

CHAPTER 6 GENERAL DEVELOPMENT STANDARDS

6.1. GENERAL

6.1.1. Purpose

This Chapter is enacted for the purpose of promoting the health, safety, convenience, and welfare of the general public and to establish standards for design and operation of uses which will encourage the development of sound, economical, stable neighborhoods and create a healthy environment for present and future inhabitants of El Paso County, Colorado.

6.1.2. Applicability

The provisions of this Chapter shall apply in all zoning districts to development, uses, activities, development applications, and development permits, except as specifically modified or otherwise provided by this Code. If it is determined by the DSD Director that the applicant is purposefully separating the project into smaller individual components in order to circumvent the requirements of this chapter, the entire project may be required to be brought into conformance with this Code.

6.2. DEVELOPMENT STANDARDS FOR ANCILLARY FACILITIES AND ACTIVITIES

6.2.1. Fences, Walls, and Hedges

(A) Applicability

This Section is applicable to any fence, wall, or hedge established after the date of adoption of this Section unless superseded by a specific development standard in a PUD zoning district or within a Rural Land Use Plan.

(B) Exemptions

This Section is not applicable to agricultural fences, except as otherwise provided by this Section, or to the installation of noise barriers required by this Code, the ECM or constructed and installed in accordance with federal requirements.

(C) General Standards Applicable to Fences, Walls, or Hedges

The following standards are applicable to fences, walls, or hedges, including agricultural fences.

(1) 100-Year Floodplain

Fences and walls within a 100 year floodplain shall comply with the requirements of the Floodplain Regulations.

(2) No Obstruction of View of Vehicle Operators

No fence, wall, or hedge may obstruct the view of vehicle operators entering or leaving any parking area, service drive, driveway, road, alley, or other thoroughfare. Fences, walls and hedges are subject to the sight distance standards in Chapter 2 of the ECM.

(3) Fencing Materials

The use of tires for a fence or wall, whether whole or baled, shall be allowed only on the granting of a beneficial use agreement with El Paso

County, and shall only occur in conformance with the requirements of this Code and CDPHE regulations.

(a) Corrugated Metal Not Approved as Fencing Material

Corrugated metal is not considered an acceptable fencing material in perimeter fencing if visible from outside the fenced lot or parcel.

(4) Measuring the Height of a Fence

The height of fences, walls, and hedges shall be measured from the final grade of the lot, parcel, or tract at the location of the fence, wall, or hedge to the top of the fence, wall, or hedge. The top of a fence, wall, or hedge is the highest component of the fence, wall, or hedge, not including columns or posts. The depth of drainage channels under a fence, wall, or hedge shall not be included in the height measurement. The height of a fence, wall, or hedge built on berms or retaining walls shall include the height of the berm or wall.

(5) Fencing Maintained

Fences, walls or hedges shall be maintained in good structural or living condition. The owner is responsible for the repair or removal of a fence, wall or hedge, which constitutes a safety hazard, by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or which constitutes a zoning violation.

(D) Height and Location Standards

The following requirements are applicable to all fences and walls except agricultural fences:

(1) Building Permit Required for Fences and Walls Over 7 feet in Height

A fence or wall over 7 feet in height requires a building permit from the Building Department.

(2) Fences and Walls 7 Feet in Height Considered Accessory Structure

A fence or wall over 7 feet in height is considered an accessory structure, and shall meet the accessory structure setback requirements of this Code. If no accessory structure setbacks are established by this Code, the principal structure setbacks are applicable.

(3) Fences and Walls Not to Disrupt Drainage

The fence and wall shall not be established where it would impede the drainage established by an approved drainage plan.

(4) Fences and Walls Not to Disrupt Use of Easement

The fence or wall shall not be established within an easement in a manner where the use of the easement is unnecessarily impeded.

(E) Specific Fence Standards for Residential Uses

The following requirements are applicable to fences associated with residential uses.

(1) Opaque Fence Height Limited in Front Yard Setback Area

Fences or walls more than 25% opaque shall not exceed 30 inches in height when located within the front setback area.

(2) Opaque Fence Height Limited in Sight Triangle

An opaque fence, wall or hedge shall not exceed 30 inches in height when located within a sight distance triangle or as otherwise limited by Chapter 2 of the ECM.

(F) Specific Fence Standards for Non-Residential Uses

The following requirements are applicable to fences associated with non-residential uses:

(1) 7 Feet High Fences Allowed

Fences not exceeding 7 feet in height may be placed anywhere on the lot or parcel except no fence, wall or hedge shall exceed 30 inches in height when located within a sight distance triangle or as otherwise limited by Chapter 2 of the ECM.

(2) Security Fencing

Security fencing may include 3 strands of wire on top of the fence. The wires are not included in the height measurement.

(3) Subject to Parking, Landscaping, and Screening Standards

Walls and fences shall conform to the parking, landscaping, and screening standards of this Code.

(G) Noise Barrier Fencing or Walls

Noise barrier fencing or walls shall be constructed in accordance with the provisions for noise barrier fencing in Chapter 8 and the ECM. The Development Services Director may authorize the placement of noise barrier fencing, or walls that exceed 7 feet in height adjacent to expressways, arterials, or railroads, provided such fence or wall is facing and adjacent to the roadway for which the noise barrier is being provided.

(H) Development Perimeter Fencing

If fencing is proposed around the perimeter of a subdivision or development, any fencing adjacent to a County road or State or federal highway shall be compatible with the existing land uses, topography, and landscaping in the immediate vicinity. Subdivision perimeter fencing shall be consistent in design and materials when established along or adjacent to common boundaries where other perimeter fencing exists.

(I) Retaining Wall Standards

(1) Building Permit Required for Retaining Walls Retaining Surcharge

A building permit is required for a retaining wall that retains a surcharge.

(2) Building Permit Required for Retaining Walls Over 4 Feet High

A building permit is required for a retaining wall greater than 4 feet in height.

(3) Retaining Walls 7 Feet High Considered Accessory Structure

A retaining wall over 7 feet in height is considered an accessory structure and shall meet the accessory structure setback requirements. If no accessory structure setbacks are established by this Code, the principal structure setbacks are applicable.

(4) Established Prior to Principal use

A retaining wall, when necessary for development, may be established prior to the principal use.

6.2.2. Landscape Requirements

(A) General

(1) Purpose

The landscape requirements are intended to provide uniform standards for the development and maintenance of the landscaping of private property and public rights-of-way to achieve a balance between the individual right to develop and the general benefit and welfare of the community. The benefits to be achieved and the overall purposes of the landscaping required by this Section are: (1) to create a positive image and visual appeal both along the road which is highly visible and internal properties which provide a working, shopping and living environment; (2) to decrease the scale of parking lots, provide shade, and reduce heat, glare and noise; (3) to separate circulation systems; to soften and reduce the mass of buildings; to screen and buffer lower intensity uses from higher intensity uses and protect residential privacy; and (4) to create an overall pleasant and attractive surrounding.

(2) Applicability

(a) Applies to All Land Uses

The requirements of this Section shall apply to all uses except single-family or duplex dwellings and associated accessory uses which are not located within a PUD.

(b) New Use Established or Use Changed

Landscaping areas shall conform to this Section for a new building or use of previously vacant land, uses in an enlarged building, and all uses in a building when any use is changed that requires a change of occupancy to be approved by the Building Department or by the DSD.

(c) Effect of Increase in Building Area

A single or cumulative building addition (floor area) which exceeds 50% of the existing building's gross floor area shall require the entire building landscaping to comply with this Section. The existing building shall be considered the building as it existed on the effective date of this Section.

(3) Requirements of Section Supplemented by Manual

The requirements of this Section are supplemented by the Landscape and Water Conservation Manual.

(4) Authority of Director to Accept Alternative Landscape Designs

The DSD Director may approve landscaping that does not meet the specific requirements of this Section provided the proposed landscaping meets the purpose of this Section, promotes the concepts contained in the Landscape and Water Conservation Manual, and provides an equivalent benefit to the community and environment as would otherwise be achieved by meeting the specific requirements of this Section. This authority shall not allow the DSD Director to eliminate the requirement for landscaping or to diminish the total landscaped area required by this Section.

(B) Roadway Landscaping Requirements

Roadway landscaping areas are required. A roadway landscaping area is located along the lot, parcel or tract frontage between the road right-of-way, easement, or tract boundary lines and any building or use.

(1) Minimum Depth of Roadway Landscaping Area

Table 6-1 lists the depth and number of trees required to be provided along any road in roadway landscaping area. Where the required setback is narrower than the depth of the required landscape area, the roadway landscaping area depth shall control. Unless otherwise approved by the ECM Administrator, the depth of roadway landscaping shall be measured from the property line. Where a roadway easement has been provided, the measurement shall be from the ROW or roadway easement. Where future ROW has been identified, the measurement should begin at the future ROW line in order avoid subsequent impairment of the landscaping.

Table 6-1. Roadway Landscaping Required by Roadway Classification.

Road Classification	Depth of Roadway Landscaping Area	Required Trees (Trees/Linear Foot of Frontage)
Expressway, Principal Arterial	25 feet	1 per 20 feet
Urban Interchange/Intersection	25 feet	NA
Minor Arterial	20 feet	1 per 25 feet
Non-Arterial ¹	10 feet	1 per 30 feet

¹The required depth of the roadway landscape area shall be increased to 15 feet along a non-arterial road or public alley where the road or alley separates a non-residential use from a residential zoning district. The number of required trees shall be increased to 1 per 15 feet of linear frontage. A minimum of 1/3 of the trees shall be evergreen trees.

(2) Location and Type of Trees in Roadway Landscaping Area

(a) Clustering Allowed

The roadway landscaping trees may be clustered along a road frontage. The clustering of evergreens may not be advisable in areas where the winter shade will cause unsafe conditions on an adjacent road.

(b) Type of Tree Limited

The types of roadway landscaping trees utilized shall be commonly known to grow in the Colorado Springs area and listed in the Landscape and Water Conservation.

(c) Exceeding Minimum Depth of Roadway Landscaping

The roadway landscaping trees shall be located within 50 feet of the road right-of-way, easement or tract boundary line and any building or use.

(d) Allowed in Right-of-Way if Approved

The roadway landscaping trees may be placed in a right-of-way if the right-of-way owner approves the placement and no conflicts exist, or will exist, with utility easements or any provider of utilities. Generally, trees are not allowed to be placed within any County right-of-way. Placing of the required roadway landscaping trees within the right-of-way shall not negate the requirement for the required roadway landscape area.

(e) Single-Family PUD Roadway Landscaping

Roadway landscaping is not required along local residential roadways (non-arterials) within a residential PUD.

(3) Walls and Fences in Roadway Landscape Area

Walls and fences which are 25% or more opaque shall not exceed 3 feet in height when located within a required roadway landscaping area.

Opaque walls and fences higher than 3 feet (such as noise barriers) shall be located outside of the roadway landscaping area to maintain a landscaped appearance along the road.

(C) Parking Lot Landscape Requirements

(1) Required Trees

A tree of a type suitable for parking lots shall be provided for every 15 parking spaces in parking lots with 15 or more parking spaces. The required trees may be clustered and shall be located in a manner which

will divide and break up expanses of paving and long rows of parking and create a canopy effect over the parking lot.

(2) Parking Lot Islands

The most common method to satisfy the parking lot tree requirement is through the utilization of plant islands, fingers (areas open to the parking on three sides), and corners (open to the parking on two sides). Islands, fingers, and corners are required to be incorporated into all parking lots of 15 parking spaces or more in area. One island shall be provided for every 15 spaces. An island, finger or corner that is the same size as a parking space counts as a required island. An island the size of two spaces counts as two islands. Pedestrian entry spaces also count as an island, including the ramp. Parking lots containing fewer than 25 spaces shall not be required to provide islands.

Islands should be located at the end of center rows and at entry locations to direct traffic and minimize cutovers. Islands should generally be used and located to organize and enhance circulation, breakup continuous parking areas, and capture and direct stormwater. Islands protect vegetation from damage.

Small parking lots may utilize the perimeter area of the parking lot to satisfy the parking lot tree location requirement when there are not more than 2 rows of parking spaces and a single drive aisle. Where a parking lot is not required to be paved, no islands shall be required.

The tree types, minimum planter sizes and utilization of perimeter tree placement shall be consistent with the Landscape and Water Conservation Manual.

(3) Protection of Trees from Damage

Parking lot trees shall be protected from vehicle damage by curbs, planters or other barriers.

(4) Storm Drainage for Irrigation Encouraged

Parking lots designs that allow runoff to enter landscaped areas for irrigation and controlling non-point source pollution are encouraged.

(5) Required Parking Lot Screening

Parking lots shall be screened from view from adjacent roads and properties with differing land uses. The minimum height of the screening shall be 3 feet and may be accomplished by using berms and plantings. A minimum of $\frac{2}{3}$ of the road frontage or common lot, parcel, or tract boundary, not counting intersecting driveways, shall be provided with the required screening. The maximum spacing of plants to achieve an acceptable screen and the maximum acceptable grades for screening areas, such as grass berms and plantings beds, should be consistent with the Landscape and Water Conservation Manual.

Decorative walls or fences may be approved if the DSD Director finds that:

- The wall or fence avoids a blank and monotonous appearance by architectural articulation and the planting of vines, shrubs or trees;
- The total use of berms or plantings is not physically feasible; or
- The wall or fence attractively compliments the use of berms or plantings.

(D) Required Buffer and Screen Areas

(1) Buffer Between Non-Residential and Residential Districts Separated by a Non-Arterial Road or Public Alley

(a) Where Required

A buffer is required along the road-side lot, parcel, or tract line of any non-residential use where the use is separated from a residential zoning district by a non-arterial road or public alley.

(b) Depth and Planting Standards

The required buffer shall be a minimum of 15 feet deep. The minimum number of trees in the buffer shall be one tree for every 15 feet of the road frontage. A minimum of $\frac{1}{3}$ of the trees shall be evergreen trees.

(c) Opaque Fence or Wall Required

An opaque fence or wall with a minimum height of 6 feet is required along the inside edge of the required buffer when the area immediately adjacent to the 15 foot buffer is used as a service corridor for loading, maneuvering or storage. If the area is used for parking, the required parking lot screening shall be applicable.

(d) Minimum Ground Covering Required

The required buffer area shall require a ground cover at maturity with a minimum of 75% living plant materials. Bark, wood chips, rock, stone, or other natural landscape material shall be used as a non-living ground cover. Areas of a required buffer not covered in approved living ground cover material shall be covered in a approved non-living ground cover.

(2) Buffer Between Non-Residential, Multifamily Residential and Single-Family/Duplex Uses

(a) Where Required

A buffer is required in the following situations:

- (i) Along the lot, parcel, or tract line on the non-residential use property between the non-residential use and a residential zoning district.
- (ii) Along the lot, parcel, or tract line on the multifamily use property between the multifamily use and a single-family or duplex zoning district.
- (iii) On the residential side of the project when use to use compatibility is a concern.

(b) Depth and Planting Standards

The required buffer shall be a minimum of 15 feet deep. The minimum number of trees in the buffer shall be one tree for every 25 feet of common lot, parcel, or tract line. A minimum of 1/3 of the trees shall be evergreen trees.

(c) Opaque Fencing or Wall Required

An opaque fence or wall with a minimum height of 6 feet is required along the lot, parcel, or tract line except where the adjacent single-family or duplex residential zoning district or use abuts a required roadway landscaping area.

(d) Minimum Ground Covering Required

Bark, wood chips, rock, stone, or other natural landscape material shall be used as a non-living ground cover. Areas of a required buffer not covered in approved non-living ground cover material shall be covered in a living plant material.

(E) Internal Landscaping

The following internal landscaping is required:

(1) Requirements for Multifamily Uses

The following internal landscaping is required for multifamily uses:

(a) Minimum Required Internal Landscaped Area

A minimum of 15% of the lot or parcel shall be landscaped.

(b) Minimum Number of Trees in Landscaped Area

A minimum of one tree shall be provided for every 500 square feet of required internal landscape area.

(2) Requirements for Non-Residential Uses

The following internal landscaping is required for non-residential uses.

(a) Minimum Required Internal Landscaped Area

A minimum of 5% of the lot or parcel shall be landscaped.

(b) Minimum Number of Trees in Landscaped Area

A minimum of one tree shall be provided for every 500 square feet of required internal landscape area.

(c) Trees Replaced by Shrubs

A maximum of ½ of the required trees may be substituted with shrubs adjacent to retail store fronts where the view of wall signs may be obstructed. At least 10 shrubs with a minimum container size of 5 gallons shall be provided for each tree that is replaced.

(3) Standards for Required Internal Landscape Area

(a) Intent of Internal Landscaping

The intent of the internal landscape area is to provide relief from structures and hard surfaces through the use of plantings.

(b) Location of Internal Landscape Areas

The required internal landscape areas shall be located in accordance with the following standards:

- (i) Adjacent to those building elevations which form the major public views of the building from adjacent roads and properties and to the users of the project; or
- (ii) At all pedestrian entrances, except service-only entries; or
- (iii) Within a plaza or courtyard between buildings or portions of buildings, (plaza/courtyard is to have at least one side open); or
- (iv) In an area provided to separate building areas from parking areas; or
- (v) In a similar location which substantially conforms to the purpose of the required internal landscape area.

(c) Area Calculation

The entire lot, parcel or tract area shall be used as the basis for calculating required the internal landscape area. In instances where an entire lot, parcel, or tract is not used for the proposed development, the area used to calculate the required internal landscape area may be reduced by the DSD Director based on the area of the lot, parcel or tract actually being developed or used. The minimum landscaping requirements may apply to just that project area determined by the DSD Director to be developed or used. However, even if reductions in the lot area are approved, the DSD Director may require that additional landscaping (including buffering or screening) is provided at the first stage of a larger project to mitigate environmental impacts or meet the intent of the landscaping provisions of the LDC.

(d) Paved Areas within an Internal Landscaped Area

Sidewalks which provide basic pedestrian circulation shall not count toward meeting the internal landscape area requirement. Paved plazas may be credited to a maximum of 50% of required internal landscaping area if such plazas have trees and other pedestrian-only amenities (benches, sculpture, decorative paving, etc.), are not vehicular, and provide visual relief to those building elevations which form the major public views of the project.

(F) Minimum Plant Sizes and Percentage of Live Ground Cover

(1) Landscape Material Specifications

Plant installation sizes and characteristics shall meet the following minimum requirements.

(a) Deciduous Shade Trees

Deciduous shade trees shall be 1½ inch caliper measured 6 inches above ground, balled and burlapped.

(b) Deciduous Ornamental Trees

Deciduous ornamental trees shall be 1 inch caliper measured 6 inches above ground, balled and burlapped.

(c) Evergreen Trees

Evergreen trees shall be 6 feet in height above ground, balled and burlapped, except Pinon Pine and upright junipers which shall be a minimum 4 feet in height.

(d) Evergreen and Deciduous Shrubs

Evergreen and deciduous shrubs, where required, shall be 5 gallon size.

(e) Ground Cover and Vines

Ground cover and vines shall be 1 size.

(2) Required Live Material Ground Cover

Unless otherwise allowed, required landscape areas shall include a minimum of 75% ground cover by living grass or other living plant materials at maturity. The remaining 25% of the required landscape area may be covered with bark, wood chips, rock, stone, or other landscape materials or may be designed as hard-surfaced pedestrian areas. The foliage crown of trees shall not be counted in meeting the ground cover requirement.

(G) Other Required Landscape Areas

(1) Other Areas to be Landscaped or Screened

(a) Zoning District Boundary Trees

A minimum of one tree shall be provided for every 30 feet of lot, parcel, or tract line coincident with a zoning district boundary line

except if otherwise required to meet the buffering requirements between a non-residential use or multifamily use and residential zoning district.

(b) Refuse Areas Screened

Refuse collection areas, including trash bins, shall be screened from view from adjacent properties and roads by an opaque wall or fence, architectural elements, dense evergreen plantings with a minimum planting height of 6 feet, or berms with dense plantings creating an opaque appearance with a minimum height of 6 feet.

(c) Loading Docks and Other Vehicle Areas Screened

Loading docks, vehicle repair bays, and vehicle fueling areas shall be screened from view from adjacent roads by the use of plantings, berms, walls, fences, or other architectural elements.

(d) Landscaping Required Between Lot and Curb

Landscaping is required between the lot, parcel, or tract line and the required roadway landscaping area. Although this landscape area is located within the right-of-way, easement or tract, the adjacent lot, parcel or tract owner shall be responsible for maintenance. Xeric plantings shall be used in order to avoid the need to install an irrigation system within the right-of-way, easement or tract. Xeric plants may require supplemental irrigation to get them established or in times of extreme drought. Installation of an irrigation system requires approval of EPCPSD or owner or right-of-way, easement or tract. Installation of plant materials may also require approval of the EPCPSD or owner or right-of-way, easement or tract.

(e) Commercial Tower (Non-CMRS), CMRS Facility, Water Storage Tank, and Utility Facilities Landscape Requirements

(i) Site-Specific Landscaping Required

DSD Director approval of site-specific landscaping is required for a commercial tower (non-CMRS), CMRS facility, water storage tank, and utility facilities. Installation of approved site-specific landscaping is required prior putting a commercial tower (no-CMRS), CMRS facility, water storage tank, or utility facility into operation. The site-specific landscaping is subject to the following standards:

- Rural and Remote Areas: In rural and remote areas landscaping, screening and erosion control measures shall be tailored to the nature and character of the area and the type of facility or

structure contemplated. Site-specific landscaping shall, at a minimum, include revegetation of disturbed areas with materials indigenous to the site or otherwise adaptable.

- Urbanized and Developed Areas: In urbanized and developed areas, the site-specific landscaping shall address specific issues such as screening and visual impacts.

(f) Outside Storage Area Landscaping Requirements

(i) Site-Specific Landscaping Required

DSD Director approval of site-specific landscaping is required for establishing an outside storage area. Installation of approved site-specific landscaping is required prior to utilizing an outside storage area.

(ii) Site-Specific Landscaping Standards

The site-specific landscaping shall reflect a combination of berms, shrubs, trees, fences or walls which will provide, at maturity, a minimum 6 foot high, 100% opaque screening for the outside storage area.

(2) Miscellaneous Requirements

(a) Flexibility in Design Allowed

The owner may select the types of and the planting spaces between the required trees. The types of trees selected shall be commonly known to grow in the Colorado Springs area and should be a type listed in the Landscape and Water Conservation Manual.

(b) Minimum Cover of Internal Landscape Area

The internal landscape area shall consist of a minimum of 50% ground cover by living plant materials. The Landscape and Water Conservation Manual provides guidance for planting near foundations.

(c) Plant Spacing

The planting spacing should accommodate the growth characteristics of the trees without adversely impacting structures, walks, or drives.

(d) Minimum Planting Size of Trees

The minimum planting size of trees shall comply with this Section and should comply with any additional specifications established in the Landscape and Water Conservation Manual.

(e) Existing Vegetation

Existing vegetation which meets the plant type requirements of the Landscape and Water Conservation Manual may be counted toward the internal landscape requirement.

(f) Limitations on Landscape Placement

(i) No Conflicts with Traffic or Sight Distance

Landscaping shall not conflict with traffic. Sight distance shall be maintained in accordance with the requirements of Chapter 2 of the ECM.

(ii) No Interference with Utilities and Fire Equipment

Landscaping shall not interfere with the general function, safety or acceptability of any gas, electric, water, sewer, telephone, or other utility easement or conflict with criteria established or adopted by a fire department. Landscaping shall not exceed 8 inches in height within 3 feet of a fire hydrant or other applicable fire department criteria.

(g) Limitations on Landscape Materials

(i) No Artificial Landscape Materials

The use of artificial vines, turf, or groundcovers as landscape material may be allowed on a case-by-case basis where live landscaping materials may be at risk or inappropriate due to land use, water availability, or location.

(ii) Elm Trees Prohibited

Trees of the *Ulmus* genus (elm) are prohibited in meeting the landscape requirements of this Code unless demonstrated to be Dutch Elm Disease resistant.

(iii) Use of Box Elder, Salix, and Populus Limited

Box Elder (*Acer negundo*) and all trees of the *Salix* and *Populus* genus, except Aspen (*Populus Tremuloides*), shall not be planted within 25 feet of a right-of-way.

(h) Calculating the Required Number of Plants

(i) Fractional Numbers Rounded to Closest Whole Number

Where a requirement results in a fractional number, the applicable requirement shall be the closest whole number (5.0 to 5.49 = 5; 5.5 to 5.9 = 6).

- (ii) **Greatest Landscape Standard Applies**
Where more than one landscape requirements applies to the same use and landscape area, the greater requirements shall be met.
- (iii) **Landscaping Only Fulfills One Requirement**
Landscaping necessary to fulfill one requirement shall not be counted in fulfilling a different landscape requirement.
- (iv) **Clumping Forms of Trees Encouraged**
Clumps of tree, such as Hawthorn (*Craetagus* sp.), are encouraged instead of single-trunk trees. However, a clump of 3 or fewer trees shall be credited as only one of the required trees.

(i) Approval of Certificate of Occupancy or Use

All required landscaping shall be completed, and then inspected and approved by the DSD prior to the issuance of a Certificate of Occupancy by the Building Department or establishment of the use, except when financial assurance acceptable to the DSD Director guaranteeing the completion of the landscaping is provided. Plant substitutions require approval before issuance of a Certificate of Occupancy. Any request for a Certificate of Occupancy prior to the completion of the required landscaping shall include a written request explaining the circumstances why the landscaping cannot be installed, a cost estimate prepared by a qualified party, a landscape completion agreement signed by the owner, and financial assurance acceptable to the DSD Director. Inspection and certification by a landscape architect of compliance with this Section may be accepted at the discretion of the DSD Director.

(j) Compliance with Plans

The completed landscaping shall comply with the approved landscape plan and shall include the quantities, locations, species and sizes of plants and other landscape materials as represented on the approved landscape plan. Seeded landscape areas shall have no bare areas larger than 6 square inches after germination.

(k) Maintenance

- (i) **Owner Responsible**
The owner is responsible for all regular and normal maintenance of required landscaping including weeding, irrigation, fertilizing, pruning and mowing.
- (ii) **Replacement of Dead or Damaged Materials**

Replacement of dead, diseased or substantially damaged plant materials shall occur within 6 months from when the plant material died, or when the inspection determined the plant material was dead or damaged. Replacement shall be of the same or similar type as originally approved. An alternative type of species shall require approval by the DSD Director.

(iii) **Maintenance Inspections**

Maintenance inspections may be performed periodically. Failure to maintain the landscaping in compliance with the approval is considered a zoning violation.

6.2.3. Lighting

(A) General

(1) Purpose

The purpose of this Section is to address the physical effects of lighting, and the affect that lighting may have on the surrounding neighborhood.

(2) Applicability

This Section applies in all zoning districts, except as otherwise provided.

(3) Existing Lighting Allowed

Lighting existing at the time of adoption of this Section is not required to be modified to conform to this Section.

(4) Lighting Plan to Reflect Standards

A lighting plan for meeting these standards shall be submitted in accordance with submittal requirements for lighting plans described in the Procedures Manual.

(B) Design Standards and Requirements

(1) Limitations on Extent of Lighted Area

(a) Concealed or Shielded

Light fixtures shall be arranged and positioned such that the light sources are concealed and fully shielded so that no direct light or reflection creates a nuisance or hazard to any adjacent ownership or right-of-way and that up-light, spill-light, glare, and unnecessary diffusion are minimized. Light fixtures, except as otherwise permitted herein, are required to be full cutoff as defined by the Illuminating Engineers Society of North America (IESNA) The cut-off angle of an exterior light source shall not exceed 90 degrees. Full cut-off fixtures may not be tilted or aimed in a manner that results in light distribution above the horizontal plane. The use of semi-cutoff or cutoff (as

opposed to full cutoff) fixtures shall be permitted to illuminate areas other than parking lots provided the pole or mounting point is no more than 10' in height and the maximum lumen output does not exceed 1800 lumens per lamp.

(b) Non-Security Lighting During Non-Operating Hours

Exterior lighting, including but not limited to floodlights used to light a building façade, shall be reduced, activated by motion sensor devices, or turned off during the principal use's non-operating hours. Lighting necessary for security shall not be subject to this provision.

(c) Upward Lighting

Upward lighting for architectural, landscape or decorative purposes shall have at least 90% of the total distribution pattern within the profile of the illuminated structure or feature. Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform, shall use a narrow cone of light that does not extend beyond the illuminated object.

(d) Maximum Levels

Maximum on-site lighting levels shall not exceed 10 foot candles, except for loading and unloading platforms where the maximum lighting level shall be 20 foot candles.

(e) Measurement at Property Boundaries

Light levels measured at the property line of the development site adjacent to residential property or public right of way shall not exceed 0.1 foot candles as a direct result of the on-site lighting. All light fixtures mounted within 15' of any residential property line of the site shall be classified as IES Type II or Type III, or fixture demonstrated to provide similar distribution patterns and shielding properties. Fixtures shall be fitted with "house side shield" reflectors on the sides facing the residential property line.

(f) Light Standards and Fixtures

The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site. Poles shall be anodized or coated to minimize glare from the light source. Bollards or similar light fixtures intended to illuminate landscape features or walkways are permitted which do not exceed 4 feet in height, 2 fixtures per bollard and 1 lamp not exceeding 900 lumens per fixture.

(g) Lamp Types

All outdoor light fixtures should utilize one of the following lamp types: metal halide, induction lamp, compact fluorescent, incandescent (including tungsten-halogen), or high-pressure sodium. Alternatives are permitted provided they are demonstrated to be

more effective for the proposed use based on IESNA recommendations.

(h) Canopy Lighting

Light fixtures associated with canopies, including but not limited to fuel islands, seasonal outdoor sales areas, shopping malls, theaters, bank drive-thrus, and hotels shall be full cutoff or mounted so that the bottom of the lens is recessed or flush with the bottom surface of the canopy. All light emitted from the canopy shall be substantially confined to the ground directly beneath the perimeter of the canopy. No lighting of any kind, except as permitted by sign regulations, shall be allowed on the top or sides of a canopy. The design of the canopy in terms of height above grade, and the spacing between the fixtures within the canopy, shall be such that the illuminance level under the canopy does not exceed 20 foot-candles.

(i) Consideration of Pilots

No lighting shall make it difficult for pilots to distinguish airport lights from others, result in glare in the eyes of the pilots using an aviation facility, impair visibility in the vicinity of an aviation facility or, in any way create a hazard or endanger the landing, take-off, or maneuvering of aircrafts intending to use an aviation facility.

(2) Height

No freestanding light fixtures shall be mounted higher than 15 feet, except parking lot light fixtures which shall be mounted no higher than 20 feet unless an alternative lighting proposal is approved in accordance with this Code.

(3) Requirements for Outdoor Recreation Facilities

Ball diamonds, playing fields, tennis courts, and other outdoor recreational uses shall be required to meet the following standards:

(a) Maximum Pole Height

The maximum light pole height shall be 80 feet.

(b) Cut-Off Angle

The cut-off angle from a lighting source that illuminates an outdoor recreational use may exceed 90 degrees provided the light source is shielded to prevent light and glare from spilling to adjacent residential properties.

(c) Hours of Use

Exterior lighting for an outdoor recreational use shall be extinguished no later than 10:00 p.m. or immediately after the conclusion of the final event of the day, whichever is later.

(C) Prohibited Lighting

The following are considered prohibited lighting:

- Site lighting that may be confused with warning, emergency or traffic signals, except as authorized by a federal, State or County government;
- Any fixed light not designed for roadway illumination that produces incident or reflected light that could be disturbing to the operator of a vehicle;
- Blinking, flashing or changing intensity lights and lighted signs, except for temporary holiday displays or lighting required by the FAA for air traffic control and warning purposes;
- The use of laser source light or any similar high intensity light for outdoor advertising or entertainment when projected above the horizontal;
- The private operation of searchlights; and
- The nighttime use of white lighting or white strobe lighting in communication tower lighting.

(D) Exemptions

The following lighting shall be exempt from the requirements of this Section:

- Holiday lights in the nature of decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday. Holiday lights may be of any type, number, area, height, location, illumination or animation, except that they shall not produce incident or reflected light that may be confused with or construed as a traffic control device;
- Any lighting required by the FAA for air traffic control, navigation, and warning purposes;
- Emergency lighting as required by law enforcement or emergency services personnel to protect life or property provided the lighting is temporary and is discontinued immediately on abatement of the emergency necessitating the lighting;
- Road lighting;
- Construction lighting provided the lighting is temporary and is discontinued immediately on completion of the construction work;
- Traffic control signals and devices;
- Vehicular lights;
- Temporary use of low wattage or low voltage lighting for public festivals, celebrations, and carnivals approved as a temporary use; and
- Single family residential lighting, except as prohibited herein

(E) Alternative Lighting Proposal

(1) Authority

The DSD Director may approve a proposal that offers an alternative approach for meeting the standards of this Section. A lighting plan proposing an alternative approach for meeting these standards shall be submitted in accordance with submittal requirements for lighting plans

described in the Procedures Manual. The plan shall clearly identify and discuss the modifications and alternatives proposed and describe how the proposal would better accomplish the purpose of this Section.

(2) Review Criteria

The DSD Director shall find the alternative lighting proposal accomplishes the purposes of this Section as well as a lighting plan that complies with this Section. The DSD Director will consider the extent to which the proposed design protects natural areas from light intrusion; how it enhances neighborhood continuity and connectivity; how it fosters non-vehicular access; and how it demonstrates innovative design and use of fixtures or other elements.

6.2.4. Motor Vehicles (moved to 6.2.11 Vehicle Storage)

6.2.5. Parking, Loading and Maneuvering Standards

(A) General

(1) Purpose

The parking, loading, and maneuvering standards are designed to provide safe and efficient parking and maneuvering, encourage good circulation, discourage parking on roads, and reduce the potential for a land use to impact an adjacent land use or road due to an insufficient number of parking spaces or poor parking lot design.

(2) Applicability

(a) Applies to All Land Uses

This Section applies in all zoning districts and to all uses, except as otherwise provided.

(b) New Use Established or Use Changed

Parking and maneuvering areas shall conform to this Section for a new building or use of previously vacant land, uses in an enlarged building, and all uses in a building when any use is changed and the newly approved use requires more parking than the previously approved use.

(c) Effect of Increase in Building Area

A single or cumulative building addition (floor area) which exceeds 50% of the existing building's gross floor area shall require the entire building parking to comply with this Section. The existing building shall be considered the building as it existed on the effective date of this Section.

(3) Minimum Standards

The standards set forth in this Section are the minimum required.

(4) Relationship to ADA Requirements

The standards in this Section are not intended to incorporate the requirements of the Americans with Disabilities Act ("ADA"). If there are any conflicts between this Section and the requirements of the ADA, then the most restrictive requirements shall govern. El Paso County is not responsible for enforcing the requirements of the ADA.

(B) General Parking Standards

(1) Parking Plan Review Criteria

Parking plans shall conform to the requirements in this Section including any change to an approved parking, loading and maneuvering plan.

(2) Location and Condition of Parking

(a) Use of the Public Rights-of-Way

Parking or maneuvering areas located within a public right-of-way may not be used to meet the parking or loading requirements of this Section.

(b) Parking to be Located on the Same Lot as Use Served

Parking and maneuvering areas shall be located on the same lot or parcel as the use it is intended to serve. Off-site event parking may be allowed as a temporary use. Parking or maneuvering areas may be located on adjacent lots or parcels provided a recorded document stipulates provisions for common use and maintenance. The use restriction shall run with the building or use which the parking is intended to serve. Required parking spaces for a use shall not be counted toward meeting the requirements of another use. Parking shall be located within 500 feet of the building or use which the parking is intended to serve.

(c) Right of Access to Shared Parking

Each lot or parcel of a commercial center and industrial development shall be required to provide an irrevocable access easement to the adjacent commercial or industrial properties unless each lot or parcel maintains a separate parking area.

(d) No Storage of Vehicles, Supplies, or Merchandise

Required parking areas shall not be used for storage of inoperable vehicles, supplies, merchandise, trash, or other items that would prohibit the parking space from being used on a day-to-day basis.

(3) Parking Continuously Provided

Parking and maneuvering areas that conform to the requirements of this Section shall be continuously provided for the use to which they relate so long as the use remains.

(4) Compliance with State and Federal Regulations

It shall be the owner's responsibility to comply with all other State and federal regulations including, but not limited to, ADA regulations.

(C) Parking Design Standards

The following design requirements shall apply to all parking areas except those serving single family and duplex uses.

(1) Circulation within Parking Areas

(a) Parking Areas Provided with Internal Circulation System

Parking areas shall be designed to provide circulation between drive aisles without the need to enter adjacent roads or other lots or parcels.

(b) Fire Department Review and Requirements

The internal circulation system shall be reviewed by the appropriate fire department. The fire department standard, if any, shall apply.

(2) Construction Requirements

(a) Parking Marked

Parking spaces and drive aisles shall be clearly marked.

(b) Lighting Standards

Lighting shall be provided in all parking areas with more than 5 spaces. Lighting shall meet the lighting standards contained in this Code.

(c) Paving of Parking Areas

(i) Water Quality Protection

Parking areas will be designed and maintained so that water quality is protected. Measures to prevent tracking or runoff of sediment and other contaminants shall be designed, implemented and maintained, as necessary, to protect water quality. Paving should be designed to reduce imperviousness. The provision of water quality Best Management Practices (BMPs) is encouraged. If water quality BMPs are not incorporated in the parking

area construction, off-lot new development BMPs will be needed as described in Appendix I of the ECM.

(ii) Paving in Urban Areas

Parking areas for more than 5 cars shall be paved with asphalt, concrete, Modular Porous Block Pavement, or the equivalent in urban areas.

(iii) Paving in Rural Areas

Parking areas for more than 25 cars in rural areas shall be paved with asphalt, concrete, Modular Porous Block Pavement or the equivalent. Parking lots for less than 25 cars in rural areas may use rock or gravel or other measures instead of pavement to prevent erosion or runoff of sediment and other contaminants and tracking of sediment onto paved roadways. Any access to a paved County-maintained road shall be paved for a distance of at least 50 feet from the paved County road.

(iv) Paving of Unpaved Areas

The DSD Director may require the paving of nonconforming unpaved parking, maneuvering or access areas or automobile display or storage areas except parking serving a single-family residence. The requirement to pave shall be made after evaluating such factors as the character of the neighborhood and the amount and type of traffic generated by the use. The DSD Director shall find that the use of the unpaved area causes air pollution due to blowing dust or adverse drainage conditions or that the use constitutes a nuisance to the residents or occupants of the neighborhood.

(3) Access to Parking Spaces and Areas

(a) Access Location Approved by Owner of Road

The number and location of road access points shall be approved by the El Paso County Public Services Department (EPCPSD), the Colorado Department of Transportation (CDOT), or other entity with responsibility for maintenance or ownership of the road and authority to review and approve the access locations.

(b) More than One Entrance to Parking

Each row of parking should be designed with more than one entrance and exit whenever possible.

(c) Spaces Served by Forward Travel

Parking spaces shall be designed to have forward travel to or from an adjacent drive aisle without moving another vehicle. Tandem

parking spaces shall not count toward meeting the minimum number of parking spaces required by this Section.

(d) Spaces Design to Minimize Conflicts

Parking spaces shall be designed to minimize conflicts between vehicles entering the parking area and vehicles backing out of parking spaces.

(e) Access to Large Parking Lots

A drive aisle used to access parking spaces in parking areas with over 200 parking spaces shall be located at least 100 feet from the access point from any public road. This will help to minimize potential stacking problems resulting from vehicles entering the parking area. Signage shall give the entering vehicle the right-of-way where the entrance crosses a parking lot aisle.

(f) Parking Spaces Not Conflict with Lot Line

No parking space shall be allowed where the vehicle leaving the parking space must backup across a lot, parcel, or tract line.

(g) No Backing into Public Right-of-Way

No vehicle leaving a parking space shall be allowed to back into a public right-of-way.

(D) Parking Space Requirements

(1) Number of Parking Spaces

The number of parking spaces required is equal to the total number of standard parking spaces and disabled parking spaces required by this Section.

(a) Minimum Number of Standard Parking Spaces

(i) Number of Standard Parking Spaces Required

The minimum numbers of parking spaces to be provided for a use are listed in Table 6-2. Parking ratios are based on the gross floor area contained in the building, unless specifically listed. When the calculation of the number of required parking spaces results in a fraction, the calculation shall be the rounding to the closest whole number (ex. 5.0 to 5.49 = 5; 5.5 to 5.9 = 6).

Table 6-2. Minimum Parking Requirements by Use.

Use Type	Minimum Number of Parking Spaces
Adult Care, Group or Convalescent Home	1 per 3 beds
Agricultural Uses (Non-commercial)	Sufficient parking for all vehicles used by the operation
Amusement/Recreation Center Uses	
Amusement Park	30 spaces per acre
Arcade or Game Room	1 space per 300 square feet
Bowling Alley	4 spaces per lane
Commercial Stable	1 space per 5 stalls
Golf Course	4 spaces per hole
Golf Driving Range	1 space per tee position
Ice or Roller Skating Rink	1 space per 150 square feet
Miniature Golf Course	1 space per hole
Pool Hall	2 spaces per table
Race Track	1 space per 4 seats
Shooting Range	1 space per firing lane
Sports Field	22 spaces per field
Stadium or Sports Arena	1 space per 4 seats
Swimming Pool	1 space per 150 square feet of pool area
Tennis, Handball or Racquetball Facilities	3 spaces per court
Theater	1 space per 4 seats
Auditorium or similar place of Public Assembly	The greater of 1 space per four fixed seats or 1 space per 100 square feet of floor area
Automobile, Boat, Truck and R.V. Sales	1 space per 1,000 square feet of auto display area, plus 1 space per 450 square feet of office space
Bar/Lounge/Night Club, or Similar Place of Assembly	1 space per 3 seats, plus 1 space per employee on maximum shift
Beauty Parlor/Barber Shop	1 per 200 square feet
Bed and Breakfast Inn	1 space per 2 guest rooms or suites
Boarding House, Group Home, Dormitory, Fraternity, Sorority or other Communal Living (i.e., common kitchen facilities service the occupants)	0.5 space per bed
Bus or Train Depot	1 per 250 square feet of waiting area
Car Wash/Detail Shop/Quick Lube/Oil Change	1 space per bay or stall
Commercial Centers	
Less than 10 acres	1 per 250 square feet
10 acres or more	1 per 300 square feet
Commercial Stable	1 space per 5 stalls
Day Care/Pre-School	1 space per 400 square feet, plus 1 10'x 20' loading per 8 children licensed. Loading area shall have an unobstructed view.
Educational Institutions	
Elementary or Junior High	2 spaces per classroom
Senior High	1 space per 4 students
College/University	0.5 spaces per faculty member and employee, plus 1 space per 6 students.
Financial Institution	1 space per 250 square feet of floor area, plus 6 stacking per drive-up window
Funeral Home/Mortuary	1 space per 100 square feet of floor area open for public use, plus 1 space per 400 square feet of office area

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Use Type	Minimum Number of Parking Spaces
Gasoline Filling Station/Repair Garage	1 space per employee on maximum shift, plus 3 spaces per bay or stall
Hospital	2 spaces per bed
Hotel/Motel	1 space per 1 quest room or suite, plus ½ space per 100 square feet of restaurant space and ½ space per 4 seats of meeting space
Industrial Use (e.g., construction batch plant, construction or contractor's yards, manufacturing, general light or heavy industry, meat packing and related industry)	1 space per 750 square feet
Library/Museum/Gallery	1 space per 400 square feet of floor area
Lumber Yard	1 per 300 square feet of floor area, plus 1 per 1,000 square feet of outdoor display area
Medical Offices	1 space per 200 square feet
Membership Clubs/ Health Club/Community Centers	1 space per 150 square feet of floor area
Mini-Storage	1 space per 100 units, plus 1 space per employee
Mobile/Manufactured Home Park	2 spaces per mobile/manufactured home, plus 1 guest parking space per 4 mobile/manufactured home spaces
Mobile/Manufactured Home Sales	1 space per 1000 square feet of display area
Nursery, Wholesale	5 spaces, plus 1 space per acre of indoor/outdoor display
Nursing home	1 space per 5 beds
Professional Offices	1 space per 200 square feet
Religious Institution	1 space per 4 seats
Research and Development	1 space per 400 square feet
Residential, Single-Family	
Single Family	2 spaces per dwelling unit
Single Family, Attached	2 spaces per dwelling unit, plus 1 guest space per 4 units.
Residential, Multi-Family	
Studio or Efficiency	1.1 spaces per dwelling unit
1 Bedroom	1.5 spaces per dwelling unit
2 Bedroom	1.7 spaces per dwelling unit
3 Bedroom	2.0 spaces per dwelling unit
Guest	1 space per 3 dwelling units
Elderly (60 or over)	0.6 spaces per dwelling unit
Restaurants	
Drive-in or Fast Food	1 space per 100 square feet
Sit down	1 space per 100 square feet
Outdoor Seating	1 space per 200 square feet
Retail, General (e.g., department store, grocery store, etc.)	1 space per 250 square feet of floor area, plus 6 stacking spaces per drive-up window
Retail, General (e.g., furniture or appliances)	1 space per 600 square feet
Vehicle Storage	3 spaces
Warehouse and Distribution	1 space per 1000 square feet

(ii) Parking for Uses Not Listed

The required parking spaces for a use which is not specifically listed in Table 6-2 shall be determined by the DSD Director based on the requirements of other similar uses.

(iii) Garage Spaces Counted Toward Fulfilling Requirements

The spaces within the garage are counted toward the required number of parking spaces for single family uses.

(iv) Parking Required to Accommodate All Uses on Lot

Where a lot or parcel has more than one use, or a primary use with accessory use, the total number of parking spaces required shall be the sum of the requirements for the various uses.

(v) Maximum Number of Compact Parking Spaces Allowed

A maximum of 30% of the number of required parking spaces may be compact parking spaces.

(vi) Alternative Parking Ratio Allowed

- Authority: The DSD Director may approve an alternative parking space ratio. The alternative parking space ratio may be substituted in whole or in part for a ratio meeting the standards of this Section.
- Review Criteria: To approve an alternative parking plan, the DSD Director shall find that the proposed alternative plan accomplishes the purposes of this Section equally well or better than a parking plan which complies with the standards of this Section. In reviewing the request for an alternative parking plan, the DSD Director shall take into account the number of employees, the number of expected customers or clients, the availability of shared parking (if any), or any other factors that may be unique to the applicant's request. The applicant has the burden of proof. Generally, a TIS containing a trip generation analysis, parking analysis study or by other relevant data describing the transportation impacts and clearly identifying and discussing the modifications and alternatives proposed and the ways in which the proposal will better accomplish the purpose of this Section than would a parking plan which complies with the standards of this Section should support the request. The DSD Director shall not approve the

alternative parking plan unless it: (1) Does not detract from continuity, connectivity and convenient proximity for pedestrians between or among existing or future uses in the vicinity; (2) Minimizes the visual and aesthetic impact along the public road by placing parking lots to the rear or along the side of buildings, to the maximum extent feasible; (3) Minimizes the visual and aesthetic impact on the surrounding neighborhood; (4) Creates no physical impact on any facilities serving alternative modes of transportation; (5) Creates no detrimental impact on natural areas or features; and (6) Maintains handicap parking ratios.

(b) Minimum Disabled Parking Space Requirements

Table 6-3 shows the number of additional parking spaces required to be provided as disabled spaces by parking area size. Spaces shall meet the minimum standards for disabled spaces.

Table 6-3. Disabled Parking Space Requirements.

Number of Standard Parking Spaces Required	Additional Number of Disabled Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
1,001 and over	20 plus 1 for each 100 over 1,000

(2) Dimensions of Standard Parking Spaces and Aisles

(a) Minimum Standards Parking Space and Aisle Dimensions

Standard parking spaces and aisles shall meet the dimensional requirements in Table 6-4.

Table 6-4. Parking Space Dimensional Requirements.

Parking Angle ¹	Width of Space	Depth ² of Space	Aisle Width Two-Way	Aisle Width One-Way	Depth of Interlocking Spaces	Overhang ³
0°	9 feet	22 feet	20 feet	12 feet	18 feet	0 feet
45°	9 feet	19 feet	20 feet	12 feet	32 feet	1½ feet
60°	9 feet	20 feet	20 feet	16 feet	35½ feet	2 feet
75°	9 feet	19½ feet	22 feet	18 feet	37 feet	2 feet
90°	9 feet	18 feet	24 feet	24 feet	36 feet	2 feet

¹Parking angle is measured as the angle defined by the line of travel of a drive aisle and the line of the longest side of a parking space.
²Unless otherwise depicted above, the minimum drive-aisle shall be a minimum of 24 feet. In the instance where the fire department standards are greater, the fire department standards shall be applied.
³Overhang may not protrude over pedestrian paths, walkways, sidewalks or otherwise block.

(b) Minimum Compact Parking Spaces and Aisles Dimensions

Compact parking spaces and aisles shall meet the dimensional requirements in Table 6-5.

Table 6-5. Dimensional Requirements for Compact Spaces.

Parking Angle ¹	Width of Space	Depth of Space	Aisle Width Two-Way	Aisle Width One-Way	Depth of Interlocking Spaces	Overhang ²
0°	8 feet	20 feet	20 feet	12 feet	16 feet	0 feet
45°	8 feet	19 feet	20 feet	12 feet	28½ feet	1½ feet
60°	8 feet	18 feet	20 feet	16 feet	31½ feet	2 feet
75°	8 feet	17½ feet	22 feet	18 feet	33 feet	2 feet
90°	8 feet	15 feet	24 feet	24 feet	32 feet	2 feet

¹Parking angle is measured as the angle defined by the line of travel of a drive aisle and the line of the longest side of a parking space.
²Overhang may not protrude over pedestrian paths, walkways, sidewalks or otherwise block.

(c) Minimum Disabled Parking Space Dimensions

Pedestrian access aisles for loading and unloading shall be provided adjacent to a disabled parking space. The pedestrian access aisle shall be a minimum of 5 feet wide. A minimum of one in every 8 disabled parking spaces shall be designated "Van Accessible" and served by a pedestrian access aisle a minimum of 8 feet wide. All parking areas shall provide at least one van accessible space. As an alternative, required disabled parking spaces may be provided in conformance with ADA Guidelines for Universal Parking Design or other acceptable ADA standard.

(E) Truck Loading and Turnaround Areas

(1) Truck Loading and Turnaround Areas Required

Loading and turnaround areas shall be provided for all non-residential buildings of 3,000 square feet or greater. Maneuvering or access areas may be located on adjacent lots or parcels as long as a recorded document is provided for common use and maintenance.

(2) Design to Minimize Noise Impacts

Truck loading and turnaround areas shall be designed and located to minimize any potential noise impacts to adjacent residential properties.

(3) No Obstruction of Parking Lot Aisles

Loading areas shall be designed so that a maneuvering or parked delivery vehicle will not obstruct parking lot aisles used by employees or customers.

(4) Onsite Turnaround Area Required

An onsite turnaround area shall be provided for all loading areas. Only turning radii found to be acceptable by the Institute of Traffic Engineers or determined to be acceptable by the ECM Administrator shall be acceptable for compliance with this requirement.

(5) Loading Areas Screened

Loading areas shall be screened from view from a public road or residential areas. Screening shall meet the screening requirements of this Code.

(6) Loading Area to Meet Requirements of Table 6-6

Loading areas shall be provided for each non-residential building based on the requirements in Table 6-6.

Table 6-6. Truck Loading Areas.

Gross Building Area	Number of Loading Spaces	Dimensions of Loading Space	Vertical Clearance	Maneuvering Aisle Width
Up to 3,000 sq. ft.	0	NA	NA	NA
3,001 to 20,000 sq. ft.	1	14 feet by 18 feet	14 feet	24 feet
20,001 to 80,000 sq. ft.	2	14 feet by 40 feet	14 feet	40 feet
80,001 to 140,000 sq. ft.	3	14 feet by 40 feet	14 feet	40 feet
For each additional 100,000 sq. ft.	1	14 feet by 40 feet	14 feet	40 feet

(F) Bicycle Facilities

Commercial, industrial, and multi-family residential uses shall provide bicycle facilities to meet the following standards:

(1) Bicycle Parking

The minimum number of bicycle parking spaces shall equal 5% of the number of required parking spaces. At least one bicycle parking space shall be provided.

(2) Location

For convenience and security, bicycle parking facilities shall: (1) be located near building entrances, (2) be visible from the land uses they serve and (3) not be located in remote automobile parking areas. Bicycle parking facilities shall not be located to impede pedestrian or automobile traffic flow nor cause damage to plant material from bicycle traffic.

(3) Design

Bicycle parking facilities shall be provided with bicycle racks and be designed to allow the bicycle to be securely locked to the bicycle rack. The bicycle rack shall be of permanent construction such as heavy gauge tubular steel with angle bars permanently attached to the pavement. Bicycle parking facilities shall be at least 2 feet in width and 5½ feet in length, with additional back-out or maneuvering space of at least 5 feet.

(G) Drive-Through Design Requirements

(1) Design of Stacking Lanes for Drive-Through Facilities

Automobile stacking lanes for drive-through uses shall be provided in accordance with the following standards:

(a) Minimum Width of Drive-Through Lane

The minimum width of a drive-through lane shall be 8 feet.

(b) Stacking Lanes Not Intersect Pedestrian Access

Required drive-through stacking lanes shall not intersect with pedestrian access to a building entrance intended for the public.

(c) Drive-Through Lanes Stripped

Each drive-through lane shall be striped, marked or otherwise distinctly delineated.

(d) Driveways Provided for Stacking Lanes

Driveways used as stacking lanes shall conform to the requirements of this Code and the ECM.

(2) Stacking and Additional Requirements for Specific Land Uses

(a) Restaurants

Restaurants shall provide 90 feet of stacking behind each order board and pick-up window, or if the functions are separated, 30 feet behind an order board and 60 feet behind the pick-up window. The stacking may wrap around the building.

(b) Financial Institutions

Financial institutions and financial transaction facilities (i.e. bill payment windows) shall provide 70 feet of stacking behind each window or transaction facility. Where more than one window or transaction facility is provided, the stacking lanes may be distributed in 20 foot increments among the various lanes as long as no lane is less than 30 feet in length.

(c) Car Wash, Quick-Lube and Oil-Change Uses

A car wash, quick-lube, and oil-change bay shall provide 40 feet of stacking behind each bay or stall. One car drying area shall be required for each bay or stall.

(d) Mini-Warehouse Facilities

Driving aisles for mini-warehouse or self-storage facilities shall be a minimum of 24 feet wide. A driving aisle where access to storage units is only on one side of the aisle may be 20 feet in width. Parking shall be required for any accessory use (except office, caretaker's unit) on the lot, parcel, or tract based on the standards for the accessory use plus a minimum of 3 guest spaces for customers of the storage unit.

(e) Display or Storage Areas

Required parking, maneuvering, or access areas for automobile sales uses shall not be used for display or storage of automobiles. Display or storage areas shall be delineated on required plans.

(f) Boat or Recreational Vehicle Parking

Display and storage areas shall be on a surface approved the applicable fire department.

6.2.6. Pre-Development Site Grading

(A) Pre-Development Site Grading Allowed

Pre-development site grading may occur after issuance of a construction permit by the ECM Administrator in accordance with this Section and the requirements of the ECM.

(B) Pre-Development Site Grading Requirements

A construction permit for pre-development site grading will only be issued if the following requirements are met, in addition to those required in the ECM:

(1) BoCC Approved Issuance

The BoCC shall approve the preliminary plan for the subject property and authorize the ECM Administrator to issue a construction permit for pre-development site grading, which approval shall include authorization for the ECM Administrator to accept the construction sureties required by the ECM.

(2) Grading to Conform to this Code and ECM

Pre-development site grading shall conform to the grading and erosion and sediment control requirements of this Code and the ECM, except as specifically modified by this Section.

(3) ESQCP Required Prior to Issuance of a Construction Permit

The ECM Administrator shall issue an ESQCP in accordance with the requirements of the ECM prior to the issuance of a construction permit for pre-development site grading. A construction permit for pre-development site grading shall meet all requirements of the ECM for issuance of an ESQCP.

(4) Where Drainage Structures Required

Detailed engineering information meeting the requirements of the ECM will be required when drainage structures or facilities are required to be constructed as part of the pre-development site grading. All information required in a final drainage report for these facilities shall be provided to the ECM Administrator and approved before the issuance of a construction permit will be authorized. In addition, construction documents for all drainage facilities or structures to be constructed as part of the proposal for pre-development site grading shall be provided for review and approval. The construction permit application shall demonstrate to the satisfaction of the ECM Administrator that no impact will occur to any drainageway, including property downstream of the activity.

(5) Acknowledgement Form Required

A Pre-Development Site Grading Acknowledgment Form shall be completed and submitted with the construction permit application. Approval and issuance of the construction permit and ESQCP for pre-development site grading does not guarantee or create a right, or right of expectation that the BoCC will approve the final plat for the subject property. The Pre-Development Site Grading Acknowledgment Form acknowledges that signatory will proceed to perform grading under the construction permit and ESQCP at signatory's sole risk.

(6) Financial Assurance Required

Construction and stormwater Financial Assurance for the benefit of the BoCC for the cost of the erosion control measures and noxious weed management plan requirements shall be provided in conformance with this Code and the ECM.

(7) Compliance with State and Federal Requirements

The applicant is responsible to obtain and comply with all other applicable federal, State, or local rules and regulations that may be required prior to commencing pre-development site grading, including, but not limited to, Section 404 permits, floodplain development permits,

dust permits, permits under the federal Clean Water Act, and Section 7 or Section 10 permits under the Endangered Species Act from the U.S. Fish & Wildlife Service.

**(8) Financial Assurance Combined with Subdivision Construction
Financial Assurance**

The construction and stormwater Financial Assurance for pre-development site grading may be consolidated with the construction Financial Assurance for the common subdivision and public improvements when a final plat is approved by the BoCC.

(9) Release of Financial Assurance

Construction and stormwater Financial Assurance shall be released in full or in part in accordance with procedures set forth in the ECM.

6.2.7. Operational Standards

(A) General

(1) Purpose

These operational standards are designed to limit or eliminate conditions that may negatively impact the environment and use of surrounding properties.

(2) Applicability

These operational standards shall apply in all zoning districts and to all uses of lands, except as modified by this Code.

(B) Dust and Debris Control

(1) Prohibition of Blowing Dust and Debris

The blowing of dirt, sand, or debris from an ownership to an abutting or nearby ownership, or right-of-way is not allowed. Agricultural operations in Agricultural, Forestry and Rural Residential zoning districts are exempt from this prohibition.

(2) Prevention of Blowing Dust and Debris

The prevention of blowing of dirt, sand, or debris may be accomplished by oiling, placement of base course or asphalt, application of calcium chloride, watering and wetting of the area, installation of a snow fence or barrier, chiseling the ground, or other effective means.

(3) Mud or Dirt Carryout

Construction activities shall include mechanisms to limit or reduce mud or dirt carryout from the construction site, in accordance with the provisions of the ECM and the requirements of the EPCPH.

(4) Structure Demolition

Demolition of structures shall be performed to prevent or reduce blowing debris from an ownership to an abutting or nearby ownership, or right-of-

way. Demolition permits may be required by the Building Department and the EPCPH

(C) Electromagnetic and Electrical Interference

The operation of equipment shall not adversely affect the operation of any off-premise electrical, radio or television equipment. No use may be made of land or water which creates interference with navigational signals for radio communications between an aviation facility and aircraft.

(D) Humidity, Heat, Glare, Smoke, or Radiation

Uses shall not emit offensive, harmful, hazardous, or annoying amounts of heat, glare, humidity, smoke, or radiation at any point on any boundary line of the ownership within which the use is located.

(E) Noise

Noise producing activity is regulated by Ordinance 02-1: Ordinance Concerning Noise Level in Unincorporated El Paso County. Uses and activities shall be conducted in conformance with Ordinance 02-1 including, but not limited to, the following standards.

(1) Maximum Permissible Noise Levels

Sound levels shall be measured in dBA as provided for in Section 6 of Ordinance 02-1. During the time periods indicated in Table 6-7, the sound levels allowed by Ordinance 02-1 shall be observed.

Table 6-7. Maximum Noise Standards by Land Use Type.

Land Use	Maximum Noise [dBA] 7:00 A.M. - 7:00 P.M.	Maximum Noise [dBA] 7:00 P.M. Next 7:00 A.M.
Residential or Commercial Area	55	50
Industrial area or Construction Activities ¹	80	75
Non-specified Areas	55	50
¹ Construction activities are subject to the sound level allowed for industrial areas during construction conducted pursuant to a valid building or construction. At other times, construction activities are subject to the sound level specified.		

(F) Vibration

Uses and activities shall be conducted so ground vibration inherently and recurrently generated is not perceptible without instruments at any point along the boundary line of the ownership on which the use or activity is conducted. Those activities typically performed as part of an agricultural operation in an agricultural or forestry zoning district shall be exempt from the requirements of this Section.

(G) Odor

No uses shall be conducted that creates a malodorous condition, except those odors which may typically be associated with an agricultural operation in an agricultural, forestry or rural residential zoning district.

6.2.8. Maintenance Plans

(A) General

(1) Purpose

Maintenance plans are intended to provide for the long term maintenance and care of roads, common areas, recreational and park areas or facilities, open space, bikeways, trails, paths, malls, parking areas, sanitation facilities, common sewerage or water system, or private detention ponds where responsibility for operation and maintenance is shared by 2 or more dwelling units, ownerships, businesses, or uses, or any other similar facility.

(2) Applicability

An applicant for a development which includes non-governmental maintenance and care of roads, common areas, recreational and park areas, or facilities, open space, bikeways, trails, paths, malls, parking areas, sanitation facilities, common sewerage or water system by two or more dwelling units or uses, private detention ponds or any other similar type of facility and tracts that are not building sites, is responsible for preparing a maintenance plan as part of the development application for the project.

(B) Standards

Maintenance plans shall meet the following requirements:

(1) Address All Required Elements

The maintenance plan shall address all the required elements that will not be maintained by a governmental or quasi-governmental agency.

(2) Best Available Maintenance Practices

The maintenance plan shall provide for best available practices to maintain the lot, parcel, or tract for the use specified in the maintenance plan.

(3) Mechanism for Adequate Maintenance Funding

An individual or organization shall be designated to provide an adequate funding mechanism to ensure maintenance and annual monitoring of the lot, parcel, or tract for the life of the project.

(4) County Informed of Responsible Party

An adequate mechanism shall be included in the maintenance plan to keep the County informed of any changes in ownership or responsibility for the maintenance of the lot, parcel, or tract.

(5) Contingency Plan

An adequate contingency plan shall be provide for the long term maintenance of the site if irrigation water is removed from the site or the use of the site changes significantly.

6.2.9. Signs, Off-Premise

(A) General Provisions

(1) Purpose

The purpose of this Section is to limit the impact of billboards on the community; to improve the appearance of entryways into the community such as Interstate 25, Highway 24, Highway 24 Bypass and Municipal Airport entryway corridors; to insure compatibility between billboards and adjacent land uses, especially residential uses; to limit the impact that billboards have on sign clutter in the community; to provide for the dispersion of billboards; to promote transportation safety; and to provide for the visual enjoyment of the community's natural setting. The County recognizes that billboards are a necessary and appropriate advertising medium, and that there are acceptable and viable locations for billboards within the community.

(2) Applicability

Off premise signs erected, replaced, reconstructed, expanded, or relocated shall conform to the provisions of this Section and with all other pertinent laws or ordinances.

(3) Exemptions

This section shall not pertain to State-approved signs within State highway rights-of-way.

(4) Sign and Building Permit Required

No off-premise sign shall be erected, re-erected, relocated, replaced, expanded or altered, without first securing a sign permit from the DSD and a building permit from the Building Department.

(5) Special Use Required for Mechanical or Electronic Message Display (Change in Display Type)

Any change in display type from a static poster display to mechanical or electronic message display will require approval the same as if the sign was a new sign.

(6) Alteration of Existing Signs without Required Permits

Alteration of an existing sign other than minor modifications which do not affect sign location, face area, height, or display type, without the required permits will result in the loss of any existing non-conforming status and may extinguish all rights, including the right to receive a billboard credit.

(7) Increase in Sign Area

Any expansion of sign size, area, or square footage will require approval the same as if the sign was a new sign.

(8) Specification Information Required

Any new off-premise sign utilizing lighting or which is an EMD or MMD shall submit lighting and/or luminance specification information from the sign manufacturer to demonstrate compliance with the lighting standards of the code.

(B) Development Standards

(1) Sign Area

No billboard, except for existing billboards, shall exceed 245 square feet area. A new billboard may exceed 245 square feet only if a billboard credit for a larger size is being used, and then may only be increased up to the maximum size allowed by the billboard credit.

(2) Height

The height of a billboard shall not exceed the maximum height allowed in the applicable zoning district.

(3) Permitted Display Types and Standards

(a) Poster Copy

No sign permit or approval is required to change the message for a poster copy sign. Only one message is allowed per sign face.

(b) Mechanical message (Trifold)

(i) Message hold time

Each message on an electronic message display shall be displayed for at least four (4) to eight (8) seconds.

(ii) Transition methods

The transition between messages shall be instantaneous. Transitional effects and other transitional schemes are prohibited.

(iii) Transition duration

The interval between messages shall be instantaneous.

(iv) Brightness/Lighting

Lighting on all off premise mechanical message displays shall adhere to the lighting standards of the Code.

(v) Malfunction Default Status

In the event a malfunction occurs, all mechanical message displays shall shut down any lights and terminate movement of panels or hold panels in one position.

(c) Electronic Message Display (EMD)

(i) Special Use Required

Any use of EMD shall require approval of a special use permit. Conversion of existing static display to EMD may be approved administratively, Conversion of existing static displays within any restricted corridor are not eligible for administrative approval. New billboards proposing EMD shall require Board approval.

(ii) Animated with Special Use Approval

Animated or other video messages require Board of County Commissioners authorization through the standard special use process. Animation shall not be authorized administratively.

(iii) Message hold time

Each message on an electronic message display shall be displayed for at least four (4) to eight (8) seconds.

(iv) Transition methods

The transition between messages display shall be instantaneous. Transitional effects shall be limited to instant (slideshow), fade, dissolve, circle out, diamond out, jaws, zoom, wipe left, wipe right, scroll, and travel.

(v) Transition duration

The interval between messages shall be instantaneous.

(vi) Brightness (to include auto dimming)

Unless otherwise varied by the special use, all electronic message displays shall be equipped with technology that automatically dims the electronic message displays according to ambient light conditions to a luminance, or nighttime brightness level of up to 500 NIT, which will result in a reduction of display brightness between 5% and 25% depending on the resolution of the sign.

Documentation shall be provided from the sign manufacturer which verifies compliance with auto dimming and brightness requirements.

(vii) Malfunction Default and Repair Status

All electronic message displays shall be equipped with the ability to be shut off within 24 hours that a malfunction occurs, including the demonstration of

prohibited transition methods. Signs under repair shall also be shut off.

(4) Setbacks and Location Standards

(a) Setbacks

Billboards shall maintain the minimum setbacks of the zoning district in which the billboard is located. Where a zero lot line setback is allowed for buildings, the setback for a billboard shall not be less than 10 feet.

(b) Location Standards

(i) Not Placed on Roof

No billboard shall be placed on the roof of any structure.

(ii) Not Cantilevered Over Any Structure

No billboard shall cantilever over any building or structure.

(iii) Restricted Corridors

No billboard shall be allowed within 660 feet of the nearest edge of the right-of-way along any of the following restricted corridors except for the removal and replacement of nonconforming billboards within the same corridor. Billboards with faces which are not visible from the restricted corridors are exempt from this requirement. The restricted corridors include: Interstate 25, State Highway 24, State Highway 24 Bypass, State Highway 115, State Highway 105, Drennan Road (from Hancock to the Municipal Airport).

(iv) Additional Restrictions Along State Highways

Signs along highways as defined in C.R.S. §§43-1-203, et seq. and 43-2-101(1) and signs along the Interstate system of highways as defined in C.R.S. §43-2-101(2), are prohibited unless the signs conform with all of the requirements of the Outdoor Advertising Act, C.R.S. §§43-1-401, et seq., and any rules and regulations promulgated by the CDOT pursuant thereto and any applicable federal law and rules and regulations.

(c) Spacing Standards

The following spacing criteria shall apply to billboards:

(i) Billboards Spaced 1,000 Feet Apart

No billboard shall be spaced less than 1,000 feet from any other billboard, except in the I-3 Zoning district, where the spacing shall be no less than 400 feet.

- (ii) **Spacing Measured Along Road Centerline**
The spacing between billboards shall be measured horizontally along the center line of the road to which the sign is directed.
- (iii) **Billboards within 250 Feet of Intersection**
Only one billboard shall be placed within a radius of 250 feet of the center point of any road intersection.
- (iv) **500 Feet from Residential Zoning Districts**
No billboard shall be placed within 500 feet of any residential zoning district. The 500 foot distance shall be measured as a radius from the proposed billboard location to the nearest boundary of the residential zoning district.

(d) Billboard to Meet On-Premise Standards

Billboards shall meet the general sign standards applicable for on-premise signs, except as otherwise provided for by this Section.

(e) Name of Owner to be Placed on Sign

The name of the person owning, leasing, or controlling any billboard shall be placed in a conspicuous place on the billboard structure.

(C) Downsizing and Replacement of Nonconforming Billboards

(1) Size Reductions by January 1, 1998

Existing billboard faces in all locations were to be reduced to the following sizes by January 1, 1998:

- Billboards with face areas greater than 400 square feet shall be replaced at a size not to exceed 400 square feet in face area.
- Billboards with face areas between 377 and 245 square feet shall be replaced at a size not to exceed to 245 square feet.
- Billboards of less than 245 square feet shall be restricted to their current size in the event they are relocated or replaced.

(2) Replacement at Current Location

Nonconforming billboards may be replaced at their current location size, and orientation with a new billboard face which meets the face area requirements of this Code with only a sign permit required.

(3) Exception for 378-400 Square Foot Billboards

Billboards between 378 square feet and 400 square feet are not required to be downsized.

(4) Failure to Comply with Downsizing Requirement

Billboards which have not downsized in accordance with this provision shall be considered in violation of this Code and shall be brought into

conformance with the downsizing provisions immediately on notice by DSD.

(D) Cap and Replacement/Billboard Credits

(1) Billboard Cap

There shall be a limit of 99 total billboard locations within unincorporated El Paso County. Annexation of an existing billboard shall reduce the billboard cap only if the annexing municipality does not count that billboard towards a billboard cap.

(2) Permits for Billboard Limited to Holders of Billboard Credit

Sign and building permits to erect a billboard in excess of the cap shall only be issued to those persons possessing a billboard credit.

(3) Billboard Credit

Billboard credits shall be issued by the County to those billboard owners requesting a credit who have removed a previously existing, lawfully erected billboard existing as of March 13, 1995. It shall be the responsibility of the applicant to request the credit within 1 year of removal and show the ownership, location and date of removal of the billboard.

(4) Credit Basis

Billboard credits shall be issued on a structure-for-structure, face-to-face, size to size replacement basis. For example, if the removed billboard contained only one face, its replacement would be allowed only one face. No credit shall be granted for the partial removal of faces or for the removal of billboard faces which are less than 84 square feet.

(5) Credit Utilization

A billboard credit may only be used in a location which meets all standards of this Code. Within a restricted corridor any credit utilized must be from the same corridor. A credit from a restricted corridor may be utilized outside restricted corridor.

(6) Transfer of Credits

Credits may be transferred between parties through legal means.

6.2.10. Signs, On-Premise

(A) General Provisions

(1) Purpose

This section provides for the protection of the public health, safety, and welfare by establishing a system of on-premise sign controls, regulating the size, height, number, design, materials, construction, location, lighting and maintenance of on-premise signs and sign structures in order to accomplish the following:

- Allow for reasonable and equitable identification of businesses and properties;
- Protect and enhance the visual and aesthetic character of residential neighborhoods, business areas, and all zoning districts by prohibiting the visual clutter of obtrusive and incompatible signs;
- Encourage signs which are well designed, architecturally integrated and compatible with the buildings of which they are a part;
- Provide fair and equal treatment of all sign users; and
- Promote motorist and pedestrian safety by insuring that official traffic control devices can be easily seen, that adequate sight distance is maintained and that visual impacts are limited to reduce hazards, by prohibiting nearby visual obstructions such as blinking signs, an excessive number of signs, excessive copy on signs, or signs resembling official signs.

(2) Applicability

On premise signs erected, replaced, reconstructed, expanded, or relocated shall conform to the provisions of this Section and with all other pertinent laws or ordinances.

(3) Exemptions

The following signs are exempt from the requirement to obtain a sign permit provided the sign complies with the restrictions and performance standards identified. The following signs shall further conform to the site distance requirements in Chapter 2 of the ECM, and the signs shall be located entirely on private property unless otherwise provided.

(a) Holiday Signs and Lighting

Temporary signs, lighting and decorations customary for special holidays, such as Independence Day and Christmas, erected entirely on private property are exempt from the requirements of this Section provided they are not used to advertise the name of a product, service, or business.

(b) Real Estate Signs

(i) Temporary Real Estate Signs

Temporary real estate signs offering the premises for sale, lease or rent on which the sign is located are exempt from the requirements of this Section provided there is only one sign per frontage, the sign area does not exceed 32 square feet, and the sign does not exceed 8 feet in height.

(ii) **Portable Real Estate Directional Signs**

Portable real estate directional signs are exempt from the requirements of this Section, provided they are used only when the real estate company representative, agent or seller is in attendance at the property for sale provided they do not exceed 8 square feet, they do not exceed 4 feet in height.

(c) Traffic Signs

Traffic signs or markings, for the purpose of regulating, warning, or guiding traffic, whether on public or private property are exempt from the requirement of this Section provided the signs and markings comply with the Manual on Uniform Traffic Control Devices for Streets and Highways, current edition, published by the U.S. Department of Transportation, Federal Highway Administration. Traffic signs may be located on public property when approved by the owner of the lot, parcel, or tract.

(d) Bulletin Boards

Bulletin boards not over 12 square feet in area for each public, charitable or religious institution is exempt from the requirements of this Section provided the bulletin board is located on the premises of the institution and does not exceed 8 feet in height.

(e) Temporary Construction Project Signs

Temporary construction signs denoting the architect, engineer or contractor for a project under construction are exempt from the requirements of this Section provided there is only one 1 sign per frontage, the sign area does not exceed 32 square feet, the sign does not exceed 8 feet in height, and the sign is removed within 10 days following completion of construction.

(f) Memorial Signs

Memorial signs or tablets, names of buildings, and dates of erection, when cut into any masonry surface or when constructed of bronze or other non-combustible material are exempt from the requirements of this Section provided the sign does not exceed 16 square feet in area.

(g) Utility Signs

Signs of utilities indicating danger and service or safety information are exempt from the requirements of this Section.

(h) Political Signs

Political signs, posters, or bills not exceeding 6 square feet in area in any residential zoning district or 32 square feet in area when located in any non-residential zoning district or on a lot or parcel 5 acres or more in area are exempt from the requirements of this Section

provided the political signs are located on private property with the consent of the property owner or the lawful occupant, the signs do not exceed 8 feet in height, and the signs are removed within 10 days following an election, except that the successful candidates of a primary election may keep their signs on display until 10 days after the general election, at which time they shall be promptly removed.

(i) Official Signs

Official signs erected and maintained by the government, or otherwise required by law are exempt from the requirements of this Section provided the signs conform to the site distance requirements of the ECM.

(j) HOA Signs

HOA signs erected by HOA or architectural review committee referencing restrictions or their control within a development are exempt from the requirements of this Section provided the sign does not exceed 16 square feet in area, the sign does not exceed 8 feet in height, is located on private property or association property, and conforms to the site distance requirements of the ECM.

(k) Bus Bench and Shelter Signs

Bus bench and shelter signs located within public right of way or public improvement easement are exempt from the requirements of this section provided the location of the bus bench or shelter has been approved either by the El Paso County Public Services Department or within a County contract for transit services.

(4) Liability for Damages

Nothing in this Section shall relieve any person, corporation, firm, or entity from responsibility for damages to any other person suffering physical injury or damage to property as a result of the installation, display, maintenance or removal of any sign authorized under this Section. The County and its employees and officials shall assume no liability for the injury or damage resulting from the authorization of any permit or inspection implementing the provisions of this Section.

(B) Permits Required

(1) Sign Permit

(a) Sign Permit Required

No sign, except a sign not requiring a sign permit, shall be erected, re-erected, relocated, replaced, expanded or altered, without first securing a sign permit from the DSD.

(b) Signs and Activities Exempt from Obtaining Sign Permit

The following signs or activities shall not be required to obtain a sign permit. These exceptions shall not be construed as relieving the

owner of any sign from the responsibility of its erection and maintenance and its compliance with the provisions of this Section or any other law or ordinance regulating the sign.

(i) Maintenance and Illumination

A sign permit shall not be required for painting, repainting, cleaning or other normal maintenance and repair of a sign or a sign structure change, and the changing of the advertising copy or message on an approved painted or printed sign, theater marquee, legal nonconforming sign or similar approved signs which are specifically designed for the use of replaceable copy.

(ii) Information Signs

Information signs no more than 6 square feet in area, 3 feet in width or length, and 4 feet in height are exempt from the requirement to obtain a sign permit.

(iii) Window Signs

Window signs which are of a temporary nature which occupy less than 50% of the window surface are exempt from the requirement to obtain a sign permit.

(2) Building Permit

(a) Building Permit Required

No sign, except a sign not requiring a building permit, shall be erected, re-erected, relocated, replaced, expanded or altered, unless a building permit has been issued by the Building Department.

(b) DSD Approval of Building Permit

(i) Issuance of Building Permit to be Authorized by the DSD

No building permit for a sign shall be issued unless the issuance of the building permit is authorized by the DSD.

(ii) Permit Authorization Without State Sign Permit

No site plan to authorize a building permit shall be approved until a State Sign Permit has been obtained, where required, and a copy of the permit is provided to the DSD.

(C) Prohibited Signs

On-premise signs which fail to meet the requirements of this Section or are not specifically allowed by this Section are prohibited.

(D) General Sign Standards

(1) Setback Requirements

Signs shall meet the minimum setbacks required by the zoning district, except as otherwise provided.

(2) Height Limitations

(a) Signs Not to Exceed Height Limitations

Signs shall not exceed the maximum height allowed by the zoning district, except as otherwise provided.

(b) Sign Height to be Measured from Finished Grade

The height of a sign shall be determined using the average elevation of the finish grade of the surrounding area.

(c) Berms to be Included in Determining Sign Height

The height of the berm shall be included as part of the sign height when the base of a sign or supporting structure is located on the berm.

(3) Restrictions on Sign Placement

(a) Signs and Public Property or Right-of-Way

(i) No Encroachment on Public Property

Signs shall not encroach on public property, right-of-way or easement without the consent of the owner of the public property, right-of-way or easement, and approval of a sign permit, if required by this Section.

(ii) Public Property or within Right-of-Way

Signs shall not be pasted, painted, affixed or fastened to the surface of a utility pole, bridge, sidewalk, or County-owned or operated vehicle, or a public facility located on public property, rights-of-way or easements without the written consent of the owner of the public property, right-of-way or easement, and approval of a sign permit, if required by this Section.

(b) No Signs Placed to Limit Site Distances Along Roadways

(i) No Signs Located to Obstruct Vision Near Intersection

Signs placed within 500 feet of the center point of the intersection of two or more roads or the intersection of a road with a railroad shall not materially obstruct or reduce the existing view of traffic.

(ii) No Signs Located to Obstruct Vision Along Road

Signs shall not be placed along a road at any point where the sign would limit the existing view of traffic in

either direction or of a traffic control or directional sign to less than 500 feet.

(iii) No Signs Located within Sight-Distance Triangle

Signs shall not be located within a sight-distance triangle or otherwise obstruct the view of vehicle operators entering or leaving any parking area, service drive, driveway, road, alley, or other thoroughfare. The sight-distance triangle shall be determined in accordance with the ECM.

(c) No Sign Located in Utility or Drainage Easement

No sign may be erected in, placed on or extend over a utility or drainage easement unless approved in writing by the entity or entities having jurisdiction over the easement.

(d) Additional Restrictions Along State Highways

Signs along highways as defined in C.R.S. §§43-1-203, et seq. and 43-2-101 (1) and signs along the Interstate system of highways as defined in C.R.S. §43-2-101 (2), are prohibited unless the sign conforms with all of the requirements of the Outdoor Advertising Act, C.R.S. §§43-1-401 et seq., and any rules and regulations promulgated by the State of Colorado Department of Highways and any applicable federal law and rules and regulations.

(e) Design and Construction

(i) Sign to Conform to Building Code

Signs and associated structures shall be designed and constructed in accordance with the requirements for structures in the Building Code.

(ii) Signs Not to Mimic Official Signs

Signs shall not be erected which simulate any official traffic, directional, or warning sign, or which involves lights simulating or resembling traffic signals or traffic control signs, or uses the words "stop," or "danger", or any other word, symbol, character or color which might confuse traffic or detract from any legal traffic control device.

(iii) Portable Signs

Portable or movable signs, or inflatable devices including blimps or balloons used as signs, are prohibited, except those which are hand held by a person or persons, or ground-mounted temporary or inflatable signs, utilized for grand openings, or special events. Manned balloons or airships are not included in these restrictions and prohibitions.

- (iv) No Sign on Wall, Fence or Roof
Signs shall not be painted, pasted or similarly posted directly on the surface of any freestanding wall or on a fence or the roof of any building, unless otherwise provided.
- (v) No Vehicle to be Used as Sign
Vehicles bearing a sign shall not be parked or located for the primary purpose of displaying the sign. This does not apply to signs or lettering on buses, taxis, or vehicles operating during the normal course of business.
- (vi) Signs to be Stationary
Signs shall be stationary.
- (vii) Illumination
No sign shall be illuminated unless the source of light is steady and suitably shielded in accordance with the lighting standards of the Code.
- (viii) Blinking or Intermittent Electrical Pulsations Prohibited
No sign is allowed with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations, except time-temperature-date signs. Time-temperature-date signs are exempt from this prohibition. A change in the advertising copy or message that occurs more rapidly than once every 4 seconds will cause the sign to be considered to be a blinking or animated sign.
- (ix) No Signs Attached Natural Objects
No sign shall be nailed, tacked, posted, or attached in any manner on trees, rocks or other natural objects.

(4) Standards for Specific On-Premise Sign Types

(a) Direction Signs

- (i) Sign Permit Required
Direction signs are allowed in any zoning district with approval of a sign permit by the DSD.
- (ii) Limit in Duration
Direction signs may be located and maintained in accordance with the approved sign permit for a maximum of 12 months.
- (iii) Maximum Area
Direction signs shall not exceed 16 square feet in area and the total height of the sign shall not exceed 10 feet.

- (iv) Setbacks
Direction signs shall meet the required setbacks for the zoning district in which the sign is located.
- (v) Proximity to Right-of-Way
No direction sign shall be closer than 25 feet from a right-of-way boundary line.
- (vi) Copy
The sign copy shall not advertise, promote or identify a product, service or commercial development.
- (vii) No Illumination
No direction sign shall be illuminated.
- (viii) Property Owner Approval
The location of direction signs shall be approved by the property owner of the lot, parcel, or tract on which the sign will be placed. A direction sign shall not be considered to be an off-premise sign.

(b) Temporary Signs

- (i) Development Signs
 - Number of Signs Limited: A maximum of 2 development signs, per subdivision or development shall be allowed.
 - Maximum Size: No development sign shall exceed 50 square feet in area. Neither the length, width nor height of the sign shall exceed 12 feet.
 - Location: Development signs shall be located no closer than 25 feet from a lot, parcel, or tract line.
 - No Illumination: No development sign shall be illuminated.
 - Time Limit for Display: The display of development signs shall be limited to a period of 12 months or until the development or subdivision is substantially built out. At the expiration of the period, the signs shall be removed within 10 days.
- (ii) Model Home Signs
 - Number of Signs Limited: One model home sign shall be allowed per lot, to advertise model homes or a group of new residences being offered for sale.
 - Size, Height, and Location Restrictions: Model home signs shall not exceed 16 square feet in area, 8 feet in height, shall not be located less than 5 feet from any lot, parcel, or tract line.

- Time Limit for Display: The display of model home signs shall be limited to a period of 6 months or until the development or subdivision is substantially built out. At the expiration of the period, the signs shall be removed within 10 days.

(c) Flagpoles and Flags

Flags are considered signs and shall meet all standards for signs except as otherwise provided for by this Section.

(i) Area of Flag Limited

The area of the flag shall not exceed 40 square feet or 2 square feet of sign for each linear foot of building wall area the flag is adjacent or closest to, whichever is less. The allowable area of freestanding signage shall be reduced by the size of the flag.

(ii) Intrusion into Setback Area

A flagpole may be located within the setback area provided it is located within 10 feet of a building.

(iii) Height of Flagpole

No flagpole shall exceed 20 feet in height if located within a setback area or the maximum height for the zoning district if located outside the setback area.

(iv) Sign Permits

A flag or flagpole located on property in a residential or agricultural zone district shall not be subject to the sign permit requirements.

(5) Sign Maintenance

Every sign and sign structure shall be maintained in a safe, presentable, and good structural condition at all times, including the replacement of defective parts and wiring, painting, repainting, cleaning, and other acts required for the general maintenance of the sign. Signs not adequately maintained shall be subject to the enforcement and penalties described in Chapter 11.

(E) Regulations by Zoning District

(1) Agricultural, Forestry, and Residential Zoning Districts

The following sign allowances and standards shall apply in agricultural, forestry, and residential zoning districts including recreational vehicle and mobile home zoning districts, and residential PUD zoning districts.

(a) Types of Signs Allowed

The following signs shall be allowed in agricultural, forestry, and residential zoning districts subject to the standards of this Section

and the specific limitations imposed for each sign type by this Code.
The sign types allowed include:

- Announcement signs;
- Bulletin boards;
- Bus bench and shelter signs;
- Development signs;
- Direction signs;
- Flagpoles and flags;
- HOA signs;
- Identification signs;
- Information signs;
- Memorial signs;
- Model homes signs;
- Name plate signs;
- Official signs;
- Political signs;
- Project signs;
- Real estate signs;
- Temporary construction;
- Traffic signs;
- Bus stop signs; and
- Utility signs.

Signs not listed as allowed are prohibited.

(b) Name Plate Sign

- (i) Number of Name Plate Signs
One name plate sign per dwelling unit shall be allowed.
- (ii) Size of Name Plate Sign
A name plate sign shall not exceed 2 square feet in area.
- (iii) Sign Copy
A name plate sign copy shall indicate the name, home occupation or non-commercial message.
- (iv) Location of Name Plate Sign
The name plate sign shall be located not closer than 5 feet from a lot, parcel, or tract line.
- (v) Maximum Height
The maximum height of a freestanding name plate sign shall be 4 feet.

(c) Announcement Signs

- (i) **Number and Use of Announcement Signs**
One announcement sign shall be allowed per lot or parcel in association with a non-residential use.
- (ii) **Size of Announcement Sign**
The announcement sign shall not exceed 20 square feet in area. Neither the width nor length of the announcement sign shall exceed 10 feet.
- (iii) **Location of Announcement Sign**
The announcement sign shall be located no closer than 15 feet from a lot, parcel, or tract line.
- (iv) **Maximum Height of Announcement Sign**
The announcement sign shall not exceed 12 feet in height.
- (v) **Additional Signage for Schools and Religious Institutions**
In addition to a freestanding announcement sign, schools and religious institutions shall be allowed an additional 20 square feet of wall sign area for announcement signs.

(d) Identification Sign

- (i) **Number and Use of Identification Sign**
Two identification signs indicating the name of the subdivision shall be allowed at each road entrance to a subdivision or development.
- (ii) **Low-Profile Sign Standards**
Low-profile signs used as identification signs shall not exceed 40 square feet in area or 6 feet in height. Low-profile identification signs shall be located at least 25 feet from a right-of-way or road easement.
- (iii) **Wall Sign Standards**
Wall signs used as identification signs shall be attached to a freestanding wall or fence and shall not exceed 40 square feet in area. The wall sign shall not extend above the height of the freestanding wall or fence.

(2) Business, Commercial and Industrial Zoning Districts

The following sign allowances and standards shall apply in general business and commercial zoning districts including commercial PUD

zoning districts, and in industrial zoning districts including industrial PUD zoning districts.

(a) Types of Signs Allowed

The following signs shall be allowed in general business and commercial zoning districts subject to the standards of this Section and the specific limitations imposed for each sign type by this Code. The sign types allowed, unless otherwise limited by this Section, include:

- Attached signs;
- Banners;
- Bulletin boards;
- Bus bench and shelter sign;
- Commercial center and building directory signs;
- Credit card signs;
- Development signs;
- Directional signs including drive-through signs;
- Drive-through directional signs;
- Entrance/exit signs;
- Flagpoles and flags;
- Freestanding signs;
- Grand opening/special event signs;
- HOA signs;
- Identification signs;
- Information signs;
- Memorial signs;
- Menu board signs;
- Official signs;
- Political signs;
- Real estate signs;
- Temporary construction project signs;
- Time-temperature-date signs;
- Traffic signs;
- Utility signs;
- Bus stop signs; and
- Window signs.

(b) Total Sign Area and Total Number of Signs

The total sign area and number of signs of each sign type are limited. Maximum sign area and number of signs is established by the specific standards for each sign type. The combined sign area of attached signs and freestanding signs associated with a building wall

is limited by this Section. All other signs are regulated independently from one another.

(c) Freestanding Signs, General

- (i) Freestanding Sign Area
- Allowable Freestanding Sign Area: The total area of freestanding signs shall not exceed 2 square feet for each linear foot of the building wall closest to the freestanding sign or 40 square feet, whichever is smaller. The maximum freestanding sign area shall be 40 square feet where no building is present.
 - Reduction in Freestanding Sign Area: When an attached sign and freestanding sign is located along the same building wall, the total allowable area of the freestanding sign shall, when combined with the area of attached signs, not exceed 2 square feet of signage for each linear foot of building wall or 40 square feet.
 - Increase in Freestanding Sign Area Along Arterial: When a freestanding sign is located along an arterial or expressway identified in the MTCP, the allowable freestanding sign area shall be 125% of the sign area otherwise allowed by this Code. The 25% increase shall be added after determining the maximum sign area allowed by this Code.
 - Increase in Freestanding Sign Address Provision: If freestanding sign copy includes an address or address and road name, up to 20 square feet of the area of the sign devoted to the address will not count against the allowable sign area.

(d) Freestanding Sign Standards in Commercial Centers or Industrial Parks

Where a business or use is located in a commercial center or industrial park, the following additional sign standards shall be met.

- (i) Freestanding Signs Limited to Low-Profile Signs
Freestanding signs located within a commercial center or industrial park shall be low-profile signs.
- (ii) Number of Signs
One low-profile sign shall be allowed per building or per lot or parcel where no building is present. One flag meeting the requirements of this Section is also allowed in association with a low-profile sign.

(iii) Location of Low-Profile Sign

The low-profile sign may be located in a setback area, but shall be located no closer than 3 feet from a lot, parcel, or tract line.

(e) Freestanding Sign Standards Outside Commercial Centers or Industrial Parks

Where a business or use is not located in a commercial center or industrial park, the following additional sign standards shall be met:

(i) Number of Signs

One freestanding sign is allowed per lot or parcel. One flag meeting the requirements of this Section is also allowed in association with a freestanding sign.

(ii) Setback of Freestanding Sign

A low-profile sign shall be located no closer than 3 feet from a lot, parcel, or tract line. A pole sign shall be located no closer than 10 feet from a lot, parcel, or tract line.

(iii) Height of Freestanding Sign

The maximum height of a freestanding sign shall not exceed the height of the building with which the sign is associated. If located adjacent to or within 300 feet of a grade-separated intersection or interstate highway, the maximum height of the sign shall not exceed the maximum height allowed in the zoning district. Where no building is present, the height of the freestanding sign shall not exceed 12 feet.

(f) Identification Sign for Commercial Centers or Industrial Parks

(i) Number of Identification Signs

Commercial centers or industrial parks with 2 or more tenants or users are allowed identification signs based on area of the commercial center or industrial park.

- Commercial Center Less than 10 Acres in Area:
Where the commercial center is less than 10 acres in area, one identification sign is allowed per road frontage.
- Commercial Center 10 Acres or Greater in Area:
Where the commercial center is 10 acres or greater in total area, 2 signs are allowed per road frontage.
- Industrial Park Less than 40 Acres in Area: One identification sign is allowed in industrial parks that

are at least 5 acres in area and less than 40 acres in area.

- Industrial Park 40 or More Acres and Less than 80 Acres in Area: Two identification signs are allowed in industrial parks that are at least 40 acres in area and less than 80 acres in area.
- Industrial Park More than 80 Acres: 3 identification signs are allowed in industrial parks 80 acres or more in area.

(ii) Minimum Separation of Identification Signs

No identification sign shall be closer than 500 feet to any other identification sign along the same road frontage in the same commercial center or industrial center.

(iii) Identification Sign Area

Each identification sign associated with a commercial center or industrial park is limited in area based on the area of the commercial center or industrial park. When an identification sign is located along an arterial or expressway identified in the MTCP, the allowable sign area shall be 125% of the sign area otherwise allowed by this Section. The 25% increase shall be added after determining the maximum sign area allowed by this Section.

- Commercial Centers Less than 4 Acres in Area: Where the commercial center is less than 4 acres in area, the maximum area of each identification sign is 40 square feet.
- Commercial Centers 4 or More Acres and Less than 20 Acres in Area: Where the commercial center is 4 or more acres in area, but less than 20 acres in area, the maximum area of each identification sign is 5 square feet per acre of land or 1 square foot per 2 linear feet of frontage to which the sign is adjacent, up to a maximum of 80 square feet of sign area.
- Commercial Centers 20 or More Acres in Area: Where the commercial center is 20 acres or more in area, the maximum area of each identification sign is 5 square feet per acre of land or 1 square foot per 2 linear feet of frontage to which the sign is adjacent, up to a maximum 120 square feet of sign area.
- Industrial Parks Less than 40 Acres in Area: Where the industrial park is less than 40 acres in area, the maximum area of each identification sign is 100 square feet.

- Industrial Parks 40 Acres of More in Area: Where the industrial park is 40 acres or more in area, the maximum area of each identification sign is 150 square feet.

(iv) Identification Sign Location

Identification signs shall be located a minimum of one foot for each foot of sign height or 25 feet from lot, parcel, or tract lines, whichever is less.

(v) Identification Sign Height

- Commercial Centers: Within a commercial center, identification signs shall not exceed the height of the tallest building. If no buildings exist, the maximum height of identification signs shall not exceed 12 feet.
- Industrial Parks: Within industrial parks, the height of a freestanding identification sign shall not exceed 45 feet.

(g) Attached Signs

(i) Maximum Sign Area Per Building Wall

The total area of attached signs per building wall including wall signs, fascia signs, awning signs, canopy signs, hanging and projecting signs shall conform to the following requirements:

- Building Walls within 300 Feet of Lot Line in Commercial Zoning Districts or Industrial Zoning Districts: For building walls located within 300 feet of a lot, parcel, or tract line in general business or commercial zoning districts, 1½ square feet of attached signage is allowed per linear foot of building wall, or 300 square feet, whichever is less.
- Building Walls Beyond 300 Feet of Lot Line in Commercial Zoning Districts or in Industrial Zoning Districts: For building walls located beyond 300 feet of a lot, parcel, or tract line in general business or commercial zoning districts and for building walls in industrial zoning districts, 2 square feet of attached signage are allowed per linear foot of building wall, or 300 square feet, whichever is less.

(ii) Attaching Signs to a Marquee, Canopy, or Awning

Signs may be attached to the fascia of a marquee, canopy, or awning, provided they are 8 feet or more

above the ground and the sign does not project above or below the fascia.

(iii) Projection of Wall Signs

Wall signs shall not project more than 18 inches from the wall to which they are attached.

(iv) Clearance Under Projecting or Hanging Signs

If a sign extends over a walkway, the bottom of the sign shall be 8 feet or more above the ground.

(v) Minimum Surface Slope of Wall

The surface to which the sign is attached shall not have a slope of less than 75% percent.

(vi) Projection of Attached Signs Above Building Restricted

No attached sign shall project above the highest point of the building, excluding rooftop mechanical structures, chimneys, elevator shafts, ventilators, and all other facilities which may project above that area of the building commonly known as the roof.

(h) Window Signs

Window signs are allowed provided window signs do not exceed 50% of the window area and are contained within the window. Where window signs exceed 50% of a window, they require a sign permit and will count against the attached sign area allowance.

(i) Miscellaneous Signs

The following signs are allowed provided they meet the following standards:

(i) Entrance/Exit Signs

- General Business and Commercial Zoning Districts: In general business and commercial zoning districts, signs designating entrances or exits for parking areas shall be limited to one sign per entrance or exit with a maximum area of 6 square feet each. Entrance/Exit signs shall not exceed 4 feet in height above the finished grade.
- Industrial Zoning Districts: In industrial zoning districts, signs denoting entrances and exits and providing directions shall be limited to 2 signs per entrance and are limited to 48 square feet in size and 8 feet in height.

(ii) Commercial Center Directory Signs

In general business and commercial zoning districts, signs listing businesses and their locations within a

commercial center shall be limited to one sign per entrance and shall be located within 150 feet and no closer than 50 feet of the road right-of-way on which the entrance is located. Commercial center directory signs shall not exceed 32 square feet in area and shall not exceed 6 feet in height.

(iii) Building Directory Signs

Signs listing businesses within a building shall be limited to one sign per building entrance and shall be located within 15 feet of the building entrance. Building directory signs shall not exceed 32 square feet in area and shall not exceed 6 feet in height.

(iv) Time-Temperature-Date Signs

A time-temperature-date sign that does not exceed 10 square feet per face may be provided in addition to the allowable sign area allowed by this Section. Any identification or advertising that is attached to or made part of the same sign structure is subject to the allowable sign area for the sign. The owner of the sign shall maintain it and insure that it is kept accurate.

(v) Menu Board Signs

In general business and commercial zoning districts, two menu board signs shall be allowed per drive-through lane for each drive-through restaurant. Menu boards may be freestanding or attached. Menu board signs shall be no more than 32 square feet in area, shall not exceed 7 feet in height, and shall be oriented to the drive-through lane.

(vi) Drive-Through Directional Sign

In general business and commercial zoning districts, one drive-through directional sign is allowed per drive-through lane, with a maximum size of 6 square feet and maximum height of 4 feet.

(vii) Grand Opening/Special Event Signs

Portable or movable signs, inflatable devices, pennants or streamers are allowed for grand openings and special events. The grand opening or special event shall be limited to four per calendar year, each being held over a consecutive period of days. No event shall exceed 14 days.

(viii) **Banners**

In general business and commercial zoning districts, one banner per building may be attached to a building wall. No banner shall exceed 16 square feet in area.

6.2.11. Vehicle Storage

(A) Applicability

This Section does not apply to any vehicle or equipment used in conjunction with the operation of a farm, ranch or dairy, nor to any vehicles or equipment located within a legally existing salvage yard.

(B) Standards Applicable in all Zone Districts

(1) Allowed Vehicles

Boats, trailers, recreational vehicles, stock automobiles, ski mobiles and all-terrain vehicles owned by a property's owner or occupant may be stored or parked outdoors in any zone district provided the storage or parking meets the standards listed in this Section.

(2) Parking on Public Right-of-Way

- (i) Any parking or storage of vehicles on the public right-of-way shall conform to the requirements of the Sheriff's Office, this Code and any ordinances adopted by El Paso County.
- (ii) Recreational vehicles may be stored or parked on a public right-of-way for a maximum period of 48 hours.
- (iii) Inoperable vehicles may not be stored or parked on any public right-of-way.

(3) Collectors' Vehicles

- (i) The owner or occupant of any lot, parcel or tract may park or store outdoors on such property any inoperable vehicle, or parts thereof, described in this subsection provided the storage standards of this subsection are met. Any inoperable vehicle not described in this subsection is subject to the provisions generally applicable to inoperable vehicles below.
- (ii) Inoperable vehicles permitted under this subsection must be (i) a self-propelled vehicle designed primarily for travel on the public highways and generally and commonly used to transport persons and property over the public highways; (ii) owned by the owner or occupant of the property; and (iii) of historical or special interest and acquired for the purpose of restoration and

maintenance of a vehicle of historical or special interest also owned by the property owner or occupant.

- (iii) Inoperable vehicles meeting the criteria of paragraph (b) above, and parts thereof, may be stored outdoors provided that the storage area is maintained in such a manner as does not constitute a health, safety or fire hazard, is screened from ordinary public view by means of a solid fence, trees, shrubbery, or other appropriate means, and is kept free of weeds, trash and other objectionable items.

(C) Standards Applicable in Residential and Agricultural Zone Districts

(1) Prohibited Vehicles

No vehicles with a gross vehicle weight rating of 13,001 lbs or greater shall be kept, stored or parked on private property or within the right-of-way in a zoning district where a residential use exists, except in the A-35 zoning district. This shall include, but is not limited to, tractor trailers, over-the-road semi trucks, road cleaners, motor graders and similar maintenance or construction equipment. This provision does not apply to recreational vehicles. Notwithstanding the above, one tractor trailer or over-the-road semi truck may be parked in a fully enclosed building in association with a residential use on a lot or parcel greater than 2 ½ acres in area.

(2) Inoperable Vehicles and Vehicle Parts

The outdoor storage or parking of any inoperable vehicle or motor home and the outdoor storage of any vehicles parts, shall be prohibited on any lot or parcel used for residential purposes or within a Residential or Agricultural Zoning District, except within the A-35 zoning district or as otherwise provided as part of a rural home occupation pursuant to Chapter 5 of this Code.

(3) Vehicle Repair

Vehicles owned by and for the sole use of persons residing a lot, tract or parcel may be repaired only within an enclosed structure, except a lot, parcel or tract in an A-35 zoning district where vehicles owned by others may be repaired in conformance with this Code. No painting or welding of vehicles owned for the purpose of repair and resale.

(D) Standards Applicable in Commercial or Industrial Zoning Districts

(1) Inoperable Vehicles and Vehicle Parts

Except for temporary storage in an authorized area for automobile and trailer sales, auto repair garage, gasoline filling station or similar repair or short-term vehicle facility, and except as permitted by subsection (B) (3)

above, no inoperable vehicle shall be kept or stored outside on any lot, tract or parcel within a commercial or industrial zoning district. Any vehicle stored on a lot, parcel, or tract in excess of 6 months will be presumed not to be temporary storage and will be subject to zoning enforcement. Areas permitted to be used for temporary storage of inoperable vehicles under this section shall be maintained so as not to constitute a health, safety or fire hazard, shall be effectively screened from ordinary public view by means of a solid fence, berm, trees or shrubbery, and shall be kept free of weeds, trash and other objectionable items.

6.3. ENVIRONMENTAL STANDARDS

6.3.1. Air Quality Standards

(A) General

(1) Purpose

The purpose of this Section is to ensure developments are reviewed for their impact on air quality and that proper mitigation is provided to ensure air quality standards are met and community health is protected.

(2) Applicability

All development applications and permits shall comply with the air quality standards in this Section and all County, state and federal air quality standards, and shall reduce potential emissions where feasible.

(B) Air Quality Management Plan Required

(1) Sketch Plan and Other Applications

Applicants for a sketch plan shall submit an air quality management plan addressing how air quality impacts will be minimized and identifying how conformance with any Pikes Peak Area Council of Governments (PPACG) air quality plans will be achieved. Where the DSD Director determines that a proposed development may have significant air quality impacts, the DSD Director may request the submission of an air quality management plan to support review of the development application and permit for conformance with this Section.

(2) Air Quality Management Plan Contents

(a) General Requirements

The air quality management plan shall identify potential sources of air emissions, identify possible strategies for minimizing emissions and propose a plan for implementing those strategies. The strategies shall include those methods that are available, feasible and economically reasonable. Examples of mitigation strategies include providing transit stops; bike and walking paths; restricting wood or coal-burning fireplaces; paving roads; and co-locating neighborhood-level retail services within developments.

(b) Submission of Supplemental Documentation

Proposed developments that have emission sources regulated under State regulations shall submit the following documentation regarding control of air emissions:

- (i) A copy of any air pollution emissions notice, prepared in accordance with State guidelines, shall be submitted to the DSD and shall identify potential air emissions and appropriate control strategies.
- (ii) A copy of any required Colorado Air Emissions permit shall be submitted to the DSD prior to operating the facility.

(3) Review of Air Quality Plan by County Departments

The DSD, EPCPH, and ESD will review any required air quality management plans, coordinate with the PPACG where appropriate, and recommend they be accepted or rejected prior to the public hearing process.

(C) Air Quality Development Standards

(1) Compliance with EPCPH Regulations

All land use and development shall comply with the Air Quality Regulations of the EPCPH.

(2) Compliance with Air Pollution Control Regulations

Land uses with the potential to emit air pollutants above certain defined limits shall report those potential emissions and obtain an air emission permit. The program is administered by the Air Pollution Control Division, CDPHE.

(3) Relationship to Paving Requirements for Roads

Where the additional impact of the development-related traffic on new or existing roads will meet the thresholds for paving as identified in the ECM, the applicant shall pave the new or existing roads in accordance with the requirements of the ECM.

(4) Fugitive Dust During Construction

(a) Developments to Comply with Emission Standards

Developments shall comply with the following standards:

- (i) **Construction Activity Compliance**
Any person engaged in grading, excavating, filling, or other construction activity of greater than one acre shall be required to comply with the requirements of the Air Quality Regulations, obtain a Construction Activity Permit from EPCPH, and comply with applicable requirements.

(ii) Emission Control Plan Required

- Duration of Construction Exceeds 6 Months: The emission control plan shall be approved prior to site grading and a State Construction Permit shall be obtained prior to beginning construction.
- Nuisance Conditions: Regardless of the size or duration of development, land disturbance shall be conducted so nuisance conditions are not created. If dust emissions do create a nuisance, an emission control plan is required.
- EPCPH Review of Emission Control Plans: The EPCPH shall review and approve all emission control plans.

(b) Dust Control Measures

Acceptable dust control measures and operating procedures for construction activities may include, but are not limited to, planting vegetation cover, providing synthetic cover, watering, chemical stabilization, furrows, compacting, minimizing disturbed area, wind breaks, on-site vehicle speed control, and delayed surface opening. Solid wood fencing along adjacent developed areas may be required.

(5) Haul Trucks and Haulage Equipment

(a) Deposition of Dirt and Mud on Roads

Any person undertaking any construction, demolition, dismantling, or earthmoving activities shall prevent the deposit of dirt, mud, or debris on public roads; and should deposition occur, the dirt, mud or debris shall be removed as quickly as possible by the person performing the activities.

(b) Particulates Emission in Transit

Particulates that may be emitted in transit shall be controlled by covering, wetting or otherwise treating the load prior to transit.

(6) Open Burning

(a) No Open Burning without Permit

No person shall burn or allow the burning of rubbish, waste paper, wood, or other flammable material on any lot, tract, or parcel, or on any public road, alley, or other land unless an Open Burning Permit is first obtained from the EPCPH and in conformance with the Air Quality Regulations.

(b) Prescribed Burning of Slash Piles

Prescribed burning of slash piles or broadcast burns of less than 5 acres for the purpose of forest management or wildfire mitigation is

allowed if in conformance with the Air Quality Regulations of the EPCPH.

(D) Continuous Compliance with Air Quality Standards Through Conditions

Where determined appropriate by the approving authority, continuous compliance with these standards may be imposed through conditions of approval of the development permit.

6.3.2. Drainage

(A) General

(1) Purpose

The purpose of this Section is to outline the standards for obtaining approval to disturb drainage facilities or alter drainage in association with development activities, and ensuring those activities conform to the requirements of this Code and the ECM.

(2) Applicability

This Section shall apply to all development applications and permits that will result in the disturbance of drainage facilities or will alter storm drainage from the subject property during or following construction.

(3) Relationship to Other Standards and Regulations

(a) Relationship to ECM and Drainage Criteria Manual

The technical standards for preparation of drainage reports and design standards for construction are contained in the ECM. Where any conflict exists with this Section, the requirements of the ECM shall control.

(b) Relationship to Floodplain Regulations

Drainage reports required under this Section shall be prepared in conformance with the Floodplain Management Regulation.

(B) Report Requirements

(1) Types of Reports

(a) Letter Report

A letter report is required to accompany any development application for minor subdivision, replat, site development plan, site plan, and other development of a minor nature except under the following circumstances:

- Where a complete drainage report has previously been approved by the County and significant changes are not proposed;
- Where it is deemed unnecessary by the County due to minimal drainage impacts; or

- Where the 100 year floodplain is not included on the lot, parcel, or tract.

(b) Master Development Drainage Plan (MDDP)

The MDDP identifies major drainageways, ponding/detention areas, and locations of culverts, bridges, open channels and drainage areas that are tributary to the proposed development.

The MDDP presents alternate solutions to drainage problems, which may have been identified by the Drainage Basin Planning Study. The ability of downstream drainage facilities to pass developed runoff from the proposed development are thoroughly analyzed in the MDDP.

Generally, phased developments greater than 10 acres in total area and major subdivisions are required to submit a MDDP. A determination of whether an MDDP is required shall be made by the ECM Administrator in conformance with the requirements of the ECM.

(c) Preliminary Drainage Report

The preliminary drainage report identifies specific solutions to on-site and off-site drainage issues resulting from the development of a lot, parcel, or tract. In addition, those drainage problems that exist prior to development are addressed in the preliminary drainage report.

Generally, a preliminary drainage report is required for preliminary plans and large or phased developments. A determination of whether a preliminary drainage report is required shall be made by the ECM Administrator in conformance with the requirements of the ECM.

(d) Final Drainage Report

The final drainage report finalizes concepts and presents the design details for the drainage facilities. Any changes to the preliminary design concepts presented in a preliminary drainage plan due to review comments by the County are incorporated into the final drainage plan.

A final drainage report is generally required to accompany any site development plan, final plat or major development that utilized a preliminary drainage report, or which does not qualify for a letter report. A determination of whether a final drainage report is required shall be made by the ECM Administrator in conformance with the requirements of the ECM.

When specific improvements are required, the construction drawings and specifications shall be submitted for review with the final drainage plan, and any improvements included in the construction financial assurance required by the ECM.

(2) Referral and Review Requirements

Drainage reports required by this Code or the ECM may be referred to other agencies for review and comment.

(3) Approval Required Before Action on Development Application

No final action will be taken on a development request until the drainage report as required by this Section is approved by the ECM Administrator.

(4) Modification to Approved Reports

Any modification to an approved letter report or final drainage report shall be approved by the ECM Administrator, and shall require submittal of the revised report for review and approval.

(C) Maintenance Agreement Required

Where necessary to ensure maintenance of permanent stormwater measures, a maintenance agreement in accordance with the provisions of the ECM shall be approved prior to the approval of the development permit or issuance of the Certificate of Occupancy where the only development permit required is a building permit.

6.3.3. Fire Protection and Wildfire Mitigation

(A) General

(1) Purpose and Intent

To ensure that proposed development is reviewed in consideration of the wildfire risks and need to provide adequate fire protection in order to:

- Regulate development, buildings, and structures so as to minimize the hazard to public health, safety, and welfare;
- Ensure that adequate fire protection is available for new development;
- Implement wildfire hazard reduction in new development;
- Encourage voluntary efforts to reduce wildfire hazards; and
- Reduce the demands from the public for relief and protection of structures and facilities.

(2) Applicability

This Section shall apply to all development applications and permits within the unincorporated areas of El Paso County. The standards and requirements related to construction in wildland areas are applicable on land that is shown as forested on the Vegetation Map or to areas identified in the wildland fire risk and hazard mitigation plan, if required by the approval of that plan.

(3) Relationship to Other Standards

Where a fire department has adopted standards, the more restrictive shall apply. In the case of a conflict between adopted fire district standards and this code, the Fire Marshal may approve an alternative

design which accomplishes the purposes of this section and provides an equivalent or similar benefit to the property or the community.

(4) Responsibility

The Fire Marshal shall have authority to enforce the provisions of this Section. The Fire Marshal shall be authorized to develop and utilize forms and checklists to implement the requirements of this Section.

(5) Basis of Standards

The basis of the standards in this Section is the most current standards adopted by the National Fire Protection Agency (NFPA) and the Colorado State Forest Service (CSFS).

(6) Wildfire Hazard Maps/Vegetation Map

El Paso County shall maintain a Vegetation Map depicting wildfire hazard areas of the County either based on vegetation type or wildfire hazard analysis, which shall be the official map for the purposes of applying this Section.

(B) Reports and Commitments Required for Subdivisions

(1) Fire Protection Report

The Fire Protection Report is required for any subdivision request and shall include the fire department's capabilities, including existing and proposed equipment, facilities, services, and response time to provide fire protection for the proposed subdivision.

(2) Fire Protection Commitment Required

A written commitment to provide structural fire protection is required for any proposed subdivision, and may be requested by the Fire Marshal for other development applications.

(3) Mitigation Costs Included in Construction Financial Assurance

If the wildfire mitigation issues are significant enough in the determination of the Fire Marshal to require mitigation associated with development construction activities, the cost of the mitigation shall be included in the construction financial assurance.

(4) Plat Notes Required

Notice of any wildfire mitigation issues or obligations may be required by the County through conditions of approval or notes placed on the face of the plat.

(C) Design Standards

(1) Water Supply

(a) General

Water supply systems used for fire protection purposes shall be installed and maintained in accordance with NFPA standards. The

required fire flow for one or more buildings of a planned building area (also referred to as the planned building group by the NFPA) shall be determined by the Fire Marshal using locally adopted codes, or as specified per the following conditions:

- For areas without municipal-type water systems, NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting, shall be applied.
- For those areas with municipal-type water systems, nationally recognized criteria shall be applied.

(b) Automatic Fire Protection

(i) Commercial and Industrial Structures

All commercial or industrial structures of more than 3 stories or over 40 feet in height above adjacent ground elevation shall be fully protected with an automatic sprinkler system.

(ii) Multifamily Residential Structures

Any multifamily residential building containing more than 2 dwelling units shall have an automatic sprinkler system installed.

(c) Areas with Central Water Systems

(i) Water Distribution System Pressure

The water distribution system shall be capable of delivering fire flow at a minimum rating of 20 pounds per square inch for each hydrant connected to the distribution system within the proposed subdivision.

(ii) Dead-End Mains

Dead-end mains shall not exceed 600 feet in length for main sizes less than 10 inches in diameter.

(iii) Fire Hydrant Spacing

Fire hydrants shall be located so that all residential structures are within 500 feet and all nonresidential structures are within 150 feet of a hydrant. Fire hydrants shall be installed adjacent to a road or emergency vehicle lane at a spacing not to exceed 660 feet of vehicle travel distance. Where the proposed buildings warrant, the Fire Marshal may require additional hydrants and closer spacing.

- (iv) **Fire Hydrant Accessibility**
Fire hydrants shall be accessible to fire department apparatus from a road (i.e., maintained public roads, privately-maintained roads, or emergency vehicle access roads) or unobstructed emergency vehicle lanes (i.e., driveway, parking drive aisle, or emergency vehicle lane).
- (v) **Fire Hydrant Supply Lines**
Fire hydrants shall be supplied by not less than a 6 inch diameter main installed on a looped system, or by not less than an 8 inch diameter main if the system is not looped or the fire hydrant is installed on a dead-end main exceeding 300 feet in length.
- (vi) **Fire Hydrants in Parking Areas**
Fire hydrants located in parking areas shall be protected by barriers that will prevent physical damage from vehicles without obstructing hydrant operation.
- (vii) **Fire Hydrant Relationship to Roads**
Fire hydrants shall be located within 6 feet of the edge of the pavement unless there is a conflict with the ECM or the Fire Marshal determines another location is more acceptable for fire department use. All roads and emergency vehicle lanes shall be designed to maintain a minimum unobstructed clearance of 3 feet around fire hydrants.
- (viii) **Fire Hydrant Easements**
Easements for fire hydrants shall be provided and dedicated to the appropriate fire or water authority when the hydrants are not within a public road right-of-way. The easement shall afford accessibility to the hydrant from the right-of-way.
- (ix) **Release of Financial Assurance for Water Supply Systems**
The contractor, installer, or owner of water supply systems shall demonstrate by testing that the capacity of the water supply system will meet fire protection design requirements prior to release of construction financial assurance for the system. The testing shall be certified by a qualified professional. The tests shall be provided to the Fire Marshal.

(d) Areas without Central Water Systems

(i) Fire Cisterns

- Fire Cisterns Required: Fire cisterns shall be provided in planned building areas which are not served by hydrants, unless the Fire Marshal has approved an alternative fire protection water supply system.
- Construction Standards: Construction of fire cisterns shall be in accordance with the approved plans and conform to the requirements of the NFPA standard on water supplies for suburban and rural fire fighting.
- Design Standards for Subdivisions with More than One Cistern: For subdivisions where more than one fire cistern is required, fire cisterns shall meet the requirements of the NFPA standards for water supplies for suburban and rural fire fighting. For this type of subdivision, fire cisterns shall be designed for the largest building allowed by zoning in the worst case hazard and construction class.
- Design Standards for Subdivisions with One Cistern: For subdivisions where only one fire cistern is required, the minimum capacity of the fire cistern shall meet the requirements of the NFPA standards on water supplies for suburban and rural fire fighting, or shall have a total capacity equal to 300 gallons for each acre within the subdivision plus 3,000 gallons per dwelling unit, whichever is greater.
- Cistern Turnaround: A dedicated turnaround shall be placed no more than 50 feet from a fire cistern, and the standpipe shall be within 8 feet of the nearest usable portion of the dedicated right-of-way or approved easement, unless otherwise approved by the applicable Fire Marshal.
- Easements Required: Fire cistern easements shall be provided and dedicated to the appropriate fire department to afford accessibility of the cistern from a public road. Easements shall be of sufficient size to facilitate maintenance.

(ii) Dry Hydrants

- Use of Dry Hydrants: Dry hydrants may be provided in combination with fire cisterns or other approved fire protection water supply systems. Plans for dry hydrants shall be submitted to and approved by the Fire Marshal.
- Construction Standards: Construction and installation of dry hydrants shall be in accordance with the approved plans and conform to the requirements of the NFPA standards on water supplies for suburban and rural fire fighting.
- Accessible: Dry hydrants shall be located to be accessible under all weather conditions.
- Clearance: Dry hydrants shall have a minimum clearance of 20 feet on each side and be located a minimum of 100 feet from any structure. Highway or road traffic shall not be impaired during the use of the dry hydrant.
- Protected: Dry hydrants shall be protected from damage by vehicular and other perils, including freezing and damage from ice and other objects.
- Visible: Dry hydrant locations shall be made visible from the main roadway during emergencies by reflective marking and signage approved by the Fire Marshal. All identification signs shall be approved by the highway authority prior to installation if they are to be located on the right-of-way or are subject to State laws.
- Access to Hydrant: Vehicle access shall be designed and constructed to support the heaviest vehicle.
- Maintenance of Dry Hydrant: Dry hydrants shall be checked and maintained at least quarterly. Thorough surveys shall be conducted, to reveal any deterioration in the water supply situation in ponds, streams, or cisterns. Grass, brush, and other vegetation shall be kept trimmed and neat. Vegetation shall be cleared for a minimum 3 foot radius from around hydrants. The hydrant shall be painted as needed, with reflective material to maintain visibility during emergencies. The ownership and maintenance responsibilities for the facilities shall be approved by the Fire Marshal.

- Maps and Location/Detail Drawings: The fire department (Fire Marshal where there is no fire department) shall maintain in a safe location, the maps and records of dry hydrant system locations, installation, tests, inspections, maintenance and repairs.
- Easements Required: Dry hydrant easements shall be provided and dedicated to the appropriate fire department (or County where there is no fire department) to afford accessibility of the dry hydrant from a public road. Easements shall be of sufficient size to facilitate maintenance.

(iii) Water Supply Requirements

The owner of the cistern or dry hydrant is responsible for planning, developing, permitting, and continual provision of a sufficient water supply necessary to maintain the fire protection requirements of a cistern system, to the satisfaction of the Fire Marshal.

(2) Roads

This Section shall apply to all roads providing access to a planned building area whether or not they are dedicated as public roads.

(a) Roads Constructed to County Standards

All roads, including private roads and emergency vehicle access roads, shall be designed and constructed according to this Code and the ECM. Emergency vehicle access roads shall, at a minimum, be constructed to the County's gravel road standard if open to the public. Emergency vehicle access roads which are not open to public travel shall meet the non-road access standards

(b) Roads within 150 Feet of Development

Roads or emergency vehicle lanes shall be provided within 150 feet of all development except single family residential development.

(c) Two Access Routes Required

Access to a planned building area shall be provided by a minimum of 2 separate routes in accordance with the requirements of this Code and the ECM if the cul de sac exceeds the length allowed by the ECM.

(d) Turnaround Required on Dead-End Roads

Every dead-end road more than 300 feet in length shall be provided with a roadway termination meeting ECM standards.

(e) Road Grades in Wildland Fire Areas

Within wildland fire areas, road grades steeper than 10 percent may be permitted where mitigation measures can be agreed on by the Fire Marshal and the ECM Administrator.

(3) Non-Road Access

The following minimum standards shall apply to emergency vehicle lanes, driveways, and parking lot drive lanes serving as emergency vehicle lanes.

(a) Emergency Access Provided

Access for emergency responders, ingress, egress, and evacuation shall be provided for all buildings.

(b) Driveways Required

Where any point of a building is greater than 150 feet from a road, a driveway meeting these standards shall be provided to within 150 feet of the furthest point on the building.

(c) Emergency Vehicle Lanes Required

Emergency vehicle lanes shall be provided as required by the Fire Marshal.

(d) Emergency Access Lane Design

An emergency vehicle lane shall be designed and constructed to enable fire-fighting apparatus to maneuver broadside or directly forward within a minimum of 5 feet and a maximum of 25 feet of structures.

(e) Width of Driveway and Emergency Vehicle Lanes

Where the driveway is greater than 150 feet in length, it shall be not less than 10 feet in unobstructed width. Emergency vehicle lanes providing one-way travel shall be a minimum of 16 feet in width, and fire lanes with two-way travel shall be a minimum of 24 feet in width.

(f) Vertical Clearance

At least 13 feet 6 inches of vertical clearance shall be provided and maintained over the full width of an emergency vehicle lane or driveway.

(g) Turns

Required driveways shall be designed, constructed, and maintained to accommodate the turning radius of the largest apparatus typically used to respond to that location. A turn in an emergency vehicle lane shall be constructed with a minimum radius of 25 feet at the inside curb line and a minimum radius of 50 feet at the outside curb line.

(h) Grades

Emergency vehicle lanes and required driveways shall not exceed 10 percent in grade unless steeper grades are allowed where mitigation measures can be agreed on by the Fire Marshal and the property owner.

(i) Emergency Vehicle Lanes Connecting to Roads

Emergency vehicle lanes connecting to roads shall be provided with curb cuts extending at least 2 feet beyond each edge of the fire lane.

(j) Turnouts and Turnarounds Required

(i) Driveways

Where the required driveway is greater than 300 feet, it shall be provided with turnouts or turnarounds at locations approved by the Fire Marshal.

(ii) Turnarounds Required

Dead-end emergency vehicle lanes in excess of 300 feet in length shall be provided with turnouts and turnarounds as approved by the Fire Marshal. The turnaround at the terminus shall have a minimum radius of 50 feet. The Fire Marshal shall be authorized to approve, as an alternative, a "hammerhead" turnaround to provide emergency vehicles with a three-point turnaround.

(k) Load Design

Emergency vehicle lanes and required driveways shall be designed, constructed, and maintained to accommodate the load of the largest apparatus typically used to respond to that location.

(l) Bridges or Drainage Crossings

A bridge or drainage crossing on an emergency vehicle lane or required driveway shall be designed to accommodate the load of the largest apparatus typically used to respond to that location. The load limit shall be clearly posted at the approaches to the bridge.

(m) Landscaping Maintained

Landscaping or other obstructions shall be maintained in a manner that provides unobstructed access for fire department operations.

(4) Gates

(a) Gate Location and Dimensions

Gates shall be located a minimum of 30 feet from the public right-of-way and shall not open outward. The opening provided through a gate shall be 2 feet wider than the traveled way.

(b) Locks

Fire department personnel shall have ready access to locking mechanisms on a gate restricting access to a fire line. Proposed changes to access shall be approved by the Fire Marshal.

(D) Construction in Wildland Fire Areas

(1) General

(a) Applicability

All structures potentially threatened by wildland fire shall be designed, located, and constructed to comply with this Section.

(b) Risk Assessment Required

A wildland fire risk hazard severity assessment shall be performed for all structures and groups of structures adjacent to wildland fuels.

(c) Maintenance of Property

After construction, continued maintenance of the grounds and storage of combustible materials shall be performed to maintain these requirements, as acceptable to the Fire Marshal.

(d) Location of Buildings and Building Envelopes

Buildings located closer than 30 feet to a vegetated slope shall require special mitigation measures in accordance with NFPA 1144, Standard for Protection of Life and Property from Wildfire as determined by the Fire Marshal. Building envelopes shall not include gullies, fire chimneys, saddles, or other terrain conducive to wildfire spread.

(e) Roof Design and Materials

Only roof covering assemblies rated Class A shall be used in a wildland area. The specific class shall be consistent with the wildland fire risk and hazard severity assessment as determined by the Fire Marshal.

(f) Accessory Structures

Outbuildings, patio covers, gazebos, and other accessory structures shall be separated from the main structure by a minimum of 30 feet.

(g) Access to Structures

At least one approved means of vehicular access shall be provided to each structure or other nonstructural fire hazard in accordance with the following:

- (i) For structures or nonstructural fire hazards exceeding two stories or 30 feet in height above average adjacent ground level, or 12,000 square feet of gross floor area, no less than 2 separate approved means of access shall be provided.

- (ii) Approved vehicular access shall be provided to within 150 ft of any point of the exterior wall of each structure.

(h) Access to Structures Not Protected by Automatic Sprinklers

An approved means of vehicular access shall be provided to within 30 feet of all points of at least 2 exterior walls for any structure not protected by automatic sprinklers that exceeds 2 stories or 30 feet in height above average adjacent ground elevation. Single and two-family dwellings are exempt from this requirement.

(i) Access to Structures Protected by Automatic Sprinklers

For any structure protected by an automatic sprinkler system, an approved means of vehicular access shall be provided to within 400 feet of any point of the exterior wall. For any structure exceeding 3 stories or 35 feet in height above average adjacent ground elevation and protected by an automatic sprinkler system, an approved means of vehicular access shall be provided to within 30 feet of all points of at least 2 exterior walls.

(j) Separation Between Structures

A structure in a planned building area shall be separated from another structure by at least 30 feet and shall be located at least 25 feet from a lot, parcel, or tract line. A structure in a planned building area that exceeds 2 stories or 30 feet in height above average adjacent ground elevation and is not protected by an automatic sprinkler system shall be separated from other structures by at least 50 feet and shall be located at least 25 feet from a lot, parcel, or tract line.

(2) Wildland Fire and Hazard Mitigation Plan Required

(a) General Plan Standards and Requirements

When a subject lot, parcel, or tract falls within a wildland fire area, a wildland fire risk and hazard mitigation plan shall be prepared by a qualified professional and shall be tailored to the stage of development application and the stage of subdivision-related construction. A higher level of plan may be submitted at any stage of the process so long as it is implemented at the final stage of development. Plans shall utilize the Colorado State University (CSU) Guidelines and NFPA standards, as applicable. Additional fire precaution measures may be required because of fire hazard in the following areas:

- (i) Areas depicted as forested on the Vegetation Map;
- (ii) Areas rated as fire hazards by the CSFS;
- (iii) Where slopes in or adjacent to proposed development are in excess of 20%; or

- (iv) Where the local fire protection agency identifies a specific fire danger.

(b) Development of Plan

- (i) General Mitigation Plan Requirements

This plan shall include, but not be limited to, the following:

- Access, ingress, egress, and evacuation;
- Fuel modification;
- Water supply;
- Construction, location, and design of structures; and
- Ignition potential.

- (ii) Approval of Fire Marshal

The Fire Marshal shall approve the mitigating measures relative to access, defensible space, water supply, and construction based on the relative risk and hazard rating.

(3) Wildland Fire Risk and Hazard Severity Analysis Required

(a) Risk Assessment to be Performed

A risk and hazard rating analysis shall be performed to determine the level of the wildland fire threat to life and values at risk prior to building permit authorization in high hazard areas unless completed as part of the wildland fire and hazard mitigation plan.

(b) Basis for Mitigation Measures

The risk and hazard ratings shall be the basis for the implementation of mitigation measures relative to vegetation, other combustibles, and construction criteria.

(c) Analysis Rating Factors

The following shall be considered in analyzing the risk factors:

- The history of local wind, relative humidity, temperature, and fine fuel moisture content shall be considered in determining defensible space.
- All vegetative fuels and other combustible materials shall be evaluated for their potential to contribute to the intensity and spread of wildland fire.
- Slope and aspect shall be evaluated as to their potential to increase the threat of wildland fire to life or improved lot, parcel, or tract.
- The factors determining required defensible space shall include the history of wildland fire for the area.

- Fire-safe routes for emergency service apparatus and for egress shall be evaluated.
- Other factors that can affect the risk of ignition or the spread of wildland fire on improved lot, parcel, or tract, including the risk of structure fires spreading to vegetation, shall be part of the analysis.

(d) Review of Wildland Fire Risk and Hazard Rating

The rating assignments developed to meet the requirements of this Code shall be reviewed by the Fire Marshal.

(4) No Permit or Approval Granted without Compliance

No permit or approval associated with development, construction or occupancy shall be approved or issued until the provisions of this standard are satisfied. Notwithstanding the foregoing, the Fire Marshall shall have the authority to grant administrative variances to the design standards of this Section upon the finding of two or more of the following criteria:

- The fire protection district responsible for providing fire protection services to the project has adopted a fire code with a more stringent design standard from that contained herein;
- The application of a design standard will cause undue hardship or practical exceptional difficulties; or
- An alternate design standard will satisfy the intent and meet the goals of these Fire Protection and Wildfire Mitigation Regulations.

(5) Defensible Space Requirements

(a) General

The Defensible Space Requirements in Table 6.8 shall be implemented as minimum requirements in association with development in any Wildland Fire Area.

Table 6-8. Defensible Space Clearing and Structural Summary (Recommendations from NFPA by Wildland Fire Hazard Severity Analysis).

Low Hazard	High Hazard
9.14 m (30 ft) clearance Class A roof No portion of trees or other vegetation within 3.048 m (10 ft) of chimney outlets Trees within defensible space shall be pruned to minimize ladder fuels	9.14 m (30 ft) irrigated Class A roof 30.48 m (100 ft) fuel treatment Noncombustible siding/decks, and boxed eaves Selected fire-resistant trees within 9.1 m (30 ft) of structures Selected thinning of trees and shrubs Trees within defensible space shall be pruned to minimize ladder fuels All trees and shrubs pruned of dead material No portion of trees or other vegetation within 3.48 m (10 ft) of chimney outlets

(b) Maintenance of Defensible Space and Associated Fuel Break Thinning

Defensible space and fuel break thinning work shall be completed and maintained to the standards described in the Colorado State University's Cooperative Extension Fact Sheet 6.302. The responsibility for maintaining defensible space and associated fuel break thinning lies with the landowner. Noncompliance with defensible space maintenance standards will be enforced as a zoning violation.

(6) Fuels Modification During Development and After Construction

(a) Identification of Modification Required

Identification of fuel modification measures may be required in order to reduce the threat of wildfire. If fuel modification is determined to be necessary, the plan shall be prepared by a qualified professional. A fuel modification plan shall comply with NFPA requirements. Required elements shall include but are not limited to the following:

- Identification of fuel type, volume and loading, in conjunction with an assessment of slope and aspect, to determine the ability for a wildfire to spread;
- Reduction of fuel loading and modification of fuel types to reduce the risk to structures or adjacent vegetation, including the creation of fuel breaks; and
- Creation of defensible space to protect structures from approaching wildfire and reduce the potential for turning a structure fire into a wildfire.

(b) Fuel Modification Standards

When the Wildland Fire Risk and Hazard Mitigation Plan requires establishment of a fuel modification area:

- The modifications shall extend at least 30 feet from structures;
- Ground fuels within the defined defensible space shall be treated or removed;
- Live vegetation within the defensible space shall have dead material removed and shall be thinned and pruned;
- Dead or downed fuels within the defensible space of buildings shall be removed or treated to maintain the fuel modification area;
- Vegetation under trees within the fuel modification area shall be maintained at a height that will preclude ground fire from spreading in the tree crown;
- The fuel modification plan shall include a maintenance element with the responsibility for maintenance defined;

- In these areas all slash (fallen trees, shrubs, pulled stumps, and other combustible materials) may be required to be disposed of from an area extending to at least 150 feet from the road centerline prior to the acceptance of any roads;
- All slash shall also be removed from the vicinity of the home sites prior to final building inspection; and
- Continuous proper forest management to maintain a low wildfire danger shall be guaranteed.

(7) Combustible Materials

Propane tanks and other combustible liquids storage shall conform to NFPA 30, Flammable and Combustible Liquids Code, NFPA 58, Liquefied Petroleum Gas Code, and the Wildland Fire Risk and Hazard Mitigation Plan. Other combustible materials shall be removed from the defensible space or stored in conformance with the fire protection plan as approved by the Fire Marshal.

6.3.4. Forestry

(A) General

(1) Purpose

To ensure that proposed development is reviewed in consideration of forestry issues to:

- Identify forest health concerns and inform purchasers of developed lot, parcel, or tract;
- Improve overall forest health; and
- Implement wildfire hazard reduction.

(2) Applicability

The provisions of this Section shall apply to the review and approval of all development applications and permits on land that is forested.

(3) Vegetation Map of Forested Areas

El Paso County shall maintain a Vegetation Map depicting forested areas of the County, which shall be the official map for purposes of this Chapter. Additional mapping of infected and diseased tree locations may be maintained by the ESD.

(B) Forestry Management Standards

(1) Forestry Management to Conform to ESD Recommendations

The applicant should consult with the ESD prior to submission of the development application. ESD input should be reflected in design of the project.

(2) Forestry Management to Conform to CSU Guidelines

Development applications and permits should utilize the CSU Guidelines with respect to forest management including wildfire mitigation and pest control.

(3) Maintenance Responsibilities

Forestry management begins at the time of development, but extends as an obligation of the HOA and property owners into perpetuity. Categories of responsibility that should be addressed in the development include: (1) homeowner (responsibility to maintain, etc.); (2) HOA (Common areas, HOA enforcement against homeowners, obligation to maintain in private road tracts, etc.); (3) builder (what to be shown on site, existing vegetation, vegetation which is to be removed or thinned, etc.); and (4) developer (responsibility to complete requirements of the plan, relationship to financial assurance, relationship to warranty/maintenance bond, relationship to future filings, relationship to buildings, etc).

(4) Forestry Management Plan

(a) Forestry Management Plan Required

A forestry management plan shall be developed and submitted with the development application. The plan should describe the overall forestry management program for the subject property in conformance with the standards identified.

(b) Recording of Plan

Implementation of the forestry management plan shall be accomplished by the recording of the development guide (in the case of a PUD) or the final plat and related documents (in the case of a subdivision).

(c) Mitigation Costs Included in Construction Financial Assurance

If the forest health issues are significant enough in the determination of the DSD Director to require mitigation associated with development construction activities, the cost of the mitigation shall be included in the construction financial assurance.

(d) Plat Notes Required

Notice of any forest health issues may be required by the County through conditions of approval or notes placed on the face of the plat.

6.3.5. Grading and Erosion Control

(A) General

(1) Purpose

The purpose of this Section is to outline the standards for obtaining approval to disturb land in association with development activities, and

ensuring those activities conform to the requirements of this Code and the ECM.

(2) Applicability

This Section shall be applicable whenever a development activity results in a land disturbance of greater than one acre or where the disturbance is for the purpose of installation of public improvements in association with a development activity, subject to the exceptions listed in Chapter 3 of the ECM.

(3) Approved Plan and ESQCP Required Before Land Disturbance

No clearing, grading, excavation, filling, or other land-disturbing activities covered under this Section and Chapter 3 of the ECM shall be allowed until approval of the grading plan and erosion and sediment control plan is received, and an ESQCP is approved.

(4) Relationship to ECM

The technical standards for the preparation of grading and erosion control plans, issuance of the construction permit and ESQCP, and design standards for construction are contained with the ECM.

(B) Grading Standards

Grading shall meet the following standards. Subdivision grading shall also be designed in conformance with the requirements in Chapter 8.

(1) No Severe Changes in Grade

Grading adjacent to existing development shall not result in severe changes in grade.

(2) Utility and Drainage Easements Established and Modified

In association with grading, utility and drainage easements shall be established or modified to produce a usable and desirable transition between developments.

(3) Steep Lots or Parcels Terraced

Beyond any easement area, lot and parcel grades in excess of 4:1 shall be terraced or otherwise permanently stabilized.

(4) Graded to Protect Structures

All lots, tracts and parcels shall be graded to protect structures from the 100-year storm. Lots, tracts and parcels shall be graded to avoid concentrating flows or creating ponding near existing or proposed structures.

(5) Disturbance to Approved Grading

Any disturbance to approved grading shall be promptly restored by and at the expense of the owner.

(6) Financial Assurance Not Released Until Land Stabilized
Financial assurance for drainage and erosion control shall not be released until final grading is completed and the site is stabilized, in accordance with the drainage and erosion control plan and ESQCP.

(7) Minimize Use of Retaining Wall
Grading shall minimize use of retaining walls.

(8) Disposal of Removed Vegetation
Disposal of removed vegetation shall occur off-site at an approved location, unless on-site disposal is allowed as part of an approved forestry management plan and noxious weed management plan and the disposal location is noted on the final plat or approved plan.

(9) Noxious Weed Management Plan Required
Where applicable, a noxious weed management plan shall be prepared and implemented.

(C) Erosion and Sediment Control Plan

(1) General

(a) Purpose

The purpose of the erosion and sediment control plan is to control erosion during construction in compliance with the regulations and erosion control standards outlined in the ECM.

(b) Requirements for Erosion and Sediment Control Plan

Details of the plan requirements and standards are contained in the ECM.

(c) Financial Assurance Required

Financial assurance for all temporary and permanent measures to prevent and control anticipated erosion shall be provided in conformance with the ECM.

(d) Plans Combined

Where appropriate, the erosion and sediment control plan and the grading plan may be combined in a single document.

(2) Construction Drawings

When specific erosion control improvements are required, the construction drawings and specifications shall be submitted for review with the final plat and any improvements included in the construction financial assurance required by the ECM.

(3) Referral and Review Requirements

The grading plan and erosion and sediment control plan required by this Code may be referred to other agencies for review and comment.

(D) Requirement for Maintenance Agreement

Where necessary to ensure maintenance of permanent stormwater quality and erosion control measures, a maintenance agreement in accordance with the provisions of the ECM shall be approved prior to the approval of the development permit or issuance of the Certificate of Occupancy when a building permit is the only development permit required.

6.3.6. Habitat Conservation Plans (RESERVED)

6.3.7. Noxious Weeds

(A) General

(1) Purpose

To ensure that proposed development is reviewed in consideration of the impacts to noxious weeds in order to:

- Implement the El Paso County Noxious Weed Management Plan;
- Implement the provisions of the Colorado Noxious Weeds Act;
- Reduce the spread of noxious weeds; and
- Reduce County cost for noxious weed management in newly accepted right-of-ways.

(2) Applicability

This Section shall apply to all lands and the review and approval of development applications and permits for land identified on the Noxious Weed Map or identified by the Forestry and Noxious Weed Manager as containing noxious weeds or adjacent to lands containing noxious weeds.

(3) Target Weeds of Concern

The target weeds that are of concern and which are the subject of this requirement are those noxious weeds as described in the Colorado Noxious Weed Act, C.R.S. §§35-5.5-101, et seq., and any amendments thereto, and any applicable El Paso County ordinance.

(B) Noxious Weed Management

(1) Noxious Weed Management and Plan Required

Noxious weed management shall be undertaken in association with a development application and permit when noxious weeds are identified on the Noxious Weed Map or by the Forestry and Noxious Weed Manager as being located on the subject property. Noxious weeds shall be addressed through the preparation of a noxious weed management plan.

(2) Early Consultation with ESD

The ESD should be consulted prior to submittal of a development application. The ESD input should be reflected in the design of the project.

(3) Site Control Measures

Topsoil stockpiles shall be managed and disturbance should be minimized to control noxious weeds.

(4) Limit of Noxious Weed Management Plan or Action

A noxious weed management plan or any action taken under this Section to control noxious weeds does not limit the County's authority to take appropriate action under the weed control acts.

(5) Implementation of Approved Plan

(a) Recording of Plan

Implementation of the noxious weed management plan shall be accomplished by the recording of the development guide (in the case of a PUD) or the final plat and related documents (in the case of a subdivision that incorporate the recommendations of the plan.

(b) Plat Notes Required

Notice of any noxious weed issues may be required by the County through conditions of approval or notes placed on the face of the final plat.

(c) Mitigation Costs Included in Construction Financial Assurance

If the noxious weed issues are significant enough in the determination of the DSD Director to require mitigation associated with development construction activities, the cost of the mitigation shall be included in the construction financial assurance. Release of the financial assurance shall be consistent with the requirements of the ECM.

6.3.8. Wetlands

(A) General

(1) Purpose

The purpose of this Section is to ensure wetlands are identified during the development process, and that appropriate actions are taken to minimize negative impacts to wetlands and avoid the removal of wetlands where practicable or as may be required by the U.S. Army Corps of Engineers (USACOE).

(2) Applicability

This Section shall apply to all activities and to the review of development applications and approval of development permits on lots, tracts or parcels that include wetlands identified on the National Wetland Inventory, or otherwise identified by field inspection or in the drainage report.

(B) Wetlands Standards

(1) Reductions of Impacts and Avoidance

Wetlands offer important wildlife habitat, improve surface water quality, and are often indicators of significant natural hazards. When developing a lot, tract or parcel, wetlands should be incorporated into the design of the project or avoided when practical. Storm drainage system design should consider the presence of wetlands and limit impacts that can result from flow volumes, flow rates, and water quality entering a wetland.

(2) Removal of Wetlands

If a wetland must be removed to facilitate the development of a lot, tract or parcel, mitigation should be considered and may be required by the BoCC or other agencies including replacement wetlands.

(3) Other Local, State and Federal Standards

(a) Compliance with Recommendations of USACOE

Proposed development shall comply with the requirements of the USACOE. The applicant should consult with USACOE prior to submission of a development application when wetlands are present on the subject property. USACOE input shall be reflected in design of the project.

(b) Requirements of USACOE and Other Agencies

The applicant is responsible for identifying and complying with all other applicable federal, State, or local laws and regulations that may be required prior to commencing construction, including, but not limited to, Section 404 permits from the USACOE. If the applicant fails to determine compliance requirements and integrate the comments of other regulatory agencies in advance of approval of the development permit and compliance results in a modification to the development permit, the DSD Director may require the applicant to:

- Submit amended reports;
- Revise construction design;
- Change approved documents and plats; or
- Change recorded documents and plats.

Compliance with any requirement of this Code does not relieve and applicant from compliance with any requirements of the USACOE or other agencies.

(c) Conformance with ECM

Any wetland modification or construction shall be in conformance with the requirements of the ECM.

(4) Conditions and Notes on Development Permit

Conditions or notes may be required to be placed on any development permit, which may include required delineation of wetland areas as no-build areas, easements, conservation easements, restricted areas, or other descriptions. Conditions may also identify whether consultation or clearance from other agencies shall occur:

- Prior to next step of the development application process in the case of final plats, grading, or construction of facilities, buildings, or structures;
- Prior to the recording of plat; or
- Prior to County acceptance of public improvements.

Any depiction or note on a final plat shall state the nature of the restriction and the responsible entity for enforcement and maintenance.

6.3.9. Wildlife

(A) General

(1) Purpose

To ensure that proposed development is reviewed in consideration of the impacts on wildlife and wildlife habitat, and to implement the provisions of the Master Plan.

(2) Applicability

This Section shall apply to all activities and to the review and approval of development applications and permits on land identified on the Wildlife Habitat Map as significant wildlife habitat.

(B) Wildlife Standards

(1) Reductions of Impacts and Avoidance

Wildlife and wildlife habitat are important to the quality of life in El Paso County. When developing a lot, tract or parcel, wildlife considerations should be incorporated into the design of the project and important wildlife habitat avoided when practical.

(2) Other Local, State and Federal Standards

(a) Compliance with Recommendations of DOW Standards

Proposed development should make every reasonable attempt to comply with the requirements of the DOW. The applicant should consult with DOW prior to submission of a development application when significant wildlife habitat is present on the subject property. DOW input should be reflected in design of the project.

(b) Requirements of DOW and Other Agencies

The applicant is responsible for identifying and complying with all other applicable federal, State, or local laws and regulations that may be required prior to commencing construction. If the applicant fails to

determine compliance requirements and integrate the comments of other regulatory agencies in advance of approval of the development permit and compliance results in a modification to the development permit, the DSD Director may require the applicant to:

- Submit amended reports;
- Revise construction design;
- Change approved documents and plats; or
- Change recorded documents and plats.

Compliance with any requirement of this Code does not relieve and applicant from compliance with any requirements of the DOW or other agencies.

(3) Conditions and Notes on Development Permit

Conditions or notes may be required to be placed on any development permit, which may include required no-build areas, easements, conservation easements, restricted areas, or other descriptions.