

CHAPTER III
Land Use, Development Standards, Sign Code,
Downtown Design , Stormwater Criteria

(Ordinance 162, 8-12-1997, Resolution 09-2000, 8-8-00, Ordinance 184, 1-20-2001, Ordinance 206, 9-9-2003, Ordinance 228, 4-13-2005, Ordinance 248, 5-9-2007, Ordinance 250, 9-9-2007, Ordinance 251, 2007, Ordinance 253, 11-14-2007, Ordinance 254, 10-10-2007, Ordinance 255, 10-10-2007, Ordinance 267, 5-12-09, Ordinance 278, 1-12-2010, Ordinance 279, 2-9-2010, Ordinance 282, 7-13-2010)

Section I

3-1 General Provisions

3-1-1 Purpose

This Ordinance is enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of the Town of Ignacio.

3-1-2 Title

The title of this Zoning Ordinance is "Town of Ignacio Zoning Ordinance" and may be so cited and pleaded. The short form "Ordinance" used herein refers in all instances to the aforesaid Ignacio Zoning Ordinance unless the context clearly indicates the contrary.

3-1-3 Authority for Ordinance

The Town of Ignacio Zoning Ordinance is authorized by the provisions of Article 23 of Title 31 of the Colorado Revised Statutes, as amended, and applies to all of the land within the Town of Ignacio.

3-1-4 Severability

If any section, clause, provision or portion of this Ordinance is adjudged or invalid by a court of competent jurisdiction, the remainder of this Ordinance is not affected thereby.

3-1-5 Interpretation

Whenever provisions of this Ordinance are found to be inconsistent with any other regulation, the more restrictive standard shall control. The provisions of this Ordinance are minimum requirements that do not preclude imposition of more restrictive standards by agreement or by law.

3-1-6 Continuation of Existing Regulations

The provisions of this Ordinance, insofar as they are substantially the same as existing Ordinances relating to the same subject matter, shall be construed as restatements and continuation of and not as new enactments.

3-1-7 Existing Uses

The existing use or uses of all buildings, improvements and premises not in conformity with the standards or requirements of the zoning district in which they are with the provisions of this Ordinance, and which uses are legal, or for which permits or variances were granted under previous Ordinances, may continue as NON- CONFORMING USES as hereinafter defined, and subject to the provisions regulating such uses.

3-1-8 Ordinance may be Amended

This Ordinance may be amended whenever public necessity, convenience and general welfare require.

3-1-9 Applicability

The provisions of this Ordinance are applicable not only to persons, firms, agencies and organizations, but also to all public agencies and organizations to the full extent that they may now or hereafter be enforceable in connection with the activities of any such public agency or organization.

3-1-10 New Construction and New Uses

All new construction, building, improvements, alterations, enlargements, or building movement undertaken after the effective date of this Ordinance; and all new uses or occupancy of premises within the Town shall conform with the requirements, character, and conditions as to use, height, area, parking and yard requirements laid down for each of the several zones as described in the following sections of this Ordinance. It shall be unlawful for any person to erect, construct, establish, occupy, alter, enlarge, or use, or to cause or permit to be executed, constructed, established, moved into, altered, enlarged or used, any building, structure, improvement or use of premises located in any zoning district described in this Ordinance contrary to the provisions of this Ordinance.

3-1-11 Conflicts of Interest

Where any provision of the Colorado Revised Statutes, or of this regulation, requires an official action by a person who is also directly affected by the substance of such action or, in any other circumstance where a conflict of interest might reasonably exist. If needed, official action shall be performed by some

other person duly qualified therefore and designated to so act by the Town Board of Trustees.

3-1-12 Vested Property Rights

Approval of a zoning or rezoning application, a subdivision, a permitted use or an improvement permit shall not establish a vested property right unless and until final approval thereof has been granted by the Town Board of Trustees or by the designated official allowed to grant such permit under the terms of this Ordinance.

3-1-13 Violation

It shall be unlawful for any person, firm, or corporation, whether as principal, agent, employee, or otherwise, to violate or cause the violation of any of the provisions of this Ordinance. It is the policy of the Town to work with citizens. If, in the opinion of staff, all reasonable efforts have been used to resolve the issue then the offending party may receive a citation. If the fine is paid in the appropriate time frame, no other action will be taken. If the fine is not paid the party will be cited into Municipal Court by Town Manager or other code enforcement officer. Upon conviction thereof, the guilty party may be punished by a fine of not more than one thousand dollars (\$1000.00), or by imprisonment in county jail for a term not exceeding one year. Appeals of any conviction will be taken to District Court.

3-1-14 Each day a Separate Offense

Each day during any portion of which any violation of this Ordinance is committed or continued by such person, firm, or corporation, shall constitute a separate offense and shall be punishable as provided herein.

3-1-15 Completion of Construction

Nothing herein contained shall require any change in plans, construction, or designated use of a building or structure for which a valid building permit has heretofore been issued and upon which actual construction has begun at the effective date of this Ordinance, or any amendment thereof, provided that such construction and/or proposed use of such building is not on said date in violation of any other Ordinance or law and further provided that such building or structure is completed within one year of such date. Construction is hereby defined to be the actual placing of construction materials in their permanent position fastened in a permanent manner, except that where a basement is being excavated such excavating shall be deemed to be actual construction, or where demolition or removal of an existing structure has been begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction.

3-1-16 Time Limits on Applications

Under this Ordinance the Town shall establish time limits for all permits. The time limit for starting work after issuance of a permit is six months.

3-1-17 Repeals

All Ordinances or portions of Ordinances in conflict with this Ordinance are hereby repealed.

3-2 Review Procedures for Processing of Applications.

3-2-1 Review and Appeal Process

The establishment of this Review Process is to guarantee a uniform means by which the Town Board of Trustees, its duly constituted Planning Commission and the Board of Adjustment may review, study, accept or reject requests for zoning, rezoning, special use review, approval of subdivision sketch plan, subdivision preliminary plat and subdivision final plat.

3-2-2 Participants

The processes of this Ordinance shall be administered, exercised and enforced by the administrative official or officials given specific duties and responsibility by the various sections of this Ordinance. The Planning Commission and the Town Board of Trustees shall review applications and make recommendations and decisions to carry out the intent of this Ordinance:

- (1). Parties who are required to participate in the Review Process of this Ordinance are:
 - (a) Those who propose a text change, a zoning map change, a subdivision, or a special use approval.
 - (b) Those applicants requesting a variance or wishing to appeal any subject covered by this Ordinance.
- (2). Parties who may participate in the Review Process of this Ordinance are:
 - (a) Those who wish to seek clarification or interpretation of this Ordinance as it may relate to specific plans.
 - (b) Those who wish to present plans for information, comment or action from the Planning Commission, when not otherwise required to appear by this Ordinance.

3-2-3 Appeals

The decision of the designated official in the processing of an application for any permit, or the issuance of an improvement or use permit, or the inspection of premises, or the issuance of a Stop Work Order or the issuance of a Certificate of Occupancy, or the failure to issue any such permit, order or certificate may be appealed by the applicant, the applicant's agent or any other individual or party to the following authorities:

- (1). If the appeal involves a question relating to Town regulations or requirements other than this zoning ordinance, a hearing shall be held by the Town Board of Trustees.
- (2). If the appeal involves a question relating to a zoning variance or any other provision of this Ordinance, the appeal is directed to the Board of Adjustment.

3-2-4 Fees

Fees charged for applications under this Ordinance shall be established by the Town Board of Trustees under separate Ordinance after review by the Planning Commission. The fees may be changed from time to time by the Town Board of Trustees for reasons such as the cost of processing applications.

3-3 Submittal requirements for all applications under this ordinance

3-3-1 Application Requirements

A uniform application is utilized for every process under this Ordinance. However, additional information is required at each level of a multi-level application such as a subdivision. Each and every application under this Ordinance shall include, or be accompanied by, the following information:

- (1). The name, mailing address, street and telephone numbers of:
 - (a) The applicant for the permit.
 - (b) The owner of the property upon which the improvement or use is to take place.
 - (c) Any agents authorized to act on behalf of the owner or the applicant.
 - (d) Any contractor retained or to be retained to accomplish any portion of the improvement.

- (2). Proof of ownership of the property in question and concurrence in the purpose of the application by the owner.
- (3). Legal description of the property in question, to include:
 - (a) Survey number, tract number or other recorded identifying number of the parcel.
- (4). Current zoning classification of the parcel.
- (5) A copy of a certified survey plat may be required or a plan upon which the applicant shall provide by sketch. If a certified sketch is not provided, the applicant must submit a sketch plan, which is signed by, all adjacent property owners and which may be verified by the Town.
 - (a) The relative location of existing and proposed improvements, buildings, structures, roads, driveways, parking, ditches, utilities, fences, and other significant features.
- (6) A written description of the nature of the improvement planned if any.
- (7) Architect's drawings or engineer's drawings, floor plans and diagrams as may be required by the Uniform Building Ordinance and related Ordinances as adopted.
- (8) Proof that a request for a driveway permit has been submitted to the Colorado Department of Highways, if a new access road or driveway to the property intersects with a state highway.

3-3-2 Standards for Issuance of Permits

A permit shall be issued by the Town when the Town finds that the applicant has sustained the burden of proof that the proposed development, activity or use including best management practices, if any, does not present or create an adverse effect on the community. Such a permit shall be denied when the Town determines that the applicant has not sustained such burden of proof.

3-3-3 Imposition of Permit Conditions

The Town may prescribe any conditions it deems necessary upon issuing an improvement or use permit. Such conditions may also be imposed in order to mitigate any adverse impact and may be enforced by requiring the applicant to post a bond, cash, or acceptable letter of credit sufficient to assure that mitigation shall occur within a specified time period.

Permits for construction shall be issued only on the basis of the approved plan. Any changes in the approved final plan shall be submitted for review.

3-4 Administration

In order to carry out the provisions of this Ordinance, a Planning Commission and a Board of Adjustment are created and administrative duties are delegated to the Town Board of Trustees, the Planning Commission and Town Staff.

3-4-1 Planning Commission Created

(1) Establishment

The Town of Ignacio Planning Commission, hereinafter referred to as the Planning Commission or the Commission, is hereby established.

(2) Membership

The Commission shall consist of five (5) qualified electors of the Town. These five shall be appointed by the Town Board of Trustees. The Town Board shall also appoint two (2) qualified electors of the Town to serve as alternate members of the Planning Commission. One or both alternate members shall sit on the Planning Commission in the absence of one or more regular members. In no case shall the Planning Commission consist of more than five (5) members for a formal Planning Commission meeting.

(3) Term

Members of the Commission shall serve terms of four years and until their successors have been appointed. Terms shall be arranged so that the term of at least one member shall expire each year. The members of the first commission shall draw lots to establish each member's term.

(4) Appointments

After investigating the interests and qualifications of the applicants, the Town Board shall appoint one or more of the applicants. The appointment shall be subject to ratification by majority vote of the Town Board.

(5) Vacancies (Ordinance 300, December 13, 2011)

A vacancy shall occur when a term is completed, when a member ceases to be a qualified elector or when a member resigns. Vacancies in mid-term shall be filled only for the unexpired portion of the term. Members may be reappointed if otherwise qualified.

(6) Rules

- (a) The Commission shall elect from its appointed membership a Chairperson and a Vice Chairperson during the month of February each year. The Commission may have such other officers and committees, as it deems appropriate.
- (b) The Commission shall establish a regular meeting time and place. It shall meet at least once each month.
- (c) The Commission shall post an agenda of its regular meetings at the Town Hall at least five days prior to the meeting. This will be in addition to any specific notice for individual items required by applicable statute, resolution or regulation.

(7). A quorum shall consist of three (3) members. The affirmative vote of two (2) members shall be necessary to transact any business or to make any decision.10/13/98 Ordinance 169.

(8). Any Commission member missing two consecutive regular meetings may be dismissed from the Commission by an affirmative vote of three (3) members.

(9). The Commission may make other rules for the conduct of its business, as it deems appropriate. The Commission shall also keep a record of its resolutions, transactions, findings and determinations which record shall be a public record.

(10). Duties/Powers

The Commission shall function as and shall have all of the powers granted to the Planning Commission in Parts 2 and 3 of Title 31, Article 23, CRS 1973, as amended.

3-4-2 Responsibilities of Planning Commission

In addition to all other powers and duties of the Planning Commission it shall have the following responsibility:

- (1) Planning Review - to review, study and recommend approval or denial to the Town Board of Trustees on matters of planning and all applications dealing with zoning, rezoning, annexation and subdivisions.
- (2) Special Use Permits - to hear and recommend to the Town Board of Trustees on such special and public use permits as the Planning Commission is specifically authorized by the terms of this Ordinance.

- (3) Establish Own Rules - The Planning Commission may establish its own rules for the conduct of public hearings. The person acting as Chairperson of the Planning Commission is hereby empowered to administer oaths to any person testifying at a hearing before the Planning Commission.

3- 4-3 Planning Commission Action on Applications

All applications, which require review and action by the Planning Commission, shall be processed using the following procedures:

- (1). Upon receipt of a valid application the staff shall investigate the facts bearing upon the application and issue a report stating the staff's findings and recommendations.
- (2). The application shall be set for the Planning Commission agenda or a public hearing not less than 15 days nor more than 40 days from the time of filing of the application.
- (3). Notice of time and place of a public hearing shall be given in such manner as may be directed by the Commission. Notice of the public hearing shall be mailed to the owners, as shown by the records of the County Assessor, of lots or land within the area proposed to be changed by a zoning regulation and within 100 feet, excluding public right-of-way, of the area of the proposed change. The Planning Commission shall conduct a duly advertised public hearing, public notice of which shall be given by publication of a notice of such hearing at least once in a newspaper having a general circulation in the Town, such notice to be published not less than fifteen (15) days prior to the hearing.
- (4). A hearing is held on the advertised date. All pertinent information is entered into the record and when the Commission believes that all information needed to make a decision has been received, the hearing is closed.

Hearings may be continued. If for any reason, testimony on any matter set for public hearing cannot be completed on the days set for such hearings, the Commissioner presiding at such public hearings may, before the adjournment or recess thereof, publicly announce the time and place to, and at which, said hearing shall be continued and no further notice shall be required.

- (5). The Planning Commission shall announce its findings by formal resolution not more than ten (10) days following the conclusion of the final hearing on any application and said resolution shall recite, among other things, the facts and reasons which, in the opinion of the Commission, make the approval or denial of the application necessary to carry out the general purposes of this Ordinance, and shall recommend to the Town Board of Trustees approval or denial of the application. The Planning Commission shall notify the applicant by forwarding a copy of said resolution. The said resolution together with the complete file in the case shall be sent to the Town Board of Trustees.

- (6). A summary of all pertinent testimony offered at public hearings in connection with an application filed pursuant to provisions of this Ordinance, and the names and addresses of persons testifying at all public hearings before the Planning Commission may be recorded and made a part of the permanent files of the case.

3-4-4 Commission may approve Special and Public Use Permits

Permits for uses specifically listed as special uses in this Ordinance, and for other uses which the Planning Commission finds it impractical or impossible to classify specifically as to usage, may be recommended by the Planning Commission to be granted by the Town Board of Trustees under the procedures stated in this Ordinance.

3-4-5 When granting of Special Use Permits is not permitted

The Planning Commission shall not recommend the approval or granting of any Special Use Permit for any use which:

- (1). Is specifically permitted by the provision of this Ordinance in a zone, which is less restrictive than the zone in which the property on which the permit requested is located.
- (2). Can, under provisions of this Ordinance, be specifically classified as a residential, commercial or industrial use

3-4-6 Board of Adjustment Created.

- (1). Establishment

A Board of Adjustment is hereby created which shall consist of five members appointed by the Town Board of Trustees, each to be appointed for a three-year term. One member of the Board of Adjustment shall also be a member of the Planning Commission. One other member of the Board of Adjustment may also serve on the Planning Commission. The Town Board shall also appoint two alternate members who will sit on the Board of Adjustment in the absence of one or more regular members.

- (2). Duties and Powers

The Board of Adjustment shall be empowered and required to:

- (a) Meet at the request of the chairperson, by petition of at least three of the members, by request of the designated official or order of the Town Board of Trustees.

- (b) Permit the public to attend and to be heard at all of its meetings.
- (c) Make decisions on the formal granting of adjustments, variances or exceptions to requirements of this zoning Ordinance, and any other duties imposed by the Town Board.
- (d) Publish or cause to be published, a notice of a hearing in a local newspaper of general circulation. A hearing is to be conducted for every adjustment, variance or exception applied for under this Ordinance. Ordinance 91, 8-14-2001
- (e) Notify the applicant, owner involved, the designated official, the Town Board of Trustees and the Planning Commission in writing of all decisions made, resolutions passed, hearings scheduled, or recommendations made.
- (f) Interpret this Ordinance including any uncertainty as to boundary location or meaning of words, so long as this interpretation is not contrary to the purpose and intent of this Ordinance.
- (g) Act only upon applications which state, in writing and accompanied by sufficient maps, diagrams and notations, what provision of this Ordinance is involved, what relief is being sought, and the grounds upon which such application is made.
- (h) Hear and decide appeals from and review any order, requirement, decision or determination made by any administrative official charged with the enforcement of any item under this Ordinance.
- (i) Act only upon matters, which are not the granting of a use for a parcel of land or structure.
- (j) Act only when there is a quorum of the appointed members, including alternate members. Ordinance 191, 8-14-2001

(3). Decisions

The Board of Adjustment will study applications, hear evidence and testimony and make final decisions based on such information and can be appealed only to district court. Such appeal may be taken by any interested party, or by an official, department, Planning Commission or Town Board of Trustees in accordance with state law.

(4) Vote Necessary

The concurring vote of three (3) members of the Board of Adjustment will be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant any matter upon which it is required to pass under this Ordinance or to effect any variation in this Ordinance. Ordinance 191 8-14-2001

(5) Administrative Review

To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the administrative officials in the enforcement of this Ordinance and may revise, affirm or modify any administrative action relative thereto. The concurring vote of three (3) members of the Board of Adjustment is necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant any matter upon which it is required to pass under this Ordinance or effect any variation of this Ordinance. Ordinance 191 8-14-2001

3-4-7 Responsibilities of Board of Adjustment

The Board of Adjustment shall hear all applications for variances and appeals presented to it for review, hold a public hearing and take appropriate action.

3-4-8 Board of Adjustment Action on Applications

All applications, which require action by the Board of Adjustment, shall be processed using the following procedure:

- (1) Upon receipt of an application, the Board of Adjustment shall set a public hearing date, not less than 15 days nor more than 40 days from the receipt of the application.
- (2) Notice of time and place of a public hearing shall be given in such manner as may be directed by the Board of Adjustment. Notice of the public hearing shall be mailed by the applicant to the owners, as shown by the records of the County Assessor, of lots or land within the area being considered and within 100 feet, excluding public right-of-way, of the area of the proposed. Proof of mailing notices is required to be presented to staff and staff to keep with application. A hearing is held on the advertised date. All pertinent information is entered into the record, when the Board of Adjustment believes that all information needed to make a decision has been received the hearing is closed. Ordinance 191, 8-14-2001.

Hearings may be continued. If for any reason, testimony on any matter set for public hearing cannot be completed on the days set for such hearings, the chairperson may,

before the adjournment or recess thereof, publicly announce the time and place to, and at which, said hearing shall be continued and no further notice shall be required.

- (3). The Board of Adjustment shall announce its findings by formal resolution not more than ten (10) days following the conclusion of the final hearing on any application and said resolution shall recite, among other things, the facts and reasons which, in the opinion of the Board of Adjustment, make the approval or denial of the application necessary to carry out the general purposes of this Ordinance.

Within seven (7) days from the date of such action, the Board of Adjustments shall notify the applicant by forwarding a copy of said resolution.

- (4). The decision of the Board of Adjustment shall be final and conclusive.
- (5). A summary of all pertinent testimony offered at public hearings in connection with an application filed and the names and addresses of persons testifying shall be recorded and made a part of the permanent files of the case.

3-4-9 Purpose of Variance

The sole purpose of any variance shall be the modification of the specific regulations of this Ordinance and shall be for the purpose of assuring that no property, because of unique circumstances applicable to it, shall be deprived of any privileges commonly enjoyed by other properties in the same vicinity and zone.

3-4-10 Required showing for variance

Before any variance may be granted, it shall be shown:

- (1). That there are exceptional or extraordinary circumstance or conditions applicable to the property.
- (2). That such a variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, and denied to the property in question.
- (3). That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity.

3-4-11 Variance may include conditions

Variances may be granted upon such conditions and limitations and for such periods of time as the Board of Adjustment shall deem to be reasonable and necessary or advisable under the circumstances so that the objective of this Ordinance shall be achieved.

Town of Ignacio Municipal Code 2010

3-4-12 Petitioners statement of justification

Each application for a variance shall be accompanied by a written statement of facts by the petitioner, showing why, in the opinion of the petitioner, the granting of said variance is necessary.

3-4-13 Voiding of Variance

Each variance recommended and granted under the provision of this Ordinance shall become null and void unless:

- (1). The construction or use of said variance shall have been commenced within six (6) months after the granting of said variance and pursued diligently to completion.
- (2). All conditions under which said variance was granted are complied with in their entirety.

3-4-14 Reapplication for a Variance

No reapplication for a variance, which has been denied, shall be filed earlier than six (6) months after the date of such denial unless special authority to do so has been granted by the Planning Commission or by the Town Board of Trustees. Any reapplication shall be considered a new request.

3-4-15 Responsibilities of the Town Staff

All departments, officials and public employees of the Town of Ignacio, vested with the authority to issue permits, shall conform to the provisions of this Ordinance and shall not issue permits, certificates or licenses for uses, buildings or premises in conflict with the provisions of this Ordinance. Any such permit, certificate or license issued in conflict with the provisions of this Ordinance shall be null and void. It shall be the duty of the Town Manager, or a duly authorized representative, to enforce the provisions of this Ordinance.

3-4-16 Responsibilities of Town Board of Trustees

The Town Board of Trustees in addition to all other powers and duties has responsibility to hold required public hearings in a timely manner and to render final decisions on matters relating to the zoning and subdividing of land.

3-4-17 Town Board of Trustees Action on Applications

All applications, which require action by the Town Board of Trustees, shall be processed using the following procedure:

- (1). Upon receipt of a recommendation from the Planning Commission, the Town shall set for the Town Board of Trustees agenda or a public hearing not less than 15 days nor more than 40 days from the time of the Planning Commission action.
- (2). A hearing is held on the advertised date. All pertinent information is entered into the record, when the Town Board of Trustees believes that all information needed to make a decision has been received the hearing is closed.
- (3). Hearings may be continued. If for any reason, testimony on any matter set for public hearing cannot be completed on the days set for such hearings, the Mayor may, before the adjournment or recess thereof, publicly announce the time and place to, and at which, said hearing shall be continued and no further notice shall be required.
- (4). The Town Board of Trustees shall announce its findings by formal resolution not more than ten (10) days following the conclusion of the final hearing on any application or appeal and said resolution shall recite, among other things, the facts and reasons which, in the opinion of the Town Board of Trustees, make the approval or denial of the application necessary to carry out the general purposes of this Ordinance.

Within seven (7) days from the date of such action, the Town Board of Trustees shall notify the applicant by forwarding a copy of said resolution.

- (5). The decision of the Town Board of Trustees shall be final and conclusive; provided, however, that in cases where the Planning Commission's action has been a denial of a special use permit, the Town Board of Trustees shall not grant a special use permit nor eliminate or modify any condition imposed by the Planning Commission except upon order of the Board of Trustees passed by not less than three-fourths (3/4) of all members thereof.

3-5 Zoning Districts

3-5-1 Official Zoning Map

Zoning districts established by this Ordinance are bounded and defined as shown on the Official Zoning Map of the Town of Ignacio, which, together with all explanatory materials contained thereon, are hereby made a part of this Ordinance.

Copies of the official zoning map are available to the public for a fee established by the Town.

3-5-2 Filing with Town Clerk

Upon the adoption of any regulation pursuant to this Ordinance, or maps showing a subdivision or vacant plat, zoning district, or a development plan, a certified copy of the same shall be filed in the Office of the Town Clerk, not later than 24 hours after the amendment becomes effective. Copies will be made available for public inspection.

All amendments to and changes in the Official Zoning Map shall be drawn at the end of each fiscal year upon a copy of the Official Zoning Map. Changes made upon the Official Zoning Map must be enacted by the Board of Trustees of the Town of Ignacio.

3-5-3 Interpretation of District Boundaries

The following rules are to be used to determine the precise location of any zoning districts boundary shown on the Official Zoning Map of the Town of Ignacio:

- (1). Boundaries shown as following or approximately following the Town limits are construed as following such limits.
- (2). Boundaries shown as following or approximately following streets and roads are construed to follow the centerline of such streets and roads.
- (3). Boundary lines which follow or approximately follow platted lot lines, or other property lines as shown on tax maps are construed as following such lines.
- (4). Boundaries shown as following or approximately following section lines, half-section lines, or quarter-section lines are construed as following such lines.
- (5). Boundaries shown as separated from, and parallel or approximately parallel to, any of the features listed in paragraphs .1 through .4 above are construed to be parallel to such features and at such distances there from as are shown on the map.
- (6). If the zoning districts, which apply to a specific property, cannot be determined by an applicant, the zoning official shall make the determination on a case by case basis. The applicant shall provide all information needed to make the determination, such as a property survey and proof of ownership. If the zoning official is unable to make such determination or has a conflict of interest, the Planning Commission shall make the determination.

3-5-4 Establishment of Zoning Districts

The Town of Ignacio, State of Colorado, is hereby divided into zoning districts of such number and character as are necessary to achieve compatibility of uses within each district, to implement the Town of Ignacio Comprehensive Plan and

related official plans and the Official Zoning Map of the Town of Ignacio, and to serve the other purposes of this Ordinance.

Except as provided in this chapter, no building shall be erected, reconstructed, or structurally altered, nor shall any building or land be used for any purpose other than is specifically permitted in the same zone in which such building is located.

3-5-5 General Classification of Uses

Each designated zoning district is specific for a particular use(s) as described in section 3-5-6. Uses not enumerated in the specific zoning categories are included within a general use description. The official responsible for administration of this Ordinance shall determine the appropriate classification of a use not listed. An administrative decision related to a specific use may be appealed and will be reviewed using the same procedure as those for an amendment to the text of this Ordinance.

3-5-6 Purpose and Intent of Each Zoning District

- (1) **Single Family Residential District R1**
The intent of this district is to provide an area in which only single-family homes are permitted.

Use by Right

Single family dwelling, church, school, park and recreation facility, utility distribution system facility. Modular Home installed on a permanent Code compliant foundation.

Accessory Use Permitted (Permit Required)

Accessory Dwelling Unit (ADU) not used for rental, i.e. mother-in-law suite.

Special use permit required.

Garage, storage building,

Shipping Container or Storage container. See 3-6-4 (4)(b)

Special Use Permitted

Home occupation with non-occupant employees.

Storage:

Allowed in a garage, enclosed shed, or behind a visual barrier, such as a fence, not a tarp, as long as storage items are screened from public view.

- (2) **Multi-Family Residential District R2**
The intent of this district is to provide an area in which apartment units are permitted as well as single-family homes.

Use by Right

Multi-family dwelling, single family dwelling, church, school, park and recreation facility, and utility distribution system facility.

Accessory Use Permitted (Permit Required)

Garage, storage building.
Shipping Container or Storage container. . See 3-6-4 (4)(b)

Special Use Permitted

Mini-storage facility. Parking lot. Home occupation with non-occupant employees.

Storage:

Allowed in a garage, enclosed shed, or behind a visual barrier, such as a fence, not a tarp, as long as storage items are screened from public view.

(3) **Mobile Home Residential District** **R3**

The intent of this district is to provide an area where mobile homes are permitted in a subdivision or in a mobile home park. Single-family homes are also permitted.

Use by Right

Mobile home, single family dwelling, mobile home park, church, school, park and recreation facility, utility distribution system facility.

Accessory Use Permitted (Permit Required)

Garage, storage building,
Shipping Container or Storage container. See 3-6-4 (4)(b)

Special Use Permitted

Home occupation with non-occupant employees.

Storage:

Allowed in a garage, enclosed shed, or behind a visual barrier, such as a fence, not a tarp, as long as storage items are screened from public view.

(4) **Mixed Use District**¹ **MU** (applies only to property abutting Goddard Avenue)
(Added by Ordinance 319 December 17, 2014)

The intent of this district is to provide an area with a mixture of complimentary

¹ Added by Ordinance 319 December 17, 2014

Land Uses that includes Existing Single Family Residential, Retail, Offices, Commercial and Civic Uses, with the intent of creating economic and social vitality along Goddard Avenue.

Use by Right

Mixed use Residential with Commercial – Ground Floor Commercial with Apartments above.

Ground Floor Commercial with Owner occupied Single Family Residence above.

Ground Floor Commercial with detached Single Family Residence in back.

Existing Single Family Residential with Home Based Business

Existing Single Family Residential.

Replacement/Remodel/Expansion of existing Residence

Accessory Use Permitted (Permit Required)

Garage, storage building.

Special Use Permitted

Accessory dwelling unit. (ADU)

Light industrial use. Town Board approval may be required.

(5) **Business District**² **B1** (Amended by Ordinance 282, July 13, 2010)

The intent of this district is to provide an area where all retail and commercial uses are permitted.

Use by Right

Any establishment where goods are offered for retail sale, professional or personal services performed, items repaired or serviced, financial institution, office, and other enterprises of a similar nature, Church.

Accessory Use Permitted (Permit Required)

Garage, storage building.

Special Use Permitted

Light industrial use. Town Board approval may be required.

(6) **Industrial District** **I1**

The intent of this district is to provide an area for industry and distribution uses which can be accommodated inside a structure without odor, smoke or glare.

² Amended by Ordinance 282, July 13, 2010

(7) **Agricultural District** **A**

The intent of this district is to provide an area with agricultural uses excluding feed lots and dairies. Also permitted in this district are Single Family Residential homes on large lots.

Use by Right

All agricultural uses excluding feed lots and dairies. Single family dwelling.

Accessory Use Permitted (Permit Required)

Garage, storage building, barn, pen, shed, Accessory Dwelling Unit (ADU) not used for rental.

Shipping Container or Storage container . See 3-6-4 (b)

Special Use Permitted

Sale of agricultural products produced on premises.

Key to Districts: **R-1**= Single Family Residential; **R-2**=Multi-Family Residential; **MH**=Mobile Home Residential; **MU**= Mixed Use-commercial and residential; **B**=Business; **I**= Industrial; **A**=Agricultural.

Key to Permitted Uses: **P** = Permitted; **N** = Not Permitted; **S** = Special Use; **C** = Conditional Use

Conditions to Special Uses:

- (1) Residential Uses are permitted on upper stories and on ground floors when placed behind a commercial space.
- (2) Residential Uses shall not exceed 30% of the ground floor building space per lot.
- (3) Re: Section 3-6-4 (4)

TABLE 3.1 - Permitted Land Uses							
Land Use Designation	R-1	R-2	MH	MU	B	I	A
<i>Residential</i>							
Single Family Residence	P	P	P	P ¹	P ¹	N	P
Multi-Family	N	P	N	P ²	P ²	N	N
<i>Commercial</i>							
Recreational & Entertainment	N	N	N	P	P	N	N
Automobile Related Services: Filling Station, Repair Shop, Carwash, Tire Sales and service, auto parts, auto sales	N	N	N	P	P	P	N
Bank or Financial Institution	N	N	N	P	P	N	N
Fabrication Operations: non-continuous noise such as glass windshields, framed glass windows and doors.	N	N	N	P	P	P	N
Fabrication Operations: with continuous machinery noise will require mitigation to minimize inconvenience to neighbors.	N	N	N	P	P	P	N
Laundry, self service, Commercial, dry cleaning and laundry service	N	N	N	P	P	P	N
Health Services, Medical, Dental Counseling Clinics	N	N	N	P	P	N	N
Office Buildings	N	N	N	P	P	P	N
Parking lot/structure	N	N	N	P	P	P	N

Town of Ignacio Municipal Code 2010

Personal Services, Beauty Parlor, Barber shop, Photo or Artist Studio, Massage, Print shop, Transportation related service	N	N	N	P	P	P	N
Shops with no outside storage, Tailoring, Shoe repair, bicycles. Open air Markets, flea market, farmers market, special event vendors.	N	N	N	P	P	P	P
Restaurants, inside dining, drive-in-use by right, Drive through- conditional use or special use permit, with or without liquor license (State and Local Laws apply)	N	N	N	P	P	P	N
Retail – i.e., florist, clothing, pharmacy, grocery, bakery, thrift store, shopping center. Wholesale – as an adjunct to retail business	N	N	N	P	P	N	N
Educational, any type, with all equipment and storage inside, Higher Education, Commercial, Vocational, Trade	N	N	N	P	P	P	P
Accessory Structures	P	P	P	P	P	P	P
Shipping Containers	N	N	P ¹	P	P	P	P

Note: If the staff determines there would be a significant impact to the district, then plans may be referred to the Planning Commission and Town Board for approval.

****Administrative NOTE:** The interpretation the staff and building inspector have made regarding zoning districts is that since we have a Mobile Home district, the R-1 and R-2 districts Uses by Right must have a permanent foundation to fulfill the intent of the district. Therefore, all structures in R-1 and R-2 require permanent foundations.

3-5-7 Table of Minimum and Maximum District Standards (Ordinance 250, September 9, 2007, Ordinance 255, October 10, 2007, Ordinance 319, December 17, 2014)

Type of Minimum	R-1	R-2	MH	B	I	A	MU
Min land	6000 sf	2 ac	6000 sf				
Minimum width	60'	50'	50'	50'	60'	150'	50'
Minimum depth	100'	100'	100'	100'	100'	150'	100'
Minimum front yard setback	20'	20'	20'	0'*	10'	25'	note *5
Minimum rear yard setback	10'*3	10'	10'* 3	10*	10'	100'	10'
Minimum side yard setback	6'	5'*2	5'*2	0'*	6'	25'	note *5
Minimum street Frontage for each lot	60'	50'	50'	50'	60'	150'	50'
Minimum parking spaces per dwelling	2	2	2	note*4	2	2	note*4
Minimum open space required	50%	40%	40%	10%	20%	90%	10%
Maximum height	30'	30'	30'	35'	35'	30'	35'
Maximum lot Coverage by structure	30%	30%	30%	90%	60%	10%	90%

* Refer to Chapter VI, Fire Regulations, 6-1 et al of the Municipal Code.

*2 Where more than one mobile home is located on a parcel, distance between mobile homes will be 10'. 7/11/00 Res 08-2000

*3 In the Candelaria Addition and Candelaria Heights Second Addition, 5' rear setbacks are allowed. 2-8-05 Ordinance 227 BECAUSE THEY ARE ON AN INACCESSIBLE EASEMENT.

*4 Refer to Development Standards 3-6-1 to 3-6-3 for parking, intersections, barrier requirements.

*5 For projects providing separate commercial & residential structures on the same lot, there shall be a minimum 10' rear setback from the Commercial structure, plus a minimum 10' front setback from the residential structure for a minimum of 20' separation between the two structures. (to provide minimum requirements for emergency vehicle access).

Administrative note: If garage or shed exists, minimum distance to main structure is 6' or multiple sheds must be placed a minimum of 2.5' apart, unless firewall construction is used.

3-5-8 Words and Terms Defined

(1) Uses by Right

The uses permitted in each zoning district correspond to the characteristics of that district. The uses are intended to be consistent with, and do the least possible harm to, the particular environment of the district. Any use not specifically permitted in any zoning district is prohibited unless a rezoning application is submitted and approved in accordance with this Ordinance.

(2) Accessory Uses and Structures

Accessory uses and structures are permitted in all zoning districts. Accessory uses and structures may be subject to other sections of this or other regulations.

(3) Special Use

Each zone district allows certain special uses, which are listed in this Ordinance. A request for a special use must be submitted and approved by the Town as specified in individual sections of this chapter.

The review by the Town will include special attention to insuring that the use and the design of the use are compatible with adjacent uses. The Town may impose conditions in the approval of any special request.

(4) Nonconforming Uses and Structures

The lawful use of any building or structure or the lawful use of any land, as existing and lawful at the time of adoption of this Ordinance, or, in the case of an amendment to this Ordinance, at the time of such amendment, may be continued, subject to the limitations set forth in the following paragraphs. Dwellings, which exist at the time of passage of this Ordinance, which are located in an area designated for future residential use are conforming uses. The following provisions of this Ordinance shall apply to buildings, structures, land and uses which are now non-conforming and those which hereafter become non-conforming due to any reclassification of zones or land under this Ordinance:

- (A.) Expansion or Enlargement. The expansion or enlargement of a nonconforming structure shall be considered a structural alteration and shall be required to conform with the provisions of this Ordinance.

A nonconforming activity may be extended throughout any part of a structure, which was arranged or designed for such activity at the time of enactment of this Ordinance.

- (B.) Repairs and Maintenance: The following changes or alterations may be made to a nonconforming structure or to a conforming structure housing a nonconforming use: Maintenance repairs that are needed to maintain the good condition of a structure, except that if a structure has been officially condemned, it may not be restored under this provision.

Any structural alteration that would reduce the degree of nonconformance or change the use to a conforming use.

The addition of a solar energy device to such structure.

- (C.) Restoration or Replacement: If a structure having a nonconforming use is destroyed or damaged in any manner, to the extent that the cost of restoration to its condition before the occurrence exceeds fifty (50) percent of the cost of reconstructing the entire structure, it may be restored only if any future use housed within the structure complies with the requirements of this Ordinance.

Where a conforming structure devoted to a nonconforming use is damaged less than fifty (50) percent of the cost of reconstructing the entire structure; or where a nonconforming structure is damaged less than seventy-five (75) percent of the cost of reconstructing the entire structure, either may be repaired or restored, provided any such repair or restoration is started within twelve (12) months and completed within eighteen (18) months from the date of partial destruction.

The cost of land or any factors other than the cost of the structure are excluded in the determination of cost of restoration for any structure or activity devoted to nonconforming use.

- (D.) Discontinuance: Whenever a nonconforming use has been discontinued for a period of six (6) months, it shall not thereafter be re-established, and any future use shall be in conformance with the provisions of this Ordinance.

Exception: Single Family Residential along Goddard Avenue

- (E.) Nonconforming Lots: Nonconforming lots of record at the time of passage of this Ordinance may be built upon providing that all other relevant district requirements are met.

- (F.) Change in Non-conforming Use: A nonconforming use of a structure or lot may not be changed to another nonconforming use. A nonconforming use of a structure or lot may be changed to a conforming use.

**3-6 Development Standards
Section I**

3-6-1 Required Off-Street Parking

- (1) Every land area, building, or portion of building, hereafter erected, maintained or used for any purpose shall be provided with permanently maintained parking space as provided in this section, and such parking space shall be made permanently available and be permanently maintained for parking purposes.
 - (a) Existing business and residential structures located on parcels of land within a business and/or residential district may receive credit for qualified curbside parking. 8/8/00, Resolution 09-2000. To qualify, the parking space must be on street frontage adjacent to the lot on which the business or residence is located, must be 20 feet in length and meet all on street parking requirements.
- (2) **Parking Spaces Required.** The number of off-street parking spaces required shall be no less than as set forth in the following:

Apartments	2 for each dwelling unit
Hotels, motels, lodges, rooming houses, fraternities and sororities	1 for each sleeping unit or dwelling unit
Banks, business or professional offices	1 for each 400 square feet of gross floor area 4 for each alley
Bowling alleys	1 for each 6 seats, or if there are no fixed seats, then 1 for each 100 square feet of floor space used for assembly purposes
Churches and accessory uses	
Establishments for the sale and consumption on the premises of food and beverages	
Having less than 4000 square feet of floor area	1 for each 100 square feet of gross floor area
Having 4000 or more square feet of floor area	40 plus 1 for each 40 square feet of gross floor area in excess of 4000 square feet
Furniture and appliance stores, hardware stores, household equipment, service shops, clothing or shoe repair, personal service shops	1 for each 600 square feet of gross floor area
Hospitals	1 for each bed

Libraries	1 for each 250 square feet of gross floor area
Manufacturing uses	1 for each 800 square feet of gross floor area
Medical and dental clinics and medical professional offices	1 for each 150 square feet of gross floor area
Mortuaries	1 for each 50 square feet of floor area of assembly rooms used for services Motor vehicle, machinery sales or wholesale store.
Motor vehicle, machinery sales or wholesale store	1 for each 1000 square feet of gross floor area
Offices not providing customer service on the premises	1 for each 400 square feet of gross floor area
Retail stores, except as otherwise specified herein	1 for each 300 square feet of gross floor area up to 5000 square feet; then 1 for each 200 square feet of all gross floor area exceeding 5000 square feet
Sanitariums, nursing homes	1 for each 3 beds
Sport field without bleachers	1 for each 2 players
Stadium, sports arenas, auditoriums and other places of public assembly and clubs and lodges having no sleeping quarters	1 for each 5 seats or 1 for each 100 square feet of gross floor area used for assembly without fixed seats.
Swimming pools	1 for each 10 persons based on the capacity load (pool area under 5 feet in depth divided by 30 persons equals capacity load)

Dwellings and duplexes omitted from table 8/8/00, Resolution 09-2000. See 3-6-1 (7)

The agricultural district permits the parking of all vehicles used in agricultural activities carried out on the same parcel.

- (3) **Parking Requirements for Uses Not Specified.** Where the parking requirements for a use are not specifically defined herein, the parking requirements for such use shall be determined by the Planning Commission and such determination shall be based upon the requirements for the most comparable use specified herein.

(4) **Parking Provisions May Be Waived by Commission.** The Planning Commission may, by resolution, waive or modify the provisions as herein set forth establishing required parking areas for uses such as electrical power generating plants, yards, or other uses of a similar or like nature occupied by a very limited number of persons.

(5) **General Requirements.** The following general requirements shall apply:

(a) **Size and Access.**

Each off-street parking space shall have an area of not less than one hundred eighty (180) square feet exclusive of drives or aisles, and a width of not less than nine (9) feet. Each space shall be provided with ingress and egress.

(b) **Location.**

In the event permanently maintained off-street parking facilities on a non-contiguous parcel are to be provided by private parties, said facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the parking facility to the nearest point of the building that such facility is required to serve:

(1) For all dwellings parking facilities shall be located on the same or a contiguous lot or building site.

(2) For uses other than those specified above, Not over ½ of the pertinent Ignacio block from the building being served.

(c) **Mixed Occupancies in a Building.**

In the case of mixed uses in a building or on a lot, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as hereinafter specified for joint use.

(d) **Joint Use.**

The Planning Commission, may, upon application authorize the joint use of parking facilities by the following uses or activities under the conditions specified herein:

1. Up to fifty percent (50%) of the parking facilities required by this section for a use considered to be primarily a daytime use may be provided by the parking facilities of a use considered to be primarily a

night-time use; provided such reciprocal parking area shall be subject to conditions set forth in paragraph (2) below.

2. Conditions required for joint use:

The building or use for which application is being made for authority to utilize the existing off-street parking facilities provided by another building or use shall be located .

The applicant shall show that there is no substantial conflict in the principal operating hours of the buildings or uses for which the joint use of an off-street parking facility is proposed.

Parties participating in the joint use of an off-street parking facility shall evidence agreement for such joint use incurring no liability to the Town. .

(6) Required Improvement and Maintenance of Parking Area. Every lot used as a public or private parking area shall be developed and maintained in the following manner:

(a) Minimum Design Standards: Off-street parking areas shall be so designed as to conform to the following minimum requirements:

1. Parking stalls shall be not less than 9' by 20'.

2. Aisles for circulation shall be:

For parallel parking - 12 feet wide

For 30 and 45 parking - 15 feet wide

For 60 parking - 18 feet wide

For 90 parking - 24 feet wide

3. Circulation aisles within required off-street parking areas shall be so designed as to eliminate any necessity of vehicles entering a public right-of-way when passing from one aisle to another.

4. In the case of required off-street parking areas on interior lots having access to but one public right-of-way and having such narrow width as to permit only one aisle for both ingress and egress, said aisle shall be made not less than eighteen (18) feet in width and shall be terminated on the side of the parking area furthest from the ingress-

egress point by a turning area having a minimum radius of twenty (20) feet.

6. Single direction entrances and exits shall have a minimum width of fourteen (14) feet and combined entrances-exits shall have a minimum width of twenty-six (26) feet.
7. All entrances, exists and parking stalls shall be clearly marked, and directional marking showing permissible traffic flow shall be placed in all aisles.

- (b) Surfacing: Off-street parking areas shall be paved or otherwise surfaced and maintained so as to eliminate dust or mud and shall be so graded and drained as to dispose of all surface water. In no case shall such drainage be designed to drain water down sidewalks. Surface material shall be approved by the Town.

In addition to requirements (a) and (b) above, every parking lot, either public or private, having a capacity of five or more vehicles shall be developed and maintained as follows:

- (c) Border, Barricades, Screening and Landscaping:

1. Every parking area abutting property located in one of the R zones shall consult and be in agreement with the neighbor as to the appropriate wall, hedge or other structure separating the parking spaces and neighboring property.
2. Any lights provided to illuminate public, semi-public or sales areas permitted by this Ordinance shall be so arranged as to direct the light away from any neighboring premise

- (7) New dwellings are required to have 2 off-street parking spaces and duplexes and existing dwellings may use a combination of off and on-street parking equal to 2 spaces for each dwelling, with no less than 1 off-street parking space and fulfilling requirements for size and surfacing. 8/8/00, Resolution 09-2000

3-6-2 Wall, Fence or Hedge may be maintained.

No fence, wall, or hedge shall be permitted which exceeds the following height limits above the existing ground level:

- (1) Between an abutting front or side street and the minimum distance the nearest main building is required to set back from such street forty-two inches (42).
- (2) Elsewhere: six feet (6). Exceptions can be made for properties bordering open

space or agricultural lands. (Ordinance 282, July 13, 2010)

- (3) Fences or structures over eight feet (8) in height, to enclose a tennis court or other game area within the rear half of the lot, shall be composed of wire mesh or steel mesh, capable of admitting ninety percent (90) of light as measured on a reputable light meter. Such fences shall be permitted to extend to the rear and side lines of the lot if, after investigation by the Planning Commission, it is the opinion of the Commission that such an enclosure shall not constitute a nuisance to abutting property. Said Commission opinion shall be in written form and shall be made a part of the Commission's Official Records.
- (4) No obstruction between three (3) and eight (8) feet above the street level shall be placed or maintained within a triangular area bounded by the street property lines of the corner lot and a line connecting the points twenty-five (25) feet distant from the intersection of the property lines of such lot.

3-6-3 Intersections

Intersections shall be designed with adequate corner sight distance. Corner sight distance is defined as measured from a point on the centerline of the right-hand travel lane of the minor road at least fifteen (15) feet from the edge of a major road pavement and measured from a height of three and three-fourths (3 3/4) feet on the minor road to a height of object of four and one-half (4 1/2) feet on the centerline of the travel lanes of a major road. The corner sight distance for local and collector streets shall be a minimum of two hundred (200) feet. On arterial streets, corner site distance shall be three hundred fifty (350) feet. In addition to the corner sight distance requirement, no fence, wall, entrance, hedge, shrub planting, tree or other sight obstruction greater than two and one-half (2 1/2) feet above the pavement elevation shall be located within the triangular area formed by curb lines and a line connecting them at points thirty-five (35) feet from their point of intersection.

3-6-4 Accessory Buildings (Ordinance 254, October 10, 2007, Ordinance 267, December 9, 2008)

- (1) All accessory buildings require a building permit, in order to inform the applicants of potential safety hazards.
- (2) Detached accessory buildings in any zone shall conform to the following regulations as to their location on the lot or building site:
 - (a) They may be constructed anywhere the main building would be permitted.
 - (b) An exception may be made if a one-story accessory building is less than ten feet by twelve feet by eight feet high (10' x 12' x 8') then a zero foot (0') rear and side set-back is allowed as long as the slope of the roof does not result in drainage into the neighbors' property and the structure is not on a permanent foundation so as to respect utility easement requirements overhead and underground.

- (3) They may be constructed in a required rear yard provided they occupy no more than the required open space in the rear yard as specified in 3-6-13.
- (4) Shipping or Storage containers.
 - (a) Business district restrictions:
 - 1. Placement must be temporary, not on a permanent foundation, with a one-time renewable time-dated permit and comply with design code.
 - 2. First year fee is charged by cubic feet by referring to Schedule 5A in Chapter V Building and Excavation.. A single renewal is allowed for a double fee.
 - 3. Shipping containers on a permanent foundation become a building addition and are subject to pay impact fees and must meet all other codes for its purpose and the design codes.
 - (b) Residential districts restrictions
 - 1. Placement must be temporary, not on a permanent foundation, with a one-time renewable time-dated permit Fees are charged by cubic feet by referring to Schedule 5A in Chapter V Building and Excavation. No renewals are needed once a permit is issued.

3-6-5 Area Requirements Deemed Met

Any lot or building site shall be deemed to meet the minimum area requirements of the zone in which it is located when:

- (1) It existed as an entire lot, or as an entire parcel, for which either a deed was of record in the office of the County Clerk or a bona fide contract of sale was in full force and effect prior to the effective date of this Ordinance.
- (2) It is not the result of a division of land in violation of any State land law or Town Ordinance.

3-6-6 Home Occupations

- (1) Home occupations are permitted, provided the following conditions are complied with:
 - (a) No person that is not occupying the premises shall be employed unless a special use review is conducted by the Planning Commission

- (b) No stock in trade shall be displayed for sale on the outside of the premises and only products resulting from the home occupation may be sold within the premises.
- (c) All activities shall be conducted entirely within the dwelling.
- (d) There shall be no external evidence of the activity such as commercial vehicles, outside storage of stock or materials; and no noise, odor, dust, fumes, or other nuisances shall be emitted from the premises.
- (e) One and only one (1) unlighted sign not to exceed one (1) square foot in area and containing only the name of the business and address of the occupant of the premises.

(2) Accessory uses customarily incidental to the uses listed above are permitted.

3-6-7 Structures in Excess of Height Limit Permitted

Penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and fire or parapet walls, sky lights, towers, church steeples, roof signs, flagpoles, chimneys, smoke stacks, silos, water tanks, windmills, windbreaks, wireless masts, or other similar structures may be erected above the height limits established for the various zones in which such structures are located, provided, however, that no structure in excess of the allowable building height shall be used for sleeping or eating quarters, nor shall such structures exceeding the allowable building height be allowed for the purpose of providing additional floor space.

3-6-8 Yard Regulations

Except as provided in this article, every required front, side, and rear set back space shall be open and unobstructed from the ground to the sky.

3-6-9 Yards Required On Corner Lots

In any residential zone, as defined in this Ordinance, in case of a corner lot abutting upon two (2) streets, all buildings shall have a minimum setback of ten (10) feet from the side lot line adjacent to the side street.

3-6-10 Set –Back Lines measured from Property Lines

Verification of boundaries is the responsibility of the owner. In all zones, which require front, side, and/or rear yards, the required depth of said yards shall be measured from the property line along a line perpendicular to the property line.

3-6-11 Irregularly Shaped Lots

In the case of lots having more than four lot lines or lots which vary considerably from a rectilinear or trapezoidal shape, the rear lot line shall be considered as the line most nearly opposite from and parallel with the street line on which the lot abuts. In the case of a triangular or gore-shaped lots, the rear lot line shall be considered as a straight line fifteen feet (15) in length which, (a) is parallel to the front lot line or its chord and (b) intersect the two side lot lines at points most distant from the front lot line.

3-6-12 Permissible Reduction of Side Yard

On lots less than sixty feet (60) in width and of record prior to the effective date of the Ordinance, the required side yard may be reduced one and one-half inches (1 1/2) for each foot such lot is less than sixty feet (60) provided that in no case shall the width of the side yard be reduced to less than five feet (5).

3-6-13 Permissible Coverage of Required Rear Yard

Accessory buildings, canopies or roofs in any combination in a required rear yard shall in no case occupy more than forty percent (40%) of the required rear yard area.

3-6-14 Structures Permitted to Intrude into Required Yards

The following structures may intrude into any required yard which is five feet (5) or greater in width or depth, provided however, that no such structure shall intrude into the required yard a distance greater than is permitted in this section:

- (1) Cornices, eaves, vigas, sills, buttresses, or other similar architectural features -- one and one-half feet (1 1/2).
- (2) Fireplace structures not wider than eight (8) feet measured in the general direction of the wall of which it is part – one and one-half feet (1 1/2).
- (3) Open stairways, balconies, and fire escapes -- one and one-half feet (1 1/2).
- (4) Uncovered porches and platforms which do not extend above the floor level of the first floor – one and one-half (1 1/2) feet into required side and rear yards and six feet (6) into required front yards.
- (5) Permanent planters not exceeding forty-two inches in height – one and one-half feet (1 1/2).
- (6) Depressed ramps are not permitted in side yard set backs – one and one-half feet (1 1/2).

3-6-15 Front Yard Requirements Deemed Met

Any front yard requirement shall be deemed to be met when the depth of the front yard provided at least equals the average of that established by existing buildings which occupy fifty (50%) percent or more of the lots within the same block or zone.

3-6-16 Modifications of Required Front Yards

The depth of required front yards may be modified on unimproved lots intervening between lots having non-conforming front yards of a depth less than required by this Ordinance. Such modification shall permit the unimproved lot to have a front yard depth equal to the average depth of the front yards on the two adjacent lots, provided, however, that no such modification shall permit a front yard depth of less than fifteen feet (15).

3-6-17 Separate Yards Required

Except as provided in this Ordinance, no yard or other open space provided about any building or structure for the purpose of complying with these regulations shall be considered as providing a yard or open space for any other building or structure on the same property or on contiguous properties.

3-6-18 Public Utility Lines

The provisions of this Ordinance shall not be construed to limit or interfere with the installation, maintenance and operation of any public utility lines providing water, irrigation, sewage disposal, electric, gas, telephone, or cable services to the public, provided such lines are installed, maintained, and/or operated in accordance with all other applicable laws.

3-6-19 Temporary Real Estate Offices

One, and only one, residential structure within any new subdivision may be used as a combined temporary real estate office and model home, provided that such residential structure shall be completely restored to its originally intended residential character. The date of the resolution by the Town board of Trustees determining the restoration will be after the final plans are accepted and built.

3-6-20 Uses in Area Annexed

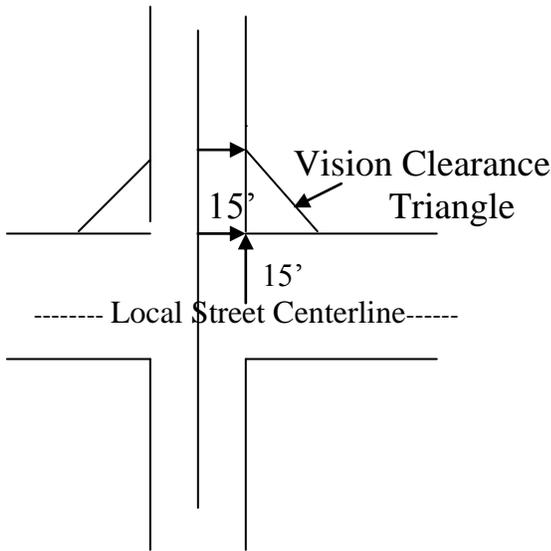
In every case where property becomes a part of the Town of Ignacio by annexation, the property will be zoned in conformance to the adopted Comprehensive Plan at the time of annexation.

3-6-21 Mobile Homes Prohibited in Business District

Mobile home structures are prohibited from being located on all lots in the business district. Modular structures placed on a foundation and meeting all requirements of the building code for commercial structures are permitted providing the requirements of this code are met.

Development Standards
Section II
Words and Terms Defined and Pictures

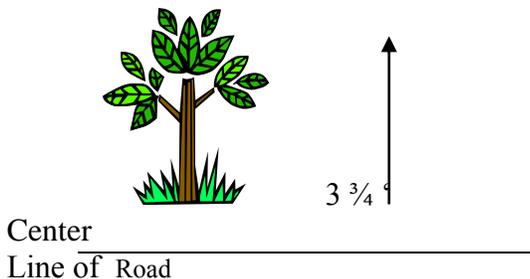
Read regulations at 3-6-3: Intersections: Road Intersection Example



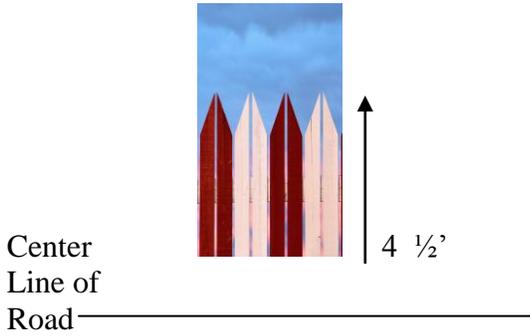
For local and collector streets corner sight distance from Vision Triangle= 200'.
For Arterial streets corner sight distance from Vision Triangle= 300'. Add to Triangle to achieve sight distance.

Read regulations at 3-8-12: Any barrier: trees, fence, wall, shrub, etc.:

Sight Height within vision clearance triangle of minor road



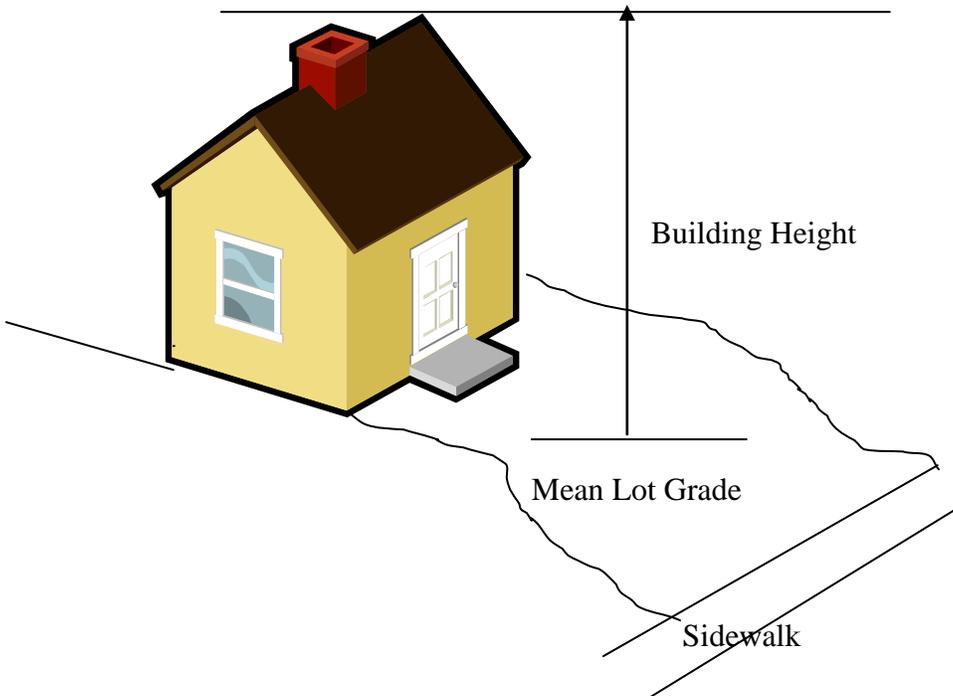
Sight Height within vision clearance triangle of major road



Fences can be no taller than 6', shorter on corners for sight distance.

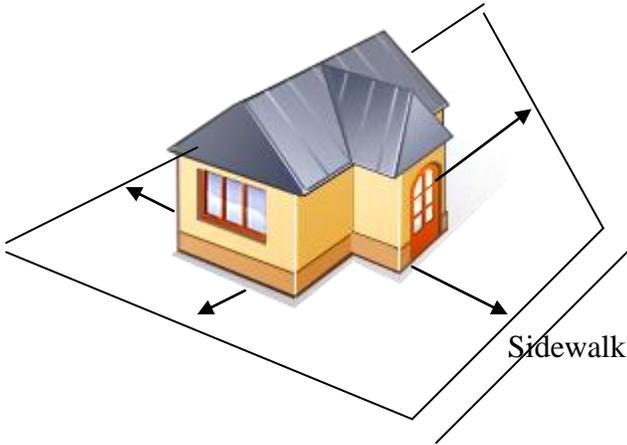
Read regulations at 3-6-8:

Building Height, How to measure



Setbacks, How to Measure

Measure from furthest wall, porch, attached railing to property line.



Read regulations at 3-6-4:



Accessory buildings follow usual setbacks and may be no closer than where a main building could be built, except if no larger than 10' x 12' x 8'.
NOTE: Shipping and storage containers have special regulations and fees.

Read regulations at 3-6-1 (6)(a):



Parking spaces a minimum of 180 square feet or 9' x 20', whatever the angle on the lot. Use advisory sheet for parking space by angle, surface material.

Read specific parking regulations under:

- Zoning requirements at 3-5-8
- Development Standards at 3-6
- Downtown Design Guidelines at 3-8
- Mobile Home and Travel Trailers at 3-10.

3-7 Sign Code Regulations (Ordinance 206, 9-9-03)

Section 1

3-7-1 What is a sign.

A sign is comprised of words, characters and/or images and may be attached to or painted on a building or house or freestanding such that it is not attached.

(1) Purpose of signage

Generally, a sign's purpose is to convey information to the public.

(2) What this code covers

This sign code covers all signage that is intended to be viewed by the public from the exterior of a building or public right-of-way. This includes, but is not limited to affixed and freestanding signage exterior to a building, signage placed within a window, banners, murals, exterior bulletin boards and posters. It does not cover interior signage that is generally not viewable from the exterior. With the exception of signage placed on the inside of a window, it does not cover signs less than 144 square inches or 1 square foot (example, 12-in. x 12-in.).

(3) Value of signage

Signage assists the public by providing them with necessary information. Business signage assists the public in locating and identifying a particular business. Advertising signage provides information on products or services. While too little signage is a detriment in serving the public, too much creates visual impairment and confusion. For example, if a business' sign is too small, then the public will have difficulty locating the business, which may offer what they need. Likewise, if there is too much signage, the public may become distracted and confused and still unable to identify a specific business. In the case of road signs, too little can be dangerous, while too much can also be dangerous as drivers attempt to determine where and how they are to drive. Street numbers identifying addresses assist rescue workers in locating an emergency situation.

(4) Quality and aesthetics of signage

Signage of a high quality and aesthetically pleasing variety enhances the town of Ignacio and conveys an image of professionalism. Contrarily, poorly executed or maintained signage is a detriment not only to the immediate establishment, but also diminishes the value of neighbors' property. Refer to the vision statement regarding "Honoring Our Southwest Traditions."

3-7-2 Sign permits and fees

Compliance of new signs will be reviewed at the time of a new or annual renewal of the business license. Business owner will bring size(s) of sign(s) and size of frontage with the application for approval. The planning staff will review for compliance to code and if approved or not notify the owner. A sign is in non-conforming if not approved by planning staff.

(1) Approval of new signage

- (a) All new signs or signs installed after the date of the ordinance must be approved. All signs will be reviewed and approved by Planning Staff.
- (b) Graffiti art and text must also pass through the approval process. Non-approved sign requests may be appealed to the Ignacio Town Council by stating the appeal in writing and providing a copy of the appeal to the Ignacio planning staff in advance of the issuance of the next meeting's agenda.

(2) Temporary signage

Temporary signage is any type of signage which is not permanently affixed or erected and, unless stated elsewhere in this ordinance, may not be located upon the same property for more than 7 days out of 30. Special event signage and hunting season signage may be displayed for the duration of the event season and prior two weeks. It does not require approval so long as it meets the requirements of this code.

(3) Sign approval application

- (a) Application for approval of a sign shall be made using the form provided by the Town of Ignacio planning staff. The application will include the following information:
 - 1. Owner of the proposed sign and contact information.
 - 2. Proposed location for the sign.
 - 3. Type of sign (for example, freestanding, mural, affixed, etc.).
 - 4. Type of lighting (for example, internal, external, none, etc).
 - 5. Size of sign(s) and size of frontage.
 - 6. A color drawing or illustration of the proposed signage including all verbiage and imagery to be incorporated with sufficient detail that it accurately represents what will become the finished product. In the case of an existing sign, a color photograph of the sign shall be included.
- (b) Incomplete information may delay your sign approval

3-7-3 Sign Maintenance

- (1) An already approved sign, which is being touched up by repainting existing letters and graphics, does not need a new permit. However, an existing sign that is being altered or moved or voluntarily replaced shall be considered as a new sign and requires planning staff review and approval.
- (2) Signage shall be maintained. Burned out lights on illuminated signs shall be replaced promptly. Faded and peeling paint shall be retouched as necessary to prevent the sign from looking unprofessional.

3-7-4 Illegal signage

(1) The following types of new signage are illegal:

- (a) Billboards and signage for a business or occupation that no longer exists. Special Use Permit may be applied for on historical or artistic basis.
 - (b) Unprofessionally executed signage or offensive signage identified as the result of an investigation after a written complaint.
 - (c) Signage defined by the planning staff or a written complaint as in need of repair or maintenance
 - (d) New signage, which requires a permit, but has not received it.
 - (e) Temporary signage remaining beyond the timeframe permitted by this ordinance or more than 3 days beyond the dates of the event which it promoted.
 - (f) Signage, which the planning staff has deemed inconsistent with the information that was provided on or with the sign application.
 - (g) Signage that flashes, blinks or changes color except for time and temperature signs or that is part of decorations for a national, state, tribal or religious holiday and is displayed for no more than a total of 30 days annually.
 - (h) Strings of light bulbs not permanently mounted on a rigid background. (e.g. ex-Christmas luminarias or lights)
 - (i) Placed on public property unless permitted elsewhere in this ordinance.
 - (j) Any offsite sign, except this restriction does not apply to real estate or for rent signs, which must conform to other parts of the code.
 - (k) Graffiti or other signage created by other than owner.
- (2) The occupant of a property containing illegal signage shall be given 30 days notice in writing via certified USPS mail to rectify the deficiency. After 45 days, the sign will be removed at the owners' expense, plus a citation will be issued and fines up to a \$1,000 may be assessed. Graffiti not in the permit process shall be given 5 days notice for removal. After 10 days the graffiti will be removed at the owners' expense, plus a citation will be issued and fines up to a \$1,000 may be assessed. Illegal signage on a vacant property shall be the responsibility of the property owner.

3-7-5 Non-conforming signs

- (1) Non-conforming signs are those that were lawful at the time erected but no longer meet code. Non-conforming signs must be brought into conformance when:
 - (a) There is a change in ownership of the business
 - (b) When there is a change in the business name.
 - (c) When sign is replaced voluntarily.
 - (d) When sign is destroyed.

3-7-6 Sign Measurement

- (1) Freestanding and projecting signs are measured on one face only. Awnings with signing are measured as projecting signs on the sides of the awnings and wall signs on the front of the awning. If there are signs on each end of an awning, each shall be counted. V-shaped signs with an angle greater than 30 degrees between the two faces are measured as two signs. Signs on a canopy are all wall signs.
- (2) Sign area is the entire surface area of a sign and includes non-structural or decorative trim. It does not include structural trim or support. In the case of an awning sign, the sign size is calculated by measuring the dimensions of a rectangle enclosing the signage. When a mural includes identification of an establishment, product or service, that part of the mural shall be considered as a sign, and size will be calculated by measuring the dimensions of a rectangle that encloses that portion.
 - (a) Aggregate sign size
 1. Frontage is defined as the distance from one corner of a property to the next corner along a public street or alley.
 2. Total signage allowed for a property will be computed using the formula where the frontage x 2 = total square footage of all signs requiring permitting allowed on the property, up to a maximum of 200 sq. ft. For example, a property with 50 ft. of frontage may have total signage of 100 sq. ft. equaling two 5 x 10 signs. This includes free standing, wall signs, and permitted art.
 3. No sign on any frontage may exceed 50 square feet.
 4. Shopping centers or office buildings containing more than one business which desire to advertise each business shall propose a master sign program to planning staff that will provide a coordinated program and follow other aspects of the code.

(b) Individual sign size in a Business Zone

1. Projecting sign: Multiply the facade by $\frac{1}{2}$ or .5 to determine the maximum for any one sign, but not to exceed 50 sq. ft. (e.g. 5 ft x 10 ft or 2 ft x 25 ft). Buildings less than 25 ft. wide may have a projecting sign measuring up to 12 sq. ft. (e.g. 2 ft x 6 ft or 3ft x 4 ft)
2. Bulletin board: May not exceed 16 sq. feet. (e.g. 2 ft x 8 ft or 4ft x 4 ft)
3. Billboards: Are allowed only on the same lot related to an existing business and conforming to code sizes based on the size of the frontage of the property

(c) Individual sign size in a Residential Zone

1. Residential sign: Multiply the frontage x 2 up to a maximum of 24 sq. ft. for the maximum size sign for any sign in a Residential Zone.
2. Residence or Home occupation sign: Any sign for a home occupation may not exceed 4 sq. ft (576 sq. in.).

3-7-7 Sign Placement **SUGGESTED CHANGES FROM SUMMER**

- (a) Freestanding signs may measure up to 24 feet to the top of the sign. Freestanding signs in residential zones may measure up to 5 feet to the top of the sign and must be of the monument variety, as opposed to the pole type, for subdivisions and home occupation signs and subject to other requirements of this code. Freestanding signs include pole signs and monument signs.
- (b) Building mounted signs: No sign may extend above the roofline of any building.
- (c) Ground clearance: Freestanding or projecting building mounted signs must maintain 8 1/2 feet of clearance from their overhang to the ground. Overhanging sign can hang as low as a standard awning.
- (d) Home occupation signs may not be freestanding.
- (e) Street clearance: Permitted signs may not extend over streets or alleys.
- (f) Setback: Unless otherwise permitted, signs must remain inside the property line. Projecting signs in the Goddard Business District may be approved by the planning staff if they meet other parts of this sign code.

3-7-8 Sign illumination

- (1) Within Residential Zones, all internally illuminated signs must have an opaque background.
- (2) Within Business Zones, internally illuminated signs under 100 sq. ft. (e.g. 5 ft x 20 ft or 10 ft x 10 ft) in size must have a background that is darker than the copy. Signs 100 sq. ft. or larger must have an opaque background.
- (3) An exception to this rule are menu signs for drive-in or drive-through restaurants which may have dark letters on a light background so long as they are designed and installed so as not to be read from the public right-of-way or attract attention to the business.
- (4) All sign illumination must be designed to minimize light from emitting skyward. External lighting must be designed such that the light is shining down, not up. Spotlights may include deflectors to meet this requirement.

3-7-9 Construction materials

- (1) Signs may be constructed successfully from many different types of materials including wood, plastics and metal, ceramics. Construction and mounting must be of a professional nature and aesthetically pleasing.
- (2) Mounting, supports and lighting must meet all applicable building and electrical codes.

3-7-10 Sign Information

- (1) In general, the citizens of Ignacio do not wish to regulate the content of signage. However, because Ignacio is a family town, certain industries and products are regulated as they pose unique challenges to the community. Signage promoting alcohol or tobacco products may not exceed 2' x 2' or 4 square feet.
- (2) Adult oriented product stores may use the term "adult" in your signage to clarify your offerings. At no time can there be reference to or images of nudity and no references or pictures of sex acts.

3-7-11 Window signs

Window signs are signs under this ordinance and must not cover more than 30% of any window (a window is all the panes of glass contained within one window casing).

3-7-12 Murals **SUGGESTED CHANGES FROM SUMMER**

Murals, designed for decorative and artistic value, must be approved by the Ignacio Planning Commission Staff. Murals do not count towards the total permitted signage or sign size except as stated otherwise here-in.

3-7-13 Exempt signs [WHERE DO “Way-finding” signs fit in?](#)

- (1) The following signs do not require a permit and are not used in calculating the allowable signage
 - (a) Temporary political signs displayed for no more than 30 days.
 - (b) Except where specifically prohibited, banners, pennants, streamers, sale flags and posters displayed for no more than 7 days out of 30 except for one Grand Opening banner per street frontage which may be displayed for 14 days total.
 - (c) Real Estate “For Sale” type signs not exceeding 6 sq. ft. (e.g. 2 ft x 3 ft) and 5 ft. in height.
 - (d) Apartments and motels may have one vacancy/no vacancy sign up to 4 sq. ft. (e. g. 2 ft x 2 ft) If lighted, lighting must meet code requirements contained here-in.
 - (e) Construction signs up to 6 sq. ft. in the quantity of one per site.
 - (f) No Trespassing, No Hunting/Fishing, No Parking, etc. type signs up to 2 sq. ft. each. (e.g. 1 ft x 2 ft)
 - (g) Any governmental flag (e.g. U.S., Colorado, Southern Ute) flown in accordance with U.S. flag protocol.
 - (h) A building sign indicating the building name, dates of erection, etc., which is an integral part of the building and permanently affixed to the building and does not exceed six sq. ft. (2 ft x 3 ft)
 - (i) The changeable lettering on changeable signs, except for offensive content or message.
 - (j) Decorations customary to a national or religious holiday are exempt and must not be displayed for more than 30 days per year.
 - (k) Yard or Garage Sale sign placed on premises or within the public right-of-way that does not exceed 10 sq. ft. nor extend higher than 3 ft. and must not be displayed for more than 14 days annually or 3 days in a row.
 - (l) Temporary window sign meeting other requirements of this ordinance.
 - (m) Sign painted or attached directly to a vehicle that is routinely used as transportation by the business.
 - (n) Signs required by other ordinance. However, unless there is conflict, the rules within this ordinance shall apply.
 - (o) Individual business signs within an approved master sign program
 - (p) Signage required by government regulation or law does not require approval (e.g. Handicapped Accessible signs); but, it is advised the applicant consult the federal government for assistance in complying with federal requirements.

3-7-14 Appeal Process

If any applicant disagrees with a staff decision or interpretation of this code, they may appeal by a written request to the Town Board at the next regularly scheduled meeting convenient to both applicant and Board, within 60 days of the staff decision. The information under Sign Application must be presented to the Town Board at that hearing.

Sign Code
Section 2
Words and Terms Defined.

As used in this chapter, the following terms shall have the meaning indicated:

Aggregate: the whole amount

Billboard: freestanding sign to advertise

Bulletin board: either freestanding or on a structure for advertising

Freestanding sign: separate from the structure, set on poles or monument base

Frontage: the distance from one corner of a property to the next corner along a public street or alley.

Façade: The distance from one corner of a building to the next corner.

Graffiti: An inscription or drawing found on walls.

Monument: a sign support with a foundation, not measured as part of the sign unless it contains text.

Mural: an artistic image painted directly on a wall and does not include words.

Non-conforming: not conforming to current legal standards

Offensive signage: against the generally accepted moral standards of the community.

Professionally executed signage: neat and clean lettering and design.

Residential sign: Any sign placed in a residential district, excluding address numerals.

Residence sign: usually the name of the property owner, possibly with the address

Size: is the external measure of the sign in square feet. It does not include the supporting structure unless it contains text.

Temporary sign: Temporary signage is any type of signage, which is not permanently affixed or erected, and may not be located upon the same property for more than a specified number of days.

3-7-16 Severability

If any portion of the ordinance is found to be void or unlawful, it shall be deemed severed from this ordinance and the remaining provisions shall remain valid and in full force and effect.

3-8 Downtown Design Guidelines (Ordinance 228, April 13, 2005
Ordinance 251, November 14, 2007, Ordinance 278, January 12, 2010)
Section 1

3-8-1 Introduction.

The Ignacio Central Business District on Goddard Avenue/ Highway 172 is the commercial core of the town. It harbors a vibrant mix of activities that serve local residents and also appeals to an increasing visitor population.

The district is pedestrian-friendly with sidewalks from one end of the district to the other. There is ample on street and alley access parking which supports commercial activity. The Southwest heritage is the central theme of the buildings.

3-8-2 Purpose.

The intent of this code is to preserve business and property values by standards that promote a harmonious outward appearance in the downtown business district.

The ordinance is to provide a reliable framework for investment that will encourage owners to improve their properties in a manner that contributes to the character and function of the district while also meeting individual needs.

3-8-3. Applicability.

This ordinance applies to the central business district on Goddard Avenue, from the north town limits to the south town limits, of Ignacio, Colorado. All new construction that becomes a business, conversions to business use of existing residences within this district, and remodels shall comply with this ordinance.

This ordinance does not apply to existing residences used exclusively as residences, nor to rentals used exclusively as residences.

Four or more rentals under the same owner constitute a business, therefore this ordinance applies to any conversions or remodels. Residences used for a business, such as day care, must comply. Residences used for living only, need not comply.

This ordinance applies to maintenance on pre-existing, non-conforming buildings and vacant lots.

3-8-4. Nonconforming Buildings and Structures

Any building or structure in the business zoned district not meeting the standards set forth in this ordinance shall be considered nonconforming. Proposed additions or alterations should serve to bring the existing structure into or towards compliance with this ordinance.

3-8-5 Process (Ord 278, 1-12-10)

The Town Staff provides Downtown Design Guidelines to an applicant and receives all applications. Staff will review the application and approve if there are no significant deviations to the code. The application then passes into the building permit process. The staff approved design is shown to the Planning Commission and Town Board as part of routine reporting.

Applications shall include the following:

1. Name, Address, Phone number, Location proposed to be built
2. Contractor, if known with address and phone number
3. Drawings that illustrate the proposed construction.

3-8-6 Authorities (Ord 278, 1-12-10)

The DDRC is a subcommittee of the Planning Commission ,consisting of two-four business owners, not necessarily town citizens, who are reviewed by the Commissioners and appointed by the Town Board upon application for the position.

The Planning Commissioners with DDRC members review all applications at a regular Planning Commission meeting and agree on acceptance and/or recommendations. The Planning Commissioners shall state by Motion acceptance, denial or conditional approval, naming the sections of this ordinance to which the application pertains.

The applicant can bring back changes to the design at the Planning Commissioners next meeting. If conditional approval is given by the Commissioners, the list of conditions shall be attached to the application and included with the building permit.

The final design is reported to the Town Board in the regular Planning Report to the Board.

3-8-7. Applications for Construction

Approved applications, with any conditions, pass on to the Planning Staff Approval lasts one (1) year from the date of approval. On written request, the Planning Staff can authorize a one-year extension. No building permit shall be issued after an approval has expired.

If an application is denied, the applicant may follow the Board of Adjustment process (3-4-6)

No building permit for work within the district shall be issued without approval of the final design by Staff or the DDRC with the Planning Commission. Approval of construction plans by the Building Inspector and validation that Permitting requirements have been met are required.

3-8-8. Criteria for Approval.

Applications for development within the downtown business district may be approved only if the proposed development complies with the standards within this ordinance or receives exceptions under 3-8-21. (end of changes under Ord 278, 1-12-10)

3-8-9. Style Characteristics

Inspiration is taken from dwellings of the Southwest.

(1) Building Details

- (a) Window and door space combined shall not exceed forty (40) percent of any publicly viewable elevation, except for doors and windows located beneath a porch.
- (b) Doors on publicly visible elevations of buildings and structures are recommended to have divided lights not exceeding thirty (30) inches in any dimension. Snap-in or applied mullions are permitted.
- (c) All external doors shall follow Americans with Disability requirements.
- (d) Doors shall not overhang the sidewalk when opened.

(2) Name: Territorial Southwest

- (a) Characteristics:
 - 1. Appearance of stucco, earth plaster or adobe outside walls.
 - 2. SQUARE parapets.
 - 3. Framed windows, Victorian style.
 - 4. Brick or decorative coping or parapet trim.
 - 5. Square beam supports, instead of round.

(3) Name: Pueblo

- (a) Characteristics:
 - 1. Appearance of stucco, adobe or earth plaster on outside walls.
 - 2. ROUNDED parapets.
 - 3. Windows and doors inset a minimum of two (2) inches, plaster covers the frame of the windows, located within three (3) feet from the corner of the building, unless within an enclosed porch.
 - 4. Edges and corners shall be rounded.
 - 5. Primary elevations shall be flat, varied by inset portals, projecting

portals, projecting vigas or rafter tails, canales or waterspouts, flaking buttresses and wooden lintels, and/or architraves and cornices.

6. Vertical posts are round.
7. Carved ornamentation.
8. Flat or slightly pitched roofs are concealed by parapets.
9. Inspiration is taken from the Native American.

(4) Name: Southwest Norteano

(a) Characteristics:

1. Appearance of stucco or plaster on outside walls.
2. Pitched or shed roofs, gabled or hipped provided that at least fifty percent (50%) of the roofs are pitched
3. Dormers
4. Porches
5. Metal, wood, tile, asphalt shingled roofs
6. Both exposed and hidden window frames with panes

(5) Name: Ignacio

(a) Characteristics:

Adaptations of what already are.

3-8-10 Facade Appearance

Facades on the four sides of a building shall be indistinguishable from the following materials or suitable facsimile:

- (1) Stucco
- (2) Dry-stack sandstone
- (3) Fieldstone with traditional grouting
- (4) River rock with traditional grouting
- (5) Cultured Stone is acceptable

An appearance of aluminum, vinyl siding, metal panels, mirrored glass, and exposed concrete block or concrete are prohibited as exterior facade appearance.

3-8-11. Building Scale and Mass

A human scale shall be achieved near ground level on large buildings and along street facades and entryways through the use of such scale elements as windows, doors, columns, and beams. "Human scale" means the entrances, windows, doors, columns, and beams are in

proportion to and not significantly larger than the people using the building. For example, a ten-foot high entrance cover is in proportion to a person using it. A thirty (30) foot high colonnade is not.

Buildings that extend greater than fifty (50) feet along the street-side(s) shall utilize appropriate techniques to break the plane of the building line. For example, these techniques may include, but are not limited to, windows, doorways, staggered walls and embedded pillars.

3-8-12. Setbacks

To maintain an optically pleasing streetscape and to limit avoidance of dark or vacant spaces where people do not feel comfortable walking, all construction shall meet the property line at the street-side(s). For example, the building should align with the sidewalk in most cases, if not, a fence or wall should be constructed at the street side.

3-8-13. Walls, Fences and Landscaping

Walls shall be predominantly constructed of the same materials and in the same style as the building. Styles may be approved if they are complementary to the building's style. Chain link and wire fencing is not acceptable for street facing fences.

The height of the wall or fence shall not obscure the building facade on street-side(s). Generally, this would be considered as *no higher* than five (5) feet as measured from the bottom visible portion. All fences must follow town code with intersections requiring special considerations.

The appearance of the wall shall change every fifty (50) feet by six to eight inches (6-8") to avoid an uninteresting plane. Landscaping on top of, or over a wall is encouraged.

Landscaping may be used as an alternative to a wall where a barrier or mitigation is required. The owner of the property who puts in landscaping is responsible to maintain it in a manner that conforms to the purpose for which it was approved (as an example: as a barrier, a hedge might be used, but must not grow taller than 6 ft, the highest fence allowed by town code.)

3-8-14. Screening of Equipment and Appurtenances

Equipment and appurtenances should be architecturally integrated into the structure, color and design of the building. Equipment includes but is not limited to: Mechanical, electrical, telephone, satellite dish, solar and other energy-collecting equipment, chimneys, flues, vents, and skylights. Glare from any equipment must not cause a safety hazard to drivers passing by the building.

3-8-15. Murals

Murals are governed by Ignacio's sign code.

3-8-16. Signs

Signs are governed by Ignacio's sign code.

3-8-17. Exterior Lighting

All exterior lighting shall comply with dark skies design ideals in that lighting shall be designed to point downward. No lighting nuisance will be allowed. Lighting is not permitted to spill outside property lines.

3-8-18. Exterior Building Colors

Exterior building colors shall be limited to a palette of southwest colors available from the town hall or approved by the Review Committee. Earth tones in a non-glossy finish, and of relatively smooth texture are acceptable, but white and dark chocolate brown colors do not meet this definition and are therefore excluded. Building trim may be of complementary accent colors and glossy.

3-8-19. Parking

Parking lots are not permitted in the front of any building. The Town Board may grant exception to this requirement for existing, non-conforming buildings if the remainder of the requirements of this ordinance is being met. In these cases, walls or fences meeting this ordinance shall be constructed.

New buildings are to include sufficient parking in the rear, side, or within to meet employee and customer needs. In the case of parking being provided on the sides of buildings, walls or fencing meeting this ordinance shall be constructed except for the width of the driveway.

3-8-20. Minimum Maintenance Requirements

All properties shall be preserved against decay and deterioration and kept free from structural defects by the property owner or other persons who may have legal custody and control of the property.

3-8-21. Exceptions

An exception is a waiver to this ordinance. It requires a Board of Adjustment variance decision. An exception to current code must meet the following requirements:

- (1) The exception will not damage the character of the district as outlined within these

regulations, including their intent, which is to: PRESERVE PROPERTY AND BUSINESS VALUES THROUGH HARMONIOUS OUTWARD APPEARANCE.

- (2) The exception will strengthen the unique character of the town by providing a full range of design options that are appropriate to the downtown business zoned district and fulfill the land use goals.
- (3) The exception is unique to special conditions and circumstances that are peculiar to the land or property involved and are not motivated by economic considerations.

The applicant must submit their reasons for an exception in writing. The staff will consider and write a pro and con statement for the exception. The Board of Adjustment variance process will be followed.

Downtown Design Code
Section 2
Words and Terms Defined.

Addition: Any expansion to an existing property that increases the height, floor area, or roofed area (including porches, portals, and ramadas).

Alley: Rear access lane paralleling Goddard Avenue.

Adobe: Dried block or coursing of dirt, clay, cement-modified earth, or other natural materials.

Alteration: Any change to a building, structure, site, object, or cultural landscape that modifies its features. Such changes include the removal of parts or features and reconstruction. Additions are considered to be alterations.

Business location: This is the physical location where a business license is posted.

Canales: Drain spouts, often decorative, protruding through the roof parapet.

Cantilever: A projecting beam or structure supported at only one end.

Corbel: A carved, decorative piece of wood that tops a post and helps support a beam.

Coyote Fence: Branches wired together vertically to create a fence with a rustic appearance.

Design Development Drawings: Submittals drawn to scale that fully delineate the architectural characteristics of a site, building, or structure, but are not detailed enough to be considered working or construction drawings.

Earth Color: Colors found in the earth in the Ignacio area. White or dark chocolate brown colors do not meet this definition and are therefore excluded.

Elevation: The external faces of a building or structure often represented in drawings or photographs.

Facade: The characteristics of a building's face or structure that are delineated within its elevation.

Lintel: a horizontal architectural member supporting the weight above an opening, as a window or a door.

Mass: The physical size and bulk of a structure.

Mural: A painting or other form of artwork applied directly to a wall's surface.

Mullion: A vertical member, as of stone or wood, dividing a window or other opening

Muntin: A strip separating panes of glass in a sash.

Southwest Norteano Style: A building with a pitched roof, often having long portals and larger windows.

Parapet: A low wall extending above the roofline in pueblo style architecture.

Porch: A roofed space outside the main walls of a building at street or first floor level, which has a depth of four feet or to the street (whichever is less) from the outside face.

Portal: Entranceway, doorway, entry, threshold.

Portico: A structure consisting of a roof supported by columns or piers, usually attached to a building a porch.

Publicly Visible: A site, building, structure, object, or any part thereof, that is visible from a public street or other area to which the public has legal access.

Pueblo Style: Stucco walls with rounded parapets, usually with roofs and vigas extending through the exterior.

Rental Business: Four or more structures under the same ownership.

Residence: A structure legally occupied only for living.

Southwest Palette of colors includes: Other colors by application to the Design Review committee.

Spanish Revival Style: Cupolas, turrets, rounded arcades, twisted columns, red clay barrel tile roofs, iron railings, curved balconies, small obelisks and finials, and colorful tile work.

Structure: A fixed, functional construction made for purposes other than providing shelter. Examples include, but are not limited to walls, fences, bridges, towers, dams, roadways, railroads, fortifications, mounds, earthworks, pools, gazebos, and bandstands.

Territorial Southwest Style: Stucco walls with square parapets, brick coping around the top, and Victorian-style window moldings. The portal usually has square beam supports rather than viga supports.

Vigas: Logs used for ceiling support or appearing as ceiling support. A rafter or roofbeam, especially a trimmed and peeled tree trunk whose end projects from an outside adobe wall.

3-9 Impact Fees (Ordinance 248, May 9, 2007, Ordinance 262, June 9, 2007, Adopted into Municipal Code Ordinance 279, February 9, 2010)

Section I

3-9-1. Impact Fees

The provisions of this Article are intended to impose certain fees to be collected for the purpose of funding the provisions of additional capital improvements as the Town's population increases. The imposition of said fees is intended to regulate the use and development of land by ensuring that new growth and development in the Town bears a proportionate share of the costs of capital expenditures necessary to provide community park, police and transportation capital improvements. The fees provided for in this Article are based on the Town's Impact Fee Study, entitled "Development Impact Fee Study for the Town of Ignacio", dated April 20, 2007.

3-9-2. Calculation of capital improvement expansion Fees

For each category of capital improvements for which a Development Impact Fee is established under the provisions of Division II of this Article, the amount of each such Development Impact Fee shall be determined and imposed on a per residential dwelling unit basis and for commercial development, such fee shall be determined by the size of the structure, with the fee imposed on a prorated basis for each 1,000 square feet or a portion thereof in the commercial structure. The amount of the fee shall be increased annually according to the Denver-Boulder Consumer Price Index for Urban Consumers, as published by the Bureau of Labor Statistics.

3-9-3. Imposition, computation and collection of fees. (Ord 279, February 9, 2010)

Payment of the fees imposed under the provisions of this Article shall be required as a condition of approval of all development in the Town for which a final development plat is required or for which a commercial building permit is required. The amount of such fees has been calculated using current levels of service and the data and methodologies described in the Town's Impact Fee Study. The impact fees due for such development shall be payable by the land owner to the Town prior to the time of the recording of the final residential development plat or at the time of construction of commercial structures.

Sec. 3-9-4. Offsets and credits.

(1) The Town shall offset the reasonable costs of any capital improvements constructed, or real property dedicated, by or on behalf of any property owner or developer of real property from whom a fee is due and payable under this Article for that category of capital improvement, pursuant to the following requirements and any additional administrative regulations that may be established by the Town Manager.

(a) No offset or credit shall be given for the dedication or construction of

capital improvements not shown on the Town's capital improvements plan.

- (b) No offset or credit shall exceed the amount of the applicable fee(s) due from the property owners, however nothing herein shall be construed as preventing the Town from entering into a reimbursement agreement with the property owner or developer whereby said property owner or developer may be reimbursed by subsequent property owners benefitting from the dedication or construction.
 - (c) The impact fees provided for herein shall not be imposed or collected for any Portion of a comparable commercial building that is constructed as a replacement for all or part of a commercial structure that was destroyed or otherwise removed from a parcel of property within the Town. Any replacement building must be reconstructed on the same lot or parcel as the destroyed building. The impact fees shall continue to apply to any square footage of a commercial building in excess of the portion that replaces the old structure.
- (2) In its sole discretion, the Board of Trustees may authorize alternative credit or offset agreements upon petition by a property owner or developer, in accordance with established guidelines.

3-9-5. Establishment of accounts.

The Town's Financial Officer shall establish separate accounts for each of the fees imposed under the provisions of this Article, into which shall be deposited all fees collected for each category of capital improvement. Interest earned on each such account shall be considered funds of the account and shall be used solely for the purpose authorized for such funds as provided herein. The Financial Officer shall establish adequate financial and accounting controls to ensure that fees disbursed from each account are utilized solely for the purpose authorized.

3-9-6. Use of fee proceeds.

The fees collected for each category of capital improvements specified in this Article shall be used to finance or to recoup the costs of the category of any capital improvements identified in the applicable capital improvements plan. Eligible costs which may be paid from revenues derived from such fees may include, without limitation, design, surveying and engineering fees; the cost of purchasing or leasing real property; construction costs; other capital improvement costs; and the costs of administering the program. The proceeds of such fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the Town to finance such capital improvements.

3-9-7. Expenditure of funds.

- (1) All fees collected pursuant to this Article shall be appropriated by the Board of Trustees for expenditure within ten (10) years from the date of receipt of such fees and shall be expended by the Town for purposes approved herein within twelve (12) years of the date of receipt. Any fees not so appropriated or expended shall be refunded, upon application, to the record owner of the property for which the impact fee was paid.
- (2) In determining whether fee revenues have been appropriated or expended within the requisite periods of time specified in subparagraph (A), monies in the capital improvements expansion fee accounts shall be considered to be appropriated and expended on a first in, first out basis; that is, the first fees paid shall be considered the first fees appropriated and expended.

3-9-8. Deferral of fees for affordable housing.

The fees established under this Article may be deferred, reduced or waived with respect to any dwelling unit which is contained within or which constitutes an affordable housing project. Any such action shall be at the sole discretion of the Board of Trustees.

Sec. 3-9-9. Review every three (3) years. At least once every three (3) years, the Town Manager shall recommend to the Town Board of Trustees whether any changes should be made to the specific Development Impact Fees.

3-9-10. Limits on other charges

No landowner shall be required to provide any site specific dedication or improvement to meet the same need for capital facilities for which a Development Impact Fee is imposed.
DIVISION 2. SPECIFIC DEVELOPMENT IMPACT FEES.

3-9-11. Park Impact Fees.

There is hereby established a park impact fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provisions of community parks, as such improvements may be identified in the capital improvements plan for community parks or as identified in the Town's Improvement Fee Study. Such fee shall be payable prior to the recording of a final development plat or at the time of construction of a commercial structure. The fees shall be as follows:

- (1) \$ 1,357.00 per residential dwelling unit.
- (2) \$ 814.00 per 1000 square feet of commercial structure, or a prorated portion thereof.

3-9-12. Police Impact.

There is hereby established a police impact fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the

provisions of police services, as such improvements may be identified in the capital improvements plan for police service or as identified in the Town' Improvement Fee Study. Such fee shall be payable prior to the recording of a final development plan or at the time of construction of a commercial structure. The amount of such fee shall be as follows:

- (1) \$ 96.00 per residential dwelling unit.
- (2) \$ 58.00 per 1000 square feet of commercial structure, or a prorated portion thereof.

3-9-13. Street Impact Fee.

There is hereby established a street impact fee which shall be imposed pursuant to the provisions of this Article for the purpose of funding capital improvements related to the provisions of Town streets, as such improvements may be identified in the capital improvements plan for streets or as identified in the Town's Improvement Fee Study. Such fee shall be payable prior to the recording of a final development plan or at the time of construction of a commercial structure. The fees shall be as follows:

- (1) \$ 2,010.00 per residential dwelling unit.
- (2) \$ 1,200.00 per 1000 sf of commercial space

3-9-14 (Ordinance 262, 6-14-2009)

1. Regulation for the dedication of land to the School District and for the payment of fees in lieu thereof.

a. Each development containing residential land uses shall pay fees in lieu of land dedications, or, if appropriate based upon the size of the development, shall dedicate to the Ignacio School District No. 11 JT ("District") school sites in accordance with the provisions of this section. The District shall determine school needs in proximity to the proposed development area, and shall make the determination whether fees should be levied or actual land dedication should be made in accordance with the provisions of this section.

b. Fees in lieu of land dedication shall be assessed as part of the Development Plan approval process. For any existing development for which a Development Plan has been approved prior to the date hereof, cash in lieu shall be required as hereinafter set forth. If it is determined that the particular development should dedicate land rather than pay fees in lieu, the determination of the amount of land to be dedicated, and the criteria applicable to determine land to be dedicated shall be in accordance with, formulas and standards established by District policy and procedure, provided, however, that the District shall not require land dedication for any purposes other than construction of school buildings, athletic fields, bus garages, maintenance buildings, or any other bona fide District facilities.

2. Fee determination and collection

- a. The Town shall notify the District in writing of any Development Plan approval process that is initiated within the Town, providing copies of any available submittals and information that the Town has received concerning the project. Within thirty (30) days of such notification, the District shall notify the Town in writing whether the District intends to require land dedication in connection with the particular development. Unless the Town receives such notice from the District, it will be assumed that District will not require land dedication, and the Town shall require payment of a fee in lieu of land dedication. The amount of the fee shall be six hundred and eighty three dollars (\$683.00) per unit. The amount of the fee may be updated from time to time by amendment to this Ordinance, upon mutual agreement of the District and the Town.
- b. The fee in lieu requirement shall apply to new residential construction within the Town. The term “new residential construction” as used herein shall include all types of construction, as well as the assembling or placement of modular, pre-constructed and mobile homes. The term “new residential construction” shall not include any type of replacement structure on the site of a pre-existing residential unit of any kind. The term "unit" as used herein shall mean each residential accommodation for an individual or a family, whether single family or within any sort of multi-family housing, a mobile home or similar accommodations.
- c. The per unit fee shall be collected by the Town of Ignacio during the issuance of a building permit or equivalent authorization for an individual unit, and the Town’s receipt evidencing payment of such fee shall be a condition precedent to the issuance of a building permit or equivalent authorization. The fee collected shall be made payable to the Ignacio School District.
- d. Fees shall be payable to the District as undesignated contributions to the District’s general fund and shall be accounted for and used as the School District deems appropriate for land and capital facilities. The payer shall have no control over the use of such funds.
- e. The Town may entertain any requests for waiver of the fee in lieu of land dedication from Developer of Affordable Housing. Any such requests for waiver shall be forwarded to the District, and the parties agree to confer on any request. However, the District shall have the final decision making authority whether to grant a waiver in a specific case.
- f. In the event that the District has required land dedication in accordance with paragraph 2 above, but the developer and the District are unable to come to agreement within sixty days as to the amount or location of land to be dedicated, the Town shall have the authority, upon written notice to the District, to terminate negotiations and require imposition of the fee in lieu in accordance with subsection

3.A. above. Such sixty day negotiation period shall commence on the date the District notifies the Town of its intention to require land dedication in accordance with subsection 3.A.

3. The following land uses within the Town's boundaries are exempt from fees in lieu of land dedication: (1) non-residential building construction; (2) construction of buildings for assisted living, family care and group homes, halfway houses, nursing homes, housing designated for older persons as defined by federal law, and hospices; this exception does not include structures used primarily to house school age children.

4. Any person or entity that is issued a building permit or equivalent authorization without dedication of land or payment of the land dedication fee shall be liable to the District for such fee plus all costs of collection including but not limited to a reasonable attorney fee; and the District shall have the standing and authority to use any and all creditor's remedies and other legal means to effectuate such collection.

3-10 Mobile Homes, Travel Trailers, Recreational Vehicles, Campgrounds
Section I

3-10-1 Permit for Location Outside of Park.

- (1) The restrictions, requirements and standards as set forth in this Code shall not apply to any mobile home parks established prior to the adoption of this Code or to any mobile homes in place and hooked up to utilities prior to September 1, 1983.
- (2) It shall be unlawful for any person to use or occupy a mobile home for human habitation within the limits of the Town, except in a licensed mobile home park, without first obtaining a permit therefore from the Town Clerk. No permit shall be issued unless the following requirements are met:
 - (a) The proposed location shall be in compliance with all ordinances of the Town now in effect or hereafter adopted. No more than one mobile home shall be located on any one lot, tract, or parcel of land, except in a licensed mobile home park.
 - (b) No mobile home shall be located closer than five (5) feet to any building and shall also be located as to comply with all requirements as of setback lines and side and rear yards, as now or hereinafter provided for buildings by the ordinances of the Town.
 - (c) The plumbing and electrical connections shall be in accordance with the ordinances of the Town.
 - (d) All mobile homes using gas, kerosene, gasoline or fuel oil for heating or cooking purposes shall have their stoves properly vented with flues of adequate size and construction; with the exception of a supply container for each mobile home, no gasoline, kerosene, or fuel oil shall be stored on the premises, and said supply container must be approved by the Building Inspector of the Town. Every connection between a liquified petroleum gas container and its appliance shall be of metal pipe. No liquified petroleum gas container shall be permitted inside any mobile home. All mobile homes shall comply with the regulations of the Colorado State Department of Public Health controlling carbon monoxide poisoning in mobile homes.
 - (e) The Building Inspector shall, upon receipt by the Town Clerk of a written application for permit, make an inspection to determine if the foregoing requirements have been satisfied. Upon approval of the Building Inspector, the Town Clerk shall issue the permit. A fifty Dollar (\$50.00) charge shall be made for each permit.

- (f). Any mobile home, located outside of a mobile home park, from which the wheels have been removed, except temporarily for the purpose of making repairs, and any mobile home which has any room, lean to, or other addition connected therewith, or used in connection therewith, shall be deemed to be a permanent residence and shall be made to conform to all the requirements of the building ordinance and building code now in effect or hereinafter adopted.

3-10-2 Park Licenses.

It shall be unlawful for any person to maintain or operate within the limits of the Town, any mobile home park, unless such person shall first obtain a license therefor. All mobile home parks in existence upon the effective date of this ordinance shall obtain such license and in all other respects fully comply with the requirements of this ordinance upon expiration of existing license.

3-10-3 License Fees.

The annual license fee for each mobile home park shall be One Hundred Dollars (\$100.00) for the first five (5) mobile home spaces as defined herein, and Ten Dollars (\$10.00) for each mobile home space in excess thereof.

3-10-4 Application for License.

Applications for a mobile home park license shall be filed with the Town Clerk and issued by the Town Board upon approval of the application by the Building Inspector. Applications shall be in duplicate, in writing and signed by the applicant, and shall contain the following:

- (1) The name and address of the applicant;
- (2) The location and legal description of the mobile home park;
- (3) A complete plan of the park showing compliance with Section 2-7-6 of this ordinance;
- (4) Plans and specifications of all buildings and other improvements constructed or to be constructed within the mobile home park;
- (5) Such further information as may be requested by the Building Inspector or the Town Board to enable the determination if the proposed park will comply with the legal requirements.

If the proposed mobile home park is in compliance with all of the provisions of this ordinance and all other applicable ordinance and statutes, the Town Board

shall approve the application, and upon completion of the park, according to the plans, shall issue the license.

3-10-5 Mobile Home Park Standards.

The mobile home park shall conform to the following standards:

- (1) Setbacks:
 - (a) Along perimeter (all to be landscaped)
 1. Abutting public right-of-way 25 feet
 2. Abutting state or federal highway, city arterial 50 feet
 3. Abutting exterior boundaries other than above 15 feet
 - (b) Separation between mobile homes (enclosed additions shall be considered part of the mobile home)
 1. Minimum between homes 10 feet
 2. Minimum if parked end-to-end 20 feet
 3. Minimum from lot line 8 feet
 - (c) Mobile homes must be parked so as not to obstruct roadways or walkways and must be parked on a mobile home space. All mobile home spaces and accessory buildings must abut an interior roadway.
- (2) Minimum mobile home space: 4,000 square feet. The dimensions of the space shall be such that the width is at least 1/3 the depth. (Space requirements exclude guest parking, allocated open space and similar features.)
- (3) Circulation
 - (a) Access roads to mobile home parks shall meet Town road standards.
 - (b) Internal roadways of 24 feet minimum width shall be provided to each mobile home space, those interior roadways shall have a minimum paved width of 24 feet when the mobile home park has more than five units.
 - (c) Walkways shall be provided as necessary to assure safe pedestrian circulation.
 - (d) All roadways and walkways shall be well lighted at night.
 - (e) Walkways shall be hard surfaces.

(4) Parking

(A combination of off and on-street parking may be allowed.)

(a) Off-Street

1. Number of spaces - 2 spaces/mobile home (minimum)
2. Size of spaces - 10 feet x 20 feet (minimum)

(b) On-Street

(May be permitted in place of off-street parking by widening the roadways.)

1. Number of spaces - 2 spaces/mobile home (minimum)
2. Size of spaces - must equal the minimum area required for an equal number of off-street spaces.

(5) Storage areas:

(Excluding space beneath mobile homes)

- (a) Outdoor, surfaced area for boats, boat trailers, camping units and horse trailers; 50 sq. ft./mobile home space shall be provided within the park.
 - (b) Enclosed personal storage area: 50 sq. ft./mobile home space shall be provided either individual or in common, within the park.
 - (c) Storage areas shall be lighted as necessary to permit night use.
- (6). Five percent (5%) of the twenty-five percent (25%) open space of the gross mobile home park area is required for common contiguous recreation space. The area allocated shall not include roadways, storage areas, mobile home spaces, setbacks, required parking spaces and other similar features.
- (7) Drainage conditions shall be such that downstream users do not experience detrimental run-off.
- (8) Mobile home parks must be equipped with adequate working fire extinguishing equipment as specifically required by the local fire prevention authority or to satisfy fire regulations.

(9) Sewage Disposal:

The San Juan Basin Health Unit and Colorado Department of Health must approve any public and private system prior to development and such system shall not function so as to create a nuisance or health hazard.

(10) Refuse Disposal:

(a) Type of containers: flytight, water-tight, rodent proof.

(b) There shall be common refuse collection points adequate to serve all mobile home users.

(11) A minimum of 110 volts or 100/220 volts shall be provided by electrical outlet to each mobile home space. Installation shall comply with all state and local electrical regulations.

(12) All utilities, except major power transmission lines (outlet supplying a minimum of 100 volts or 100/220 volts) shall be underground unless specifically exempted by the Town of Ignacio.

(13) Twenty-five percent (25%) of the gross mobile home park area shall be open space. Landscaping and/or some other type of screening shall be provided around the perimeter or mobile home parks, sufficient enough to act as a buffer between adjacent uses (including public streets) and the mobile home park. When necessary, other methods of screening may be required to provide sufficient noise and visual buffers. Of the twenty-five percent (25%) open space, five percent (5%) shall be a contiguous open space.

3-10-6 Occupying Recreational Vehicles or Travel Trailers.

No travel trailer or recreational vehicle shall be occupied or used for overnight accommodations for more than three consecutive days unless it is located within a recreation vehicle or travel trailer park or a campground, unless a permit for location at such a park or campground is obtained in accordance with Section 3-7-2 of this Chapter.

No overnight parking of travel trailers or recreational vehicles for the purpose of overnight accommodations shall occur on Goddard Avenue.

3-10-7 Travel Trailer or Recreational Vehicle Park and Campground Standards.

Travel trailer or recreational vehicle parks and campgrounds shall conform to the following standards.

- (1) Maximum density.
 - (a) Travel trailer parks or recreational vehicle parks, 15 dwelling units per acre (gross).
 - (b) Campground, 30 dwelling units per acre (gross).
- (2) Set Backs.
 - (a) Along perimeter.
 - (b) Abutting public right-of-way, twenty-five feet (25');
 - (c) Abutting state or federal highway, city arterial, fifty feet (50');
 - (d) Abutting exterior boundaries other than the above, fifteen feet (15')
- (3) Separation between camp units/travel trailer or recreational vehicle spaces.
 - (a) Minimum between travel trailer or recreational vehicles, fifteen feet (15');
 - (b) Minimum from lot line (dividing spaces) eight feet (8').
 - (c) Travel trailers or recreational vehicles or other camping units must be parked so as not to obstruct roadways or walkways and must be parked on a camp unit space.
- (4) Circulation.
 - (a) All access roads shall meet Town road standards. (ACCORDING TO CONTRACTED ENGINEER)
 - (b) One way interior roads shall have a minimum width of twenty feet (20').
 - (c) Two way interior roads shall have a minimum width of thirty-two feet (32'), twenty-four feet (24') of which shall be paved.
 - (d) Access roads to each camp unit space shall be provided.
 - (e) Walkways shall be provided when necessary to assure safe pedestrian circulation.
 - (f) Major walkways and roadways shall be lighted at night to assure safe access.

- (5). Parking.
 - (a) Number of spaces - one space per camping unit.
 - (b) Size of spaces - 10 feet by 10 feet (minimum).
- (6). Open space allocation.
 - (a) All travel trailer parks, recreational vehicle parks or campgrounds shall have a minimum of twenty percent (20%) of the gross area which is landscaped and left as open space.
- (7). Service buildings.
 - (a) A minimum of one service building adequately equipped with flush toilets, lavatories, showers and laundry facilities is required. This must meet the minimum state health department standards.
 - (b) Service buildings shall be well lighted and well ventilated (with screened openings) at all times.
 - (c) Service buildings shall be subject to approval by the state health department.
- (8). Sewage disposal.

The San Juan Basin Health Unit and the Colorado Department of Health must approve any public and private system prior to development and such system shall not function so as to create a nuisance or health hazard.
- (9). Refuse disposal.
 - (a) Type of containers: fly tight, water tight, rodent proof.
 - (b) There shall be common refuse collection points adequate to serve all of the users of the park or campground.
- (10) A minimum of 110 volts or 100/220 volts shall be provided by an electrical outlet to each camping space. Insulation shall comply with all state and local and electrical regulations.
- (11) All utilities, except major power transmission lines, shall be underground unless specifically exempted by the Town Board of Trustees.

Mobile Home/ Travel Trailer Code
Section II
Words and Terms Defined.

Campground - Recreational Vehicle Park - Travel Trailer Park means a plot of ground upon which two or more spaces are provided for occupation for dwelling or sleeping purposes in tents, recreational vehicles or travel trailers.

Mobile home: A structure designed to be transported after fabrication and exceeding eight (8) feet in body width or thirty-two (32) feet in body length. Such a structure is built on a chassis and retains the chassis on which it was built, whether or not such structure is placed on a permanent foundation. Such a structure is suitable for human habitation on a year-round basis when provided with the required plumbing, heating and electrical facilities.

Mobile home park: Any plot of ground upon which two or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not charge is made for such accommodation.

Mobile home space means a plot of ground within a mobile home park designed for the accommodation of one mobile home, and shall consist of a minimum of 4,000 square feet.

Natural or artificial barrier: Any river, pond, canal, levy, berm, embankment, fence, or hedge.

Park: A mobile home park.

Travel Trailer or Recreational Vehicle means any mobile structure or vehicle, other than a mobile home as defined in subsection C above, which is designed for overnight human sleeping accommodations.

- 3-11 Colorado Floodplain and Stormwater Criteria Manual, Volumes 1 and 2 (Ordinance 253, November 14, 2007) Section 1 and Section II
References can be viewed at Town Hall.

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