



PLANNING COMMISSION

Wednesday, August 16, 2023 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

Live Stream available at Town website

AGENDA

This agenda is subject to revision 24 hours prior to commencement of the meeting.

Call to Order

Roll Call

Approval of Minutes

- [1.](#) Minutes from July 19, 2023 Meeting

Public Hearing

Chair will introduce the item and hear the request from the applicant. Chair will ask if any public member wishes to speak for or against the request. Public should address the Planning Commission members directly while members listen. Applicant may provide closing remarks and Commission members may ask questions of the applicant. Chair will close the hearing. Commission members will discuss the item, move a recommendation for the Board of Trustees, or continue the hearing.

- [2.](#) Application to Annex and Rezone Parcel 7109013007 (J.Parco)

Business Items

- [3.](#) Consider Request to Annex and Rezone Property
- [4.](#) Consider Adopting Parks Commission Master Plans to Community Master Plan
- [5.](#) Consider Recommendation to Create Sign Code
6. Update on Elephant Rock Property

Public Comment

This time is reserved for the public to speak to items not on the agenda. Individuals must state name and limit comments to (3) minutes unless extended.

Next Meeting (9/20) and Future Items

**Conditional Use for Residential Dwelling in C-1 zone*

**Consideration of Revised Request for El Moro ROW Vacation*

Adjourn

Americans with Disabilities Act

Reasonable accommodations for persons with a disability will be made upon request. Please notify the Town of Palmer Lake (at 719-481-2953) at least 48 hours in advance. The Town of Palmer Lake will make every effort to accommodate the needs of the public.

Notice

Notice is hereby given that more than two members of the Board of Trustees may be present; however, there will be no action taken by the Board of Trustees at this meeting.



PLANNING COMMISSION

Wednesday, July 19, 2023 at 5:00 PM

Palmer Lake Town Hall – 28 Valley Crescent, Palmer Lake, Colorado

MINUTES

Call to Order. Chair Ihlenfeld called the meeting to order at 5:03 pm.

Roll Call. Present: Commission members Lindsey Zapalac, Susan Miner, Mark Bruce, Amy Hutson, Bill Fisher, Charlie Ihlenfeld. Excused: Commissioner Tim Caves.

Approval of Minutes

1. Minutes from June 21, 2023, Meeting. Commissioner Fisher pointed out an error of his name spelling in the minutes. MOTION (Hutson, Bruce) to approve the minutes with the correction. Motion passed 6-0.

Public Hearing

2. Application for Minor Subdivision (Rock Ridge Reserve). Mr. Scott Phillips explained the minor subdivision of his property on Rockridge Road to three parcels, two of which will be built on. No other person spoke for or against the item. Chair Ihlenfeld closed the hearing and suggested taking item 4 next.

4. Consider Application for Subdivision Rock Ridge Reserve (Phillips). Discussion took place about access to the area. MOTION (Fisher, Hutson) to recommend approval of the minor subdivision of Rock Ridge Reserve. Motion passed 6-0.

3. Application to Reconsider Conditional Use for Mixed Use at 56 Hwy 105. Ms. Sylvia Amos described the initial proposal for a three-story structure with mixed use on the main level and two upper levels with residential units. She explained coming back to have the conditional use reconsidered to the original three stories. Collins offered background to the original granting of a conditional use permit for mixed use with a condition by the Board in 2019 to not exceed two stories. Discussion took place about regulations at the time of the original approval and regulations at this time, specific to building height. Definition of building height was reviewed. Discussion ensued about affordable dwelling units. Mr. Kurt Ehrhardt requested that the Commission members consider a workshop to review the code relating to building height for projects on Main St. Mr. Josh Mabe spoke about aesthetics through the main corridor being more important than overall height. He stated that he supports the look that adds value to the town. Commissioner Miner referenced the draft sign code diagrams, and that the height will add buffer to the Hwy 105 noise. Discussion took place about the former 32 ft maximum height vs the current 30 ft maximum height. Collins stated she will confirm with the Town Attorney prior to this item going before the Board of Trustees. Commissioner Fisher noted

the structure will be extremely close to Hwy 105. Chair Ihlenfeld restated the reconsideration and closed the hearing.

Business Items

5. Reconsider Conditional Use at 56 Hwy 105 (Amos). Discussion continued about height vs number of stories. MOTION (Zapalac, Hutson) to recommend approval of the conditional use for mixed use with three stories and the original height of 32 ft and a review of the preliminary site plan. Motion passed 6-0. Ms. Amos inquired about feedback for the look that members want to see through the downtown corridor. Discussion took place about design guidelines.

6. Review Process for Elephant Rock Property. Collins reviewed the general process that will follow once tenants have plans for elephant rock property. Commissioner Fisher raised a few concerns about planning the property relating to parking and use. Mayor Havenar explained the activity that has taken place to date – reserve portion for a possible future public safety structure, assign two tenants to develop their individual plans for an Eco Spa (2.8 acre) and event venue (working on lease terms), directing Parks Commission by resolution for the trail up to the property for connectivity, and facilitating a public workgroup to propose a master plan for the balance of the property. The next meeting is in August. Commissioner Miner requested a formal report be made. Discussion took place about the Commission not being reported to and addressing questions about the master plan. Mayor Havenar offered to provide a report when Trustee Farr is unavailable. Further discussion ensued about the use of the property being decided, lease agreements, and buildings considered to salvage.

Public Comment. None.

Next Meeting (August 16) and Future Items. Collins mentioned an opportunity to hear Barb Cole of CMI and Attorney Scott Krob present on PUDs in September. Material will be forwarded by email.

** Application for Annexation and Rezone (Parcel ID 7109013007)*

Adjourn to WORKSHOP to Review/Discuss Draft Sign Code. MOTION (Hutson, Fisher) to adjourn at 6:43 pm.

Minutes by: Dawn A. Collins, Town Clerk



42 Valley Crescent
PO Box 208
Palmer Lake, CO 80133
719-481-2953 - Office

Office Use Only

Date: ck 3268 6/29

Fees: \$1000.00

Check #: pd 3268

Rec'd By: MAC

*Minimum submittal of 30 days

Aug PC

Annexation / Rezoning Application Form

Name of Applicant: JAMES E. PARCO

Applicant's Address: 19105 FOREST VIEW RD Phone #: 719-694-4242

Applicant's Email: JIMPARCO@MAC.COM

Name of Proposal: PARCO - FITZGERALD ANNEXATION / DE-ANNEXATION PETITION

Tax Schedule #: 7109013007 (ANNEX) AND 7109013008 (DE-ANNEX)

Rezoning of existing or annexation of property – A request for a change in the existing designated zoning or property annexation. This request must be accompanied by those items outlined in the Palmer Lake Zoning requirements (section 17.12.030).

Nearest Street Intersection: FOREST VIEW RD Existing Subdivision: COLD WATER
at DOUGLAS AVE

Current Zoning and Uses of Surrounding Property: *R-1 / R1E* N: RR-5 *EP County* RESIDENTIAL (BROWN)
 E: RR-5 RESIDENTIAL (FITZGERALD)
 S: RR-5 RESIDENTIAL (FITZGERALD)
 W: RR-5 RESIDENTIAL (PARCO)

James E. Parco
Signature of Owner

6/12/2023
Date

PROCEDURAL CHECKLIST FOR REZONING

All initial application will be submitted to the Town office a minimum of 30 days before the regular Planning Commission.

Planning Commission meetings are held the 3rd Wednesday of each month.
Town Board of Trustees meetings are held the 2nd and 4th Thursday of each month.

*All submittals are required to be in compliance with the corresponding Palmer Lake Municipal Code.
Coordination is required with staff/Departments.*

Recommend United Notification Cost Center (UNCC) be Contacted Prior to Submittal - 811

Please fill out the appropriate submission checklist to complete the application.

Criteria for Rezoning – A preliminary meeting with Town staff is required prior to submittal.

A Letter of Intent should include:

- ✓ Plot Plans 1- 24"x36"
- ✓ 1- electronic file
- ✓ Complete Application
- ✓ Letter of Intent
- ✓ Fee (\$500)

- ✓ The proposed rezoning promotes the health, safety or welfare of the inhabitants of the Town – (17.04.030)
- ✓ The proposed zoning is consistent with the goals of the Master/Comp Plan
- ✓ There has been a material change in the character of the neighborhood or in the Town, so that the proposed zoning would be in the public interest and consistent with the change
- ✓ The proposal, as evidenced by the Site Plan, is compatible with surrounding uses or in the case of redevelopment that the proposal is an improvement to the area (section 17.12.070)
- ✓ The proposal enhances significant natural characteristics of the site by preservation or incorporating the features into the development's open space plan if applicable

Day of Submittal \$500.00 Fee payment (non-refundable) Any additional fees will be paid by the applicant (outsourced reviews)	Application is reviewed by the Town staff for completeness – application will not be scheduled for the Planning Commission until all required documentation is complete.
Once completed application materials are received, review process begins by staff.	Planning Commission will receive application at least 1 week prior to the meeting/hearing.
The property is posted and notice of Public Hearings will be published at least 15 days prior to the Planning Commission and Board of Trustee meetings.	Applicant shall notify by certified mail all surrounding property owners from the boundary of the subject properties.
The third Wednesday of the month the Planning Commission will have a Public Hearing and make a recommendation to the Board of Trustees. A second hearing may be required.	APPLICANT MUST BE PRESENT
On the second Thursday following the Planning Commission meeting/hearing and recommendation, the Board of Trustees will hold a Public Hearing and take action on the application.	Board of Trustees will hear comments from the developer and the public. The Board can decide or continue the hearing/action. APPLICANT MUST BE PRESENT

Application Received: 6/29/23

Planning Commission Meeting: 8/16

Board of Trustees Meeting: 8/24

ANNEXATION PETITION TOWN OF PALMER LAKE

The undersigned landowners (hereafter "Petitioners"), in accordance with the provisions of Section 31-12- 101 et. seq. C.R.S., and known as the Municipal Annexation Act of 1965, as amended, hereby petition the Board of Trustees of the Town of Palmer Lake for the annexation of Parcel 7109013007 (hereafter "Parcel A") into the Town of Palmer Lake.

In support of this Petition, the petitioners allege and submit the following and make the within a request that it is desirable and necessary to create a single parcel of record with the El Paso County Assessor's Office, for each of the Petitioners from the Cold Water Subdivision replat (Lots 1 & 2), as recorded in the El Paso County Clerk and Recorder's Office on 9 June 2015, reception number 215713630, as shown on Exhibit A, by annexing the property shown on Exhibit B, attached hereto, as Parcel A, comprising a total of 0.18159 acres (7,910 square feet) more or less, into the Town of Palmer Lake.

2) That the area sought to be annexed to the Town of Palmer Lake meets the requirements of section 31-12-104 and 105 C.R.S. of the Municipal Annexation Act of 1965, as amended, in that:

- a. Not less than one-sixth of the perimeter of the described property is contiguous to the Town of Palmer Lake. The property for which annexation is sought has a total of approximately 480.48 feet, more or less, contiguous to the Town of Palmer Lake.
- b. The area for which annexation is sought shares a community of interest with the Town of Palmer Lake.
- c. The area for which annexation is sought will be urban in character (residential);
- d. The area for which annexation is sought is integrated with or is capable of being integrated with the Town of Palmer Lake;
- e. Within the area for which annexation is sought, no lands held in identical ownership shall be divided into separate lots or parcels without the written consent of the landowners thereof;
- f. No land held in identical ownership comprising twenty (20) acres or more shall be included within the annexation without the written consent of the landowners thereof;
- g. The annexation which is sought will not result in a detachment of area from any school district and will not result in the attachment of the annexed area to another school district other than that in which it already is;
- h. The annexation of the area proposed to be annexed will not have the effect of extending the boundary of the Town of Palmer Lake more than three miles in any direction from any point of the Town's boundary in any one year.

3) That the signers of this Petition comprise the landowners of one hundred percent (100%) of the territory included in the area for which annexation is sought.

4) That the petitioners request that the Town of Palmer Lake approve this annexation.

5) That the legal description of the territory proposed to be annexed is attached hereto as Exhibit C.

6) The names and addresses of adjacent property owners to the property for which annexation is sought and within 300 feet of the boundary of the property for which annexation is sought are attached as Exhibit D; the applicant must inform each property owner within 300 feet of the boundary of the property of the annexation petition by way of certified mail or FedEx with the return receipts and/or proof of delivery, will be required to complete the applicants file.

7) No annexation proceedings have been commenced for the annexation to another municipality of part or all of the territory proposed to be annexed.


8) If a portion of a platted street or alley is to be annexed, the entire width of said street or alley is included within the area to be annexed.

9) Upon annexation, property owners must dedicate water rights, based on proposed water use to the Town of Palmer Lake (Ordinance 8-1985).

10) The Town of Palmer Lake will distribute a copy of the annexation plat to the affected agencies for comment, including public entities of school district and various utilities (i.e., gas, cable, sewer).

11) That upon the Annexation Ordinance becoming effective, all lands within the area sought to be annexed shall become subject to the Colorado Revised Statutes and all ordinances, resolutions, and regulations of the Town of Palmer Lake.

WHEREFORE, the undersigned petitioners request that the Town of Palmer Lake approve the annexation of the Property.

 12 Jun 2023
James E. Parco, Petitioner Date
Co-owner, Lot 1, Coldwater Subdivision

 6/12/23
Pamela S. Parco, Petitioner Date
Co-owner, Lot 1, Coldwater Subdivision

[NOTARIZATION OF PETITONER SIGNATURES ON THE FOLLOWING PAGE]

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

Subscribed and sworn to before me this 12th day of ~~June~~^{June} June, by James Edward Parco.

[Signature]
Notary Public

ZACHARY J WEISS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204013742
MY COMMISSION EXPIRES APRIL 15, 2024

My commission expires: April 15, 2024

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

Subscribed and sworn to before me this 12th day of June 2023, by Pamela Sue Parco.

[Signature]
Notary Public

ZACHARY J WEISS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20204013742
MY COMMISSION EXPIRES APRIL 15, 2024

My commission expires: April 15, 2024



Jim & Pam Parco

19105 Forest View Rd
Monument, CO 80132
jimparco@msn.com

June 12, 2023

Town of Palmer Lake
42 Valley Crescent St
Palmer Lake, CO 80133

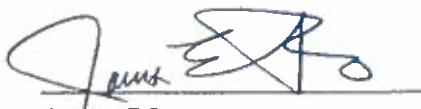
To whom it may concern,

In 2014, we (Jim and Pam Parco, who live at 19105 Forest View Rd) worked together with our neighbors, (Jim and Laurra Fitzgerald, who live at 19055 Forest View Rd) to change the interior property line between our parcels. In doing so, Jim and Laurra transferred a 7,910 square foot parcel (Parcel A in the plat) to us, and simultaneously, Pam and I transferred a 7,910 square foot parcel (Parcel B in the plat) to them. This resulted in both parties keeping their Lots the exact same size after the action as compared to before.

Collectively, we filed the replat of our subdivision (Cold Water) with the El Paso County Clerk & Recorder's office on 9 June 2015, under reception number 215713630. On 2 November 2021, the Fitzgeralds deeded Lot 1 to the Parcos, and simultaneously on the same date, the Parcos deeded Lot 2 to the Fitzgeralds.

The only remaining issue that Parcel A of Lot 1 (19105 Forest View Rd owned by the Parcos) remains located within unincorporated El Paso County, whereas Parcel B of Lot 2 (19055 Forest View Rd owned by the Fitzgeralds) remains located within the town limits of Palmer Lake. Because of the different taxing jurisdictions, the final step to create a single parcel of record with El Paso County is to petition the Town of Palmer Lake to annex Parcel A into the town limits (this annexation application), and de-annex Parcel B into unincorporated El Paso County (the Fitzgerald letter of deannexation request), placing the entirety of Lot 1 in the Town of Palmer Lake and the entirety of Lot 2 in unincorporated El Paso County. After meeting with Town Staff on this issue, we were provided the application to petition the Town of Palmer Lake to change the town limits by the adjustment needed from the swap of these two parcels.

After meeting with Dawn Collins on this issue back in November 2022, and a legal review by Town Attorney Krob in April, 2023, we respectfully submit the attached Annexation Petition request (for Parcel A), along with a letter from the Fitzgeralds to simultaneously requesting deannexation (Parcel B). Attached to this letter are all of the required documents to submit our application for your consideration.


James E Parco


Pamela S Parco

Jim & Laura Fitzgerald
19055 Forest View Rd
Monument, CO 80132
jamesfitzgeraldjr@mac.com

Town of Palmer Lake
42 Valley Crescent St
Palmer Lake, CO 80133

16 June 2023

To whom it may concern,


In 2014, we (Jim and Laura Fitzgerald, who live at 19055 Forest View Rd) worked together with our neighbors, (Jim and Pam Parco who live at 19105 Forest View Rd) to change the interior property line between our parcels. In doing so, we transferred a 7,910 square foot parcel (Parcel A in the plat) to the Parcos, and simultaneously, the Parcos transferred a 7,910 square foot parcel (Parcel B in the plat) to us. This resulted in both parties keeping their Lots the exact same size after the action as compared to before.

Collectively, we filed the replat of our subdivision (Cold Water) with the El Paso County Clerk & Recorder's office on 9 June 2015, under reception number 215713630. On 2 November 2021, the Fitzgeralds deeded Lot 1 to the Parcos, and simultaneously on the same date, the Parcos deeded Lot 2 to the Fitzgeralds.

The only remaining issue that Parcel A of Lot 1 (19105 Forest View Rd owned by the Parcos) remains located within unincorporated El Paso County, whereas Parcel B of Lot 2 (19055 Forest View Rd owned by the Fitzgeralds) remains located within the town limits of Palmer Lake. Because of the different taxing jurisdictions, the final step to create a single parcel of record with El Paso County is to petition the Town of Palmer Lake to annex Parcel A into the town limits, and de-annex Parcel B into unincorporated El Paso County, placing the entirety of Lot 1 in the Town of Palmer Lake and the entirety of Lot 2 in unincorporated El Paso County.

After a legal review by Town Staff on this issue in April 2023, we were subsequently advised to provide this deannexation request, by letter, to accompany the Parco's annexation request.

The purpose of this letter is to formally request that Parcel B be deannexed from the Town of Palmer Lake, concurrently, with the Annexation Petition filed by Jim and Pam Parco.


James E. Fitzgerald, Petitioner Date
Co-owner, Lot 2, Coldwater Subdivision 6/16/23


Laura B. Fitzgerald, Petitioner Date
Co-owner, Lot 2, Coldwater Subdivision 6/16/23

Copy,

Dawn Collins

From: jimparco@icloud.com
Sent: Monday, July 17, 2023 12:24 PM
To: Dawn Collins
Cc: Jim Fitzgerald; Pam Parco
Subject: !! AFFIRMATION OF NOTICE TO SURROUNDING LANDOWNERS: Town of Palmer Lake application #710 901 3007 (James E and Pamela S Parco)
Attachments: 2023-07-17 12-07.pdf

-----WARNING: This email originated from outside the Town of Palmer Lake. DO NOT CLICK on any attachments or links from unknown senders or unexpected emails. Always check the sender's display name and email address are correct before you communicate.-----

Hi Dawn,

Happy Monday.

This email serves as notice to the Town, that we (Parcos and Fitzgeralds) have now sent out the *Notice of Public Hearing* to all required local neighbors, by USPS Certified Mail with Return Receipt.

Below you will find, as proof of the notice sent out today (Monday, 17 July 2023):

- (1) USPS Certified Mail receipt showing the name and address of all six recipients;*
- (2) Picture of the contents of each envelope sent out (all six mailings were identical in contents);*
- (3) A copy of the USPS payment receipt showing the tracking number for both the notice as well as the return receipt.*

We ask that you kindly reply acknowledging receipt of this email.

Please let us know if there is anything else you require of us at this time. Otherwise, Jim Fitzgerald and I will be at Town Hall on **Wednesday, 16 Aug at 5pm** for the Planning Commission meeting, and then the following week on **Thursday, 24 Aug at 6pm** for the Town Council meeting.

Until then, be well!

Best,

Jim & Pam (and Jim & Laurra)

--

Jim Parco
719-694-4242
jimparco@mac.com

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

Palmer Lake, CO 80133

Certified Mail Fee	\$4.35
Extra Services & Fees (check box, add fee as appropriate)	\$3.55
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$9.65
Total Postage and Fees	\$17.55



Sent To: **JAMES + SUSAN Mc CRIMMON**
 Street and Apt. No., or PO Box No.: **P.O. Box 1634**
 City, State, ZIP+4: **PALMER LAKE, CO 80133**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0000 8354 3854

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

Item 2.

For delivery information, visit our website at www.usps.com

Palmer Lake, CO 80133

Certified Mail Fee	\$4.35
Extra Services & Fees (check box, add fee as appropriate)	\$3.55
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$9.65
Total Postage and Fees	\$17.55



Sent To: **D+B FAMILY TRUST**
 Street and Apt. No., or PO Box No.: **P.O. Box 567**
 City, State, ZIP+4: **PALMER LAKE CO 80133**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0000 8354 3831

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

Monument, CO 80132

Certified Mail Fee	\$4.35
Extra Services & Fees (check box, add fee as appropriate)	\$3.55
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$9.65
Total Postage and Fees	\$17.55



Sent To: **ROBERT + KIM GUTIERREZ**
 Street and Apt. No., or PO Box No.: **601 FOREST VIEW WAY**
 City, State, ZIP+4: **MONUMENT CO 80132**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0000 8354 3848

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

Monument, CO 80132

Certified Mail Fee	\$4.35
Extra Services & Fees (check box, add fee as appropriate)	\$3.55
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$9.65
Total Postage and Fees	\$17.55



Sent To: **JEFF + SUE VOZSEY**
 Street and Apt. No., or PO Box No.: **603 FOREST VIEW WAY**
 City, State, ZIP+4: **MONUMENT, CO 80132**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0000 8354 3853

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

Monument, CO 80132

Certified Mail Fee	\$4.35
Extra Services & Fees (check box, add fee as appropriate)	\$3.55
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$9.65
Total Postage and Fees	\$17.55



Sent To: **CATHERINE FISH-WILCOX**
 Street and Apt. No., or PO Box No.: **599 FOREST VIEW WAY**
 City, State, ZIP+4: **MONUMENT CO 80132**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0000 8354 3886

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com

Palmer Lake, CO 80133

Certified Mail Fee	\$4.35
Extra Services & Fees (check box, add fee as appropriate)	\$3.55
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$9.65
Total Postage and Fees	\$17.55



Sent To: **MARCIA BROWN**
 Street and Apt. No., or PO Box No.: **P.O. Box 220**
 City, State, ZIP+4: **PALMER LAKE CO 80133**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7021 2720 0000 8354 3855



ATTACHMENT TO CERTIFIED LETTER ANNEXATION & DE-ANNEXATION PROPOSAL WITH SURROUNDING NEIGHBORS WITHIN 300'



This letter was sent on 12 June 2023 via USPS, tracking # 7021 2720 0000 8354 3602



Jim & Pam Parco

19105 Forest View Rd
Monument, CO 80132
jimparco@msn.com

Jim & Laurra Fitzgerald

19055 Forest View Rd
Monument, CO 80132
jamesfitzgeraldjr@mac.com

June 9, 2023

D&B Family Trust (% Dave and Beverly Miller)
P.O. Box 567
Palmer Lake, CO 80133

Dear Mr & Ms Miller,

In 2014, we (Jim & Laurra Fitzgerald, who live at 19055 Forest View Rd, in collaboration with Jim and Pam Parco, who live at 19105 Forest View Rd) worked together to change the interior property line between our respective lots. In doing so, Jim and Laurra transferred a 7,910 square foot parcel (Parcel A in the plat) to the Parcos, and simultaneously, Pam and Jim transferred a 7,910 square foot parcel (Parcel B in the plat) to the Fitzgeralds. This resulted in both of parties keeping their Lots the exact same size after the action as compared to before. On the reverse of this letter is a diagram reflecting the property line change.

Collectively, we filed the replat of our subdivision (Cold Water) with the El Paso County Clerk & Recorder's office on 9 June 2015, under reception number 215713630. On 2 November 2021, the Fitzgeralds deeded Lot 1 to the Parcos, and simultaneously on the same date, the Parcos deeded Lot 2 to the Fitzgeralds.

The only remaining issue is that Parcel A of Lot 1 (19105 Forest View Rd owned by the Parcos) remains located within unincorporated El Paso County, whereas Parcel B of Lot 2 (19055 Forest View Rd owned by the Fitzgeralds) remains located within the town limits of Palmer Lake. Because of the different taxing jurisdictions, the final step to create a single parcel of record with El Paso County is to petition the Town of Palmer Lake to annex Parcel A into the town limits, and de-annex Parcel B into unincorporated El Paso County, placing the entirety of Lot 1 in the Town of Palmer Lake and the entirety of Lot 2 in unincorporated El Paso County. After meeting with Town Staff on this issue, we were provided the application to petition the Town of Palmer Lake to change the town limits by the adjustment needed from the swap of these two parcels.

As part of the requirements of the town's zoning application, we are required to send this letter via certified mail to all property owners within 300 feet of the affected area. As your property was determined to be within the 300' radius, we are sending this to you ahead of our application to the town.

Sincerely,



Jim Parco



Jim Fitzgerald

This letter was sent on 12 June 2023 via USPS, tracking # 7021 2720 0000 8354 364

JUL 05 2023

Allen D. (Dave) & Beverley B. Miller
 D & B Miller Family Trust
 P.O. Box 567, Palmer Lake, CO 80133
 719-481-2003

June 30, 2023

Jim & Pam Parco
 19105 Forest View Rd.
 Monument, CO 80132

Jim & Laura Fitzgerald
 19055 Forest View Rd.
 Monument, CO 80132

Subject: Certified Parco-Fitzgerald Letter, dated June 9, 2023

Dear Parcos and Fitzgeralds:

Per your attached Certified June 9, 2023 letter, we have no objection to Parcel A, now owned by Parcos's, to be transferred to El Paso County, and Parcel B, now owned by the Fitzgerald's, to remain in Town of Palmer Lake.

However, it should be noted that since our original sale of the total property to the Fitzgeralds, the Town of Palmer Lake has paved its Douglas Avenue, and created a 2½ feet Drainage Easement along the north side of our 30 foot wide Access Easement to our Miller's five acre property in Town of Palmer Lake. This 2½ foot Palmer Lake Drainage Easement also crosses the Fitzgerald's lower property, that remains in Town of Palmer Lake.

It should be noted that Town of Palmer Lake's north side Douglas Avenue Drainage needs to be physically realigned under Forest View Road to properly connect to the Town's recently established drainage easement along our originally recorded 30 foot wide access easement.

Thank you for considering these fundamental facts and drainage requirements.

Sincerely,



Allen D. Miller



Beverley B. Miller

encl: Certified June 9, 2023 letter from Parco-Fitzgerald

cc: All Leaders and Staff, Town of Palmer Lake, and El Paso County

P.S. All Parco installed gates, rises, and other artificial obstructions should be immediately removed from our original and permanent 30 foot wide access easement to our five acre parcel in Town of Palmer Lake. Thank you!

NOTICE OF PUBLIC HEARING

TOWN OF PALMER LAKE

Notice is hereby given that Palmer Lake Planning Commission shall hold a public hearing on Wednesday, August 16, 2023, at 5 PM at the Town Hall, 28 Valley Crescent, Palmer Lake, to consider an application for annexation and rezone of Parcel 7109013007 from El Paso County to the Town of Palmer Lake. A recommendation will be made to the Board of Trustees on the same matter scheduled for Thursday, August 24, 2023, beginning at 6 PM. A copy of the complete application is on file at the Town Clerk office at 719-481-2953.

/s/ Dawn A. Collins, Town Clerk

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF El Paso

Item 2.

Public Notice
NOTICE OF PUBLIC HEARING
TOWN OF PALMER LAKE

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/s/ Dawn A. Collins, Town Clerk

Published in the Tri-Lakes Tribune July 26, 2023.

I, Haley Zinnel, being first duly sworn, deposes and says that he is the Legal Sales Representative of The Tri Lakes Tribune, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of El Paso, and the State of Colorado, and which is called Tri Lakes Tribune; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper **1 time(s) to wit 07/26/2023**

That said newspaper has been published continuously and uninterruptedly in said County of El Paso for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

Haley Zinnel

Haley Zinnel
Sales Center Agent

Subscribed and sworn to me this 07/26/2023, at said City of Colorado Springs, El Paso County, Colorado.

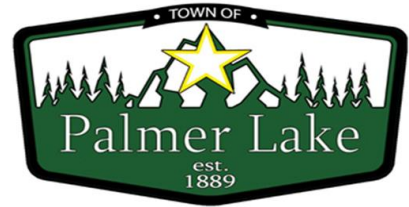
My commission expires June 23, 2026.

Karen Hogan

Karen Hogan
Notary Public
The Gazette

KAREN HOGAN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20224024441
MY COMMISSION EXPIRES 06/23/2026

Document Authentication Number
20224024441-723952



Item 3.

**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: August 16, 2023	ITEM NO.	SUBJECT: Consider Request to Annex and Rezone Parcel 7109013007
Presented by: Town Administrator /Clerk		

Background

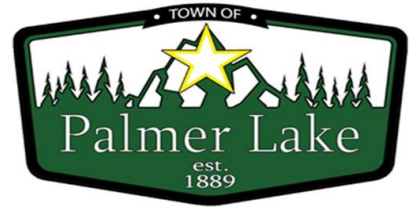
Noting (Town of Palmer Lake resident) Mr. Jim Parco’s explanation of a transfer of property with neighbor’s Fitzgerald (County resident), they each own a parcel outside their residing jurisdiction. Mr. Parco approached the town to assist in making this proper for tax purposes and incorporate into their existing lot, zoned R1.

This annexation and subsequent disconnect of Mr. Paco’s property will change the boundary line of the town but not officially increase or decrease property within the town boundary.

Staff will touch base with property owners first of next week about drainage and report to the PC at the meeting.

Recommended Action

Staff supports the annexation and rezone to R1 as requested.



**TOWN OF PALMER LAKE
PLANNING COMMISSION - AGENDA MEMO**

DATE: August 16, 2023	ITEM NO.	SUBJECT: Consider Adoption of Parks Commission Master Plans to Community Master Plan (Glen Park, Centennial Park)
Presented by: Town Administrator /Clerk		

Background

In 2020, the Glen Park Master Plan was adopted and in 2023, the Centennial Park Master Plan was adopted. Resolutions are included with this item and the plans will be posted to the Key Documents page on the website, reference Parks Commission Master Plans, found here - <https://www.townofpalmerlake.com/documents>.

It is recommended that the Planning Commission consider adoption of the two park master plans to the Community Master Plan, adopted in 2022.

Recommended Action

Incorporate the parks master plans to the Community Master Plan.

PALMER LAKE, COLORADO

RESOLUTION NO. 2 OF 2020

**A RESOLUTION BY THE TOWN OF PALMER LAKE
ADOPTING THE GLEN PARK MASTER PLAN**

WHEREAS, PALMER LAKE IS A STATUTORY TOWN ORGANIZED UNDER PART 3 OF ARTICLE 4 OF TITLE 31 OF THE COLORADO REVISED STATUTES; AND

WHEREAS, the Palmer Lake Town Board lists as a high priority among its goals and objectives the design and completion of the Glen Park Master Plan; and

WHEREAS, the Palmer Lake Town Board desired a comprehensive Glen Park master plan that detailed current conditions and proposed future land uses and locations for operations, trails, pathways, open space, playground, parking, circulation, picnic areas, recreation, and services; and

WHEREAS, the Palmer Lake Town Board desired a comprehensive Glen Park master plan that developed a formalized long-range plan with images, site plans, details, phasing, and estimated costs; and

WHEREAS, in the summer of 2018, the Palmer Lake Town Board charged the Palmer Lake Parks Commission to research, develop, and present a Glen Park master plan to the Town Board; and

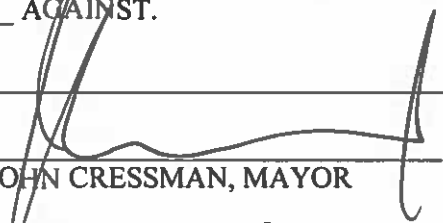


WHEREAS, the plan was presented on September 26, 2019, to the Board of Trustees and the public for comments and/or revisions, of which there were none; and

WHEREAS, the Board of Trustees of the Town of Palmer Lake believes it is in the best interest of the Town to adopt the Glen Park Master Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

Section 1. The Palmer Lake Town Board of Trustees hereby adopts the Glen Park Master Plan prepared by the Palmer Lake Parks Commission and dated January 9, 2020, a copy of which is attached as Exhibit A to this Resolution.

APPROVED AND ADOPTED ON THIS 9th DAY OF JANUARY 2020, BY A VOTE OF __ FOR AND __ AGAINST.

 JOHN CRESSMAN, MAYOR ATTEST:  Robert Radosevich – Interim Town Manager	Approved as to Form:  Scotty P. Krob, Interim TOWN ATTORNEY
---	--

PALMER LAKE, COLORADO

RESOLUTION NO. 52-2023

**A RESOLUTION BY THE TOWN OF PALMER LAKE
ADOPTING THE CENTENNIAL PARK MASTER PLAN**

WHEREAS, PALMER LAKE IS A STATUTORY TOWN ORGANIZED UNDER PART 3 OF ARTICLE 4 OF TITLE 31 OF THE COLORADO REVISED STATUTES; AND

WHEREAS, the Palmer Lake Town Board lists as a high priority among its goals and objectives the design and completion of the Centennial Park Master Plan; and

WHEREAS, the Palmer Lake Town Board desired a comprehensive master plan that detailed current conditions and proposed future land uses and locations for operations, trails, pathways, open space, playground, parking, circulation, picnic areas, recreation, and services; and

WHEREAS, the Palmer Lake Town Board desired a comprehensive Centennial Park master plan that developed a formalized long-range plan with images, site plans, details, phasing, and estimated costs; and

WHEREAS, the Parks Commission researched and developed a Centennial Park master plan and approved it unanimously on July 11, 2023; and

WHEREAS, the Board of Trustees of the Town of Palmer Lake believes it is in the best interest of the Town to adopt the Centennial Park Master Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, EL PASO COUNTY, COLORADO, AS FOLLOWS:

1. The Palmer Lake Town Board of Trustees hereby adopts the Centennial Park Master Plan prepared by the Palmer Lake Parks Commission and a copy of which is attached as Exhibit A.
2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution 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 Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
3. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 107th DAY OF AUGUST 2023.

ATTEST:

TOWN OF PALMER LAKE, COLORADO



Dawn A. Collins
Town Administrator/Clerk

BY: 

Grant Havenar
Mayor



Community Matters Institute

Tel: ++303 730 0396

barbcole@communitymattersinstitute.org

M E M O

To: Palmer Lake Planning Commission
 Through: Dawn Collins, CMC, Town Administrator/Clerk
 From: Barb Cole, Executive Director, CMI
 CC: Mike Davenport, CMI and Matt Krob, Town Attorney
 Date: August 11, 2023
 RE: FINAL Sign Code for Planning Commission meeting on August 16, 2023

"Never doubt that a small group of thoughtful, committed citizens can change the world, indeed, it's the only thing that ever has." Margaret Mead

The following changes have been made in the Sign Code:

- 1) Reference to State Statute has been added to # 6 on page 2:
 - This Chapter is not intended to and does not apply to signs erected, maintained, or otherwise posted, owned, or leased by the state, the federal government, or the Town. This includes Colorado Department of Transportation (CDOT) tourist-oriented signs governed by Section 43-1-420, C.R.S., as amended, and in accordance with all rules and regulations of CDOT. The inclusion of "government" in describing some signs does not intend to subject the government to regulation but instead helps illustrate the type of sign that falls within the immunities of the government from regulation.
- 2) The term **legally** non-conforming was added to the section on Non-Conforming Signs. (pg. 3)
- 3) Any sign designed to wave, flap, or rotate **including attention-getting devices, wave banners** except for **government and service flags** as provided for in this Chapter. (pg. 4)
- 4) Off-Premises Signs (~~excluding off-premise directional signage~~) **unless** otherwise permitted in this Chapter. (pg. 4) per workshop direction.
- 5) Abandoned Signs- A sign which is located on property that becomes vacant and unoccupied for a period of **sixty (60) days** or more, or a sign which pertains to a time, event, or purpose which no longer applies, shall be considered abandoned. Previously the time period was 180 days but a non-conforming sign that was abandoned is only 30 days. (pg. 5). Obsolete or Discontinued Commercial Use signs were changed from 30 days to 60 days for consistency.

- 6) Prohibited Signs: Removed from (29) the term gas filled from prohibited neon signs and LED signs since neon signs are the only type of gas-filled sign and added digital signs(a defined term). (pg. 6)
- 7) Under exempt signs added size: Building Directory Signs **not to exceed eight (8) square feet.**
- 8) Temporary signs are subject to an administrative sign registry. The term 'permit' has been removed. (pg. 8).
- 9) Fines and penalties have been amended as follows (pg. 11):
- First violation: One hundred dollars (\$100.00).**
 - Second violation: Two hundred dollars (\$200.00).**
 - Third violation: Three hundred dollars (\$300.00).**
 - Fourth violation: A summons and complaint shall be required.**
- 10) Event Signs- period has been changed to 45 days prior to the event as requested. (pg. 14)
- 11) Home Occupation signs reference existing requirements (pg. 14) but I have not referenced the existing Section of the Zoning Code since that reference is likely to change with critical updates to the land use regulations.
- 12) Clarified rules for directional signs- these do not count toward aggregate sign area: Directional signs shall be on-premise signs and shall not exceed six (6) square feet per face. (pg. 15)
- 13) New Text: Signs visible through the glazing area of any window shall not be included in the allowed number of signs or the allowed overall sign area. **One neon open size is permitted for each business.** (pg. 23)
- 14) Added the following to definitions: **Attention Getting Device: Any flag, streamer, spinner, pennant, feathers, costumed character, light, balloon, continuous string of pennants, or similar device or ornamentation used primarily for the purpose of attracting attention for promotion or advertising a business or commercial activity which is visible by the general public from any public right-of-way or public area.** (pg. 24)
- 15) Freestanding vs. Monument Signs: Bill is correct a monument sign is often referred to as a type of freestanding sign. Freestanding signs are defined as follows (no change)- Freestanding Sign: *A self-supporting sign, not attached to the building and permanently anchored to the ground.* (pg. 25) and Monument Signs are defined as follows (no change)- *Monument Sign: a site or area entry sign identifying a subdivision, commercial center, residential complex, etc. Typically, a freestanding sign with a base integrated with the ground and landscaping.* (pg. 26) Revised term Freestanding Sign to **Pole Sign: a freestanding sign that is permanently supported in a fixed location by a structure of poles, uprights, or**



braces and not supported by a building or a base structure. (pg. 26) Pylon Sign: a tall pole-mounted sign higher than 10' (typically associated with an adjacent higher-speed roadway).(pg. 27)

- General understanding of Freestanding vs. Monument Signs:
 - A Freestanding Sign is a sign anchored directly to the ground or supported by one or more posts, columns or other vertical structures or supports, and not attached to or dependent for support from any building.
 - MONUMENT SIGN: a freestanding sign supported by a solid foundation or base that is at least as wide as the sign's display area.
 - Pylon signs are typically taller, more vertical structures, where monument signs are shorter and stockier.
- RECOMMENDED RESOLUTION: The sign type on page 16 Freestanding Sign is changed to **Pole Sign** per the definitions in the current draft of the Sign Code

16) We added a definition for residential complex. (pg. 28)

17) Format of Sign Types- We have removed the last column that stated examples because no one was in favor of a photo of that kind of sign.

18) Mike is updating the sketch-up drawing to show an awning sign. This is a non-substantive change and we can add this to the Final Code before the Public Hearing next Wednesday, August 16, 2023.

/bc

17.76 Signs

17.76.010 PURPOSE & INTENT	1
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17.76.010 PURPOSE & INTENT

(a) Purpose. Signs can obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The regulations in this Chapter are intended to coordinate the use, placement, physical dimensions, design, and maintenance of all signs within the Town.

- (1) The following regulations recognize that signs are a necessary means of visual communication for the convenience of the public and provide flexibility within the sign review/approval process to allow for unique circumstances and creativity.
- (2) These regulations recognize and ensure the right of those concerned to identify businesses, services, and other activities by the use of signs, and limit commercial signs to those which are accessory, and incidental to the use on the premises where such signs are located.
- (3) These regulations provide a reasonable balance between the right of an individual to identify his or her business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of commercial signs and devices.
- (4) This Chapter allows adequate communication through signage while encouraging aesthetic quality in the design, location, size, and purpose of all signs. This Chapter must be interpreted in a manner consistent with the First Amendment guarantee of free speech and decisions by the Colorado Supreme Court and the United States Supreme Court.
- (5) The intent of this Chapter is to establish limitations on signs in order to ensure they are appropriate to the land, building, or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in this Chapter. A sign placed on land or a building for the purpose of



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identification, protection, or directing persons to a use conducted is deemed to be an integral but accessory and subordinate part of the principal use of land or building.

- (6) This Chapter is not intended to and does not apply to signs erected, maintained, or otherwise posted, owned, or leased by the state, the federal government, or the Town. This includes Colorado Department of Transportation (CDOT) tourist-oriented signs governed by Section 43-1-420, Colorado Revised Statutes (C.R.S.), as amended, and in accordance with all rules and regulations of CDOT. The inclusion of "government" in describing some signs does not intend to subject the government to regulation but instead helps illustrate the type of sign that falls within the immunities of the government from regulation.
- (b) The intent of these regulations is:
- (1) To maintain and enhance the aesthetic environment of the Town.
 - (2) To provide a means for organizations and businesses to effectively advertise or communicate to the public.
 - (3) To assist in wayfinding.
 - (4) To lessen visual clutter caused by improper placement, excessive illumination, or animation.
 - (5) To establish sign size depending on the use in relation to the scale of the lot's frontage and location and speed from which the sign will be viewed.
 - (6) To encourage signs that are responsive to the aesthetics and character of their particular locations and uses and the surrounding neighborhood and are compatible with the building's architectural design.
 - (7) To protect the public from damage or injury caused by signs that are poorly designed or maintained and from distractions or hazards to pedestrians or motorists caused by indiscriminate placement or use of signs.
 - (8) To develop minimum standards to safeguard life, health, property, and public welfare by regulation of structural requirements for all signs.
 - (9) To bring nonconforming signs into compliance with these regulations when the use of the property changes or is discontinued, when a new business license is issued, or as a condition of approval of a land use action approved by the Town, such as a rezoning, variance, or other land use action.
 - (10) Provide fair and consistent permitting and enforcement.

17.76.020. GENERAL PROVISIONS AND RESTRICTIONS

- (a) **Compliance required.** It is unlawful to display, construct, erect, alter, use, or maintain any sign, except in conformance with the provisions of this title. It is unlawful to alter, maintain, enlarge, use, or display any such sign erected or constructed before the enactment of this Chapter, except in conformance with the provisions herein set forth.



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- (b) **Sign Permit required.** All signs must receive a sign permit or complete a sign registry except exempt signs.
- (c) **Owner Consent.** No sign shall be placed on private property without the written consent of the property owner or the owner's authorized agent. This applies to permitted signs as well as temporary and exempt signs.
- (d) **Sign Installation.** All signs shall be structurally sound and designed to resist any and all code-specified gravity and lateral loads. Sign structures and sign faces shall be installed in compliance with all building and electrical codes.
- (e) **Signs along Highway 105.** CDOT does not necessarily recognize the same sign standards as the Town. It is the responsibility of the property owner and applicant to determine the CDOT regulations as they apply to the property and ensure compliance with those regulations.
- (f) **Nonconforming Signs.**
 - (1) Nonconforming signs in existence on the effective date of this Chapter will be identified by the Town. Owners of these signs will be notified of the existence of the regulations in this Chapter and the provisions thereof.
 - (2) Existing signs for which a sign permit was issued pursuant to the previous provisions of this Chapter, and which have become non-conforming because of subsequent amendments to said Chapter, shall be maintained in good condition and are considered legally non-conforming signs. No such sign shall be:
 - a. Structurally changed or altered, except to meet safety requirements.
 - b. Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty percent (50%) of the total replacement cost, as determined by the Town Administrator.
 - c. If a sign is modified or altered beyond that allowed and noted above, the non-conforming sign shall be brought into compliance.
 - (3) The right to retain any legally nonconforming sign shall be terminated by any one of the following:
 - a. Abandonment of the legally nonconforming sign for a continuous period of thirty (30) days.
 - b. Any dimensional changes of the legally nonconforming sign after the effective date of this Chapter.
 - c. Damage to or destruction of the legally nonconforming sign from any cause whatsoever, in which the cost of repairing the damage or destruction exceeds seventy-five percent of the replacement cost.
 - (4) Obsolete or deceptive signs are not entitled to continue in existence as legally nonconforming signs.
 - (5) All legally nonconforming signs must conform with Sign Maintenance Standards.
- (g) **Sign Maintenance.** The Owner of the sign and the owner of the premises on which the sign is located shall be jointly liable to maintain the sign, including any illumination. Signs shall be kept painted, in good repair, and in compliance with all building and electrical codes including supporting structures. Banners and banner flags shall not be torn. Repairs to signs shall be of an equal or better quality of materials and design as the original sign. The Town



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may inspect any sign and order the painting, repair, alteration, or removal of a hazardous sign. The sign owner shall have thirty (30) days to comply with the maintenance orders or the sign shall be removed at the owner's expense.

- (h) **Retail and Medical Marijuana Businesses** All signage associated with a medical marijuana business shall meet the standards established in this Sign Code and Chapter 5.20 Marijuana (Medical and Retail).
- (i) **Sexually-Oriented Businesses** All signage associated with a sexually-oriented business shall meet the standards established in this Sign Code and Chapter 5.32, Sexually-oriented Businesses.

17.76.030 PROHIBITED AND EXEMPT SIGNS

- (a) **Prohibited Signs.** The following signs are prohibited in all zoning districts and deemed inconsistent with the purposes and standards in this Chapter. Signs for which no valid permit has been issued by the Town of Palmer Lake and which are not exempt from this Chapter are explicitly prohibited.
 - (7) Distracting Signs.
 - (8) Animated Signs.
 - (9) Flashing signs
 - (10) Searchlights and revolving beacons.
 - (11) Electronic Signs
 - (12) Roof signs
 - (13) Inflated signs or balloons.
 - (14) Any sign designed to wave, flap, or rotate including attention-getting devices, wave banners except for government and service flags as provided for in this Chapter.
 - (15) Visual Obstructions.
 - a. Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic, pedestrian traffic, or traffic-control devices, including any sign that obstructs clear vision in any direction from any street intersection or driveway.
 - b. Any sign located in such a way as to substantially deny an adjoining property owner's visual access to an existing sign.
 - c. Right-of-Way Signs.
 - d. Any sign other than traffic control devices erected, constructed, or maintained within, over, or upon the right-of-way of any public road, street, or highway, except in the case of a sign for which a permit has been issued in accordance with the requirements of this Article.
 - (16) Off-Premises Signs unless otherwise permitted in this Chapter.
 - (17) Any sign with light sources that are not shielded such that the bulbs, floodlights, or tubes are visible off the property on which the sign is located.



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- (18) Any sign that is painted upon retaining walls, rocks, vegetation, or other natural features.
- (19) Any Projected Image Sign emitting a sound or virtually projected image onto a surface.
- (20) Any sign which interferes with the free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder, or opening intended as a means of ingress or egress or window or opening providing light or air.
- (21) Unsafe Signs. Any sign or sign structure which:
- a. Is structurally unsafe.
 - b. Constitutes a hazard to safety or health because of inadequate maintenance or dilapidation.
 - c. Is not kept in good repair.
 - d. Is not designed or constructed in a professional manner.
 - e. Is capable of causing electrical shocks to persons likely to come in contact with it.
 - f. Presents a danger to the health, safety, or welfare of the Town or its citizens.
 - g. Obstructs a driver's view or line of sight; or on public right-of-way without proper authorization from the Town of Palmer Lake or CDOT.
- (22) Portable Signs (except for sandwich board signs).
- a. Portable signs or signs not permanently affixed or attached to the ground or to any structure, except for real estate or yard signs attached to posts driven into the ground.
 - b. Commercial signs mounted, attached, or painted on motor vehicles, trailers, or boats used as advertising, but excluding vehicles used in the normal course of business, whether parked or not, including signs painted on or attached to semi-trailers or cargo containers, when exhibited on private property adjacent to a public right-of-way and advertising business or services offered on the property. Vehicle-mounted commercial signs on property used for special events are exempt from the requirements of this Section during the special event only. Upon the conclusion of the special event, such signs must be dismantled.
 - c. Inflatable signs or tethered balloons.
- (23) Obsolete or Discontinued Commercial Use Signs. Whenever a business, industry, service, or other use is discontinued, all signs advertising the discontinued use shall be removed or obscured within sixty (60) days after the discontinuance of such use. Signs advertising discontinued commercial uses are misleading, unnecessarily contribute to visual clutter, and can obstruct views and distract motorists. Such signs shall constitute a nuisance as defined in Chapter 8.04. Nuisance and Abatement Procedure.
- (24) Abandoned Signs. A sign which is located on property that becomes vacant and unoccupied for a period of sixty (60) days or more, or a sign which pertains to a time, event, or purpose which no longer applies, shall be considered abandoned.
- (25) Roof signs.



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- (26) Billboards.
- (27) Pylon Signs.
- (28) Handbills and posted advertisements are not allowed without written permission of the Planning Commission and shall not be attached to trees, fences, utility poles, street furniture, or automobiles.
- (29) Exterior neon signs, digital signs, and LED light tubes are prohibited.
- (30) Signs specifying price are not allowed unless advertising the price of vehicle fuel or gasoline at a gas station or convenience store that dispenses fuel for vehicles.
- (31) Signs using reflective surfaces are prohibited except for official government or traffic signs.
- (b) **Exempt Signs:** The following signs are exempt from permitting but may not exceed the height and size specified in the Sign Type Standards.
- (1) The existing Town of Palmer Lake Electronic Message Board.
 - (2) Flags of any state, nation, or government including service flags, if the latter is flown in conjunction with any of the preceding flags. Flags may not exceed fifty (50) square feet in size and no flagpole shall be higher than the maximum height allowed for freestanding signs in the district in which the flag is located.
 - (3) Official Town of Palmer Lake, El Paso County, or State of Colorado government/traffic signs.
 - (4) Signs not legible or visible from a public right-of-way or adjacent property.
 - (5) Signs on athletic fields and scoreboards intended for on-premises viewing. Scoreboards shall not exceed twenty (20) feet in height and one hundred fifty (150) square feet in size.
 - (6) Commemorative plaques.
 - (7) Displayed merchandise shall not be considered a sign.
 - (8) The display of street numbers. Street numbers must be affixed to the structure they are meant to identify.
 - (9) Signs not exceeding three (3) square feet in area that are customarily associated with residential uses, such as property identification names and numbers, signs on mailboxes or newspaper tubes, and signs posted on private property warning the public against trespassing or danger from animals.
 - (10) Informational signs indicating as a courtesy “credit cards accepted,” hours, open/closed, retail vehicle fuel price, or similar with a cumulative total area of six (6) square feet.
 - (11) Building Directory Signs not to exceed eight (8) square feet.
 - (12) National or state holiday and community special event decorations that do not display a commercial message and that are not displayed for more than forty-five (45) consecutive days.
 - (13) Public notices or signs relating to an emergency or hazard.



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- (14) Yard Sale signs including Garage and Estate sales. Signs on the lot or parcel where a private garage, estate, or yard sale occurs.
- (15) Real estate signs. Temporary signs on an individual real estate parcel currently offered for sale, lease, or rent, provided that there is only one (1) sign per street frontage and is not greater than eight (8) square feet in area in a residential district and thirty-two (32) square feet in area in nonresidential districts, and the sign is located on the offered property behind the street right-of-way line. All such temporary signs shall be removed within seven (7) days after the real estate closing or lease transaction for the subject parcel or expiration of the listing, whichever occurs first.
- (16) Restaurant Menu Signs provided there is no more than one per establishment not to exceed 4 square feet.
- (17) Election Signs.
- (c) **Severability.** If any subsection of this Sign Code is found to be invalid by a court of competent jurisdiction, all remaining provisions shall be deemed valid.

17.76.040 SIGN PERMITS AND ADMINISTRATIVE PROCEDURES

a) Sign Permits.

- (1) Permits are not required to repair or maintain existing signs.
- (2) A Sign permit requires an application submittal, non-refundable fee, and review and approval by the Planning Commission. If the entity at any given location changes, then new or replacement signs and overall allocation must conform to all requirements of this Chapter.
- (3) No work shall commence on signs requiring a permit until said permit has been issued by the Town.
- (4) Upon receipt of a sign permit, the sign must be erected within three (3) months. A photo of the installed sign shall be delivered to the Town by the applicant within 10 days after installation.

b) There are two permit procedures:

- (1) An administrative process for temporary signs.
- (2) A detailed application submittal for a permanent sign.

c) Permanent Sign Permit Application: The applicant shall provide the following information:

- (1) Name, address, and telephone number of the applicant and property owner.
- (2) Written consent of the property owner.
- (3) A Sign Plan composed of a scaled drawing(s) indicating the following:
 - a. Site Plan showing on-site drives, parking, buildings, sign type(s), proposed sign location(s) with dimensions to property lines, and required sign landscaping.
 - b. When the Sign Permit Application is for common site signage in a multiple tenant commercial project then this information must be shown on the Sign Plan. The applicant has the option of applying for a Master Sign Plan.



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- c. A summary of all sign sizes, quantities, and areas corresponding to Sign Type Standards criteria.
 - d. Sign drawing(s) showing size, shape, design layout, an elevation of the sign on the building, materials, content, and mounting method.
 - e. Light fixture specifications and illumination values.
 - f. If the submittal is for a tenant on a multi-tenant site, provide a copy of the property owner's sign permit for the Common Site Signage.
 - g. Such additional information as requested by the Town Administrator.
 - h. The date when the applicant intends to erect the sign(s).
- d) **Master Sign Plan.** Any mixed-use development or multi-tenant building complex containing 3 or more units shall submit a master sign plan that consists of a coordinated, shared signage plan for the entire development.
- (1) Signs in the master sign plan shall have mutually unifying elements, which may include uniformity in materials, color, size, height, letter style, sign type, shape, lighting, location on buildings, and design motif.
 - (2) A master sign plan application shall include all of the following:
 - a. A table allocating sign area to each tenant, lot, or pad site;
 - b. A description and/or illustration of the materials to be used in wall signage; and
 - c. Elevations and materials for any standard signs for the site.
 - (3) In reviewing an applicant's submittal of a master sign plan in conformance with the provisions of this Chapter, the Planning Commission may vary the following standards:
 - a. Sign area for individual signs, and maximum sign area for all allowable signs;
 - b. Sign height for individual signs.
 - c. Sign setback or separation signs; and
 - d. Maximum number of signs, types of signs, or approved wall areas for purposes of sign location.
 - e. In exchange for a creative and quality design, one (1) of the above-listed standards may be altered up to twenty-five percent (25%) at the discretion of the Planning Commission. The Planning Commission may approve a greater change in a dimensional standard based on the applicant demonstrating that the change is warranted by a master sign plan and development that represents an exceptional design, the use of quality materials, increased landscaping, and/or other amenities.
- e) **Temporary Sign Registry.** The Town will permit temporary signs on residential and nonresidential parcels in accordance with the following standards and procedures.
- (1) Registry. All temporary signs must be registered with the Town Clerk prior to being displayed.
 - (2) The Town Clerk will maintain an electronic registry of all temporary signs, which registry will include the following information for each sign.



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- a. Property Address
 - b. Temporary sign registrant name, address, phone number, and email address
 - c. Property owner's name, address, phone number, and email
 - d. Sign dimensions and sign copy.
 - e. Sign location on the site (verbal description and photo of the site –site plan not required)
 - f. Commencement date and anticipated duration of sign display.
- (3) The date of removal of the sign.
- (4) Town Clerk Review. The Town Clerk shall cause any sign that does not comply with the standards set forth in this Chapter, including any sign that is not registered in accordance with this Section, to be removed immediately and without notice.
- f) **Sign Permit Process and application.**
- (1) The Sign Permit Application submittal will be reviewed for completeness. When deemed complete it will be reviewed for compliance with applicable Town ordinances and the applicant will be notified of any discrepancies. If it is determined that the sign is not in conformance with these requirements, the Town Administrator shall recommend changes necessary to bring the sign into such conformance. If the applicant does not make such changes and prefers to submit the design as originally submitted, the Town Administrator shall forward the application to Planning Commission for review.
 - (2) The Sign Permit Application must be submitted to the Administrator at least ten (10) days prior to the scheduled Planning Commission meeting to be considered.
 - (3) Within thirty (30) days of submission of a completed application, allowing for one continuation of the application review for additional information or modification, the Planning Commission shall approve, approve with conditions, or deny the application. If the permit is denied, the Town Administrator shall provide a written explanation of the reasons for the denial by the Planning Commission.
 - (4) Approval Criteria: A sign permit application submittal shall comply with the following:
 - a. The Sign(s) conforms to the requirements of all applicable codes.
 - b. The Sign does not interfere with pedestrian or vehicular safety and is not located within the clear vision triangle area per the adopted Town Roadway Specifications.
 - c. The Sign conforms to the design standards of this Chapter.
 - d. The Planning Commission may approve minimal variations in size and quantity standards if the applicant demonstrates exceptional design and/or compliance with the Purpose and Intent of this Chapter.
 - e. The Planning Commission shall evaluate sign compliance and work with the applicant to resolve any issues or concerns.
 - f. Commission may approve as submitted, approve with conditions, deny the application, or request revisions or additional information for further consideration.
- g) Variances.
- (1) Applicability. Variance of the standards set forth in this Chapter may be granted in accordance with this Section.



(2) Process:

- a. Applicant submits a complete sign variance application and pays all applicable fees.
- b. The Town Clerk shall set a time for the Planning Commission to consider the request at a public hearing.
- c. Notice of the public hearing shall be provided as outlined in C.R.S.24-65.5-103 - Notice requirements.

(3) A variance may be granted following review and approval by the Planning Commission of the following:

- a. A written narrative describing the nature of the sign variance request as well as the hardship placed on the applicant resulting in the request.
- b. Applicant demonstrates that strict application of this Chapter would produce peculiar and exceptional practical difficulties or undue hardships upon the property owner.
- c. Such difficulties or hardship is not shared generally by other properties in the same zoning district and the same vicinity but are peculiar to the subject property.
- d. The authorization of such variance will not result in substantial detriment to adjacent property or the public good, materially change the character of the district, or substantially impair the intent and purpose of the Chapter.
- e. The granting of such variance is based upon demonstrable and exceptional hardship as distinguished from variance for convenience, profit, or caprice.

h) Appeal of Denial of Sign Application or Variance Request.

(1) The Planning Commission may deny a sign application or variance request for any one of the following reasons:

- a. The applicable provisions of this Code have not been met;
- b. The required application fees have not been paid;
- c. The application is incomplete or contains false, misleading, or fraudulent statements.

(2) Upon denial of an application for a sign permit, the applicant has ten calendar days from the date of the decision to file an appeal with the Town Clerk.

(3) The applicant may appeal the Planning Commission's decision to the town board of trustees. The decision of the town board of trustees shall be considered a final decision for purposes of Colorado Rules of Civil Procedures (C.R.C.P.) 106.

i) Enforcement.

(1) Any sign found not to be in conformance with this Chapter shall be subject to revocation of the sign permit.

(2) Any work on the sign as allowed that has not commenced within a period of one hundred eighty (180) days from the date the sign permit was issued shall automatically expire. The Town Administrator may allow an extension of up to thirty (30) days for construction delays that are not the result of willful acts or neglect by the permittee.

(3) No refund of any fees will be made if the sign permit is revoked or expired under the provisions of this Section.



(4) Town Clerk Review. The Town Clerk shall cause any sign that does not comply with the standards set forth in this Chapter, including any sign that is not registered in accordance with this Section, to be removed immediately and without notice.

j) Fines and penalties.

(1) Except as provided by Subparagraph b. below, any person who is convicted of, or pleads guilty or no contest to, a violation of this Chapter shall be punished by a fine not to exceed four hundred ninety-nine dollars (\$499.00). Each and every day on which any violation of this Chapter is committed, exists, or continues shall be deemed a separate offense.

- a. First violation: One hundred dollars (\$100.00).
- b. Second violation: Two hundred dollars (\$200.00).
- c. Third violation: Three hundred dollars (\$300.00).
- d. Fourth violation: A summons and complaint shall be required.

17.76.050 SIGN STANDARDS

a) **Sign Illumination.** Unless otherwise specified by these regulations, all permanent signs in nonresidential zone districts may be illuminated consistent with the adopted exterior lighting standards. No sign illumination is allowed in residential zone districts except for address numbers.

b) **Light Source.**

(1) All exterior sign lighting shall be accomplished with Fully Shielded Light Fixtures. Upward-directed sign lighting is prohibited. The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way.

(2) Energy-efficient light sources are encouraged.

(3) All Sign illumination shall have a timer that turns off the light source no later than 10:00 pm or business closing time – whichever is later.

(4) Externally lit Signs.

- a. Lighting fixtures shall be simple in form and shall not clutter the building.
- b. The fixtures must be directed only at the sign. Gooseneck or other building-mounted fixtures are encouraged.



(5) Internally Illuminated Signs

- a. Internally illuminated signs are discouraged and subject to special review by the Planning Commission.
- b. Application for a sign permit for any internally illuminated sign shall include clear and accurate illumination levels and specifications.

c) **Temporary signs.**

(1) Temporary signs are intended to display information for a limited time duration but in no case shall the temporary sign exceed ninety (90) days after first being installed.



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- (2) Temporary signs shall not be used to add permanent signage in addition to what is allowed. The time period for temporary signs varies by sign type and shall be removed on or before the allowable time period.
- (3) Temporary signs are required to complete a sign registry with the Town Clerk. If a temporary sign will be in place for longer than 90 days, a Town sign review process and a permanent sign permit is required.

d) General Design Standards.

- (1) Signs shall be integrated with and not overpower the façade of the building or streetscape.
- (2) Signs including their supporting structure and components shall be integrated with the design of the building or structure on which they are placed. The scale, size, and shape of any sign shall be proportionate to the building and the area in which it is located. Signs shall not obscure architectural features and shall be designed in a manner that provides an artistic accent or visual point of interest for the building. The Town may reduce the sign size and/or quantity allowed when signs do not meet this standard.
- (3) Signs are not subject to the setback requirements of the zoning district where they are located.
- (4) Signs related to building uses on upper floors shall attempt to make use of lower floor directories or other lower floor space for signage. However, upper-floor window signs are allowed.
- (5) Sign bands on buildings should be utilized for compatibility with the building façade.
- (6) Sign colors should complement the building façade and nearby structures. Borders and frames should be utilized to give the sign a finished appearance.
- (7) No letter, symbol, or numeral shall exceed two (2) feet in height.
- (8) 3-D signs are encouraged particularly for projecting signs in pedestrian-oriented areas.
- (9) Signs shall not obstruct scenic views from public rights-of-way, residences, or businesses.
- (10) The sign shall not have a negative impact on neighboring businesses or property. This includes: the sign shall not block entrance(s), impede vehicular or pedestrian traffic, block signage of the neighboring property, or otherwise create a nuisance or safety hazard.
- (11) Utilities to signs shall be concealed. Overhead electrical feeds are prohibited.
- (12) All business premises shall have street and or suite numbers easily viewed from the adjacent right-of-way or from the primary point of access.
- (13) Signs shall not impair visibility for traffic movement and shall not impede drainage or snow storage.
- (14) Product or trade names are permitted as a part of an exterior sign only when that part of the occupant's name or product identified is integral to the use of the premises. No more than ten percent (10%) of the area of such exterior sign shall be



used to advertise the brand name of any products or commodities sold on the premises. In addition, an aggregate total of no more than twenty-five percent (25%) or six (6) square feet, whichever is lesser, of the total window area may be used to advertise product or trade names in the form of window signs.

17.76.060 SIGN TYPES

All signs are permanent unless otherwise noted.

a) Awning Signs

Type	quantity	max area	Height/clearance
<p>Awning Sign</p> <p>A sign width B sign height C min. clearance D awning length E max. R.O.W. projection</p>	<p>Unlimited, within maximum area requirements</p>	<p>0.5 square feet of signage for each linear foot of awning (D), up to a maximum of 32 square feet (A x B)</p>	<p>No higher than the roofline 8.5 feet minimum height pedestrian clearance (C)</p>

- (1) Signs may be placed only on awnings that are located on the first story fronting a street, parking lot, or pedestrian way.
- (2) An awning may include a printed or mounted sign. No sign mounted to an awning shall project beyond, above, or below the face of an awning.
- (3) Awning signs are not allowed in a residential zone district.
- (4) Lighting. Awning signs shall not be internally illuminated.

b) Banners

- (1) Banners are temporary signs for special events, sales, or other short-term events. They are exempt from permitting but must meet all other criteria including temporary sign registration.
- (2) Location: Banners may be displayed in any non-residential zone district subject to the following:
 - a. The banner shall not block entrance(s), impede vehicular or pedestrian traffic, block signage, or otherwise create a nuisance or safety hazard for neighboring properties.
 - b. The banner shall not be placed to obstruct any portion of a window, doorway, or other architectural detail.
- (3) Size: Banners installed on walls shall be limited in size to 0.5 square feet for each linear foot of exterior wall frontage up to a maximum area of thirty (30) square feet.
- (4) An individual business shall hang no more than one banner at a time. If a tenant space has multiple business licenses for the same tenant space, then the tenant space shall only be allowed to hang one banner at a time.



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- (5) Banners shall be in good condition, without rips, tears, or fading, and all corners must be fastened securely.
- (6) Duration: Banners may be displayed for a maximum of thirty (30) days without a sign permit. Banners may be displayed for an additional maximum of sixty (60) days with a sign permit but not to exceed a total of ninety (90) days.

c) Business Courtesy Signs

- (1) Business Courtesy Signs may be temporary or permanent. They are exempt from permitting but must meet all other criteria.
- (2) Location: Business courtesy signs may be located at any location.
- (3) Number: The total number of such signs is not limited as long as the cumulative total is not exceeded.
- (4) Size: The cumulative total of all such signs shall not exceed four (4) square feet.

d) Directional Signs

- (1) Directional signs shall not count toward the aggregate sign area for the business, use, or tenant space displaying the directional signs.
- (2) Directional signs shall be on-premise signs and shall not exceed six (6) square feet per face.
- (3) Directional signs shall not be used for additional advertising but may include the business name or logo.
- (4) Directional signs shall be clearly coordinated and utilize common design cues including color, shape, logo, material, or nomenclature.
- (5) Directional signs that do not meet the standards listed above shall be considered freestanding, projecting, hanging, or wall signs and regulated according to this Chapter.

e) Election Season Signs

- (1) Election Signs are temporary signs exempt from permitting but must meet all other criteria including temporary sign registration.
- (2) Location: The sign shall be setback a minimum of five (5) feet from any property line.
- (3) Quantity: Only one sign per property street frontage is allowed.
- (4) Area and Height: A yard sign shall be 4 square feet maximum and no higher than four (4) feet from the ground surface to the highest point of the sign.
- (5) Duration. Election Season signs may be in place only from forty-five (45) days prior to and seven days after the date of the election.

f) Event Signs

- (1) Event Signs are temporary signs for special events, sales, or other short-term events. They are exempt from permitting but must meet all other criteria.



- (2) Location: Event signs may be displayed at any location approved by public or private property owners that does not affect public safety in any manner.
- (3) Duration: Event Signs shall be erected no sooner than forty-five (45) days prior to the event and must be removed no later than seven (7) days after the event.

g) Home Occupation Signs

- (1) No signs shall be permitted other than a house number or name plate not more than two (2) square feet in area and must be attached to the principal building. In addition, there shall be no illumination of said sign, either internally or externally. House numbers may be illuminated.

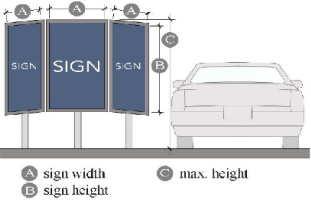
h) Canopy signs

Type	quantity	max area	Height/clearance
<p>Canopy Sign</p> <p>The diagram illustrates two types of canopy signs. The top diagram shows a sign mounted on a building's canopy. It labels 'A' as sign width, 'B' as sign height, 'C' as minimum pedestrian clearance, and 'D' as maximum right-of-way projection. The bottom diagram shows a sign supported by two posts. It labels 'A' as sign width, 'B' as sign height, and 'E' as minimum vehicular clearance. Both diagrams show a car and a pedestrian for scale.</p>	Unlimited, within maximum area requirements	0.5 square feet of signage for each linear foot of canopy, up to a maximum of 32 square feet (A x B)	No higher than the roofline 8.5 feet minimum height pedestrian clearance (C) 14 feet minimum height vehicular clearance (E) where necessary

- (1) Signs may be placed on-canopies located on the premises.
- (2) A canopy may include a printed or mounted sign.
- (3) No sign mounted to a canopy shall project above or below the face of a canopy.
- (4) A canopy sign may project horizontally from the face of a canopy only the distance necessary to accommodate sign material and letter thickness.
- (5) No canopy sign shall extend above the roof line of any building. No canopy sign shall project above the top of the canopy upon which it is mounted. However, a sign may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical /or lighting equipment, but not more than twelve (12) inches.
- (6) Canopy signs are not permitted in a residential zone district.
- (7) Lighting: Supported Canopy Signs shall adhere to the lighting standards contained in this Chapter.

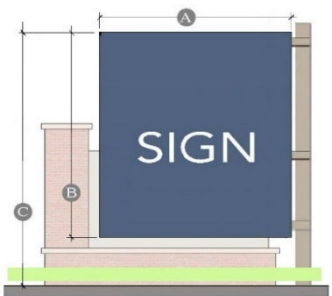


i) Drive Through Window Sign

Type	quantity	max area	height
<p>Drive Through Window Sign</p>  <p>A sign width B sign height C max. height</p>	1 sign per tenant, business, or other entity	Free-standing intended for vehicular viewing: 24 square feet (A+A+A) x B	Drive-thru: 7 feet overall clearance

- (1) Drive Through Window signs shall only occur where the Drive Through Window is approved by a Town of Palmer Lake (TOPL) Development Plan.
- (2) Drive Through Window signs shall be oriented to occupants of a vehicle in a drive-through aisle.
- (3) Drive Through Window signs may include changeable copy.
- (4) Drive Through Window signs shall not be designed to be read from the public right-of-way nor to attract attention to the site from the right-of-way.
- (5) Drive Through access along State Highway 105 is prohibited.
- (6) Drive Through access shall not impede pedestrian movement.

j) Pole Signs

Type	quantity	max area	height /clearance
<p>Pole Sign:</p>  <p>A sign width B sign height C max. height</p>	1 per property or complex with multiple buildings, businesses, or other occupancies	50 square feet (A x B)	(C) No higher than of 10' feet

- (1) Location: Pole Signs shall be set back from all lot lines a minimum of five (5) feet.
- (2) Adjacent lot owners may erect a joint Pole sign on their common lot line if both property owners have provided written permission.
- (3) Metal pole or column sign supports without a decorative cover shall be prohibited.

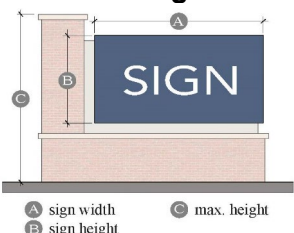


- (4) Pole Signs shall be placed at least two (2) feet from sidewalks and outside of the public right-of-way, clear vision sight triangles, and easements, unless an alternative location is authorized with a Town approved revocable encroachment agreement.
- (5) The base of Pole Signs shall be landscaped a minimum of twenty-four (24) inches all around the sign pole.
- (6) All Pole signs, except directional signs, shall be separated by a distance of no less than fifty (50) feet unless the Pole signs are separated by a street right-of-way.

k) Menu Sign

- (1) Menu Signs are exempt from permitting unless they are larger than four (4) square feet.
- (2) Menu Signs do not count towards total allocation per business.
- (3) Menu Signs shall not be wall signs or window signs.
- (4) Menu signs are limited to four (4) square feet.

l) Monument Signs

Type	quantity	max area	height /clearance
<p>Monument Sign</p>  <p>A sign width C max. height B sign height</p>	1 per main entrance to a property, subdivision, or complex with multiple buildings, businesses, or other occupancies.	32 square feet in residential districts and 50 square feet (A x B) in non-residential districts	(C) No higher than an average of 6 feet in residential districts and 8 feet in non-residential districts measured at finished grade

- (1) Location. A monument sign shall be located on a site frontage adjoining a public or private street, or right-of-way but not within a dedicated easement without a revocable encroachment agreement. The minimum horizontal spacing between monument signs shall be three hundred (300) feet.
- (2) When located near driveways or intersections, signs shall maintain a clear sight triangle.
- (3) A Monument Sign shall be landscaped at the base for an area equal to twice the area of one face of the sign.
- (4) Residential Subdivision or Residential Complexes: Entry signs shall have copy limited to a logo and the subdivision name.
- (5) The monument sign base shall be constructed of stone, brick, or similar natural material.



m) Projecting Signs

Type	quantity	max area	height/clearance
<p>Projecting Sign</p> <p>A sign width B sign height C min. clearance D max. projection E min. distance to curb line</p> <p>A sign width B sign height C min. clearance D max. projection E min. distance to curb line</p>	<p>1 per tenant, business, or other entity</p>	<p>10 square feet (A x B)</p> <p>Only one side of the sign shall count toward the aggregate sign area.</p>	<p>No higher than the wall (single-story building)/bottom of the second-story window (multi-story building) 8.5 feet minimum clearance height (C)</p>

- (1) Location: Projecting signs shall be attached to a building façade and shall not project above the roof or parapet and shall not extend more than four feet from the face of a supporting wall.
- (2) Encroachment: A projecting sign that extends into a right-of-way is subject to Town approval of a revocable encroachment agreement.

n) Sandwich Board Signs

Type	Quantity	Maximum area	Height/clearance
<p>Sandwich Board Sign</p> <p>A sign width B sign height C max. height D max. distance from wall E min. pedestrian walkway</p>	<p>1 per tenant, business, or other entity</p>	<p>6 square feet (A x B)</p>	<p>No higher than 4 feet (C)</p>

- (1) Sandwich Board signs are temporary portable signs not permanently affixed to the ground but secured against tipping or being blown over.

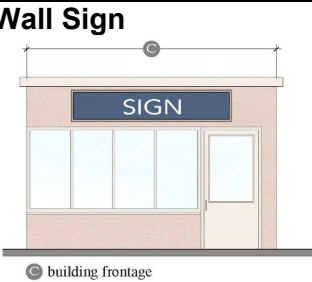


- (2) Sandwich board signs may be displayed in all non-residential areas but are prohibited in all residential zone districts.
- (3) The sign may not be located within a public street right-of-way or on public property with the exception of a public sidewalk only upon issuance of a revocable encroachment permit by the Town.
- (4) Sandwich board signs shall not reduce the clear width of a public sidewalk to less than sixty (60) inches.
- (5) Businesses are limited to one sandwich board or portable sign per business and shall only display such signs only when the business is open for business.,
- (6) Sandwich board signs must be removed each day at the close of business.
- (7) Portable sandwich board signs must have a well-maintained appearance. Chalkboard insets and dry-erase boards are permitted.

o) Public Displays and Murals

Public Displays including art and murals are regulated by Chapter 5.36 of the Town Code.

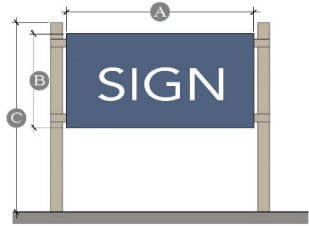
p) Wall Signs Permanent.

 <p>Wall Sign</p>	<p>1 per tenant, business, or other entity</p>	<p>1.0 square foot x linear footage of business frontage (C)</p>	<p>No higher than the roofline</p>
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- (1) A wall sign shall not obstruct any portion of a window, doorway, or other architectural detail.
- (2) Wall signs shall be contained within any single wall panel or other architectural component upon which they are placed and shall not extend above the height of the building wall to which the sign is affixed.
- (3) No sign part, including cut-out letters, may project out from the building wall more than twelve inches excluding the sign light fixture.
- (4) Painted Wall signs with a commercial message, business name, and business logo are allowed as a Wall Sign and shall be limited in area and extent as defined in the Sign Allocation section.
- (5) Signs inside a building that are clearly visible and oriented towards a public street shall be treated as a Wall Sign and shall be counted towards the allowable sign area.
- (6) In Multi-Tenant Buildings the signs shall be located on the tenant space being identified or as depicted in a Master Sign Plan.



q) Site Announcement Sign and Construction Signs

 <p>Site Announcement Sign</p> <p>A sign width B sign height C max. height</p>	<p>1 per street frontage</p>	<p>32 square feet (A x B)</p>	<p>8 feet (C)</p>
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- (1) Location. Site Announcement Signs and construction signs are permitted only on vacant land parcels or lots under construction and are not permitted on parcels with existing residential or non-residential uses. The sign shall be setback a minimum of five (5) feet from any property line.
- (2) Site Announcement signs shall be displayed on a temporary basis and shall be removed within fourteen (14) days after the issuance of a certificate of occupancy for the building or structure or within thirty (30) days after completion of the activity associated with the purpose of the sign, whichever occurs first.

r) Window / Door Signs

- (1) Location: On glazed surfaces of doors or windows. Allowed area may be distributed on up to three window and or door signs per business frontage.
- (2) Size: Total sign area shall not exceed twenty-five (25) percent of the glass area of windows and doors.
- (3) Illumination directed at window signs is prohibited.

s) Yard Signs

- (1) Yard Signs are temporary signs and include Garage and Estate sales.
- (2) The sign shall be setback a minimum of five (5) feet from any property line.
- (3) Only one (1) sign per property street frontage is allowed.
- (4) Area and Height: A yard sign shall be a maximum of four (4) square feet and no higher than five (5) feet above the ground surface to the highest point of the sign.
- (5) Garage sale signs which announce the sale of items from a residence shall be removed on the last day of the sale and shall not create a nuisance as defined in the Town Municipal Code section 8.04.010. – Nuisance.
- (6) Election season signs shall be in place only for the time period that begins forty-five (45) days prior to and ends seven (7) days after a regular or special city, county, state, or federal primary or general election.



t) Miscellaneous Signs

Any sign types not listed in this section shall be classified as miscellaneous signs and may not be erected unless approval is granted by the Town Administrator as to size, height, configuration, illumination, and application for usage. Strict interpretation of the intent and purpose of this section shall be applied to all requests for approval of miscellaneous signs. Signs listed as prohibited shall not be considered or approved as a miscellaneous sign.

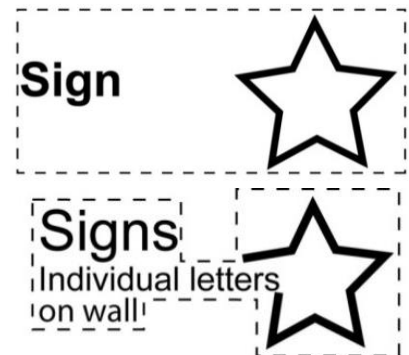
17.76.070 SIGN MEASUREMENT AND SIGN ORIENTATION

(a) **General.** Sign Measurement shall be as indicated in the following subsections.

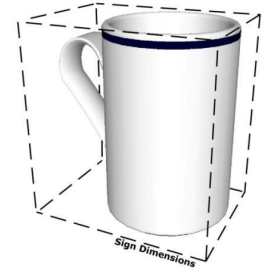
(1) **Determination of Sign Area.** In determining the allowable aggregate sign area for any business, use, or tenant space the area of each sign face shall be added together.

(2) **Computation of Sign Area**

- a. The area of a sign face shall be measured to the border of a constructed sign or the smallest rectangle that encompasses the extreme limits of the message or graphics for a sign painted or otherwise applied to a surface.
- b. Supporting framework, other structure, or landscaping that is clearly incidental to the sign display shall not be computed as sign area.
- c. Architectural treatments enhancing architecture/signage integration are encouraged. Such treatments shall not be created for the purpose of visually enlarging sign size. Where a building component is treated in a manner that serves as a sign, such component shall be included in the overall sign area calculation.
- d. All sign faces of all signs visible from one point shall be included in the aggregate sign area. Signs around a corner shall be allocated to their respective street frontage.
- e. When two identical sign faces are placed back to back and are not more than twelve (12) inches apart the sign area calculation shall only include one face. This applies to projecting and pole signs.
- f. Whenever more than one sign is placed on a freestanding structure the entire overall area of all signs to the extreme outside borders shall be included in the overall sign area measurement.
- g. For the purpose of determining sign area and the allowable number of wall signs, a wall shall be considered the projected building elevation area exclusive of the separate articulated wall faces per building side or elevation.

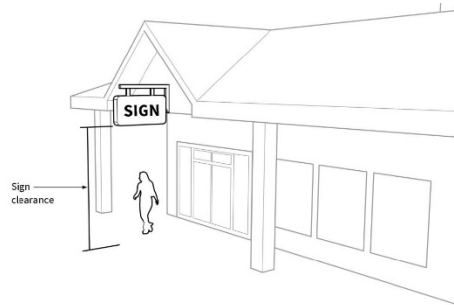


- h. 3-D Signs including Spherical, Free-form, Sculptural, and other Non-Planar Signs are encouraged. The sign area shall be the sum of the areas of the vertical faces of the smallest six-sided polyhedron that will encompass the sign structure, and which may be seen at the same time from a viewer's perspective.



(3) Computation of Sign Height and Sign Clearance

- a. The height of any Pole sign shall be determined by the distance between the topmost portion of the sign structure and the average ground elevation measured two (2) feet from the base of the sign or two (2) feet from the adjacent street, access drive, or sidewalk/trail grade.
- b. The ground elevation at the base of a pole sign shall not be artificially changed solely to affect the sign height measurement.
- c. Projecting, Hanging, and Awnings Signs. Clearance for signs shall be measured at the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.



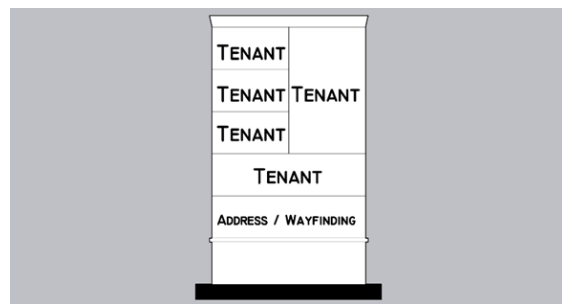
(b) Sign Orientation

- (1) **Downtown Core and along public sidewalks and Trails.** Signs shall be located and sized to be viewed by pedestrians and cyclists. Projecting, hanging, or awning signs are permitted if there is a minimum of eight and one-half feet clearance (8.5 ft.) above the ground.
- (2) **Along Public Streets.** Signs shall be located and sized to be viewed by motorists.

17.76.080 SIGN ALLOCATION AND AGGREGATE SIGN AREA

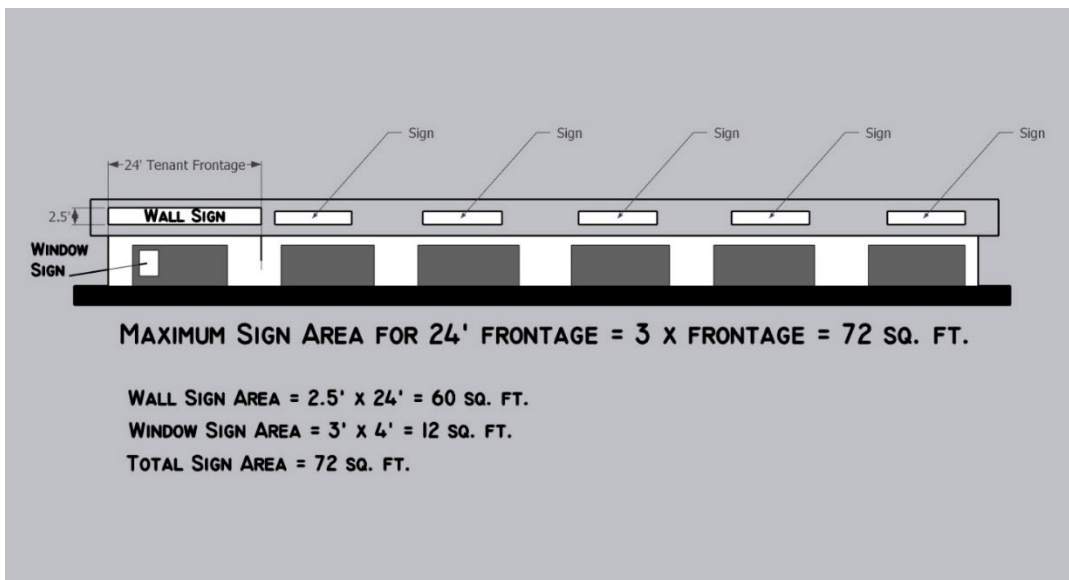
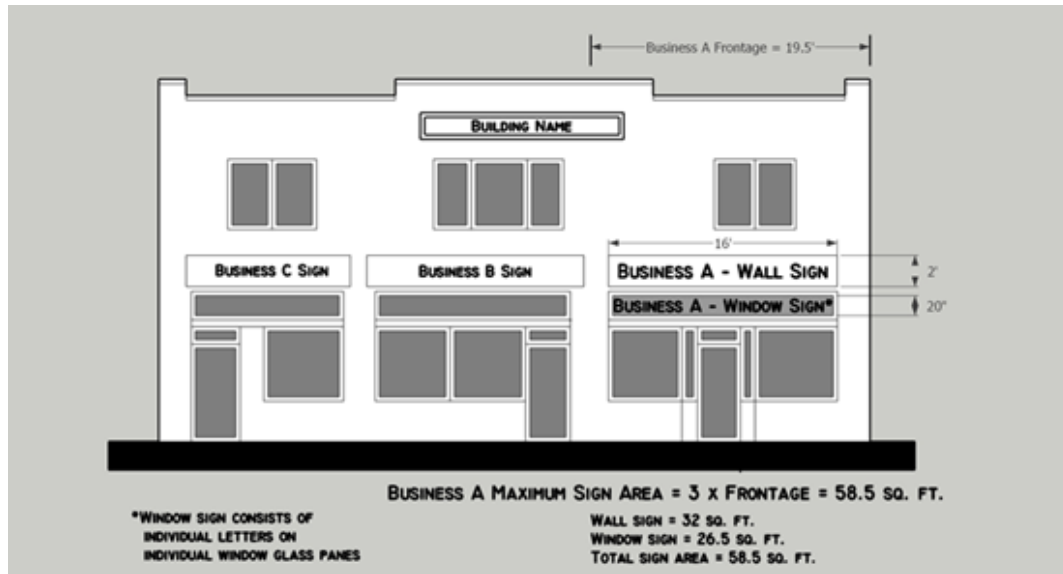
- (a) Each business or entity may have up to two of the following signs provided that the aggregate sign area is not exceeded:

- (1) Wall Sign
- (2) Projecting Sign
- (3) Awning Sign
- (4) Canopy Sign
- (5) Window Sign
- (6) Pole or Monument Sign

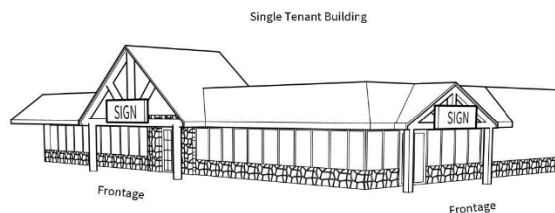


- (b) Common Site Signs shall not count towards the two allotted signs per tenant. These include Directional Signs, Informational Signs and Building Directory Signs.
- (c) The aggregate sign area for each business frontage may be the lesser of three (3) square feet per lineal foot of business frontage but no more than seventy-five (75) square feet.





- (d) Businesses, entities, or tenant spaces without business or street frontage shall be allowed a maximum of thirty-two (32) square feet of aggregate sign area.
- (e) Window Signs are allowed above street level and are limited to twenty-five (25%) percent of the glazing area per window. These window signs shall not be included in the allowed number of signs or the allowed overall sign area.
- (f) Signs visible through the glazing area of any window shall not be included in the allowed number of signs or the allowed overall sign area. One neon open size is permitted for each business.
- (g) Businesses or entities that are located on a corner lot or that have more than one street frontage (not including alleys, driveways, or



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parking lots) shall be allowed to have an additional sign that is sixty-six (66%) percent of the primary building frontage but no more than fifty (50) square feet on each additional street frontage.

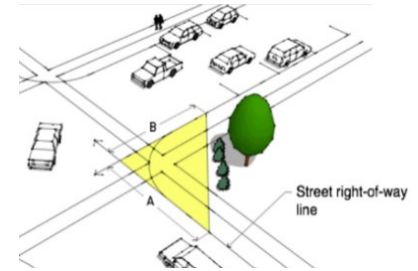
17.76.100 DEFINITIONS

Generally, a sign is considered a graphic device with writing, symbols, logos, etc. subject to view from a public right-of-way, and used to advertise, identify, direct, and/or inform the public. For the purpose of this Chapter, certain words and phrases used are defined as follows:

1. **Abandoned Sign:** An obsolete sign that no longer serves any purpose or is located on property that becomes vacant and unoccupied or a sign which pertains to a time, event, or purpose that no longer applies.
2. **Aggregate Sign Area:** The total available sign area of all sides or portions of a sign.
3. **Allowed Sign:** A sign that is neither prohibited nor exempt.
4. **Animated Sign:** A sign that includes the optical illusion of movement of any part of its structure, design, or pictorial segment, including the movement of any illumination or the flashing or varying of light intensity.
5. **Attention-Getting Device:** Any flag, streamer, spinner, pennant, feathers, costumed character, light, balloon, continuous string of pennants, flags or fringe, audible components or similar device or ornamentation used primarily for the purpose of attracting attention for promotion or advertising a business or commercial activity which is visible by the general public from any public right-of-way or public area.
6. **Awning:** An overhead roof cover or structure projecting beyond and attached to the exterior wall of a building. and has no ground support.
7. **Awning Sign:** A sign that is permanently attached to an awning.
8. **Back Lit Sign:** *See Internally Illuminated sign.* A sign which contains an illumination source entirely inside the sign construction which makes the sign content visible by light shining outward from the sign.
9. **Banner:** A temporary sign composed of logo, design, or text on a flexible lightweight fabric, plastic, or similar material.
10. **Billboards:** *See Off Premises sign.*
11. **Building Code:** The most recently adopted version of the Pikes Peak Regional Building Code.
12. **Building Directory Sign:** A sign that serves as a common or collective identification of multiple businesses on the same property and is attached to a building.
13. **Building Name Sign:** A permanent architectural component of the building that names the structure but does not advertise a specific business. Similar to a plaque.
14. **Business:** A single commercial enterprise or group of enterprises housed within one or more buildings, or which utilize the same business frontage.
15. **Business Courtesy Signs:** Miscellaneous signs incidental to doing business and not intended as advertising such as credit card signs, security system, and information signs (toilets, deliveries, etc.).



16. **Business Frontage:** That portion of a building frontage occupied by a single tenant space or lease area in a single or multi-tenant building facing a street, alley, parking area, or other public right-of-way. For businesses located on the interior of a building without business frontage, the building elevation providing customer access shall be considered the business frontage for the purposes of determining signage.
17. **Canopy:** An overhead roof cover or structure that may or may not be attached to the building and contains posts or other ground support.
18. **Canopy Sign:** A sign attached to a canopy.
19. **Changeable Message.** Digital or non-digital text or graphics that changes at intervals.
20. **Common Site Signage:** Signage not specific to an individual tenant on a multi-tenant property such as directional signs.
21. **Clear Vision Triangle:** An area where a driver's field of view may not be obstructed. The size of this area is defined by the Town's adopted roadway specifications.
22. **Deceptive Sign:** A sign which is false or misleading.
23. **Directional Sign:** Signs for traffic or pedestrian movement on or adjacent to the property. Logos or text are allowed only as required for the directional message.
24. **Drive-through Sign:** A sign intended for the display of information for pedestrians or drive-through vehicles.
25. **Election Season Signs:** Signs promoting political candidates or ballot issues that are in for a regular or special city, county, state, or federal primary or general election.
26. **Electronic Signs:** Any sign that uses solid, electronic technology such as incandescent lamps, LEDs, LCDs, or some other electronic means of changing copy to produce bright displays that typically involve moving copy, animation, or other graphics.
27. **Event Sign:** A temporary promotional sign on public or private property for an upcoming event.
28. **Exempt Sign:** A sign that does not require a sign permit but must still comply with applicable sign type standards.
29. **External Illumination.** Illumination of a sign that is affected by an artificial source of light not contained within the sign itself.
30. **Flashing illumination.** Illumination in which the artificial source of light is not maintained stationary or constant in intensity and color at all times when the sign is illuminated.
31. **Freestanding Sign:** A self-supporting sign, not attached to the building and permanently anchored to the ground.
32. **Fully Shielded Light Fixture:** A light fixture that directs light away from any public vantage point and covers the bulb or light source to prevent it from being seen.
33. **Gasoline or Fuel Price Sign.** A sign that identifies the type and price of gasoline for sale on the premises of a legally established gasoline service station.
34. **Historic Sign:** A sign that has historic significance as determined by the Board of Trustees on the recommendation of the Palmer Lake Historic Society or for properties listed on the National or State Register of Historic Places.



35. **Home Occupation Sign:** A sign intended to identify a private enterprise occurring in a residential occupancy.
36. **Ideological Sign:** Any temporary sign announcing an idea, opinion, or position on a social or political issue and containing no commercial message.
37. **Information Signs:** A sign used to indicate or provide information and direction with respect to permitted uses on the property, including but not limited to signs indicating the hours of operation, and such signs as “no smoking”, “vacancy”, “office”, “private warning”, “open”, “closed”, “restrooms”, “no solicitation”, or “no parking”.
38. **Internally Illuminated Sign:** A sign face which is lit or outlined by a light source located within the sign.
39. **Light Post Banner:** A banner intended to be installed on municipal light posts.
40. **Light Source:** The actual bulb or other light emitting element contained within any light fixture.
41. **Master Sign Plan:** A sign plan which identifies the number, description, size, and location of all signs for businesses on the same property or within the same project which constitutes a visual entity as a whole.
42. **Menu Sign:** A sign showing a restaurant menu.
43. **Monument Sign:** A site or area entry sign identifying a subdivision, commercial center, residential complex, or more than three separate individual structures. Typically, a freestanding sign with a base integrated with the ground and landscaping.
44. **Multi-tenant Site:** A property, building, or group of buildings with more than one tenant.
45. **Mural:** Two-dimensional works of art applied directly to vertical surfaces not intended to advertise or promote commercial services or products, also known as a public display.
46. **Neon Sign:** A sign integral w/ electric tube light source(s) that form letters, symbols, or other graphic shapes.
47. **Nonconforming Sign:** A existing sign which does not conform to the regulations of this Chapter, either at the effective date of the regulation establishing this Chapter or as a result of subsequent amendments which may be incorporated into this Chapter.
48. **Obsolete Sign:** A sign, except a historic sign, which is misleading in terms of identifying a business, service, or attraction, that no longer exists or advertising one or more events that are all concluded.
49. **Off-premises Sign:** An advertising sign or billboard placed at a location, not on the parcel where the subject entity or activity occurs.
50. **Official Sign:** A sign required by law or authorized for public or quasi-public institutions to meet the needs of public information, health, safety, and welfare including traffic signs.
51. **Parking Sign:** A sign indicating parking or directing vehicular traffic to a parking area.
52. **Plaques:** A permanent building component cut into or attached to the building designating names of buildings, occupants, dates, or other entities involved in the building creation.
53. **Permanent Sign:** A sign made of durable materials applied or installed to be immovable.
54. **Pole Sign:** A freestanding sign that is permanently supported in a fixed location by a structure of poles, uprights, or braces and not supported by a building or a base structure.
55. **Portable Sign:** A sign not permanently attached to the ground or building or not designed to be permanently attached to the ground or a building.



56. **Prohibited Sign:** A sign not permitted within the corporate limits of Palmer Lake.
57. **Projecting Sign:** A sign hanging from or attached to a building and extending out from the exterior wall surface, including signs suspended under an awning or other exterior building element.
58. **Projected Image Sign:** The illuminated projection of imagery on a surface.
59. **Public Realm:** Public right-of-way or publicly owned property.
60. **Public right-of-way:** A parcel or portion of land which allows for public pedestrian or vehicular access thereupon.
61. **Pylon Sign:** A tall pole-mounted sign higher than 10' (typically associated with an adjacent higher-speed roadway).
62. **Real Estate Sign:** A sign advertising property for sale, rental, or lease.
63. **Residential Complex:** A residential complex means a building or related group of buildings in which one or more member units are located and typically includes common areas and services available for the use of its residents.
64. **Right-of-Way Sign:** Signs occurring within the public Right-of-Way.
65. **Roof Sign:** A sign erected above the roofline or parapet of any building.
66. **Sandwich Board Sign:** A portable moveable sign constructed in an A-frame style with message content on one or both sides.
67. **Searchlight:** An apparatus containing a light and/or reflector for projecting a strong, far-reaching beam in any direction.
68. **Sign Area:** The area that includes the entire face of the sign, frame, artwork, and any spacing between letters, figures, and designs, but not including the sign structure or base. For window signs, the "sign area" shall be measured at the extremities of the lettering and/or graphics.
69. **Sign Face:** The side of a sign on which text or graphics are placed. A sign may have more than one sign face.
70. **Sign Permit:** A permit issued for the erection, construction, enlargement, alteration, moving, or conversion of any sign, issued pursuant to this Chapter.
71. **Site Announcement Sign:** A temporary sign announcing a new business, construction, or other similar activity.
72. **Structure:** Anything built that requires a permanent location. This term includes buildings and signs.
73. **Temporary Sign:** A sign that is only allowed for a defined temporary period of time and is exempt from permitting but must meet registry and sign type standards.
74. **TOPL:** Town of Palmer Lake.
75. **Traffic Signs:** Stop signs, yield signs, one-way signs, exterior traffic exit and enter signs, and other signs intended for vehicular traffic control.
76. **Wall Sign:** A sign attached to, painted on, or erected against the exterior of a building or structure.
77. **Yard Sale Sign:** A temporary sign such as garage sale or other temporary sale at any residential or commercial property.



- 78. **Window / Door Sign:** A sign applied to or attached to glazing or located in close proximity to the glazing on the interior, which can be seen through the window from the building exterior.
- 79. **Works of Art including symbol signs:** 2D graphics or 3D objects mounted to the building or contained in a projecting sign on-site intended for aesthetic purposes only that do not advertise or promote a particular business, service, or product.

