

Chapter 10

DESIGN REVIEW STANDARDS AND GUIDELINES

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14-10-1: PURPOSE:

This chapter provides the design review standards and guidelines for development in the town of Vail. Actions of the staff and the design review board shall be guided by the objectives prescribed herein, the Vail Village urban design considerations and guide plan and the Lionshead redevelopment master plan, and by all of the applicable ordinances of the town and by the design guidelines in this chapter. (Ord., 9-21-1999)

14-10-2: GENERAL COMPATIBILITY:

- A. Structures shall be compatible with existing structures, their surroundings, and with Vail's environment. It is not to be inferred that buildings must look alike to be compatible. Compatibility can be achieved through the proper consideration of scale, proportions, site planning, landscaping, materials and colors, and compliance with the guidelines herein contained.
- B. Any building site in Vail is likely to have its own unique landforms and features. Whenever possible, these existing features should be preserved and reinforced by new construction. The objective is to fit the buildings to their sites in a way that leaves the natural landforms and features intact, treating the buildings as an integral part of the site, rather than as isolated objects at odds with their surroundings. (Ord., 9-21-1999)

14-10-3: SITE PLANNING:

- A. The location and configuration of structures and accessways shall be responsive to the existing topography of the site upon which they are to be located. Grading requirements resulting from development shall be designed to blend into the existing or natural landscape. Any cuts or fills shall be sculptural in form and contoured to blend with the existing natural undisturbed terrain within the property boundary.

- B. Building siting and access thereto shall be responsive to existing features of terrain rock outcroppings, drainage patterns, and vegetation.
- C. Removal of trees, shrubs, and other native vegetation shall be limited to removal of those essential for development of the site, those identified as diseased, those essential for creating defensible space, and those found to impact view corridors as further regulated by title 12, chapter 22, "View Corridors", of this code. Mitigation may be required for tree removal.
- D. All areas disturbed during construction shall be revegetated. **Replacement of disturbed soils and vegetation shall comply with the requirements of the Vail Fire and Emergency Services Fire-Resistant Landscaping guidelines.** If necessary, the design review board may designate allowable limits of construction activity and require physical barriers in order to preserve significant natural features and vegetation upon a site and adjacent sites during construction. (Ord. 10(2012) § 3: Ord. 3(2007) § 3: Ord., 9-21-1999)

14-10-4: ARCHITECTURAL PROJECTIONS, DECKS, BALCONIES, STEPS, BAY WINDOWS, ETC.:

- A. Architectural projections including eaves, roof overhangs, awnings, louvers, and similar shading features; sills, belt courses, cornices, and similar features; and flues and chimneys may project not more than four feet (4') into a required setback area or into a required distance between buildings.
- B. Porches, steps, decks or terraces or similar features located at ground level or within five feet (5') of ground level may project not more than ten feet (10') nor more than one-half ($\frac{1}{2}$) the minimum required dimension into a required setback area, or may project not more than five feet (5') nor more than one-fourth ($\frac{1}{4}$) the minimum required dimension into a required distance between buildings. Steps that form an exit discharge may project into a required setback area to the degree necessary to conform with the adopted building code's means of egress standards, at the discretion of the administrator.
- C. Balconies, decks, terraces, and other similar unroofed features projecting from a structure at a height of more than five feet (5') above ground level may project not more than five feet (5') nor more than one-half ($\frac{1}{2}$) the minimum required dimension into a required setback area, or may project not more than five feet (5') nor more than one-fourth ($\frac{1}{4}$) the minimum required dimension into a required distance between buildings. A balcony or deck projecting from a higher elevation may extend over a lower balcony or deck but in such case shall not be deemed a roof for the lower balcony or deck.
- D. Fire escapes or exterior emergency exit stairways may project into any required setback area or distance between buildings not more than four feet (4').
- E. Bay windows and similar features extending the interior enclosed space of a structure may project not more than three feet (3') into a required setback area or a required distance between

buildings, provided that the total of all such projection does not exceed more than one-tenth ($\frac{1}{10}$) the area of the wall surface from which it projects or extends.

- F. Towers, spires, cupolas, chimneys, flagpoles, and similar architectural features not usable as habitable floor area may extend above the height limit a distance of not more than twenty five percent (25%) of the height limit nor more than fifteen feet (15'). (Ord. 29(2005) § 81: Ord., 9-21-1999)

14-10-5: BUILDING MATERIALS AND DESIGN:

- A. Intent: The town is situated within the wildland urban interface where community values intersect with the potential consequences of wildland fires. Wildland fires both big and small have the potential to destroy homes and neighborhoods within the town. The architecture and chosen materials of a building greatly affect the survivability of that structure in the face of a wildfire. The use of class A roof coverings and ignition resistant building materials decrease the hazards to the individual structure as well as the surrounding homes.

- B. Ignition Resistant Materials: The use of ignition resistant building materials and designs intended to prevent the spread of fire are ~~highly encouraged~~ **required, unless otherwise exempted by this code.** Vail fire and emergency services is available to provide more information on the use of ignition resistant materials and designs. Predominantly natural building materials shall be used within the town. The exterior use of wood, wood siding, native stone, brick, concrete, stucco, and EIFS may be permitted. Concrete surfaces, when permitted, shall be treated with texture and color; however, exposed aggregate is more acceptable than raw concrete. The exterior use of the following siding materials shall be prohibited: stucco or EIFS with gross textures or surface features that appear to imitate other materials, simulated stone, simulated brick, plastic and vinyl. The exterior use of any building material, including those not specifically identified by this section, shall only be permitted, unless otherwise prohibited by this code, where the design review board finds:

1. That the proposed material is satisfactory in general appearance, quality over time, architectural style, design, color, and texture; and
2. That the use of the proposed material complies with the intent of the provisions of this code; and
3. That the use of the proposed material is compatible with the structure, site, surrounding structures, and overall character of the town; ~~and~~
4. ~~That the material is noncombustible or aids in the prevention of fires.~~

The provisions of this Paragraph B shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure or premises within the town. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

Exceptions:

a. Additions or alterations of less than 500 square feet of Gross Floor Area are exempt from the ignition resistant requirements of this paragraph B, but shall be subject to design review.

Repair or replacement of 25% or less of a deck surface or support structure is exempt from the ignition resistant requirements of this paragraph B.

b. Combustible siding, as defined in the Town's adopted building codes, may be used as long as it does not cover more than 33% of a given wall (excluding windows, doors and other openings) and may not be within 5 feet of the ground level. Combustible siding which has a profile that may allow ember intrusion such as wood shake or wood shingle is prohibited.

C. Same Or Similar Materials: The same or similar building materials and colors shall be used on main structures and any accessory structures upon the site. Translucent components of greenhouses shall be exempt from this requirement.

D. Colors: Exterior wall colors should be compatible with the site and surrounding buildings. Natural colors (earth tones found within the Vail area) should be utilized. Primary colors or other bright colors should be used only as accents and then sparingly such as upon trim or railings. All exterior wall materials must be continued down to finished grade thereby eliminating unfinished foundation walls. All exposed metal flashing, trim, flues, and rooftop mechanical equipment shall be anodized, painted or capable of weathering so as to be nonreflective.

E. Roof Forms: The majority of roof forms within Vail are gable roofs with a pitch of at least four feet (4') in twelve feet (12'). However, other roof forms are allowed. Consideration of environmental and climatic determinants such as snow shedding, drainage, fire safety and solar exposure should be integral to the roof design.

F. Rooflines: Rooflines should be designed so as not to deposit snow on parking areas, trash storage areas, stairways, decks and balconies, or entryways. Secondary roofs, snow clips, and snow guards should be utilized to protect these areas from roof snow shedding if necessary.

G. Regulations: All structures shall have class A roof assemblies or shall have class A roof covering materials, as defined by the adopted building code. The use of concrete tile, slate, metal, asphalt shingle, fiberglass shingle, and built up tar and gravel roofing may be permitted. Metal roofing, when permitted, shall not reflect direct sunlight onto an adjacent property and shall be surfaced with a low gloss finish or be capable of weathering to a dull finish. Metal roofing, when permitted, shall be of a heavy gauge and designed to provide visual relief to the roof surface (including, but not limited to, a standing seam). Asphalt and fiberglass shingles, when permitted, shall be designed to provide visual relief through texture, dimension and depth of appearance. The use of wood shake, wood shingles and rolled roofing shall not be permitted. Two-family and multi-family dwellings shall be required to have uniform roof covering materials, except when the design review board determines that the materials are compatible, are integral to the architectural style of the structure and different materials do not share any ridges or planes, but may share a valley.

1. Nonconforming Structures: All structures that do not have a class A roof assembly or class A roof covering material, or structures with wood shake or wood shingles shall replace the roof covering as follows:

a. Additions: All additions affecting roof area shall trigger compliance of the roof structure of a single-family dwelling, a side of a two-family dwelling, or the entire multiple-family dwelling, except for a

onetime exemption of up to five hundred (500) square feet of GRFA, occurring after February 6, 2007, where any addition of roof area does not share a plane or ridge with the nonconforming roof, and may only share a valley. The additional roof area shall conform to roofing regulations, and shall be deemed compatible by the design review board.

- b. Two-Family Structures: Upon reroofing one side of a two-family dwelling, the other side shall be required to be reroofed if the two (2) sides have roof systems that share ridges or planes. Different materials on each side of the two-family dwelling may be permitted by the design review board if the materials are deemed compatible, integral to the architectural style of the structure and share a valley or do not intersect.
- c. Developments With Multiple Structures: Upon reroofing a single structure that is part of a multistructure project with conforming roof covering materials that do not match existing materials, the conforming materials shall be deemed compatible with the existing nonconforming materials by the design review board. Upon reroofing of additional structures in the development, the materials shall match the approved conforming materials. Should the matching material no longer be manufactured, a different material may be permitted, should the materials be deemed compatible by the design review board.

2. Applicability: The provisions of this subsection shall apply to new construction, reroofing, utilization of the 250 ordinance, per section [12-15-5](#) of this code, and all additions except those exempt, per subsection [12-11-3C2](#) of this code.

3. Roofing Material: The use of any roofing material, including those not specifically identified by this section, shall only be permitted, unless otherwise prohibited by this code, where the design review board finds:

- a. That the proposed material is satisfactory in general appearance, quality over time, architectural style, design, color, and texture; and
- b. That the use of the proposed material complies with the intent of the provisions of this code; and
- c. That the use of the proposed material is compatible with the structure, site, surrounding structures, and overall character of the town of Vail; and
- ~~d. That the material is noncombustible or aids in the prevention of fires.~~

H. Rooftops: Rooftop heating and air conditioning equipment, large vent stacks, elevator penthouses and similar features should be avoided; however, if necessary, shall be designed to be compatible with the overall design of the structure or screened from view of all adjacent properties. Rooftop antennas shall not be permitted unless as allowed under a conditional use review as specified within the zoning code.

I. Solar Energy Devices:

- 1. The intent of these regulations is to facilitate the installation of alternative energy sources in Vail while minimizing visual impacts. Further, these regulations are intended to limit the creation of an elevated perceived roofline by solar energy devices.

2. Solar energy devices should be installed on building facades and roof planes and oriented for energy production, except as permitted by subsection I13 of this section. In Vail, optimal solar energy device orientation for maximized energy production and adequate snow shed is typically achieved by up to a fifty degree (50°) orientation.
 3. Solar energy devices shall be designed and placed in a manner compatible and architecturally integrated into the overall design of the building and site, with some flexibility granted for existing structures.
 4. Solar energy devices may be screened to minimize visual impact with a false facade, roof plane or parapet walls integrated into the overall design of the building.
 5. Solar energy devices may project not more than four feet (4') into a required setback area.
 6. Solar energy devices shall not be included in calculation of building height.
 7. Solar energy devices should follow the slope direction of the roof plane upon which it is mounted.
 8. Solar energy devices shall project no further from the building facade or roof plane than the minimum distance necessary to achieve up to a fifty degree (50°) orientation. No portion of any solar energy device shall project more than eight feet (8') from the building facade or roof plane to which the solar energy device is attached.
 9. When mounted to a roof plane with a pitch of three in twelve feet (3:12') or steeper, solar energy devices shall extend no higher than one foot (1') above the ridgeline.
 10. When mounted to a roof plane, solar energy devices shall not extend beyond the roof eave.
 11. Solar energy device framing, brackets and associated equipment shall be black or a color that matches adjacent building surfaces. No advertising shall be permitted on any solar energy device, framing, brackets and associated equipment.
 12. Solar energy devices, framing, brackets and associated equipment shall be maintained and kept in good repair, including repainting when appropriate and other actions that contribute to attractive building aesthetics.
 13. Solar energy devices may be ground mounted only when the design review board determines that the design or site planning of an existing structure creates practical difficulties in mounting a solar energy device to a building facade or roof plane to achieve energy production. Cost or inconvenience to the applicant of strict or literal compliance with this regulation shall not create a practical difficulty. Ground mounted solar energy devices shall not be permitted in the required setback area. Ground mounted solar energy devices shall count as site coverage. Site coverage is calculated by measuring the footprint created by vertical projection from the energy devices and associated hardware to the ground. Should ground mounted solar energy devices be adjustable, site coverage shall be calculated for the position that creates the greatest site coverage. Ground mounted solar energy devices shall not exceed eight feet (8') in height above grade. Ground mounted solar energy devices shall be located and screened to minimize visual impact.
- J. Overhangs: Deep eaves, overhangs, canopies, and other building features that provide shelter from the elements are encouraged.

- K. Fenestration: Fenestration should be suitable for the climate and for the orientation of the particular building elevation in which the fenestration occurs. The use of both passive and active solar energy systems is strongly encouraged.
- L. Duplexes: In no instance shall a duplex structure be so constructed as to result in each half of the structure appearing substantially similar or mirror image in design.
- M. Footings And Foundation: Building footings and foundations shall be designed in accordance with the minimum standards of the adopted building code. Footings and foundations shall also be designed to be responsive to the natural topography of the site, and shall be designed and constructed in such a manner as to minimize the necessary amount of excavation and site disturbance. (Ord. 26(2016) § 2: Ord. 25(2016) § 3: Ord. 5(2011) § 2: Ord. 3(2010) § 3: Ord. 3(2008) § 3: Ord. 3(2007) § 4: Ord., 9-21-1999)

14-10-6: RESIDENTIAL DEVELOPMENT:

- A. The purpose of this section is to ensure that residential development be designed in a manner that creates an architecturally integrated structure with unified site development. Dwelling units and garages shall be designed within a single structure, except as set forth in subsection B of this section, with the use of unified architectural and landscape design. A single structure shall have common roofs and building walls that create enclosed space substantially above grade. Unified architectural and landscape design shall include, but not be limited to, the use of compatible building materials, architectural style, scale, roof forms, massing, architectural details, site grading and landscape materials and features.
- B. The presence of significant site constraints may permit the physical separation of units and garages on a site. The determination of whether or not a lot has significant site constraints shall be made by the design review board. "Significant site constraints" shall be defined as natural features of a lot such as stands of mature trees, natural drainages, stream courses and other natural water features, rock outcroppings, wetlands, other natural features, and existing structures that may create practical difficulties in the site planning and development of a lot. Slope may be considered a physical site constraint that allows for the separation of a garage from a unit. It shall be the applicant's responsibility to request a determination from the design review board as to whether or not a site has significant site constraints before final design work on the project is presented. This determination shall be made at a conceptual review of the proposal based on review of the site, a detailed survey of the lot and a preliminary site plan of the proposed structure(s).
- C. The residential development may be designed to accommodate the development of dwelling units and garages in more than one structure if the design review board determines that significant site constraints exist on the lot. The use of unified architectural and landscape design as outlined herein shall be required for the development. In addition, the design review board may require that one or more of the following common design elements such as fences, walls, patios, decks, retaining walls, walkways, landscape elements, or other architectural features be incorporated to create unified site development. (Ord. 29(2005) § 82: Ord., 9-21-1999)

14-10-7: OUTDOOR LIGHTING:

A. Purpose: This section establishes standards and guidelines for minimizing the unintended and undesirable side effects of outdoor lighting while encouraging the intended and desirable safety and aesthetic purposes of outdoor lighting. It is the purpose of these standards and guidelines to allow the minimum amount of lighting needed for the property on which the light sources are located, while protecting the legitimate privacy of neighboring properties. The standards and guidelines established in this section are also intended to promote the use of environmentally sensitive and energy efficient lighting technologies, and to promote "dark sky" lighting fixtures and installation techniques to reduce light pollution.

B. Applicability: Except as provided elsewhere in this title, the design, placement, and use of all outdoor lighting within the town limits shall conform to the standards and guidelines as set forth in this section.

C. Definitions:

FULL CUTOFF: Light fixtures that do not emit light above the horizontal plane of the light source.

LIGHT SOURCE: A single artificial point source of luminescence that emits measurable radiant energy in or near the visible spectrum.

LOW DENSITY RESIDENTIAL PROPERTIES: For the purposes of this section, properties with no more than three (3) dwelling units or employee housing units.

MULTIPLE-FAMILY AND COMMERCIAL PROPERTIES: For the purposes of this section, those with four (4) or more dwelling units or employee housing units, commercial uses, or mixed uses.

OUTDOOR LIGHTING: Any light source, or collection of light sources, located outside a building, including, but not limited to, light sources attached to any part of a structure, located on the surface of the ground, or located on freestanding poles.

D. Lighting Regulations:

1. Quantity Of Light Fixtures: The maximum number of outdoor light sources for all properties is subject to the requirements of the adopted building codes and design review.

For low density residential properties, the maximum number of light sources per lot shall be limited to one outdoor light per one thousand (1,000) square feet of lot area. Light sources which are no more than eighteen inches (18") above grade, as measured from the top of the fixture to the finish grade below, and are full cutoff fixtures, may be allowed in addition to the total number of permitted outdoor light sources.

2. Height Limits For Light Fixtures: Outdoor lights affixed to a structure shall not exceed the height of the roof eaves. The maximum mounting height for light sources on a pole shall not exceed twenty feet (20').
3. Full Cutoff: All outdoor lights shall be fully cut off to not emit light above the horizontal plane of the light source. Outdoor lights must be Illuminating Engineering Society (IES) "full cutoff" class,

International Dark-Sky Association (IDA) approved, or have similarly recognized verification of being full cutoff. Lights must be installed and maintained in such a manner that the full cutoff is effective.

Exceptions: The following outdoor lights may be nonfull cutoff:

- a. Uplighting fully contained by an overhanging building element that prevents the light from emitting upward to the sky, when the light source is shielded from the sides.
 - b. Uplighting for flags when the light source is shielded from the sides.
 - c. Lights with a gas flame as the sole light source.
 - d. Lights specifically recommended by the Vail comprehensive plan.
4. Lighting Direction: All outdoor lighting shall be directed at the object intended to be illuminated and away from adjacent properties and public ways. Outdoor lights shall be directed downward, unless contained by overhanging building or landscape elements with the light source shielded from the sides. Uplighting is allowed for flags when the light source is shielded from the sides.
5. Energy Efficiency: All outdoor lighting shall comply with the town's adopted energy conservation code.

E. Lighting Guidelines:

1. Compatibility: All outdoor lighting fixtures, fixture locations, and the color and intensity on the lighting should be aesthetically compatible with the site and structures on which they are located, the character of the surroundings, and with Vail's environment. Outdoor lighting must also be consistent with any applicable design guidelines outlined in the Vail comprehensive plan.
2. Light Pollution: All outdoor lights should be designed, installed, and maintained to minimize the contribution of outdoor lighting to nighttime light pollution. Examples of low light pollution fixtures are available from lighting manufacturers and organizations such as the International Dark-Sky Association (IDA).
3. Energy Efficiency: Outdoor lighting should use the least number of light sources necessary to achieve the safety and aesthetic purposes for the lighting. Outdoor lighting should utilize energy efficient light sources of the lowest wattage feasible, and utilize energy efficient technologies. Outdoor lighting should also be operated and maintained to eliminate any unnecessary daytime use and to reduce nighttime use during nonbusiness hours and periods of limited residential activity.

F. Prohibited Outdoor Lights:

1. Lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation.
2. Lights affixed to the top of the roof of a structure.
3. Neon, or similar gas filled, lights.

4. Laser source lights.
5. Searchlights.
6. Lights attached to vegetation, except decorative holiday lights.
7. Any lighting that could interfere with the public health, safety, or welfare.

G. Exemptions: The standards of this section shall not apply to:

1. Decorative holiday lights.
2. Sign illumination, as set forth in [title 11](#) of this code.
3. Official government lighting, other than those owned and maintained by the town of Vail, installed for the benefit of public health, safety, and welfare.
4. Outdoor lights associated with an approved special events permit.
5. Outdoor lights associated with an art in public places board (AIPP) approved public art display.
6. Temporary construction zone work lighting associated with an approved building permit or design review approval (construction zone security and egress lights are not exempt from the provisions of this section).
7. Lighting identifying hazards or road construction. (Ord. 21(2008) § 1)

14-10-8: LANDSCAPING, DRAINAGE, AND EROSION CONTROL:

- A. Various natural vegetation zones exist within the Gore Valley as a result of the form and aspects of the land itself. The north facing slopes within the valley are typically heavily wooded with spruce, pine and aspen and generally receive less direct sunlight than the drier south facing slopes which typically consist of sage, aspen and other vegetation tolerant of drier conditions. The valley floor which is adjacent to Gore Creek consists of a wide variety of trees and shrubs adapted to the relatively fertile soil and natural availability of water.

The goal of any landscape plan should be to preserve and enhance the natural landscape character of the area in which it is to be located and serve as an aid in fire prevention and protection. The landscape scale and overall landscape design shall be developed so that new vegetation is integral with the natural landscape and the inherent form, line, color and texture of the local plant communities. ~~Since the~~ **The** major objective of the landscaping is to help reduce the scale of new structures, and to assist in the screening of structures, **to reduce the risk to life and structures from the intrusion of fire from wildland fire exposure and fire exposures from adjacent structures, and to mitigate structure fires from spreading to wildland fuels.** the ~~The~~ planting of large sized, **well spaced** plant materials is encouraged. Fire wise plant materials are encouraged **required** due to their ability to resist fire. Trees ~~should~~ **shall** be maintained through limbing and pruning in order to prevent limbs from being too close to structures and other plant materials. Special care should be taken in selecting the types of plants to use when designing a landscape plan. Final selection should be based upon the soils and climate, ease of establishment, suitability for the specific use desired, ability to deter the spread

of fires and the level of maintenance that can be provided. New planting shall use plants that are indigenous to the Rocky Mountain alpine and subalpine zones or are capable of being introduced into these zones.

A recommended list of plant materials, some indigenous to the Vail area, is on file with the department of community development. Also indicated on the list are fire wise plant materials which are suitable for planting within the Vail area. The minimum sizes of landscape materials acceptable are as follows:

Required trees:

Deciduous	2 inch caliper
Conifers	6 foot
Required shrubs	#5 gallon container Foundation shrubs shall have a minimum height of 18 inches at time of planting.

- B. Landscape design shall be developed to locate new plantings ~~in order to extend existing canopy edges or planted~~ in natural looking groups **and shall be designed and installed in conformance with the Vail Fire and Emergency Services Fire-Resistant Landscaping guidelines. Additions or alterations of less than 500 square feet of Gross Floor Area that are exempt, per Section 14-10-5 B of this code shall also be exempt from conformance with the Vail Fire and Emergency Services Fire-Resistant Landscaping guidelines.** Geometric plantings, evenly spaced rows of trees, and other formal landscape patterns shall be avoided.
- C. Particular attention shall be given the landscape design of off street parking lots to reduce adverse impacts upon living areas within the proposed development, upon adjacent properties, and upon public spaces with regard to noise, lights, and visual impact.
- D. All landscaping shall be provided with a method of irrigation suitable to ensure the continued maintenance of planted materials.
- E. Whenever possible, natural drainage patterns upon the site shall not be modified. Negative drainage impacts upon adjacent sites shall not be allowed.
- F. Runoff from impervious surfaces such as roofs and pavement areas shall be directed to natural or improved drainage channels or dispersed into shallow sloping vegetated areas.

- G. Slope of cut and fill banks shall be determined by soil characteristics for the specific site to avoid erosion, and promote revegetation opportunities, but in any case shall be limited to a maximum of two to one (2:1) slope.
- H. Measures shall be taken to retain all eroded soil material on site during construction, control both ground water and surface water runoff, and to permanently stabilize all disturbed slopes and drainage features upon completion of construction.
- I. All plants shall be planted in a good quality topsoil mix of a type and amount recommended by the American Landscape Contractor Association and the Colorado Nurseryman's Association.
- J. All plantings must be mulched **with materials listed in the Vail Fire and Emergency Services Fire-Resistant Landscaping guidelines, unless otherwise exempt per Section 14-10-5 B of this code.**
- K. Paving near a tree to be saved must contain a plan for a "tree vault" in order to ensure the ability of the roots to receive air. (Ord. 3(2007) § 5: Ord., 9-21-1999)
- L. Defensible space shall be created and maintained in an area extending from the perimeter or projection of the building or structure to a radius of 100 feet or the lot lines, whichever is less. Defensible space and landscaping shall comply with Vail Fire and Emergency Services Fire-Resistant Landscaping guidelines.**

14-10-9: FENCES, HEDGES, WALLS, AND SCREENING:

- A. Placement: The placement of walls and fences shall respect existing landforms and fit into land massing rather than arbitrarily follow site boundary lines. Fences shall not be encouraged except to screen trash areas, utility equipment, etc.
- B. Design: Design of fences, walls, and other structural landscape features shall be of materials compatible with the site and the materials of the structures on the site. Retaining walls and cribbing should utilize natural materials such as wood timbers, logs, rocks, or textured, color tinted concrete. No chainlink fences shall be allowed except as temporary construction fences or as required for recreational facilities.
- C. Setbacks Observed: All accessory uses and structures except fences, hedges, walls and landscaping, or ground level site development such as walks, driveways, and terraces shall be located within the required minimum setback lines on each site. Recreational amenities may be exempted by the design review board if it determines that their location is not detrimental environmentally and/or aesthetically.
- D. Sight Triangle: To minimize traffic hazards at street intersections by improving visibility for drivers of converging vehicles in any district where setbacks are required, no fence or structure over three feet (3') in height shall be permitted within the triangular portion of a corner lot measured

from the point of intersection of the lot lines abutting the streets a distance of thirty feet (30') along each lot line.

- E. Height Limitations: Fences, hedges, walls and landscaping screens shall not exceed three feet (3') in height within any required front setback area, and shall not exceed six feet (6') in height in any other portion of the site, provided that higher fences, hedges, walls or landscaping screens may be authorized by the administrator when necessary to screen public utility equipment. No barbed wire or electrically charged fence shall be erected or maintained. (Ord., 9-21-1999)

14-10-10: ACCESSORY STRUCTURES; UTILITIES; SERVICE AREAS:



- A. Design of accessory structures upon a site shall be compatible with the design and materials of the main structure or structures upon the site.
- B. Accessory buildings generally should be attached to the main building either directly or by means of a continuous wall, ~~fence~~ or similar feature of the same or a complementary material as the main building's exterior finish.
- C. All utility service systems shall be installed underground. Any utility system the operation of which requires aboveground installation shall be located and/or screened so as not to detract from the overall site design quality.
- D. All utility meters shall be enclosed or screened from public view.
- E. Service areas, outdoor storage, and garbage storage shall be screened from adjacent properties, structures, streets, and other public areas by fences, berms, or landscaping.
- F. Adequate trash storage areas shall be provided. There shall be year round access to all trash storage areas which shall not be used for any other purpose.
- G. Greenhouses, when permitted, shall be subject to the following standards:
1. All wall and roofing materials shall be constructed of rigid material and shall not include polyethylene or other similar flexible films.
 2. All nontranslucent elements including framing and doors shall be painted to be compatible with the site and surrounding buildings.
 3. No internal lighting shall be permitted between the hours of nine o'clock (9:00) P.M. and six o'clock (6:00) A.M. Exterior lighting shall comply with section [14-10-7](#) of this chapter.
 4. All greenhouses shall be subject to the development standards for the zone district for which they are located.

5. Greenhouses shall not be used for storage of household items, vehicles, watercraft or other items not associated with the cultivation of food or ornamental crops.

H. Hoop houses/cold frames, when permitted, shall be subject to the following standards:

1. Hoop houses/cold frames shall be four feet (4') in height or less and be one hundred twenty (120) square feet or less in floor area.
2. Hoop houses/cold frames shall meet the deck (not ground level) setback requirements as defined in section [14-2-1](#) of this title and summarized in section [14-8-1](#) of this title.
3. One hoop house/cold frame shall be permitted per dwelling unit.
4. Hoop houses/cold frames shall be exempt from design review.
5. Hoop houses/cold frames shall not be used for storage of any kind. (Ord. 26(2016) § 3: Ord., 9-21-1999)

14-10-11: SATELLITE DISH ANTENNAS:

A. Purpose:

1. To protect the health and safety of the inhabitants of the town by setting forth requirements for the installation of satellite dish antennas.
2. To protect and support the aesthetic concerns of the town, a resort community which must remain aesthetically pleasing to visitors to remain economically viable.
3. To provide the protection set forth in subsections A1 and A2 of this section in the least restrictive manner possible.

B. Application; Review: Satellite dish antennas shall comply with all the requirements set forth herein. Person or persons wishing to install a satellite dish antenna within the town shall submit an application to the department of community development for review. The application shall set forth the following:

1. Completed design review board application form.
2. Site plan showing proposed location of the satellite dish antenna.
3. Description of the satellite dish antenna (i.e., size, design, materials, etc.).
4. Color sample (if applicable).
5. Landscape plan (if applicable).
6. An improvement location certificate and/or a preliminary title report.

7. Elevations, perspectives or renderings if deemed applicable by the staff of the department of community development.

C. Compliance With Requirements:

1. No more than one satellite dish antenna shall be allowed on any lot as delineated on the official town zoning map.
2. The temporary use and/or installation of a satellite dish antenna shall be limited to a maximum period of one day. Only three (3) temporary installations shall be allowed per business or residence per year.
3. The maximum height allowed for any satellite dish antenna, when measured from the top of the satellite dish antenna down to existing or finished grade, whichever is more restrictive, shall not exceed fifteen feet (15').
4. The maximum size of any satellite dish antenna installed for use by a single residence or business shall be limited to nine feet (9') in diameter. Satellite dish antennas serving multi-family dwellings shall be limited to a maximum of twelve feet (12') in diameter.
5. No advertising, logos or identification shall be allowed on any satellite dish antenna.
6. Satellite dish antennas shall comply with the existing setback requirements of the zone district in which the satellite dish antenna is installed. Satellite dish antennas shall be prohibited in easements and public rights of way. No portion of a satellite dish antenna or its supporting structure shall encroach into the vertical plane as drawn from an existing easement or setback line.
7. Issuance of a building permit from the department of community development shall be required prior to the installation of any satellite dish antenna.
8. Adjacent property owners and owners of dwelling units on the same lot as the applicant shall be notified of any application for the installation of a satellite dish antenna. Notification procedures shall be as outlined in section [12-14-19](#) of this code. Names and mailing addresses of adjacent property owners and of owners of dwelling units on the same lot as the applicant shall be provided to the department of community development by the applicant.
9. Due to the special aesthetic importance of the core areas of the town, exterior installations of satellite dish antennas in commercial cores 1 and 2 and in Lionshead mixed use 1 and 2 shall be permitted only if screened by some type of enclosing structure. Said structures required to enclose a satellite dish antenna in these areas shall comply with all applicable zoning regulations and shall be architecturally compatible with the existing structure.

D. Design Guidelines: It is the purpose of these guidelines to ensure that the visibility of a satellite dish antenna from any public right of way or adjacent properties be reduced to the highest degree possible. It shall be the burden of the applicant to demonstrate how the satellite dish antenna installation complies with these guidelines. The following guidelines shall be used by the design review board in evaluating applications for satellite dish antennas:

1. All wiring and cable related to a satellite dish antenna shall be installed underground.

2. The use of mesh satellite dish antennas is highly encouraged because of their ability to be more sensitively integrated on a site or structure.
3. The use of appropriate colors shall be required to provide for a more sensitive installation when integrating a satellite dish antenna onto a site or structure. Color selection for a satellite dish antenna should be made with respect to specific characteristics on a site or structure. Unpainted surfaces and satellite dish antennas with reflective surfaces shall not be allowed.
4. Locations of satellite dish antennas shall be made so as to ensure that the satellite dish antenna is screened from view from any public right of way or adjacent property to the highest degree possible. In addition to effective site planning, screening a satellite dish antenna may be accomplished through the use of landscaping materials, fencing, existing structures, subgrade placements or other means that both screen the satellite dish antenna and do not appear unnatural on the site.
5. Satellite dish antennas on or attached to existing structures shall be permitted provided the satellite dish antenna is architecturally integrated into the structure. Effective use of color shall be required to ensure compatibility between the satellite dish antenna and existing structure. The use of a mesh material shall be strongly encouraged when attempting to integrate a satellite dish antenna onto an existing structure.
6. Landscaping or other site improvements intended to screen a satellite dish antenna proposed on any application shall be completed prior to the issuance of a building permit to install a satellite dish antenna. A letter of credit equal to one hundred twenty five percent (125%) of the costs of installing landscaping or site improvements may be submitted to the town if seasonal weather conditions prohibit the installation of landscaping or site improvements.
7. All improvements required by the design review board for the purpose of reducing the visibility of satellite dish antennas shall remain in place so long as the satellite dish antennas remain in place unless permission to alter or remove said improvements is obtained from the design review board. All satellite dish antennas and all improvements required by the design review board to reduce the visibility of satellite dish antennas shall be adequately maintained and repaired and shall not be allowed to become dilapidated or fall into a state of disrepair. (Ord. 2(2007) § 10: Ord., 9-21-1999)

14-10-12: COMMUNICATIONS ANTENNAS AND APPURTENANT EQUIPMENT:

Communications antennas and any associated appurtenant equipment should be integrated into existing principal buildings and structures. All antennas and appurtenant equipment shall be located and screened so as not to detract from the overall site design quality. (Ord. 12(2008) § 28)