



TOWN OF KEENESBURG  
PLANNING COMMISSION MEETING  
THURSDAY, APRIL 16, 2020, 6:00 P.M.  
KEENESBURG TOWN MEETING HALL  
Via

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1. Call to order
2. Pledge of allegiance
3. Roll Call
4. Public Comments
5. Approval of Minutes for January 2, 2020, February 6, 2020 and March 5, 2020
6. New Business
  - a. Public Hearing: Initial Zoning request Oliver Annexation Nos. 1 and 2
  - b. **RESOLUTION NO. PC2020-02** Recommending approval of an initial zoning request for property to be annexed to the Town of Keenesburg known as the Oliver Annexation Nos. 1 and 2
7. Old Business
  - c. Final review of Design Standards
  - d. Review of proposed Ordinance 2020-07 Revising Chapters 16 and 17 of the Keenesburg Municipal Code.



- e. **RESOLUTION 2020-03** Recommending approval of the Town of Keenesburg Design Standards and of the Ordinance amending Chapters 16 and 17 of the Keenesburg Municipal Code to integrate the Town of Keenesburg Design Standards.

8. Board Comments / Reports

9. Adjournment



**TOWN OF KEENESBURG  
PLANNING COMMISSION MEETING MINUTES  
THURSDAY, JANUARY 2, 2020, 6:00 P.M.  
KEENESBURG MEETING HALL  
140 S. MAIN ST., KEENESBURG, CO**

**Call to order**

The Planning Commission of the Town of Keenesburg met in a regular session, Thursday, January 2, 2020 at Keenesburg Town Hall, located at 140 South Main Street, Keenesburg Colorado 80643. Chair Howell called the meeting to order at 6:00 p.m.

**Pledge of allegiance**

**Roll Call**

**Members Present:** Chair John Howell, Commissioners Wilbur Wafel and Commissioner Kenneth Gfeller.

**Absent:** Commissioner Greening

**Others Present:** Town Planner, Jennifer Shagin; and Planning Staff, Shawna Finkenbinder and Teri Smith.

**Public Comments**

None

**Approval of Minutes for November 7, 2019**

Commissioner Gfeller makes a motion to approve minutes for November 7, 2019 as with a second by Commissioner Wafel. Motion carries 3-0; Chair Howell, Commissioners Wafel and Gfeller.

**New Business**

**a. Appoint Chair for 2020**

Commissioner Gfeller makes motion to nominate Chair Howell with a second by Commissioner Wafel. Chair Howell accepts nomination. Roll call vote 3-0.

**Old Business**

### **b. Review Final Draft Design Standards**

Jennifer Shagin, Todd Hodges Design; reviews and explains this is final version for Landscape, Lighting in Parking Lots, Parking Lots and Street Standards. Conversation on some corrections, adding more detail on lighting such as added some diagrams that illustrate the cut off points, minor items to Parking Lots requirements, added the caveat right before the table which otherwise specifies in the Town of Keenesburg Municipal Code that these are the parking lot requirements. Question from Commissioner Wafel with regards to definitions on what an Arcade means, it states series of arches. Jennifer will correct the definition of Arcade to mean a covered walkway with arches along one or both sides and Arcade as a place of business and add Video Arcade as a business. Jennifer states no changes to the Street Standards or Landscape standards and is pretty much finalized and ready for approval. Discussions on Lighting in Parking Lots in which Jennifer added more definition to it and on L. adding Town of Keenesburg and United Power. Concern from Commissioner Gfeller on lighting from an existing building on Market Street that is too bright and blinding drivers. Jennifer states that this Design Standard for new development forward so the Town would need to change the code to be enforceable for existing, she will ask Debra. Discussions on two houses, side by side should not have the same floor plan but if they flip flop would that be considered having same floor plan. Jennifer states that would be acceptable, however, she will add a caviat that identical floor plan would need to be different like adding a porch or awning, color, elevation so that it is different but floor plan can be the same and the development of being less than 10 homes. Discussion on whether carports are considered an auxiliary structure by how it is attached and constructed. Jennifer will change #e. under carports and under Lots and Blocks that any carports that deviate from the above standards will have to be approved by the Town of Keenesburg prior to construction. Jennifer recommends if Planning Commission is okay with the changes, that the Planning Commission move towards Public Hearing for Planning Commission on February 6, 2020 and on February 18, 2020 for Board of Trustees with all Commissioners all being in agreement.

### **Board Comments / Reports**

None.

**Adjournment**

Motion was made by Commissioner Gfeller to adjourn the meeting, with a second by Commissioner Wafel. Motion carried 3-0; Chair Howell, Commissioners Wafel and Gfeller voting yes. The meeting adjourned at 6:53 p.m.

ATTEST:

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John Howell  
Chairperson

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Teri Smith  
Planning Staff



**TOWN OF KEENESBURG  
PLANNING COMMISSION MEETING MINUTES  
THURSDAY, FEBRUARY 6, 2020, 6:00 P.M.  
KEENESBURG MEETING HALL  
140 S. MAIN ST., KEENESBURG, CO**

**Call to order**

The Planning Commission of the Town of Keenesburg met in a regular session, Thursday, February 6, 2020 at Keenesburg Town Hall, located at 140 South Main Street, Keenesburg Colorado 80643. Chair Howell called the meeting to order at 6:00 p.m.

**Pledge of allegiance**

**Roll Call**

**Members Present:** Chair John Howell; Commissioners Greening, Wafel, Gfeller and Finkenbinder.

**Member Sworn in:** Chane Finkenbinder

**Others Present:** Town Manager, Debra Chumley; Town Planner, Todd Hodges; Jennifer Shagin of Todd Hodges Design; Town Attorney, Kathleen Kelly; and Planning Staff, Teri Smith.

**Public Comments**

None

**Swear in New Commissioner**

Teri swears in new Planning Commissioner, Chane Finkenbinder.

**New Business**

**a. Public Hearing: Kleve Minor Subdivision**

Chair Howell opened the public hearing at 6:03 p.m. and read from the script and gives instructions and procedures regarding the public hearing. Chair asks for notice of publication; Debra provided notification dates; publication on January 18, 2020; Mailing, January 23, 2020; and Sign posting, January 27, 2020. Chair Howell asks from the Planning Commission if any disclosures. None.

Chair asks for the applicant to approach and present the application. Applicant, Ryan Kleve, Kleve Minor Subdivision is not present. Chair Howell asks Town Planner to present Staff Report. Todd Hodges presents that the minor subdivision is to combine the lots into one lot and the application is being reviewed

concurrently through the site plan review process through staff. This is to accommodate the new proposed convenience store at the site with conditions of approval. Todd also states the Resolution addresses anything from Staff as well as referral comments. Commissioner Gfeller asks why applicant is not present with Todd and Debra answering not sure but this is simple and that could be the reason. Todd states he will reach out to let applicant know of next hearing at Board of Trustees meeting and to advise them it would be best for them to be present for the project. Discussion on median strips, width of Market Street, traffic impact letter from CDOT, square footage of building and proposed dog park. Chair Howell opens the Public Comment portion of the Public Hearing; hearing none. Chair Howell closes the Public Comment portion of the Public Hearing, Chair reads from the script and asks for objections to the inclusion of items presented; no objections. Chair asks for questions, none. Chair closes the public hearing at 6:13 p.m.

**b. RESOLUTION NO. PC2020-01 A RESOLUTION  
RECOMMENDING APPROVAL OF THE PLAT FOR THE  
MARKET STREET SUBDIVISION**

Commissioner Gfeller makes a motion to approve Resolution PC2020-01 A Resolution recommending approval of the Plat for the Market Street Subdivision with a second by Commissioner Wafel. Motion carried 5-0; Chair Howell, Commissioners Greening, Wafel, Gfeller and Finkenbinder voting yes.

**Old Business**

**c. Review Final Draft Design Standards**

Jennifer from Todd Hodges Design states she has reviewed the Design Standards and sent them to the Town Attorney who had a number of comments regarding definitions such as to make sure that the same terminology is used throughout the Design Standards. Debra has questions on some Definitions that are not allowed per Town Code and does not pertain to the Design Standards. Jennifer will remove necessary definitions. Landscape Standards mostly needed clean up and added clarity, will remove “when possible” and changed to “unless otherwise approved by the town”. Discussions on who will maintain the pocket park and Parks & Trails, the Developer, HOA, Metro District or Town. Kathleen states she believes it should state again “unless otherwise approved by the town, trails are to be maintained by the HOA or the Metro District or the Developer that way the Town is in control of that decision. She will send language to that effect. Jennifer adds to the prohibited plant list on page 6,29.a. “by the U.S or State of Colorado”. Further discussion on planting trees on Tree Lined Streets, will change wording to add depending on type of tree, it cannot be planted if interference for any public infrastructure. Commissioner Greening asks about Ownership and Maintenance of Open Parks and Open Space and who will maintain it. Jennifer will change it to reflect that it will be the HOA, Metro District or Developer who will maintain it unless approved by the Town. Lighting and Parking Lots, will change the title to Lighting Standards. Lots and

Blocks, Jennifer will remove Accessory Dwelling Units and change Residential building instead of residential houses. Discussion on color of the houses that are next to each other that are similar in color and how to dictate the color of homes when built and for future. Discussion on garages in relation to garage bays, plane staggering, conjoining garages and rear access garages. Kathleen suggests a Statement of Intent in interpreting what the design intends to be. Jennifer will remove the word "bays" and also put in the Statement of Intent. All agree. Discussion on changing verbiage from Auxiliary Structures for detached garages to be changed to Accessory structure to be in line with the Municipal Code. Further discussion on carports with regards to zoning code change, permitted in R-1 and R-2 zoning districts, attached to existing structure. Jennifer reviews Parking Lot Requirements and changes made were just cleaning up language. Kent Bruxvoort not present to comment on Street Standards. Debra asks if after these final changes, would the Planning Commission like to move forward and pass onto the Board of Trustees and after Board of OT has reviewed will set for Public Hearings to change the code to the Design Standards. All agree. Discussion for the cover of the Design Standard.

#### **Board Comments / Reports**

Commissioner Wafel would like to discuss Chapter 16, Home Occupations with regards to Firearm Sales and maybe propose to allow Firearm Sales as a Home Occupation. Discussion on the Municipal Code whereas a person may not be allowed to buy & sell firearms and transfers. Further discussion on the impact of gun retail in residential. This will be put on Agenda for a future meeting after research of Home Occupation Ordinance by Kathleen Kelly.

#### **Adjournment**

Motion was made by Commissioner Wafel to adjourn the meeting, with a second by Commissioner Gfeller. Motion carried 5-0; Chair Howell, Commissioners Wafel Gfeller, Greening and Finkenbinder voting yes. The meeting adjourned at 7:33 p.m.

ATTEST:

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John Howell  
Chairperson

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Teri Smith  
Planning Staff





**TOWN OF KEENESBURG  
PLANNING COMMISSION MEETING MINUTES  
THURSDAY, MARCH 5, 2020, 6:00 P.M.  
KEENESBURG MEETING HALL  
140 S. MAIN ST., KEENESBURG, CO**

**Call to order**

The Planning Commission of the Town of Keenesburg met in a regular session, Thursday, March 5, 2020 at Keenesburg Town Hall, located at 140 South Main Street, Keenesburg Colorado 80643. Chair Howell called the meeting to order at 6:00 p.m.

**Pledge of allegiance**

**Roll Call**

**Members Present:** Chair John Howell; Commissioners Greening, Gfeller and Finkenbinder.

**Excused:** Commissioner Wafel

**Others Present:** Town Manager, Debra Chumley; Town Planner, Todd Hodges; Town Attorney, Nick Baez-Cotton, Kelly PC; and Planning Staff, Teri Smith.

**Public Comments**

None

**Approval of Minutes for December 5, 2019**

Commissioner Gfeller makes a motion to approve minutes for December 5, 2020 as with a second by Commissioner Greening. Motion carried 4-0; Chair Howell, Commissioners Greening, Gfeller and Finkenbinder.

**Old Business**

**a. Review Final Draft Design Standards**

Todd Hodges of Todd Hodges Design states this is final version of the Design Standard with clarifications and changes made of maintenance, definitions, landscape standards, parking lot standards, lots and blocks. Nick Baez-Cotton of Kelly, PC states and explains what will be taken out of Design Standards and put into the Chapter 16 Municipal Code. Debra states the Planning Commission to meeting on April 2, 2020 will be for final review of the Design Standard, recommendation of adoption and hold the Public Hearing for the change to

Chapter 16 of the Municipal Code. Board of Trustees will be adopting by Resolution. Motion was made by Commissioner Gfeller with a second by Commissioner Finkenbinder. Motion carried 4-0; Chair Howell, Commissioners Greening, Gfeller and Finkenbinder.

**b. Firearms as a Home Occupation**

Discussion on what a Home Occupation is defined as and the lists of what is not a home occupation what is Use by Right and Use by Special Review. Discussion on firearms sales, transfer and gunsmithing in residential area which is not allowed in a residential district. More discussion on having a business store front and not in a residential, the risks of sales in residential. Nick states he states sale and transfer are one and the same.

**Board Comments / Reports**

Commissioner Greening asks what kind of recourse there is about dogs who bark all night and car parked in middle of the yard with no tags. Debra explains that the barking dog issue is a Code Enforcement issue not police department and for parking car we do not have an ordinance. Debra explains that these types of things, the Town needs to be aware by contacting Town Hall. Discussion on parking on approved surfaces and what an approved surface is. Suggestion by Commissioner Gfeller that we put in this issue into the code. Todd explains an approved surface would need to be defined. Discussion on what new builds, existing homes, additional parking would be required as approved surfaces and location of the driveways. Nick explains he will look into language with regards to this and look at sample language from other municipalities. Debra will look into the Code as to what is allowed in front yard. Discussion on the bright light in church parking lot at the Baptist Church being a driving hazard as it spills into the roadway. Nick states that need to look at to see if constitutes a public nuisance. Debra suggests that the Planning Commission vote for a special meeting for Thursday, April 9, 2020 for public hearings that may or may not occur. All agree. Motion was made by Commissioner Gfeller with a second by Commissioner Greening for a Special Meeting for April 9, 2020 at Town Hall at 6:00 p.m. Motion carried 4-0; Chair Howell, Commissioners Greening, Gfeller and Finkenbinder.

**Adjournment**

Motion was made by Commissioner Gfeller to adjourn the meeting at 6:50 p.m., with a second by Commissioner Finkenbinder. Motion carried 4-0; Chair Howell, Commissioners Greening, Gfeller and Finkenbinder.

ATTEST:

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John Howell  
Chairperson

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Teri Smith  
Planning Staff

a.

# STAFF REPORT

**TO:** PLANNING COMMISSION  
**FROM:** TODD A. HODGES, PLANNER  
**SUBJECT:** OLIVER ANNEXATIONS 1 & 2 AND CHANGE OF ZONE

**PC MEETING DATE:** APRIL 2, 2020

**BOARD OF TRUSTEES MEETING DATE:** APRIL 6, 2020

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## **I. Attachments**

1. Application items
2. Referral form and referral responses

## **II. Project Owners and Representatives:**

### **Owners:**

Katharine Oliver  
8053 County Road 51  
Keenesburg, CO 80643

### **Applicant:**

Katharine Oliver  
1738 Edgewater place  
Longmont, CO 80504

### **Project Representative:**

Katharine Oliver  
1738 Edgewater place  
Longmont, CO 80504

## **III. Location**

The site is located at 8053 County Road 51, Weld County, CO

Legal: Beginning portions of the Southeast quarter of section 19 and the Southwest quarter of section 20 all in Township 2 North, Range 64 West of the 6<sup>th</sup> P.M. County of Weld, State of Colorado. See map for reference.



### III. Project Description

The land use application is for annexations 1 and 2 and change of zone for an entire 4.38 acre site. The first annexation is a total of 0.26 AC located along WCR 18 and is subject to all existing easement and/or rights of way of record. This first annexation runs entirely adjacent to the Town of Keenesburg by way of the Cook annexation.

The second annexation is for a total of 4.12 AC located in the southeast quadrant of section 19. This lot is recorded as lot A in Weld County under recorded exemption number 2907. Annexations 1 and 2 will total to 4.38 acres located at the northwest corner of WCR 18 and WCR 51.

The applicant is proposing to change the existing Weld County zoning of Agriculture to light industrial. The proposed land use will be reviewed through a separate land use application in the near future.

Utilities:

Water: Central Colorado Water

Wastewater:

Electric:

Gas:

Fire: Hudson Fire

## **VIII. Findings/Conclusions**

After review of the Comprehensive Plan, Municipal Code and referral comments, staff finds that:

1. This property is within the Growth Management Area (GMA) for the Town and is anticipated to be annexed in the future.
2. The Comprehensive plan future land use map designates the property as industrial. The proposed zoning to Light Industrial complies with the comprehensive plan.
3. The site is currently served with an existing well and septic system.

The adjacent property owners were notified as required for the submittal, the site was posted and public notice was placed in the paper concerning the public meetings for this request.

At the time this report was written, there have been no written objections filed with the Town concerning the proposed preliminary or first filing. Referrals were sent to the list attached to this report. Written referral comments were received from Weld County Planning, CDOT and the Fire Protection District. The referrals have been included in the staff report packet.

## **IX. Recommendation**

Based upon the findings identified in this report, staff recommends approval of the Skyview subdivision preliminary plat and first filing with the following conditions:

1. Address any redlines provided by staff prior to recording.
2. Adequately address any staff comments and referrals provided.





TOWN OF KEENESBURG  
FOUNDED JULY, 1906  
A MUNICIPAL CORPORATION SINCE JULY, 1919

ANNEXATION PETITION

TO THE MAYOR AND BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

The undersigned, in accordance with Title 31, Article 12, Chapters 101 et seq., Colorado Revised Statutes, hereby petition the Board of Trustees of the Town of Keenesburg for annexation into the Town of Keenesburg the unincorporated territory, the legal description of which is attached hereto as Exhibit A and incorporated herein by this reference, located in the County of Weld and State of Colorado, and to be known as the OLIVER No. 1 AND No. 2 Annexation to the Town of Keenesburg.

In support of this petition, the petitioner (s) further state to the Board of Trustees that:

1. It is desirable and necessary that the territory described in Exhibit A be annexed to the Town of Keenesburg.
2. The requirements of Section 31-12-104 and 31-12-105 of the Colorado Revised Statutes as amended, exist or have been met in that:
  - a. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of Keenesburg or will be contiguous with the Town of Keenesburg within such time as required by Section 31-12-104..
  - b. A community of interest exists between the territory proposed to be annexed and the Town of Keenesburg.
  - c. The territory sought to be annexed is urban or will be urbanized in the near future.
  - d. The territory sought to be annexed is integrated with or is capable of being integrated with the Town of Keenesburg.
  - e.. No land within the boundary of the territory proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, has been divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels were separated by a dedicated street, road, or other public way.
  - f. No land within the boundary of the territory proposed to be annexed which is held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, comprises twenty acres or more, and which, together with the buildings and improvements situated thereon, has an assessed value in excess of two hundred thousand dollars (\$200,000.00) for ad valorem tax purposes for the year next preceding the



annexation, has been included within the area proposed to be annexed without the written consent of the landowner or landowners.

- g. The territory proposed to be annexed does not include any area which is the same or substantially the same area in which an election for an annexation to the Town of Keenesburg was held within twelve months preceding the filing of this petition.
  - h. The territory proposed to be annexed does not include any area included in another annexation proceeding involving a town other than the Town of Keenesburg
  - i. The annexation of the territory proposed to be annexed will not result in the detachment of area from any school district.
  - j. The annexation of the territory proposed to be annexed will not have the effect of extending the boundary of the Town of Keenesburg more than three miles in any direction from any point of the boundary of the Town of Keenesburg in any one year.
  - k. The territory proposed to be annexed is 4.38 acres in total area.
  - l. Prior to completion of the annexation of the area proposed to be annexed, a plan will be in place, pursuant to Section 31-12-105(1)(e), C.R.S., which generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, and sanitation to be provided by the Town of Keenesburg; including the providers of transportation, light, natural gas, and power, and the proposed land uses for the area; such plan to be updated at least once annually.
  - m. In establishing the boundary of the area proposed to be annexed, if a portion of a platted street or alley is to be annexed, the entire width of the street or alley has been included within the area annexed, and reasonable access will not be denied to any landowners, owners of any easement, or the owners of any franchise adjoining any platted street or alley which is to be annexed to the Town of Keenesburg but is not bounded on both sides by the Town of Keenesburg.
3. The owners of more than fifty percent (50%) of the area proposed to be annexed, exclusive of dedicated streets and alleys, have signed this petition and hereby petition for annexation of such territory.
- The signatures on this petition comprise one-hundred percent (100%) of the landowners of the territory to be annexed and said landowners attesting to the facts and agreeing to the conditions herein contained will negate the necessity of any annexation election.
4. Accompanying this petition are four copies of an annexation map as well as an electronic file that will contain the following information:
- a. A written legal description of the boundaries of the area proposed to be annexed, in the form of a title commitment issued within 30 days of the application date;
  - b. A map showing the boundary of the area proposed to be annexed said map prepared by and containing the seal of a registered engineer;

- c. A surveyor's certificate prepared by a registered land surveyor that attests to the preparation of the map and certifies at least one-sixth (1/6) contiguity to the Town of Keenesburg.
  - d. Within the annexation boundary map, an identification of the location of each ownership tract in unplatted land and, if part or all of the area is platted, the boundaries and the plat numbers of plots or of lots and blocks. Also within the boundary map, identification of any special districts the area proposed to be annexed may be part of.
  - e. Next to the boundary of the area proposed to be annexed, a drawing of the contiguous boundary of the Town of Keenesburg and the contiguous boundary of any other municipality abutting the area proposed to be annexed, and a showing of the dimensions of such contiguous boundaries.
  - f. A full legal description of property to be annexed in word format.
  - g. A tax certificate showing all taxing entities.
  - h. Mineral owner's notification certificate.
  - i. Acceptance block describing the acceptance action by the Mayor on behalf of the Town of Keenesburg and providing for the effective date and Town Clerk attest signature.
5. Upon the annexation ordinance becoming effective, all lands within the area proposed to be annexed will become subject to all ordinances, resolutions, rules, and regulations of the Town of Keenesburg, except for general property taxes of the Town of Keenesburg, which shall become effective as of the January 1 next ensuing.
6. The zoning classification requested for the area proposed to be annexed is  
LIGHT INDUSTRIAL (LI) (KEENESBURG).
- The petitioners agree that said annexed land shall be brought under the provisions of Chapter 16 of the Keenesburg Municipal Code within ninety (90) days from the effective date of the annexation ordinance.
7. There shall be no duty or obligation upon the Town of Keenesburg to furnish water or sanitary sewer facilities to the area proposed to be annexed. Such services will be provided at such time, in the sole discretion of the Town, when such services for water and sanitary sewer can be economically and reasonably installed to service a sufficient number of inhabitants within the area so as to make the construction and establishment of such services feasible and at no additional cost for the same or similar type of services provided to inhabitants within the existing corporate limits of the Town.
8. If required by the Town, an annexation agreement has been or will be executed by the petitioners herein and the Town of Keenesburg relating to this annexation and the petitioners hereby expressly consent to the terms and conditions set forth in the annexation agreement.
9. The petitioners agree to the following terms and conditions, which shall be covenants running with the land, and which may, at the option of the Town, appear on the annexation map:

- a. Water rights shall be provided pursuant to Town ordinance.
- b. All conditions set out in the annexation agreement executed by the petitioner.
- c. Other:

THEREFORE, the petitioners, whose signatures are on the signature sheet on the next page, respectfully petitions the Board of Trustees of the Town of Keenesburg to annex the territory described and referenced to in Exhibit "A" to the Town of Keenesburg in accordance with and pursuant to the statues of the State of Colorado.

**AFFIDAVIT OF CIRCULATOR**

The undersigned, being of lawful age, who being first duly sworn upon oath deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Keenesburg, Colorado, consisting of 6 pages, including this page and that each signature thereon was witnessed by your affiant and is the true signature of the person whose name it purports to be.

Shm Shm / (Steve Stenel)  
Circulator

**ACKNOWLEDGEMENT**

STATE OF COLORADO )  
COUNTY OF LaRimer )ss

The above and foregoing Affidavit of Circulator was subscribed and sworn to before me this 31st day of January, 2020.

Witness my hand and official seal.

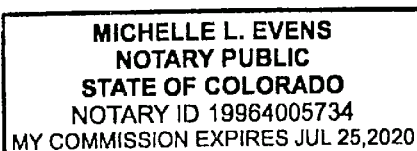
My commission expires on: 7-25-20

Michelle L. Evens  
Notary Public

1301 N. Cleveland Avenue  
Address

Loveland, CO 80537

(SEAL)



Land Owner (s) Name (s) and Signature (s)

Mailing Address

Date

Katharine H. Oliver  
Printed Name

Katharine H. Oliver  
Signature

1738 Edgewater Place

Longmont CO 80504

1/31/2020

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature



Town Of Keenesburg  
140 South Main Street  
PO BOX 312  
Keenesburg, CO 80643  
(303)732-4281

**Zoning Application**  
**Fee \$250.00**

Applicant(s) Name: KATHARINE OLIVER

Address of Applicant (s) 1738 EDGEWATER PL, LONGMONT, CO. 80504

Legal Description of Property: A PORTION OF THE E. 1/2 OF THE  
S.E. 1/4 OF SECTION 19-2-64, LOT A OF CORR. RE-2907

Current Zoning AG (WELD CO.) Requested Zoning LI (KEENESBURG)

Reason for requested zoning change: THE OWNER IS ATTEMPTING TO  
BRING THE EXISTING PROPERTY USE INTO TOWN  
COMPLIANCE

Each applicant whose name appears upon the deed or title to this property must sign:

Katharine H. Oliver Jan, 31, 2020  
Name Date

Name Date

Name Date

**This application must be accompanied by a title commitment for proof of ownership  
issued within 30 days of hearing.**

## ANNEXATION AGREEMENT

(Standard Form)

**THIS AGREEMENT** is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Katharine Oliver, hereinafter referred to as "Applicant" or "Owner," and the TOWN OF KEENESBURG, a municipal corporation of the State of Colorado, hereinafter referred to as "Keenesburg" or "Town."

### WITNESSETH:

**WHEREAS**, the Owner desires to annex to Keenesburg the property more particularly described on Exhibit "A," which is attached hereto, incorporated herein, and made a part hereof (such property is hereinafter referred to as the "Property"); and

**WHEREAS**, Owner has executed a petition to annex the Property, a copy of which petition is on file with the Town Clerk; and

**WHEREAS**, it is to the mutual benefit of the parties hereto to enter into the following Agreement; and

**WHEREAS**, Owner acknowledges that upon annexation, the Property will be subject to all ordinances, resolutions, and other regulations of the Town of Keenesburg, as they may be amended from time to time; and

**WHEREAS**, Owner acknowledges that the need for conveyances and dedication of certain property, including but not limited to property for ways and easements to Keenesburg as contemplated in this Agreement, are directly related to and generated by development intended to occur within the Property and that no taking thereby will occur requiring any compensation.

**NOW, THEREFORE, IN CONSIDERATION OF THE ABOVE PREMISES AND THE COVENANTS AS HEREINAFTER SET FORTH, IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:**

1. **Incorporation of Recitals.** The parties confirm and incorporate the foregoing recitals into this Agreement.
2. **Purpose.** The purpose of this Agreement is to set forth the terms and conditions of the annexation of the Property to the Town. Except as expressly provided for herein to the contrary, all terms and conditions herein are in addition to all requirements concerning annexation contained

in the Keenesburg Municipal Code, Comprehensive Plan, other development regulations adopted by the Town, and the Municipal Annexation Act of 1965, as amended, C.R.S. § 31-12-101 et seq.

3. Further Acts. Owner agrees to execute, promptly upon request of Keenesburg, any and all surveys and other documents necessary to effect the annexation of the property and the other provisions of this Agreement. Owner agrees to not sign any other petition for annexation of the Property or any petition for an annexation election relating to the Property, except upon request of Keenesburg.

4. Annexation Documents. Owner agrees to provide legal documents, surveys, engineering work, newspaper publication, maps, and reports determined by Keenesburg to be necessary to accomplish the annexation. Owner shall prepare the annexation impact report, which shall be distributed as required law at Owner's expense.

5. Action on Annexation Petition. Keenesburg shall act upon the annexation petition within six months of the date of filing thereof with the Town Clerk, unless Owner consents to later action.

6. Zoning and Development. The parties recognize that it is the intent and desire of Owner to develop the Property in a manner generally consistent with the zoning requested and that the granting of such zoning by the Town of Keenesburg is a condition to annexation of the Property. Owner shall take all action necessary to permit zoning by Keenesburg of the annexed Property within the time prescribed by state statutes.

7. Dedications. Owner agrees to dedicate by General Warranty Deed or appropriate instrument of conveyance acceptable to the Town, twelve percent of the territory to be annexed for public open space or pay an equivalent fee in lieu of dedication, in addition to easements and rights-of-way for streets and other public ways and for other public purposes, as required by Town ordinances and resolutions. Such dedications shall occur immediately upon request of the Town except that internal rights-of-way shall be dedicated at the time of subdivision platting, unless the Town specifies another time.

8. Public Improvements. Owner agrees to design, improve, and provide signage, lighting, and signalization for, all public streets and other public ways within or adjacent to the property in accordance with Town ordinances and resolutions and other applicable standards, subject to any reimbursement which may be provided for in such ordinances, resolutions, and standards, and to make such other improvements as required by Town ordinances and resolutions; to guarantee construction of all required improvements by providing an improvements guarantee in the form of a cash deposit, irrevocable letter of credit, or other method of guarantee acceptable to the Town in an amount of at least 125% of the estimated cost of the public improvements; and, if requested by the Town, to dedicate to the Town any or all other required improvements. If requested by the Town, Owner agrees to enter into an agreement pertaining to such improvements and other matters prior to any development of the property.



9. Improvement Districts. If requested by Keenesburg, Owner agrees to include the property in one or more special improvement districts or other mechanisms established by Keenesburg for making improvements to streets and other public ways, or for making other public improvements authorized by law, and Owner hereby appoints the Town Clerk of Keenesburg as Owner's attorney-in-fact for the purpose of executing all documents determined by Keenesburg to be necessary for such inclusion. If requested by Owner, Keenesburg agrees to consider the establishment of one or more special improvement districts for making such improvements.
10. Special District Inclusion. As a condition of annexation, Owner shall apply for inclusion of the Property within the [insert special districts] (if the Property is not yet within one or more of these districts), and any other special districts as determined by the Town.
11. Special District Exclusion. As a condition of annexation, Owner shall petition for exclusion of the Property from any special districts as determined by the Town.
12. Conformity with Laws. Owner agrees that the design, improvement, construction, development, and use of the property shall be in conformance with, and that Owner shall comply with, all Town ordinances and resolutions including, without limitation, ordinances and resolutions pertaining to annexation, subdivision, zoning, storm drainage, utilities, access to Town streets and flood control.
13. No Repeal of Laws. Nothing contained in this Agreement shall constitute or be interpreted as a repeal of the Town's ordinances or resolutions, or as a waiver of the Town's legislative, governmental, or police powers to promote and protect the health, safety, and welfare of the Town and its inhabitants; nor shall this Agreement prohibit the enactment or increase by the Town of any tax or fee.
14. Disconnection. No right or remedy of disconnection of the property from the Town shall accrue from this Agreement, other than that provided by applicable state laws. In the event the property or any portion thereof is disconnected at Owner's request, Keenesburg shall have no obligation to serve the disconnected property or portion thereof and this Agreement shall be void and of no further force and effect as to such property or portion thereof.
15. Severability. The parties agree that if any part, term, portion, or provision of this Agreement is held by a court of competent jurisdiction to be illegal or in conflict with any law of the State of Colorado, the validity of the remaining parts, terms, portions, or provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, portion, or provision held to be invalid.
16. Municipal Services. Keenesburg agrees to make available to the property all of the usual municipal services in accordance with the ordinances and policies of the Town.

17. Water Dedication.

a. Non-Tributary and Not Non-Tributary Water. For and in consideration of the provision of water service by the Town, Owner grants in perpetuity to the Town the sole and exclusive right to withdraw, appropriate and use, and hereby consents in perpetuity on behalf of themselves and any and all successors in title, pursuant to C.R.S. § 37-90-137(8) to the Town the right to withdraw the water described in the above statute.

b. In-House Supply. b. In-House Supply. Owner or his assigns shall transfer to the Town by General Warranty Deed such raw water or raw water rights as is reasonably required by the Town to provide municipal, residential, commercial, or industrial service at the time of final plat approval or at such other time as may be agreed upon or set forth in the subdivision improvements agreement.

c. Irrigation. Owner may be required to transfer to the Town, an owners' association, or some other public or quasi-public entity sufficient raw water for irrigation of any public or quasi-public area within the Property as may be shown in any subdivision plat or other development plan.

18. Owners' Association. Upon the request of the Town, or if otherwise required by state law, Owner shall organize an appropriate owners' association or associations for given parcels and/or unit types within the development of the Property. Owner shall form any such association(s) pursuant to the Colorado Common Interest Ownership Act (the "Act"), C.R.S. § 38-33.3-101, et seq. The Owner shall also execute and record covenants and instruments of conveyance that comply with the Act and which adequately provide for continuous ownership, operation, maintenance, repair and replacement of common elements of the development, including but not limited to any private roads, private common areas, private facilities, and public or private open space. At least thirty (30) days prior to recording any covenants or instruments of conveyance to the association(s), Owner shall provide such documents to the Town for review and comment. It is anticipated that ownership and/or maintenance responsibilities for certain common elements (such as, by way of example and not limitation, entry features, park or recreational tracks, and drainage facilities) may be assigned to such associations, and that such arrangement will be as determined at the time of subdivision or final development plan approval for given parcels and/or unit types within the development of the Property.

19. Development Impact Fees. Owner acknowledges that it is the Town's policy to require "growth to pay its own way" and Owner agrees to pay all development impact fees as set forth in the Town Fee Schedule, including impact fees as may be in effect at the time application is made for any building permit, so long as such fees are reasonably related to the development. Owner shall post such fee and expense deposits as may be required and agrees to reimburse the Town for all costs of this annexation and development of the Property, including, but not limited

25. Owner. As used in this Agreement, the term "Owner" shall include any of the heirs, transferees, successors, or assigns of Owner, and all such parties shall have the right to enforce this Agreement, and shall be subject to the terms of this Agreement, as if they were the original parties thereto.

26. Amendments to Law. As used in this Agreement, unless otherwise specifically provided herein, any reference to any provision of any Town ordinance, resolution, or policy is intended to refer to any subsequent amendments or revisions to such ordinance, resolution, or policy, and the parties agree that such amendments or revisions shall be binding upon Owner.

27. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the heirs, transferees, successors, and assigns hereof, and shall constitute covenants running with the land. This Agreement shall be recorded with the County Clerk of Weld County, Colorado, at Owner's expense. Subject to the conditions precedent herein, this Agreement may be enforced in any court of competent jurisdiction.

28. Failure to Annex. This Agreement shall be null and void if the Town fails to approve the annexation of the property.

29. Notice. All notices required under this Agreement shall be in writing and shall be hand-delivered or sent by facsimile transmission or registered or certified mail, return receipt requested, postage prepaid, to the addresses of the parties herein set forth. All notices by hand delivery shall be effective upon receipt. All facsimile transmissions shall be effective upon transmission receipt. All notices by mail shall be considered effective 72 hours after deposit in the United States mail with the proper address as set forth below. Either party by notice so given may change the address to which future notices shall be sent.

Notice to Town:

Town of Keenesburg  
140 S. Main  
Box 312  
Keenesburg, CO 80643

Notice to Owner:

KATHARINE OLIVER  
1738 EDGEWATER PL.  
LONGMONT, CO 80504

30. Election. Owner agrees that it is voluntarily entering into this Agreement. Owner represents and submits that, to the extent an election would be required pursuant to C.R.S. § 31-12-112, as amended, to approve the annexation or to impose terms and conditions upon the Property to be annexed, Owner owns 100 percent of the Property, excluding public streets and alleys, and would vote to approve the annexation and all terms and conditions as set forth herein. Thus, any election would necessarily result in a majority of the electors' approval to the annexation and the terms and conditions.

31. Legislative Discretion. The Owner acknowledges that the annexation and zoning of the property are subject to the legislative discretion of the Board of Trustees of the Town of Keenesburg. No assurances of annexation or zoning have been made or relied upon by Owner. If, in the exercise of its legislative discretion by the Board of Trustees or through the exercise of the powers of initiative or referendum, any action with respect to the property herein contemplated is not taken, then the sole and exclusive right of Owner with respect to such exercise of discretion shall be the withdrawal of the petition for annexation by the Owner, or disconnection from the Town in accordance with state law, as may be appropriate.

32. No Third-Party Rights. This Agreement is made solely for the benefit of the parties hereto, and is not intended to nor shall it be deemed to confer rights to any persons or entities not named as parties hereto.

33. Governing Law. The laws of the State of Colorado shall govern the validity, performance, and enforcement of this Agreement. Should either party institute legal suit or action for enforcement of any obligation contained herein, it is agreed that the venue of such suit or action shall be in Weld County, Colorado.

34. Headings. The paragraph headings in this Agreement shall not be used in the construction or interpretation hereof as they have no substantive effect and are for convenience only.

35. No Warranties by Town. The Town is entering into this Agreement in good faith and with the present intention, on the part of the present Town Board, that this Agreement will be complied with. However, because some of the provisions of this Agreement may involve areas of legal uncertainty, the Town makes no representation as to the validity or enforceability of this Agreement against the Town, and by entering into this Agreement the Owner acknowledges and accepts that no such warranty is made on the part of the Town.

**OWNER**

By: Katharine A. Oliver

ACKNOWLEDGEMENT

STATE OF COLORADO

COUNTY OF Lanmer )

)  
)ss

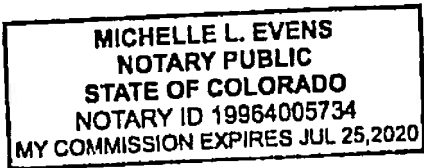
The above and foregoing signature of Kathanne H Oliver  
was subscribed and sworn to before me this 13<sup>th</sup> day of December,  
2019.

Witness my hand and official seal.

My commission expires on: 7/25/20.

Michelle L Evens  
Michelle L. Evens

(SEAL)



**TOWN OF KEENESBURG**

By: \_\_\_\_\_  
Mayor

**ATTEST:**

\_\_\_\_\_  
Town Clerk

**EXHIBIT A**  
**LEGAL DESCRIPTION OF PROPERTY**





# KEENESBURG PLANNING DEPARTMENT

## DEVELOPMENT REVIEW REFERRAL

**FROM:** TODD HODGES, TOWN PLANNER

**DATE:** FEBRUARY 20, 2020

**PROJECT:** Oliver Annexations 1 & 2 and zoning request

### INTERNAL DISTRIBUTION:

<input checked="" type="checkbox"/> City Engineer	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Clerk
<input checked="" type="checkbox"/> Public Works Manager	<input checked="" type="checkbox"/> Building Inspector	

### OUTSIDE DISTRIBUTION:

<input checked="" type="checkbox"/> SE Weld Fire Protection District	<input checked="" type="checkbox"/> Weld County Department of Planning Services
<input checked="" type="checkbox"/> CDOT	<input type="checkbox"/> Army Corp of Engineers
<input checked="" type="checkbox"/> Atmos Energy	<input type="checkbox"/> Postmaster
<input checked="" type="checkbox"/> United Power	<input checked="" type="checkbox"/> Colorado Department of Natural Resources
<input type="checkbox"/> Colorado Division of Wildlife	<input checked="" type="checkbox"/> Weld County Public Works
<input checked="" type="checkbox"/> Weld County School District RE-3	<input checked="" type="checkbox"/> Century Link
<input checked="" type="checkbox"/> Division of Water Resources	<input checked="" type="checkbox"/> Weld County Health Department
<input checked="" type="checkbox"/> Town of Hudson	<input checked="" type="checkbox"/> Lost Creek Water

**If you have comments, please respond by:** March 12, 2020

Comments may be emailed to [toddhodesdesign@qwestoffice.net](mailto:toddhodesdesign@qwestoffice.net) or mailed to the address below. A non-response to this referral may be considered a favorable response.

**COMMENTS:** The Fire District does not have any issues at this time.

Tom Beach, Fire Chief

Southeast Weld Fire District



## DEPARTMENT OF PLANNING SERVICES

1555 N. 17<sup>th</sup> Ave

Greeley, CO 80631

Website: [www.weldgov.com](http://www.weldgov.com)

Email: [jflesher@weldgov.com](mailto:jflesher@weldgov.com)

Phone: (970) 400-3552

Fax: (970) 304-6498

Via Email

March 3, 2020

Todd Hodges, Planner  
Town of Keenesburg  
PO Box 312  
Keenesburg, CO 80643

Subject: Oliver Annexation

Dear Todd:

The Weld County Department of Planning Services has reviewed this proposal and submits the following comments for your consideration.

There is a zoning violation case in process on this property for operation of a towing company (ZCV20-00009).

There is no County commitment to upgrade County roads and bridges to accommodate municipal developments.

The present zoning of adjacent and surrounding unincorporated properties are predominantly Agricultural. Owners of property in the area of this proposal should be made aware that agricultural uses, even when done in a manner consistent with good agricultural practices, may generate impacts such as noise, dust, flies, odors, aerial spraying, and slow-moving equipment on County roadways. It is important for future residents to note that adjacent properties may be in unincorporated Weld County and that Weld County has adopted a Right-to-Farm Statement and a Right to Extract Mineral Resources Statement and recommends they be placed on all plats adjacent to unincorporated areas:

### Right-to-Farm Statement

Weld County is one of the most productive agricultural counties in the United States, typically ranking in the top ten counties in the country in total market value of agricultural products sold. The rural areas of Weld County may be open and spacious, but they are intensively used for agriculture. Persons moving into a rural area must recognize and accept there are drawbacks, including conflicts with long-standing agricultural practices and a lower level of services than in town. Along with the drawbacks come the incentives which attract urban dwellers to relocate to rural areas: open views, spaciousness, wildlife, lack of city noise and congestion, and the rural atmosphere and way of life. Without neighboring farms, those features which attract urban dwellers to rural Weld County would quickly be gone forever.

Agricultural users of the land should not be expected to change their long-established agricultural practices to accommodate the intrusions of urban users into a rural area. Well-run agricultural activities will generate off-site impacts, including noise from tractors and equipment; slow-moving farm vehicles on rural roads; dust from animal pens, field work, harvest and gravel roads; odor from animal confinement, silage and manure; smoke from ditch burning; flies and mosquitoes; hunting and trapping activities; shooting sports, legal hazing of nuisance wildlife; and the use of pesticides and fertilizers in the fields, including the use of aerial spraying. It is common practice for agricultural producers to utilize an accumulation of agricultural machinery and supplies to assist in their agricultural operations. A concentration of miscellaneous agricultural materials often produces a visual disparity between rural and urban areas of the County. Section 35-3.5-102, C.R.S., provides that an agricultural operation shall not be found to be a public or private nuisance if the agricultural operation alleged to be a nuisance employs methods or practices that are commonly or reasonably associated with agricultural production.

Water has been, and continues to be, the lifeline for the agricultural community. It is unrealistic to assume that ditches and reservoirs may simply be moved "out of the way" of residential development. When moving to the

County, property owners and residents must realize they cannot take water from irrigation ditches, lakes or other structures, unless they have an adjudicated right to the water.

Weld County covers a land area of approximately four thousand (4,000) square miles in size (twice the size of the State of Delaware) with more than three thousand seven hundred (3,700) miles of state and County roads outside of municipalities. The sheer magnitude of the area to be served stretches available resources. Law enforcement is based on responses to complaints more than on patrols of the County, and the distances which must be traveled may delay all emergency responses, including law enforcement, ambulance and fire. Fire protection is usually provided by volunteers who must leave their jobs and families to respond to emergencies. County gravel roads, no matter how often they are bladed, will not provide the same kind of surface expected from a paved road. Snow removal priorities mean that roads from subdivisions to arterials may not be cleared for several days after a major snowstorm. Services in rural areas, in many cases, will not be equivalent to municipal services. Rural dwellers must, by necessity, be more self-sufficient than urban dwellers.

People are exposed to different hazards in the County than in an urban or suburban setting. Farm equipment and oil field equipment, ponds and irrigation ditches, electrical power for pumps and center pivot operations, high-speed traffic, sand burs, puncture vines, territorial farm dogs and livestock and open burning present real threats. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood.

#### Weld County Right to Extract Mineral Resources Statement

Weld County has some of the most abundant mineral resources, including, but not limited to, sand and gravel, oil, natural gas, and coal. Under title 34 of the Colorado Revised Statutes, minerals are vital resources because (a) the State's commercial mineral deposits are essential to the State's economy; (b) the populous counties of the state face a critical shortage of such deposits; and (c) such deposits should be extracted according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the ecology and quality of life of the citizens of the populous counties of the state.

Mineral resource locations are widespread throughout the County and person moving into these areas must recognize the various impacts associated with this development. Often times, mineral resource sites are fixed to their geographical and geophysical locations. Moreover, these resources are protected property rights and mineral owners should be afforded the opportunity to extract the mineral resource.

Thank you for the opportunity to comment on this proposal. This response addresses general requirements, concerns, or issues and is intended to assist in your community's decision-making process regarding this land use proposal. Weld County respectfully reserves the right to make further comment on information or issues as they are discovered.

Sincerely,

Jim Flesher, AICP  
Long-Range Planner  
Weld County

**From:** [Hice-Idler - CDOT, Gloria](#)  
**To:** [THD LLC](#)  
**Cc:** [Bilobran, Timothy](#); [Allyson Mattson - CDOT](#)  
**Subject:** Oliver Annexation  
**Date:** Thursday, March 12, 2020 10:00:49 AM  
**Attachments:** [image001.png](#)

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CDOT has no comment on the above.

**Gloria Hice-Idler**  
**Rocksol Consulting**

**(970) 381-8629**



10601 W. 10th Street, Greeley, CO 80634

[gloria.hice-idler@state.co.us](mailto:gloria.hice-idler@state.co.us) | [www.codot.gov](http://www.codot.gov) | [www.cotrip.org](http://www.cotrip.org)



# KEENESBURG PLANNING DEPARTMENT

## DEVELOPMENT REVIEW REFERRAL

**FROM:** TODD HODGES, TOWN PLANNER

**DATE:** FEBRUARY 20, 2020

**PROJECT:** Oliver Annexations 1 & 2 and zoning request

### INTERNAL DISTRIBUTION:

<input checked="" type="checkbox"/> City Engineer	<input checked="" type="checkbox"/> City Attorney	<input checked="" type="checkbox"/> City Clerk
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<input checked="" type="checkbox"/> Weld County School District RE-3	<input checked="" type="checkbox"/> Century Link
<input checked="" type="checkbox"/> Division of Water Resources	<input checked="" type="checkbox"/> Weld County Health Department
<input checked="" type="checkbox"/> Town of Hudson	<input checked="" type="checkbox"/> Lost Creek Water

**If you have comments, please respond by:** March 12, 2020

Comments may be emailed to [toddhodesdesign@qwestoffice.net](mailto:toddhodesdesign@qwestoffice.net) or mailed to the address below. A non-response to this referral may be considered a favorable response.

**COMMENTS:** The Fire District does not have any issues at this time.

**Tom Beach, Fire Chief**

**Southeast Weld Fire District**

b.

**RESOLUTION NO. PC2020-02**

**A RESOLUTION RECOMMENDING APPROVAL OF AN INITIAL ZONING REQUEST FOR PROPERTY TO BE ANNEXED TO THE TOWN AND KNOWN AS THE OLIVER ANNEXATION NO. 1 AND NO. 2 TO THE TOWN OF KEENESBURG**

**WHEREAS**, there has been submitted to the Planning Commission of the Town of Keenesburg a request for approval of initial zoning for property to be annexed to the Town and known as the Oliver Annexation No. 1 and No. 2 to the Town of Keenesburg; and

**WHEREAS**, all materials related to the proposed initial zoning request have been reviewed by Town Staff and found with conditions to be in compliance with Town of Keenesburg zoning ordinances and related Town ordinances, regulations, and policies; and

**WHEREAS**, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Planning Commission finds that the initial zoning request, to zone the property Light Industrial (LI), should be approved.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF KEENESBURG, COLORADO:**

**Section 1.** The Planning Commission hereby recommends approval of the proposed initial zoning of Light Industrial (LI) for the property annexed to the Town and known as the Oliver Annexation No. 1 and No. 2 to the Town of Keenesburg, subject to the following conditions:

1. Address any redlines provided by Town staff prior to recording; and
2. Adequately address any staff comments and referrals provided.

**INTRODUCED, READ, and ADOPTED** this 16<sup>th</sup> day of April, 2020.

**TOWN OF KEENESBURG, COLORADO  
PLANNING COMMISSION**

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John Howell, Chairperson

**ATTEST:**

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Terri Smith, Secretary

4/10/2020 3:33 PM [ncb] R:\Keenesburg\Annexation\Oliver\PC Oliver Annex Initial Zoning reso.docx

C.



# TOWN OF KEENESBURG DESIGN STANDARDS



Glossary:

- I. General.
- II. Definitions.
- III. Open Space and Landscape Standards.
- IV. Parking Lot Landscape Requirements.
- V. Parking and Drive Aisle Standards.
- VI. Lighting Standards.
- VII. Lots and Blocks.
- VIII. Street Standards.

## **I. General.**

**A. Title.** These standards shall be known as the Town of Keenesburg Design Standards.

**B. Applicability.** These standards shall apply to all new development within the Town of Keenesburg.

**C. Relationship to Keenesburg Municipal Code.** These standards are intended to apply when referenced in the Keenesburg Municipal Code or when referenced in any ordinance or resolution adopted by the Board of Trustees pursuant to the Keenesburg Municipal Code.

### **D. Administrative Interpretations.**

1. The Town Manager shall have final authority to interpret terms, words and phrases, or determine the applicability of, the provisions of these standards in each of the following cases:

- a. Where any provision is ambiguous or open to multiple interpretations;
- b. Where two or more conflicting provisions purport to apply to a specific case; and
- c. Where terms, words, and phrases are (i) ambiguous or open to multiple interpretations and (ii) are not otherwise defined in these standards or the Keenesburg Municipal Code.

2. The Town Manager interpretation shall be consistent with the intent of the Keenesburg Municipal Code, including but not limited to the provisions applicable to the subject zone district.

## II. Definitions.

The words and phrases used in these design standards shall have the meanings defined below unless otherwise specifically provided or unless clearly required by the context. Questions of definition or wording usage shall be interpreted by the Town Manager based on the context of their usage and the intention of the section of the design standards in which they occur.

All words and phrases not defined below shall be construed and understood according to the common and approved usage of the language, unless such term or phrase is defined in the Keenesburg Municipal Code, in which case the Code definition shall apply. Technical words and/or phrases not defined below or in the Keenesburg Municipal Code may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

**Accessory Buildings and uses** means a detached subordinate building, the use of which is incidental to that of the main building or to the main use of the land and which is located on the same lot with the main building or use. Accessory buildings and uses that are naturally and normally incidental to a use by right and comply with all the following conditions:

- a. Is clearly subordinate, incidental and customary to and commonly associated with the operation of the use by right
- b. Is operated and maintained under the same ownership as the use by right on the same zone lot
- c. Includes only those structure or structural features consistent with the use by right
- d. Does not exceed maximum lot coverage. Lot coverage is the area of all structures and impervious surfaces on the lot, including the main building and all accessory buildings.
- e. May include home occupations, as defined in this Chapter and/or by residential zone districts
- f. In all residential zones, an accessory structure shall be constructed of materials that are compatible with the use by right structure and shall not be constructed from corrugated sheet metal, canvas or similar nondurable materials. Accessory buildings shall use exterior colors that are used on the primary structure.
- g. All permitted accessory buildings must be located at a distance from the front lot line which is greater than the front setback for the principal building
- h. Accessory buildings and uses must meet setback and other design standard requirements in each zone district. Construction of accessory uses may or may not require a building permit. If a permit is required, a plot plan showing the location of the accessory use on the zone lot will be required.

**Affordable housing development or project** means a development or project in which:

1. At least ten percent of said dwelling units or spaces (the “affordable housing units”) are to be available for rent or purchase on the terms defined by the United States department of Housing and Urban Development.
2. The units will be required by binding legal instrument acceptable to the Town and duly recorded with that County’s Clerk and Recorder, to be occupied by and affordable to

low-income households for at least twenty years.

3. **Affordable housing unit for rent** means a dwelling unit which is available for rent on terms that would be affordable to households earning eighty percent or less of the median income of that County's residents, as adjusted for family size, and paying less than thirty percent of their gross income for housing, including rent and utilities.
4. The unit must be occupied by and be affordable to such low-income household(s) for a period of at least twenty years.

**Affordable housing unit for sale** means a dwelling unit which is available for purchase on terms that would be affordable to households earning eighty percent or less of the median income of Weld County residents, as adjusted for family size and paying less than thirty-eight percent of their gross income for housing, including principal, interest, taxes, insurance, utilities and homeowners' association fees. The unit must be occupied by and affordable to such low-income household(s) for a period of no less than twenty years.

**Agricultural activity** means farming, including plowing, tillage, cropping, seeding, cultivating or harvesting for the production of food and fiber products; horticulture, the grazing or raising of livestock (except in feedlots); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise.

1. Agricultural activity shall not include the cultivation of marijuana.

**Agricultural land** means land that is being used primarily for agricultural activities.

**Alley** means a public right-of-way within a block upon which the rear of building lots generally abuts. Its use is for secondary access to the lot and/or service purposes. An alley shall not be considered to be a street.

**Applicant** means any individual, partnership, corporation, association, company or public body, including the federal government, or any political subdivision, agency, corporation or instrumentality of the State applying for a development permit pursuant to section 16-2-40 of the Town of Keenesburg municipal code.

**Appurtenances** mean the visible, functional, or ornamental objects accessory to and part of a building.

**Awning** means a fixed or movable shelter supported entirely from the exterior wall of a building that can be retracted, folded or collapsed against the face of the supporting building.

**Berm or Berms** means an earthen barrier of compacted soils preventing the passage of liquid materials or providing screening from adjacent uses.

**Bike lane:** Shared portion of the roadway that provide separation between motor vehicles and bicyclists, such as paved shoulders.

**Bed and Breakfast** means a residential building in which rooms are rented on a daily basis to short-term guests. The building typically is similar in character to the surrounding neighborhood and meets all the requirements of the zoning district in which the facility is to be located.

**Blank wall** means an exterior building wall with no openings and a single material and uniform texture on a single wall plane.

**Block** means a group of lots existing within well-defined and fixed boundaries within a subdivision and usually being an area surrounded by street or other feature such as parks, rights-of-way or municipal boundary lines.

**Board** means the governing body of the Town of Keenesburg, also known as the Town of Keenesburg Board of Trustees.

**Boarding and Rooming house** means a building or portion thereof which is used to provide lodging and may include meals for five (5) or more boarders for compensation, not including members of the occupant's immediate family who might be occupying such building. The word *compensation* can mean money, services or other things of value.

**Bollard(s)** means a pole used to protect a building from impact or to close a road or path to vehicles above a certain width.

**Buffer Zone** means a strip of land established to separate and protect one (1) type of land use from another, to screen from objectionable noise, odor, smoke or visual impact, or to provide for future public improvements or additional open space.

**Building** means any permanent or temporary structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, which is governed by the following characteristics:

1. Is permanently affixed to the land,
2. Has one or more floors and/or four or more exterior walls and a roof.

**Building code(s)** means the set of Town adopted standards that must be followed in the construction and remodeling of buildings and structures.

**Building frontage or Building Face** means the horizontal, linear dimension of that side of a

building, which abuts a street, a parking area, a mall, or other circulation area open to the public and has either a main window display or a public entrance to the building.

**Building Façade** is the front exterior or main entrance of a building

**Building height** means the vertical distance from the average building grade to the uppermost point of the roof structure.

**Bulb** means the source of electric light - to be distinguished from the whole assembly (See Luminaire).

**BUG** The acronym, "BUG" (Backlight, Uplight, and Glare) was developed by the Illuminating Engineering Society (IES) and the International Dark Sky Association in order to calculate the light escaping in unwanted directions from an outdoor light fixture...Forward light (Glare), Backlight, and Up-light.

**Business** means any lawful commercial endeavor to engage in the manufacturing, purchase, sale, lease or exchange of goods and/or the provision of services.

**Code or Town Code** means the Town of Keenesburg Municipal Code.

**Commercial Vehicle** means any motor vehicle, trailer, or semi-trailer that:

- a. Is designed or used to carry freight, other vehicles, equipment, passengers for a fee, or merchandise in the furtherance of any business enterprise; and
- b. Has a gross weight of more than 10,000 pounds;
- c. Any step van or truck that is designed for commercial moving or parcel delivery services;
- d. Any truck that is used for mobile retail sales (e.g., ice cream, lunches);
- e. Any vehicle with more than four wheels that is used for business purposes;
- f. Any trailer that is used to haul machinery, supplies, or equipment for business purposes (horse trailers, boat trailers, motorcycle trailers, RV trailers, and car trailers put to personal use are not included in the definition);
- g. Any trailer that is used for commercial hauling (e.g., waste, junk, or lawn clippings), or commercial moving services;

**Community Facilities** means capital improvements provided by the Town of Keenesburg or another governmental entity including, but not limited to facilities for providing:

1. water service, wastewater service, fire protection, emergency rescue services, public schools, parks, stormwater management, power, and transportation, that are required by this title to be adequate and available as a condition of development approval.

**Compact Vehicle** means any vehicle that does not exceed 15 feet in length (measured from bumper to bumper) and five feet, nine inches in width

**Development** means any of the following:

1. *Use of Land.* The use of any building, structure, land, or water. This includes new uses or accessory uses, expansions of existing uses or accessory uses, and material changes to the operational characteristics of existing uses or accessory uses.
2. *Construction, Demolition, or Changes to Buildings or Structures.* The demolition, construction, or modification of buildings or structures, except interior changes that do not:
3. Increase floor area,
4. Increase residential density; or
5. Require a traffic study pursuant to the Town of Keenesburg code
6. *Clearing, Grading, Re-Grading, Cutting, Filling of Land, and Other Disturbance or Alteration.* Land clearing in anticipation of construction of infrastructure, structures, or buildings for non-agricultural purposes and re-construction or regrading of a previously approved site improvement, and any other disturbance of land, soil, vegetation, floodplains, or waterways, but not including agriculture, irrigation ditch or reservoir improvements or maintenance, gardening, or routine maintenance of landscape areas.
7. *Division, Subdivision, or Plat.* Any division, subdivision, or platting of land for construction of infrastructure, structures, or buildings, for sale, or for lease, whether by metes and bounds, platting, or other technique.

**Diameter at Breast Height (DBH)** means the tree diameter measured 4.5feet above ground

**Dumpster** means a large metal commercial trash disposal container designed for commercial type waste.

**Easement** means any platted or designated easement dedicated to the Town by plat or otherwise, whether or not it has been used as such, which the public, the Town and / or the public utilities are entitled to use without interference for a specified purpose. Where an easement is granted to the public for a specified purpose, the grant of said easement shall vest in the Town and / or the public utilities rights including but not limited to, the right to conduct certain operations and to perform all necessary maintenance thereon; and “without interference” shall mean that persons are prohibited from constructing fences or structures of any kind, or installing landscaping or anything else that interferes with the Town’s ability to access, operate, install, and maintain any Town facility within said easement. Easements for specified purposes include, but are not limited to access easements, drainage easements, landscape easements, postal easements, and utility easements.

**General Office** means buildings from which professional, administrative, financial, clerical, brokering, real estate, and limited technical services are provided. The phrase includes, but is



not limited to, the following types of businesses:

1. Accounting, auditing and bookkeeping;
2. Advertising and graphic design (but not mailing services, which are classified as “business services”);
3. Architectural, engineering, and surveying services;
4. Attorneys and court reporters;
5. Banks, savings and loans, credit agencies, and investment companies;
6. Brokering of motor vehicles, commodities, and other items where the thing brokered is not stored on-site for any length of time;
7. Business incubators (unless the businesses being incubated are classified as another type of use, such as light industry);
8. Computer programming and data recovery services;
9. Corporate headquarters;
10. Data processing and word processing services;
11. Detective agencies;
12. Government offices;
13. Insurance;
14. Interior design;
15. Real estate sales and off-site rental offices;
16. Research and development (not including on-site manufacturing or fabrication, and not including marijuana uses);
17. Retail catalog, internet, and telephone order processing, but not warehousing; and
18. Virtual office services.

**Glare:** Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

**Environmentally Sensitive Area** means an area with one or more of the following characteristics:

1. Slopes in excess of 20 percent;
2. Floodplain or Floodway;
3. Soils classified as having a high-water table;
4. Soils classified as highly erodible, subject to erosion, or highly acidic;
5. Land incapable of meeting percolation requirements;
6. Land formerly used for landfill operations or hazardous industrial use;
7. Fault areas;
8. Stream corridors;
9. Estuaries;

10. Mature stands of native vegetation;
11. Aquifer recharge and discharge areas;
12. Significant or critical habitat for wildlife; or
13. Any other area possessing environmental characteristics similar to those listed above
14. Environmentally sensitive area as determined by the Army Corps of Engineers, Weld County or U.S. Government

**Farm or Ranch** means apiaries, crop production, silviculture, raising livestock, raising and milking dairy cows or goats, horticulture, floriculture, aquaculture, or viticulture; which may include facilities for the sale of honey, produce, flowers, or dairy products produced or grown on-site. The phrase “farm or ranch” includes composting and produce stands as accessory uses. The phrase “farm or ranch” does not include the phrases “intensive agriculture” or “community garden.”

**Farmers Market** means an occasional or periodic open air market where items such as fresh produce, seasonal fruits, and fresh flowers are offered for sale directly to the consumer. A farmers market may also include accessory sales of value-added food products such as jams, jellies, pickles, sauces, or baked goods, arts and craft items, and prepared food and beverages. The phrase “farmers market” does not include the sale of second-hand goods or commercially produced or packaged goods.

**Foot-candle:** The unit of measure expressing the quantity of light received on a surface. One foot-candle is the illuminance produced by a candle on a surface one square foot from a distance of one foot.

**Fully shielded luminaire:** A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part

**Grading** means any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades. The term “grading” does not include agricultural operations, routine maintenance (e.g., clean-out) of stormwater systems, or maintenance (either routine or periodic major maintenance) of irrigation ditches or reservoirs.

**Ground Cover** means landscaping that remains near the surface of the ground. Ground cover does not include the foliage crown of trees, weeds, or non-living materials.

**Heavy Motor Vehicle Sales or Rental** means the sale or rental of commercial vehicles, recreational vehicles, boats, manufactured homes, or construction vehicles at the location where inventory is stored. The phrase “heavy motor vehicle sales or rental” includes outdoor storage of such vehicles for brokers. Not included in the definition are:

1. Brokering of commercial or construction vehicles that are stored off-site and delivered directly to customers (a general office use)

**Passenger Motor Vehicle Sales** means the sale or rental of passenger type vehicles in a commercial type lot. Passenger type vehicles are not to be used for commercial usage including construction and/or shipment of commercial goods. Passenger motor vehicle sales applies to car dealers and / or places of business orientated towards the sale of passenger type vehicles. The phrase "passenger motor vehicle sales" includes outdoor storage of such vehicles for brokers and/or car dealers. Not included in the definition:

1. Brokering of passenger type vehicles that are stored off-site and delivered directly to customers

**Indoor storage of motorcycles, scooters, snowmobiles, and ATVs** for brokers who are located off-site means an indoor storage facility for the later commercial sales of motorcycles, scooters, snowmobiles, and ATVs by the broker who is located offset. This definition applies to the indoor storage of motorcycles, scooters, snowmobiles and ATVs for the offsite sale of motorcycles, scooters, snowmobiles and ATVs between the broker and buyer.

**Hospital** means an institution that is licensed, certified, or approved as a "hospital" by the Colorado Department of Public Health and Environment, where sick or injured persons are given medical care and, in the course of same, are housed overnight, fed, and provided nursing and related services. The term "hospital" also includes related facilities such as laboratories, out-patient facilities, training facilities, central service facilities, and staff offices.

**Indoor Amusement, Recreation or Entertainment** means uses that provide amusement and recreational activities indoors (except sexually-oriented businesses, and bars, taverns, or nightclubs), including, but not limited to:

1. Bowling alleys;
2. Escape rooms;
3. Game arcades (e.g., video games, skee ball, and comparable amusement machines);
4. Indoor playgrounds (may include conventional playground equipment, inflatables, trampolines, rock climbing walls, zip lines, and comparable equipment);
5. Indoor skating rinks (ice or roller);
6. Laser tag;
7. Local area network ("LAN") gaming centers;
8. Pool / billiard rooms;
9. Shooting arcades (but not indoor firing or gun ranges);
10. Indoor archery ranges; and
11. Recreation Centers
12. Indoor Firing or Gun Range means the use of a building for the discharging of firearms for the purposes of target practice. Excluded from this use type are amusements that

simulate shooting but do not involve potentially lethal projectiles (e.g., laser tag, foam darts, etc.) which are classified as “indoor amusement, recreation, or entertainment.”

**Irrigation Canals and Ditches** means man-made waterways that are used for the conveyance of water rights, generally for irrigation purposes, and their associated rights-of-way.

**Jurisdictional (“USACE”) or Non-Jurisdictional Wetlands** means areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophyte vegetation.

**Landscape** means to cover, adorn, or improve property with living plants (such as trees, shrubs, vines, grass or flowers), loose natural materials (such as rock, wood chips, or shavings), decorative man-made materials (such as patterned paving materials, fences, walls, fountains, or pools), or land contouring. “Landscape” does not include improving property with artificial trees, shrubs, turf, or other artificial plants.

**Level of Service** means an indicator of the extent or degree of service provided by, or proposed to be provided by, a community facility based upon and related to the operational characteristics of the community facility or the capacity per unit of demand for the community facility.

**Lodging, (Commercial, Business or Tourist)** means a building or group of buildings in which six or more guest rooms are used to provide accommodations for transient guests for compensation. The use may also include services such as small-scale meeting rooms, business centers (personal computers, fax machines, and printers for guest use), food service for guests, and recreational facilities such as swimming pools and fitness centers.

**Mature Stands of Vegetation** means established stands of native trees, shrubs, and other vegetation at a mature stage of development, in a continuous corridor along a drainage, in clusters grouped together, or scattered (as in a floodplain or hogback setting).

**Medical Office (professional)** means office space used for the examination or treatment of patients on an outpatient basis (with no overnight stays by patients), generally by appointment, by such professionals as:

1. Chiropractors, licensed massage therapists, and acupuncturists;
2. Dentists;
3. Medical doctors (physicians, pediatricians, obstetricians, gynecologists, radiologists, geriatricians, general and specialist surgeons, podiatrists, ophthalmologists, anesthesiologists, etc.);
4. Midwives;
5. Nutritionists and homeopaths;

6. Optometrists;
7. Occupational therapists, physical therapists, or speech therapists;
8. Psychiatrists, clinical psychologists, clinical social workers, and marriage and family therapists;
9. Physiatrists, physiotherapists, orthotics, prosthetics, recreational therapists, audiologists, respiratory therapists, rehabilitation counselors, prosthetic technicians, and personal care assistants; and
10. Other comparable health care professionals.

The phrase "Medical Office" includes medical laboratories to the extent necessary to carry out diagnostic services for the medical office's patients.

**Motorcycle, Scooter, or ATV or Rental** means the sale or rental of motorcycles, scooters, snowmobiles, or ATVs at the location where inventory is stored. The phrase "motorcycle, scooter, or ATV sales or rental" includes outdoor storage of motorcycles, scooters, snowmobiles, or ATVs for off-site brokers. The phrase does not include:

1. Brokering of motorcycles, scooters, snowmobiles, or ATVs that are stored off-site and delivered directly to customers (a general office use); or
2. Indoor storage of motorcycles, scooters, snowmobiles, and ATVs for brokers who are located off-site (a light industrial or heavy logistics use, depending upon the volume of sales).

**Motor Vehicle Service and Maintenance** means:

1. Repairs to passenger vehicles, such as body repair, paint, upholstery, engine replacement or reconditioning, air conditioning replacement, tire recapping, and custom body work, but not including installation of audio, video, and navigation systems and services that may be provided at fueling, charging, or service stations (unless such services are provided in addition to services that are categorized as heavy motor vehicle service); and
2. Any type of repairs to commercial vehicles, recreational vehicles, boats, or construction vehicles

**Nonconforming Lighting** means lighting that it either temporarily or permanently installed and does not meet the requirements set forth in the Lighting Design Standards, such lighting may be installed with approval by the Town with a detailed description of the lighting, use of the lighting, intensity of the lighting and length of the time such lighting will be used.

**Nursery or Greenhouse Wholesale** means the use of land, buildings, or structures for the propagation and cultivation of trees, shrubs, ornamental plants, flowers, herbs, fruiting plants, and vegetable plants for sale to landscaping contractors or retailers, or for use by a specific entity for its own landscaping purposes. The phrase "nursery or greenhouse, wholesale" may include, as an accessory use:

1. The provision of landscaping services in addition to the propagation and cultivation

activities; or

2. The sale and delivery of garden tools and equipment, planting pots, mulch, rock, soil, sand, pavers, garden ornaments, and related products to landscaping contractors.

**Outdoor Assembly Area** means an improved facility, not within a building, that is designed to accommodate and provide a place for natural persons to congregate, and is capable of being reasonably occupied by 50 or more natural persons at any one time. The phrase "outdoor assembly area" does not include the front, side, or rear yards of residential lots.

**Outdoor Commercial Recreation or Amusement** means an outdoor entertainment facility that includes such facilities as batting cages, mini-golf, bumper cars, bumper boats, go-cart racing, water slides, or the use of land as for mock war games that involve paintball equipment or similar equipment that generally involves the use of safety gear such as goggles or vests. Outdoor commercial amusement may also include indoor or outdoor areas with games, food service, and incidental retail uses (e.g., souvenir shops) that are subordinate to the principal outdoor amusement uses. The phrase "outdoor commercial amusement" includes outdoor archery range but does not include "outdoor firing or gun range."

**Outdoor Storage** means storage of materials, merchandise, stock, supplies, machines, operable vehicles, equipment, manufacturing materials, or chattels of any nature that outside of a building, regardless of how long such materials are kept on the premises. The phrase "outdoor storage" does not include:

1. Outdoor displays of items for sale to the general public, such as new and used cars, recreational vehicles, boats, or landscape and building materials, where such sales are permitted in the zone in which the subject property is located; or
2. The storage of wrecked or inoperable vehicles (see "salvage yard"); or
3. Parking of operable passenger motor vehicles.

**Parks (Active)** means uses that provide active recreation opportunities outdoors for the public (open to the community) or residents of a subdivision or development, which are generally not commercial in nature. The phrase "parks (active)" includes areas for active recreational activities including, but not limited to:

1. Sports fields, tennis courts, and outdoor racquetball or squash courts;
2. Outdoor swimming pools and splash parks; and
3. Other active recreation-oriented parks, including pickleball.

**Parks (Passive)** means uses that provide passive recreation opportunities outdoors for the public (open to the community) or residents of a subdivision or development, which are generally not commercial in nature. The phrase "parks (passive)" includes areas for passive recreational activities including, but not limited to:

1. Jogging, cycling, tot-lots, fitness trails, playgrounds;
2. Arboretums, wildlife sanctuaries, forests, and other natural areas which may be used for

walking or hiking; or

3. Other passive recreation-oriented parks, including picnic areas.

**Park Trail:** These are multipurpose trails located within greenways, parks or natural resource areas. The focus is on recreational value and harmony with the natural environment.

1. **Connector Trail :** These are multipurpose trails that emphasize safe travel for pedestrians to and from parks and around the community. The focus is as much on transportation as it is on recreation
2. **Equestrian trail :** Trails developed for horseback riding which are usually a loop trail located in larger parks and natural areas. Sometimes developed as multipurpose with hiking and all-terrain biking where conflicts can be controlled.

**Passenger Motor Vehicle Sales or Rental** means the sale or rental of passenger vehicles at the location where inventory is stored. The phrase "passenger motor vehicle sales or rental" includes outdoor storage of passenger vehicles for brokers. Not included in the definition are:

1. Brokering of passenger vehicles which are stored off-site and delivered directly to customers (a general office use);
2. Indoor storage of passenger vehicles for brokers who are located off-site (a light industrial or heavy logistics use, depending upon the volume of sales);
3. Passenger motor vehicle rental locations that have not more than five rental vehicles stored on-site at any one time (a retail sales and services use).
4. Pawnbroker means a business that is regulated by C.R.S. § 12-56-101, et seq., that:
  - a. Regularly contracts to advance money to customers on the delivery of tangible personal property by the customer on the condition that the customer, for a fixed price and within a fixed period of time, has the option to cancel the contract; or
  - b. Purchases tangible personal property that has not previously been sold at retail in the course of its business of reselling tangible personal property.

**Place of Assembly** means a building in which people assemble for civic, educational, religious, or cultural purposes. This use includes facilities used for worship; meeting halls; event centers; fraternal organizations; and private clubs.

**Property** shall mean and include the owner's lot or tract of land, whether improved or vacant, plus the area to the center of any alley abutting the lot or tract of land, easements or record, and the sidewalk, curb, gutter, and parking areas of any street abutting such lot or tract of land.

**Redevelopment** means renovation, modification, or reconstruction of a subject property in which:

1. An existing conditions study has found four (4) or more factors of blight as determined by state statute

2. The Town Board of Keenesburg has found such blighted area in need of public and private reinvestment
3. The Town Board of Keenesburg has identified an area to be blighted and in need of reinvestment

**Restaurant** means any establishment in which the principal business is the sale of food and beverages to customers in a ready-to-consume state, and where the design or principal method of operation includes one or both of the following characteristics:

1. Customers are served their food and/or beverages by a restaurant employee at the same table or counter at which the items are consumed; or
2. Customers are served their food and/or beverages by means of a cafeteria-type operation where the food or beverages are consumed within the restaurant building.
3. A restaurant may include outdoor eating areas. Fermented malt beverages, and/or malt, special malt, or vinous and spirituous liquors may be produced on the premises as an accessory use pursuant to applicable alcohol beverage licenses.

**Restaurant, Fast Food** means an establishment engaged in the sale of pre-prepared or rapidly prepared food or beverages to customers in a ready-to-consume state, for consumption either within the restaurant building, outside but on the premises, or off the premises, and which may include a drive-in or drive-through facility. The design or principal method of operation involves two or more of the following characteristics:

1. The elimination, in whole or in part, of table service, thus requiring customers to place orders at the counter where the orders are filled;
2. Service of food in edible containers or in paper, plastic, foil or other disposable containers; or
3. Insufficient facilities for on premises consumption of the total volume of food sold by the establishment.

**Retail Sales and Services** means a use involving the sale, lease, or rental of consumer, home, and business goods to consumers. Such uses include but are not limited to department stores, furniture stores, clothing stores, second-hand stores, thrift shops, consignment stores, and establishments providing the following products or services: antiques, appliances, art, art supplies, beauty supplies, bicycles, books, building supplies, magazines and newspapers, craft supplies, copies, costumes, dry goods, electronics, fabric, framing, games, garden supplies, gifts, groceries, hardware, head shops, home improvement goods, household products, jewelry, lumber, music, musical instruments, office supplies, party supplies, pet supplies, pharmaceuticals, phones, photography equipment, produce, sporting goods, stationary, temporary signs, toys, and videos; and new automotive parts and accessories. The phrase also includes services such as charitable donation collection centers, coin laundries, installation of electronics (e.g., audio systems and navigation systems) into motor vehicles, passenger motor vehicle rentals provided that not more than five rental vehicles are stored on-site at any time, picture framing, real estate offices that are open for walk-in traffic; repairs of products sold by the establishment (e.g., a computer store may also repair



computers), repairs of consumer electronics, tattoo parlors, and comparable services.

1. The phrase “Retail Sales and Services” does not include uses that are classified or defined more specifically in the Keenesburg Municipal Code, including but not limited to Restaurants (all types); Sexually-Oriented Businesses; Retail Marijuana Uses; Pawnbrokers, Convenience Lending, and Liquor Store. Retail sales and services uses are generally conducted indoors.

**Right-of-Way** means a strip of land dedicated to the public, the Town and / or public utilities which have been constructed or will be constructed, for public transportation, drainage, or utility improvements including but not limited to street paving, curb and gutter, sidewalks, bicycle lanes, and buried or overhead utilities

**School, Elementary or Middle** means a school that provides general full-time educational curriculum for two or more grades from Kindergarten through eight.

**School, High** means a school that provides general full-time educational curriculum for grades nine through twelve.

**School, Vocation or Trade** means an educational facility that primarily teaches skills that directly prepare students for jobs in a trade or profession. Examples include, but are not limited to, art schools, business colleges, trade schools, beauty schools, and secretarial colleges

**Sidewalk** means that portion of a street between the curb line and the adjacent property line intended for the use of pedestrians.

**Street** means a public thoroughfare forty (40) feet or more in width and not less than twenty-four (24) feet between curbs.

**Street Frontage** means a property line that abuts a public right-of-way that provides public access to or visibility to the premises.

**Structure** means anything constructed or made, the use of which requires permanent location on the ground, or attached to something having more or less permanent location on the ground. The word *structure* shall include the word *building*

**Surface Parking** means an area of land that is designated for the parking of passenger motor vehicles in parking spaces, the related parking aisles, the landscaped areas that are surrounded by parking spaces and parking aisles, and the landscaped areas at the corners of the paved areas insofar as their inclusion in the surface parking area gives it a regular shape. Surface parking uses may include level 3 DC fast-charging stations as an accessory use. The phrase “surface parking” does not include driveways on individual residential lots, nor does it

include individual garages or carports. Surface parking that is a principal use of property is not related to a specific land use on the same parcel

**Town** means the Town of Keenesburg, Colorado.

**Town Manager** means the Town duly appointed Town Manager or Administrator or his or her designee.

**Town Engineer** means the Town Engineer within the Public Works Department, or his or her designee.

**Tree Habit** means general mature growth, form, general shape and branching structure of the tree.

**Tree Lawn** means a vegetated strip of planted land between the sidewalk and curb.

**University or College** means an educational institution that is authorized by the State of Colorado or other nationally recognized accrediting entity to award associates' or higher degrees.

**Unightly Area(s)** means any one or more of the following:

1. Outside areas where machinery or vehicles are repaired, stored and/or serviced (but not including surface parking lots);
2. Outside trash receptacles;
3. Loading docks;
4. Outside storage areas; and
5. Utility cabinets or boxes.

**Veterinarian (Large Animal)** means an animal hospital or clinic that provides medical care services for large animals, livestock, or wild animals, including but not limited to: horses, cows, bison, elk, deer, llamas, alpacas, sheep, goats, chickens, turkeys, ducks, and pigs.

**Veterinarian (Small Animal)** means a use in which medical care is provided for household pets. The phrase "veterinarian (small animal)" does not include medical care for wild animals or livestock.

**Wetland** means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

**Wildlife Habitat Areas and/or Corridors** means areas and corridors containing natural vegetation and providing food, nesting, resting, and cover habitat for wildlife. Wildlife habitat areas and corridors are often associated with major drainages, such as the Big Thompson River and other tributaries throughout Keenesburg and their related uplands. Important habitat also includes lakes, ponds, some reservoirs, and other water bodies; foothills, hogbacks, ridgelines, bluffs, and other unique topographic or geologic features; mature stands of vegetation; sites identified by the Colorado Natural Heritage Program as having high biodiversity significance (rare and imperiled plants and animals, and significant natural communities) and mapped as “Potential Conservation Areas” (PCAs); and areas identified by Colorado Parks and Wildlife as important wildlife habitat.

### III. Open Space and Landscape Standards

**Intent.** The intent of this Article III is to ensure attractive and sustainable landscaping within the Town, and to promote the development of safe, convenient, and attractive open space, parks and trail for the enjoyment of all community members of Keenesburg.

1. **Purpose:**
2. The purpose of the standards set forth in this Article is to preserve, protect, and enhance the character of the Town of Keenesburg by:
  - a. Ensuring that development in the Town has a balance of buildings, paved areas, and landscaping and open space that is consistent with the intended character of the zone in which the development is located
  - b. Buffering land uses that tend to be less compatible in the community
  - c. Creating well-landscaped, high-quality views within the Town
  - d. Creating areas of connection between residents and the natural environment
  - e. Anchoring buildings to the landscape
  - f. Enhancing and preserve biodiversity
3. Encourage alternative modes of travel by:
  - a. Creating deciduous tree-lined streets that offer species habitat
  - b. Enhancing the user experience
  - c. Creating safe accessible routes from one segment of town to another
  - d. Separating differing modes of transit
4. Preserve, protect, and enhance the environmental quality of the Town by:
  - a. Using landscape materials to clean the air, slow runoff, and prevent soil erosion by wind and water
  - b. Reducing the "Urban Heat Island" effect that is created by large areas of exposed impermeable surfaces
  - c. Promoting landscape designs that conserve energy and water resources
  - d. Preserving or replacing native grasses, valuable mature trees, mature stands of vegetation, and other desirable vegetative cover.
5. Protect and enhance property values and land use compatibility by:
  - a. Buffering street frontages and zone boundaries
  - b. Buffering certain land uses from each other
  - c. Landscaping parking lots and open space areas
6. **Open Space:** The following types of improvements may be provided as part of a development to meet the open space requirements of the Keenesburg Municipal Code, provided that such improvements meet the design and landscape requirements as provided herein. The Town may approve other improvement types at the discretion of the Keenesburg Board of Trustees..
  - a. **Pocket Park.** Pocket parks are typically 1-2 acres in size and are intended to serve the needs of the immediate residents or customers of the adjacent businesses. Where appropriate, community gardens and community garden partnerships are encouraged as part of pocket parks.

- b. **Linear Park.** Linear parks are typically located alongside a ditch right of way and/or trail designed to connect one activity generator to another. They are intended to be a minimum of one hundred (100) feet in width or fifty (50) feet from the center line of the ditch with landscaping and 8-foot bike lane along ditch rights-of-way. Linear parks are intended to provide easy access to smaller parks by serving the needs of residents or regional trail users. Linear parks are designed to be well maintained, inviting and functional. Fencing is not a desirable feature of Linear Parks.
- c. **Neighborhood park.** Neighborhood parks serve the residents of several neighborhoods. Neighborhood parks are to be located on or near arterial streets, and within easy access to residential development, parking is required as part of the park development. All neighborhood parks shall:
  - i. Be at least 10-12 acres in size
  - ii. Be centrally located
  - iii. Function to provide variety of passive and active recreation opportunities
  - iv. Provide ADA accessible route whenever possible
  - v. Unless otherwise approved by the Town, its service areas should be uninterrupted by physical barriers such as non-residential roadways
  - vi. Be accessible by sidewalks, trails, bike lane or other means of public transit
  - vii. Meet all parking requirements set forth by the Town of Keenesburg
  - viii. Provide a variety of recreational amenities for residents
    - 1. Incorporate active and passive areas of recreation
    - 2. Incorporate recreation amenities for a variety of age and ability groups
    - 3. Where possible neighborhood parks are encouraged to be located next to an elementary school
  - ix. Meet all irrigation requirements of the Town of Keenesburg
  - x. Provide safe and efficient lighting in areas of public gathering, parking and transit
    - 1. Light pollution shall be mitigated when lit facilities are located adjacent to residential property(ies).
  - xi. Within ½ mile of residential development
    - 1. Recreational programming is encouraged to minimize impact on existing and proposed residential development
  - xii. Where appropriate community gardens and community garden partnerships are encouraged as part of Neighborhood parks.
- d. **Community Park.** Community parks serve a broader purpose than the other park types listed above. Community parks focus on meeting community and regional recreation needs as well as preserving unique landscapes and open space. They should maintain a balance between programmed sports activities and other community activity areas such as community gardens, historic features, performance areas, gathering spaces, etc. Community parks shall:
  - i. Be at least 35-50 acres in size

- ii. Provide passive and active recreation opportunities, with a focus on active recreation
  - iii. Meet all parking requirements set forth by the Town of Keenesburg
  - iv. Meet all irrigation requirements set forth by the Town of Keenesburg
  - v. Include active and passive recreation space for a variety of users
    - 1. Provide ADA accessible route whenever possible
    - 2. Incorporate a variety of amenities differing age and ability ranges
  - vi. Be accessible by sidewalks, trails, bike lane or other means of public transit
  - vii. Provide safe and efficient lighting in areas of public gathering and transit
    - 1. Light pollution shall be mitigated when lit facilities are located adjacent to residential property(ies).
  - viii. Provide appropriate signage as deemed appropriate by the Town for the proposed uses
- e. **Trails.** Trail systems are to link neighborhoods, parks, schools, open spaces, employment centers, community facilities and neighboring communities. Trail systems shall provide safe and efficient alternative means of travel between neighborhoods, zoning districts, open spaces, parks and community attractions. Trails shall:
  - i. Be no less than 10' wide
  - ii. Be covered in either crusher fines or non-permeable hard weather surface, such as concrete or asphalt, or other Town approved material
  - iii. Be ADA accessible
  - iv. Promote the connectivity of parks and open space between zoning designations
  - v. Provide safe and energy efficient lighting promoting the safe travel of pedestrians and/or bicyclists
- f. **Walkways** are intended to be utilized as sidewalks within a park setting or promoting connections through any subdivision that allow easier access between areas. Walkways within the site shall be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination. Walkways shall be at least six (6) feet in width, unobstructed by vertical curbs, stairs, raised landscape islands, utility appurtenances or other elements that restrict access and shall link street sidewalks with building entries through parking lots. Walkways intended to connect points of pedestrian origin to a building destination point shall be enhanced with texture concrete, colored concrete and/or approved hard surface material so as to separate the pedestrian walkway from other traffic.
  - i. Within a park setting a walkway shall be at least six feet in width.
  - ii. When cutting through a subdivision a walkway shall be at least six feet in width and located within dedicated open space of not less than 20 feet in width and shall be flanked with appropriate landscaping.
  - iii. Walkways along buildings and within parking lots shall be raised and

- curbed where suitable. A direct pedestrian connection to building entries, public space and parking areas shall be provided from public sidewalks.
- iv. Walkways shall be constructed of the same materials as sidewalks; except that walkways internal to asphalt surfaced parking lots may be of asphalt construction.
  - v. Walkways crossing driveways in parking lots shall be clearly delineated by a change in pavement color, texture, or paint striping.
  - vi. Walkways along crosswalks shall be of differing weather resistant hard surface material and or texture than roadway
  - vii. Drive aisles leading to main entrances shall have separated walkways on both sides of the drive aisle.
  - viii. Walkways within R-1 and R-2 district are permitted to be no less than five (5) feet in width. Pedestrian and Bicycle Trails connecting through the R-1 and R-2 district shall be no less than eight (8) feet wide.
  - ix. Residential walkway: Tree lawns are encouraged as a means to separate pedestrian traffic from vehicles and bikes. Trees lawns are to be no less than four (4) feet in width from the outside curb to the nearest edge of the associated sidewalk. Tree lawns are to generally consist of irrigated grass, Town approved mulch or a Town approved street tree located in the center of the tree lawn. Alternative ground covers that promote water conversation, are resilient to harsh climatic conditions, and are disease resistant may be allowed in the tree lawn area with Town approval. All trees and plantings shall be outside of the sight distance triangle and clearly shown as such on submittal sheets to the Town of Keenesburg. All plantings shall meet the Landscape Standards set forth by the Town of Keenesburg.
- g. **Regional open space.** Regional open space includes drainage ways, floodplains, natural areas, natural area buffer zones, Jurisdictional (“USACE”) or Non-Jurisdictional Wetlands, agriculture lands and agricultural activity, lands of archeological or historic significance, public conservation easements and undeveloped open space.
- i. Regional open space may be permitted to preserve viewsheds and/or view corridors to preserve significant views of natural features, historic features, wildlife corridors or areas of significance as determined by the Town Manager or Town Board.
- h. **Storm drainage facilities.** Storm drainage facilities, including stormwater detention, may function as open space for active recreation, trail corridors, or habitat enhancement areas if they are designed and constructed to support those recreational uses. Drainage, grading and design of storm drainage facilities must be approved by the Town Engineer for safe and adequate recreational usage. Storm drainage facilities utilized for open space requirements shall meet the any Town adopted standards for storm drainage facilities and shall:
- 1. Contain high visibility signage warning of quick flooding

2. Have less than a 2% overall slope if the facility is one (1) acre or larger; and
3. The grade of the side slopes shall be less than 3:1

The intent of allowing for storm drainage facilities as open space is to allow for detention ponds to be utilized as open space when they are not filled with water or actively draining water.

7. **All Parks and Open Space.** Vehicular and bike parking shall be provided for all parks with the exception of pocket parks; bicycle parking shall be provided for all pocket parks. All parks and open space shall meet all requirements set forth by the American Disability Act and meet all requirements set forth by the Town of Keenesburg.
  - a. Interconnected walkways. Access to parks and public open space shall be provided by a sidewalk network that interconnects all dwelling units with other dwelling units, non-residential uses, and common open spaces throughout each development. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping and other street furniture where appropriate.
  - b. Sidewalks and/or walkways shall be separate and distinct from motor vehicle circulation routes.
8. **Buffering.** Appropriate buffering, per Table 5A - Buffering Requirements shall be used between environmental resources and proposed and/or existing developments, areas of historic designation and areas of environmental hazard to ensure that the proposed development does not impact the pre-existing conditions of the adjacent site(s). Developers shall provide an open space buffer zone around all-natural areas, areas of hazard and areas of historic designation unless otherwise authorized by the Town. Areas required to have buffer between zones will be required to provide additional landscaping consisting of 1 Tree per 100', 5 shrubs per 50'. All proposed plant species shall meet the requirements set forth in these Design Standards. Areas designated for buffering shall meet the requirements below:

Table 5A – Buffering Requirements			
Zoning	Residential (R1,	Commercial (CBD,	Industrial (LI, HI)
Environmental	Per CDPHE &	Per CDPHE &	Per CDPHE &
Historic	8 ft. minimum	12 ft	15 ft minimum
Zone Transitions	10 ft.	15 ft. minimum	20 ft minimum
Other Applications	As approved by	As approved by	As approved by

9. **Landscape Standards:** The following landscape standards apply within the corporate limits of the Town of Keenesburg and shall be demonstrated by the applicant in a



landscape plan whenever such plan is required pursuant to the Keenesburg Municipal Code in connection with a development.

- a. **Landscape Plan:** All Landscape plans required to be submitted to the Town of Keenesburg pursuant to the Keenesburg Municipal Code shall contain a full plant list and clear symbols illustrating proposed plants, plant groupings and hydro-zones where applicable. Landscape Plans shall include:
  - i. Building foundation plantings
  - ii. Parking lot landscape plantings
  - iii. Parks, Open space, and Community Attraction plantings
  - iv. Trail plantings
  - v. Landscape Architect stamp, unless otherwise granted by the Town.
- b. **Plant materials.** The minimum planting sizes on all required landscaping shall be two-inch caliper deciduous trees, one and one-half inch caliper ornamental trees, six foot tall evergreen trees and five gallon shrubs.
  - i. Plants shall be healthy, well-branched vigorous stock with a growth habit normal to the species and variety and free of diseases, insects and injuries. A variety of plant species should be installed to prevent the spread of disease and promote a health vegetative cover.
  - ii. All plants shall conform to standards for measurements, grading, branching, quality, ball and bur lapping as stated in the current edition of the American Standard for Nursery Stock, American Association of Nurserymen, Inc., (AAN-ASNS) and the Colorado Nursery Act of 1965 (CNA).
  - iii. All plants shall be no more than 24 inches in height when located in a sight distance triangle.
  - iv. Weed Control shall be the continual responsibility of the owner during all phases of land clearing, construction and operation.
    - 1. Every effort shall be made to prevent the spread of noxious and invasive plants.
- c. **Plant Replacement.** Generally, dead or unhealthy plants shall be immediately replaced with the size and type of plants required on the site development plan and by these standards, at no cost to the Town. However, replacement of plants may be delayed up to 1 year whenever the Town determines that:
  - i. Extenuating circumstances, beyond the owner's control, prevent the immediate replacement of the dead or unhealthy plants. Circumstances shall be deemed extenuating by the Town of Keenesburg at the Town's discretion.
- d. **Invasive Species, Disease, and Pests.**
  - i. **Invasive Species.** All invasive species shall be removed from property proposed for development, substantial improvement, or redevelopment. All developed property shall be kept free of invasive species.
    - 1. Invasive species are defined as species identified on the State of Colorado Noxious and invasive weed list(s).

- ii. **Disease and Pests.** Any tree that poses a threat to other trees or plants in the community because of epidemic disease (such as Dutch Elm disease, Emerald Ash borer, Pine Beetle, etc...) shall be treated as quickly as possible to control the spread of the issue to the rest of the community.
  - 1. Diseased species undergoing treatment shall be monitored on a regular basis so as to prevent the further spread of disease. Active Disease monitoring is highly encouraged in areas of high visual significance and or visual character for the Town.
  - 2. Species identified as diseased with communicable diseases or infestations, such as the emerald ash borer, shall be reported to the Town of Keenesburg and County Pest Management upon confirmation.
- e. **Irrigation.** All planted areas with live plants (except areas that are left undisturbed) shall be equipped with an irrigation system that will provide sufficient water to maintain the plants in a good and healthy state in accordance with a Town-approved landscape and irrigation plan.
  - i. **Plans.** Site development plans with plants grouped by their water needs shall show the type of irrigation in each landscape area or irrigation zone (e.g., pop-up or drip) and the point of connection to the water supply (including tap size). **For irrigation plans showing plants grouped by water requirements, a table must be included with the submittal showing the water requirements for each planted area.**
  - ii. **Irrigation System Requirements.** Whenever there are 2,000 sf. or more of planting areas on a subject property, whether or not the planting areas are contiguous, the subject property shall have an underground, permanent irrigation system capable of meeting the typical watering requirements of all the plant materials on the subject property.
    - 1. Whenever there are less than 2,000 sf. of planting areas on a subject property, there shall be at least one reliable water source available during the growing season. The hose bib or other water source shall be within not more than 50 feet from the border of the planting areas.
    - 2. Temporary irrigation is permitted to establish plantings in areas generally of low pedestrian volume, visual significance or areas of native grasses. A mowing or long-term maintenance plan of the area must be submitted with the request for temporary irrigation.
      - a. A final inspection of the site shall be completed by the Town to determine the healthy establishment of plantings before temporary irrigation may be discontinued by the developer.

**f. Irrigation System Design.**

- i. Whenever possible irrigation systems shall be designed to avoid overspray onto non-living and impervious surfaces.
- ii. Sprinkler systems shall be designed to minimize misting and overspray by all means possible.
- iii. Unless otherwise granted by the Town of Keenesburg, subsurface and/or drip irrigation systems are mandatory in shrub bed areas.
  1. Where subsurface and/or drip irrigations systems are used shrub density may be less and at a density of 1 shrub per 15 feet. Except in the CH and CBD zones, unless otherwise specified by the town. Plantings in the CH and CBD zone shall be 1 shrub per 10 feet.

**g. Soil amendments.** The landscape installer must certify that soil amendments have been installed in accordance with the requirements of this Section and in accordance with submitted plans.

1. 5% or greater of organic material must be worked into the top 6 inches of disturbed soil in all planting bed areas.
- ii. Soil amendments that are appropriate for the intended plant materials, design of the site, and soil conditions shall be selected and installed.
- iii. The following schedule specifies the minimum soil amendment requirements per 1,000 square feet of landscape area:
  1. Bluegrass and High-Water Plantings: 3 cubic yards
  2. Shrubs, Perennials and Moderate to Low-Water Plantings: 2 cubic yards
  3. Xeric and Very Low-Water Plantings: 1 cubic yard or comparable treatment
  4. Dryland and native grassland re-establishment areas: no required treatment. Plants must be irrigated until fully established.
    - a. Temporary irrigation may be permitted in dryland and native grassland areas at the Town's discretion.

**10. Approved and Prohibited Plants.**

- a. **Generally.** All proposed plants must be on the approved plant list as maintained by the Town of Keenesburg. Prohibited plants shall not be approved or installed, and the Town may require their removal at no cost to the Town.
  - i. Applicants may request for consideration of plants which are not listed be included on the approved, and the Town may approve them and add the approved planting list at its discretion. Plants outside of the approved planting list must show they are non-invasive, adaptable to site requirements, disease resistant, appropriate for the site and of low water usage.

**b. Approved Plant List.**

- i. The Town shall maintain a list of approved plants in the following categories:
    1. Street Trees (deciduous trees with a mature height that is generally more than 35 feet, planted between the street side curb and the sidewalk, typically in the public right-of-way)
    2. Large Trees (deciduous trees with a mature height that is generally more than 35 feet)
    3. Small Trees (deciduous trees with a mature height that is generally 35 feet or less)
    4. Evergreen Trees (conifers or other evergreens with a mature height of more than 20 feet)
    5. Shrubs (perennials or evergreens with a mature height of at least three feet)
  - ii. The Town may further classify the approved plant list according to:
    1. Locations where approved plants are appropriate or not appropriate
    2. Level of water usage
    3. Growth Habit
    4. Branching Structure
  - iii. Plants may be added to the approved planting list if the Town of Keenesburg finds that they are appropriate for planting in consideration of:
    1. Climate zone, including microclimate
    2. Growth habit
    3. Invasiveness
    4. Lifespan
    5. Habitat; and its capability of providing habitat to wildlife
    6. Hardiness (resistance to disease and harmful insects)
    7. Leaf litter
    8. Structural & Branching strength
    9. Watering needs & drought tolerance
    10. Promote the health, safety and welfare of the Town
- c. **Prohibited Plant List.** The following plants are not allowed in the Town, and shall be removed, at the developer's cost, during development or redevelopment if they are present on the subject property:
- i. Plants that are identified as noxious, invasive, or prohibited in Keenesburg by the United States, the State of Colorado or the Town of Keenesburg;
  - ii. Plants that are identified on the State of Colorado's list of noxious weeds and species identified by the State of Colorado as invasive
- d. **Substitution of Plant Types**
- i. The Town may allow substitution of plants if:
    1. The substituted species will be more suitable for the environment of the site
    2. The substitution will not compromise the growth, survival rate, root growth area or disease resistance of any of the adjacent species

3. Strict adherence to the requirements set forth herein is not practical for the proposed site due to unique circumstances

**11. Environmental considerations.** Landscapes shall use the following xeriscape design principles to promote water conservation:

- a. Well-planned planting schemes
- b. Appropriate turf selection to minimize the use of bluegrass
- c. Use of mulch to maintain soil moisture and reduce evaporation
- d. Placement of plant materials according to capitalize on their microclimatic needs and water requirements
- e. Efficient irrigation systems that reduce spray over
- f. Proper maintenance and irrigation schedules
- g. Group plantings of similar water requirements together
- h. All landscapes shall strive to maximize the use of native species. Where native material is not appropriate for the intended use or appearance, plant species that are regionally adapted and noninvasive may be used.

**12. Biodiversity.** Landscapes shall consist of a variety of species that enhance biodiversity and wildlife habitat. Plant diversity is required to be prevent disease spread and mass loss of plants as a byproduct of monocultures and aggressive disease.

- a. Buildings and parking areas shall be located to preserve and promote the health of existing trees, environmental resources and natural drainage ways. If a healthy tree is removed with cause, it must be replaced with a comparable tree or trees per a tree mitigation plan provided at time of development submittal. The intent of this replacement plan is to retain and conserve the visual appeal, biodiversity and wildlife habitat in that area. This requirement is not intended to prevent the removal of unhealthy trees in conjunction with site development.
- b. A combination of plantings, berm(s), walls and fences shall be used as appropriate to buffer sensitive habitat
  - i. Landscape plans involving sensitive habitat must submit a habitat mitigation plan completed by a licensed Landscape Architect, Natural Resource Manager, or Wildlife Specialist to the Town of Keenesburg; exceptions may be granted at the Town of Keenesburg's discretion. This plan must be approved prior to the approval of development agreement.
- c. Areas proposing a high percentage of native species shall submit a weed control plan to the Town
- d. Areas disturbed by construction shall be reseeded to prevent erosion. Vegetation shall be planted where practical.
- e. No more than 30% of one genus is permitted in any landscape plan
- f. Street trees located in the CBD and CH area are required to have at least three species of trees planted along the street
- g. No more than 30% of one species is permitted in an individual cluster of trees

**13. Plant materials.** Plants shall be healthy, well-branched vigorous stock with a growth habit normal to the species and variety and free of diseases, insects and injuries. A variety

of plant species should be installed to prevent the spread of disease, promote biodiversity and prevent the creation of a monoculture.

- a. All plants shall conform to standards for measurements, grading, branching, quality, ball and bur lapping as stated in the current edition of the American Standard for Nursery Stock, American Association of Nurserymen, Inc., (AAN-ASNS) and the Colorado Nursery Act of 1965 (CNA).
- b. Seventy-five percent of all landscape areas shall be covered with living ground cover. The recommended ground cover should be attained within three years of the date of planting.
  - i. In the case that coverage is not acquired within three years of the date of planting the Town may require removal of the planting and the replacement of such planting with a different species.
- c. Plant materials shall be true to name and type, and first-class representatives of their species or varieties.
- d. Trees shall be balled, and bur lapped, with the burlap wrapped in a metal wire basket. Container and bare root tree plantings are not permitted.

**14. Plant Selection and Grouping Requirements.**

- a. Plants shall be selected based on their suitability for the site and climate. Where possible, native species shall be installed, protected, or preserved.
- b. No more than 50 percent of the trees and shrubs that are installed shall be classified as high-water use as specified in Table 5G – Water Usage Requirements.

**15. Mulch.** Mulch, such as bark, stone, or other materials, left loose, or other water-saving treatments applied to the soil surface at a depth of four inches for bark, or two to four inches for stone, shall be used for all planting areas (except turf areas) in order to help maintain soil moisture and inhibit weeds. Landscape fabric is required below non-organic materials.

- a. Alternative mulch materials may be used with approval by the Town of Keenesburg.

**16. Site Distance Triangle.** Plants shall be no more than 24 inches in height when located in a sight distance triangle. Site distance triangles are specified in the Town of Keenesburg street standards.

**17. Guarantee of installation.** Required landscape improvements shall be installed in accordance with the approved landscape plan for the project.

**18. Tree Preservation Credits.** Existing trees that are preserved on a subject property, excluding existing, individual residential lots, count towards the planting requirements of this section, provided they are:

- a. In good health
- b. Established for at least five years and not on the prohibited plant list
- c. They are not diseased, in poor health, poor form, over-mature, too close to building foundations and/or damaging sidewalks, driveways or utilities

19. **Credit for Preservation of Trees.** Healthy, mature trees, and/or mature stands of vegetation that are preserved on-site may count as more than one tree for the purposes of the landscaping requirements, as set out in Table 5C-Tree Preservation Credit Table below.

Table 5C Tree Preservation Credit Table			
Minimum Diameter	Up to but not	Tree Credit	Area where credit
None	10 inches	1	Location of
10 inches	15 inches	2	Location of
15 inches	20 inches	3	Location of
20 inches	No limit	4	Location of

20. **Tree-lined streets.** Tree lined streets are typically utilized to increase user experience of Sidewalks, Trails, and Bike lane. Any development proposing tree lined streets shall meet the requirement of this section.
- Tree lawns shall be wide enough to ensure adequate room for root growth. Tree lawns shall vary in width for Local, Collector and Arterial streets and shall be as depicted as required by the Town's adopted street standards and specifications.
    - Trees located in the CBD and CH zones shall be placed in minimum 4 ft. tree grates.
  - Trees shall be aligned in straight rows, located in the middle of the tree lawn, and planted 40 feet on center. Such street trees shall be placed at least five feet away from the edges of driveways and alleys, and 40 feet away from any streetlight and to the extent reasonably feasible, be positioned at evenly spaced intervals.
    - Trees located within the tree lawn shall be irrigated and maintained by the property owner
  - Trees installed along streets shall include a mix of species, be generally aligned along the street frontage and may be placed outside of the public right-of-way.
  - No tree shall be planted where eventual tree habit or root growth cannot be reasonably maintained to avert interference or obstruction to traffic and street signs, site distance triangles, street lights, utilities, fire hydrant, or any public infrastructure.
  - No more than six (6) of the same tree genus may be planted consecutively in a row-type planting.
  - Root barriers are required for all tree plantings along concrete, curbs and driveways
21. **Rural Street Tree Plantings.** Street trees planted along rural streets where there is no sidewalk may be planted in organically shaped clusters to reinforce the design and character of the project and frame views.
22. **Minimum Tree species diversity.** To prevent insect or disease susceptibility of monocultures and eventual uniform senescence on a development site or in the adjacent area or the district, species diversity is required, and extensive monocultures are prohibited.

The following minimum requirements shall apply to any development plan. At the time of proposal, a planting plan illustrating the development meeting the species diversity requirements shall be submitted. Requirements of this section are shown in Table 5D – Tree Species Diversity

<b>Table 5D – Tree Species Diversity</b>	
Number of Trees	Maximum Percentage of any one species
10-19	30%
20-39	33%
40-59	20% species, 30% genus, 40% family
60 or more	15% species, 20% genus, 30% family

23. **Tree species and minimum sizes.** The Applicant shall provide a recommended list of trees, to be reviewed by the Town which shall be acceptable to satisfy the requirements for landscape plans, including approved canopy shade trees that may be used as street trees. The following minimum sizes shall be required by Table 5E- Tree Caliper Sizes. The tree caliper shall be determined by diameter at breast height (DBH).

<b>Table 5E – Tree Caliper Sizes</b>	
Canopy Tree	2” caliper balled and bur lapped
Evergreen Tree	6.0’ in Height, balled and bur lapped
Ornamental Tree	1 ½” caliper balled and bur lapped
Shrubs	5 gallon bucket

24. **Preferred Street Trees and Trees permitted within Rights-of-Way.** The following list identifies tree species allowed within community recreation areas, as street trees or within the public right-of-way in the Town of Keenesburg.

- a. **Oak (Quercus):** Genus: Bur\*, Chinkapin\*, Chesnut\*, English\*, Shumard\*, Texas Red\*, Heritage\*, Bur-gambel Hybrid\*, Fastigate English\*, Crimson Spire\*.
- b. **Legume (Fabaceae) Family:** Shademaster Honeylocust\*, Skyline Honeylocust, Imperial Honeylocust, Kentucky Coffeetree\*, Kentucky Coffeetree Espresso\*.
- c. **Chokecherry (Prunus Virginiana) Genus:** Canada Red\*, Sucker Punch\*. (Height usually 20 to 25 feet)
- d. **Maple (Acer) Genus:** Bigtooth (single stem)\*, State Street\*, Caddo Sugar\*, Columnare, Fairview, Red.



- e. **Buckeye (Aesculus) Genus:** Ohio Buckeye\*, Yellow Buckeye, Texas Buckeye\*, Prairie Torch Hybrid Buckeye, Common Horsechestnut\*.
- f. Other trees allowed along right-of-way (by common name): Hackberry, Western Catalpa, Ginkgo (male only), or any other tree species approved by the Town in its discretion.

**25. Preferred deciduous trees – Not permitted as street trees or permitted within Rights-of-Way.**

- a. Toba Hawthorn, Washington Hawthorn, Downy Hawthorn, Dolga Crabapple, Amur Chokecherry, Thornless Hawthorn, Japanese Tree Lilac, Coralburst Crabapple, Spring Snow Crabapple, Thunderchild Crabapple, Radiant Crabapple, Indian Magic crabapple, Red Jewel Crabapple, Gamble Oak, Autumn Blaze Pear, Royal Star Magnolia, Serviceberry, Red Buckeye, Newport Plum, Autumn Blaze Pear, Cleveland Select Pear, Wavyleaf, Red Buckeye, Box Elder Sensation.
- b. Planting plans with fruit bearing species or species with high amounts of seeds, flowers, etc., must submit a management plan to the Town to maintain cleanliness.

**26. Preferred Coniferous Trees – This list may change at the discretion of the Town**

- i. Colorado Spruce, Colorado Blue Spruce, Bristlecone Pine, Eastern Red Cedar, Rocky Mountain Juniper, Pinyon Pine, Austrian Pine, Spartan Juniper, One Seed Juniper, Cologreen Juniper, Skyrocket Juiper, Wichita Blue Juniper, Fastigate Norway Spruce, Black Hills Spruce, Bosnian Pine, Ponderosa Pine, Scots Pine, European Larch

**27. Prohibited Trees.** The follows species of trees are prohibited by the Town of Keenesburg. This list may change at the discretion of the Town.

- a. Any of the ash species (*Fraxinus* spp.), including but not limited to Green, White, Purple, Blue, and Cinnamon.
- b. Any of the poplar species (*Populus* spp.), including but not limited to Cottonwood, Aspen, Silver Poplar, Lombardy Poplar.
- c. Any of the Willow species (*Salix* spp.).
- d. Any species of Elm (*Ulmus* spp.).
- e. Any weeping or pendulous type tree (i.e. Weeping Birch).
- f. Any shrub or hedge which by its habit of growth would obstruct, restrict, or conflict with necessary and safe use of the public rights-of-way.
- g. Conifers or evergreens which would eventually grow over the sidewalks or streets.
- h. Thorned Honeylocust or Hawthorn species or other trees that bear seed pods.
- i. Purple Locust, Black Locust, Mulberry, Bradford Pear, Black Walnut, Russian Olive, Tree of Heaven, Tamarisk, Silver Maple.

**28. Water-Efficient Landscaping Requirement.** The requirements of this Section are applied to all landscaped areas within a proposed development.

- a. Plant Selection, preservation and grouping Requirements.

- i. Plants are to be chosen based on their suitability for the site. Whenever possible, native species in good condition shall be installed, protected, and/or preserved.
  - ii. Not more than 50 percent of the plants installed shall be classified as high-water use. Per Table 5G-Water Usage Requirements.
- b. Low water use plants (including grasses) are required:
  - i. On slopes that are steeper than 25 percent
    - 1. Slopes steeper than 25 percent require a mix of shrubs and rock.
  - ii. In areas that the Town determines are not appropriate for permanent irrigation.
- c. Mulch. Bark or stone mulch shall be applied to all planting bed areas in order to decrease water loss and increase water conservation of planting bed areas. Wood mulch shall be placed at a depth of 4 inches, two inches for rock or stone.
- d. Landscape material is required in all planting bed areas

**29. Plan and Hydrozone Standards.** Landscape and irrigation plans must meet requirements set forth in this Section.

- a. Landscape plans shall clearly demonstrate low water usage, identification of hydro zones, specification of plant lists with low Evapo-Transpiration (“ET”) or Kc-values and indication of plant spacing.
- b. Planting areas must be organized into distinct groupings based on their water requirements. Plants of similar water requirements are to be grouped into separate zones based on their water requirements.
- c. A hydro zone table showing plant grouping and their respective water requirements is required for all landscape plan submittals
- d. An irrigation plan completed by a Professional Engineer, licensed Landscape Architect, or a certified Irrigation Specialist shall be submitted with each landscape plan; exceptions may be granted at the Town of Keenesburg’s discretion.
  - i. The irrigation plan must show hydrozones and their respective water requirements
  - ii. Irrigation systems shall be provided with automatic rainfall shut-offs to limit the unnecessary application of irrigation water
  - iii. Whenever possible irrigation system controllers may be utilized to ensure that irrigation water is provided efficiently based on moisture needs of plantings.
- e. Unless otherwise specified by the town, shrub water usage shall be as follows:

Table 5G- Water Usage Requirements		
Hydrozone	Maximum Gallons of	Acre-feet of water due
High water need	20	3
Moderate water need	12	1.8
Low water need	3.6	0.6
Very low water need	0	0

**30. Location of Plantings in Relation to Walls and Fences.** Walls and fences shall not be located less than 10 feet from the property line in CBD or CH zones.

**31. Walls or Fences that are Installed along Other Interior Property Lines.** Along property lines in residential zones, walls and fences may be installed at the property line, provided that:

- a. The decorative sides of walls or fences face out
- b. Such wall or fence does not conflict with existing utilities or utility easements
- c. The wall serves in conjunction with proposed plantings to separate land usages
- d. Temporary walls utilized while living walls are establishing their growth.  
Temporary walls are to be used for approximately 10-15 years, or until the Town deems the plants have reached maturity to serve as a wall.
- e. Walls 6' or higher are required to have additional lighting to deter crime.

**32. Noise Barriers.** When appropriate, walls may be utilized in conjunction with appropriate plantings to buffer noise pollution from one land use to another and increase compatibility

- a. Proposed plantings must be planted with adequate density to act as noise barriers at 75% of max growth.
- b. Planted noise barriers must have a variety of growth habits and heights; there shall be proposed small, medium and large shrubs.
- c. There shall be a mix of deciduous and coniferous trees in noise barriers. Tree plantings may be denser than 1 tree per 35 feet so as there is sufficient room for the tree to reach full maturity.

**33. Use of Equivalent Plant Materials in Living Walls.** The number of large trees, small trees, evergreens, and shrubs may be used to create a living wall.

- a. Living walls are required to have a density of 1 Deciduous tree positioned 35ft on center, 1 Coniferous tree positioned 20ft on center, variety of large, medium and small shrubs planted at 5 shrubs per 25ft-35ft.
- b. Living walls are to be established within 15 years from time of planting
- c. Temporary wall shall be installed until living wall plantings reach maturity and/or the Town deems the plants have reached maturity to serve as a wall.
- d. All proposed living walls shall submit an elevation and or section illustrating the intended visual screen
- e. Unless otherwise agreed upon by the Town, living walls shall be maintained by the developer, Homeowners association, metro-district or other related entity.
- f. Living walls may be utilized to create of visual screen of unsightly areas

**34. Building Foundation Planting requirements:**

- a. **Commercial and Multifamily buildings.** Foundation plantings for commercial building shall cover no less than 75% of the building foundation at maturity. This provision does not apply to the LI and HI zoning designations.

- i. Shrubs and/or deciduous grasses shall be planted at 1 shrub per five (5) feet, unless otherwise specified by the Town of Keenesburg
  - 1. Multifamily buildings within the R2 and R3 zoning designations shall have a foundation planting bed no less than five (5) feet wide
    - a. Planting beds in R2, R3, CH, CBD shall incorporate a variety of plant species, seasonal color, texture and form
    - b. 30% of the shrub bed is required to be coniferous and/or evergreen
  - 2. Commercial buildings with the LI and HI zoning designations shall have no less than 60% of the building foundation planted unless otherwise specified by the Town.
  - 3. Unless otherwise approved by the Town, low water usage planting and plant groupings are required.

#### **IV. Parking Lot Landscape Requirements:**

1. **Parking Lots.** Areas within parking lots shall be landscaped to mitigate urban heat island effect, impermeable surfaced areas, to slow stormwater runoff, and to improve parking lot appearance.
  - a. This section applies to any surface parking lot that contains more than 20 parking spaces
2. **Planting Area Requirements.**
  - a. At least one large tree and five shrubs shall be planted in the interior of the parking lot for every 15 parking spaces.
  - b. The first two feet of the parking island, on either end, shall be free of plantings and covered solely by mulch and landscape material
  - c. Parking lot islands shall be the same length of the parking stall
  - d. Parking lot island curbs shall be concrete and at least six inches above the parking lot surface
    - i. Curb cuts are permitted in parking lot island curbs in parking lots designed for stormwater capture
  - e. No less than 75 percent of landscaped areas within a parking lot shall be covered with living materials within three years of installation
3. **Parking Lot Island Arrangement.**
  - a. Parking lot islands will be installed on the ends of parking rows and entry drives to separate parking from drive aisles
  - b. Parking lot islands are required every 15 stalls; in large parking lots, parking lot islands are required in the center as a means to mitigate urban heat island effect
  - c. Drive aisles shall be separated from parking stalls by landscape islands, strips or planted separators.
  - d. **Additional Planting Requirements Based on Parking Spaces.** For parking lots containing greater than 20 spaces, an additional large tree shall be provided for every 10 parking spaces in excess of 20 spaces. Additional Trees may be distributed within the interior or perimeter landscaping area. This requirement shall be in addition to the planting area requirements set forth in section 2 of these Parking Lot Landscape Requirements.
4. **Parking Lot Perimeter Landscaping.**

Parking Lot perimeter landscaping shall be installed along the boundaries of all surface parking lots of 3 stalls or larger that are visible from the street or adjoining property. Plant materials and walls or fences shall be consistent with the Town of Keenesburg planting list.

  - a. Parking lot landscaping is intended to enhance the entrance, pedestrian walkways and pedestrian connectivity to buildings.
  - b. Parking lot perimeter landscaping shall provide at least 75% vegetative cover around the parking lot perimeter within 3 years of planting

5. **Residential Perimeter Landscaping.** Parking buffer yards along property boundaries that adjoin single-family detached, duplex, multiplex, or townhome uses shall be buffered as follows:
- a. Perimeter landscape area shall not be less than three feet in width. If vehicle overhangs are planned in the parking stalls, the perimeter landscape area shall not be less than 4 feet.
  - b. Parking buffer yards shall include a fence or wall that is at least five feet in height, and two large trees per 100 linear feet of buffer yard.

6. **Perimeter Landscape Standards for all zones.**

- a. Parking perimeter landscape area shall be not less than five feet in width, including any vehicular overhang areas.
- b. Along streets, landscaping shall be installed between the parking lot and the sidewalk.
- c. Parking buffer yards shall include shrubs and any combination of berms, walls, fences, evergreens, planters, or other approved visual obstructions, provided the perimeter includes a mix of coniferous plantings.
- d. Shrubs shall be installed along not less than 75 percent of the width of the planting area
  - i. 30% of the shrubs are required to be coniferous
  - ii. Coniferous shrubs must be equally spaced along planting perimeter area
  - iii. Irrigated turf is discouraged in areas less than 10 feet wide. Ornamental grasses are encouraged in areas where grass is desired.
- e. Parking perimeter landscape area shall provide a visual obstruction up to a height of:
  - i. Five feet above the surface of the parking lot at installation if the parking lot is adjacent to the R1, R2, or MH zones
    - 1. Three feet above the surface of the parking lot in R3 area
  - ii. Plantings shall be established within three years after installation
    - 1. If plantings are not established within three years of installation, the Town of Keenesburg may require either the replanting of materials or replanting of similar materials to be established within three years.
  - iii. A mechanism of long-term maintenance of landscaping must be provided.

7. **Large Surface Parking Lots.** Large surface parking lot is a stand-alone surface parking lot that contains more than 200 parking spaces.

Large surface parking lots shall be divided into smaller segments by using pedestrian and landscape breakers that comply with the following standards:

- a. Each landscape separator shall be placed so that each parking segment contains a maximum 100 parking spaces.
- b. Landscape separators shall be parallel to the parking rows.
- c. The first landscape separator in a large surface parking lot shall contain a pedestrian walkway. The walkway shall be in front of an entrance into the building thereby providing a safe route of pedestrian travel.

- d. One landscape separator shall be required per every 50 parking stalls along a pedestrian walkway
- e. The pedestrian walkway(s) shall connect to the perimeter sidewalks or trails in a clear and efficient manner. Where the pedestrian walkway crosses a drive-aisle, the pedestrian crossing shall be emphasized and separated from flowing traffic as best as possible.
  - i. The material and layout of the pedestrian crossing shall be continuous as it crosses the drive-aisle
  - ii. Pedestrian crossing shall be separated through the use of raised or striped crosswalks or special pavement treatments such as scored concrete, colored concrete, pavers, brick or other hardscape materials approved by the Town
- f. Landscape separators with a pedestrian walkway shall be a minimum of 20 feet in width.
  - i. Landscape separators without a pedestrian walkway shall be a minimum of 10 feet in width.
  - ii. Where no pedestrian walkway is provided, additional landscaping shall be required as follows:
    - 1. 1 shrub per 10 feet, and 1 Tree per 35 feet on center
    - 2. Ornamental trees are encouraged to emphasize pedestrian walkways and building entrances
- g. Pedestrian walkways within a landscape separator shall be a minimum of 6 feet wide.
- h. Irrigation must be provided for all landscape separators and breakers; irrigation plans must be submitted to Town of Keenesburg at time of Development submittal.
  - i. Irrigated turf is highly discouraged in landscape separators and breakers. The Town encourages the use of low water use ground covers that do not require spray irrigation.
  - ii. The use of open rock mulch may be approved in place of groundcover by the Town of Keenesburg.
  - iii. Plantings with a mature height of six inches or more shall not be planted within two feet from the back of the curb to avoid conflicts with vehicle overhang.
  - iv. Planting with a mature height of 2 feet or more are not permitted within 1 feet of the pedestrian walkway.
- i. Plantings within landscape separators shall be resilient to harsh climatic conditions.
- j. The Town may authorize the phasing of landscape installation if phasing will provide a logical, sequential installation of improvements on a subject property.

## **V. Parking and Drive Aisle Standards.**

1. **Purpose:** The standards set forth in this Article V are intended to ensure that the parking and circulation aspects of all developments are well designed regarding safety, efficiency and convenience for vehicles, bicycles, pedestrians and transit, both within the development and to and from surrounding areas. This section sets forth parking requirements in terms of dimensions of parking stalls, landscaping, shared parking, drive-in facilities and loading zones. This section addresses parking requirements for:
  - a. Multi-modal transportation
  - b. Commercial and Retail
  - c. Drive-up and Drive Thru facilities
  - d. On street parking
    - i. Commercial
    - ii. Multifamily
    - iii. Shared parking
  - e. Parking needs of all zoning designations and land usages
2. **General Standard:** The parking and circulation systems within each development shall accommodate the movement of vehicles, bicycles, pedestrians and transit, throughout the proposed development and to and from surrounding areas, safely and conveniently, and shall contribute to the attractiveness of the development. The on-site pedestrian system must provide adequate directness, continuity, street crossings, visible interest and security as defined in this section.
3. **Access and Parking Lot Requirements:** All vehicular use areas in any proposed development shall be designed to be safe, efficient, convenient and attractive, and unless otherwise approved by the Town, accommodating to all modes of transportation that will use the site. Designated traffic flow and connection to existing streets shall be approved by the Town Engineer; exceptions may be considered for projects of a small nature.
4. **Access:** Unobstructed vehicular access to and from a public street shall be provided for all off-street parking spaces. Vehicular access shall be provided in such as manner as to protect the safety of persons using such access or traveling in the public street from which such access is obtained.
5. **Safety Considerations:** To the maximum extent feasible, pedestrians shall be separated from vehicular and bicycle traffic. In the event complete separation of pedestrians, vehicles and bicycles is not possible, potential hazards shall be minimized using techniques such as special paving, raised surfaces, pavement marking, signs or striping, bollards, median refuge, traffic calming features, landscaping, lighting or other means to clearly and safely delineate pedestrian areas for both day and night use.



- a. Shared pedestrian and bicyclist walkways: The pedestrian/bicycle system shall be designed to be wide enough to easily accommodate the amount of pedestrian and bicycle traffic volumes that are anticipated. A minimum width of eight (8) feet shall be required and shall meet American Association of State Highway and Transportation Officials (AASHTO) guidelines, Guide for Development of Bicycle Facilities, or any successor publication. Additional width up to four (4) feet may be required to accommodate higher volumes of bicycle and pedestrian traffic within and leading to areas of Community Interest & Attraction, Regional bikeways and/or Trailways, Schools, Parks and Open Space.
    - i. Shared pedestrian and bicyclist walkways may be dually utilized for emergency vehicular access with approval from the Southeast Weld Fire Protection District and Town of Keenesburg. All pedestrian and bicyclist walkways utilized for emergency access shall be paved with hard surface weather resistant materials approved by the Southeast Weld Fire Protection District and Town of Keenesburg.
6. **Curb Cuts and Ramps**: Curb cuts and ramps shall be located at convenient, safe locations for the physically disabled, for bicyclists and for people pushing strollers and/or carts. The location and design of curb cuts and ramps shall meet the requirements of the International Building Code and the American with Disabilities Act (ADA) ramp standards and shall avoid crossing or funneling traffic through loading areas, drive-in lanes and outdoor trash storage/collection areas.
- a. Where possible curb cuts are encouraged in low impact designs. Curb cuts may be used for bioretention, rain gardens, and small-scale water detention areas that are conducive to water conservation and infiltration. All designs must be approved by the Town Engineer prior to construction.
7. **Walkways**: Walkways within the site shall be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination. Walkways shall be at least six (6) feet in width, unobstructed by vertical curbs, stairs, raised landscape islands, utility appurtenances or other elements that restrict access and shall link street sidewalks with building entries through parking lots. Walkways intended to connect points of pedestrian origin to a building destination point shall be enhanced with textured concrete, colored concrete and/or approved hard surface material so as to separate the pedestrian walkway from other traffic.
- a. Walkways along crosswalks shall be of differing weather resistant hard surface material and or texture than roadway
  - b. Drive aisles leading to main entrances shall have separated walkways on both sides of the drive aisle.
  - c. Walkways within R-1 and R-2 district are permitted to be no less than five (5) feet in width. Pedestrian and Bicycle Trails connecting through the R-1 and R-2 district shall be no less than eight (8) feet wide.
  - d. Residential walkway: Tree lawns are encouraged as a means to separate pedestrian

traffic from vehicles and bikes. Tree lawns are to be no less than four (4) feet in width from the outside curb to the nearest edge of the associated sidewalk. Tree lawns are to generally consist of irrigated grass, Town approved mulch or a Town approved street tree located in the center of the tree lawn. Alternative ground covers that promote water conversation, are resilient to harsh climatic conditions, and are disease resistant may be allowed in the tree lawn area with Town approval. All trees and plantings shall be outside of the sight distance triangle and clearly shown as such on submittal sheets to the Town of Keenesburg. All plantings shall meet the Landscape Standards set forth by the Town of Keenesburg.

- e. **Public Safety and Visibility:**
  - i. Visibility for police surveillance and crime prevention shall not be significantly hampered by landscaping;
  - ii. Corner visibility for traffic movement and protection of pedestrians shall comply with all parts of these Parking and Drive Aisle Standards
  - iii. Landscaping shall not prohibit access to utilities or hinder public safety to needed resources such as fire lanes and hydrants.
- 8. **Pedestrian/Vehicle Separation:** To the maximum extent feasible, pedestrian and vehicles shall be highly visible through the provision of a sidewalk, trail or walkway. Pedestrian routes that provide direct and convenient access through the site must be identified through the use of bollards, special paving, lighting, landscaping or other approved means to minimize conflicts between vehicles, bicycles and pedestrians.
  - a. Pedestrian improvements must be designed to channel and collect pedestrians safely through the lot, minimizing to best extent possible, conflicts between pedestrians and vehicles.
    - iv. Where pedestrian routes cross the driving aisle, appropriate consideration must be given to providing pedestrian refuge areas.
  - b. Pedestrian drop-off areas must be provided where needed and shall not be in public road rights-of-way.
  - c. Unless otherwise approved by the Town, bike lanes must be separated from vehicular traffic by means of bike lane separator, bollards, and or landscaping.
- 9. **Street Crossing:** In the event it is necessary for the primary pedestrian access to cross drive aisles or internal roadways, the pedestrian crossing shall emphasize and place priority on pedestrian access and safety. The material and layout of the pedestrian access shall be continuous as it crosses the driveway, with a break in continuity of the driveway paving and not in the pedestrian access way. The pedestrian crossings shall be well-marked using pavement treatments, signs, striping, signals, lighting, traffic calming techniques, median refuge areas and landscaping and meet all requirements set forth by the Town of Keenesburg. All street crossings shall be approved by the Town Engineer prior to construction.
- 10. **Bicycle Facilities:** Bicycle parking is required in all zones except, R-1 and R-2; however,

bike parking shall be provided for community amenities such as a park and/or garden provided within all zoning districts. A minimum number of bicycle parking spaces must be provided, equal in number to five percent of the total number of automobile parking spaces provided, but not less than one space.

- a. Bicycle parking facilities must allow the bicycle frame and both wheels to be securely locked to the parking structure.
- b. Bicycle parking structure must be permanently constructed, made of weather resistant material and securely attached to the pavement.
- c. Bicycle parking is not required in single family detached unit developments.
  - i. Bicycle parking is required in all multi-family, commercial, retail and park developments.
- d. Safe pedestrian access shall be provided from the bicycle parking location to the area, building or residence of interest.
  - i. Safe and adequate lighting shall be provided for all bicycle parking facilities and pedestrian connections thereof.

**11. Drive-In & Drive-Thru Facilities:** Drive-in facilities are to have minimal interference with access and circulation onto public roadways.

- a. Drive-in facilities must be clearly signed and conspicuously marked to provide efficient flow of traffic through the facility.
- b. Drive-in facilities must be located to minimize conflicts with the movement of other vehicles, bicycles, and pedestrians. A clear traffic plan showing where traffic is proposed to enter and exit facility is required to be submitted to the Town for all Drive-in and Drive-Thru proposal.
- c. Traffic generated from a drive-in or drive-thru facility is not permitted to exit directly onto I-76, I-76 frontage road, Weld County Road 59, Highway 52 All drive-in and drive-thru facilities proposed along Weld County Road 59 or Highway 52 may be approved with a clear traffic plan submitted to and approved by the Town Engineer.
- d. Drive-ins and drive-thrus shall not be positioned such that vehicle headlights face a residential use or residentially zoned lot.
- e. Landscape buffer shall be provided in situations where the positioning of a drive-in or drive-thru causes traffic headlights to directly face the roadway. The applicant must demonstrate to the Town of Keenesburg that the buffer adequately screens headlights from interfering with the roadway.

**12. Loading Zones:** Loading zones and service areas must be designed to minimize interference with access and circulation on public roadways and within the parking lot. Unless otherwise approved by the Town, loading zones and service areas must be located on separate routes away from primary circulation routes for vehicles, bicycles and pedestrians.

- a. Loading zones within parking lots must be designed to minimize conflicts with the

movements of other vehicles, bicycles and pedestrians.

- b. Loading zones are required for non-residential uses that require goods, merchandise or equipment to be routinely delivered or shipped from the subject property.
- c. Unless the Town determines additional space is necessary to meet the requirement of the use, loading spaces for non-residential uses shall be provided as follows:
  - i. One off-street space for buildings between 5,000-20,000 SF; plus
  - ii. One additional off-street loading space for each 20,000 SF or fraction thereof of additional gross flow area in excess of 20,000 SF
  - iii. Over the curb loading is not permitted by the Town unless alternative means have been determined as unsafe in such case.
    - 1. Over the curb parking will be reviewed and approved by the Town as deemed appropriate.
- d. Loading areas shall be screened from principal building entrances and other highly visible areas of the subject property. All loading zone screening shall meet requirements set forth by the Town of Keenesburg. If a loading area is located within 150 feet of a residential zone, a street, a public park, or a designated public open space, then the following standards apply:
  - i. The loading area shall be enclosed with a roof and a screen wall that is at least 60 percent opaque. Plantings may be approved as a screen at the Town of Keenesburg's discretion.
    - 1. A temporary screen wall may be required until plantings reach a growth point that achieves required screening.
  - ii. Plantings and/or walls may be required to mitigate sound and visual disturbances created by the loading zone.
    - 1. Plantings and/or walls may be required to mitigate adjacent land use impacts
    - 2. All plantings are required to meet standards of Town of Keenesburg Landscape Standards
- e. Loading areas shall be of sufficient size to accommodate vehicles that will serve the proposed use, such that all backing and maneuvering to and from loading areas is done on the subject property, and egress of vehicles from the subject property is in a forward direction. A loading area traffic flow plan must be submitted and approved by the Town Engineer prior to construction.
- f. The location of the loading area shall not block or obstruct any public street, alley, driveway, or sidewalk. Exiting traffic from the loading area shall not impede the flow of traffic, pedestrian, or bicycles.
- g. Loading zones shall have a weather resistant permanently mounted sign of standard dimension posted in a conspicuous location clearly showing the loading zone designation. Loading zones shall also be painted with a weather resistant paint clearly communicating the loading zone designation.
  - i. Safety lighting shall be required in all loading zones. Unless otherwise

approved by the Town, lighting pollution is to be kept at a minimum by focusing lighting to reduce glare, light trespass and skyglow. Light cutoffs are required for all streetlights and lights of similar nature. All lighting is required to meet the standards set for in the Town Code and Town of Keenesburg Lighting Standards.

- ii. Loading zone lighting shall meet the standards set forth in the Town of Keenesburg Lighting Standards.

13. **Surface:** All open off-street parking and vehicular use areas shall be surfaced with asphalt, concrete or other hard surface material of a similar nature and functionality, with no greater environmental impact.

- a. Low impact designs materials such as permeable pavement, pavers and soft-surface overflow parking or similar materials that encourage groundwater recharge, may be approved at the discretion of the Town Engineer.
- b. All materials shall be weather resistant and permanent in nature.

14. **Area Drainage Requirements:** Parking lots must be designed to provide positive drainage and carry stormwater quickly and effectively away from the site. Parking surfaces are not permitted to serve as detention facilities. All points of drainage require water quality and erosion control measures that must be approved by the Town Engineer and Town prior to commencement of construction.

- a. Low impact parking area drainage design may be permitted by the Town Engineer

15. **Accessible Parking Spaces.** All accessible parking spaces shall comply with applicable standards of the 2010 ADA Standards for Accessible Design, as may be amended or retitled from time to time (“ADAAG”).

16. **Parking Lot Layout:** Parking bays may be perpendicular or diagonal to the land use they serve, whichever is less conflicting with general traffic flow.

- a. Standard parking spaces must conform with the dimensions shown on Figure 1B, and show application of Table 1C.
- b. Where more than ten parking spaces are proposed or required.

17. **Parking Lot Location:** All Parking lots must be separated from road rights-of-way and from side and rear lot lines in accordance with the following:

- a. 25’ distance from major highways or as specified by jurisdictional authority of said highway
- b. 15’ distance from an arterial road
- c. 10’ distance from a non-arterial road
- d. 8’ along a side or rear lot line

Figure 1B

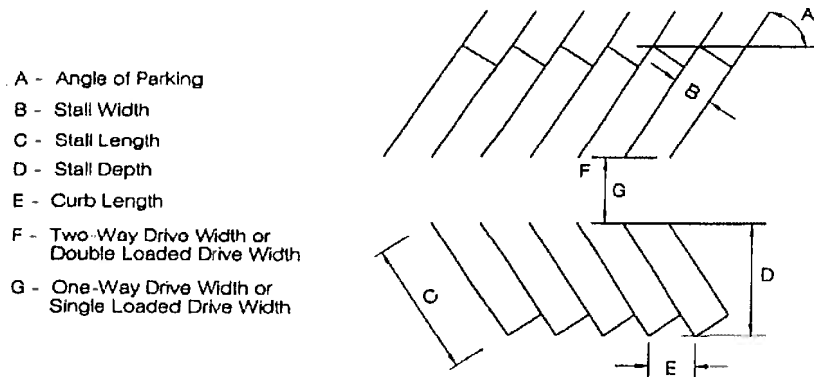


Table 1C. Parking space and aisle dimensioning.

Typical Vehicle						
A	B	C	D	E	F	G
0 Degrees	8	23	8	23	20	12
30 Degrees	8	23	8	23	20	15
45 Degrees	8.5	20	17.4	17	20	15
60 Degrees	9	19	21	10.4	24	20
90 Degrees	9	19	19	9	24	20
Compact Vehicle						
A	B	C	D	E	F	G
0 Degrees	7.5	19	7.5	19	20	12
30 Degrees	7.5	16.5	14.8	15	20	15
45 Degrees	7.5	16.5	17	10.6	20	15
60 Degrees	8	16	17.9	9.2	24	20
90 Degrees	8	15	15	8	24	20

## 18. Parking Space and Aisle Standards

Generally, Parking spaces and access aisles shall be designed according to the standards of this Section.

- a. All parking spaces located across from each other, on the opposite side of a

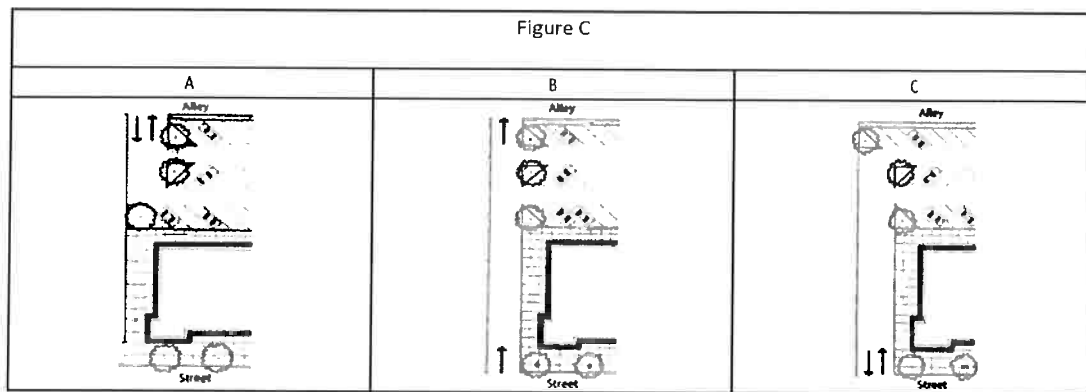
drive lane, shall be located at the same angle to the drive lane, except that parallel parking may be provided on one side of the drive lane in order to enhance disabled access.

- i. Upon those streets which have been signed or marked by the Town Engineer for angle parking, it shall be unlawful for any person to stand or park a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings
- b. Angle parking located on a drive lane with a dead-end is not allowed unless:
  - i. The angle of the parking space is 90 degrees to the direction of travel; or
  - ii. The geometry of the subject property requires such a configuration for an efficient parking layout and the Town Engineer determines that the design provides for safe circulation.
- c. Parking shall be screened from public rights of way, not including alleys, and residential zones. All parking lot screening shall meet the requirements set forth in the Town of Keenesburg Landscape Standards.
- d. Parking shall be consistent with safe traffic movement, new curb cuts shall be placed so as to not require the removal of existing street trees.
- e. For lots where parking is the principal use, the parking lot shall be set back 10 feet from lot lines that adjoin streets and five feet from all other lot lines.
- f. Access Aisle Widths. Access aisle width shall not exceed the minimum required width unless an increase in width is necessary to serve a demonstrated public safety interest.
- g. Vehicular access to parking lots (surface or structured) shall be from the primary connecting roadway that is most adjacent to the main building entrance, unless the Town determines that such access is infeasible or would create a public safety hazard. In such cases, access shall be provided:
  - i. With ingress from a public street and egress into the alley, or if such an arrangement is infeasible or would create a public safety hazard;
  - ii. With ingress and egress from the street as shown in Figure C, Urban Parking Access, options A, B, or C.
  - iii. In cases where it is unfeasible or impractical for parking to be accessed by the primary connecting roadway, an exception may be granted and parking may be provided in the rear of the building. Such exceptions must be approved by the Town Engineer or Planner and shall meet the following criteria:
    1. Adequate parking lot lighting shall be provided at the same safety and level of service as a front lot parking lot. A photometric plan illustrating the proposed parking light lighting on the site shall be submitted and approved by the Town
    2. Parking lot lights shall meet all requirements outlined in Town of Keenesburg Lighting Standards and Town Code
      - a. Lighting pollution is to be kept at a minimum by focusing

lighting to reduce glare, light trespass and skyglow. Light cutoffs are required for all streetlights and lights of similar nature. All lighting shall comply with Town of Keenesburg Lighting and the Town Code.

- b. Adequate lighting shall also be provided for all bicycle parking facilities
- iv. Clear pedestrian connection shall be provided between the parking lot and building entrance. Such connection shall meet criteria outlined in sections 6, 8, 9 and 10 of these regulations.
- v. Dumpsters shall be fully enclosed with a trash enclosure gate capable of opening, closing and locking in place
  - 1. Dumpster screening shall meet all requirements outlined in the Town of Keenesburg Landscape Standards
  - 2. By all feasible means pedestrian pathways shall be located away from dumpster enclosures with a clear safe pedestrian travel route of travel connecting the parking lot to the entrance of the building
  - 3. Whenever possible dumpsters shall be located at or near the rear of the building
- vi. Landscaping in rear parking lots shall meet all provisions of the Town of Keenesburg Landscape Standards
  - 1. In rear parking lots landscaping shall be placed to avoid places of hiding, heavy shadowing and/or visibility issues. Massing of medium growth plants is prohibited in these locations.
- vii. Rear building architecture and pedestrian connection shall be of visual interest, character and inviting to constituents of the facility and serving to compliment the building as a whole.
  - 1. Where applicable the sides of the building shall be of visual interest and character complementing the building as a whole
  - 2. Rear and side accesses to buildings shall provide clear visuals of pedestrian pathways to entrance of buildings, such access way shall be free of medium growth plants and areas of hiding and or concealment.





19. **Overhangs.** If approved by the Town Engineer, the length of standard parking spaces may be reduced by up to two feet where the adjacent sidewalk or landscape area is protected by a curb and not less than seven feet in width, allowing for vehicle overhang and an unobstructed walkway or landscape area of at least five feet in width. The use of wheel barriers in such locations is prohibited.

## 20. Parking and Loading Design

- a. Single-Family Residential, Two-Family Residential, Multi-Family Residential district. Unless otherwise specified in the Town Code, Single-family Residential, Two-Family Residential and Multi-Family Residential parking may be designed in a manner that permits vehicles to back directly onto one public local street.
- b. Backing and turning movements associated with parking shall not extend into a street, and shall not obstruct or conflict with traffic, either on-site or off-site.
  - i. Rear angle back in parking may be allowed with approval by the Town Engineer in the Town Engineer's discretion.
- c. The closest driving distance from the flowline of the street at a point of ingress, to the first parking space or drive aisle intersection that is accessible from that point of ingress, are intended for routine delivery and use for delivery vehicles. Loading areas are not designed or designated to be parking areas in any fashion.
- d. Blocking of access and loading zones is prohibited in all zoning designations and land usages.
- e. Parking lots with more than three parking spaces shall:
  - i. Be designed and traffic controlled therein so that access to and from a public street requires vehicular traffic to be traveling in a forward direction when entering and exiting from the parking lot.
  - ii. Include curbs, wheel stops, or other barriers to prevent vehicles from extending beyond the perimeter of the parking lot, and to prevent vehicles from contacting an unprotected wall, fence, or sidewalk.

- iii. Be clearly and permanently marked on the parking surface (e.g., stalls shall be located, and traffic channelized with painted stripes);
  - iv. Be designed using the angles, layout, and dimensions in Figure 1B.
- f. All parking lots shall be designed in accordance with these Parking and Drive Aisle standards.
- g. All parking lots shall meet all requirements set forth in the Town of Keenesburg Landscape Standards.
- h. Parking is not allowed in a required front setback except on a single-family detached, duplex, townhome, or multiplex residential driveway or parking pad that extends through a front setback.
- i. Parking aisles are intended to promote the flow of traffic and shall be designed to collect and channel traffic from parking compounds towards points of ingress and egress. Access to and from a street shall be provided for all off street parking spaces.
- j. Obstruction of a driveway or emergency entrance or exist approach or across public sidewalks is prohibited in all zoning districts.
- k. Parking Spaces and Parking Aisles. Storing materials, boats, campers, recreational vehicles, or inoperable vehicles, or overnight parking of trucks or trailers is prohibited in parking areas of multifamily, residential, and mixed-use developments, unless:
  - i. The outdoor storage use is permitted in the applicable zone and approved for the subject property

**21. Off-Street Parking:** Off-street parking shall be available for operable passenger automobiles of the residents, customers, patrons, and employees of the facility for which they desire parking. Required off-street parking spaces shall be located on the same lot or premises as the building or use for which they are required unless:

- a. Such spaces are provided collectively by two (2) or more buildings or uses on abutting lots in a single parking area located within the boundaries or those abutting lots, and the total number of parking spaces supplied collectively is equal to the number of spaces required by this subdivision for each use considered separately.
- b. Off-Street parking shall be located either immediately in front of the facility of which it serves, or within 300' of such facility.
- c. Parking spaces provided through the provision of off-street parking will count towards the overall parking requirements required by the Town of Keenesburg.
- d. Alternative parking space location(s) and number must be approved by the Town of Keenesburg in order to count towards this requirement.
  - i. Alternative parking space location(s) and number(s) shall be approved by the Town of Keenesburg.
- e. In the case off-street parking is provided by a different property owner than the owner of the site and/or facility generating parking demand, a written parking

agreement must be signed by both parties and approved by the Town.

- f. In no instance shall any parking space be located closer than ten (10) feet from any fire hydrant or as specified by the Southeast Weld Fire Protection agency.

**22. Guest Parking:** Off-street guest parking spaces in multi-family developments and community amenity areas shall be distributed proportionally to the dwelling unit locations that they are intended to serve. Such parking shall not be located more than two hundred (200) feet from any dwelling unit that is intended to be served.

- a. Alternative guest parking locations shall be approved by the Town of Keenesburg prior to construction

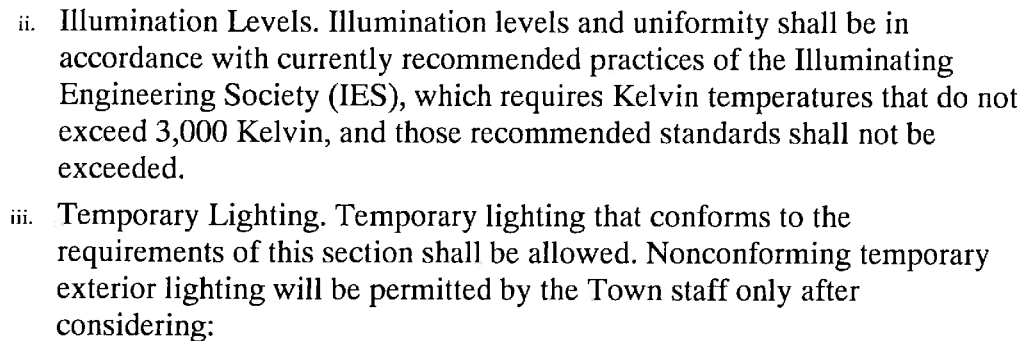
**23. Alternative Compliance.** Upon written request by the applicant, the Town, at its discretion, may relax design standards for required parking.

- a. Requests shall be prepared and submitted in accordance with the submittal requirements for plans as set forth in this Section. Each such plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will better accomplish the purpose of this Section than would a plan which complies with the standards of this Section.
- b. Review Criteria. To approve an alternative plan, the Town must first find that the proposed alternative plan accomplishes the purposes of this Section equally well or better than would a plan which complies with the standards of this Section. In reviewing the parking reduction request, in order to determine whether the proposal accomplishes the purposes of this Section, as required above, the Town shall take into account the number of employees occupying the building or land use, the number of expected customers or clients, the availability of nearby on-street parking, the provision of purchased or leased parking spaces in a municipal or private parking lots, and any other factors that may be unique to the applicant's development request. The town shall not approve the alternative plan unless it:
  - i. Does not detract from continuity, connectivity and convenient proximity for pedestrians between or among existing or future uses in the vicinity
  - ii. Minimizes the visual and aesthetic impact on the surround neighborhood
  - iii. Creates no physical impact on any facilities serving alternative modes of transportation
  - iv. Creates no detrimental impact on natural area or features
  - v. Maintains handicap parking needs

## **VI. Lighting Standards:**

- a. Light fixtures provided for any off-street parking area adjacent to a residential use or residentially zoned lot shall shield the source of light from sight and spillover of direct light onto the residential use, while still providing security to motorist, pedestrians and bicyclists. All commercial lighting shall be shown to reduce glare, light trespass and skyglow.
- b. All lights utilized for signage purposes shall meet the sign standards set forth in the Town of Keenesburg Municipal Code ("Town Code").
- c. All lights shall comply with all applicable sections of the Town Code.
- d. Streets, driveways, parking lots, walks and service areas shall be adequately illuminated as evenly as possible and shall have a maximum BUG rating of B2-U0-G1 according to the guidelines set forth by the Illuminating Engineering Society (IES) TM15-11. Examples of these luminaires can be found in Diagrams 30-1. Site lighting shall be demonstrated in a photometric or site lighting plan submitted and approved by the Town.
- e. Light Spillover. Luminaries shall be shielded, shaded, or directed to prevent light spillover from being cast on to adjacent property.
  - i. Residential: All outdoor lighting systems shall be designed and operated so that the area ten feet beyond the property line of the premises receives no more than one-quarter of a foot-candle of light from the premises lighting system.
  - ii. Commercial: All outdoor lighting systems shall be designed and operated so that the area ten feet beyond the property line of the premises receives no more than one foot-candle in commercially zoned areas, and one quarter of a foot-candle for properties adjoining residential districts.
  - iii. Towers: All radio, communication, and navigation towers that require lights shall have dual lighting capabilities. For daytime, the white strobe light shall be used, and for nighttime, only the red lights shall be used.
- f. All exterior lighting fixtures shall be placed or directed so as to minimize interfere with the operation of vehicles and general flow of traffic on adjacent roadways.
- g. All exterior lights utilized in a manner to advertise, draw attention, or display shall be subject to the sign standards set forth in the Town Code
  - i. Unless otherwise approved by the Town of Keenesburg, no non-residential building shall have any exterior light that is blinking, flashing, or fluttering, or other illuminating device which has a changing light intensity or brightness of color.
  - ii. Seasonal lights shall be maintained and removed within a reasonable time period by the private property owner, homeowner's association or metro district
- h. Hours of lighting operation. All parking lot lighting fixtures and exterior building lights, except those required for security purposes, shall be extinguished within one (1) hour after the end of business hours and remain extinguished until one (1) hour prior to the beginning of business hours. One quarter of the streetlights may

- i. All area lights, including street lights and parking area lighting, shall have a maximum BUG rating of B2-U0-G1 according to the guidelines set forth by the Illuminating Engineering Society (IES) TM15-11. Examples of these luminaires can be found in Diagram 30-1.



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- j. Building mounted luminaries shall be full cut-off using shields, reflectors, or refractor panels to direct and cut-off the emitted light at a 45 degrees or less except for low intensity decorative lighting not exceeding 45 watts per bulb (incandescent equivalent).
- k. Lighting Poles in multiple-family and commercial developments, whether mounted upon a building or independently upon a light standard, shall not exceed 20 feet in height. Exemptions to this may be granted by the Town if the lighting pole height is shown to improve and protect the public, health, safety and welfare for the residents of the Town of Keenesburg.
- l. Lighting fixtures within industrial developments shall not exceed 25 feet in height, except in those instances where the subject property adjoins any residentially zoned property, in which case, poles may not extend above the roof line of the industrial principal building. Exemptions to this may be granted by the Town if the lighting pole height is shown to improve and protect the public, health, safety and welfare for the residents of the Town of Keenesburg.
- m. Street lighting fixtures in new developments shall be LED or otherwise approved high energy efficiency design by the Town of Keenesburg or United Power.
- n. Unless otherwise specified by the Town, Fairgrounds Zone District FZ is exempt from these standards and shall stay in compliance with Sec. 16-2-167 of the Town Code.
- o. Exemptions:
  - i. Outdoor Recreational Uses: Due to their limited hours of operation and their unique nighttime requirements for visibility, both private and public outdoor recreational uses, such as baseball diamonds, football fields, etc., shall be exempt from the general provisions these Lighting Standards.
  - ii. Specialized lighting necessary for safety, such as temporary lighting associated with emergency operations, road hazard warning, and operations of a similar nature
  - iii. Traffic control signals and devices
  - iv. Sensor activated luminaries provided that:
    - 1. Lighting is located in such a manner as to prevent glare and lighting onto properties of others or in the public right-of-way
    - 2. The luminaire is set to only go on when activated by motion, and to go off within five minutes after activation
    - 3. Floodlights with external shielding can be deflected up to 25 degrees from a vertical plan as measured through the central axis of the light beam from the luminaire, only if the luminaire does not cause glare or light to shine on adjacent property or public rights-of-way
    - 4. Federally funded and state funded roadway construction projects are exempted from the requirements of these Lighting Standards only to the extent it is necessary to comply with federal and state requirements.

5. Exterior residential fixtures which consist of lamp types with an output of 800 lumens or less (approximate to a 60-watt incandescent bulb or nine-watt LED) are exempt from these regulations, provided the fixture types are compliant with those allowed in this section.

## **VII. Lots and blocks**

- 1. Intent.** These block and lot standards are intended to continue the Town's existing block pattern in a manner that is compatible with site- specific environmental conditions and characteristic of the Town's historic pattern of growth, and to implement strategies for residential development and promote high quality housing diversity.
- 2. Applicability.** These standards are applicable to all new residential subdivisions in the R-1, R-2 and R-3 zoning districts. All residential development (including PUDs and development on individual lots or parcels) shall include a mixture of different lot sizes, dimensions, and housing models, as provided and described in these standards, unless expressly exempt by this Town. Requirements set forth in this Section shall not apply to:
  - a. Subdivisions comprised of five (5) or fewer residential buildings
  - b. Rebuilding of structures damaged by fire, flood or natural disaster
  - c. Multi-family buildings consisting of fewer than three (3) buildings
  - d. Redevelopment and infill development consisting of five (5) or less acres

### **3. General Provisions.**

- a. Blocks shall be arranged in a grid-like pattern, or pattern similar, to promote connectivity and alternate travel routes within the complete neighborhood; cul-de-sacs shall be limited to locations where they are demonstrated to be necessary due to site constraints, or where their use improves non-vehicular connectivity.
- b. All new lots shall comply with the provisions of this document related to their access, dimensions, and area.
- c. Blocks. Streets shall be designed to create blocks that consider interconnectedness, topography, solar orientation, views, energy efficiency, natural design features and other relevant design features. Block size shall be designed to create blocks that are generally a rectilinear or modified rectilinear shape. Amorphously shaped blocks are discouraged except where extra-ordinary conditions necessitate that type of configuration.
- d. When practical, lot lines shall be at right angles to the street line or at right angles to the tangent of the curve of the street line.
- e. Lot dimension and configuration. Blocks shall be set within a street layout that includes a maximum average length of 400 feet from street centerline to street centerline.
- f. Lot size, width, depth, shape, and orientation and building setback lines or build-to lines shall conform to Town of Keenesburg standards and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy and view.
- g. Depth and width of properties shall be adequate to provide for off-street parking, landscaping, and loading areas required by the type of use and development contemplated.
- h. Developments proposing the use of alleys shall:
- i. Provide clear drive lane no less than fifteen (15) feet;



- ii. Provide clear access and exist points for the ally and shall be approved by the Town Engineer;
- iii. Orientate and design structures facing the alley to be of architectural interest and integrity.
- iv. Provide an ongoing maintenance plan of the alleyways as either the private property owner, homeowner's association, metro district or Town of Keenesburg.
  - i. Street frontage shall typically not be less than 25 percent of the lot depth.
  - j. The Town may authorize modifications from block requirements if it is demonstrated that the modified blocks offer comparable connectivity within the neighborhood, and between the neighborhood and nearby transit, parks, outdoor recreation facilities, schools, and places of community interest. The town may require pedestrian and bicycle access mid-block for block lengths greater than 850 ft.
  - k. Corner lots for residential use shall have extra width to accommodate the required building setback and utility easements on both street frontages. For a corner lot, the front of the lot is defined as the side where the property is addressed. In the case of a reverse corner lot, both sides abutting a street shall maintain a front yard setback.
  - l. Double frontage- Residential lots that front on two streets (double frontage) shall not be permitted unless otherwise approved by the Town.
  - m. Unless otherwise permitted by the Town, no lot shall have rear access
  - n. Side lot lines shall be substantially at right angles or radial to road right-of-way lines or centerlines.
  - o. Residential lot access must be provided to adjacent or nearest public street.
  - p. All lots shall have access to the public street system.
    - i. The town may approve lot access onto a common sidewalk, or plaza if adequate access to the public street system can be demonstrated.
  - q. Driveway access to a local or collector street from a single-family detached residential lot shall be limited to one driveway curb-cut or driveway access. A circular drive in which each access to the local or collector street is less than ten feet in width, separated by at least 30 feet and which is constructed as an integral part of the overall design of the single-family residence may be considered as a single driveway access at the Town of Keenesburg's discretion.
  - r. Unless otherwise permitted residential driveways shall be of the following dimensions at their nearest access point from the nearest road onto the lot:
    - i. Single Car Driveway: 9-12 ft wide
    - ii. Double Car Driveway: 20-24 ft wide
  - iii. Parking Stall: 10 ft by 20 ft
  - iv. Single Car Turn Around: 10 ft by 20 ft wide
  - v. Double Car Turn Around: 20 ft by 20 ft
  - s. Unless otherwise permitted residential driveways shall be of the following dimensions at their nearest adjacency to the building to which they serve:
    - i. Single Car Driveway: 9-12 ft wide; with one additional parking stall, total width 18 ft

- ii. Double Car Driveway: 20-24 ft wide; with one addition parking stall, total width 36
- t. Driveway access to a local street from a single-family detached residential lot shall be greater than 30 feet from the intersection of the local street and a collector street or 50 feet from the intersection of the local street and an arterial street as measured from the intersecting right-of-way lines.
- u. Driveway access to a collector street from a single-family detached residential lot shall be greater than 50 feet from the intersection of the collector street and a local street, another collector street, or an arterial street as measured from the intersecting right-of-way lines.
- v. Lots within manufactured home parks or manufactured home subdivisions may take access from private streets. Mobile home park and manufactured home developments shall submit a transportation plan showing the general layout and flow of traffic connections to existing streets. The transportation plan shall be approved by the Town of Keenesburg prior to construction.
- w. If a housing development is designed as a cluster divided into individual lots for each dwelling unit, the access requirement applies to the cluster not the individual lot.

#### **4. Commercial, business and industrial lot access to adjacent street.**

- a. Driveway access to a local or collector street from a multi-family residential, commercial, business or industrial lot shall be greater than 125 feet from any street intersection as measured from the intersecting right-of-way lines
- b. Driveway access to an arterial street from a commercial, business or industrial lot shall be not less than 100 feet from any intersection on the arterial street, or from another commercial, business or industrial lot's access as measured from the intersecting right-of-way lines, or driveways
- c. Driveway access to a local street, collector street, or arterial street from a multi-family residential, commercial, business or industrial lot may be allowed by the Town at its sole discretion.
- d. Unless otherwise granted by the Town, no rear access shall be permitted
- e. Rear yard access onto arterials, collectors, major collectors and/or state highways is not permitted.

#### **5. Blocks.**

- a. All contiguous lots bounded by right-of-way, boundaries of the subject property, or designated or dedicated open space shall be grouped and labeled as distinct blocks. The Town may require one or more easements through a block for the purpose of access.

#### **6. Residential Blocks with Arterial or State Highway Frontage.**

- a. Along all arterial streets, development design shall allow for homes to face arterial streets, and vehicular access being taken from either an alley or local street. The town permits the use of col-du-sacs with access onto arterial streets. This arrangement is intended to provide a high degree of visible permeability to residential development and

allow for safe and efficient pedestrian and bicycle access, while at the same time limiting auto access along the arterial or state highway.

- b. All developments must provide a traffic study completed by a certified traffic engineer and approved by the Town.
- c. Rear yard access onto arterials, collectors, major collectors and/or state highways is not permitted.

**7. Neighborhood Layout.** The layout of the proposed neighborhood shall be shown on a sketch plat or sketch site plan. The sketch plat or sketch site plan shall include areas designated for each housing type (or areas designated for particular mixes of housing types), areas of nonresidential uses other than parks, outdoor recreation, schools, or places of assembly will be included in the neighborhood, and to include areas designated as neighborhood activity centers or areas of community interest.

**8. Required Compliance.** Compliance with this Section, as determined by the Town, shall be required as a condition of the issuance of a building permit for any single or multi-family residential dwelling. A decision by the Town may be appealed by the Applicant to the Planning Commission or Town Board on appeal, acting as the Board of Adjustment. Architectural elevations shall be submitted with all site plans. Block Diversity plans and corresponding tables shall also be submitted as required herein, during the building permit process.

## **9. Lot diversity**

- 1. Mix of Housing. A mix of permitted housing types and residential use types shall be included in any individual development plan, to the maximum extent reasonably feasible. In order to promote such variety, the following minimum standards shall be met:

- a. Single Family Housing, R1:

- a. A minimum of two (2) lot diversity types, shall be required on any project development plan containing ten (10) acres or more, including such plans that are part of a phased overall development; a minimum of three (3) lot diversity types, shall be required on any project development plan containing thirty (30) acres or more; and a minimum of five (5) lot diversity types, shall be required on any project development plan containing (50) acres or more.

- b. One-family or two-family dwellings on adjacent lots fronting on the same street shall contain different housing models of varying style, elevations, architectural features, and exterior color.

- 1. No two (2) lots immediately adjacent to each other shall contain the same floor plan, housing model, building elevation or color.
    - 2. Where applicable in smaller developer that at ten (10) acres or less, two (2) lots immediately adjacent to each other may contain the same floor but shall be of a different orientation and elevation

- c. Adjacent lots shall include abutting lots, or those lots separated by a street,

alley, auto court, loop lane, or other common private drive.

d. To the maximum extent feasible, housing types, block dimensions, garage placement, lot sizes and lot dimensions shall be significantly and substantially varied to avoid repetitive rows of housing and monotonous streetscapes. For example, providing single-family detached dwellings or two-family dwellings on larger lots and on corners and providing small lot single-family dwellings or multi-family type dwellings lots abutting common open spaces fronting on streets are methods that accomplish the lot diversity requirements set forth in these lot and block standards.

e. In addition to having unique model types, each model shall have a minimum of four (4) unique architectural features. Each architectural elevation shall be distinguishable from one another and shall have at least four (4) of the listed building elements that clearly and obviously distinguish it from other elevations of the same model:

1. Unique porches and front entries that include different architectural styles, building materials, sizing, or placement;
2. Exterior materials (e.g. stucco, natural wood, cement fiberboard, rock, brick, etc.);
3. Garage orientation and point of access. Unique garage styles will also be considered (e.g. carriage doors, raised panel, contemporary, etc.);
4. Roof types (e.g. gable, hip, lean-to, dormer, etc.);
5. Creative design alternatives, not stated above, approved by the Town of Keenesburg;
6. Any two elevations that are distinctly different architectural styles (e.g. colonial, cottage, craftsman, farmhouse, French country, modern, ranch, traditional, Tudor, Victorian, etc.) shall be exempt from these requirements;
7. Where lots face a main street and/or thoroughfare the front building façade shall face the main street and or thoroughfare;

a. In the case where the side or rear of the building faces the main street or thoroughfare, the façade facing the main thoroughfare or street shall be of the same architectural integrity and visual distinction as the front façade.

b. In the case where two or more façades of the building face a main street or thoroughfare, all façades facing the main street or thoroughfare shall be of the same architectural integrity and visual distinction as the front façade.

- b. Two-Family housing units and Multifamily Structures in the R2 and R3 Zone Districts. Applicants seeking to build Two-Family housing units and/or Multi-family units in the R2 or R3 zone districts shall demonstrate a balance between

repetition and variety in the architecture of these buildings. Each multi-family dwelling containing more than three (3) dwelling units shall feature a variety of massing proportions, wall plan proportions, roof proportions or other characteristics of architectural distinction. The following specific standards shall apply to multifamily stacked units, including condominiums and apartments:

a. A minimum of two (2) lot diversity types, shall be required on any project development plan containing thirty (30) acres or more, including such plans that are part of a phased overall development; a minimum of three (3) lot diversity types, shall be required on any project development plan containing fifty (50) acres or more; and a minimum of five (5) lot diversity types, shall be required on any project development plan containing eighty (80) acres or more.

b. For any development containing five (5) or fewer buildings (excluding clubhouses/leasing offices), there shall be at least two (2) distinctly different building designs. For any such development containing more than five (5) buildings (excluding clubhouses/leasing offices), there shall be at least three (3) distinctly different building designs. For developments containing fifty (50) or more buildings there shall be at least five (5) distinctly different building design and floor plans.

c. Individual building identity. For all developments consisting of three (3) or more multi-family dwelling units, a floor plan may be repeated; however, identical building façades must not be replicated more than twice within the development. Building elevations showing façade changes, variance of form, roof pitch, wall plan proportions and/or other features of architectural significance shall be submitted to the Town.

1. Development must demonstrate a variety of building types and form.

d. Each multi-family dwelling or condominium shall be articulated with projections, recesses, covered doorways, balconies, box or bay windows and/or other similar features, dividing large façades and walls into human-scaled proportions. Each multi-family building shall feature walls that are articulated by at least three of any of the following elements within every 40-foot length of the façade:

1. Recesses, projections or significant offsets in the wall plane;
2. Distinct individualized entrances;
3. Chimneys that project from the wall plane;
4. Balconies and/or other outdoor living space; or e. Bay or box windows;
5. Height differentiation between buildings;

e. Where buildings face a main street and/or thoroughfare, the front building façade shall face the main street and or thoroughfare;

- a. In the case where the side or rear of the building faces the main street or thoroughfare, the façade facing the main thoroughfare or

street shall be of the same architectural integrity and visual distinction as the front façade.

b. In the case where two or more façades of the building face a main street or thoroughfare, all façades facing the main street or thoroughfare shall be of the same architectural integrity and visual distinction as the front façade.

f. Roofs. Each multi-family building shall feature a combination of primary and secondary roofs. Primary pitched roofs shall be articulated by at least one of the following elements:

1. Changes in plane and elevations;
2. Dormers, gables or clerestories;
3. Transitions to secondary roofs over entrances, garages, porches, or bay windows.

g. Color. For new developments, there shall be no more than two (2) similarly colored structures placed next to each other along a street or major walkway.

c. All Residential Zoning districts:

i. The following list of housing types and no other building shall be used to satisfy the diversity requirements set forth in these Lot and Block Standards:

- a. Single-family detached dwellings with rear loaded garages;
- b. Single-family detached dwellings with front or side loaded garages;
- c. Small lots (i.e. lots containing less than 9,000 square feet in R-1, and less than 6,000 square feet for R-2 and R-3) may be used to satisfy the lot diversity requirements if:
  - i. There is a difference of at least 2,000 square feet between the average lot size for small lot single-family detached dwellings.
  - ii. There is a visual distinction in size between small lots and other lots used throughout the development

d. Two-family dwellings;

e. Single-family attached dwellings;

f. Two-family attached dwellings, the placement of which shall be limited to no more than two (2) such dwellings per two (2) consecutive individual lots;

g. Dwelling units in mixed-use buildings;

h. Multi-family dwellings containing three (3) or fewer units per building;

i. Multi-family dwellings containing more than three (3) to four (4) units per building;

j. Multi-family dwellings containing five (5) to seven (7) units per building;

k. Multi-family dwellings containing more than seven (7) units per

building;

- l. Modular homes, where allowed under applicable zoning;
- m. All other housing types not otherwise specified in this section, where allowed under applicable zoning;
- ii. All dwellings and structures shall provide quality architectural design that takes into consideration building massing and style, roof lines, window and door placement, exterior materials, colors and other architectural features. All accessory buildings shall match the architectural style, color and material of the primary structure.
  - a. Under no circumstances shall an accessory building be larger than the first floor and overall building height of the primary structure.
- iii. Dwellings on corner, and end lots shall include architectural features, such as windows and doors, porches and entry features, building materials, and other features that complement the front of the dwelling, along the sides and/or back of dwellings that face streets, drives, or open space areas.
- iv. New or replacement dwellings, dwelling additions, and accessory buildings shall be designed to be architecturally compatible with the surrounding neighborhood, as applicable, in terms of building materials and colors, roof forms, building massing and style and other architectural features, subject to the diversity requirements set forth herein.
- v. Utility Services:
  1. Utility services shall be located underground when practical.  
Exceptions to the requirements of underground utilities are:
    - a. Major electric transmission lines responsible for transporting power through the area rather than to the area; or
    - b. The Town Engineer or Electric provider determines that an underground utility location is not practical.

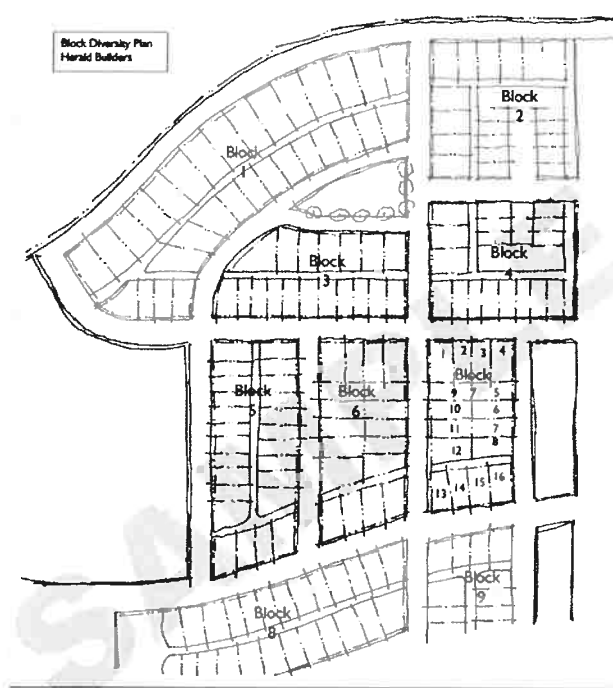
**10. Town Review.** Model and block diversity will be reviewed by the Town as part of a Block Diversity Plan and each Housing and or Building model shall be distinguishable from one another and shall have at least four (4) of the listed building elements which clearly and obviously distinguish it from other housing models:

- a. Massing and placement of the building footprint on the lot
- b. Building setback
- c. Porches and front entries
- d. Color palette
- e. Exterior materials (walls, trim, roof)
- f. Garage size, orientation and point of access
- g. Differences in floor plans
- h. Elevations
- i. Creative design alternatives not stated above, upon Town approval

**11. Block Diversity Plan.** The Block Diversity Plan is an opportunity for applicants to provide the Town with visual and graphic images showing the type of residential architecture that is to be constructed on each block of the proposed development. Applicants shall provide the Town with exterior elevations of proposed residential structures with the location of each structure depicted.

- b. Every phase that would include five (5) or more residential building permits must complete a Block Diversity Plan. The Block Diversity Plan will be submitted as part of the building permit process.
- c. Review of any Block Diversity Plan will be based upon conformance to the intent of the architectural and design policies found in these Lot and Block standards. Review and approval will be conducted and determined by the Town of Keenesburg.

All Block diversity maps submitted shall include a corresponding table depicting the block, lot,



Sample Block Diversity Map  
to be submitted by the Builder/  
Developer, to illustrate housing  
mix.

series, model type, plan number, exterior materials, style, option package (where applicable to building elevation) and color scheme.





architecturally compatible with the surrounding neighborhood, as applicable, in terms of building materials and colors, roof forms, building massing and style and other architectural features, subject to the diversity requirements set forth herein.

1. Material matching made be completed through façade treatment, such as half brick wall, and/or application of material approved by the Town.

**13. Garages.** Unless otherwise granted by the Town, the following standards shall apply to all new residential development (including PUDs containing residential uses and development on individual lots or parcels).

- a. Garages may make up no more than 65% of the length of the wall face of the associated dwelling, except when such garage doors are located on the side of a dwelling facing a side yard, street or alley, wherein they may comprise up to two-thirds of the street-facing linear building frontage.
- b. For any side-load garage orientation of a length of twelve (12) feet or greater, a minimum of two (2) windows of at least four (4) sq. ft., each must be installed on the street-facing façade.
- c. The front building face of any home and the associated garage may be in the same building plane if a roofed porch integral to the architecture of the residence of at least four (4) feet in width and eight (8) feet in length is constructed along the front façade. If no porch is present, the garage plane must shift at least two (2) feet in any direction from the residential portion of the structure.
- d. Detached garages shall be no bigger, wider or taller as measured in square feet, than the first floor of the primary structure on the lot or the overall size of primary structure on the lot whichever is more restrictive.
  1. Detached garages shall be offset by no less than five (5) feet from the primary structure;
  2. Match the architectural style of the primary structure;
    - i. Material matching may be achieved through a façade treatment, such as a half brick wall, color, building form and/or application of material of similar nature approved by the Town.
- e. **Residential Driveways, R-1, R-2 and R-3 zoning districts:**
  1. All driveways to detached garages shall be of an impermeable nature such as asphalt, cement or other weather resistant material approved by the Town.
  2. Illuminated driveways shall meet all requirements set forth in the Town of Keenesburg municipal code and Lighting standards.
  3. Unless otherwise permitted residential driveways shall be of the following dimensions:
    - i. Single Car Driveway: 9-12 ft wide
    - ii. Double Car Driveway: 20-24 ft wide
    - iii. Parking Stall: 10 ft by 20 ft
    - iv. Single Car Turn Around: 10 ft by 20 ft wide
    - v. Double Car Turn Around: 20 ft by 20 ft

- f. **Multifamily Garages:** Garages in Multifamily complexes in the R3 zoning district, shall be of the same architectural style, color and building material of the associated multifamily or mixed-use buildings.
- i. Material matching may be achieved through a façade treatment and/or application of material of similar nature approved by the Town.
  - ii. No garage complex shall be longer or taller than any single multifamily building in a multifamily development, exclusive of the leasing office and/or clubhouse building(s), or contain a single garage with more than eight (8) spaces.
  - iii. All garage complexes in multifamily developments shall have visual breaks in building material every forty (40) feet. Visual breaks in material are:
    1. Change in building material
    2. Addition of windows and/or false windows or doors
    3. Change in roof pitch and height
    4. Change in building projection. No projection shall be greater than two feet
  - iv. Vehicular or pedestrian access shall be made of a material of an impermeable nature such as asphalt, cement or other weather resistant material approved by the Town.
  - v. All garage complexes shall have safe and efficient pedestrian access
  - vi. All garage complexes shall meet Town of Keenesburg landscape and lighting standards
  - vii. All detached garages shall be considered an accessory building and shall be subject to review by the Town of Keenesburg for compliance with the Town Code and these standards.
- a. No street-facing façade shall contain more than four (4) garage fronts.
1. Resident garages or parking that is internal to the block is encouraged. Resident garages or parking that is internal to the development is encouraged. Marked visitor parking is encouraged.
- b. **Rear Walls of Multi-Family Garages.** To add visual interest and avoid the effect of a long blank wall with no relation to human size, accessibility needs or internal divisions within the building, the following standards for minimum wall articulation shall apply:
1. **Length.** Any garage located with its rear wall along the perimeter of a development and within 65 feet of a public right-of-way or the property line of the development site shall not exceed 55 feet in length. A minimum of five feet of landscaping must be provided between any two such perimeter garages.
  2. **Articulation.** No rear garage wall that faces a street or adjacent development shall exceed 30 feet in length without including at least one of the following in at least two (2) locations:

- i. change in wall plane of at least six inches,
  - ii. change in material or masonry pattern,
  - iii. change in roof plane,
  - iv. windows,
  - v. doorways,
  - vi. false door or window openings defined by frames, sills and lintels, and/or
  - vii. an equivalent vertical element that subdivides the wall into proportions related to human scale and/or the internal divisions within the building.
- c. Covered parking may be permitted in the R2 and R3 zoning districts under the following stipulations:
  - 1. All landscaping requirements of the Town of Keenesburg have been met
  - 2. All lighting standards, pedestrian, bike and vehicular safety provisions of the Town of Keenesburg Code have been met
  - 3. Covered parking visually relates to the architectural quality and distinction of the related buildings
  - 4. Change of material, roof pitch or height and color every forty (40) feet
  - 5. Covered parking shall be internal to the sight and is not permitted to face main street and or thoroughfares
  - 6. Covered parking shall not be permitted to exceed the length of the associated building or twelve (12) parking bays whichever is more restrictive.
  - 7. Covered parking shall be considered as an accessory building and shall be subject to the Town of Keenesburg municipal code.

#### **14. Carports**

- a. All carports shall:
  - 1. Match the color, material and architectural style of the primary structure
    - i. Material matching may be achieved through a façade treatment and/or application of material of a similar nature to the primary structure as approved by the Town
  - 2. Shall be attached to the roof plane of the primary structure
  - 3. All carports that deviate from the above standards shall be approved by the Town of Keenesburg prior to construction, placement or erection

#### **15. Sheds – New Construction**

- a. All sheds shall be subject to building and municipal code requirements of the Town of Keenesburg.
- b. Unless otherwise permitted by the Town of Keenesburg, no shed shall be larger than 120 square feet
- c. Sheds shall match the architectural style, color and or material of the primary structure

- i. Material matching may be achieved through a façade treatment and/or application of material of a similar nature approved by the Town.

**16. Commercial and Industrial Standards.** It is the intent of the Town that commercial and industrial buildings are of visual interest and in alignment with historic patterns of growth of the Town.

- a. Wall articulation.
  - 1. Walls shall not have an uninterrupted length exceeding forty (40) feet. Pilasters, texture transitions, windows, stepping of the wall plane, and/or false doors may be utilized to create visual breaks, every forty feet, of the building face.
- b. Blank walls or service area treatments of side and/or rear elevations visible from to the general public is not allowed unless the Town determines:
  - 1. It is impractical or infeasible to create façade breaks and/or changes in elevation
  - 2. The applicant has demonstrated to the Town that it will be more visually pleasing and less obstructive to the surrounding properties for the side and/or rear elevations to remain blank
- c. All exterior elevations shall maintain the integrity of the adjacent dwellings architectural character and detailing.
- d. Continuous cornice lines or eaves are encouraged between adjacent buildings.
- e. Buildings with flat roofs shall provide a parapet with an articulated cornice.
- f. Façade treatment. The architectural treatment of the front façade shall be continued, in its major features, around all visibly exposed sides of a building visible from adjacent residential and commercial zoned districts. Blank walls at side and/or rear elevations visible to the general public are prohibited adjacent to any residential or commercial zoned district.
  - 1. To the maximum extent possible, building façades shall be used to create visual unison of the structure(s)
- g. Awnings. Canvas is the preferred material, although other waterproof fabrics may be used at the discretion of the Town; metal, wood or aluminum awnings shall not be used unless otherwise approved by the Board.
- h. Screening of HVAC: All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes, other telecommunications receiving devices and any other apparatus placed on the roof of a building or side of building shall be thoroughly screened from view from the public right-of-way and from adjacent properties by using walls, fencing, roof elements, and landscaping.
  - 1. All shipping containers and storage facilities shall be screened and subject to the Town of Keenesburg landscape standards.

## VIII. Standard Street Cross Sections

The Town of Keenesburg has developed standard street cross sections that reflect differences in traffic patterns and needs based on the functional classification of the Town's streets. Arterials provide the highest level of mobility, with higher speeds and the potential for increased numbers of lanes, but with greater restriction on access. Local streets provide the highest level of access, but with lower speeds and reduced capacity for traffic movement. Collector streets balance accessibility and mobility. For Keenesburg, both urban and rural arterial and local street sections are included in recognition of the emphases in pedestrian movement and drainage conditions that reflect the different conditions that rural and urban streets reflect.

- ◆ **Arterials** generally convey greater traffic volumes with higher speed limits and the potential for additional travel lanes and limit direct access to homes or businesses with greater intersection spacing. Access to residential and commercial neighborhoods is limited to key intersections, and each neighborhood will provide its own internal network of streets. Arterials are often placed along section line roads to promote ease of movement and outward connections along Town limits.
- ◆ **Collectors** usually connect one portion of Town to another, but at lower speeds and with less traffic volume than arterials. Parking may be provided along collector routes and intersection spacing will allow for greater access to the local streets that serve the Town's neighborhoods. Collectors should provide a continuity of travel route allowing contiguous parcels to connect. Sidewalks and bicycle lanes are provided along collectors to encourage multiple means for people to move within and between neighborhoods.
- ◆ **Local** streets also promote pedestrian and bicycle movement but along street systems that promote a slower flow of traffic. Locals allow for on-street parking and direct access to homes and businesses. Traffic volumes along local streets are limited due to the larger numbers of local streets. Local streets may connect across neighborhoods but may also be of limited continuity and will be designed to promote safe movement of through traffic.

Table 1 summarizes the design characteristics of the Town's arterial, collector and local streets. Figures 1 through 7 depict the standard sections graphically. The standard street sections will also be accompanied by engineering design standards, not addressed herein, that include

horizontal and vertical curve standards, intersection and access spacing, and minimum and maximum slopes. Design of all Town streets will consider pedestrian crosswalk locations to design for safety, and inclusion of ADA-compliant curb ramps.

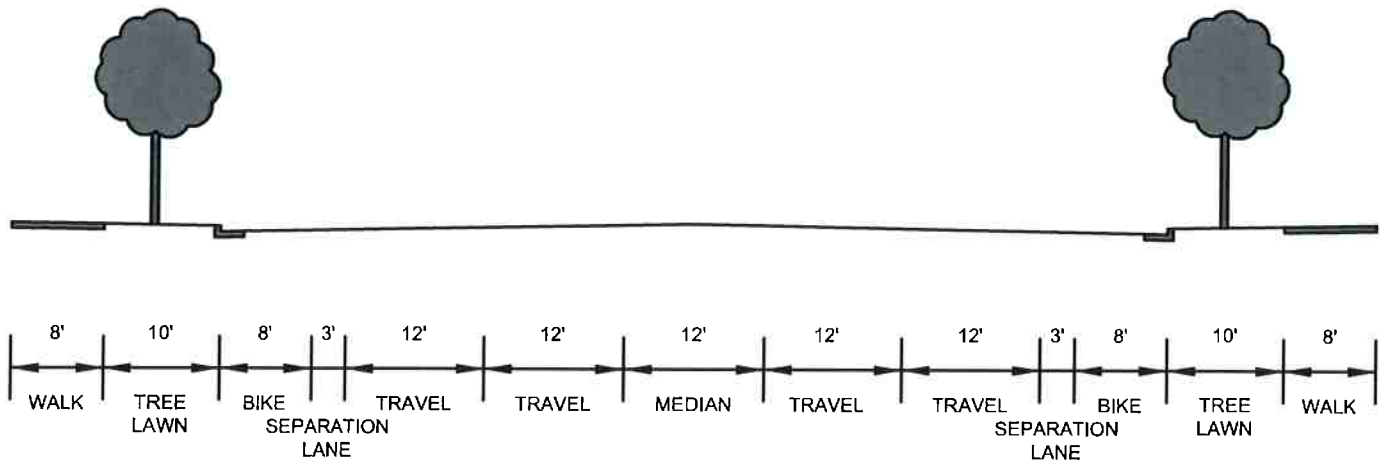
**Table 1. Standard Street Cross Sections**

	<b>Arterials</b>			<b>Collectors</b>		<b>Locals</b>	
	Major	Minor	Rural	Commercial	Residential	Residential	Rural
Typical Volume	15,000 - 30,000	5,000 - 15,000	5,000 – 15,000	1,500 – 5,000	1,500 – 5,000	200 – 1,500	200 – 1,500
ROW Width (1)	118'	90'	85'	68'	74'	60'/55'	60'
Road Width	82'	58'	38'	48'	46'	36'/34'	28'
Tree Lawn (2)	10'	10'	NA	5'	8'	5.5'/7'	NA
Sidewalk	8'	6'	NA	5'	6'	5'	NA
Bike Lane	8'	8'	7'	7'	5'	NA	NA
Median	12'	12'	NA	NA	NA	NA	NA
Parking	NA	NA	NA	8'	7'	7'	NA
Speed Limit	45	40	55	30	25	25	30

(1) Right-of-way widths are minimums.

(2) Tree lawn widths are measured from gutter flow line to front edge of sidewalk.

## MAJOR ARTERIAL SECTION



NOTES:

1. MEDIAN TO BE PAVED OR RAISED AND LANDSCAPED AS A PROJECT-SPECIFIC ALTERNATIVE.
2. TREE LAWN LANDSCAPING TO BE PROJECT-SPECIFIC.
3. ROAD SECTION MAY BE MODIFIED FOR RURAL APPLICATIONS.

RIGHT OF WAY WIDTH:	118' MINIMUM
ROADWAY WIDTH:	82'
SIDEWALK:	8'
BIKE LANES:	8'
PARKING:	NO
TREE LAWN:	10'
MEDIAN:	12'
DESIGN SPEED:	50 MPH
SPEED LIMIT:	40-45 MPH
TYPICAL VOLUME:	15,000-30,000 VPD

## MAJOR ARTERIAL STREET SECTION



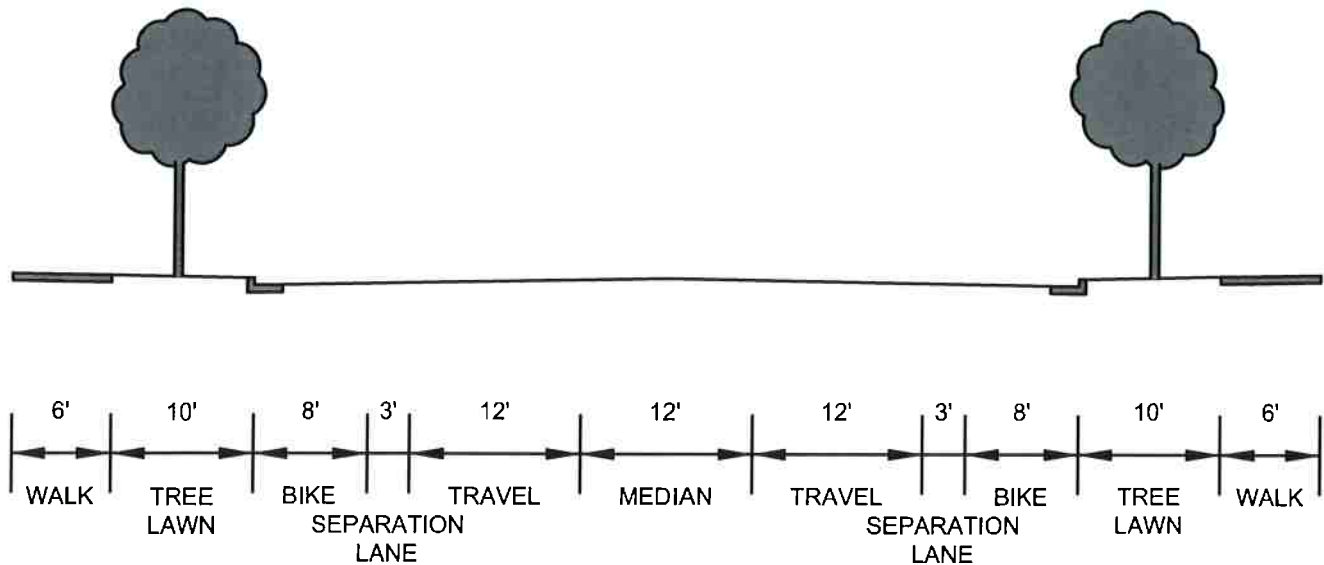
420 LINDEN ST, SUITE 110  
FORT COLLINS, CO 80524  
970-232-9558  
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SCALE:	NONE
DATE:	12/20/2019
REVISION NO.:	
DETAIL NO.:	





## MINOR ARTERIAL SECTION



### NOTES:

1. MEDIAN TO BE PAVED OR RAISED AND LANDSCAPED AS A PROJECT SPECIFIC ALTERNATIVE.
2. TREE LAWN LANDSCAPING TO BE PROJECT-SPECIFIC.
3. ROADWAY SECTION MAY BE MODIFIED FOR RURAL APPLICATIONS.

RIGHT OF WAY WIDTH:	90' MINIMUM
ROADWAY WIDTH:	58'
SIDEWALK:	6'
BIKE LANES:	8'
PARKING:	NO
TREE LAWN:	10'
MEDIAN:	12'
DESIGN SPEED:	45 MPH
SPEED LIMIT:	40 MPH
TYPICAL VOLUME:	5,000-15,000 VPD

### MINOR ARTERIAL SECTION

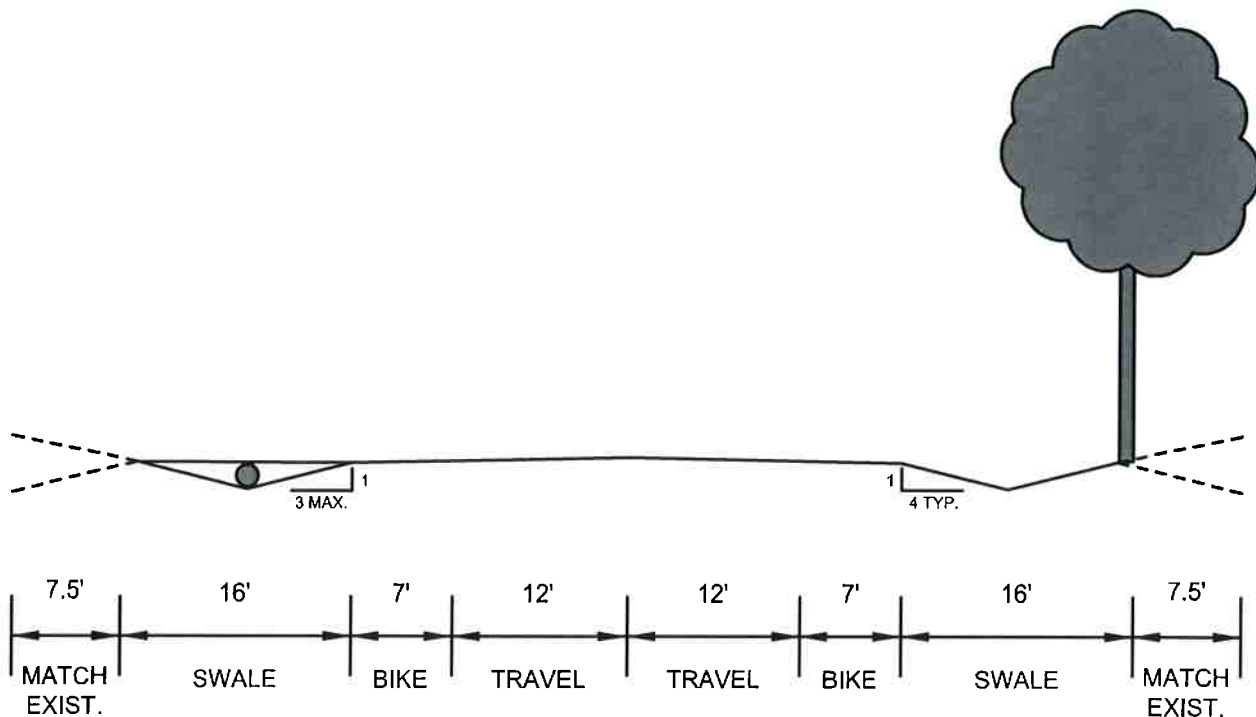


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## RURAL ARTERIAL SECTION



### NOTES:

1. RURAL ARTERIALS ARE INTENDED TO BE APPLICABLE IN THE TOWN OF KEENESBURG WHERE COUNTY ROADS MAY OTHERWISE EXIST.
2. SPECIFIC RIGHT-OF-WAY WIDTHS AND ROAD CROSS SECTIONS ARE TO BE BASED ON A CASE BY CASE BASIS DEPENDING ON ANTICIPATED TRAFFIC COUNTS AND STORM DRAINAGE REQUIREMENTS. BIKE LANES MAY BE ADDED ON A CASE BY CASE BASIS AND THE RIGHT-OF-WAY WIDTH INCREASED ACCORDINGLY.

RIGHT OF WAY WIDTH:	85' MINIMUM
ROADWAY WIDTH:	38'
SIDEWALK:	NO
BIKE LANES:	CASE-DEPENDENT
PARKING:	NO
TREE LAWN:	NO
MEDIAN:	NO
DESIGN SPEED:	60 MPH
SPEED LIMIT:	55 MPH
TYPICAL VOLUME:	5,000-15,000 VPD

### RURAL ARTERIAL SECTION



**PEC**

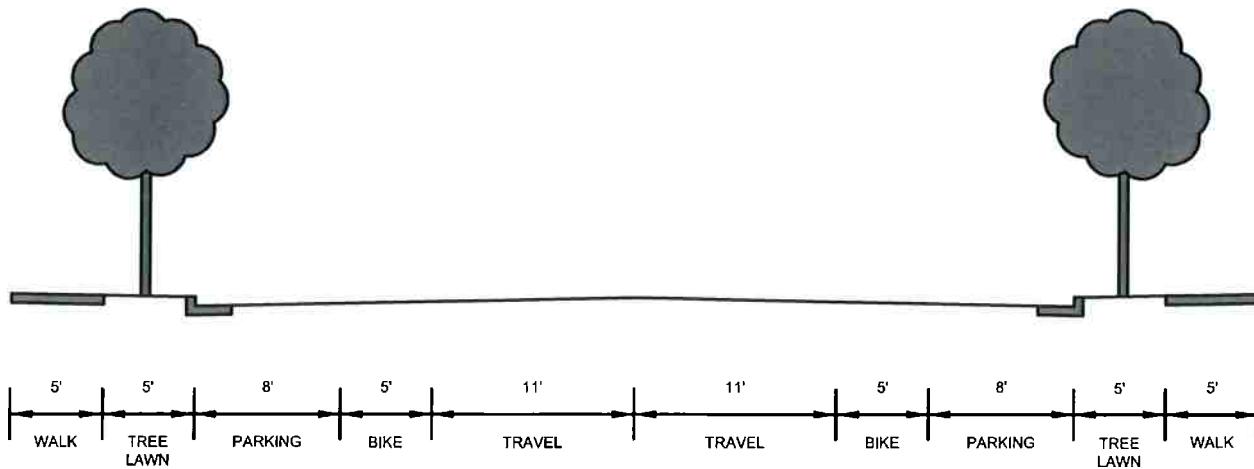
PROFESSIONAL ENGINEERING CONSULTANTS, P.A.

420 LINDEN ST, SUITE 110  
FORT COLLINS, CO 80524  
970-232-9558  
www.pec1.com

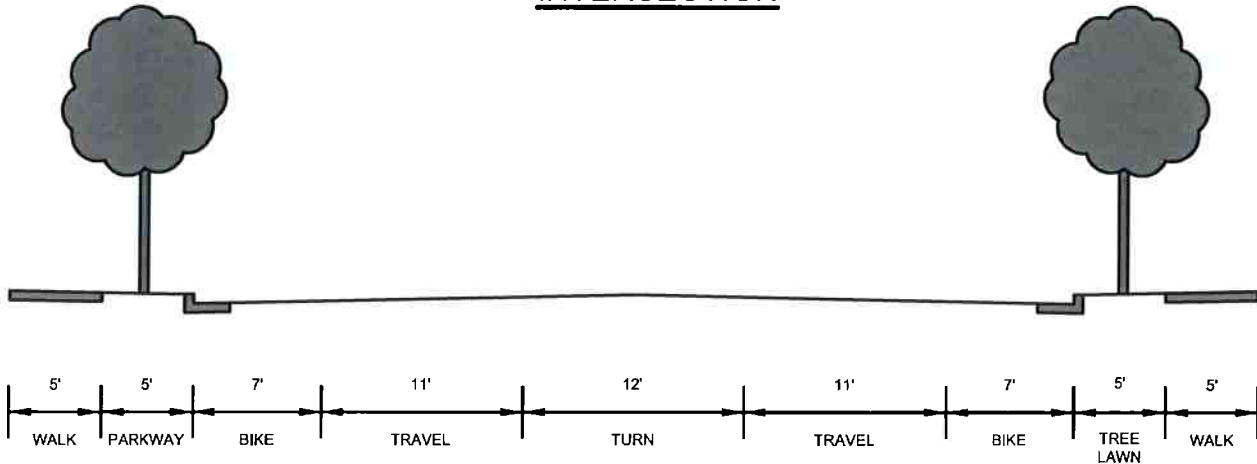
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DATE:	12/20/2019
REVISION NO.:	
DETAIL NO.:	



## COMMERCIAL COLLECTOR SECTION MID-BLOCK



## INTERSECTION



### NOTES:

1. PARKWAY LANDSCAPING TO BE PROJECT-SPECIFIC.
2. ROAD SECTION MAY BE MODIFIED FOR RURAL APPLICATIONS.
3. SECTIONS WITHOUT PARKING MAY BE ALLOWED WHERE APPLICABLE.

RIGHT OF WAY WIDTH:	68' MINIMUM
ROADWAY WIDTH:	48'
SIDEWALK:	5'
BIKE LANES:	AS INDICATED
PARKING:	YES, EXCEPT AT INTERSECTIONS
TREE LAWN:	5'
MEDIAN:	NO
DESIGN SPEED:	35 MPH
SPEED LIMIT:	30 MPH
TYPICAL VOLUME:	1,500-5,000 VPD

## COMMERCIAL COLLECTOR STREET SECTION



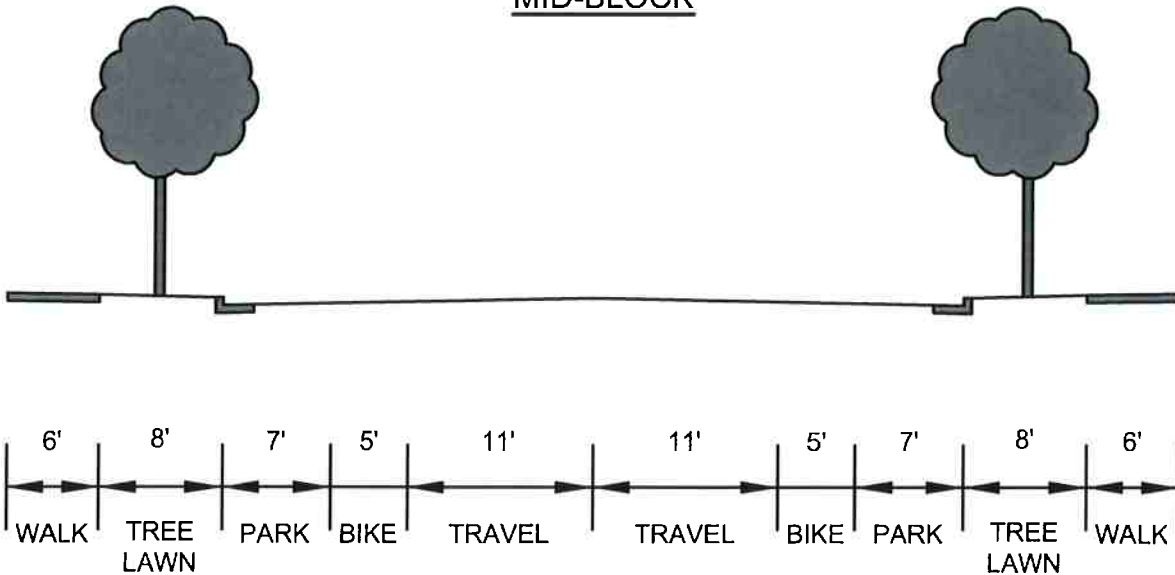
420 LINDEN ST, SUITE 110  
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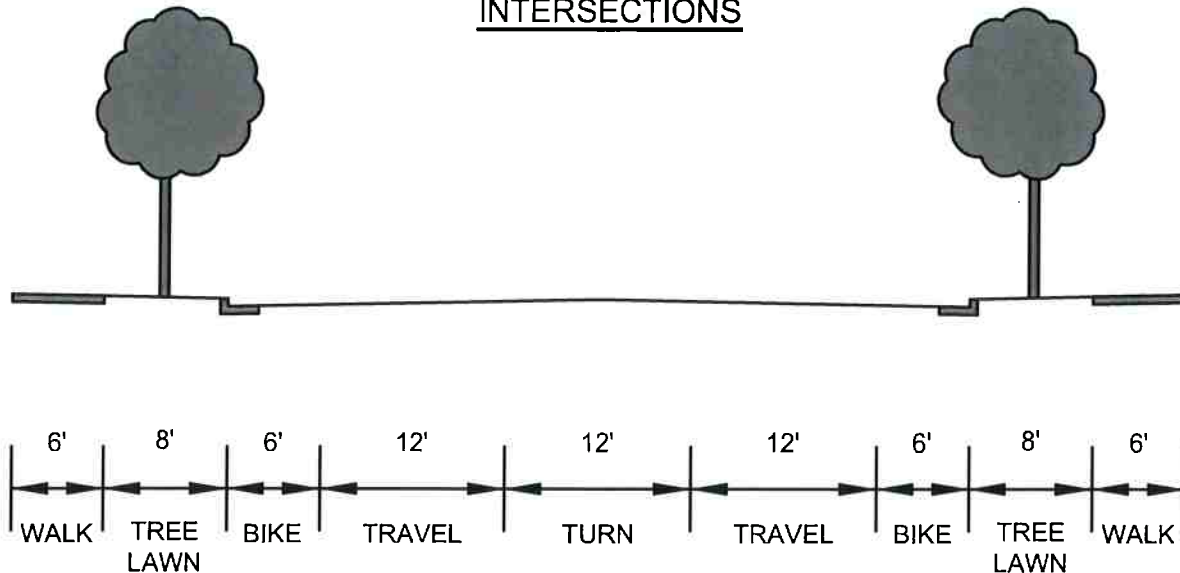


## RESIDENTIAL COLLECTOR SECTION

### MID-BLOCK



### INTERSECTIONS



RIGHT OF WAY WIDTH: 74' MINIMUM  
 ROADWAY WIDTH: 46'  
 SIDEWALK: 6'  
 BIKE LANES: 5'  
 PARKING: YES  
 TREE LAWN: 8'  
 MEDIAN: NO  
 DESIGN SPEED: 30 MPH  
 SPEED LIMIT: 25 MPH  
 TYPICAL VOLUME: 1,500-5,000 VPD

**NOTES:**

1. PARKWAY LANDSCAPING TO BE PROJECT-SPECIFIC.
2. ROADWAY SECTION MAY BE MODIFIED FOR RURAL APPLICATIONS.

## RESIDENTIAL COLLECTOR SECTION

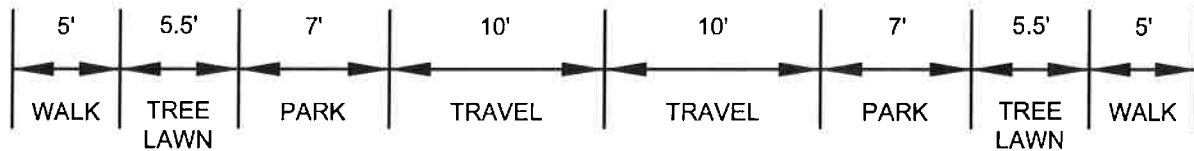
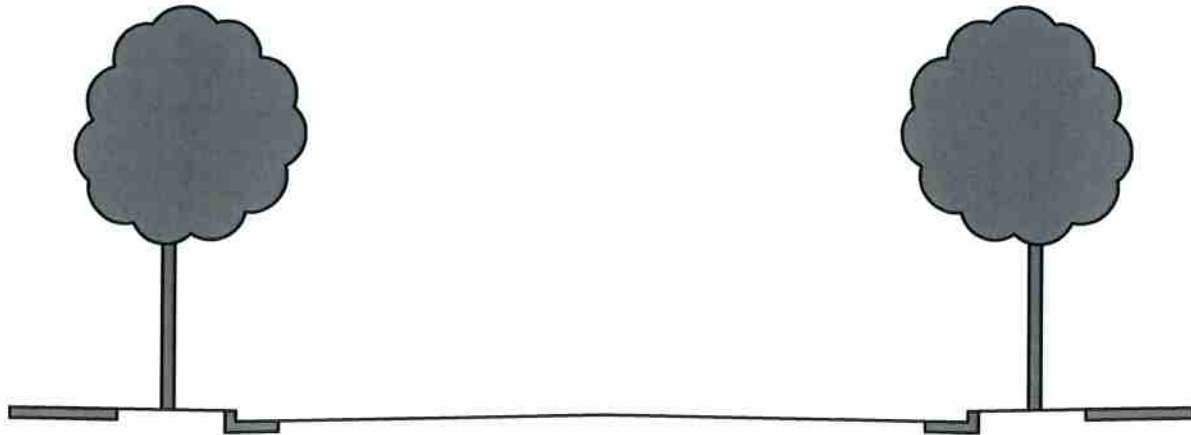


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## RESIDENTIAL LOCAL SECTION



### NOTES:

1. ALTERNATIVE SECTION WITH 60' ROW NOTED BELOW.
2. TREE LAWN LANDSCAPING TO BE PROJECT-SPECIFIC.

RIGHT OF WAY WIDTH:	55'	60'
ROADWAY WIDTH:	34'	36'
SIDEWALK:	5'	
BIKE LANES:	NO	
PARKING:	YES	
TREE LAWN:	5.5'	7'
MEDIAN:	NO	
DESIGN SPEED:	30 MPH	
SPEED LIMIT:	25 MPH	
TYPICAL VOLUME:	200-1,500 VPD	

## RESIDENTIAL LOCAL SECTION

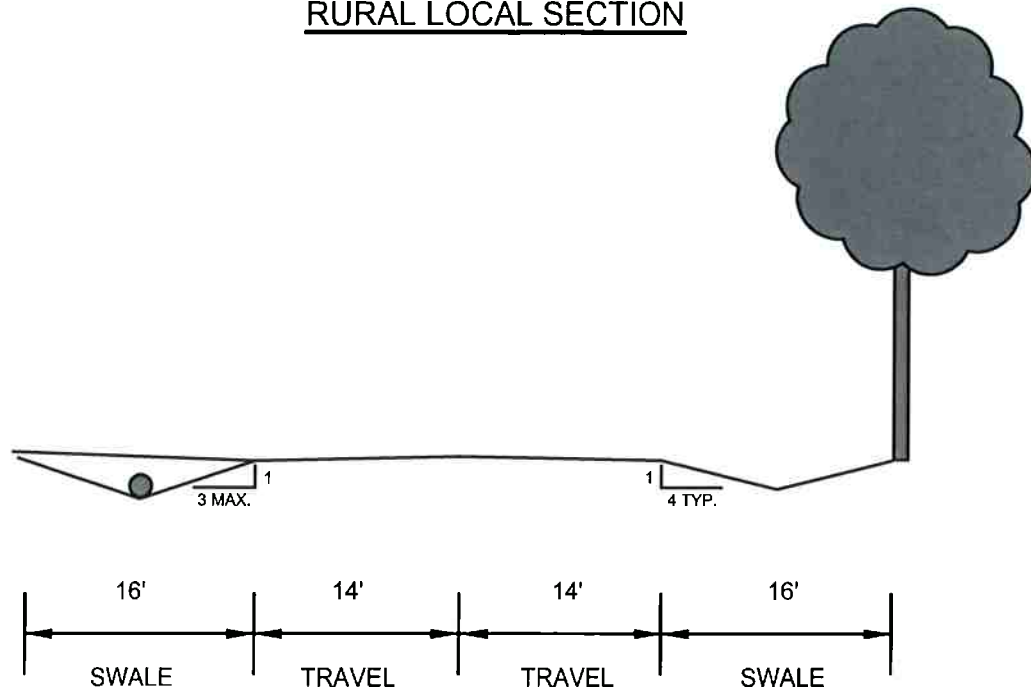


420 LINDEN ST, SUITE 110  
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## RURAL LOCAL SECTION



RIGHT OF WAY WIDTH: 60' MINIMUM  
 ROADWAY WIDTH: 28'  
 SIDEWALK: NO  
 BIKE LANES: NO  
 PARKING: NO  
 TREE LAWN: NO  
 MEDIAN: NO  
 DESIGN SPEED: 35 MPH  
 SPEED LIMIT: 30 MPH  
 TYPICAL VOLUME: 200-1,500 VPD

### RURAL LOCAL SECTION



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SCALE:	NONE
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DETAIL NO.:	



d.

**ORDINANCE NO. 2020-07**

**AN ORDINANCE AMENDING CHAPTERS 16 AND 17 OF THE KEENESBURG MUNICIPAL CODE TO INTEGRATE THE TOWN OF KEENESBURG DESIGN STANDARDS**

**WHEREAS**, on the direction of the Board of Trustees of the Town of Keenesburg (the “Board”), the Town Engineer developed the “Town of Keenesburg Design Standards,” applicable to new development within the Town of Keenesburg (the “Design Standards”), in consultation with Town staff, the Town Attorney’s office, and the Planning Commission of the Town of Keenesburg (“Planning Commission”); and

**WHEREAS**, the Board adopted the Design Standards at its April 20, 2020 meeting; and

**WHEREAS**, the Board desires to amend Chapters 16 and 17 of the Keenesburg Municipal Code to set forth the applicability of the Design Standards; and

**WHEREAS**, this Ordinance has been reviewed by the Planning Commission and the Planning Commission has forwarded to the Board its recommendation that such Ordinance be adopted; and

**WHEREAS**, the Board has held a duly-noticed public hearing on this Ordinance, at which hearing evidence and testimony were entered into the record, and following such hearing, finds the Ordinance should be adopted and Chapters 16 and 17 amended accordingly.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:**

**Section 1.** Section 16-1-70 of the Keenesburg Municipal Code is amended to include the following definitions to be inserted in alphabetical order, and the entire section renumbered accordingly:

*Carport* means a shelter for a vehicle consisting of a roof supported on posts, attached to the roof plane of the primary structure.

*Landscape plan* means a plan or map, created by a landscape architect or engineer duly licensed by the State of Colorado, showing landscaping, irrigation, and erosion control measures associated with a development in conformance with the Town of Keenesburg Design Standards.

*Shed* means an accessory building for use as a storage space, a shelter for animals, or a workshop.

*Town of Keenesburg Design Standards* means those certain design standards adopted by resolution of the Keenesburg Board of Trustees, as may be



amended by resolution of the Board of Trustees from time to time.

**Section 2.** Subsection (d)(1) of Section 16-2-100 of the Keenesburg Municipal Code is amended to read as follows (words added are underlined):

(d) Additional requirements.

(1) All multifamily developments must be landscaped according to an approved landscape plan, which landscape plan shall conform to applicable Town of Keenesburg Design Standards.

**Section 3.** Section 16-2-40 of the Keenesburg Municipal Code is amended to read as follows (words added are underlined):

**Sec. 16-2-40. - Accessory buildings and uses.**

(a) Accessory buildings and uses are naturally and normally incidental to a use by right and comply with all the following conditions:

(1) Is clearly subordinate, incidental and customary to and commonly associated with the operation of the use by right.

(2) Is operated and maintained under the same ownership as the use by right on the same zone lot.

(3) Includes only those structures or structural features consistent with the use by right.

(4) Does not exceed maximum lot coverage. Lot coverage is the area of all structures and impervious surfaces on the lot, including the main building and all accessory buildings.

(5) May include home occupations, as defined in this Chapter and/or by residential zone districts.

(6) In all residential zones, an accessory structure shall be constructed of materials that are compatible with the use by right structure and shall not be constructed from corrugated sheet metal, canvas or similar nondurable materials. Accessory buildings shall use exterior colors that are used on the primary structure.

(7) All permitted accessory buildings must be located at a distance from the front lot line which is greater than the front setback for the principal building.

(8) Under no circumstances may an accessory building be constructed or located in the right-of-way.

(9) No more than one (1) single shed shall be allowed on any single lot. All new sheds shall be constructed in accordance with the Town of Keenesburg Design Standards. Under no circumstances may a shed be used for human habitation.

(10) No more than one (1) single carport shall be allowed on any single lot. Double carports are not allowed unless approved through the Town's special review process. All new carports shall be constructed in accordance with the Town of Keenesburg Design Standards.

(b) Accessory buildings and uses must meet setback and other design standard requirements in each zone district, including but not limited to the requirements set forth in the Town of Keenesburg Design Standards. Construction of accessory uses may or may not require a building permit. If a permit is required, a plot plan showing the location of the accessory use on the zone lot will be required.

**Section 4.** Subsection (e)(13) of Section 16-2-180 of the Keenesburg Municipal Code is amended to read as follows (words added are underlined):

(13) Use by special review and landscape plan maps. Plans shall show existing and proposed buildings, parking, landscape elements, lighting, drainage elements, utilities, public rights-of-way and any other information deemed necessary by Town staff. Use by special review plans and associated landscape plans shall comply with applicable provisions of the Town of Keenesburg Design Standards. Plans shall include a vicinity map at an appropriate scale to show surrounding area. The use by special review plan map shall be considered a site plan and shall fulfill the requirement for a site plan submittal as required by Section 16-2-190 unless during the required pre-application meeting it is determined that a separate site plan submittal is required for uses by right associated with the special review permit.

**Section 5.** Subsection (g)(8) of Section 16-2-190 of the Keenesburg Municipal Code is amended to read as follows (words added are underlined):

(8) Traffic study. Requirements to be determined in the preapplication meeting or at the request of CDOT. All required traffic studies are to be prepared by a certified engineer, and approved by the Town Engineer. Developers may be required to modify site plans to mitigate traffic impacts associated with the development as determined by the traffic study.

**Section 6.** Subsection (g)(12) of Section 16-2-190 of the Keenesburg Municipal Code is amended to read as follows (words added are underlined):

(12) Site plan and landscape plan maps. Plans shall show existing and proposed buildings, parking, landscape elements, lighting, drainage elements, utilities, public rights-of-way and any other information deemed necessary by Town staff. Site plans and landscape plans shall comply with applicable provisions of the Town of Keenesburg Design Standards. The site plan shall include a vicinity map at an appropriate scale to show surrounding area.

**Section 7.** Subsection (h)(3) of Section 16-2-190 of the Keenesburg Municipal Code is amended to read as follows (words added are underlined):

(3) Conformance with all applicable parking and open space requirements, and any adopted architectural design standards, including but not limited to the Town of Keenesburg Design Standards.

**Section 8.** Article I of Chapter 17 of the Keenesburg Municipal Code is hereby amended by the addition of a new Section 17-1-70, to read as follows:

**Sec. 17-1-70. – Design criteria.**

In addition to all other criteria established in this Chapter, the Comprehensive Plan and this Code, all new subdivisions, except minor subdivisions, shall be designed in accordance with applicable provisions of the Town of Keenesburg Design Standards.

**Section 9.** Section 17-10-70 of the Keenesburg Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

**Sec. 17-10-70. - Homeowners associations.**

**A.** Homeowners associations (HOAS) or similar legal entities are responsible for the maintenance and control of common areas, including recreational facilities and open space; HOAS shall be established in such a manner that:

(1) Provision for the establishment of the association or similar entity according to state law is to be made before final subdivision approval is made or any lot in the development is sold; legal documents are to be forwarded to the Town prior to final approval.

(2) The association or similar legal entity has clear legal authority to maintain and exercise control over such common areas and facilities.

(3) The association or similar legal entity has the power to compel contributions from residents of the development to cover their

proportionate shares of the costs associated with the maintenance and upkeep of such common areas and facilities.

(4) The Town retains the legal authority to compel HOAS to maintain their properties in proper condition, through requirement of a maintenance agreement executed with the Town or by any other legal means.

B. HOAS shall maintain all common areas under their control and rights-of-way within and adjacent to the development in good condition. Without limiting the generality of the foregoing, HOAS shall:

(1) Ensure that all landscaped areas are maintained in accordance with approved landscape, irrigation, and erosion control plans, including but not limited to replacement of dead, dying, or diseased plantings and trees;

(2) Ensure areas covered with irrigated turf are mowed and irrigated in accordance with approved landscape and irrigation plans;

(3) Ensure brush and weeds are maintained so as to inhibit the spread of noxious weeds, and to mitigate public, health, safety and wellness hazards, such as the spread of wildfires, slope failures, soil erosion, and increased flooding; and

(4) Ensure that all areas, including but not limited to rights-of-way and alleys, are kept free of dead vegetation, refuse, trash, and debris.

**Section 10.** If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 11.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL this \_\_\_\_ day of \_\_\_\_\_, 2020.

TOWN OF KEENESBURG, COLORADO

\_\_\_\_\_  
Ken Gfeller, Mayor

ATTEST:

Christina Fernandez, Town Clerk

4/8/2020 3:21 PM [ncb] R:\Keenesburg\Ordinances\CH 16 Amendments re Design Standards.ord.docx

e.

**RESOLUTION NO. PC2020-03**

**A RESOLUTION RECOMMENDING APPROVAL OF THE TOWN OF KEENESBURG  
DESIGN STANDARDS AND OF AN ORDINANCE AMENDING CHAPTERS 16 AND 17  
OF THE KEENESBURG MUNICIPAL CODE TO INTEGRATE THE TOWN OF  
KEENESBURG DESIGN STANDARDS**

WHEREAS, on the direction of the Board of Trustees of the Town of Keenesburg (the “Board”), the Town Planner and Engineer have developed design standards for new development within the Town of Keenesburg (the “Design Standards”) in consultation with Town staff, the Town Attorney’s office, and the Planning Commission of the Town of Keenesburg (“Planning Commission”); and

WHEREAS, there has been prepared a proposed ordinance to make miscellaneous amendments to Chapters 16 and 17 of the Keenesburg Municipal Code regarding the applicability of the Design Standards; and

WHEREAS, the Planning Commission has reviewed the proposed ordinance and Design Standards relative to the goals and policies of the Town Comprehensive Plan and evaluated the same according to the criteria and procedures set forth therein and finds the proposed ordinance and Design Standards should be adopted by the Board.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF  
THE TOWN OF KEENESBURG, COLORADO:**

**Section 1.** The Planning Commission hereby recommends that the Board of Trustees adopt the Town of Keenesburg Design Standards, attached hereto as Exhibit A.

**Section 2.** The Planning Commission hereby further recommends that the Board of Trustees adopt the proposed Ordinance Amending Chapters 16 and 17 of the Keenesburg Municipal Code to Incorporate the Town of Keenesburg Design Standards, and hereby directs Town staff to set a public hearing for the Board of Trustees to consider evidence and testimony regarding the same.

**INTRODUCED, READ, and ADOPTED** this 16<sup>th</sup> day of April, 2020.

TOWN OF KEENESBURG, COLORADO

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Secretary

**EXHIBIT A**  
**(Attach Town of Keenesburg Design Standards)**