

19.62 - US 85 Overlay District Design Standards

Chapter 19.62 - US 85 OVERLAY DISTRICT DESIGN STANDARDS

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19.62.010 General. The provisions of this chapter apply to all lands, uses and structures within the US 85 Overlay District (“District”) as defined herein. If any provisions of this chapter conflict with other provisions of the Evans Municipal Code, the provisions of this chapter shall apply. (Ord. 336-05)

19.62.020 Intent of US 85 Overlay District. The intent of the US 85 Overlay District is to implement the principles and recommendations of the US 85 Corridor Master Plan, adopted by Resolution 111-02 on December 17, 2002, through establishing consistent development standards for new development, redevelopment, and renovation along US 85 in the City of Evans. The standards contained herein are intended to ensure that development along the US 85 Corridor (“the corridor”) meets certain minimum criteria in order to:

- ? Improve the appearance and coordinate land uses along the US 85 Corridor
 - ? Establish a unique identity for the City of Evans
 - ? Improve economic vitality along the US 85 Corridor
 - ? Maximize long-term property values and community benefits
 - ? Minimize the impact of nonresidential development on residential areas
 - ? Improve safety for automobiles, bicycles, and pedestrians
 - ? Encourage the development of sidewalks and trails along West Service Road (WSR)
 - ? Encourage in-fill development to develop higher densities within the corridor
 - ? Facilitate the undergrounding of overhead utilities in the corridor
- (Ord. 336-05)

19.62.030 Definitions. The following words and phrases shall, for the purpose of this chapter, be defined as follows:

“Accent lighting” shall mean directional lighting to emphasize a particular object.

“Animals, confined” shall mean the commercial raising of animals such as, but not limited to, horses, cattle, sheep, goats, swine, turkeys and chickens, the commercial production of milk, commercial pen feeding operations (feed

lots), riding stables with arenas, and similar activities.

“Articulation, horizontal” shall mean a method of breaking up the vertical appearance of a structure through varying horizontal planes.

“Articulation, vertical” shall mean a method of breaking up the horizontal appearance of a structure through varying vertical planes.

“Articulation” shall mean the manner in which contiguous shapes are joined or formed to clarify or emphasize certain elements of the structure.

“Auction yard” shall mean a property on which merchandise or other property is sold by auction.

“Awning” shall mean a roof-like cover of canvas, metal, or other material extending in front of and over a door, window or deck to provide protection from weather.

“Belt course” shall mean a horizontal course of brick, stone or similar material, flush with or projecting beyond the face of a building.

“Building height” shall mean the height as measured from the average surrounding grade of the footprint of a building to the midpoint of a pitched roof or highest point of a flat roof.

“Building scale” shall mean the size and proportion of a building relative to surrounding buildings and environs, adjacent streets, and pedestrians.

“Canopy, gas station” shall mean a structural protective cover, not enclosed on any side, for a gasoline or fuel service dispensing or similar service area.

“Canopy, tree” shall mean the more or less continuous cover of branches and foliage formed collectively by the crown of one or more trees.

“Cemetery” shall mean land used for the burial and memorializing of the dead and dedicated for cemetery purposes, including columbariums, mausoleums, and pet cemeteries.

“Clustered; clustered development” shall mean a development technique which concentrates buildings on a portion of a site, so that the remaining land may be used for common area or open space.

“Colonnade” shall mean a series of regularly spaced columns, usually supporting one side of a roof structure.

“Cornice” shall mean a continuous, molded projection that crowns a wall or other construction.

“Crematorium” shall mean a place for the cremation of human or animal remains.

“Dead-end parking lots” shall mean a parking lot having only one outlet and no area at the closed end for vehicles to turn around.

“Dead-end sidewalks” shall mean a sidewalk that terminates abruptly with no connection to another sidewalk or pedestrian walkway.

“Dead-end driveways” shall mean a driveway having only one outlet and no area at the closed end for vehicles to turn around.

“Development/redevelopment” shall mean any man-made change to improved or unimproved real property including, but not limited to, grading, paving, mining, excavating, construction, substantial improvement to an existing structure, or addition of a new structure.

“Environmental effect” shall mean the presence of any chemical, biological, or physical contaminant or substance in the outdoor atmosphere, ground, or water that is or may be potentially harmful to the health, safety, or welfare of human, animal, or plant life, or that interferes with the use and enjoyment of any nearby property.

“Fixture, lighting” shall mean a complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

“Flea market” shall mean a business operation or bazaar consisting of more than one independent vendor who is allocated space and does business on the premises and is not in charge of the premises, and where goods and/or services are offered for sale or exchange at retail to the general public, either indoors or outside, or both, including but not limited to antiques, curios, new and used merchandise, equipment, appliances and other goods and wares, (excluding yard sales, auctions, pawn brokers and retail business establishments, and the like) where sales are made to the general public by the individual vendor who leases space where such sales are made.

“Hospital” shall mean a state or federal certified facility providing health services primarily for in-patients and medical or surgical care of the human sick and injured, including as an integral part, such related facilities as laboratories, out-patient services, rehabilitation and recovery services, training facilities, central service facilities and staff offices.

“Human scale” shall mean the proportion of a building element or space relative to average human size.

“Impervious surface” shall mean any surface made of asphalt, concrete, brick, pavers, stone, or similar material which does not readily absorb water.

“Industrial uses facility” shall mean any establishment for wholesale, commercial service and storage of goods and materials, such as warehouses, commercial laundries and dry-cleaning plants, bottling works, builders' supply yards, printing and publishing plants, tire vulcanizing shops, automobile and truck body work, and establishments of a similar nature.

“Internal circulation” shall mean a continuous network of sidewalks, pathways, and driveways within a site or within

multiple sites.

"Junk" shall mean garbage and all other waste matter or discarded or unused material such as, but not limited to, salvage materials, scrap metal, scrap materials, bottles, tin cans, paper, boxes, crates, rags, used lumber and building materials; manufactured goods, appliances, fixtures, furniture, machinery, motor vehicles or other such items which have been abandoned, demolished or dismantled, or are in such a condition as to be unusable for their original use, but may be used again in present or different form for a new use; discarded or inoperable vehicles, machinery parts and tires; and other items commonly considered to be refuse, rubbish or junk.

"Kennel" shall mean any property used for commercial purposes, on which four or more pet animals, at least four months of age, are kept for training, boarding or breeding, whether in special structures, runs or not.

"Livestock trailer washout" shall mean a property where trailers used for hauling livestock are washed.

"Living plant material" shall include, but is not limited to, deciduous and coniferous trees, shrubs, vines, perennial plants, cacti, succulents, sod, and native and ornamental grasses. Also includes annual plants provided new plants are planted each year.

"Manufacturing/assembly plant" shall mean establishments engaged in the mechanical or chemical transformation of materials or substances into new products, including the assembly of component parts, the creation of products, the blending of materials, and other similar uses.

"Massing" shall mean the relationship between various masses or volumes of a building or structure.

"Molding" shall mean any of various long, narrow, ornamental surfaces with uniform cross sections.

"Multi-planed" shall mean having more than one plane visible from each side of a building.

"Natural resource extraction and treatment" shall mean gravel pits, quarries, gas refineries, or any other process of altering or storing a natural resource or removing natural resources from the ground.

"Outdoor sales lot" shall mean an uncovered, paved area of a lot or parcel used primarily for the constant display of goods for sale, such as automobile sales lots, landscaping and nursery retailers, and construction materials sales lots. Outdoor sales lots do not include salvage yards or outdoor flea markets.

"Pedestrian connection" shall mean a clearly-defined pedestrian walkway between a sidewalk or parking area and the building entrance.

"Pedestrian court" shall mean an open space, generally open to the public, surrounded by buildings or walls on at least three sides and improved with an impervious surface.

"Pedestrian plaza" shall mean an open space, generally open to the public, usually surrounded by buildings and/or streets and improved with an impervious surface.

"Reasonably feasible" shall mean capable of being accomplished or brought about without undue burden or hardship, whether financial or otherwise.

"Recessed window or door" shall mean a door or window which exterior plane is offset from the exterior wall by at least twelve inches inward.

"Recreational vehicle (RV)" shall mean a transportable structure that is primarily designed for seasonal recreational/vacation purposes for recreational, camping, and travel use including, but not limited to, boats, travel trailers, campers, snowmobiles, motorcycles, self-propelled motor homes, and similar vehicles/units.

"Recreational vehicle (RV) park/campground" shall mean any parcel of land upon which two or more recreational vehicles or camp sites are located, established, or maintained for occupancy or living quarters. Such parcel being commercial in nature must comply with all the state and local regulations related to licensing, site design/layout, life safety and health issues. This use does not include the storage of travel trailers, recreational vehicles, boats, snowmobiles, motorcycles, or similar vehicles/units.

"Recreation vehicle storage" shall mean the renting of space in an unroofed area for simultaneous commercial placement/storing of two or more recreational vehicles, including but not limited to, boats, travel trailers, campers, snowmobiles, motorcycles, and similar vehicles/units. This use does not include the storage of these vehicle/units at private residences, provided such vehicles/units stored at residences are owned or leased by persons residing at the residence.

"Recycling center" shall mean a use involving the collection and processing of recyclable materials for shipment or re-use. Processing includes baling, compacting, flattening, grinding, crushing, mechanical sorting, shredding, melting, cleaning, and remanufacturing.

"Roof plane" shall mean the portion of a roof, whether flat or pitched, by which a straight line would pass through continuously.

"Roof, flat" shall mean a roof having a slope of less than 1:12, with one being the rise and twelve being the run.

"Roof, pitched" shall mean a roof having a pitch of at least 1:12, with one being the rise and twelve being the run.

"Roofline" shall mean the profile of or silhouette made by a roof or series of roofs.

"Salvage yard" shall mean an industrial use for collecting, storing and/or selling scrap metal or discarded material or for collecting, dismantling, storing, salvaging or demolishing vehicles, machinery or other material and including the sale of such materials or parts.

"Shared driveway" shall mean a driveway that serves two or more lots in order to reduce the number of access

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points onto a public roadway.

“Shared parking” shall mean the development and use of parking areas on two or more separate properties for joint use by the businesses or residents on those properties.

“Substantial improvement” shall mean any change to an existing improvement that causes the size, height, or area to increase by 50 percent or more, or which costs 50 percent or more of the market value of the improvement prior to the change.

“Wall, parapet” shall mean an exterior wall that rises above the roof on all sides of a building, usually to screen mechanical or other equipment.

“Wall, partial parapet” shall mean an exterior wall that rises above the roof on one or more, but not all, sides of a building, usually to screen mechanical or other equipment. (Ord. 336-05)

19.62.040 Boundaries and Affected Property. The boundaries of the US 85 Overlay District are shown as a solid white line on the following maps. The standards of this chapter shall apply to all new development and redevelopment occurring within the District, and shall also be taken into consideration when reviewing new development adjacent to the District. If any parcel is partially within the District, these standards shall apply to the entire parcel. (Ord. 336-05)

To view Figure 1. US 85 Overlay District Boundaries, North Section please refer to the PDF document listed at the bottom of this page.

To view Figure 2. US 85 Overlay District Boundaries, South Section please refer to the PDF document listed at the bottom of this page.

19.62.050 Non-Permitted Uses.

A. The uses allowed within the District are intended to be of a nature that is retail, personal service, and office. Where industrial uses are allowed within the District, they shall be of a low-impact, light industrial nature, and any environmental effects generated shall be kept within the buildings where they are produced. As stated in Chapter 19.32 of the Evans Municipal Code, light industry consists of, but is not limited to, scientific research; limited manufacturing; compounding, assembly, processing or treatment of products; food and beverage processing; and similar limited industrial uses in which the environmental effects of the operation are confined within the principal buildings.

B. Regardless of the uses allowed by a property’s underlying zoning, the following uses or use groups are not permitted within the District:

- ? Animals, confined, except riding stables with arenas
 - ? Cemetery
 - ? Crematorium
 - ? Flea market
 - ? Salvage yard
 - ? Natural resource extraction and treatment
 - ? Recreational vehicle (RV) park/campground
 - ? Livestock trailer washout
 - ? Recycling facility
 - ? Auction yard
- (Ord. 336-05)

19.62.060 Uses Allowed with Special Use Permit.

A. If a property’s underlying zoning allows any of the following uses or use groups, such uses shall only be allowed within the District by Special Use Permit approved in accordance with Chapter 19.44 of the Evans Municipal Code:

- ? Recreational vehicle storage
- ? Industrial uses facility
- ? Manufacturing/assembly plant
- ? Hospital
- ? Kennel

B. Special Use Permits shall only be issued in the District if the City Council finds that the proposed use is consistent with the purpose and intent of this chapter. (Ord. 336-05)

19.62.070 Existing Uses and Structures.

A. Uses and structures in the District that were conforming prior to the effective date of the ordinance adopting this

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chapter, but that do not meet one or more standards of this chapter, will be considered legal nonconforming in accordance with Chapter 19.56 of the Evans Municipal Code.

B. Uses that were conforming prior to the effective date of the ordinance adopting this chapter, but that require a Special Use Permit under the provisions of this chapter, will be considered to have Special Use approval.

C. New standards effective upon adoption of this ordinance shall apply to all building permits and final plat approvals applied for on or after the effective date of this ordinance, except as may otherwise be provided for under the provisions of this chapter. (Ord. 336-05)

19.62.080 Design Review Process.

All new development and redevelopment within the US 85 Overlay District will be reviewed administratively for compliance with the District Design Standards, as provided herein, prior to issuance of a building permit. (Ord. 336-05)

19.62.090 Site Planning and Urban Design.

A. The purpose of site planning is to consider site characteristics, such as sunlight, weather, drainage, traffic patterns, and orientation of the building to roadways and other structures, when developing a parcel of land. Urban design is the method of combining planning, architecture, and landscaping to create attractive and functional urban areas. Conscientious site planning and urban design carefully integrate and organize structures and related improvements to provide a pleasant experience for the users. All new development and redevelopment shall be reviewed within a site-specific context, as well as within the context of the entire District.

B. Urban design principles of integrating architectural style, overall layout of structures, vehicular and pedestrian circulation and connectivity, and functional landscaping shall be considered for all new development and redevelopment. When reasonably feasible, new structures shall be sited in a manner that will complement adjacent, conforming structures. Sites shall be developed in a coordinated manner to avoid random, confusing development. When possible, new structures shall be clustered to create pedestrian plazas, shared driveways and shared parking to lessen pedestrian-vehicle conflicts. (Ord. 336-05)

19.62.100 Setbacks, Street Frontages, and Height.

A. In order to create continuity along West Service Road, the elevation nearest WSR for principal structures on properties adjacent to WSR shall be built as close as reasonably feasible to the minimum setback closest to WSR.

B. Any new or substantially improved principal structure adjacent to US 85 or WSR shall either be oriented with its major entry toward US 85 or have architectural features that simulate a front façade facing US 85. When possible, the majority of parking should be located at the rear and/or sides of the building with landscaped pedestrian connections to the front of the building. Detached accessory structures, such as sheds and workshops, and accessory uses, such as outdoor storage, shall not be permitted between the principal structure and any property line abutting US 85 or WSR. This section shall not apply to fences, patios, or structures of a similar nature.

C. The maximum height of any new structure in the District shall not exceed 35 feet or two stories, whichever is less. Notwithstanding the height limitation, at the discretion of the City Council and Planning Commission, in cases where architectural design exceeds the minimum standards set forth herein and urban design principles have been demonstrated, the height limitation may be waived. (Ord. 336-05)

19.62.110 Access, Circulation and Parking.

A. Vehicular access shall be separated from pedestrian and bicycle access to the greatest extent possible to reduce pedestrian-vehicle conflicts. Internal circulation, including pedestrian and vehicular, shall be continuous and shall avoid creating dead-end parking lots, dead-end driveways, or dead-end sidewalks.

B. Parking areas shall be broken up through the use of landscaping and building layout to avoid large expanses of parking stalls. Parking lots are required to be landscaped according to Chapter 19.47 of the Evans Municipal Code.

C. Adjacent developments which incorporate shared driveways and parking areas shall be allowed up to a 20 percent reduction in the required number of parking spaces, in accordance with the following requirements:

1. Such shared parking shall not be farther than 500 feet from the entrance of any building for which it counts as required parking.

2. There shall be a recorded easement for cross-access and parking on the lots that share parking.

3. Parking required for residential buildings shall not be allowed to count as shared parking.

D. Bicycle parking shall be required on all properties in accordance with the following provisions:

1. The required number of bicycle parking spaces shall be five percent of the required number of automobile parking spaces. Notwithstanding the foregoing, not less than one or more than 20 bicycle spaces shall be required.

2. Bicycle parking shall be located as near as practical to building entrances without obstructing pedestrian or vehicular traffic or causing damage to nearby landscaping.

3. Bicycle parking shall be provided with a permanent structure of heavy gauge tubular steel, or similar material,

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with angle bars attached to concrete or asphalt pavement. Such structures shall be designed to allow the frame and both wheels of bicycles to be securely locked to the structure. (Ord. 336-05)

19.62.120 Service, Loading and Outdoor Storage Areas.

All service areas, loading areas, and outdoor storage areas shall be screened and separated from parking areas using architectural features, constructed of the same materials and colors as the adjacent, conforming structure, and landscaping. No service, loading or outdoor storage areas may be located in the required front setback or adjacent to or along WSR or US 85. (Ord. 336-05)

19.62.130 Telecommunications Equipment and Utilities.

- A. All telecommunications equipment shall comply with Chapter 19.42 of the Evans Municipal Code.
- B. All utility lines shall be installed underground. Existing overhead utility lines shall be relocated underground, whenever feasible. (Ord. 336-05)

19.62.140 Buffers and Transition Areas. In order to lessen the impact of nonresidential development upon residential areas, nonresidential development must meet the following provisions:

- A. Landscaped buffer areas shall be provided pursuant to Chapter 19.47 of the Evans Municipal Code, except that greater bufferyards and/or screening may be required at the discretion of the City.
- B. Businesses on property adjacent to property zoned residential use shall not be open for business between the hours of 10:00 p.m. and 6:00 a.m. This provision shall not apply to legally existing businesses that regularly operated between 10:00 p.m. and 6:00 a.m. on the effective date of the adoption of this chapter.
- C. Regardless of the uses allowed by a property's underlying zoning, the following uses or use groups shall not be permitted on property adjacent to property zoned for residential use:

- ? Adult business
 - ? Nightclub, bar, tavern
 - ? Retail uses, extensive
 - ? Treatment of humans, restrained
 - ? Kennel
- (Ord. 336-05)

19.62.150 Fences and Walls

- A. All fences and walls shall conform to the standards provided in Chapter 19.48 of the Evans Municipal Code in addition to the requirements of this section.
- B. Materials and colors. New fences and walls generally parallel to and within 25 feet of a property line abutting US 85 or WSR shall be constructed of durable materials that will retain their appearance over time. The materials and colors chosen should be the same as or similar to new or existing, conforming structures on adjacent lots.

1. Appropriate materials include:

- ? Brick
- ? Stone
- ? Stucco
- ? Tinted, textured masonry block/architectural block
- ? Wrought iron or decorative aluminum

2. Other fencing not parallel to and within 25 feet of US 85 or WSR may be constructed of the following materials:

- ? Brick
- ? Stone
- ? Stucco
- ? Tinted, textured masonry block/architectural block
- ? Wrought iron or decorative aluminum
- ? Vinyl-coated chain link
- ? Decorative vinyl fence
- ? Decorative pressure-treated or hardwood fence

C. Permit required. A fence permit is required for all new fences and walls in the US 85 Overlay District. Existing fences and walls adjacent to or facing US 85 or WSR that become dilapidated and need at least 25 percent of the structure repaired or replaced as determined by the City shall require a fence permit and shall be brought into conformance with the provisions of this chapter. (Ord. 336-05)

19.62.160 Landscape Standards. In addition to the requirements of Chapter 19.47 of the Municipal Code,

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required landscaped areas shall contain at least 50 percent living plant material, as defined by this chapter, as measured within five years of planting. Deciduous tree canopies shall not count toward the 50 percent requirement. (Ord. 336-05)

19.62.170 Architectural Design Standards.

A. New single-family and two-family residential development and redevelopment shall comply with the current residential architectural design standards pursuant to the Evans Municipal Code.

B. The following minimum architectural design standards apply to each elevation of all new multifamily and nonresidential development and redevelopment in the corridor, unless otherwise noted. These minimum standards are intended to achieve consistent and quality developments that will retain their appearance and value over time.

1. Building Design and Character

a. Height, massing, building scale. The height and scale of any new building shall be compatible with surrounding, conforming structures. Whenever possible, individual structures shall be clustered to create plazas and pedestrian courts, and shared driveways and/or parking shall be incorporated to lessen pedestrian-vehicle conflicts.

b. Human scale. The design of new buildings shall reflect consciousness of how the size of the proposed building relates to the size of human beings. Human-scale design shall be incorporated through the use of horizontal articulation, belt courses, cornices, recessed windows or doors, awnings, roof overhangs, moldings, fixtures, colonnades, or other architectural feature. In order to avoid blank walls at the ground floor levels, windows, trellises, articulation, arcades, change in materials, or other architectural features shall be utilized. These features shall be incorporated into each elevation.

c. Complementary architecture. All accessory structures including, but not limited to, gas station canopies, warehouses, or clubhouses, shall utilize design, colors, and materials similar or complementary to the principal structure on the lot.

2. Roofs

a. Form. The roofline of pitched and flat roofs shall not run in a continuous plane for more than 50 feet without offsetting or jogging the roof plane through the use of multi-planed roofs. For buildings with flat roofs or parapet walls, in addition to multi-planed roofs, vertical articulation shall be incorporated into the exterior wall design. Partial parapet walls and mansard roofs are not permitted. Roofs shall be constructed to prevent mechanical and other rooftop equipment from being visible from any nearby right-of-way.

b. Materials. New buildings shall be constructed with appropriate roof material.

i. Appropriate roofing materials include:

- ? Asphalt or fiberglass shingle
- ? Clay or concrete tile
- ? Slate
- ? Metal shake or shingle (non-reflective)

ii. Inappropriate materials include:

- ? Reflective materials (copper may be considered)
- ? Tar and gravel (built-up)
- ? Corrugated metal

3. Elevations

a. Building Materials. New buildings shall be constructed of appropriate, durable materials that will retain their appearance over time. Combinations of materials and textures are encouraged.

i. Appropriate exterior materials include:

- ? Brick
- ? Stucco
- ? Stone
- ? Tinted, textured masonry block/architectural block
- ? Glass block
- ? Hardboard siding/simulated wood products

ii. Steel architectural panels will be allowed in Industrial zoning districts only and only up to 50 percent of the area of each elevation.

iii. Tilt-up concrete panels may be used, at the discretion of the City, in conjunction with other acceptable materials.

iv. Inappropriate materials include:

- ? Plywood
- ? Reflective metal siding

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? Vinyl siding

? Cinder block/concrete masonry units (CMU)

b. Change in plane. All newly developed and redeveloped structures shall contain a change of plane equal to at least ten percent of the area of the wall for walls greater than 1,000 square feet in area.

c. Building colors and textures. Building color requirements contained herein shall apply to all primary and accessory structures, whether newly constructed or renovated. Reflective, neon, primary (red, blue, yellow) and secondary (purple, green, orange) colors shall not be permitted, except for trim and accent by approval of the City. Acceptable colors include subtle warm and cool colors, earth-tone colors, and neutral colors. The intent is not to discourage color variety, but to avoid colors that are primarily used only to attract attention. Approval of a permit shall be required prior to repainting existing buildings within the District in order to ensure compliance with these provisions. Samples of proposed materials and colors shall be provided upon request of the City.

d. Windows and Doors. If all windows and doors on an elevation are recessed or protruding by at least one foot, those windows and doors shall count toward the required change in wall plane. At least 25 percent of the area of any wall visible from a public right-of-way shall contain windows and/or doors. Overhead doors shall not be placed facing any public right-of-way. Each window not recessed or otherwise architecturally enhanced (such as with decorative molding, sills, mullions, arches or cornices; window boxes; awnings; multi-paned windows; or bay windows) shall have at least three-inch-wide exterior trim, constructed of acceptable building material, around the window. (Ord. 336-05)

19.62.180 Lighting.

A. Lighting is required for the security of on-site areas, such as parking, loading, plazas, and sidewalks in accordance with the following provisions:

1. All new freestanding fixtures located in the right-of-way shall be either the City of Evans' Standard Ornamental Arterial Lighting Fixture or Standard Ornamental Local Lighting Fixture. Standard Ornamental Lighting Fixtures are strongly encouraged for on-site parking areas and on-site sidewalks; however, full cutoff fixtures may be used in on-site areas with prior written approval from the City.
2. Internal or on-site parking areas, sidewalks, pathways, pedestrian courts and plazas shall have sufficient lighting to ensure adequate visibility for pedestrians.
3. All wall-mounted fixtures shall be shielded and directed downward and inward so as to reduce glare onto neighboring properties and rights-of-way.
4. The maximum height of any fixture shall be 25 feet.
5. Interior lighting in parking garages shall be shielded to minimize nighttime glare on adjacent properties and rights-of-ways.
6. Upward accent lighting for landscaping is permitted, as long as the light source is directed inward and away from adjacent sidewalks, plazas, parking lots, neighboring properties, and rights-of-way.
7. Where vehicle headlights would likely shine onto residentially zoned property, driveways and parking areas for more than two vehicles shall be screened from adjacent residentially zoned property by a solid fence, wall, solid evergreen hedge, or landscaped berm with vegetation that will mature to at least five feet in height.
8. Glare diagrams and/or lighting plans may be required at the discretion of the City.

B. Canopies. For gas station canopies and similar structures, lighting shall not cause glare onto adjacent rights-of-way or properties. All fixtures shall be mounted underneath the canopy and fully recessed with flat lenses that are flush with the underneath surface of the canopy. Light fixtures shall not be mounted on the top or sides of the canopy.

C. Outdoor sales lots. Outdoor sales lots may incorporate lighting fixtures other than the Evans Standard Ornamental Fixture for the on-site sales lot. In order to prevent glare onto adjacent properties and rights-of-way, all fixtures shall be full cutoff, with the light source directed downward and away from adjacent rights-of-way or adjacent properties. The maximum height of any fixture shall be 25 feet. A lighting plan, including the type of fixture and bulb proposed, is required.

D. All on-site lighting fixtures shall be maintained so as to be functioning properly at all times.

E. When more than 25 percent of nonconforming light fixtures are not functioning or are dilapidated, all fixtures on the lot shall be replaced with Arterial or Local Standard Ornamental Light Fixtures or other acceptable light fixtures. (Ord. 336-05)

19.62.190 Signage. All signs in the corridor shall comply with the provisions of Chapter 19.45 of the Evans Municipal Code. (Ord. 336-05)

19.62.200 Maintenance Standards. All structures, related improvements, and landscaping shall be properly

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maintained. Outdoor storage areas, where permitted, shall be kept orderly and free of junk. (Ord. 336-05)

19.62.210 Variance.

A. Application for variance or modification of these regulations shall be submitted to the Planning Commission. Such application shall include a statement setting forth the nature and extent of the requested variances or modifications, together with evidence supporting the need for such variance.

B. Where the Planning Commission and the City Council find that extraordinary hardships may result from strict compliance with these regulations, they may vary the regulations so that substantial justice may be done and the public interest secured, provided that such variance is based on a finding that unusual topography or other exceptional conditions not caused by the applicant make such variance necessary, and that the granting thereof will not have the effect of nullifying the intent and purpose of these regulations.

C. In granting variances and modifications, the Planning Commission and the City Council may require such conditions as will, in their judgment, secure substantially the objectives of the requirements and standards so varied or modified. (Ord. 336-05)

19.62.220 Administration and Enforcement.

A. The Director of Public Works is authorized and directed to administer and enforce all of the provisions of this chapter.

B. Any violation of these Overlay District Design Standards, including without limitation, construction of any new structure or related improvement without first obtaining Overlay District Design Review approval, or filing false or misleading information on a Design Review application, shall be a violation of this Code, as amended, and shall be subject to all the enforcement provisions of those regulations. Without limiting the generality of the previous sentence, these Design Standards may be enforced by withholding building permits or certificates of occupancy, suspending or revoking building permits previously granted, or issuing stop-work orders effective until violations of these Standards have been corrected. (Ord. 336-05)

19.62.230 Violation – Penalty.

A. Any person who violates any of the provisions of this chapter is guilty of a violation of the Municipal Code and shall be punished as provided in Section 1.16.010 of this Code.

B. In the event a property owner fails to comply with the provisions of this chapter, the City may perform the required action and invoice the property owner responsible, plus a ten percent fee for inspection and other administrative costs. The City shall first give written notice to the property owner of the required action and allow at least 14 days to comply. In the event a property owner fails to pay an invoice from the City for such costs and fees within 30 days of receipt, the City may file a lien on the property with the County Treasurer's Office to be placed upon the tax list for the current year and to be collected in the same manner as other taxes are collected, with an additional ten percent penalty to defray the cost of collection. Such lien shall have priority over all other liens except general property taxes and prior assessments. Nothing in this section shall preclude or prevent the City from punishing violations of this Code in accordance with Section 1.16.010. (Ord. 336-05)

Code Documents



[19.62 - US 85 Overlay District Design Standards](#)

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