plane, roof line, or height of a structure that breaks up plain, monotonous areas and creates patterns of light and shadow.

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Average Plate Height. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Awning. A decorative projection from a wall of a building for the purpose of shielding an entryway, window, or outdoor area from the elements.

B

Balcony. A cantilevered platform projecting from a building and not supported on the ground by posts, columns, or similar supporting structural members.

Base Area. The following zone districts that comprise the Mountain Base Area: RR-1, RR-2, G-1, and G-2.

Base Flood. See “Flood Prevention” definition.

Base Flood Elevation. See “Flood Prevention” definition.

Basement. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Block. A tract of land bounded by streets or by a combination of streets, public lands, railroad rights-of-way, waterways, corporate boundaries of the City, or any other barrier to the contiguity of development.

Block Face. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Breezeway. A covered or enclosed passageway connecting two buildings.

Build-To Line. A regulatory line along which a building façade must be placed. A build-to line exists when the minimum setback standard equals the maximum setback standard.

Buildable Envelope. The ground area of a lot within which construction of principal and accessory buildings is permitted as defined by setbacks, easements, and nonbuildable areas.

Building. A roofed structure used or intended for the shelter or enclosure of any person, animal, or personal property.

Building, Accessory. A building that is located on the same lot as the principal building or use and that houses a use that is customarily incidental to that of the principal building or use.

Building, Completely Enclosed. A building that is separated on all sides from the open air, or from other buildings or structures, by a permanent roof and exterior or common walls pierced only by windows or doors.

Building, Principal. A building that houses the principal use on a lot.

Building, Single Use. A building occupied by one use or tenant.

Building Code. The Building Code as amended and adopted by the City of Steamboat Springs.

Building Height. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Building Permit. A permit issued by the Routt County Regional Building Department.

Building Type. A categorization of a structure based on its function and its configuration on a lot.

Building Types, Mixed Use and Nonresidential. The following are mixed use and nonresidential building types that are defined by this CDC:

Commercial Block. A mixed use or nonresidential building with the ground floor or pedestrian-active building frontage designed for retail, service, office, or other commercial uses, and upper floors designed for commercial or residential uses.

Large-Format Retail. A mixed use or nonresidential building that is designed to accommodate large-format retail uses with large floor areas.

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Limited Industrial. A mixed use or nonresidential building that is designed to accommodate light industrial uses and limited residential and commercial uses.

Work/Live Building. A mixed use building that contains one or more work/live units arranged side-by-side similar to a rowhouse.

Building Types, Residential. The following are residential building types:

Duplex. A residential building that only contains two principal dwelling units. The two units must share a common wall or floor/ceiling with each other.

Multiple-Family Building. A residential building that contains three or more dwelling units. Each unit must share a common wall or floor/ceiling with at least one other unit.

Fourplex. A multiple-family building that contains four dwelling units.

Mansion Apartment. A multiple-family building that has the appearance of a very large single-family dwelling.

Rowhouse. A multiple-family building consisting of attached dwelling units arranged side-by-side parallel to a street. Each dwelling unit shall have an individual, direct entrance to the exterior facing the street, and no part of any dwelling unit may be constructed over any part of another dwelling unit.

Triplex. A multiple-family building that contains three dwelling units.

Single-Family Dwelling. A residential building that contains one principal dwelling unit and that may also contain one secondary dwelling unit.

Manufactured Home. A single-family dwelling manufactured in a factory in one or more pieces, designed for long-term residential use, not licensed as a recreational vehicle, and designed to be placed or assembled on a lot with or without a permanent foundation. Manufactured homes constructed since June 15, 1976 are built according to the federal Manufactured Home Construction and Safety Standards. Manufactured home includes homes constructed prior to June 15, 1976 that are often referred to as mobile homes. Manufactured home does not include factory-built homes that are built according to the Building Code or state equivalent. Manufactured home does not include recreational vehicles.

Bungalow Court. A grouping of single-family dwellings or duplexes constructed around a central shared courtyard that provides pedestrian access to all of the units. Bungalow courts are permitted as multiple-family residential uses regardless of the number of units and whether the units are attached or detached.



Caliper. The diameter of a tree trunk as measured in accordance with the American Standard for Nursery Stock.

Call Up. The review of a decision by a body with the authority to reverse the decision of City staff or another board or commission. The call up process is initiated by the body of higher authority.

Canopy. A roof structure, free of enclosing walls, that is freestanding or extends from a building for the purpose of providing shelter over an entryway or outdoor area.

Canopy, Gas Pump. A canopy that provides shelter over motor vehicle fuel pumps and dispenser islands.

Certificate of Occupancy. A certificate issued by the Routt County Regional Building Department upon completion of activities performed in compliance with a building permit or other permit issued by the Building Department. Certificate of Occupancy is synonymous with Certificate of Approval for the purpose of this CDC.

City. The City of Steamboat Springs, Colorado.

Common Plan of Development or Sale. A contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules, but remain related. For purposes of interpretation of this definition, “contiguous” means construction activities located in close proximity to each other (within 1/4 mile).

Common Wall. A wall or portion of a wall, located above grade with a minimum length of 12 feet, that separates two dwelling units, two condominium units, or a principal building and an attached garage.

Community Development Code. Chapter 26 of the Steamboat Springs Revised Municipal Code, as amended. Also referenced as the "CDC."

Community Plan. The Steamboat Springs Area Community Plan, and its elements, as adopted and amended.

Compatibility or Compatible. The characteristics of different uses or designs that allow them to be located near or adjacent to each other without adverse effect. Some elements affecting compatibility include height, scale, mass, and bulk of structures; building materials and architecture; pedestrian or vehicular traffic, circulation, and access; parking; landscaping; lighting; noise; and odor. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of development in maintaining the character and context of existing development.

Completely Enclosed Building. See “Building, Completely Enclosed” definition.

Construct. The erection, reconstruction, alteration, or repair an improvement on real property. Construction does not include ordinary maintenance.

Construction, New. Improvements for which the start of construction commenced on or after the effective date of this CDC.

Context. The physical relationships of a building to its surroundings in terms of size, form, and site development.

Critical Improvements. Public or private improvements identified during the development review process as critical because of their importance to public health, safety, and welfare. Critical improvements may include street and intersection improvements; traffic control; utilities; drainage improvements including stormwater quality features; sidewalks and trails; private access ways including drives, driveways, and parking areas; and perimeter landscaping necessary to serve the demands created by, or to mitigate the impacts from, a particular development or phase of development.



Deck. An unenclosed, outdoor platform. A deck is supported on the ground by posts, columns, or similar supporting structural members and may be attached to an adjoining building.

Deck, Raised. An unenclosed, outdoor platform that is elevated more than 30 inches above finished grade. A raised deck is supported on the ground by posts, columns, or similar supporting structural members and may be attached to an adjoining building.

Density. The number of dwelling units per acre within a specified quantity of land.

Development. A manmade change to real property, including but not limited to:

1. The construction, alteration, restoration, or expansion of any building, structure, or other improvement.
2. The demolition or destruction by voluntary action of any building, structure, or other improvement.
3. The mining, dredging, drilling, filling, excavation, grading, paving, or similar disturbance to the ground level.
4. Landscaping, planting, clearing, or removing of natural vegetation or revegetation including trees, shrubs, grass or plants.
5. Any other activity that requires a development permit.

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Development Permit. A permit or approval required for any development application type listed in Article 7.

Duplex. See “Building Types, Residential” definition.

Dwelling Unit. A building or portion of a building used or intended to be used as the residence of one family. An individual dwelling unit has independent access and living, sleeping, kitchen, and sanitary facilities for the exclusive use of the occupants of the dwelling unit. Dwelling unit does not include temporary or transient accommodations, such as rooms within hotels, tents, recreational vehicles, or similar structures.

E **Easement.** A legal interest in land, granted by the owner to the public or another person, that allows the grantee the use of all or a portion of the owner’s land, generally for a stated purpose, including but not limited to access or placement of utilities.

Eave. The projecting lower edges of a roof that overhang the wall of a building. For purpose of this definition, “wall of a building” shall mean a wall or other load bearing support, such as a post or beam, that supports a roof. The eave is any length of roof that projects beyond a wall or other load bearing support of a roof.

Encroachment. A building element, frontage element, structure, or improvement, such as a balcony, porch, stoop, deck, gallery, loading dock, bay window, canopy, awning, eave, window well, or fence, that extends across a setback, property line, or easement.

Existing Grade. See “Grade, Existing” definition.

Extraterritorial Subdivision Plat. A subdivision plat applying to property located outside the territorial boundaries of the City of Steamboat Springs, within three miles of said boundaries, and subject to a major street plan adopted and recorded in accordance with the provisions of C.R.S. 31-23-213.

F **Façade.** The exposed exterior wall surface of a building.

Façade, Front Building. As defined in accordance with [Section 801](#) Rules of Designation and Measurement.

Family. One of the following:

1. Six or fewer persons, excluding domestic workers and caretakers, living together in a dwelling unit; or
2. Any number of persons, excluding domestic workers and caretakers, living together who are related by blood, marriage, adoption, or guardianship and not more than one additional person; or
3. Two unrelated persons, excluding domestic workers and caretakers, living together with any children related to either of them by blood, marriage, adoption, or guardianship and not more than one additional person.

Fill. Deposit of materials of any kind on property by humans.

Final Stabilization. The condition reached when all land disturbing activities at the site have been completed; and for all areas of land disturbing activities, a uniform vegetative cover has been established with an individual plant density of at least 70 percent of pre-disturbance levels, or equivalent permanent, physical erosion reduction methods have been employed.

Finished Grade. See “Grade, Finished” definition.

Flex Space. A space within a building that is designed to accommodate either residential or nonresidential uses in order to meet market conditions over time.

Flood Prevention. The following definitions are specific to flood prevention:

Area of Shallow Flooding. As defined by the Federal Emergency Management Agency.

Base Flood. A flood having a one percent chance of being equaled or exceeded in any given year. Base flood is synonymous with the term "100-year flood."

Base Flood Elevation. The computed elevation to which floodwater is anticipated to rise during the base flood.

Construction, Start of. The date the building permit was issued, provided the actual commencement of construction was within 180 days of the permit date. The actual commencement means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; installation of streets or walkways; excavation for a basement, footings, piers, or foundations, or the erection of temporary forms; installation of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the principal building. For a substantial improvement, the actual commencement of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

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

At-Risk Population Facilities. Medical care, congregate care, and school facilities including:

1. Nursing care facilities.
2. Residential care facilities and day care facilities serving 12 or more people.
3. Elementary/secondary schools.
4. Before-school and after-school care facilities serving 12 or more children.

Essential Services Facilities. Facilities for public safety, emergency response, emergency medical, emergency shelters, communications, public utility plants, and transportation lifelines including:

1. Public safety facilities including police stations, fire and rescue stations, emergency vehicle and equipment storage, and emergency operation centers.
2. Emergency medical facilities including hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical structures. Essential service facilities excludes clinics, doctors' offices, and non-urgent care medical facilities.
3. Designated emergency shelters.
4. Communication facilities including main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems. Essential service facilities excludes towers, poles, lines, cables, and conduits.
5. Public utility plant facilities for generation and distribution including hubs,

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1	Purpose & Administration	treatment plants, substations, and pumping stations for water, power and gas. Essential service facilities excludes towers, poles, power lines, buried pipelines, transmission lines, distribution lines, and service lines.
2	Zone Districts	6. Air transportation lifelines including airports (municipal and larger), helicopter pads and structures serving emergency functions, and associated infrastructure (aviation control towers, air traffic control centers), and emergency equipment aircraft hangars.
3	Use Definitions & Standards	Hazardous Materials Facilities. Facilities that produce or store highly volatile, flammable, explosive, toxic, or water-reactive materials. Hazardous materials facilities may include chemical and pharmaceutical plants, laboratories, refineries, hazardous waste storage and disposal sites, and above-ground gasoline or propane storage or sales centers. Facilities shall be considered critical facilities if they produce or store materials in excess of threshold limits. If the owner of a facility is required by the Occupational Safety and Health Administration (OSHA) to keep a material safety data sheet (MSDS) on file for any chemicals stored or used in the work place, and the chemicals are stored in quantities equal to or greater than the threshold planning quantity (TPQ) for that chemical, then that facility shall be considered to be a critical facility. The TPQ for these chemicals shall be 500 pounds or the TPQ listed, whichever is lower, for the 356 chemicals listed under 40 C.F.R. § 302 (2010), also known as extremely hazardous substances (EHS); and 10,000 pounds for any other chemical. These thresholds are consistent with the requirements for reportable chemicals established by the Colorado Department of Health and Environment. OSHA requirements for MSDS can be found in 29 C.F.R. § 1910 (2010). The Environmental Protection Agency regulation "Designation, Reportable Quantities, and Notification," 40 C.F.R. § 302 (2010) and OSHA regulation "Occupational Safety and Health Standards," 29 C.F.R. § 1910 (2010) are incorporated herein by reference and include the regulations in existence at the time of the promulgation the ordinance codified herein, but exclude later amendments to or editions of the regulations. Hazardous Materials Facilities does not include the following, unless the facility meets the definition of another type of critical facility:
4	Development & Design Standards	1. Retail centers and households containing finished consumer products and agricultural products, containing hazardous materials, intended for household and agricultural use.
5	Signs	2. Buildings and other structures containing hazardous materials for which it can be demonstrated by hazard assessment and certification by a qualified professional to the satisfaction of the local authority having jurisdiction that a release of the subject hazardous material does not pose a major threat to the public.
6	Subdivision Standards	3. Pharmaceutical sales, use, storage, and distribution centers that do not manufacture pharmaceutical products.
7	Development Process	Vital Facilities. Facilities vital to restoring normal services including: 1. Essential government operations including public records, courts, jails, building permitting and inspection services, community administration and management, and maintenance and equipment centers. 2. Essential structures for public colleges and universities including dormitories, offices, and classrooms only.
8	Rules & Definitions	Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid accumulation or runoff of surface waters from any source.

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Flood Insurance Rate Map (FIRM). The official map on which the Federal Emergency Management Agency has delineated the special flood hazard areas, the base flood elevations, and the risk premium zones applicable to the community.

Flood Insurance Study. The official report provided by the Federal Emergency Management Agency that includes flood profiles, the flood boundary-floodway map, and the base flood elevations.

Floodplain. Any land area susceptible to being inundated by floodwaters from any source.

Lowest Floor. The lowest floor of the lowest enclosed area including a basement. An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access, or storage, in an area other than a basement, is not considered a building's lowest floor.

Manufactured Structure. Recreational vehicles, construction trailers, and similar manufactured structures located on a site for 180 or more consecutive days.

Regulatory Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Special Flood Hazard Areas (SFHA). The land area covered by the floodwaters of the base flood.

Substantial Damage. Damage of any origin sustained by a structure after which the cost of restoring the structure to its previous condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. Substantial improvement includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not include:

1. A project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and that are the minimum necessary to assure safe living conditions.
2. Alteration of an Historic Resource, provided that the alteration will not preclude the structure's continued designation as an Historic Resource.

Zone. A geographical area shown on a Flood Insurance Rate Map that reflects the severity of flooding in the area. Zones are as defined by the Federal Emergency Management Agency.

Floor Area, Gross. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Floor Area, Net. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Floor Area Ratio (FAR). As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Fourplex. See "Building Types, Residential" definition.

Front Building Façade. As defined in accordance with [Section 801](#) Rules of Designation and Measurement.

Frontage. Frontage is synonymous with the term "Front Lot Line." See [Section 801](#) Rules of Designation and Measurement.

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Frontage Height. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Frontage Landscaping Area. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Frontage Landscaping Depth. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Frontage Type. The manner in which a structure is oriented toward its frontage, as described and regulated in the Traditional Neighborhood Development zone district, including common yard, porch, forecourt, stoop, shopfront, gallery, and loading dock.



Gallery. A roofed promenade extending along the facade of a building and supported by columns on the outer side.

Garage. An accessory building used or intended for the shelter of motor vehicles or household equipment incidental to residential use and in which there are no facilities for repairing or servicing of such vehicles for remuneration or commercial purposes.

Garage, Attached. A garage attached to a dwelling unit by a common wall.

Grade, Existing. The elevation of the ground surface prior to or at the time of application for development or redevelopment.

Grade, Finished. The elevation of the ground surface after completion of development or redevelopment.

Grade and Fill Permit. A permit issued by the Routt County Regional Building Department for grade and fill activities.

Gross Floor Area. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Gross Lot Area. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Ground Floor Finish Level. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Ground Story Height. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.



Hardscape. The built environment, including sidewalks, streets, patios, structures, walls, and fountains. In general, soils are covered with durable materials in a hardscaped area.

Hazardous Material. Any material, alone or mixed with other materials, that is discarded because its quantity, concentration, or physical or chemical characteristics may cause or contribute to a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Height, Average Plate. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Height, Building. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Height, Frontage. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Height, Ground Story. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Height, Plate. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Historic Preservation. The following definitions are specific to historic preservation:

Affected Property. A governmental, commercial, institutional, or residential building or other public or private structure, object, site, or district covered by the historic preservation sections of this CDC.

Alteration of Historic Property. Any exterior change, addition, or modification to an affected property or the site upon which such property is located, including but not limited to:

1. Exterior changes including additions to, or modifications of, a structure's architectural features or visual characteristics.
2. Disturbance of archaeological sites or areas.
3. The placement or removal of any exterior objects including signs, plaques, light fixtures, street furniture, walls, fences, and steps that alter the exterior visual qualities of the affected property.

Architectural Feature. The architectural elements embodying style, design, general arrangements, and components of the exterior of any building or structure, including but not limited to the kind of building material and the style and type of windows, doors, lights, signs, and other fixtures.

Contributing Property. A lot containing a building, structure, site, feature, object, or sign within a Historic District that:

1. Embodies significant physical characteristics and features, or adds to the historic associations, historic architectural qualities, or archaeological values identified for the Historic District; and
2. Was present during the period of significance, relates to the documented significance of the district, and either possesses historic integrity or is capable of yielding important information about the period.

Cultural Resource Survey. The survey of buildings and structures within the City boundaries, updated from time to time by a qualified, third-party, independent contractor or the City's historic preservation staff.

Demolition of Affected Property. An act or process that meets one or more of the following:

1. Removal of 50 percent or more of the roof area of a building as measured in plan view; or
2. Removal of 50 percent or more of the exterior walls of a building as measured contiguously around the building; or
3. Removal of an exterior wall facing a public street, excluding an alley; or
4. Demolition by neglect.

Retained (Not Removed) Exterior Wall. An exterior wall is retained, and not considered removed for purposes of interpreting demolition of an affected property, if:

1. At least 75 percent of the studs or other structural elements, the exterior wall finish, and the fully framed and sheathed roof above that portion of the building to which the wall is attached is retained; and
2. The wall is not covered or otherwise concealed by another wall; and
3. Each part of the wall is connected contiguously and without interruption to every other part of the retained wall.

Demolition by Neglect. The total or partial destruction of or damage to a structure or any portion thereof, due to the failure of the structure's owner or lessee to adequately maintain or repair the structure, excepting acts of God, force majeure, and natural or manmade disasters.

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Eligible Resource. A public or private resource in the City, including any building, structure, object, or site that is 50 years of age or older, or a sign that is 25 years or older, identified and deemed eligible by the City's historic preservation staff for listing on the Steamboat Springs Register of Historic Places.

Building. A construction that was intended for the purpose of creating shelter for any form of activity. A building shall include all parts of the whole.

Object. A construction, other than a building or structure, that may exist independent of associated buildings and structures and that may be primarily artistic in nature or relatively small in scale and simply constructed. An object may be movable but is associated with a specific setting or environment and is in a location appropriate to its significant historic use, role, or character. Objects shall not include items that were not designed for a specific location, such as transportable sculpture, furniture, or decorative art that does not possess an ongoing association with a specific place.

Sign. An object, devise, or part thereof, located outdoors or indoors, that is visible from a street, alley, right-of-way, pedestrian circulation area, or public gathering area and that contains copy used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, purpose, product, activity, or location. Sign does not include art or property address.

Site. A place, parcel of land, or natural landmark that is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure. A site does not need to be marked by physical remains if no buildings, structures, or objects marked it at the time of the prehistoric or historic event or pattern of events and if sufficient documentation exists that can substantiate the site.

Structure. A construction that was intended for purposes other than creating shelter for human activity and that has not lost its historic configuration or pattern of organization through deterioration or demolition. A structure shall include all extant parts of the whole.

Historic District. An area of two or more contiguous Eligible Resources that possesses "a significant concentration, linkage, or continuity of sites, buildings, structures, signs, or objects united historically or aesthetically by plan or physical development," as defined by the criteria for inclusion as a Historic District in the National Register of Historic Places, and is designated by City Council and listed on the Steamboat Springs Register of Historic Places as a Historic District.

Historic Exterior. The character and general composition of the outside of an affected property, including but not limited to the kind of building material and the type, design, and character of all windows, doors, light fixtures, signs, and appurtenant elements.

Historic Preservation Design Guidelines. The Steamboat Springs Historic Preservation Guidelines, as adopted and amended.

Historic Resource. A public or private resource in the City, including any building, structure, object, site, or sign, that has importance in the history, architecture, archeology, or culture of the City, state or nation and is listed on the Steamboat Springs Register of Historic Places as a Historic Resource.

Local Landmark. A public or private resource in the City, including any building, structure, object, site, or sign, that has outstanding importance in the history, architecture, archaeology, or culture of the City, state or nation and is listed on the Steamboat Springs Register of Historic Places as a Local Landmark.

Secretary of the Interior Standards. The Secretary of the Interior's Standards for the Treatment of Historic Properties: with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstruction Historic Buildings.

Steamboat Springs Register of Historic Places. The official register, containing Historic Resources, Local Landmarks, and Historic Districts, approved by the Historic Preservation Commission with the written and recorded consent of the owners. The Steamboat Springs Register of Historic Places is synonymous with the term "Local Register."

Holiday Decorations. Materials temporarily displayed in celebration of civic, patriotic, or religious holidays or traditions.

I Improvement. A building, structure, work of art, or other object constituting a physical betterment of real property, or any part of such betterment including streets, alleys, sidewalks, curbs, utilities, lighting fixtures, signs, and the like.

Improvement, Public. An improvement owned or maintained by the City or those located on City-owned property.

Intensity. A measure of land use that takes into account, but is not limited to, factors such as floor area ratio, traffic generation, scale, noise generation, and customer generation.

J *There are no defined terms beginning with J.*

K Kitchen. A room or area used, intended to be used, or designed to be used for preparation and cooking of food. A kitchen contains or is designed to accommodate all of the following elements:

1. Areas for food preparation; and
2. Refrigerator; and
3. Cooking device, which may include a hot plate, range top, oven, or microwave; and
4. Sink with running hot and cold water.

L Land Disturbing Activity. Any activity that results in a change in the existing land (both vegetative and non-vegetative). Land disturbing activities include but are not limited to clearing, grading, excavation, demolition, creation, or addition of impervious area, removal and replacement of buildings and structures resulting in alteration of ground surface, replacement of impervious area that is not part of a routine maintenance activity, installation of new or improved haul roads and access roads, staging areas, stockpiling of fill materials, and borrow areas. Compaction that is associated with stabilization of structures and road construction is also considered a land disturbing activity.

Landscape Buffer. An area set aside for the purpose of landscaping to improve the quality of development or to mitigate impacts caused by a use.

Landscaping Area, Frontage. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Landscaping Area, Parking Lot Setback. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Landscaping Depth, Frontage. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Legal Nonconforming Lot. A lot that was legally established but that is not now in compliance with the standards of this CDC.

Legal Nonconforming Structure. A building, structure, or other site improvement that was legally constructed and conformed to the applicable standards when constructed but that does not now conform to the standards of this CDC.

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Legal Nonconforming Use. A use or activity that was legally established and conformed to the applicable standards when established but that does not now conform with the standards of this CDC.

Lighting. The following definitions are specific to lighting:

Exterior Lighting. The nighttime illumination of an outside area or object by any manmade device located outdoors.

Footcandle. The unit of measure expressing the quantity of light received on a surface. One footcandle is equal to the illuminance produced by one candle on a one-square foot surface from a distance of one foot.

Glare. Intense light that causes visual discomfort or reduced visibility.

Light Fixture. The assembly that houses the lamp or lamps, including all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens.

Light Fixture, Exterior. A light fixture permanently installed outdoors, including but not limited to devices used to illuminate any site, building exterior, architectural structure, or sign.

Light Fixture, Shielded. A light fixture with cutoff optics that allow no direct light emissions above a vertical cutoff angle of 90 degrees from the lowest light emitting part.

Light Trespass. The shining of light produced by a luminaire beyond the boundaries of the property on which the luminaire is located.

Lumen. A unit of measure expressing the quantity of light emitted by a light fixture.

Luminaire. A complete lighting unit, including a lamp or lamps, a light fixture, and related posts or poles or other mounting devices.

Luminous Area. The area illuminated by a luminaire, as shown on the lighting plan and measured in square feet.

Long-Term Rental. The use of a dwelling unit by a tenant for 30 days or more.

Lot. A parcel of land with boundaries that have been established by legal instrument, such as a recorded deed or plat, and that is recognized as a separate legal entity for purposes of transfer of title. For the purpose of density, dimensional standards, subdivision standards, and other development standards, lot does not include a townhome lot or a condominium unit.

Lot Area, Gross. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Lot Area, Useable. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Lot Coverage. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Lot Depth. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Lot Line. As defined and designated in accordance with [Section 801](#) Rules of Designation and Measurement.

Lot Width. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.



Mansion Apartment. See “Building Types, Residential” definition.

Manufactured Home. See “Building Types, Residential” definition.

Mass or Scale. The appearance of a building in terms of size, height, bulk, and building mass and its proportion to surrounding landforms, vegetation, and buildings.

Maximum Extent Feasible. All reasonable efforts to comply with the regulation and minimize potential harm or adverse impacts have been undertaken, and no feasible and prudent alternative exists. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

Maximum Extent Practical. All reasonable efforts to comply with the regulation and minimize potential harm or adverse impacts have been undertaken, and under the circumstances, the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project.

Mixed Use. The integration of two or more principal land uses, such as residential, commercial, industrial, or institutional, within the same building, development, or neighborhood.

Mixed Use, Horizontal. The complementary arrangement of single-use buildings containing different principal land uses within a defined development or neighborhood with strong pedestrian orientation and connections.

Mixed Use, Vertical. The combination of different principal land uses in the same building.

Multi-Mode Facility. Infrastructure designed to accommodate one or more modes of travel as an element of a multi-mode transportation network. Modes include but are not limited to automobiles, pedestrians, bicycles, and transit. Typical multi-mode facilities include streets, sidewalks, trails, bike facilities (shoulders, bike lanes, etc.), and transit facilities (bus stops, bus pullouts, bus shelters, etc.).

Multiple-Family Building. See "Building Types, Residential" definition.

N

Natural Features. Physical characteristics of a property that are not man-made, including soils, wetlands, floodplain, water bodies, topography, vegetative cover, and geological formations.

Net Floor Area. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Nonconforming Lot. See "Legal Nonconforming Lot" definition.

Nonconforming Structure. See "Legal Nonconforming Structure" definition.

Nonconforming Use. See "Legal Nonconforming Use" definition.

Nonresidential Zone District. See "Zone District, Nonresidential" definition.

O

Offset Side Yard Development. A development in which all or a majority of required side yard area is provided on one side of each home or structure (instead of being divided evenly on both sides of a home) in order to provide for more usable living and outdoor spaces.

Ordinary High Water Mark. The line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.

Orientation. The relationship of a structure to the streetscape, parking lots, sidewalks, surrounding structures, and landforms.

P

Parking Lot. An improved area of land designed and intended for parking of vehicles as a principal or accessory use. Parking lot does not include a driveway for a single-family dwelling or duplex regardless of whether the driveway provides the minimum required parking spaces for the single-family dwelling or duplex.

Parking Lot Setback Landscaping Area. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

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Paseo. A pedestrian alley.

Patio. An unenclosed, outdoor hardscaped area placed fully on grade and not intended for vehicular use or organized sports activities.

Pedestrian-Active Building Frontage. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Pedestrian Level. As in accordance with [Section 801](#) Rules of Designation and Measurement.

Phasing. The timing and order in which areas of land are subdivided or developed.

Planning Department. The Steamboat Springs Department of Planning and Community Development.

Planning Director. The director of the Steamboat Springs Department of Planning and Community Development or the designee thereof.

Plat, Final. The map, maps, or scaled drawings prepared by a professional land surveyor in conformance with all applicable laws of the state and the requirements of this CDC.

Plat, Preliminary. The map or maps of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the requirements of this CDC, to permit the evaluation of the proposal prior to detailed engineering design.

Platted Building Envelope. A Platted Building Envelope is a specific area of land within a lot that is delineated on a subdivision plat.

Porch. A covered, unenclosed structure that projects from the exterior wall of a building and has no floor space above and that is intended to provide shelter to the entry of the building and supplemental outdoor living area.

Premises. A building, structure, place, or lot or any number of contiguous lots in the control of any person or in the joint or common control of more than one person and used in connection with any business on the property.

Primary Residence. A dwelling unit that is the place in which a person's habitation is fixed for the term of a temporary short-term rental license and is the person's usual place of return. A person can have only one primary residence.

Principal Building. See "Building, Principal" definition.

Principal Use. See "Use, Principal" definition.

Private Street. See "Street, Private" definition.

Public Improvements. The following definitions are specific to public improvements:

Connection. Access to or a physical connection to public improvements.

Developer, Initial. A person constructing or contracting for construction of an extension of public improvements to provide service to a particular development.

Developer, Subsequent. A person seeking to connect to the City's public improvements after construction of said public improvements by an initial developer.

Public Improvements. The following public utilities and other improvements:

1. Sewer collection facilities, including all public main lines and appurtenances, designed and constructed by the initial developer and approved by the City.
2. Storm drainage facilities, including public main lines, drainage ditches and channels, detention ponds, stormwater quality ponds, and appurtenances, designed and constructed by the initial developer and accepted by the City.

3. Street improvements, including grading, roadway, curb and gutter improvements, structural fill, road base, and finish surface such as asphalt, concrete, or other all-weather surface, structures, traffic control devices, sidewalks, and street lighting, designed and constructed by the initial developer and approved by the City.
4. Water distribution facilities, including all public main lines and appurtenances, designed and constructed by the initial developer and approved by the City.

Public Street. See “Street, Public” definition.

Public Vantage Points. The locations from which skylined lands were designated and from which skylined ridges are viewed by a large number of viewers. Public vantage points include the following roads or locations within the City: Highway 40, Elk River Road (County Road 129), Fish Creek Falls Road, Pine Grove Road, Mt. Werner Ski Area Base transportation facility, and the main Gondola building.



Qualified Resident. An individual that meets the following criteria:

1. Has a maximum household income of 120 percent of the average median income for Routt County; or
2. Is employed or self-employed within Routt County in work for which compensation is intended to be given for no less than 40 hours per week or no less than 1,800 hours per year, whichever is less; or
3. Has ceased active employment but was employed or self-employed within Routt County in work for which compensation is intended to be given for no less than 40 hours per week or no less than 1,800 hours per year, whichever is less, for five of the six years prior to ceasing active employment.



Readily Visible. Appearing as a prominent feature of the landscape when viewed with the naked eye.

Recreational Vehicle. Portable living quarters that can be towed, hauled, or driven and that is designed for recreational, camping, or travel use. Recreational vehicle includes but is not limited to travel trailers, truck campers, camping trailers, and self-propelled motor homes. Recreational vehicle does not include manufactured homes.

Recyclable Material. Any type of discarded material offered for collection, separate from garbage or waste material, that is intended for reuse, remanufacture, or reconstitution for the purpose of using the altered form. Recyclable material does not include hazardous material.

Regulating Plan. A plan or map of the regulated area designating the locations where different transect zones are located and which building form, building type, and open space standards apply that define the physical character of the area being coded.

Regulatory Floodway. See “Flood Prevention” definition.

Residential Zone District. See “Zone District, Residential” definition.

Retaining Wall. A structure utilized to retain or support earth or another structure.

Right-of-Way. A tract or strip of land owned by or dedicated to the City, County, or State and intended for or used by the public for circulation, service, or other public uses.

Roughly Proportional. Related both in nature and extent to the impact of the proposed use or development.

Rowhouse. See “Building Types, Residential” definition.

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Satellite Dish. A shallow dish, cone, horn, or cornucopia shaped device incorporating a reflective surface, that is solid, open mesh, or bar configured, and used to transmit or receive electromagnetic signals. Satellite dishes include but are not limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas.

Second Story Intensity. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Setback. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Setback, Clear Vision. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Setback, Waterbody. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.

Sign. As defined in accordance with [Section 505](#).

Single-Family Dwelling. See “Building Types, Residential” definition.

Single Use Building. See “Building, Single Use” definition.

Site Plan. A scaled drawing or drawings that graphically represents how a site is to be developed.

Skyline. The point or line that occurs where the top of a ridge meets the sky as viewed from a public vantage point. Typically a ridge crest, peak, or top of a hillside or knoll. A skylined structure would protrude above this point or line, thus having a backdrop of the sky.

Skylined Lands. Property or portions of property within the Skyline Overlay Zone on the City of Steamboat Springs Official Zoning Map.

Special Circumstance. One or more characteristics related to a lot that are not common to other properties in the same zone district. While not common, special circumstances do not need to be unique to the subject property.

Special Flood Hazard Areas (SFHA). See “Flood Prevention” definition.

Story. As defined in accordance with [Section 801](#) Rules of Designation and Measurement.

Stream. A watercourse having a source and a terminus, banks, and channel through which waters flow at least periodically, and from which water usually empties into other streams, rivers, ponds, or lakes.

Street. A public or private thoroughfare for the movement of vehicular traffic. Street is synonymous with the terms highway, roadway, road, boulevard, avenue, way, circle, court, and similar terms used to name streets. Street does not include alleys.

Street, Private. A street that is not owned or maintained by the City regardless of whether or not it is located within a public right-of-way. Private street does not imply that public access is prohibited.

Street, Public. A street that is owned and maintained by the City.

Structure. Anything constructed or erected, except for paved surfaces such as driveways and streets, the use of which requires location on the ground or attachment to something having location on the ground. Structure includes buildings, decks, fences, towers, flag poles, signs, and similar objects.

Structure, Accessory. A subordinate structure located on the same lot as the principal building or use and that is customarily incidental to the principal building or use.

Structure, Temporary. A structure that is built or erected of such materials and in such a manner that it would commonly be expected to have a relatively short life, or is built or erected for a purpose that would commonly be expected to be relatively short, or any structure intended for nonpermanent use or occupancy.

Subdivision. A division of land by plat, deed, or other means, or an adjustment or elimination of lot lines.

Surrounding Property Owner. A person or entity entitled by the CDC to receive mailed notice of a development application.



Temporary Structure. See “Structure, Temporary” definition.

Temporary Use. See “Use, Temporary” definition.

Transect. A continuous range of environments from rural to urban used as the basis for the organization of development character and intensity within the Traditional Neighborhood Development zone district.

Transect Zone. A division of the Traditional Neighborhood Development zone district that regulates allowable uses, buildable areas, required frontage conditions, and allowable building types. Transect zones are administratively similar to conventional zone districts.

Transit Facility. Stops, shelters, and pull-off or turn-around areas supporting a public transportation system.

Triplex. See “Building Types, Residential” definition.



Underground. As defined and measured in accordance with [Section 801.P “Basement”](#) Rules of Designation and Measurement.

Use. The purpose for which land, or structures thereon, is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased.

Use, Accessory. A use or activity that is a subordinate part of a principal use on the same lot and that is incidental to and customarily found in connection with the principal use.

Use, Principal. The main or primary purpose or purposes for which any lot and structures thereon are used or intended to be used.

Use, Temporary. A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Useable Lot Area. As defined and measured in accordance with [Section 801](#) Rules of Designation and Measurement.



Visual Impact. A development's effect on surrounding uses in terms of mass and scale, orientation to the street, landscaping, off-street parking design, drainage and site plan.



Waterbody. Watercourses, ponds, lakes, and similar bodies of water.

Watercourse. Tributary streams, intermittent streams, drainage ways draining more than 20 acres, and the following rivers and creeks: Yampa River, Walton Creek, Spring Creek, Burgess Creek, Fish Creek, Butcherknife Creek and Soda Creek.

Wetlands. Areas designated by the Army Corps of Engineers as those that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

Work/Live Building. See “Building Types, Mixed Use and Nonresidential” definition.

Work/Live Unit. A building or portion of a building that integrates a commercial or industrial space with an accessory dwelling unit for occupancy by the owner or an employee of the commercial or industrial use.



There are no defined terms beginning with X.

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Yard. As defined and designated in accordance with [Section 801](#) Rules of Designation and Measurement.



Zone. See “Flood Prevention” definition.

Zone District. A zoning designation as established by the CDC for the purpose of regulating the use and development of land.

Zone District, Nonresidential. The following zone districts and TND transect zone designations that are primarily intended for mixed use or nonresidential uses: OR, G-1, G-2, CO, CY-1, CY-2, CK-1, CK-2, CN, CC, CS, I, T4-NC, T5-VC, T5-TC, and SD.

Zone District, Residential. The following zone districts and TND transect zone designations that are primarily intended for residential uses: RE-1, RE-2, RN-1, RN-2, RN-3, RN-4, RO, RR-1, RR-2, MH, MF-1, MF-2, MF-3, T2-NE, T3-NG1, T3-NG2, and T4-NX.

§ 802 [Ord. No. 2650, 5-15-18] [Ord. No. 2705, 6-17-19] [Ord. No. 2714, 8-27-19] [Ord. No. 2731, 12-23-19] [Ord. No. 2733, 12-23-19] [Ord. No. 2814, 7-20-20] [Ord. No. 2776, 11-17-20] [Ord. No. 2800, 3-16-21] [Ord. No. 2888, 12-13-22] [Ord. No. 2932, 10-17-23] [Ord. No. 2946, 3-6-24] [Ord. No. 2947 2-27-24] [Ord. No. 2969 7-2-24] [Ord. No. 2984, 11-12-24]

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APPENDICES Appendix A Recommended Plant Materials Appendix B Building and Roof Colors Appendix C Building and Roof Materials

APPENDIX A RECOMMENDED PLANT MATERIALS

Table A-1 provides a palette of plant materials suitable for certain locations, site characteristics, and uses. This is not intended to be an exhaustive list. Alternative plant materials may be approved, provided they are consistent with the landscape character desired and all other applicable standards. Alternative plant materials shall be evaluated through the development review process and shall not require a variance.

In areas where there are annual cycles of flooding or minimal flows, plantings should be selected from the riparian plant palette. Establishing an interface between wet and dry landscape systems within a riparian habitat, where wet riparian and dry riparian plant palettes crossover, is encouraged.

Table A-1. Recommended Plant Materials

Plant Material	Riparian Habitat	River Valley / Lowland	EC Slopes	Non EC Slopes / Uplands	Utility Easements	Screening
Trees						
Ginnala Maple	<i>Acer ginnala</i>		P			P
Thinleaf Alder	<i>Alnus tenuifolia</i>		P			P
Native River Birch	<i>Betula occidentalis</i>	P				
Engelman Spruce	<i>Picea engelmannii</i>	P		P		
Lanceleaf Cottonwood	<i>Populus x acuminata</i>		P			
Narrowleaf Cottonwood	<i>Populus angustifolia</i>	P	P			
Quaking Aspen	<i>Populus tremuloides</i>	P	P	P		
Native Chokecherry	<i>Prunus virginiana melanocarpa</i>	P	P			P
Shubert Chokecherry	<i>Prunus virginiana 'Shubert'</i>		P			
Douglas Fir	<i>Pseudotsugo menziesii var. glauca</i>			P		
Gambel Oak	<i>Quercus gambelii</i>		P			
Lodgepole Pine	<i>Pinus contorta</i>			P		
Blue Spruce	<i>Picea pungens var. glauca</i>			P		
Shrubs						
Serviceberry, Saskatoon	<i>Amelanchier alnifolia</i>		P			P
Serviceberry, Allegheny	<i>Amelanchier laevis</i>		P			P
Serviceberry, Lamarck	<i>Amelanchier lamarckii</i>		P			P
Black Chokeberry	<i>Aronia melanocarpa elata</i>		P			
Bog Birch	<i>Betula nana</i>	P				P
Fernbush	<i>Chamaebatiaria millefolium</i>				P	P
Rabbitbrush	<i>Chrysothamnus nauseosus albicaulis</i>				P	
Colorado Dogwood	<i>Cornus stolonifera coloradense</i>		P			
Yellowtwig Dogwood	<i>Cornus stolonifera 'Flaviramea'</i>		P			
Redosier Dogwood	<i>Cornus sericea</i>	P	P			
Waxflower	<i>Jamesia Americana</i>		P			
Twinberry Honeysuckle	<i>Lonicera involucrata</i>	P	P			
Arnold's Red Honeysuckle	<i>Lonicera tatarica 'Arnold's Red'</i>		P			
Mountain Ninebark	<i>Physocarpus monogynus</i>			P	P	
Potentilla	<i>Potentilla fruticosa</i>				P	P
Western Sand Cherry	<i>Prunus besseyi</i>		P			
Native Chokecherry	<i>Prunus virginiana melanocarpa</i>		P			

Appendix A

Table A-1. Recommended Plant Materials (continued)

		Riparian Habitat	River Valley / Lowland	EC Slopes	Non EC Slopes / Uplands	Utility Easements	Screening
Plant Material							
Shrubs (continued)							
Antelope Bitterbrush	Purshia tridentata			P	P		
Alpine Currant	Ribes alpinum				P	P	P
Golden Currant	Ribes aureum				P	P	P
Squaw Currant	Ribes cereum				P	P	P
Pixwell Gooseberry	Ribes hirtellum ‘Pixwell’				P	P	P
Prickly Currant	Ribes lacustre	P	P				P
Red Lake Currant	Ribes silvestre ‘Red Lake’				P	P	P
Wood’s Rose	Rosa woodsii	P	P				
Boulder Raspberry	Rubus deliciosus			P	P		
Rocky Mountain Willow	Salix monticola	P	P				
Bebb’s Willow	Salix bebbiana	P	P				
Booth’s Willow	Salix boothii	P	P				
Drummond’s Willow	Salix drummondiana	P	P				
Western Blue Stem Willow	Salix irrorata		P				
Silver Creeping Willow	Salix arenaria		P				
Dwarf Arctic Willow	Salix purpurea nana		P				
Golden Elder	Sambucus canadensis ‘Aurea’		P				
Native Red Berried Elder	Sambucus pubens			P	P		
Buffaloberry	Sheperdia argentea		P				
Mountain Snowberry	Symphoricarpos oreophilus	P	P		P		
Cheyenne Privet	Ligustrum vulgare						P
New Mexico Privet	Forestiera neomexicana						P
Perennials and Grasses							
Creeping Meadow Foxtail	Alopecurus arundinaceus			P			
Mountain Basket of Gold	Alyssum montanum ‘Mountain Gold’					P	
Alpine Columbine	Aquilegia alpina				P	P	
Yellow Columbine	Aquilegia chrysantha				P	P	
Alpine Aster	Aster alpinus ‘Goliath’			P	P		
Redleaf Bergenia	Bergenia cordifolia ‘Winterglut’					P	
Blue Grama	Bouteloua gracilis			P			
Bellflower	Campanula persicifolia					P	
Water Sedge	Carex aquatilis	P	P				
Black Sedge	Carex atrata	P	P				
Pale Sedge	Carex canescens	P	P				
Elk Sedge	Carex geyerii			P			
Wooly Sedge	Carex lanuginosa	P	P				
Nebraska Sedge	Carex nebrascensis	P	P				
Mountain Sedge	Carex scopulorum	P	P				
Analogue Sedge	Carex simulata	P	P				
Fireweed	Chamerion angustifolium				P	P	

Table A-1. Recommended Plant Materials (continued)

Plant Material		Riparian Habitat	River Valley / Lowland	EC Slopes	Non EC Slopes / Uplands	Utility Easements	Screening
Perennials and Grasses (continued)							
Western Larkspur	<i>Delphinium occidentale</i>	P	P				
Tufted Hairgrass	<i>Deschampsia caespitosa</i>			P			
Common Spikerush	<i>Eleocharis palustris</i>	P	P				
Cut-Leaf Daisy	<i>Erigeron compositus</i>				P	P	
Showy Fleabane	<i>Erigeron speciosus</i>	P	P				
Englemann's Aster	<i>Eucephalus engelmannii</i>			P	P		
Thurbers Fescue	<i>Festuca thurberii</i>			P			
Wild Strawberry	<i>Fragaria Americana</i>			P	P		
Creeping Baby's Breath	<i>Gypsophila repens</i>				P	P	
Coral Bells	<i>Heuchera sanguinea</i>					P	
Orange Sneezeweed	<i>Hymenoxys hoopesii</i>	P	P				
Evergreen Candytuft	<i>Iberis sempervirens</i>				P	P	
Rocky Mountain Iris	<i>Iris missouriensis</i>	P	P				
Baltic Rush	<i>Juncus articus</i>	P	P				
Colorado Rush	<i>Juncus confusus</i>	P	P				
Parry's Rush	<i>Juncus parryi</i>	P	P				
Shasta Daisy	<i>Leucanthemum x superbum</i>					P	
Basin Wildrye	<i>Leymus cinereus</i>			P			
Silky Lupine	<i>Lupinus sericeus</i>				P	P	
Mountain Bluebells	<i>Mertensia ciliata</i>				P	P	
New Mexico Evening Primrose	<i>Oenothera speciosa 'Rosea'</i>			P			
Lambert's Locoweed	<i>Oxytropis lambertii</i>					P	
Western Wheatgrass	<i>Pascopyrum smithii</i>		P				
Husker Red Penstemon	<i>Penstemon digitalis 'Husker Red'</i>				P	P	
Smooth Penstemon	<i>Penstemon glaber car. alpinus</i>				P	P	
Rocky Mountain Penstemon	<i>Penstemon strictus</i>				P	P	
Alpine Timothy	<i>Phleum alpinum</i>	P	P				
Fowl Bluegrass	<i>Poa palustris</i>			P			
Mixed Pasqueflower	<i>Pulsatilla vulgaris 'Papageno'</i>					P	
Black-Eyed Susan	<i>Rudbeckia fulgida 'Goldsturn'</i>				P	P	
Little Bluestem	<i>Schizachyrium scoparium</i>			P			
Hens & Chicks	<i>Sempervivum spp.</i>					P	
Prairie Mallow	<i>Sidalcea 'Partygirl'</i>				P	P	
Goldenrod	<i>Solidago 'Golden Baby'</i>					P	
Painted Daisy	<i>Tanacetum x coccineum</i>					P	
Mountain Goldenbanner	<i>Thermopsis Montana</i>	P	P				
Aarowgrass	<i>Triglochin maritimum</i>	P	P				
Legend							
P=Permitted							

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APPENDIX B BUILDING AND ROOF COLORS

Appendix B provides a palette of building and roof colors for certain applications as required by the community design standards of this CDC. Alternatives that are consistent with the intent of the standards and zone district are encouraged.

1. **Primary Colors – Walls and Roofs**
Earth tones shall be the predominant building and roof colors. The range of primary building colors considered acceptable for any wall or roof surface shall include but is not limited to the following colors. Natural clay brick and stone masonry shall not be painted.
 - a. Dark reds and maroons.
 - b. Dark and sage greens.
 - c. Browns, sepias, and tans or variations of the above colors that result from natural weathering or oxidation process (rusts, grays, etc.).
2. **Accent Colors – Walls and Details Only**
Accent building colors shall only be used on wall surfaces and shall not be used on roofs. The range of accent building colors considered acceptable shall include the following colors. Bright or highly reflective variations of these colors may be considered on limited details but shall be prohibited on any large building element.
 - a. Gray blues.
 - b. Ochres and yellow browns.
 - c. Light tans and off-white.
 - d. Grays and dark grays.
 - e. Black.
3. **Metal Finishes**
The use of metals shall be limited to coatings within the primary and accent color ranges or natural finishes which derive their character from weathering and oxidation. Bright and highly reflective metal finishes may be considered on limited details, but they are prohibited on large building elements.

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APPENDIX C BUILDING AND ROOF MATERIALS

Table C-1 provides a palette of building and roof materials for certain applications as required by the community design standards of this CDC. Alternatives that are consistent with the intent of the standards and zone district are encouraged.

Table C-1. Permitted Exterior Building and Roof Materials

Material ¹	Walls-Ground Story	Walls-2nd to 4th Story	Walls-4th Story and Above	Projected Bays	Recessed Bays	Projected Balconies	Arcades	Primary Pitched Roofs	Secondary Pitched Roofs	Accents	Flat Roofs
Random Stone	B N	B N	B N		B N		B N			B N	
Dressed Stone	B N	B N	B N		B N		B N			B N	
Simulated Stone	B N	B N	B N		B N		B N			B N	
Brick	B N	B N	B N		B N		B N			B N	
Integral Color Split-Face CMU	N	N	N							B N	
Integral Color Ground-Face CMU	N	N	N							B N	
Traditional Cement Hardcoat Stucco	B N	B N	B N		B N					B N	
Fiber Cement Siding, Including Shingles	B N	B N	B N	B N	B N	B N				B N	
Wood Siding Including Shingles	B N	B N	N	B N	B N	B N				B N	
Metal Shingle Siding		B N		B N	B N	B N					
Heavy Timber Framing	B N	B N	B N	B N	B N	B N	B N			B N	
Light Wood Framing						B N	B N			B N	
Exposed Ornamental Metalwork						B N	B N			B N	
Standing Seam Tern-Coated Stainless Steel		B N						B N	B N	B N	
Standing Seam Oxidizing Copper		B N						B N	B N	B N	
Standing Seam Painted and Prefinished Metal		B N	B N					B N	B N	B N	
Naturally Weathering Flat Profile Metal Shingles		B N						B N	B N	B N	
Slate and Synthetic Slate Shingles		B N	B N	B N				B N	B N	B N	
Flat Profile Clay and Concrete Tile								B N	B N	B N	
Architectural Grade Asphalt Composition Shingles								B N	B N	B N	
Galvanized Metal									B N	B N	
Cor-ten or Other Rusting Steel									B N	B N	
Green Roofs							B N		B N		B N

Legend

B=Permitted in Base Area

N=Permitted in non-Base Area zone districts

¹ The following materials are prohibited from use on any building element:

Vinyl and aluminum siding

Exterior Insulation and Finish Systems (EIFS)

Mosaic stonework veneer

Non-oxidizing reflective metal finishes

Large-scale pre-finished metal wall or column panel systems

Profiled metal, clay, or concrete shingles with characteristics generally associated with "Spanish" tile/shingles

Common asphalt composition shingles

Stone clad metal shingles

Non-architectural exposed concrete

Mirrored or highly reflective glass

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