

CASE SUMMARY

CASE SUMMARY
Consent Agenda

PC Hearing Date: January 25, 2023

BCC Hearing Date: February 21, 2023

21-140720RZ Rezoning

Case Name: U-Haul Dakota Ridge Official Development Plan

Owner/Applicant: AMERCO Real Estate Company, a Nevada corporation

Location: 13412 West Coal Mine Avenue
Section 19, Township 5 South, Range 69 West

Approximate Area: 8.148 Acres

Purpose: **To Rezone from Planned Development (PD) to a new PD that follows the Corridor District-Office and Light Industrial (CD-O/LI) Zone District to allow for indoor mini-storage, warehousing, and office uses.**

Case Manager: Cassidy Clements

Representative: Ethan Watel, Baseline Engineering and Planning

Applicant Team Presenters:
Ethan Watel, Baseline Engineering Corporation, ethan@baselinecorp.com

Issues:

- None

Recommendations:

- **Staff:** Recommends Approval

Level of Community Interest: Low

PC RESOLUTION

It was moved by Commissioner **Becker** that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION
COUNTY OF JEFFERSON
STATE OF COLORADO

January 25, 2023

RESOLUTION

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Case Manager: Cassidy Clements

The Jefferson County Planning Commission hereby recommends **APPROVAL**, of the above application, on the basis of the following facts:

1. That the factors upon which this decision is based include evidence and testimony and staff findings presented in this case.
2. The Planning Commission finds that:
 - A. The proposed office, light industrial, and indoor storage land uses are compatible with the existing and allowable commercial, retail, office, school, and religious land uses in the surrounding area. The Rezoning would allow indoor storage, which is consistent with the adjacent variety of land uses.
 - B. The proposal is in general conformance with the Comprehensive Master Plan (Plan). The proposal meets the office/industrial land use recommendation in the C-470/Bowles Activity Center area of South Plains Plan for the subject property. All other applicable goals and policies of the Plan have been met.
 - C. The ability to mitigate the negative impacts of the proposed land use upon the surrounding area has been considered. No unmitigated potential negative impacts were identified. The landscape buffer required along C-470 serves as a visual buffer

for preserving the C-470 view corridor. The proposed ODP requires greater setbacks than currently required, to provide a greater buffer between the proposed uses and the surrounding uses in the area.

- D. The subject property is served by the Southwest Metropolitan Water and Sanitation District, the West Metro Fire Protection District and the Jefferson County Sheriff's Office. Existing infrastructure is available and adequate, for purposes of rezoning, to serve the proposed land use.
- E. The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area.

Commissioner **Spencer** seconded the adoption of the foregoing Resolution, and upon a vote of the Planning Commission as follows:

Commissioner	Rogers	aye
Commissioner	Jost	aye
Commissioner	Spencer	aye
Commissioner	Becker	aye
Commissioner	Lemmer	aye
Commissioner	Duncan	aye
Commissioner	Stephens	aye

The Resolution was adopted by **unanimous** vote of the Planning Commission of the County of Jefferson, State of Colorado.

I, Kimi Schillinger, Executive Secretary for the Jefferson County Planning Commission, do hereby certify that the foregoing is a true copy of a Resolution duly adopted by the Jefferson County Planning Commission at a regular hearing held in Jefferson County, Colorado, January 25, 2023.



Kimi Schillinger
Executive Secretary

STAFF REPORT

Case Number:
21-140720RZ

Summary of Process

- The Staff evaluation of an application will be presented at the required Planning Commission and Board of County Commissioners' Hearings.
- The Planning Commission will review the evidence and will make a recommendation to the Board of County Commissioners.
- The final decision on the request will be made by the Board of County Commissioners.

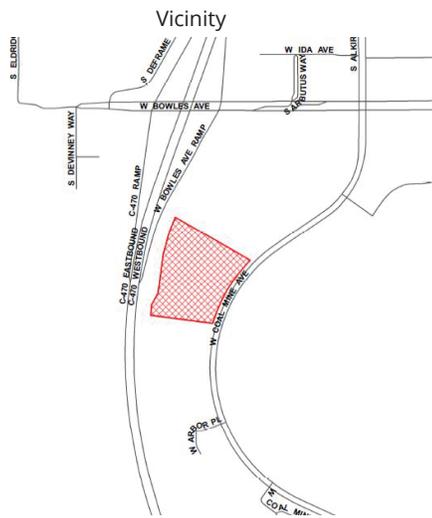
Case Summary

To Rezone from Planned Development (PD) to a new PD that follows the Corridor District-Office and Light Industrial (CD-O/LI) Zone District to allow for indoor mini-storage, warehousing, and office uses.

Purpose

U-Haul Dakota Ridge Official Development Plan		Cassidy Clements		12/23/2021	
Case Name		Case Manager		Formal Submittal Date	
06/17/2021	08/13/21	01/25/2023	02/21/2023	Site Development Plan	
Pre-Application Date		Community Meeting Date		PC Hearing Date	
Ethan Watel, AICP - Baseline Engineering		AMERCO Real Estate Company			
Applicant/Representative, check if same as owner: <input type="checkbox"/>		Owner			
13412 W Coal Mine Avenue	Littleton	80127	8 acres	19	50 69
Property Address	City	Zip	Area ≈	Section	Township Range
59-191-04-020	west of C-470 and south of W Bowles Avenue				
Pin	General Location				

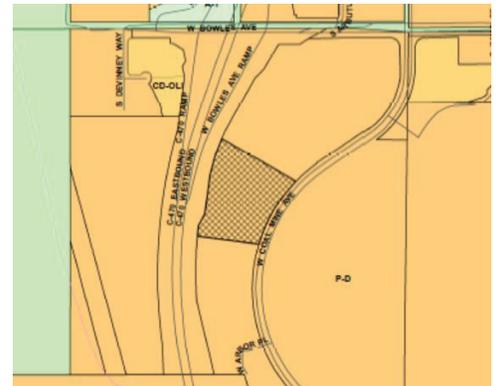
Land Use and Zoning



Detail



Surrounding Zoning



Existing Land Use:	Existing Zoning:	CMP Recommended Land Use:	Requested Zoning:
Office/Light industrial/Retail	Planned Development	Office/Light Industrial	Planned Development

Plan Area: South Plains Number of citizens at Community Meetings: 4

PC Recommendations: Approval Level of Community Interest: Low

Key Issues: None

Criteria for Rezoning:

- The compatibility with existing and allowable land uses in the surrounding area.
- The degree of conformance with applicable land use plans.
- The ability to mitigate negative impacts upon the surrounding area.
- The availability of infrastructure and services.
- The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.

✓	○	✗
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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1. SUBJECT REQUEST

The applicant is requesting to Rezone from Planned Development (PD) to a new PD that follows the Corridor District-Office and Light Industrial (CD-O/LI) district standards, with modifications, to allow for indoor mini-storage, warehousing, and office uses. The subject property contains a U-Haul facility. This Rezoning would allow the existing use and an expansion and inclusion of indoor mini storage.



1. Aerial Image of the Subject Property

2. CONTEXT



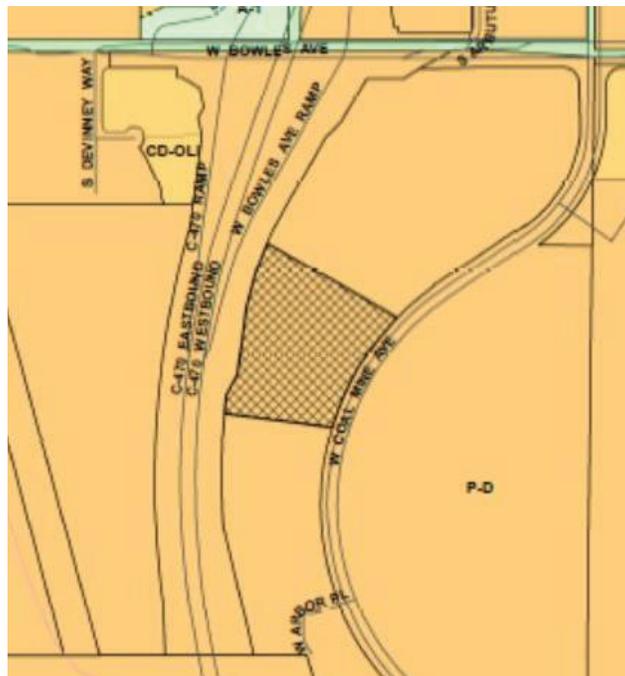
2. Aerial Imagery of the Surrounding Neighborhood

The subject property is in southern Jefferson County, east of C-470 and south of W Bowles Avenue. The subject property was created through an Exemption from Platting in 2003. The previous use of the property was an automotive sales facility. There was a change of this use to a U-Haul offices and small-scale retail operation under the current zoning that allows for business and professional offices and retail sales. The applicant is pursuing a Rezoning to include indoor mini-storage and indoor self-storage, as allowed uses, for future expansions to the existing use.

The immediate area surrounding the property ranges in the types of uses. The property to the south contains medical and dental offices while the property to the north is a Walmart, large retail store. The closest parcel to the west, across C-470, is zoned Planned Development and is a religious facility and the parcel to the east is Dakota Ridge High School and Warren Tech South, both owned and operated by Jefferson County Public Schools. The C-470 Bowles Activity Center contains a number of commercial and storage uses.

3. SURROUNDING ZONING/LAND USE

	Adjacent Zoning	Land Use
North:	Planned Development (PD) – Hillgate Official Development Plan (ODP)	Commercial/Retail
South:	PD – Hillgate ODP	Medical/Dental Offices
East:	PD – Hillgate at Dutch Creek ODP	School
West:	PD – Foothills Bible Church ODP	Religious Facility



3. Existing Zonina

4. SUMMARY OF PROPOSED CHANGES

	Current Zoning	Proposed Zoning (PD)
Land Use	Business and professional offices; banks; medical, dental offices; automobile dealership; retail sales; light manufacturing; craft breweries, distilleries, and wineries; telecommunication land uses	All uses of the Corridor District – Office and Light Industrial (CD-O/LI) and indoor mini-storage and indoor self-storage
Accessory Uses	Garages/carpools; solar water heaters, solar collection areas; the following in conjunction with motor vehicle sales - enclosed service bays, car wash, outdoor inventory storage	Motor vehicle leasing or rental (associated with indoor mini storage); outdoor parking of motor vehicles being leased or rented, maximum 12,500 square feet; sales and retail associated with storage facility
Setbacks	From C-470 – 60 feet From Coal Mine Avenue – 30 feet Side setback – 20 feet	From C-470 – 60 feet From Coal Mine Avenue – 30 feet From north property line – 50 feet From south property line – 40% of building height
Building Height	60 feet, except that an automobile dealership shall not exceed 35 feet	60 feet
Maximum Building Coverage per lot	40%	No restriction
Minimum Parking Area Setback	From C-470 – 20 feet From Coal Mine – 15 feet	From C-470 – 30 feet From Coal Mine Avenue – 20 feet
Fencing and Walls	No setback requirement	Fences and walls shall be setback 20 feet from Coal Mine Avenue and 30 feet from C-470

The proposed ODP allows for all uses of the Corridor District – Office and Light Industrial (CD-O/LI) with the addition of indoor mini-storage and indoor self-storage. The uses of CD-O/LI include Telecommunication uses, Energy Conversion Systems, light manufacturing, research facilities, business and professional offices, medical and dental offices and banks. These uses are similar to the uses of the ODP that currently governs the subject parcel. The applicant has proposed to add storage related uses to allow for the U-Haul facility and an expansion of this use.

The accessory uses allowed by the proposed ODP would provide for the renting, leasing, and outdoor parking of motor vehicles as part of the business operation. It also allows sales and retail associated with the permitted uses.

The applicant is proposing setbacks that are more restrictive than the current underlying zoning. The setbacks from C-470 and Coal Mine Avenue remain the same, at 60 feet and 30 feet respectively, but the applicant is proposing increased setbacks to the north and south. Any structure must be 50 feet from the northern property line. The intent behind this setback requirement is to reduce the impact of building shading on the regional trail along the northern property line. The applicant is proposing a setback from the southern property line of 40% of the building height. This would require a 24-foot side setback if the building is built to the maximum building height of 60 feet. There has also been an increase in the minimum parking area setbacks from the previous ODP to the proposed ODP. For the parking area, the applicant is proposing a 30-foot setback from C-470 and 20 feet from West Coal Mine Avenue. This is to ensure that there is adequate room between the property line and parking area to meet the landscaping requirements of the Zoning Resolution. For this same reason, the applicant has included setbacks for fences and walls in the proposed ODP.

5. TRANSPORTATION

A trip generation letter was required with this Rezoning application. It was determined that there will be no traffic impacts from this proposed Rezoning because there will be no increase in traffic from the already allowed uses on the subject property. It was determined that the transition in uses would have similar traffic impacts and the surrounding network can absorb the traffic generated from this site.

6. CRITERIA FOR DECISIONS FOR PLANNED DEVELOPMENT REZONING APPLICATIONS

Section 6 of the Zoning Resolution states, *in reviewing Rezoning and Special Use applications, the Planning Commission and the Board of County Commissioners may consider the following criteria:*

- ✓ a. *The compatibility with existing and allowable land uses in the surrounding area.*
 - ✓ b. *The degree of conformance with applicable land use plans.*
 - ✓ c. *The ability to mitigate negative impacts upon the surrounding area.*
 - ✓ d. *The availability of infrastructure and services.*
 - ✓ e. *The effect upon the health, safety, and welfare of the residents and landowners in the surrounding area.*
-

a. The compatibility with existing and allowable land uses in the surrounding area.

Staff finds that the proposed PD zone district allowing office, light industrial, and indoor storage uses is compatible with the surrounding land uses. The subject property is boarded by large scale retail and medical and dental office uses. There is a similar indoor storage facility within half of a mile of the proposed use. The proposed uses are an extension of the existing underlying PD zoning but allow the indoor storage facility use. Staff finds that the proposed uses are compatible with the existing land uses and compliment the allowable land uses that surround this property.

b. The degree of conformance with applicable land use plans.

The Comprehensive Master Plan (CMP), an advisory document required by State statute, contains Goals and Policies that are used to guide land use decisions. The Area Plans section of the CMP contains supplementary policies and land use recommendations for evaluation.

	Summary	Conforms with CMP? ✓ ○ ✗
Land Use	The CMP discusses the need for a variety of uses to create a vibrant, enduring community. The Plan encourages diverse communities in which to live, work, and enjoy outdoor recreation.	✓

Physical Constraints	The CMP describes physical constraints as those physical features that due to safety concerns may potentially restrict where and how development occurs. Physical Constraints include geologic hazards and constraints, floodplains, wetlands, wildfire, radiation, landfills, abandoned mines, and wildlife habitat	
Community Resources	The CMP contains policies that relate to historic structures or sites, scenic corridors, natural features, air quality, light, odor and noise pollution, open space and trails.	
Infrastructure Water and Services	The CMP describes the importance of new developments having adequate Transportation, Water and Wastewater, and Services.	

Staff concludes that the subject request is in conformance with the applicable goals and policies of the Comprehensive Master Plan.

Land Use: The subject property is located within the C-470/Bowles Activity Center in the South Plains Area Plan. The land use recommendation is office/light industrial. Staff finds that the applicant's proposal of allowing office, light industrial, and storage uses meets the general intent of this plan recommendation. The Comprehensive Master Plan does recommend that development have an emphasis on employee uses that pay, on average, higher than the median salary within Jefferson County. The applicant has provided an economic analysis letter that states the owner intends on moving 11 employees to Jefferson County for the proposed use, paying a median employee annual wage of \$63, 773. This is above the median average for this area, thus meeting this land use recommendation.

Physical Constraints: This property lies within the Designated Dipping Bedrock Overlay District. Dipping Bedrock is considered a geologic constraint. The southwest corner of the subject property is shown as high wildlife quality habitat. There is a wildlife underpass to the south of this property. The applicant has proposed greater setbacks than the current underlying zone district and wildlife friendly fencing in this area. The Division of Parks and Wildlife will be consulted about the specific site design at the time of Site Development Plan.

Community Resources: There are no historic resources identified on the subject property. The subject property is within the view corridor of C-470; the Plan recommends a visual buffer strip should be considered along C-470 and staff finds that the applicant's proposal to maintain the 30-foot landscape buffer meets this recommendation.

Infrastructure, Water and Services: Existing infrastructure and services are available and adequate to support the proposed Rezoning. The subject property receives fire protection from the West Metro Fire Protection District. Jefferson County Sheriff's Office provides law enforcement to the area. All water and sanitation services are provided by Southwest Metropolitan Water and Sanitation District.

c. The ability to mitigate negative impacts upon the surrounding area.

Staff has not identified unmitigated negative impacts of this request to the surrounding area. The approval of this Rezoning would allow office, light industrial, and indoor storage uses that are consistent with the surrounding area. The landscape buffer along C-470 serves as a visual buffer for preserving the view corridor. The proposed ODP provides greater setbacks than currently allowed, providing a greater buffer between uses in this area. Staff finds that the applicant has provided sufficient standards within the proposed ODP to mitigate any negative impacts upon the surrounding area.

d. The availability of infrastructure and services.

As discussed above, staff's analysis found that existing infrastructure and services are available and adequate to support the proposed amendment to the zoning.

e. The effect upon health, safety, and welfare of the residents and landowners in the surrounding area.

The proposed land use will not result in significant impacts to the health, safety, and welfare of the residents and landowners in the surrounding area. No unmitigated deleterious effects relating to the proposed Rezoning have been identified.

7. COMMERCIAL MINERAL DEPOSITS

There are no known commercial mineral deposits on the subject property.

8. COMMUNITY MEETING

A Community Meeting was held on August 31, 2021. There were 4 individuals in attendance. Community members did not raise questions or concerns, they were only in attendance to listen to the proposal. No opposition was expressed. Full details of the Community Meeting are available in the case packet.

9. COMMUNITY/REFERRAL RESPONSES

During the processing of this Rezoning application, Staff did not receive written comments nor phone calls regarding this application.

10. AGENCY REFERRAL RESPONSES

This application was sent on two referrals to 10 Jefferson County Departments & Divisions, 13 external agencies, and 18 registered associations (please see the first referral matrix and HOA mailing list in the case packet for more information). **There are no known outstanding issues with the referral agencies.**

11. NOTIFICATION

Notification of the proposed development was provided in accordance with the Zoning Resolution. Please see the attached Notification Summary for more information.

12. POST HEARING REVIEW

If the Rezoning is approved, the post hearing review shall be in accordance with the Zoning Resolution as follows:

Planned Development: The applicant shall have 28 days after Board of County Commissioner's approval to submit a 'clean' copy of the approved red-marked ODP and pay the recordation fees. The Case Manager will have 7 days to review the submitted ODP. If the revisions have been made in accordance with the approval conditions, Staff will affirm and record the ODP documents, as appropriate. If the submitted documents are not in conformance with the approved red-marked ODP, the red-marked ODP shall be recorded.

the consent agenda. The Planning Commission unanimously recommended the case for approval without any red-marks on the ODP.

BOARD OF COUNTY COMISSIONER ACTION:

The Board of County Commissioners is charged with reviewing the request, staff report, and Planning Commission recommendation, receiving testimony and evidence on the application, and approving or denying the request.

COMMENTS PREPARED BY:

Cassidy Clements

Cassidy Clements
Planner III
February 2, 2023

PROPOSED ZONING

**U-Haul Dakota Ridge Official Development Plan
Rezoning Case No. 21-140720RZ**

A. Intent

The intent of this official development plan is to allow for indoor mini-storage and indoor self-storage and office uses based on the Corridor District-Office and Light Industrial (CD-O/LI) zone subdistrict.

B. Written Restrictions

1. All of the uses and standards of the Corridor District - Office and Light Industrial (CD-O/LI) zone subdistrict, and other applicable sections of the Zoning Resolution shall apply to the property, as shown on the graphic attached hereto as Exhibit A and the legal description attached hereto as Exhibit B, with the following modifications:
2. Permitted Uses, in addition to all CD-O/LI Permitted Uses
 - a. Indoor mini-storage, indoor self-storage.
3. Accessory Uses, in addition to all CD-O/LI Accessory Uses
 - a. Motor vehicle leasing or rental, associated with indoor mini-storage, indoor self-storage.
 - b. Outdoor parking of motor vehicles being leased or rented, maximum 12,500 square feet.
 - c. Sales and retail, associated with indoor mini-storage, indoor self-storage.
4. Lot and Building Standards
 - a. Minimum Building Setbacks:
 - i. From C-470: 60 ft.
 - ii. From Coal Mine Avenue: 30 ft.
 - iii. From north property line: 50 ft.
 - iv. From south property line: 40% of building height
 - b. Minimum Distance Between Structures: 20 ft.
 - c. Minimum Parking Area Setback
 - i. From C-470: 30 ft.
 - ii. From Coal Mine Avenue: 20 ft.
 - d. Maximum Building Height: 60 ft.
5. Fencing and Walls
 - a. Fences or walls shall be set back 20 feet from Coal Mine Avenue and 30 feet from C-470.
 - b. Barb wire, electrical and chain link fences are prohibited.
 - c. Maximum fence height: 8 feet.

- d. The maximum length of any fence shall not exceed 150 linear feet without:
 - i. Varying the alignment by a change in direction of at least 45 degrees for at least 4 linear feet; or
 - ii. Changing the surface materials to a complimentary material for a minimum of 2 linear feet.
 - e. The integrity of any deer fencing along C-470 is to be preserved.
6. Site Design Standards.
- a. Existing trail connections between the C-470 Regional Trail and West Coal Mine Avenue may not be obstructed or relocated without the approval of Planning and Zoning.
 - b. Vehicle lifts or ramps that are intended to raise a vehicle to make it more prominently visible for advertising are prohibited.
7. Building Design Standards.
- a. Exterior Building Materials and Colors.
 - i. Colors that are natural earth shades, including the range from dark to light grays, browns, tans, rusts, greens, and other colors indigenous to the Colorado Front Range and mountain backdrop are to be used as the predominate colors. Colors shall have low reflective characteristics and relate to the predominant colors of the surrounding area.
 - ii. Use of bright accent colors shall be limited to no more than 4% of the total building façade of each building. Bright accent colors include but are not limited to orange, white, teal.
 - b. Design Criteria for Mini-Storage.
 - i. No outdoor storage shall be permitted.
 - ii. Mini-storage shall be designed to emulate other allowed uses in the Commercial zone district and Corridor zone district and be in context with the built environment. Specific architectural standards in addition to the standard requirements in the Architecture Section of the Zoning Resolution are:
 - a) New buildings shall be multi-story.
 - b) Doors to individual storage units may not be visible from abutting public street frontage or residential zone districts.
 - c) Building colors, trim colors, and doors visible from the outside of the building shall be subdued colors as described in the Architecture Section of the Zoning Resolution.

This Official Development Plan, titled U-Haul Dakota Ridge Official Development Plan was approved the _____ day of _____, 20____, by the Board of County Commissioners of the County of Jefferson, State of Colorado and is approved for recording.

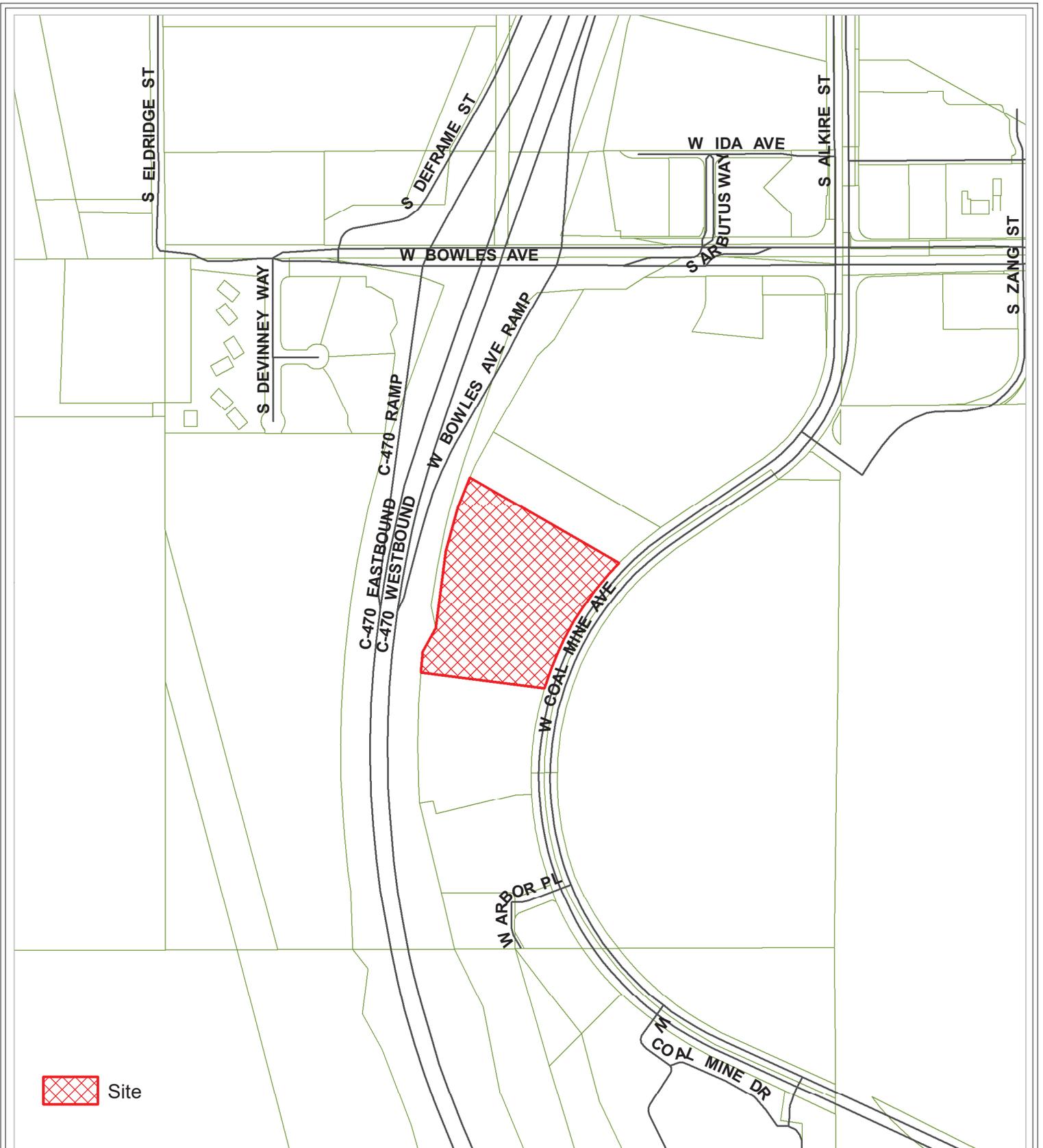
The owner of the property at the time of approval was: AMERCO Real Estate Company, a Nevada Corporation.

By: Jefferson County Planning and Zoning Director

Signature: _____

Date: _____

MAPS



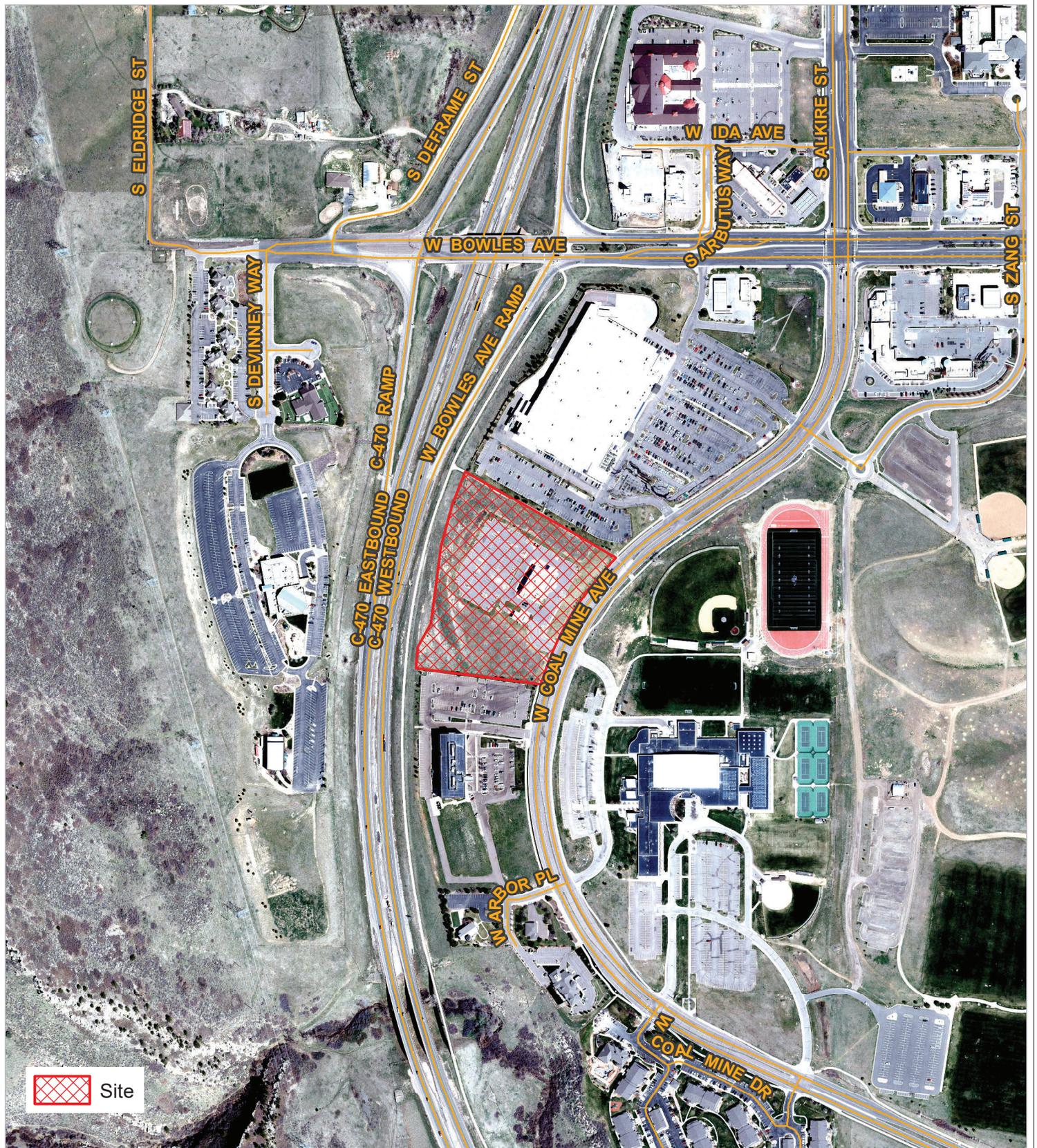
 Site

Case Number: 21-140720RZ
Location: Section 19, T5S, R69W



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 Site

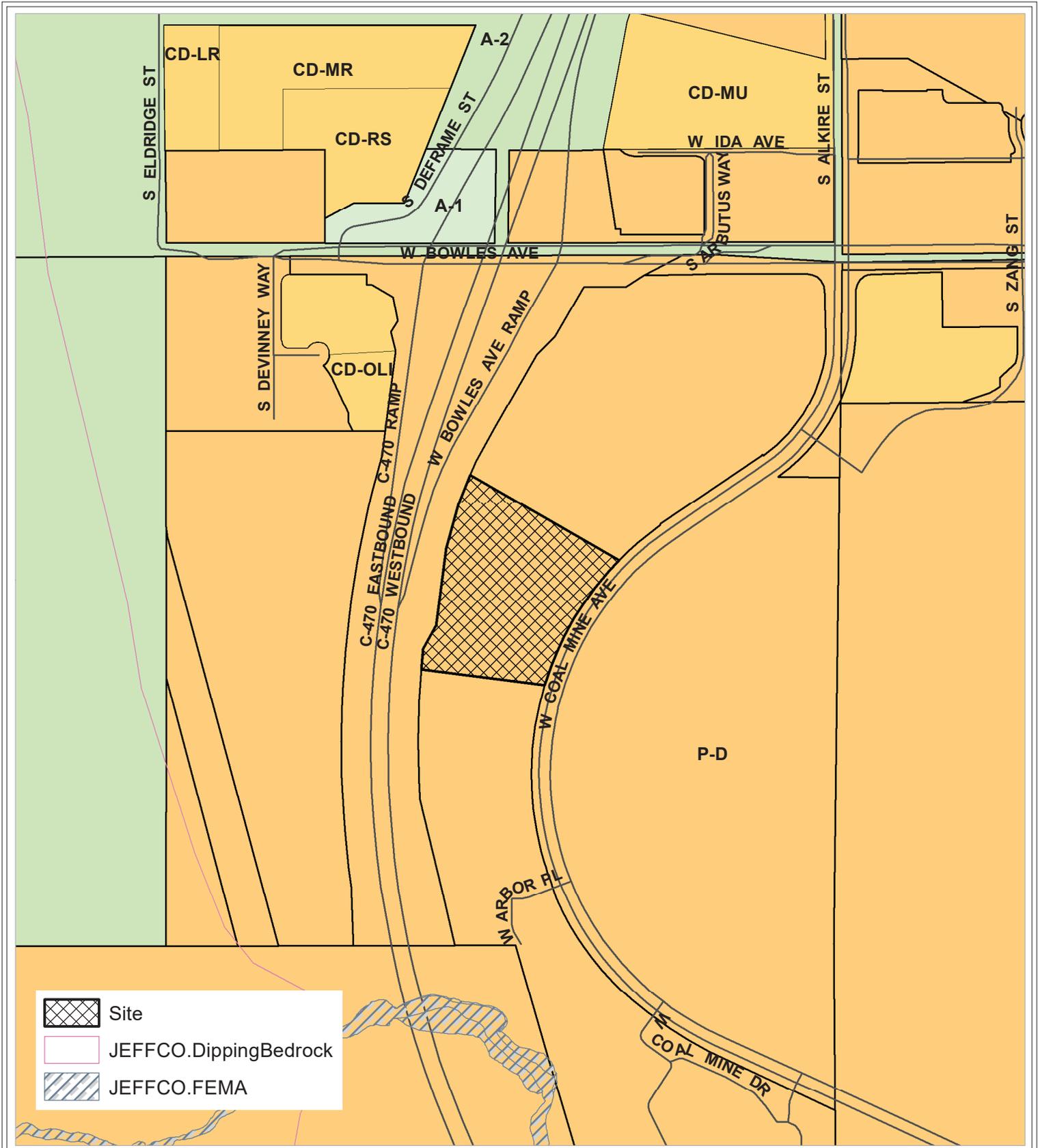
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JEFFERSON
 COUNTY COLORADO

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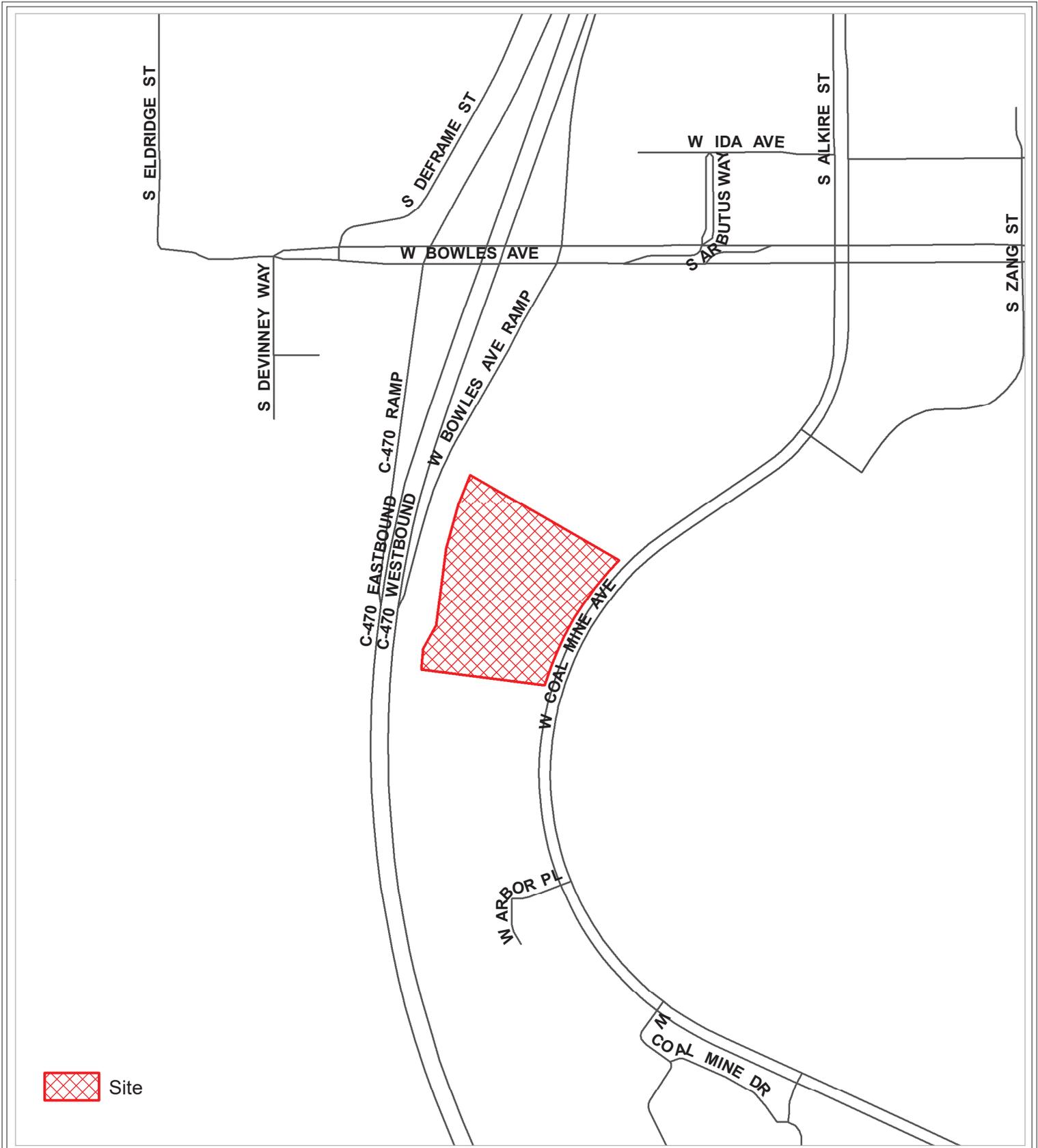
	Site
	JEFFCO.DippingBedrock
	JEFFCO.FEMA

Case Number: 21-140720RZ
Location: Section 19, T5S, R69W



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 Site

Case Number: 21-140720RZ
Location: Section 19, T5S, R69W



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COMMUNITY MEETING SUMMARY



Planning & Zoning Division

COMMUNITY MEETING SUMMARY

Case Number

21-127052CMT

Meeting Date

08/31/2021

Approx. # of Citizens

4

Signed in

Same

Meeting Location

ZOOM - VIRTUAL

Subject Property

13412 W Coal Mine Ave

Property Owner

TTRE CO 1 LLC (Per JMAP)

Applicant/Representative

Ethan Wattel - Baseline Engineering

Summary of the Applicant's Presentation

- Overview of the company; Baseline
- Showed the general location
- PD Rezoning
- Showed some visuals of what the building could like it
- Explained the existing PD uses

Information Presented/Format of the Meeting

Applicant presented, left everyone muted and open for comment after presentation.

Overall Impression/Tone of Meeting

No response or questions.

Main Points/Issues Raised by Citizens/Applicant's Response

None - a couple of "thank you" in the chat.

REFERRAL COMMENTS

Joshua Botts

From: Ross Klopf
Sent: Wednesday, April 6, 2022 3:57 PM
To: Joshua Botts
Subject: RE: 21-140720RZ referral comments?

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Josh, Planning Engineering has no objection to this case they are not adding any use that will increase traffic from the already allowed uses. If they are doing a U-haul that is a fairly simple transition from the used car lot that is already on the site.

Please let me know if you have any additional questions.

Thanks!

From: Joshua Botts <jbotts@co.jefferson.co.us>
Sent: Wednesday, April 6, 2022 10:35 AM
To: Ross Klopf <rklopf@co.jefferson.co.us>; Heather Gutherless <hgutherl@co.jefferson.co.us>
Subject: 21-140720RZ referral comments?
Importance: High

Morning,

Just wanted to see if you have comments for this case? Also just wanted to make sure you got the referral request.

Heather,

They will be making significant changes to the SRE ODP so you can probably just plug and chug from the PA comments or wait until referral 2.

Thanks!

Joshua Botts

Jefferson County Planning and Zoning
Planner
303-271-8703
jbotts@jeffco.us | planning.jeffco.us



Planning and Zoning is open to the public and appointments are strongly encouraged. Virtual and in-person appointments are available Monday through Thursday. County offices are closed on Fridays. Please schedule [appointments](#) and submit [applications](#) online. Go to planning.jeffco.us for more information.

Joshua Botts

From: Clayton Woodruff <Clayton.Woodruff@RTD-Denver.com>
Sent: Thursday, January 13, 2022 9:57 AM
To: Joshua Botts
Subject: --{EXTERNAL}-- RE-21-140720RZ

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Joshua

The RTD has no comment on this project

Thanks,



C. Scott Woodruff
Engineer III

Regional Transportation District
1560 Broadway, Suite 700, FAS-73 | Denver, CO 80202

o 303.299.2943 | m 303-720-2025
clayton.woodruff@rtd-denver.com

MEMO

TO: Joshua Botts
 Jefferson County Planning and Zoning Division

FROM: Tracy Volkman
 Jefferson County Environmental Health Services Division

DATE: December 28, 2021

SUBJECT: Case #21-140720 RZ
 Ethan Watel
 13412 W Coal Mine Ave

The applicant has met the public health requirements for the proposed rezoning of this property.

PROPOSAL SUMMARY

Request to amend an existing ODP to allow UHAUL related uses

COMMENTS

Jefferson County Public Health (JCPH) has provided comments in 2006, 2013, 2014, 2015, 2016, 2017 and 2019 regarding previous planning processes and on June 2, 2021 regarding this proposal. JCPH has reviewed the documents submitted by the applicant for this rezoning process and have the following updated comments:

The applicant must submit the following documents or take the following actions prior to a ruling on the proposed rezoning of this property. NOTE: Items marked with a “✓” indicate that the document has been submitted or action has been taken. **Please read entire document for requirements and information. Please note additional documentation may be required.**

REZONING REQUIREMENTS (Public Water & Public Sewer Systems)

✓	Date Reviewed	Required Documentation/Actions	Refer to Sections
✓	12/28/2021	Submit a will serve/proof of services letter from the Water and Sanitation District to provide proof of public water and sewer services in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 22.	Water/Wastewater
✓	12/28/2021	Submit a notarized Environmental Questionnaire and Disclosure Statement in accordance with the Jefferson County Zoning Resolution and Land Development Regulation (LDR) Section 30.	Environmental Site Assessment

WATER/WASTEWATER

The Southwest Metropolitan Water and Sanitation District provided a letter dated June 2, 2021 stating the property is within the boundaries to receive public sewer services for the proposed development.

ENVIRONMENTAL SITE ASSESSMENT

JCPH has reviewed the Environmental Questionnaire and Disclosure Statement. The applicant checked "No" on all categories of environmental concern on the cover sheet. From this information, it does not appear that any recognized environmental conditions exist which would negatively impact the property.

DEMOLITION

For any proposed demolition activity, the applicant must obtain a Demolition Permit from the Asbestos Section at the Colorado Department of Public Health and the Environment, (303.692.3100). To get this permit, a certified asbestos inspector must examine the building or portion thereof to be removed and sample all suspect materials. If detected, an Asbestos Abatement Permit must be obtained, and the materials must be removed by a trained and qualified person or company prior to demolition.

HAZARDOUS MATERIAL

Any toxic, hazardous and or waste materials utilized and or generated on this site must be transported, handled, stored and disposed of in compliance with all local, state and federal regulations. On site disposal of any such materials is prohibited. Sufficient control measures to prevent any spillage from impacting the area must be in place.

This Department recommends that hazardous or flammable materials not be kept in any storage units.

NOISE

The Colorado Revised Statutes (Sections 25-12-101 through 108) stipulate that commercial areas must comply with the following maximum noise levels 25 feet from the property lines:

- 60dB(A) from 7:00 a.m. to 7:00 p.m.
- 55dB(A) at all other times.

REGULATED FACILITIES

Certain commercial uses may be subject to plan reviews, inspections, licensing and/or permitting by this Department, or referred to State agencies. Regulated uses include the following: Child Care Centers/Schools, Assisted Living/ Nursing Home, Food Service Establishments/Grocery Stores, Swimming Pools/Hot tubs, Dry Cleaner, Gasoline Stations/Auto Repair/Auto Body, Car Wash, Body Art.

NOTE: These case comments are based solely upon the submitted application package. They are intended to make the applicant aware of regulatory requirements. Failure by Jefferson County Public Health to note any specific item does not relieve the applicant from conforming to all County regulations. Jefferson County Public Health reserves the right to modify these comments, request additional documentation, and or add appropriate additional comments.

Memorandum

To: Josh Botts
Planner

From: Patrick O'Connell
Engineering Geologist

Date: February 9, 2022

Re: 13412 W Coal Mine Ave, Case No. 21-140720RZ

I reviewed the submitted documents for the subject property. I have the following comment.

1. The site is located within the Jefferson County Designated Dipping Bedrock Area (DDBA), therefore, the applicant may have to provide geologic and geotechnical reports prepared in accordance with Section 25 of the Land Development Regulation and a detailed grading plan with the rezoning application. However, since the proposed use is vehicle storage and improvements are not proposed, the reports are not required with the rezoning process.



January 11, 2022

Joshua Botts
Jefferson County Planning and Zoning
Transmission via email: jbotts@jeffco.us

Re: 13412 W Coal Mine Avenue
Case No. 21-140720RZ
Lot 3, Filing 1, Exemption 2, Hillgate Commercial Center Subdivision
Pt. NE ¼, Section 19, T5S, R69W, 6th P.M.
Water Division 1, Water District 8

Dear Mr. Botts:

We have reviewed the above referenced proposal for an official development plan. The submitted material does not qualify as a “subdivision” as defined in section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments will not address the adequacy of the water supply plan for this property or the ability of the water supply plan to satisfy any County regulations or requirements.

The subject application seeks to construct two indoor self-storage buildings on a parcel totaling approximately 8.15 acres in size. The property currently contains an existing office building and car wash. The site would provide indoor self-storage, U-Haul truck and trailer sharing, and related retail sales along with office space for U-Haul employees.

The proposed source of water supply is the Southwest Metropolitan Water & Sanitation District. The application materials included a will-serve letter from the District dated June 2, 2021. The Southwest Metropolitan Water & Sanitation District distributes water received from the Denver Water Board (“Denver Water”) pursuant to a read and bill supply agreement (Read and Bill Contract No. 163). This office considers Denver Water to be a reliable water supplier.

This office has no concerns regarding the proposed official development plan with the Southwest Metropolitan Water & Sanitation District as the source of water supply. Should you or the applicant(s) have any questions regarding this matter, please contact Javier Vargas-Johnson at this office at 303-866-3581 ext. 8227 or via email at javier.vargasjohnson@state.co.us.

Sincerely,

Sarah Brucker, P.E.
Water Resources Engineer

Cc: Applicant (U-Haul Company of West Colorado, tavis_larson@uhaul.com)
Agent (Baseline Engineering, ethan@baselinecorp.com)
Referral file no. 29045





Jefferson County, Colorado
Transportation & Engineering Division

100 Jefferson County Parkway, Suite 3500, Golden, Colorado 80419-3500
☎ 303.271.8459 • Fax 303.271.8490 • http://jeffco.us/highways

P&Z REFERRAL T&E RESPONSE

To: P&Z Case Manager From:

Case #: Due Date:

Property Address or PIN:

- Amanda Attempt Result & Attachments:**
- Comments Sent = T&E wants 2nd referral
 - Complete = Do Not send further referrals
 - No Comments = Do Not send further referrals
 - Additional information, plans, etc are also attached in Amanda

Drainage

T&E is currently working on a project in the area. See attached information.

Other Notes:

No Concerns

Right-of-Way / Roadway Corridor Expansion Projects

Land owner will need to refund County \$ for ROW purchased in for
 This amount **must** be paid before plat is recorded and/or plans are approved and released for construction.

Documentation attached in Amanda Documentation to follow

Additional ROW needed for upcoming T&E project. Plan sheet attached with required width/area.

Fee-in-lieu of adjacent roadway construction preferred, due to planned construction by the County. Please have the applicant submit a cost estimate.

Other Notes:

No Concerns

Traffic Operations / Transportation Planning

	Included in referral	Reviewed		Comments
		No	Yes	
Traffic study	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="Transportation Planning"/> <input checked="" type="checkbox"/> <input type="text" value="Assoc Trans Engineer"/> <input checked="" type="checkbox"/> Please update trip comparison table to include maximum trips possible for existing and proposed allowed uses with the next referral.
Signage & striping plan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Signal plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Trails or sidewalks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Street road plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/> No Concerns				

Additional Comments

Comments Name

Joshua Botts

From: Justin Gutierrez <JGutierrez@Summitutilitiesinc.com>
Sent: Monday, January 3, 2022 11:00 AM
To: Joshua Botts
Subject: --{EXTERNAL}-- RE: [EXTERNAL EMAIL] 21-140720RZ FIRST ELECTRONIC REFERRAL FOR REZONING

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning and Happy New Year,

Colorado Natural Gas **does not** have any appurtenances or facilities in this location and has **no** objection to the Rezoning for 13412 W Coal Mine Avenue.

Thanks,

Justin Gutierrez
Engineer II
Summit Utilities, Inc.
jgutierrez@SummitUtilitiesInc.com
Office: (720) 981-2123 [x1187]

From: P&Z Admin <PZAdmin@co.jefferson.co.us>
Sent: Tuesday, December 28, 2021 10:45 AM
Subject: [EXTERNAL EMAIL] 21-140720RZ FIRST ELECTRONIC REFERRAL FOR REZONING

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Rezoning have been submitted to Jefferson County Planning and Zoning. This case is beginning the first referral part of the process and your agency's comments are requested. Please review the specific electronic documents related to the first referral found here. Comments should be submitted via e-mail to the case manager by the due date below.

Case Number: 21-140720RZ
Case Name: 13412 W Coal Mine Avenue
General Location: West Bowles and West Coal Mine
Case Type: Rezoning
Purpose: To amend an ODP to allow Uhaul related uses
Case Manager: Joshua Botts
Comments Due: **January 17, 2022**
Case Manager Contact Information: jbotts@jeffco.us or 303-271-8703

Additional information related to this case can be viewed here. Some of the links on this page that may be helpful are the links to the case file (public documents), to the Jeffco mapping system (iMap) and to the case tracking system (general application details).

In your comments, please indicate whether an additional referral is needed.

<p>Jeffco: Addressing Cartography Engineer (Development Review) Geologist Long Range Planner (Development Review) Open Space Public Health Road and Bridge District 2 Transportation and Engineering</p>	<p>External: Century Link/Lumen Colorado Natural Gas Comcast IREA XCEL Energy Colorado Parks and Wildlife (Plains) Denver Regional Council of Governments Division of Water Resources SW Metro Water and Sanitation West Metro Fire District RTD Foothills Park and Recreation CDOT (PLAINS)</p>	<p>HOA: BELLEVIEW ACRES HOA BELLEVIEW FARMS HOA COHOPE Dancing Willows Patio HOA JEFFERSON COUNTY HORSE COUNCIL KEN CARYL RANCH MASTER ASSN KEN CARYL RANCH METRO DIST PLAN JEFFCO RIDGE AT WEST MEADOWS TOWNHOMES SHADOW RIDGE @ WEST MEADOWS HOA SUMMIT RIDGE AT WEST MEADOWS SUNDANCE AT WILLOW SPRINGS ASSOCIAT THE NORTH RANCH AT KEN CARYL HOA, INC WESTGOLD MEADOWS HOA WILLOW SPGS OPEN SP OWNERS ASSN WILLOWBROOK ASSN WILLOWBROOK HOA WOODLANE HOA</p>
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If you received this message in error, please do not read, copy, or share it. Instead, please notify the sender immediately and permanently delete all copies in your possession.



West Metro Fire Protection District

433 S. Allison Parkway
Lakewood, CO 80226
Bus: (303) 989-4307
Fax: (303) 989-6725
www.westmetrofire.org

December 28, 2021

Joshua Botts
100 Jefferson County Parkway, Suite 3550
Golden, CO 80419-3350
jbotts@co.jefferson.co.us
303-271-8703

RE: 21-140720RZ

Mr. Botts,

This property is within the West Metro Fire Protection District (WMFPD). Fire service will be provided as long as provisions of the currently adopted 2018 edition of the International Fire Code, including Jefferson County amendments, are met in development.

WMFPD does not have any comments or concerns regarding this application for rezoning to allow for public storage and rental vehicles.

Specific site requirements including water supply/hydrant locations, site access, building configuration, site infrastructure, etc, will require further fire department review and approval. Fire apparatus access and required firefighting water supply will be determined once formal development plans are submitted and reviewed.

All exterior portions of the building must be accessible from within 150ft of a 24ft wide fire lane. Buildings taller than 30' to the eaves will have additional access requirements.

All fire lane turns, corners, and changes in direction must accommodate an inside vehicle radius of 25ft and an outside radius of 50ft. Dead-end fire apparatus access roads in excess of 150' shall be provided with width and turnaround provisions in accordance with Table D103.4 of the 2018 International Fire Code.

Permits are required from the fire district for new and core/shell buildings, tenant improvement projects, all work on automatic fire protection systems, all work on automatic fire detection systems, solar photovoltaic systems, underground fire line, radio amplification, and for the storage of hazardous materials.

WMFPD reserves the right to provide additional comments/requirements if there are any changes to the application or at the time plans are submitted and reviewed per applicable codes and amendments.

If you have any questions contact me at 303-989-4307 extension 558 or e-mail: jbrennan@westmetrofire.org.

Respectfully,

Captain John Brennan
Life Safety Division
West Metro Fire Protection District

Joshua Botts

From: Leigh Seeger <lseeger@jeffcoedc.org>
Sent: Tuesday, May 31, 2022 1:35 PM
To: Joshua Botts
Cc: Jansen Tidmore
Subject: --{EXTERNAL}-- RE: 21-140720RZ SECOND ELECTRONIC REFERRAL FOR REZONING
Attachments: S2001_ EARNINGS IN THE PAST 12... - Census Bureau Table.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for getting back to me and clarifying this.

If you are looking for the most recently published wage data from this particular data source (U.S. Census Bureau ACS 5-year estimates), they have the 2020 data (2016 – 2020 ACS 5-year estimates), and I have attached a copy of this report. The wage in the attachment from your email below is 2019 data.

From: Joshua Botts <jbotts@co.jefferson.co.us>
Sent: Monday, May 30, 2022 10:06 AM
To: Leigh Seeger <lseeger@jeffcoedc.org>
Cc: Jansen Tidmore <jtidmore@jeffcoedc.org>
Subject: RE: 21-140720RZ SECOND ELECTRONIC REFERRAL FOR REZONING

Good Morning Leigh,

The proposed ODP would allow for indoor warehousing, mini-storage and every use permitted within CD/OLI. I've attached the portion of the Zoning Resolution that speaks to these "permitted" uses.

Also of note is this property is within an Activity Center that encourages higher than the median pay within Jefferson County. The applicant also provided an employment analysis (see attached).

Let me know if I can answer any other questions and I look forward to working with you and the Jeffco EDC moving forward.

Sincerely,

Joshua Botts
Planner

Jefferson County
100 Jefferson County Parkway
Suite 3550
Golden, CO 80419
jbotts@jeffco.us



Planning and Zoning will be closed to the public on Monday, June 6 and on Monday, June 27. During these two days, Planning and Zoning staff will be working to improve our processes so that we can provide better customer service. We apologize for any inconveniences this may cause.

We encourage scheduling an appointment to see staff during our office hours Monday - Thursday. Please schedule [appointments \[jeffco-planning-and-zoning-hgorx.appointlet.com\]](http://jeffco-planning-and-zoning-hgorx.appointlet.com) and submit [applications](#) online. Go to planning.jeffco.us for more information.

From: Leigh Seeger <lseeger@jeffcoedc.org>
Sent: Thursday, May 26, 2022 12:50 PM
To: Joshua Botts <jbotts@co.jefferson.co.us>
Cc: Jansen Tidmore <jtidmore@jeffcoedc.org>
Subject: --{EXTERNAL}-- FW: 21-140720RZ SECOND ELECTRONIC REFERRAL FOR REZONING

CAUTION: This email originated from outside Jefferson County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Josh,

Can you please let me know if this is a rezone application to add the UHAUL related uses, and not take away from the existing allowed industrial uses?

Thank you in advance,
Leigh

From: P&Z Admin <PZAdmin@co.jefferson.co.us>
Sent: Wednesday, May 25, 2022 5:55 PM
Subject: 21-140720RZ SECOND ELECTRONIC REFERRAL FOR REZONING

ELECTRONIC REFERRAL

JEFFERSON COUNTY, COLORADO

Documents related to a Rezoning have been submitted to Jefferson County Planning and Zoning. This case is beginning the second referral part of the process and your agency's comments are requested. Please review the specific electronic

documents related to the second referral found [here](#). Comments should be submitted [via e-mail](#) to the case manager by the due date below.

Case Number: 21-140720RZ
Case Name: 13412 W Coal Mine Avenue
General Location: West Bowles and West Coal Mine
Case Type: Rezoning
Purpose: To amend an ODP to allow UHAUL related uses
Case Manager: Joshua Botts
Comments Due: June 9th, 2022
Case Manager Contact Information: jbotts@jeffco.us or 303-271-8703

Additional information related to this case can be viewed [here](#). Some of the links on this page that may be helpful are the links to the case file (public documents), to the Jeffco mapping system ([iMap](#)) and to the case tracking system ([general application details](#)).

In your comments, please indicate whether an additional referral is needed.

<u>Jeffco:</u> Cartography Engineer (Development Review) Geologist Long Range Planner (Development Review) Public Health Transportation and Engineering	<u>External:</u> Jefferson County EDC	<u>HOA:</u>
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ADDRESSING

MEMO

To: Joshua Botts
FROM: Christine Derby
SUBJECT: 21-140720RZ 13412 West Coal Mine Avenue 2nd Referral
DATE: June 1, 2022

Addressing offers the following comments on this proposal:

1. The purpose of this Rezoning is to request to amend an existing ODP to allow UHAUL related uses.
2. Access is off West Coal Mine Avenue.
3. There is a valid existing address, 13412 West Coal Mine Avenue, in the addressing database. This address will not change with this Rezoning.

Please let me know if you have any questions.

NOTIFICATION SUMMARY

+

PUBLIC / HOA COMMENTS

The Denver Post, LLC

PUBLISHER'S AFFIDAVIT

City and County of Denver)
State of Colorado)
)

The undersigned **Nicole Maestas** being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of The Denver Post, LLC, publisher of The Denver Post and Your Hub.
2. The Denver Post and Your Hub are newspapers of general circulation that have been published continuously and without interruption for at least fifty-two weeks in Denver County and meet the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in Your Hub for West Jeffco (including the counties of Jefferson, Arapahoe, Arvada, Denver, Lakewood, Gilpin, Clear Creek, and Westminster) on the following date(s):

February 2, 2023

Nicole Maestas
Signature

Subscribed and sworn to before me this 3 day of February, 2023.

Rosann R Wunsch
Notary Public

ROSANN R WUNSCH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024002315
MY COMMISSION EXPIRES FEBRUARY 26 2026

(SEAL)

NOTICE OF PUBLIC HEARINGS FOR REZONING

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of the County of Jefferson, State of Colorado will hold a hybrid (in-person and online virtual) public hearing on a proposed rezoning of certain property within Jefferson County, Colorado. The public hearing will be held at the Jefferson County Administration and Courts Facility, Hearing Room 1, at 100 Jefferson County Parkway, Golden, Colorado, on February 21, 2023 at 8:00 a.m. with the virtual hearing link being available on the County's website at <https://jeffco.us/meetings>.

FURTHER NOTICE IS HEREBY GIVEN that said public hearings may be continued from time to time without further notice.

Said proposed rezoning is Case No. 21-140720RZ/U-Haut Dakota Ridge Official Development Plan, which proposes to rezone from Planned Development (PD) to a new PD that follows the Corridor District-Office and Light Industrial (CD-O/LI) Zone District to allow for indoor mini-storage, warehousing, and office uses.

Said property is located at: 13412 West Coal Mine Avenue, which contains approximately 8.148 acres.

BE IT ALSO KNOWN that the text and/or maps relating to the above referenced rezoning and any text and/or maps so certified by the Jefferson County Planning Commission may be examined by contacting the Jefferson County Planning and Zoning Division during any working day. You can reach Planning & Zoning at 303-271-8700 or pzweb@jeffco.us.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF JEFFERSON
STATE OF COLORADO

Published February 2, 2023

/s/ Andrew Kerr, Chairman

CURRENT ZONING

I. Title and Names

A. Official Development Plan Title: S.R.E. Official Development Plan (“ODP”) 2

B. Owner(s)/Developer(s): Sonic Automotive, Inc.
4401 Colwick Road
Charlotte, NC 28211

C. Prepared By: Otten Johnson Robinson Neff & Ragonetti, P.C.,
950 17th Street, Suite 1600
Denver, CO 80202
attn.: Brian J. Connolly

II. Intent

The intent of this ODP is to provide for additional uses on the property subject hereto (the “Property”), including a variety of light manufacturing, research and development, office, automobile dealership and commercial uses, and for such uses to be developed in a manner which is consistent with adjacent commercial and institutional development and which has minimal impact on surrounding residential areas. This ODP provides for the continued development of the C-470/Bowles Avenue Activity Center as a multi-use area with complimentary uses, and site plans and building forms that complement adjacent structures. This ODP supersedes the previously approved Hillgate Official Development Plan for the Property.

III. Permitted Land Uses

A. Permitted Uses.

1. Business and professional offices; office showrooms and office warehouses;
2. Banks, other financial offices and institutions, and electronic fund transfer facilities, including drive through facilities;
3. Medical, dental, and optical clinics and laboratories, emergency health care facilities, and pharmacies;
4. Automobile dealership, which includes but is not limited to: the sale, leasing, rental, service and storage of motor vehicles, subject to those specific restrictions contained in Section V. Only one (1) automobile dealership shall be allowed in this PD.
5. Light manufacturing, processing or fabrication of commodities.
6. Sale at retail of any commodity manufactured, processed, fabricated or warehoused on the premises.

- 7. Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted.
- 8. Craft breweries, distilleries, and wineries.
- 9. Research and development facility and laboratory.
- 10. Telecommunications Land Uses: Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution.

B. Accessory Uses.

- 1. Garages/carports.
- 2. Solar water heaters, solar collection areas and passive solar facilities.
- 3. The following accessory uses shall be expressly permitted in conjunction with any motor vehicle sales, leasing, rental, service and storage use: enclosed vehicle service bays; car wash; outdoor inventory storage, except as may be otherwise limited in this ODP.

C. Temporary Uses—Construction Facilities. Temporary construction facilities such as construction trailers, construction equipment and materials, modular structures and/or accompanying security fences shall be permitted during construction. A Miscellaneous Permit with Planning and Zoning will be required for the temporary trailers. The following will be required:

- 1. The temporary structure must be located within the area of the recorded plat.
- 2. The temporary construction facility and/or accompanying security fence must be removed from the area within 60 days after the completion of the construction phases of the project and prior to the issuance of the last Certificate of Occupancy.
- 3. Temporary uses shall be permitted anywhere in this ODP.

D. Temporary Uses—Sales and/or Leasing Facilities. Temporary sales and/or leasing facilities such as trailers, modular structures, etc. shall be permitted during the sales and leasing phases of any project.

IV. Lot and Building Standards.

A. General Development Standards. The following development standards shall apply to the ODP:

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Minimum Building Setbacks:	
From C-470	60 ft.
From Coal Mine Avenue	30 ft.
Minimum Building Side Setback	20 ft.
Minimum Distance Between Structures (1)	20 ft.
Maximum Building Coverage Per Lot	40%
Minimum Open Space Per Lot	25%
Minimum Parking Area Setback	
From C-470	20 ft.
From Coal Mine Avenue	15 ft.
Maximum Building Height	60 ft., except that an automobile dealership shall not exceed 35 ft.
Minimum front setback (Coal Mine Avenue) for motor vehicles that are for sale, leasing and rental:	50 ft., or setback behind the front of the primary structure, whichever is greater.

1. Maximum building square footage: 15,000 square feet for an automobile dealership use.
 2. Maximum area of automobile dealership use shall be 5 acres. For the purposes of this Section IV.A.2, the "area of automobile dealership use" shall mean that land area occupied by the principal automobile dealership use, and shall include but not be limited to buildings and parking areas associated with the principal use.
- B. Setback Criteria. The following criteria shall apply within the ODP:
1. All setbacks shall be measured from the foundation or wall of any building to the property boundary. Except, however, that eaves, roof overhangs and fireplaces may protrude two feet into the setback.
 2. The following improvements are expressly excluded from the setback restrictions:
 - a. Steps (excluding those that are part of the foundation or made of wood material), walks, driveway access to the site
 - b. Landscaping, including landscaped earth berm
 - c. Underground utility lines
 - d. Fences constructed in accordance with the requirements of IV.E below.

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3. Accessory buildings and structures shall have the same minimum setbacks as the buildings or structures to which they are accessory.

C. Parking. Off-street parking and loading spaces shall be provided in accordance with the Jefferson County Zoning Resolution.

D. Signs.

1. General Criteria.

- a. No sign shall blink, flash, rotate or revolve.
- b. Billboards for off-site advertising are prohibited.
- c. Signs permitted in all zone districts and for which permits are not required shall be permitted in accordance with Jefferson County regulations.
- d. All free-standing signs shall be of a monument type.
- e. No temporary banners, flags, "sandwich" type or portable signs shall be allowed.
- f. No sign shall be located within the 60-foot setback along C-470.

2. Permits and Approvals. All necessary permits and approval for signs shall be obtained from Jefferson County prior to the construction or location on site of any permanent sign.

3. Sign Height. No sign is allowed which extends above the parapet or eave height of a building on the site.

4. Illumination of Signs. All permanent signs may be illuminated. Lighting for signs must be non-glare and ground- or internally-illuminated. Temporary signage shall not be illuminated in any event. The source of a sign's illumination shall be concealed and not visible from any adjacent property or right-of-way.

5. Combination Signs. The use of combination signs (multiple signs on a single face) shall be permitted and encouraged to reduce the necessary number of signs.

6. Sign Material. Signs shall be compatible with the adjacent uses and with the development they are serving. Building materials should be similar to those used in the architecture of the building(s)

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7. Sign Standards:

a. Sign standards are established as follows:

Sign Type	Max. No.	Max. No of Faces	Max. Size of Each Face	Max. Height	Min. Setback from Property Line
Building Identification	1 freestanding per entry; and	2	40 sf	6 ft.	8 ft.
	1 attached to building	1	40 sf	roofline	N/A
C-470 Project Identification	1	1	40 sf	6 ft.	60 ft.
Tenant Identification	1 per tenant	1	40 sf	wall height	N/A
Temporary signs for construction, real estate and development	1 per project	2	32 sf	6 ft.	8 ft.

E. Fences and Walls. The purpose of fencing is to provide for security, for screening of unsightly areas, visual relief, buffering, and for variety where appropriate. Fencing requirements are as follows:

1. Fences or walls shall be permitted but shall not obstruct sight distances at intersections and curb cuts.
2. Fence and wall materials must be visually compatible with architectural elements of buildings located within the ODP and with the surrounding landscape.
3. Barb wire, electrical and chain link fences are prohibited.
4. Screen fences or walls shall be of a height equal to that of the materials or equipment being stored but in no case more than 8 feet in height.
5. The maximum length of any fence shall not exceed 150 linear feet without:
 - a. Varying the alignment by a change in direction of at least 30 degrees for at least 4 linear feet; or
 - b. Changing the surface materials to a complimentary material for a minimum of 2 linear feet.

Unofficial

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6. Temporary safety and security fences shall be permitted at construction sites and for outside facilities. These fences may be chain link or wire mesh fences or any similar types of safety fence.

7. The integrity of any deer fencing along C-470 is to be preserved.

F. Pedestrian Areas, Paths and Trails. Pedestrian circulation ways should be separated from vehicle parking areas through the use of berms and/or landscape materials. Pedestrian ways providing circulation from parking areas to buildings should be well defined and protected. Existing trail connections between the C-470 Regional Trail and West Coal Mine Avenue may not be obstructed or relocated without the approval of Planning and Zoning.

G. Outdoor Site Lighting. Lighting shall be provided in accordance with the Jefferson County Zoning Resolution, except that the following restrictions shall apply:

1. All light fixtures are to be indirect-concealed or backlighted source fixtures, except for pedestrian-oriented accent lights. All lighting shall be directed downward and shall not cast glare on adjacent land or roadways. All lighting fixtures shall be full cut-off type.

2. The maximum foot-candle measurement at the property line shall be 0.2.

3. Selected security lighting fixtures shall be equipped with motion-sensors with an on-time of five minutes.

4. Accent illumination may be provided at such key locations as project entries to augment quality landscaped entries. Lighting may also be used to illuminate landmarks, landscape improvements, activity areas, or unique features of the site. Other than to accent such areas, lighting should be diffused so that it does not create a light hot spot in the overall scheme of development.

5. Security lighting fixtures attached to the building shall not project above the fascia or roofline of the building and are to be shielded.

6. The maximum height of lighting poles shall be twenty (20) feet, inclusive of the light fixture. All poles in parking areas shall be placed a minimum of 5 feet outside the parking lot area, or 4 feet behind perimeter tire stop locations, or shall have a concrete pedestal at least 30" in height above the parking lot surface, or protected by other means as deemed appropriate by Planning and Zoning.

H. Storage Areas and Trash Removal

1. No permanent outdoor storage of articles, goods, materials, machine equipment, vehicles, trash (except when stored in trash receptacles),

animals or similar items shall be exposed to view from adjacent properties, parking areas, public streets or pedestrian walkways. Except, however, that the storage of vehicle inventory incidental to the motor vehicle sales, leasing, rental, service and storage principal use shall be exempt from the requirements of this Paragraph.

- 2. Such areas shall be enclosed by either a screen fence or wall. (Refer to fence requirements.)
- 3. No inoperative vehicles, including but not limited to disassembled and partially disassembled cars, trucks, junk cars, or parts thereof and no operative or inoperative boats, campers, trailers, or motor homes or any other such equipment shall be stored, maintained or used within the ODP but may be stored within a fully enclosed garage.
- 4. Exterior storage of trash shall be:
 - a. Attractively screened from view utilizing materials and colors compatible with the surrounding development.
 - b. Protected from dogs, cats, rodents, insects and wind.
 - c. Situated so as not to cause a nuisance to pedestrian or vehicular traffic.

I. Landscaping and Grounds Maintenance. Landscaping and grounds maintenance shall be provided and conducted in accordance with the Jefferson County Zoning Resolution.

V. Design Standards.

A. Site Design.

- 1. Site planning shall respect the relationship of the site to existing buildings and streets. Buildings shall be designed to complement the site topography. Site planning shall encourage appropriate solar orientation.
- 2. The location of all improvements must minimize potential adverse impacts upon critical adjacent site elements such as access, pedestrian ways, focal points and views, unfavorable sun/shadow conditions, and icing conditions in winter.
- 3. Consistent quality and diversity in building and parking setbacks, building heights, and landscaping improvements is desired.
- 4. No portion of a building can exceed 50 feet in length unless articulated with a change in surface plane. A surface plane change must continue horizontally for at least 12 inches and must project or recess at least 12

inches from the average surface plane for the entire building. A surface plane change may project or recess six (6) inches only if there is a change in both color and material.

- 5. Side and rear walls of all buildings shall utilize similar building materials and architectural treatments as the front of the building resulting in 360 degree architecture.
- 6. Entrances (excluding service doors) into buildings shall be easily identified through building design including the use of recessed or projected entryways, higher rooflines or changes in building massing.
- 7. Buildings over 35 feet in height shall continue the surface plane change vertically for 75% of the overall wall height. Buildings 35 feet or less in height shall continue the surface plane change vertically for the entire wall height. Pitched roofs do not count in the overall height of the building for this requirement.
- 8. Buildings over 35 feet in height shall have their visual mass reduced by a variation in horizontal façade through the use of porches, balconies, rooftop patios, pitched roofs, or other architectural features.
- 9. Buildings with over 25,000 square feet of Gross Floor Area (GFA) shall utilize more massive materials, such as stone or brick, and darker colors on the lower portion of the building.

B. Building Design.

1. Materials.

- a. Exterior materials shall be of high quality and durable so as to result in a reasonable expectation that the improvements will not depreciate as a result of deterioration in the near term. Exterior materials shall be in harmony with the external design of adjacent structures within each project.
- b. Architecturally and aesthetically pleasing exterior materials shall be used. Preferred exterior building materials include concrete aggregate, architecturally treated pre-cast concrete, architectural concrete block, brick, wood, fiber cement, stone veneers, stucco/external insulation finishing system (“EIFS”), granite, architectural metal (finished surface) and glass. Untextured tilt-up panels, corrugated metal, and mirrored glass are prohibited. Alternative materials can be utilized upon approval by the Director of Planning and Zoning when the use of such materials is determined to constitute design innovation.

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- c. This development shall provide architecture that responds in form, color and materials to the natural environment, and, where appropriate, neighboring buildings within the project. Acceptable colors of improvements include natural earth shades, including the range from dark to light grays, browns, tans, rusts, greens, and other colors indigenous to the Colorado Front Range and mountain backdrop. Colors shall have low reflective characteristics and relate to the predominant colors of the surrounding area. Use of bright accent colors shall be minimized.
- d. Exterior walls and corners, with special consideration for exterior surfaces exposed to view from adjacent public streets, should be designed and finished in such a way as to make use of “premium” building materials. For the purposes of this section, “corner” means a one-foot return of materials or a ten-foot return of materials.
- e. At least 80% of the front building façade must have an exterior finish material of one of the preferred materials set forth above in V.B.1.b. Building elevations visible from residential areas or public areas shall utilize the same materials on those visible elevations as on the front façade.

2. Mechanical Equipment. All mechanical equipment placed on any roof or otherwise outside of any building, including but not limited to air conditioning, heating and ventilating equipment, and vents, shall be enclosed or screened from view from pedestrian level on adjacent streets, roads and adjacent properties as an integral part of the architectural design of the site. Screening shall be provided by one or a combination of the following: walls, berms, fences, landscaping, screened enclosures, and/or architectural features. All rooftop mechanical equipment shall be screened from pedestrian-level view by architectural elements of the building, such as parapet walls, roof screening systems, or mechanical penthouse rooms that are designed as an integral part of the building. Mechanical penthouse rooms may not exceed 8 feet in height above the finished wall height on any side.

3. Roofs. For buildings visible from residential or public areas and that have a roof with less than a 2:12 (vertical to horizontal distance) pitch, the roof shall be concealed by a parapet wall that is at least as high as the highest part of the roof.

VI. Motor Vehicle Sales and Service Performance and Development Standards. The following standards shall apply to sale, leasing, rental, service and storage of motor vehicles uses:

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- A. Inventory Parking. The maximum number of parking spaces to be used for inventory parking shall be 125. Parking spaces for the storage of vehicle inventory and accessory to a motor vehicle sales, leasing, rental, service and storage facility shall not be subject to the minimum parking stall size established in the Jefferson County Zoning Resolution. For the purposes of this Section VI.A, “inventory parking” shall mean only those parking areas and stalls for the storage and display of vehicles for sale.
 - B. Hours of Operation. No sales operations may occur before 9:00 A.M. or after 9:00 P.M. on any day of the week. No service operations may occur before 7:00 A.M. Mountain Time or after 6:00 P.M. every day of the week. All times in this Section VI.C are Mountain Time.
 - C. Noise. The use of outdoor loudspeakers, public announcement, or paging systems is prohibited.
 - D. Signage. Signage must comply with Section IV.D above.
 - E. Lighting. All non-security lighting utilized for lighting the vehicle sales parking lot area shall be dimmed and/or turned off at 9:00 P.M. Mountain Time on any day of the week.

VII. Environmental Standards.

- A. Pollution Control. No noxious or offensive trades, services, or activities shall be conducted on any building site nor shall anything be done thereon which may be or become a legal nuisance to the owner, developer, tenants, or occupants of other adjacent properties by reason of unsightliness or the excessive emission of fumes, odors, glare, vibration, gases, radiation, dust, liquid waste, smoke, or noise. The customary and routine activities performed in and around facilities used for the sale, leasing, rental, service and storage of motor vehicles shall not be considered a nuisance.
- B. Stormwater. Stormwater quantity and quality improvements shall be designed and constructed in accordance with the Urban Drainage and Flood Control District Criteria Manual, Volume 3.

VIII. Multiple Structures. Multiple structures may be permitted on any individual site. When multiple structures are planned as part of a single ownership or project, they should be designed in a coordinated architectural and spatial manner.

Case No. 14-106870RZ

Legal Description

Street Location of Property n/a

Is there an existing structure at this address?

Yes

No X

12

Type the legal description and address below.

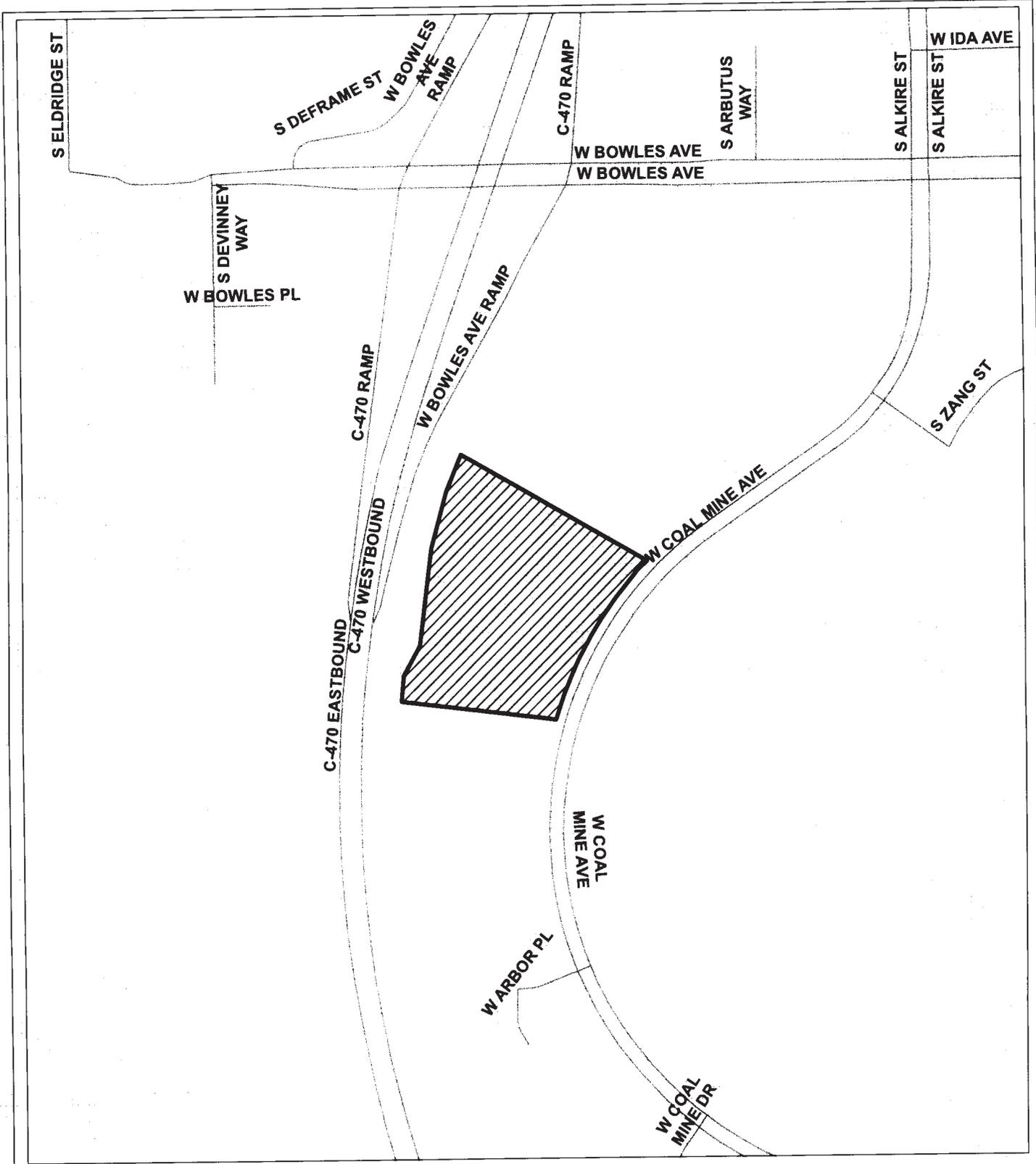
Lot 3, Hillgate Commercial Center Filing No. 1 Exemption 2, Plat Book 171, Page 12, Reception Number F1743410 in the records of the Clerk and Recorder, Jefferson County, Colorado.

Advise of Ortho Map No. 58 Section 19 Township 5 S. Range 69 W.

Calculated Acreage 8.15 Acres Checked by: Ed Wieland

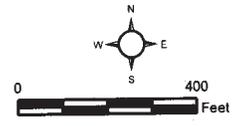
Address Assigned (or verified) n/a

Unofficial



Unofficial

Case Number: 14-106870RZ
Location: Sec. 19, T5S, R69W



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Vicinity

1:4,800 Plot: 2014-04-30
Orthos: 58

ADDITIONAL CASE DOCUMENTS

Section 26 - Corridor District

(orig. 2-11-03; am. 7-11-06; am. 4-20-10)

A. Intent and Purpose

This district is intended to support the implementation of Corridor Plans. This district provides for a mix of land uses, including residential, office, light industrial, and retail, along transportation corridors. (orig. 2-11-03)

B. Subdistrict Categories

The Corridor District (CD) is divided into the following subdistricts: (orig. 2-11-03)

1. Low Density Residential (CD-LR).
2. Medium Density Residential (CD-MR).
3. Office and Light Industrial (CD-O/LI).
4. Small-Scale Retail (CD-RS).
5. Medium-Scale Retail (CD-RM).
6. Mixed Use (CD-MU).

C. Permitted Uses (orig. 3-26-13; am. 7-17-18; 5-21-19)

Use	LR	MR	O/LI	RS	RM	MU ¹
Single-family dwelling	X	X				
Two-family dwelling or duplex		X				
Multi-Family Dwelling		X				
Residential use located above a permitted use in O/LI, RS, RM						X
Group Home for up to 8 aged persons not located within 750 ft of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 ft of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 ft of another such group home; or group home for the aged or developmentally disabled persons.	X	X				
Telecommunications Land Uses shall comply with the provisions of the Telecommunications Uses Section of this Zoning Resolution	X	X	X	X	X	X
Energy Conversion Systems (ECS) land uses shall comply with the provisions of the Alternative Energy Resources Section of the Zoning Resolution.	X	X	X	X	X	X
Public park, Class I public recreation facility in conjunction with a residential subdivision	X	X				
Water supply reservoir and irrigation canal	X	X				
Light Manufacturing, processing, and fabrication of commodities, except those permitted in the Industrial-One, Industrial-Two or Industrial-Four districts. All such manufacturing, processing or fabrication shall be completely enclosed within a legally constructed building.			X		X	X
Research and development facility			X	X	X	X
Business and professional offices			X	X	X	X
Medical and dental offices, clinics, emergency facilities and hospitals.			X	X	X	X

Use	LR	MR	O/LI	RS	RM	MU ¹
Laboratories except those involved in any hazardous process or that emit noxious noise, dust, fumes or odor.			X	X	X	X
Banks and other financial institutions			X	X	X	X
Other similar light industrial uses that are not more detrimental to the highest and best use of land permitted above.			X	X	X	X
Retail shopping facilities				X	X	X
Convenience service establishments including, but not limited to, barber and beauty shops, cleaners, shoe repair shops and laundries.				X	X	X
Specialty goods and services including, but not limited to, art galleries, plant store or nursery, pet stores, book stores, and drug stores.				X	X	X
State Licensed daycare center or preschool or nursery.				X	X	X
Adult day-care center				X	X	X
Restaurants, including fast food and carry-out facilities.				X	X	X
Medical supply and drug store				X	X	X
Fitness Center				X	X	X
Entertainment facilities including but not limited to movie theaters, bowling alleys, skating rinks, pool and billiard halls					X	X
Grocery store					X	X
Department store					X	X
Indoor recreational facilities and limited outdoor recreational facilities in conjunction with indoor recreational facilities.					X	X

¹ The combined total square footage of residential, Small-Scale Retail (CD-RS) and Medium-Scale Retail (CD-RM) uses shall not exceed 60% of the total gross floor area.

D. Accessory Uses (orig. 3-26-13; am. 7-17-18)

Use	LR	MR	O/LI	RS	RM	MU
Private garage	X	X				
One mini structure as per the Accessory Uses Section of this Zoning Resolution	X	X				
Storage sheds as per the Accessory Uses Section of this Zoning Resolution.	X	X				
Private building or kennel for housing dogs, cats and similar domestic pets. The maximum total number of dogs, cats and similar domesticated pets, which may be kept, shall be 3. Litters of domestic pets may be kept until weaned.	X	X				
Home Occupations provided the requirements and conditions of the Board of Adjustment or the Home Occupations Section of this Zoning Resolution are met.	X	X				
Construction Trailers 2 year maximum			X	X	X	X
Commercial service activities that are accessory to the main use of the building may be conducted provided said use is contained within the main building. Cafeterias, restaurants without drive-through service, state licensed child or adult day care, and personal services such as beauty parlors, barber shops, laundry pick-up stations may be conducted. However, the sum total of accessory commercial uses shall not exceed 10 percent of the gross floor area of any single building. The entrance to any accessory commercial use shall be from inside the building and no Commercial Signs shall be visible from outside the building. ¹			X	X	X	X
Accessory Uses per the Accessory Use Section of the Zoning Resolution.	X	X	X	X	X	X

¹ A commercial accessory use is one which meets all of the following criteria:

- Is subordinate to and serves the principal building or principal use.
- Is subordinate in area, extent, or purpose to the principal building or principal use served.
- Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served.
- Is located in the same building as the principal use served. (orig. 3-26-13)

E. Special Uses (orig. 3-26-13; am. 7-17-18)

The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners:

Use	LR	MR	O/LI	RS	RM	MU
Private nonprofit museum	X	X				
A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender.	X	X				
Group, foster or communal home, residential treatment center, community residential home, home for social rehabilitation, assisted living residence, personal case boarding home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility or shelter from domestic violence, licensed or certified by state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeper unit, and where such home or shelter is not located within 750 ft of another similar type home or shelter.	X	X				
Group home for the aged, group home for the developmentally disabled, group home for the mentally ill persons, licensed or certified by the state if applicable, in which 9 or more residents who are not legally related live and cook together as a single housekeeper unit, and where such home is not located within 750 ft of another similar type home, licensed or certified by the state if applicable.	X	X				
State Licensed day-care center or preschool or nursery	X	X				
Adult day-care center	X	X				
Class I or II commercial recreational facility	X	X				
Gas station, service station, or car wash. No more than 3 of these uses shall be located within 3,960 feet (3/4 mile) of an intersection of a freeway and a principal arterial, or minor arterial as designated on the Major Thoroughfare Plan.				X	X	
Auto repair facility, max. 4 bays. No more than 2 of these uses shall be located within 3,960 feet (3/4 mile) of an intersection of a freeway and a principal arterial, or minor arterial as designated on the Major Thoroughfare Plan.				X	X	
Building materials retail stores					X	
Hotels and motels					X	
Light manufacturing, processing, fabrication of commodities Except those permitted in the Industrial-One, Industrial-Two or Industrial-Four districts. All such manufacturing, processing or fabrication shall be completely enclosed within a legally constructed building.				X		
Residential Uses if the ground floor is unsuitable for commercial development.						X

F. Lot and Building Standards (orig. 3-26-13; am. 7-17-18)

CD-LR					
Maximum Height					
Primary structures	35 feet				
Accessory structures	No such building shall exceed the lesser of 25 feet or the height for the primary structure.				
Minimum Lot Area					
One Acre					
Minimum Setbacks					
	Front	Side	Rear	From centerline of freeway	Adjacent to arterial
Dwelling	30 ft.	20 ft.	20 ft.	150 ft.	30 ft.
Other Structure	30 ft.	20 ft.	20 ft.	150 ft.	30 ft.

CD-MR						
Maximum Density						
Between Belleview Avenue and Bowles Avenue and between C-470 and the ridge of the Dakota Hogback				12 dwelling units per acre		
All other areas				15 dwelling units per acre		
Maximum Height						
Between Belleview Avenue and Bowles Avenue and between C-470 and the ridge of the Dakota Hogback.				24 feet, no accessory structure shall exceed the lesser of 24 feet or the height of the primary structure		
All other areas Primary Structures				35 feet		
Accessory structures				Accessory structures: no such building shall exceed the lesser of 20 feet or the height for the primary structure.		
Minimum Lot Area						
Single-family dwelling				5,000 s.f.		
Two-family dwelling or duplex				10,000 s.f.		
Minimum Setbacks						
	Front	Side	Rear	Rear from alley	From common wall/interior lot line	Adjacent to arterial or higher
Single family	12 ft.	6 ft.	20 ft.	20 ft.		30 ft.
Two family or duplex	12 ft.	6 ft.	20 ft.	20 ft.	0 ft.	30 ft.
Garages	18 ft.	6 ft.	18 ft.	6 ft.	0 ft.	30 ft.
Multifamily or principal structure	20 ft.	20 ft.	20 ft.	6 ft.	0 ft.	30 ft.

CD-O/LI	
Maximum Height	
Hospital	80 ft.
All other structures	60 ft.

CD-O/LI		
Minimum Setbacks		
From another building	From boundary of Zone District	From common wall/interior lot line
50% of building height	50% of building height	0 ft.

CD-RS		
Maximum Size		
Office, light industrial, medical facility	None	
All other uses	24,000 s.f. GFA per tenant	
Maximum Height		
Structures with flat roofs	35 ft.	
Structures with pitched or hipped roofs	40 ft.	
Hospitals and major medical facilities	60 ft.	
Minimum Setbacks		
From another building	From boundary of Zone District	From common wall/interior lot line
50% of building height	50% of building height	0 ft.

CD-RM		
Maximum Size		
Office, light industrial, medical facility	None	
All other uses	185,000 s.f. GFA per tenant	
Maximum Height		
Structures with flat roofs	35 ft.	
Structures with pitched or hipped roofs	40 ft.	
Hospitals and major medical facilities	60 ft.	
Minimum Setbacks		
From another building	From boundary of Zone District	From common wall/interior lot line
50% of building height	50% of building height	0 ft.

CD-MU		
Maximum Size		
Office, light industrial, medical facility	None	
All other uses	106,000 s.f. GFA per tenant	
Maximum Height		
All structures	60 ft.	
Minimum Setbacks		
From another building	From boundary of Zone District	From common wall/interior lot line
50% of building height	50% of building height	0 ft.

L. Enclosures of Activities

All activities shall be adequately screened from surrounding properties and public view. (orig. 2-11-03; am. 7-17-18)

M. Fences

1. The following fence and retaining wall standards shall apply to the Low Density Residential (CD-LR) and Medium Density Residential (CD-MR) subdistricts: (orig. 2-11-03)
 - a. Maximum fence height: 6 feet. (orig. 2-11-03)
 - b. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 2-11-03)
 - c. No barbed wire or electric fence shall be permitted. (orig. 2-11-03)

- d. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 2-11-03)
- 2. The following fence standards shall apply to the Office and Light Industrial (CD-O/LI), Small-Scale Retail (CD-RS), Medium-Scale Retail (CD-RM), and Mixed Use (CD-MU) subdistricts: (orig. 2-11-03)
 - a. Maximum fence height: 8 feet. (orig. 2-11-03)
 - b. No barbed wire, electric, metal, or chain link fence shall be permitted in these subdistricts. (orig. 2-11-03)
 - c. Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district or subdistrict area, such fence shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, accessory outdoor storage shall not include employee or customer parking lots or merchandise except for operable vehicles, trailers, and other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Director of Planning and Zoning may waive this requirement. No accessory outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 2-11-03; am. 3-3-15)

N. General Requirements

All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 2-11-03)