



**Part II**

**Section 16**

**Planned Unit Development**

## PART II, SECTION 16 PLANNED UNIT DEVELOPMENT ZONE DISTRICT {PUD}

(Planned Unit Developments are authorized by state statute at Title 24, Article 67, C.R.S.)

### A. INTENT & PURPOSE

Planned Unit Developments are encouraged to promote innovative approaches to residential, commercial, industrial and recreational land uses; develop creative design of land uses; promote mixed-use developments; improve energy conservation; increase efficient use of open space; enhance preservation of environmental conditions and increase compatibility with overall County objectives.

### B. PERMITTED USES

1. The Planned Unit Development Zone District may include uses of any classification (residential, commercial, conservation, industrial, or a combination of various uses), that are consistent with the Elbert County Master Plan and compatible with the site's physical and environmental characteristics.
2. The permitted uses for a particular Planned Unit Development are those uses that are approved by the Board of County Commissioners through the Planned Unit Development process.
3. Minimum standards for the permitted uses will be specified in the Development Guide.

### C. GENERAL REQUIREMENTS

1. All other requirements and/or provisions within these Zoning Regulations shall apply to Planned Unit Developments unless otherwise specified in the particular Development Guide.
2. Upon approval of any Planned Unit Development by the Board of County Commissioners, the Development Guide and Planned Unit Development Graphic and digital copy shall be filed and recorded with the Elbert County Clerk and Recorder.
3. Any proposed change or amendment to an approved Development Guide or Planned Unit Development Graphic other than those allowed in the Standard Flexibility Statement described in Section (D)(9)(I), shall require public hearings before the Planning Commission and the Board of County Commissioners.
4. The Planned Unit Development shall provide for, or establish an organization for, the ownership and perpetual maintenance of roads, open space, parks, water and sanitation systems, or other common facilities contained within the Planned Unit Development. A common facility within a Planned Unit Development may not be disposed of, by sale or otherwise, without first having a public hearing before the Board of County Commissioners to ensure the common facility is being transferred to another organization or group that has the ability and resources required to own and perpetually maintain the common facility. Any open space or parks and/or common facility being considered for disposition, shall first



be offered to the County or other governmental agency designated by the County.

5. Land for open space/parks shall be dedicated to either a special district, or a qualifying non-profit entity, Elbert County, or other group that has the ability and resources required to administer and perpetually defend the open space/parks for its intended use.
6. Unless otherwise specified within the Development Guide and on the Planned Unit Development Graphic, permitted uses in areas designated in the Planned Unit Development Zone District as open space, parks, conservation, or other similar term, are limited to the following:
  - a. Passive recreational uses limited to hiking, biking, or equestrian trails, provided all the following conditions are met:
    1. The open space supporting these activities is left primarily in its undisturbed natural condition;
    2. The use does not involve recreational motorized vehicles (motorized wheelchairs are permitted);
  - b. Active recreational uses including, but not limited to ball fields, community/recreation centers (with associated parking), equestrian centers, tennis and basketball courts, playgrounds and associated equipment, and exercise courses.
  - c. Pedestrian amenities such as benches, picnic tables, and restrooms.
  - d. Farming, hay production, and ranching, not including feed lots or confined animal feeding operations.
  - e. Other similar uses deemed appropriate by the Board of County Commissioners.
7. Planned Unit Developments that contain commercial/retail components must provide central water and central sewer or other acceptable systems approved by Elbert County Environmental Health, the County Engineer, and the State of Colorado.

#### D. PLANNED UNIT DEVELOPMENT SUBMITTAL REQUIREMENTS

The following materials shall be submitted for Planned Unit Development applications. Initially, two hard copies and one digital copy of each document shall be submitted by the applicant for review by Community & Development Services. At such time as the documents are deemed adequate by the reviewing Case Planner, additional copies will be requested by the assigned Case Planner. The Director of Community & Development Services (Planning Director) may waive or alter any of these requirements if they are determined to be inappropriate or unnecessary to determining if the application satisfies applicable standards.

1. Land Use Application Packet

- Completed application form (provided by Community & Development Services) with original signatures and notary public seal.
  - Cover Letter – Which includes the name, address, and phone number of the property owner and representative; and a brief description of the proposal.
  - Disclosure Letter (provided by Community & Development Services) with original signatures and notary public seal
  - Application Agreement Form (provided by Community & Development Services) with original signature from the applicant or the applicant's authorized representative.
  - Statement of Taxes – Proof of taxes current as of land use application submittal date.
2. Proof of ownership – copy of a recorded deed or title policy
3. Fees – The application submittal must be accompanied by the appropriate fees. The costs of consultant and referral agency review are the responsibility of the applicant. The County will require payment of County consultant review fees, based upon estimated consultant review costs, at the time of application. These costs are in addition to the application fees.
4. Development Guide – The Development Guide is a written description of the proposed land uses and site design standards for development on the subject property. The Development Guide shall reflect the goals and policies of the Elbert County Master Plan. Community & Development Services shall provide the applicant with the appropriate Development Guide template for the type of proposed Planned Unit Development (residential, office/commercial, industrial). The Development Guide template will indicate information that should be included in the Development Guide. The Development Guide shall be submitted in 8-1/2" X 11" format and shall include at a minimum the following information:
- a. Title and Applicant Information
    - 1. The name, address and phone number of the property owner;
    - 2. The name, address and phone number of the person or firm that prepared the Planned Unit Development Graphic and the Development Guide;
    - 3. The name of the proposed Planned Unit Development;
    - 4. Date of preparation and dates of revisions;
  - b. Statement of Intent – provide a brief description of the general project

- concepts and the purpose of the request;
- c. Permitted Uses – Describe the proposed uses to be included in the Planned Unit Development (see the appropriate Development Guide template for the type of uses proposed);
  - d. Lot and Building Standards – height limitations, building setbacks, and building envelopes;
  - e. No-Build Area Restrictions – no structures shall occur in the 100-year floodplain, slopes greater than 20%, critical wildlife areas, areas of highly-expansive soils, etc.;
  - f. Parking Requirements;
  - g. Fences and Retaining Walls;
  - h. Lighting;
  - i. Signage;
  - j. Large Animal Units (if applicable);
  - k. Open Space;
  - l. Landscaping;
  - m. Utility Requirement – All distribution and/or service lines for all utilities must be underground from the drop-pole to the service destination.
  - n. Design/Architectural Standards;
  - o. Pedestrian Circulation;
  - p. General Requirements
8. Vicinity Map – An 8-1/2” X 11” vicinity map shall be provided that locates the parcel in the County. The vicinity map shall clearly show the boundaries of the subject property, major roads within 2 miles of the subject property and the proposed access to the property.
  9. Planned Unit Development Graphic – All sheets shall be in 24” X 36” format. The following information and standards shall apply to the Planned Unit Development Graphic:
    - a. A margin, at least 1” on all sides, except the left-hand margin shall be a minimum of 2”;



- b. The name of the Planned Unit Development, centered on the upper portion of each sheet;
- c. The sheet number in the lower right hand corner of each sheet (Sheet 1 of \_\_\_\_\_);
- d. The Case # in the upper right corner of each sheet;
- e. "Development Guide" information shall be included on the first and any necessary subsequent sheets of the Planned Unit Development Graphic, with lettering being a minimum font size of 12 point. (Note: For processing purposes, the textual information may be prepared on 8 1/2 " X 11" paper format);
- f. Legal Description - A legal description of the property designated as a lot, block, or tract on a recorded plat or a metes and bounds description;
- g. A location map drawn to scale which shows the proposed site in relationship to the surrounding area within two (2) miles;
- h. Names, addresses, and phone number of owner, representative, and individual/firm preparing the document;
- i. Site Plan – Shall include information regarding the layout of proposed land use areas; buildable and non-buildable areas, hazard areas, open space, easements (indicate Reception # and Book Number and Page Number, if applicable), etc.;
- j. The following signature blocks shall be included on the Planned Unit Development Graphic:

**Planning Commission**

This rezone was reviewed by and recommended for approval by the Elbert County Planning Commission on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_, A.D.

\_\_\_\_\_  
Chairman, Planning Commission

**Board of County Commissioners**

This rezone was reviewed and approved by the Elbert County Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, year \_\_\_\_\_, A.D.



\_\_\_\_\_  
Chairman, Board of County Commissioners

**Clerk and Recorder's Certificate**

I hereby certify this rezoning exhibit was filed in my office on this day of \_\_\_\_\_, in the year \_\_\_\_\_, A.D. at \_\_\_\_\_ A.M. / P.M. and was recorded at Reception Number \_\_\_\_\_.

\_\_\_\_\_  
County Clerk and Recorder

**k. Owner's Certificate:**

(Use the appropriate certificate for an individual owner, multiple owners, or corporation)

(Individual)

I, \_\_\_\_\_, as owner of the land affected by this Planned Unit Development, accept and approve all conditions set forth herein.

Owner: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name Printed)

(Multiple Owners)

We, \_\_\_\_\_ and \_\_\_\_\_, as owners of the land affected by this Planned Unit Development, accept and approve all conditions set forth herein.

Owners: \_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name Printed)

\_\_\_\_\_ Date: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name Printed)

(Corporation)

\_\_\_\_\_, as owner of the land affected by this Planned Unit Development, accept and approve all conditions set forth herein.

\_\_\_\_\_ as president of \_\_\_\_\_  
(Signature)

\_\_\_\_\_ Date: \_\_\_\_\_  
(Name Printed)

\_\_\_\_\_ as secretary of \_\_\_\_\_  
(Signature)

\_\_\_\_\_ Date: \_\_\_\_\_  
(Name Printed)



- p. Existing easements shall be shown on the site plan with reception # and book and page reference, their use, and whether or not the easement will remain on the subject property.
  - q. All existing structures on the subject property shall be shown with setbacks from the property line with a note indicating as to whether or not the structures will remain on the subject property.
  - r. Topography of the site shall be shown at ten (10) foot contour intervals. Areas of twenty percent (20%) slope or greater shall be noted.
  - s. Access to the site from a dedicated County right-of-way shall be shown graphically. Internal vehicular and pedestrian circulation shall be shown with right-of-way and trail widths indicated.
  - t. All natural and man-made water courses, detention areas, streams/creeks, and lakes shall be shown. Any 100-year flood plains affecting the property shall be indicated.
  - u. All adjacent land owned by the applicant or owned by an entity that the applicant is a party to, that is not a part of the application, shall be noted and a note indicating the current and intended use of the land shall be included.
  - v. No-build areas that restrict building in hazardous areas shall be indicated.
  - w. Significant treed areas on the subject property shall be indicated.
10. Proof of Water -- A written statement shall be provided from an existing water district or proof that an adequate water supply is dedicated for the proposed uses that meet all County and State requirements.
  11. Proof of Sanitary Sewer -- A written statement shall be provided from an existing sanitary sewer provider or proof that an adequate system will be developed for sanitary sewer treatment that meets all Elbert County Environmental Health Department, Elbert County Engineer, and State requirements.
  12. Drainage Report -- At a minimum, a Phase I Drainage Report, in compliance with the Elbert County Construction Standards and Specifications Manual shall be submitted, if the County Engineer deems the report necessary.
  13. Geologic Report -- If the subject property is located within an area that contains expansive soils or other geologic hazards, a geologic report may be required by the County Engineer or Colorado Geologic Survey.
  14. Traffic Study -- A traffic study may be required for developments, subject to determination by the Elbert County Road & Bridge Department or the County Engineer.



15. Additional Requirements – In certain circumstances, additional information may be necessary to fully evaluate the rezoning request. The applicant will be informed of any additional requirements during the review process.

#### E. PLANNED UNIT DEVELOPMENT REVIEW PROCEDURE

The following steps shall be involved in the Planned Unit Development review process:

1. Pre-Application Meeting – This process was developed to improve communication between the applicant and County staff. The intended result is a more efficient application review process. Community & Development Services should be contacted for submittal requirements. A Case Planner will be assigned after the Pre-Application Meeting is held.
2. Community Meeting - Applicants are required to conduct a community meeting prior to submitting a formal rezoning application. This meeting must be conducted in the general vicinity of the property involved in the rezoning application and serves to provide a forum for information exchange between applicants and citizens. By conducting the community meeting prior to the formal application submittal, it is anticipated that applicants will be able to address community concerns and incorporate community input in the formal application. The presentation at the community meeting is the responsibility of the applicant. The Case Planner will attend the meeting to address procedural matters only. The applicant will be responsible for notifying adjacent property owners within 1,320 feet of the subject property boundary at least fourteen (14) days prior to the community meeting. The subject property must be posted a minimum of ten (10) days prior to the community meeting to inform citizens in the immediate area of the community meeting. Signage location, format, and language will be provided to the applicant by Community & Development Services.
3. Two Copy Submittal – Applicants shall meet with the assigned Case Planner to submit one copy of each item that is required to be submitted for the formal application. The Case Planner will conduct a review of the information to check for completeness and adequacy. Once the Case Planner determines that the items are complete and adequate, the applicant may proceed with the formal rezoning application submittal.
4. Formal Rezoning Application Submittal – The applicant shall submit the completed application, fees, and required support documents in quantities identified by the Case Planner. The Case Planner will review the submittal package for completeness. A submittal package that is not complete in terms of type, quantity, and adequacy of required documents will not be accepted for review.
5. Application Referral – The Case Planner will refer the application and support documents to County Departments and other referral agencies as identified by the Case Planner.

6. County and Referral Agency Response – The referral agencies will respond in writing to the applicant’s submittal. The Case Planner will collect all referral comments.
7. Provide Comments to the Applicant – A summary of staff comments inclusive of other departments and agency responses will be forwarded to the applicant. A meeting between the Case Planner and the applicant may be held to review the referral responses. The applicant may also meet directly with the agency or agencies that have expressed concerns with the application. The Case Planner should be included in any meetings with referral agencies.
8. Applicant Responds to Comments – The applicant shall address, in writing, all issues and deficiencies identified by the Case Planner, any other County departments, and any referral agency. To continue the process in a timely manner, the applicant must complete the requested revisions and resubmit appropriate documents for a second review by the Case Planner, other County departments, and any applicable outside agencies as quickly as possible. If there is no written response to staff comments within sixty (60) calendar days after referral comments are provided to the applicant, the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Community & Development Services Director may extend this sixty (60) day maximum response deadline for an additional sixty (60) day period, upon written request by the applicant, if, in his or her opinion the delay in response is justifiable. Any additional time required for the response deadline, beyond that granted by the Community & Development Services Director, shall require approval by the Board of County Commissioners.
9. Staff Review of Revised Submittal and Pre-Hearing Meeting – At the time of re-submittal of the revised information, the applicant may arrange a pre-hearing meeting with the Case Planner. The pre-hearing meeting is an opportunity for the applicant to receive additional input and explore alternatives with the Case Planner. This input may include re-stating the already established position of staff in regard to the proposal and/or a discussion of steps involved in completing the proposal. Additional review fees may be charged for re-submittals that do not address previously red-marked prints, comments, and recommendations. Additional fees may also be charged for re-submittals that include new changes that are not in response to staff or referral agency red-marked prints, comments, and recommendations. If there is no written response by the applicant within sixty (60) calendar days of the date that the applicant was forwarded staff comments, the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and documents. The Community & Development Services Director may extend this sixty (60) day maximum response deadline for an additional sixty (60) day period, upon written request by the applicant, if, in his or her opinion the delay in response is justifiable. Any additional time required for the response deadline, beyond that granted by the Community & Development Services Director, shall require approval by the Board of County Commissioners.

10. Public Hearing Documents Submittal – At such time as the Case Planner deems the application ready for public hearings, or the applicant advises the Case Planner in writing that no further revisions will be made, and the applicant desires to proceed to the Planning Commission and Board of County Commissioners’ public hearings, the applicant shall submit all documents requested by Case Planner necessary for the public hearings.
11. Planning Commission and Board of County Commissioners’ Public Hearings Scheduled – Following the submittal of all required public hearing documents, the Case Planner will schedule Planning Commission and Board of County Commissioners’ public hearing dates and notify the applicant in writing of the assigned dates.
12. Public Hearing Notification – The applicant will be responsible for preparing and posting the “Notice of Public Hearing” sign on the subject property, preparing and publishing the “Notice of Public Hearing” in a newspaper of general circulation, and mailing the “Notification of Adjacent Property Owners” letters, per the requirements of Part I, Section 6, “Rezoning Procedures and Requirements” section of these regulations.
13. Planning Commission Public Hearing – The Planning Commission shall review the request, staff report, other evidence, and public testimony. The Planning Commission shall recommend approval, conditional approval, or denial of the rezoning to the Board of County Commissioners. The Planning Commission may continue a request for a period of time not to exceed six (6) months from the completion of the presentation by the applicant at a public hearing with the applicant’s agreement.
14. Board of County Commissioners’ Public Hearing – The Board of County Commissioners shall review the request, staff report, other evidence, and public testimony at one or more public hearings. Upon conclusion of the presentation of testimony and evidence in the hearing(s) before the Board of County Commissioners, the Board may render a decision which approves, conditionally approves, or denies the rezoning application; unless the Board continues the case for further testimony and/or decision for a period of time not to exceed six (6) months from the date of the scheduled hearing.
15. Recordation of the Planned Unit Development Graphic – Within sixty (60) calendar days of approval by the Board of County Commissioners of the Planned Unit Development request, the applicant shall submit three (3) paper copies of the Planned Unit Development Graphic, which shall include the Development Guide, and any changes to the documents made by the Board of County Commissioners, to the Case Planner for review and approval. The Case Planner shall review the Planned Unit Development Graphic and provide the applicant with one (1) copy which indicates either acceptance or required changes necessary to the Graphic. Once the Case Planner accepts the Planned Unit Development Graphic, the applicant shall prepare and deliver two (2) Mylar copies, with recordation fees to

the Case Planner for recordation. The applicant's failure to submit a current and accurate Mylar within ninety (90) calendar days following Board of County Commissioners' approval shall void the approval. The applicant may request an extension to the ninety (90) day recordation deadline from the Director of Community & Development Services. If granted the application will expire after the ninety (90) day extension. Within thirty (30) days of the expiration, the applicant may request reinstatement from the Board of County Commissioners at a public Board of County Commissioner meeting. Additional fees may be required by the Board of County Commissioners if reinstatement is approved.

#### F. PLANNED UNIT DEVELOPMENT APPROVAL STANDARDS

The following criteria shall be considered by the Planning Commission and the Board of County Commissioners in reviewing all Planned Unit Development applications:

1. Whether the proposed rezoning complies with the goals and policies of the Elbert County Master Plan.
2. Whether the proposed rezoning is compatible with surrounding land uses.
3. Whether the proposed rezoning would adversely impact the provision of public services.
4. Whether the proposed rezoning would adversely impact the environment.
5. Whether the proposed rezoning would create traffic congestion or burden the existing road system.
6. Whether the proposed rezoning will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of Elbert County.

#### G. DESIGN STANDARDS FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS

All residential developments that contain eight (8) or more lots/tracts, will be processed as Planned Unit Development re-zonings. The "Development Guide" for the Planned Unit Development will contain language which addresses all applicable provisions of these *Design Standards* to help ensure compliance. Any public improvements required as a result of these *Design Standards*, will further be addressed in the "Subdivision Improvements Agreement", which is finalized during the Final Plat process. Each proposed residential development subject to these *Design Standards* will be evaluated against all applicable standards and a "check" or an "N/A" notation will be indicated on each standard. Any applicable design standard(s) that is not addressed in the application will be noted by C&DSO and the applicant will be notified of any deficiencies. The applicant must either modify the application to meet the standard(s), or suggest a suitable, acceptable, alternative(s), before the application will be considered for public hearing scheduling. Should the applicant and C&DSO not be able to agree on whether or not the design standard(s) was/were met, the applicant may request in writing that the public hearing be scheduled before the Planning Commission and the matter presented at the hearing for discussion. No Board of County Commissioner public

hearing will be scheduled until the Planning Commission has made its recommendation regarding the matter. The Board of County Commissioner public hearing will be scheduled within a reasonable time period relative to the Planning Commission's recommendation.

#### Format of the *Design Standards*

These *Design Standards* are divided into two (2) sections. The first section is the "Site Design Standards" and deals with the physical characteristics of the land and how development should compliment and work in harmony with the natural conditions of the land. The second section contains the "Subdivision Design Standards" and deals with the built or installed elements of the development, such as entrances features and access, landscaping, signage, and lighting. Standards are then listed for each category within the "Site Design Standards" or the "Subdivision Design Standards".

#### Amendments to the *Design Standards*

The C&DSO and the Planning Commission should conduct a periodic review of the *Design Standards*, to ensure that the application of the *Design Standards* is accomplishing the desired result of quality residential development in Elbert County. Any modifications to these *Design Standards* will require public hearings before the Planning Commission and the Board of County Commissioners, as does any modification or amendment to the zoning regulations.

#### General Considerations for Every Application

In addition to the specific minimum design standards set forth herein, and as discussed in the Elbert County Master Plan, all applications will be reviewed based on over-arching considerations as to suitability and supportability in the communities/areas where the application is proposed. For example:

1. Is the application suitable for the community/area in which it is proposed?

In reviewing how the application will impact the community/area in which it is proposed the general types of issues to be considered include, for example:

- Density
- Lot Size
- Perimeter Lots
- Population
- Water use
- Water/Sewer
- Open Space
- Agricultural lands



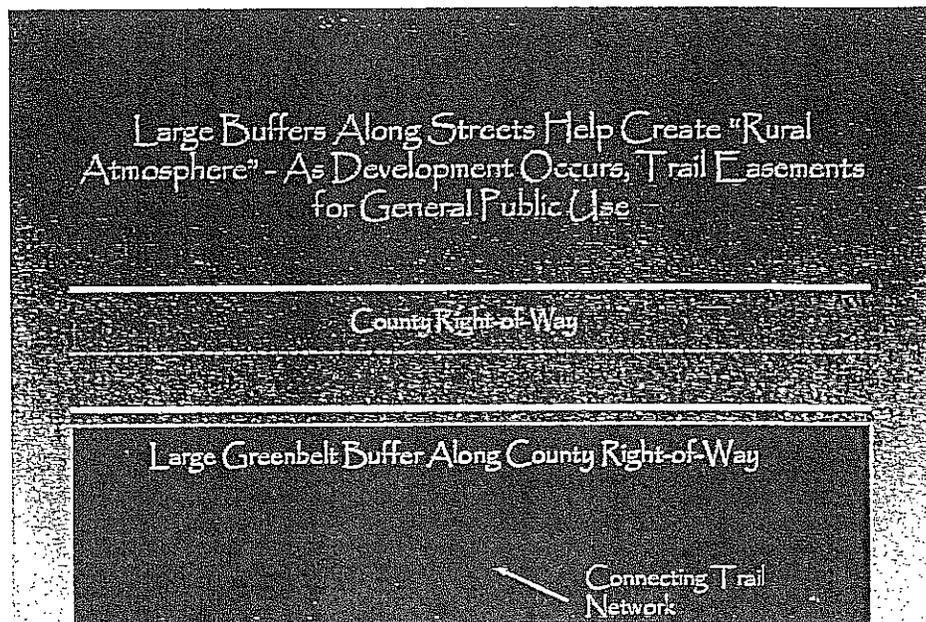
2. Does the community/area in which the application is proposed have the resources to support it?

In reviewing whether the community/area has the necessary resources and infrastructure to support the application, the general types of issues to be considered include, for example:

- Schools
- Roads
- Law Enforcement
- Animal Control
- Fire Protection
- Ambulance Services
- Library Services
- Social Services

A. Visual Quality

- 1.) Provide, maintain, and enhance landscaping buffers between roadways and development, with public access easements and all-weather surface trails along County roads that are classified as “arterials” or “collectors” in the West Elbert County Transportation Master Plan.



- 2.) Establish landscaped entries with integrated monument signage, wall-mounted signage, or other acceptable solution that provides an attractive, unique entry into the development.
- 3.) Screen utilities, electric/gas substations, water and sanitation facilities, and other visually undesirable elements with landscaping, topography, screen fencing, walls, or building placement.
- 4.) Provide tasteful, visually attractive architecture, signage, and landscaping throughout the development.
- 5.) Vary building setbacks and increase landscaped areas adjacent to “arterial” and “collector” roadways.
- 6.) Stagger solid fencing or wall alignment with a change of materials or an 18” minimum offset every 100 linear feet, to prevent long continuous fence or wall lines.
- 7.) Maintain and enhance existing tree cover and native vegetation, particularly along drainages, roadway frontages, property perimeters, and along trail systems.
- 8.) Shrubs, trees and other landscape plantings should emulate local natural conditions, e.g. undulate, rather than trees and landscaping placed in a linear fashion; and using diverse species that are compatible with native species,

#### B. Topography, Grading and Site Disturbance

- 1.) Minimize site grading to prevent negative impact to existing vegetation, drainage patterns, animal habitat, and topsoil. When disturbance is unavoidable, taper and integrate the new grades and landscaping with the natural contours and landscaping.
- 2.) Use retaining walls to break-up long expanses of slope cuts. Use natural colored materials for retaining walls such as textured block, rock, or stone.
- 3.) Re-vegetate disturbed areas and around retaining walls with native species and other plantings.
- 4.) Emulate natural patterns in re-vegetation.

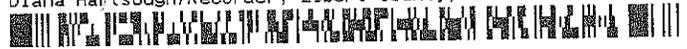
#### C. Native Vegetation, Open Space and Wildlife

- 1.) All proposed residential developments should include open space designed to accommodate area wildlife, including migration corridors and habitat.
- 2.) Connectivity between parcels is critical to protect these migratory corridors and habitats. Proposed residential developments shall be evaluated for wildlife connectivity potential with adjoining properties.

- 3.) Critical wildlife habitat and migratory corridors, as identified by the Colorado Division of Wildlife and/or wildlife reports or studies shall be indicated on the Planned Unit Development graphic and the final plat as "no disturbance areas" or open space. Areas that are important to wildlife, such as riparian areas, land along the banks of drainages, streams, and other bodies of water, shall be protected by providing a substantial buffer between such areas and the developed portions of the site.
- 4.) To facilitate movement for wildlife, exterior fencing will conform to Colorado Division of Wildlife standards.
- 5.) Maintain natural vegetation ecosystems adjacent to and within bodies of water, streams, drainages, watercourses, and within associated wetlands.
- 6.) Building envelopes and roads should be located outside known wildlife corridors.
- 7.) Preserve threatened or endangered species of wildlife and/or vegetation.
- 8.) Maintain the native forested areas. Avoid tree and vegetation removal by designing the project to accommodate existing stands of trees. Should it be necessary to remove a mature existing tree (in excess of 10" in diameter); two (2) trees of similar species, a minimum of 6 feet in height, shall be installed as replacements for trees removed (Note: This standard does not apply when a wildfire mitigation plan is being implemented around structures.)
- 9.) Properly mitigate any pine beetle or other serious infestation problem identified by the Colorado State Forestry Service or other qualified arborist before the site is developed.
- 10.) In forested areas, building envelopes shall be established on individual lots so as to minimize the removal of mature trees.
- 11.) Wildfires are a reasonable concern throughout the County. Should tree removal be required for wildfire mitigation, a wildfire mitigation plan will be prepared by a properly qualified forestry professional, at the time of final plat. The wildfire mitigation plan will be prepared to comply with the Colorado State Forestry Service's recommendations and guidelines, and/or with the appropriate fire district's standards.

D. Open Space, Recreation, and Trails

- 1.) Larger buffer areas of open space will be located along property perimeters, particularly when more dense development is proposed adjacent to larger parcels.
- 2.) Natural buffers of open space will be located such that logical connections for future open space on adjacent parcels are considered. This will result in larger, contiguous blocks of open space between the parcels. Proposed developments that abut existing platted subdivisions and which are within two hundred feet (200') of the property boundary, shall have perimeter lots that are similar in size (no more than 25% less) than the lots they abut. Where possible, proposed developments should align open space with open space in existing, adjacent subdivisions.



- 3.) Trails should connect internal open spaces and should extend to the property boundary for logical extensions on adjacent parcels.
- 4.) Encourage preservation of significant natural resources such as forested areas, wildlife habitat, migratory corridors, creeks and drainages, significant ridgelines, wetlands, and historic, cultural, and archeological resources.
- 5.) Significant natural resources, as described above, shall be indicated on the Planned Unit Development graphic and recorded final plat as "Perpetual Open Space", with notes added to the recorded final plat as to ownership and maintenance responsibilities associated with the open space.
- 6.) Open space opportunities on the subject property shall be evaluated during the initial design and planning stages of the development. Opportunities for future connectivity of open areas and trails on adjacent parcels shall be evaluated at the same time, with the intent of creating large contiguous blocks of connecting open space in and around the developed portions of the properties.
- 7.) Designated open space shall be:
  - a.) A minimum of forty percent (40%) of the gross acreage of the site shall be permanently dedicated open space, within Conventional Residential Developments", except those developments which are proposing ten (10) acre or larger parcels, which shall have a minimum of twenty percent (20%) open space, (except to the extent a reduction of this acreage is permitted in accordance with the standards relating to cash-in-lieu payments). No more than ten percent (10%) of the required open space shall be allowed to be credited with "cash-in-lieu" fees.
  - b.) "Conservation Communities" shall have a minimum of fifty (50%) open space. The Planned Unit Development Guide-lines, PUD Graphic, and Final Plat will designate all required open space as reserved for perpetuity.
- 8.) Open space should be conveyed to either a special district, or a qualifying non-profit entity, or to Elbert County or other group that has the ability and resources required to administer and perpetually defend the open space for its intended use.
- 9.) Open space, other than agricultural uses, should include water in sufficient amounts to satisfy the needs of the open space and provide adequate fire fighting water supply.
- 10.) As parcels adjacent to and in the vicinity of regional parks develop, accommodations for trails connecting neighborhoods to the regional park shall be designed and built prior to the issuance of the first building permit (other than permits for model homes) in the development.
- 11.) Open space may be put to either passive (trails, tables and benches for picnics, habitat, landscape or natural resource preservation) or active (ball fields, tennis or basketball courts), or both.



- 12.) Locate active recreational fields and areas so as to minimize negative impacts to surrounding properties. Parking areas and internal traffic circulation for the recreational activities and parks shall be located such that the impact to existing surrounding residential areas is minimized.
- 13.) Lighting associated with ball fields, parking areas, or other recreational facilities shall be sensitive to surrounding residential uses and designed to minimize glare and other objectionable light pollution. Light fixtures shall be downcast, with automatic shut-off capability. Lighting shall be turned-off when not in use to illuminate ball fields. Parking lot lighting and security lighting shall be kept to the minimum required for safety. Lighting standards associated with outdoor recreational activities will be included in the PUD Development Guide.
- 14.) Trail easements shall connect various portions of the development, be provided along arterial and collector road frontages (as identified in the *West Elbert County Transportation Master Plan*), along drainages, connecting open space within the development, and connecting stubs at the perimeter of the subject property shall be provided and shown on the Planned Unit Development graphic and the recorded final plat.
- 15.) Open space, in the form of trails, will be built and delineated as trail easements prior to issuance of any building permits. Trail easements will be a minimum of twenty feet (20') in width, and the original developer will provide a minimum eight foot (8') all-weather trail surface. All open space parcels shall be shown and labeled on the Planned Unit Development graphic, described in the Development Guide, and shown on the recorded final plat as "Perpetual Open Space", with notes added to the recorded final plat as to ownership and maintenance responsibilities associated with the open space and trails.
- 16.) Provide, maintain, and enhance landscaping buffers between roadways and development, with public access easements and all-weather surface trails along County roads that are classified as arterials or collectors on the West Elbert County Transportation Master Plan. Public access trail easements and trails shall be provided along drainages within proposed developments.

E. Hazards (Compliance with items in this section will be evaluated after referral comments have been received.)

- 1.) If applicable, locate building envelopes to minimize tree removal due to wildfire hazard.
- 2.) In areas of known wildfire hazard, establish a defensible space per Colorado State Forestry Service guidelines and coordination with local fire district standards.
- 3.) Provide fire cisterns and water storage as required by the governing fire district.
- 4.) Avoid the potential for flood damage to structures and loss of life by locating structures a minimum of one (1) foot higher than the 100-year flood elevation.
- 5.) Until 100-year flood elevations are established for Elbert County through the FEMA

program, developers will provide flood studies to determine the elevation of the 100-year flood elevation, for those properties with flood potential.

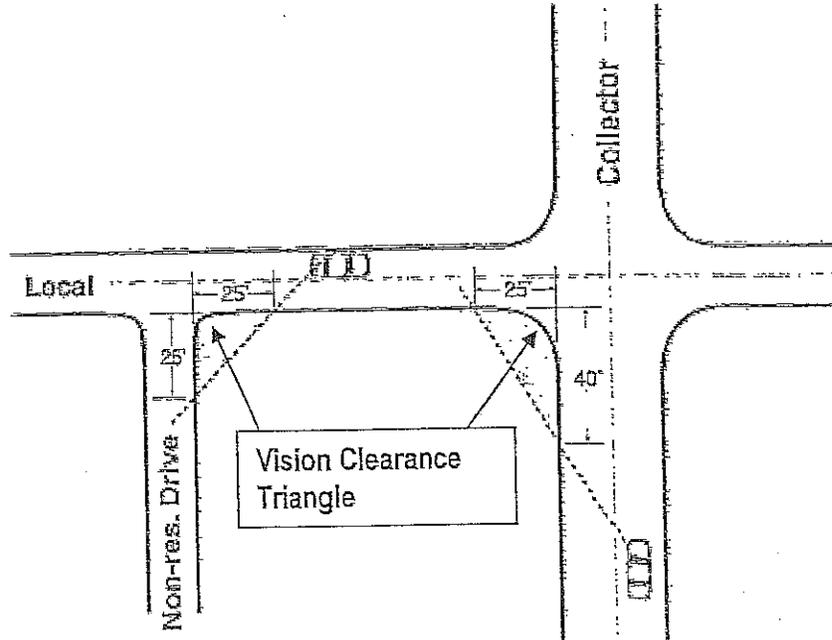
- 6.) Maintain drainage and creek boundaries and alignments through a process of site design and development that is responsive to natural storm drainage conditions.
- 7.) Engineer and design all modifications to the floodplain so that the flooding hazard and any erosion/sedimentation does not increase upstream or downstream of the development.
- 8.) Avoid structure and road construction in areas of expansive soils, without proper mitigation.
- 9.) A preliminary soils report that identifies the various soils types on the proposed development parcel shall be provided during the Preliminary Plat submittal. Should the preliminary soils report indicate the potential for expansive soils, a more detailed soils report and mitigation strategy shall be provided during the preliminary plat process, with all soils issues being resolved prior to approval of the Final Plat.

#### A. Circulation and Off-Site Improvements

- 1.) Provide safe ingress and egress to all residential developments by maximizing the sight distances and providing left/right turn lanes and/or acceleration/deceleration lanes as required to make the entry function as safely as possible.
- 2.) Provide adequate turn-around and back-out areas for fire truck access throughout the development. Stubs for future road extensions shall terminate with a cul-de-sac designed per County specifications.
- 3.) A sufficient number of off-street parking spaces shall be provided for any multi-family housing component.
- 4.) Developments that generate more than 200 vehicle trips per day, shall have paved interior roads (Note: Total vehicle trips per day shall be based upon single family residential units generating 10 vehicle trips per day). Developments that are adjacent to county roads or future extensions of roads as depicted on the *West Elbert County Transportation Master Plan* – “Future Roadway System Map”, shall dedicate the necessary right-of-way to Elbert County for the road, according to the right-of-way depicted on the map or in the *West Elbert County Transportation Master Plan*. Should the proposed development generate sufficient traffic volume to warrant improvements to or construction of adjacent roadways, the road should be dedicated and built prior to the issuance of the first building permit per filing of the final plat.

B. Entrances and Access

- 1.) Establish landscaped entries with integrated monument signage, wall-mounted signage, or other acceptable solution that provides an attractive, unique entry into the development (see specific examples in the "Signage" and "Landscaping" sections of this document).
- 2.) A landscape plan shall be submitted with all residential Planned Unit Development rezonings. This plan shall include landscape materials and planting design for the entries, streetscape, and other areas of plantings within the development, entry signage details for monument or wall-mounted signage signs, and any wall details or other features at the entry to the development.
- 3.) Vision Clearance Triangle – No fence, wall, hedge, vegetation, or other obstruction over 42" in height shall be erected, placed or maintained within a 25' (40' for collectors and arterials) visual clearance triangle formed by the property line immediately adjacent to a street, road, or non-residential driveway. The vision clearance triangle shall be shown on the Planned Unit Development graphic, referenced in the Development Guide, and shown on the recorded final plat. The vision clearance triangle is illustrated in the following diagram:



C. Landscaping

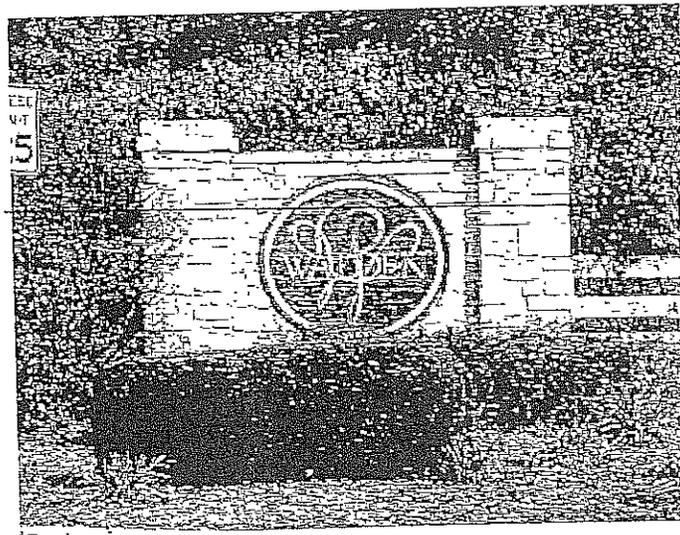
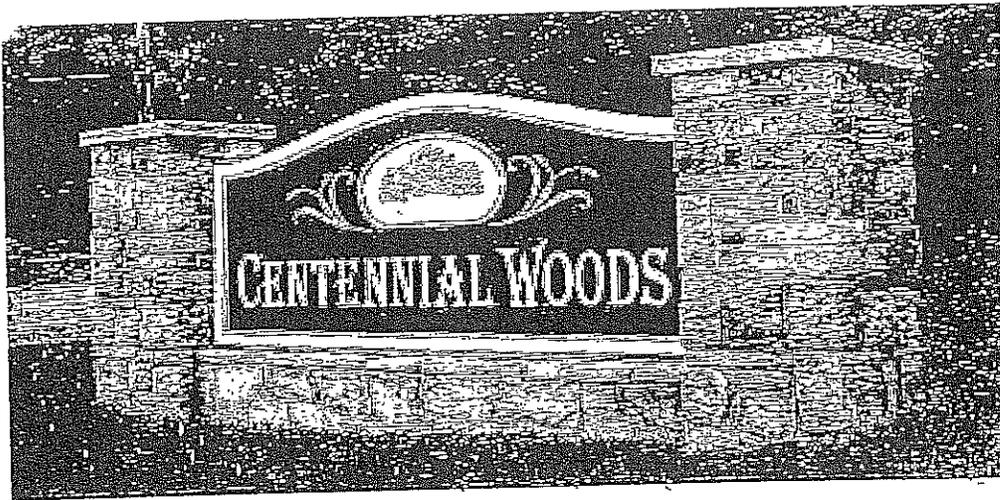
- 1.) A landscape plan which details quantity, type, and size of planting materials and standards for landscape installation shall be submitted as part of the Planned Unit Development process. Such plan shall be prepared by a qualified individual. Specific landscaping details will be provided for entries to residential subdivisions, streetscapes, areas to be screened, and any other areas where plant material is to be installed.
- 2.) Use native species of plant materials to help ensure survivability and to minimize the need for supplemental watering. Xeriscaping shall be encouraged.
- 3.) All installed plantings shall be watered as needed to ensure survival. All installed landscaping material shall be warranted and replaced for a period of 2 years after its initial installation, and said warranty shall be referenced in the Subdivision Improvement Agreement for the development.
- 4.) Landscape plans, landscape materials and installation exhibits, and performance guarantees shall be prepared according to the standards in the Elbert County 2007 Construction Standards & Specifications Manual.
- 5.) The following minimum standards shall apply to landscape plant material:
  - o Evergreen Trees - 6' minimum height
  - o Deciduous Trees -- 1-1/2" Caliper
  - o Shrubs -- 5 gallon minimum

D. Lighting

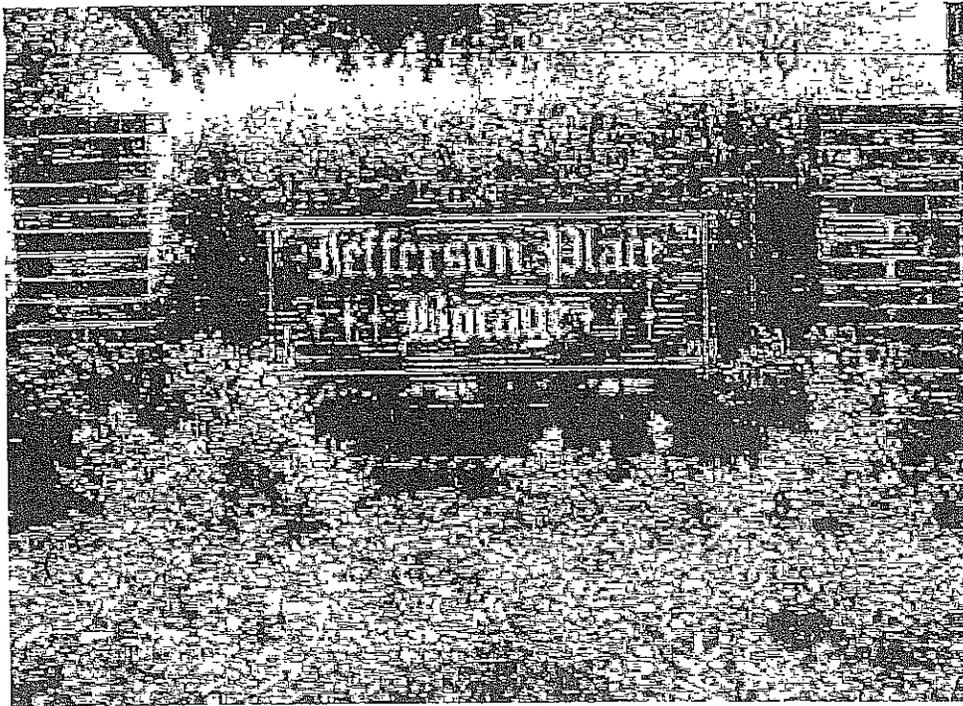
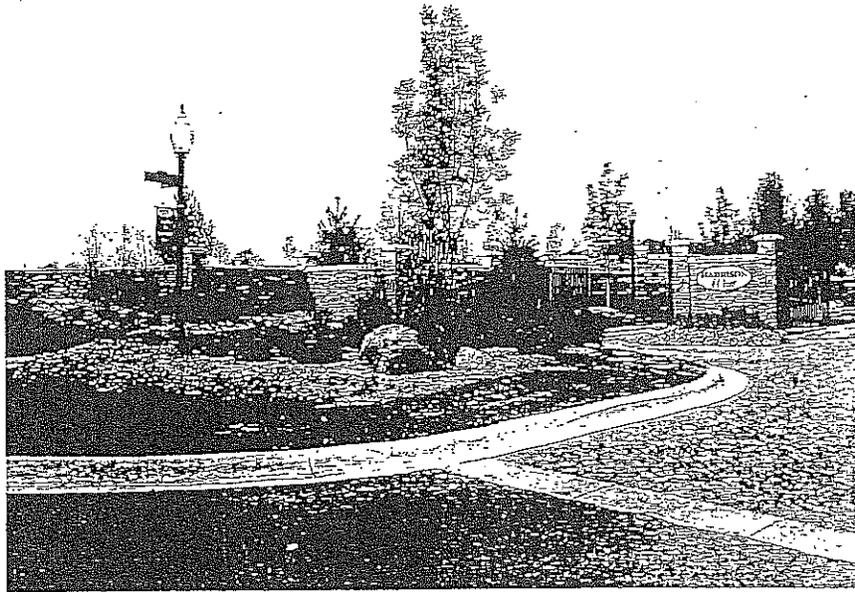
- 1.) Light standards throughout the development shall be uniform and shall be integrated into the overall project design and architecture of the development.
- 2.) Lighting shall be "downcast cutoff-type" fixture, which shall not cast glare on adjacent residential properties or roads.
- 3.) Building-mounted lights must be directed downward and toward building.

E. Signage

- 1.) Signage should have a consistent graphic theme throughout the subdivision.
- 2.) Provide subdivision identification signage that exhibits craftsmanship and individuality for the subdivision, with attention to detail and emphasis on artistic qualities and craftsmanship.
- 3.) Subdivision identification signs shall be monument signage, wall signs, or other acceptable sign design solution (the photos below are examples of acceptable monument signage).



- 4.) Sign details, including subdivision entry signs, directional signs, and informational signs shall be provided at the time of Planned Unit Development application. Sign sizes, materials of construction, and setbacks shall be established in the Development Guide for the Planned Unit Development, with the signs' locations being indicated on the Planned Unit Development graphic.
- 5.) Internally-lighted plastic signs shall be prohibited.
- 6.) All signs requiring permits shall be issued a sign permit by the Community & Development Services Office prior to installation.
- 7.) Subdivision entries shall have a variety of plant materials that integrates and compliments the project identification signage. Plants shall be low-water consumption plants. Acceptable solutions are depicted in the following photos:



- 8.) No signage and/or vegetation over 42" in height, shall be allowed in the Vision Clearance Triangle as defined above.

F. Walls & Fencing

- 1.) Avoid long, continuous expanses of wall and solid fencing. No exterior wall or solid fence shall exceed one-hundred (100) feet without a change in material or an 18" minimum change in the wall plane.
- 2.) Any retaining wall over 36" in height will require stamped design drawings and engineering calculations prepared by a Colorado licensed engineer.
- 3.) No fencing or retaining walls shall be allowed within the "Vision Clearance Triangle", as illustrated above.
- 4.) To facilitate movement for wildlife, exterior fencing will conform to Colorado Division of Wildlife standards.

G. Lot Standards

- 1.) Perimeter lots should be of similar size to adjacent subdivided properties. In general, larger lots should be located near the perimeter of the property, with a transition of smaller lots toward the interior of the development.
- 2.) When smaller lots are proposed next to agricultural land or existing adjacent subdivided property with larger lots, provide a substantial amount (200') of open area between the common boundaries.
- 3.) Use building envelopes and "no-build" areas to provide privacy and to protect sensitive areas on the site.
- 4.) All residential developments shall be processed as Planned Unit Developments.
- 5.) Developer will provide a plan for storm water management and drainage.
- 6.) As much as practical, developer should offset building envelopes to provide privacy and visual variety.
- 7.) When transitioning between lower and higher density residential uses, ensure that higher density uses are compatible with adjacent lower density developments by incorporating one or more of the following:
  - a.) Increase setbacks and landscape buffering on common boundaries.
  - b.) Use existing topography and sculpted terrain to provide visual screening between developments.
  - c.) Graduate uses by intensity, where more intense uses are furthest away from least intensive uses. In general, more intensive uses should be located along collectors or arterials, or strategically placed within the interior of new developments.
  - d.) Buffer between uses with vegetation and berming.
  - e.) Within a mixed-use community, when a commercial development is proposed

adjacent to a residential area, all exterior walls shall be finished with similar architectural materials as the front elevation, windows excepted.

- f) Use natural features to create an edge or boundary (e.g. drainages or tree lines).

#### H. Services, Utilities, & Public Facilities

- 1.) All utilities associated with development should be designed and positioned to minimize visual impact.
- 2.) All utilities associated with the development shall be placed underground from the main service meter pole and throughout the entire development.
- 3.) Substations, water treatment buildings, water storage tanks, free-standing utility equipment and pads, lift/pump stations and any associated above-ground piping, and other utilitarian structures, shall be screened with landscaping and berming, screen fencing and landscaping, or other suitable screening that minimizes negative visual impact.
- 4.) In addition, all residential developments shall have an adequate 300-year water supply and shall comply with all provisions of HB 08-1141, at the time of application for the Planned Unit Development zoning.

**All-Weather Surface Trail** – Trails built with a surface, such as crushed-fine gravel, concrete, or asphalt. Crushed-fine gravel is the preferred all-weather surface material. Minimum width of the trail should be eight feet (8').

**Arterials** – Roads that typically serve major traffic movements and function to move large volumes of traffic through a community. Major and minor arterials are planned for Elbert County, as indicated by the *West Elbert County Transportation Master Plan*.

**Building Envelopes** – Areas delineated by lines on the Final Plat which indicate areas where buildings are to be located.

**Collectors** – Roads that are meant to carry large traffic volumes and that are interconnected and continuous within a community.

**Critical Wildlife Habitat** – Lands identified by the Colorado Division of Wildlife as essential for the well being and health of wildlife. The Colorado Division of Wildlife will be consulted to further define critical wildlife habitat areas within the County.

**Migratory Corridors** – Routes used by wildlife to migrate from one area to another. Typically, these routes are along drainages, ridgelines, valleys, and in large areas of open land.

**No-Build Areas** – Areas delineated by lines on the Final Plat which indicate areas where buildings are not allowed.

**Open Space** – A classification of land in Elbert County obtained by approval of application or designation by right that; (1) has been preserved and protected by severance of development rights to a third party through purchase, conservation easement, dedication and/or donation to a public agency or land trust; or (2) upon application meets one or more of the purposes of open space set forth in the Elbert County Land Use Regulations, and will be preserved by future protection as approved in the application. Land that does not qualify as open space land is land; (1) whose development is otherwise restricted by zoning, regulation (such as setbacks, septic fields) or committed to alternative use (such as access easements, covenanted uses); or (2) open space, including green space easements which are not transferred to a third party, such as a land trust or governmental entity, including a metro district, will be allowed by exception only, and based on good cause shown.

Wetlands which meet the requirements under either the Colorado Wetlands Program, the Colorado Water Quality Control Act (CRS 25-8-101; et seq), or the Federal Clean Water Action (33 USC 1342), are also expressly identified here as qualifying open space even though such wetlands are subject to other restrictions (Elbert County Resolution Number 07-84, *Definition of Open Space Land and Land That Does Not Qualify as Open Space Land*).

Open space may include: parks, natural undisturbed land, trails, wildlife habitat and corridors, landscaped areas, creeks, drainages, historic farmsteads and structures, active recreation areas, passive recreation areas, land for grazing or crop cultivation, grasslands, and forested areas, intended for general public use.

**Planned Unit Developments (PUD)** – Custom zoning for a particular property which encourages innovative approaches to land uses, creative design of land uses, energy conservation, efficient use of open space, preservation of environmental conditions and compatibility with overall County objectives.

**Significant Natural Resources** - Significant natural resources include: forested areas, critical wildlife habitat, drainages, and wetlands, and historic, cultural, and archeological resources.

**Subdivision Improvement Agreement** – An agreement between the County and a developer to help ensure the installation of public improvements needed as a result of the development.

**Vision Clearance Triangle** - No fence, wall, hedge, vegetation, or other obstruction over 42" in height shall be erected, placed or maintained within a 25' (40' for collectors and arterials), visual clearance triangle formed by the property line, immediately adjacent to a street, road, or non-residential driveway. The vision clearance triangle shall be shown on the Planned Unit Development graphic, referenced in the Development Guide, and shown on the recorded final plat.