To: Subscribers of the Jefferson County Zoning Resolution

Enclosed is an amendment to the JEFFERSON COUNTY ZONING RESOLUTION. This edition includes regulatory changes adopted by the Board of County Commissioners February 5, 2002, June 18, 2002 and July 23, 2002.

- February 5, 2002, Regulatory revisions regarding the location of fireworks sales facilities and accessory storage of fireworks.

- June 18, 2002, Regulatory revisions regarding wildfire safety measures.

- July 23, 2002, Regulatory revisions that coordinate Zoning Resolution and Land Development regulations regarding the site development plan process, and the insertion of new regulations for lighting, parking, landscaping, signage, and architecture. These revisions are effective September 1, 2002.

For additional information concerning these recent amendments to the Zoning Resolution, please telephone (303) 271-8770.

***********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE:

TITLE PAGE (dated March 2001)

INSERT:

Revised TITLE PAGE (dated July 2002)

REMOVE:

PAGE LISTING THE COMMISSIONERS (dated February 2001)

INSERT:

Revised PAGE LISTING THE COMMISSIONERS (dated July 2002)

REMOVE:

TABLE OF CONTENTS (dated February 22, 2001)

INSERT:

Revised TABLE OF CONTENTS (dated July 2002)

REMOVE:

INTRODUCTION PAGES - (Pages 1-3)

INSERT:

Revised INTRODUCTION PAGES - (Pages 1-3)

REMOVE:

SECTION I - (Pages 1 through 34)

INSERT:

Revised SECTION I - (Pages 1 through 46)
\textbf{SECTION 2} – (Pages 1 through 14)
Revised \textbf{SECTION 2} – (Pages 1 through 13)

\textbf{SECTION 3} – (Pages 1 through 8)
Revised \textbf{SECTION 3} – (Pages 1 through 9)

\textbf{SECTION 9} – (Pages 1 through 13)
Revised \textbf{SECTION 9} – (Pages 1 through 10)

\textbf{SECTION 16} – (Pages 1 through 5)
Revised \textbf{SECTION 16} – (Pages 1 through 4)

\textbf{SECTION 17} – (Pages 1 through 4)
Revised \textbf{SECTION 17} – (Pages 1 through 3)

\textbf{SECTION 18} – (Pages 1 through 4)
Revised \textbf{SECTION 18} – (Pages 1 through 3)

\textbf{SECTION 19} – (Pages 1 through 4)
Revised \textbf{SECTION 19} – (Pages 1 through 3)

\textbf{SECTION 20} – (Pages 1 through 4)
Revised \textbf{SECTION 20} – (Pages 1 through 4)

\textbf{SECTION 21} – (Pages 1 through 5)
Revised \textbf{SECTION 21} – (Pages 1 through 4)

\textbf{SECTION 22} – (Pages 1 through 6)
Revised \textbf{SECTION 22} – (Pages 1 through 5)

\textbf{SECTION 23} – (Pages 1 through 5)
Revised \textbf{SECTION 23} – (Pages 1 through 4)

\textbf{SECTION 24} – (Pages 1 through 5)
Revised \textbf{SECTION 24} – (Pages 1 through 4)

\textbf{SECTION 25} – (Pages 1 through 5)
Revised \textbf{SECTION 25} – (Pages 1 through 4)

\textbf{SECTION 26} – (Pages 1 through 4)
Revised \textbf{SECTION 26} – (Pages 1 through 3)

\textbf{SECTION 27} – (Pages 1 through 5)
Revised \textbf{SECTION 27} – (Pages 1 through 4)
To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find 4 pages which are to replace those that are currently in your copy of the JEFFERSON COUNTY ZONING RESOLUTION. These regulatory changes, as approved by the Board of County Commissioners, were included in the amendment packages which were distributed May 2000 and March 2001.

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

Replace pages 29 and 30 – SECTION 1
Text correction
Special Event Definition – "...of the Planned Development" to "...or the Planned Development.
(approved February 13, 2001)

Replace pages 1 and 2 – SECTION 6
Text addition
7. Legal nonconforming properties housing more than one registered sex offender must be brought into conformity with this Resolution by obtaining a special use permit, or discontinued within 24 months of the adoption of regulations relating to registered sex offenders. (approved February 1, 2000)

Replace pages 9 and 10 – SECTION 11
Text correction
E.1.a. "...of Section 42..." to "...Section 43..."

Replace pages 1 and 2 – SECTION 13
Text correction
A.1.h. "...or decision of determination..." to "...or decision or determination..."

For additional information concerning these corrections, please telephone (303) 271-8770.

**********
To: Subscribers of the Jefferson County Zoning Resolution

Enclosed is an amendment to the JEFFERSON COUNTY ZONING RESOLUTION. This edition includes regulatory changes adopted by the Board of County Commissioners February 1, 2000, February 22, 2000, and March 28, 2000.

- Regulatory revisions concerning registered sex offenders. (Adopted February 1, 2000)
- Regulatory revisions concerning rezoning and special use procedures. (Adopted February 22, 2000).
- Miscellaneous revisions regarding zoning maps, miscellaneous permit requirements, dangerous and/or wild animals, compliance, merger of commonly owned contiguous property, Board of Adjustment rules or procedure, and front setbacks.

This edition also includes sections of the Zoning Resolution that were not revised by the Board of County Commissioners, are reformatted as a result of being converted to the Word software.

If you have any questions concerning this amendment package, please telephone 271-8770.

For additional information concerning these recent amendments to the Zoning Resolution, please telephone 271-8770.

**********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE: Entire Book with TITLE PAGE (dated August 1999)
INSERT: Revised Book with TITLE PAGE (dated March 2000)
August 1999

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed are amendments to the JEFFERSON COUNTY ZONING RESOLUTION. This edition includes regulatory changes adopted by the Board of County Commissioners March 23, 1999 and August 17, 1999.

► Regulatory revisions to allow grading before platting in the plains; earthwork balancing on adjacent lots as a grading permit amendment rather than via a new grading permit, and a reduction in collateral amounts. (Adopted March 23, 1999)

► Regulatory revisions concerning the elimination of landscape warranties, and the enforcement of landscape requirements as a zoning violation. (Adopted August 17, 1999)

This edition also includes regulatory changes adopted by the Board of County Commissioners on May 12, 1998, which transferred certain staff functions from the Highways and Transportation Department to the Planning and Zoning Department.

If you have any questions concerning this amendment package, please telephone 271-8770.

For additional information concerning these recent amendments to the Zoning Resolution, please telephone 271-8770.

**********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE: TITLE PAGE (dated October 1998)
INSERT: TITLE PAGE (dated August 1999)

REMOVE: PAGE LISTING THE COMMISSIONERS (dated October 1998)
INSERT: PAGE LISTING THE COMMISSIONERS (dated March 1999)
To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find amendments to the JEFFERSON COUNTY ZONING RESOLUTION.

Effective May 12, 1998, the Board of County Commissioners adopted regulation amendments whereby references to the "Director of Highways and Transportation" or the "Highways and Transportation Design and Review Engineer" were replaced with "Planning Director" or "Planning Engineer." Further, that approvals required by the "Department of Highways and Transportation" be approvals required by the "Planning and Zoning Department." Please be advised that gradually, these "housekeeping" changes will be made to the text of the Zoning Resolution.

On October 13, 1998, the Board of County Commissioners adopted regulations that establish the "rural cluster" process to become effective January 1, 1999. This regulatory process allows for land divisions that would promote residential clustering in rural areas of the County.

For additional information concerning these recent amendments to the Zoning Resolution, please telephone 271-8770.

*********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE:
TITLE PAGE (dated July 1997)

INSERT:
TITLE PAGE (dated October 1998)

REMOVE:
PAGE LISTING THE COMMISSIONERS (dated July 1997)

INSERT:
PAGE LISTING THE COMMISSIONERS (dated October 1998)

REMOVE:
INTRODUCTION - page 3 (dated July 22, 1997)

INSERT:
INTRODUCTION - page 3 (dated October 13, 1998)

REMOVE:
SECTION 1 (pages 19 - 20)

INSERT:
SECTION 1 (pages 19 - 20) - "housekeeping" amendment

REMOVE:
SECTION 2 (pages 11 - 14)

INSERT:
SECTION 2 (pages 11 - 14) - "housekeeping" amendment
August 1997

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find amendments to the JEFFERSON COUNTY ZONING RESOLUTION.

On July 8, 1997, the Board of County Commissioners adopted regulations to establish reasonable locational requirements for sexually oriented businesses.

Further, on July 22, 1997, regulations were adopted to establish that a pre-application review meeting and community meeting is required prior to filing an application for rezoning or special use. Amendments were also made regarding performance guarantee requirements.

For additional information concerning these recent amendments to the Zoning Resolution, please telephone 271-8770.

*********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE: INTRODUCTION - page 3 (dated July 2, 1997)
INSERT: INTRODUCTION - page 3 (dated July 22, 1997)

REMOVE: SECTION 1 (pages 1 - 25)
INSERT: SECTION 1 (pages 1 - 27)

REMOVE: SECTION 2 (pages 7 - 12)
INSERT: SECTION 2 (pages 7 - 14)

REMOVE: SECTION 3 (pages 5 - 9)
INSERT: SECTION 3 (pages 5 - 9)

REMOVE: SECTION 15 (pages 11 - 12)
INSERT: SECTION 15 (pages 11 - 12)

REMOVE: SECTIONS 36 - 40
INSERT: SECTIONS 36 - 40
August 1997

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find amendments to the JEFFERSON COUNTY ZONING RESOLUTION.

On July 2, 1997, the Board of County Commissioners added an Agricultural-Thirty Five (A-35) Zone District to allow for planning of certain special areas within the County. The Agricultural-Thirty Five Zone District is patterned after the existing Agricultural-One (A-1) and Agricultural-Two (A-2) Zone Districts except that the minimum lot size is increased to 35 acres. Minor amendments to Section 3 were also adopted to allow the continued use of already legally created lots which are less than 35 acres.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

**********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE

TITLE PAGE (dated November 1996)

TITLE PAGE (dated July 1997)

REMOVE:

PAGE LISTING THE COMMISSIONERS (dated April 1995)

INSERT:

PAGE LISTING THE COMMISSIONERS (dated July 1997)

REMOVE:

TABLE OF CONTENTS (dated August 1995)

INSERT:

TABLE OF CONTENTS (dated July 1997)

REMOVE:

INTRODUCTION - page 3 (dated November 11, 1996)

INSERT:

INTRODUCTION - page 3 (dated July 2, 1997)

REMOVE:

SECTION 3 (pages 7 - 9)

INSERT:

SECTION 3 (pages 7 - 9)

REMOVE:

SECTIONS 32 - 45

INSERT:

SECTIONS 32 - 46
December 1996

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find amendments to the JEFFERSON COUNTY ZONING RESOLUTION.

On November 12, 1996, the Board of County Commissioners adopted edits and/or new definitions to clarify the use of terms relative to open space and landscaping.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

**********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL:

/REMOVE /INSERT
TITLE PAGE (dated December 1995)
TITLE PAGE (dated November 1996)

/REMOVE /INSERT
INTRODUCTION - page 3 (dated December 5, 1995)
INTRODUCTION - page 3 (dated November 12, 1996)

/REMOVE /INSERT
SECTION 1 (pages 9 - 23)
SECTION 1 (pages 9 - 25)
December 1995

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find amendments to the JEFFERSON COUNTY ZONING RESOLUTION.

On December 5, 1995, the Board of County Commissioners adopted the Wildfire Hazard Overlay Zone District Map and regulations to address wildfire hazards in the unincorporated areas of Jefferson County.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

This amendment package concludes the 1995 subscription to the Zoning Resolution. If you wish to continue to receive amendments to this regulation, please ensure that the subscription fee has been paid. Thank you.

**********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE TITLE PAGE (dated August 1995)

/ INSERT TITLE PAGE (dated December 1995)

REMOVE: INTRODUCTION - page 3 (dated August 8, 1995)

/ INSERT: INTRODUCTION - page 3 (dated December 5, 1995)

REMOVE: SECTION 1 (pages 9 - 10)

/ INSERT: SECTION 1 (pages 9 - 10)

REMOVE: SECTION 2 (pages 1 - 11)

/ INSERT: SECTION 2 (pages 1 - 12)

REMOVE: SECTION 3 (pages 3 - 4 and pages 7 - 9)

/ INSERT: SECTION 3 (pages 3 - 4 and pages 7 - 9)

REMOVE: SECTION 13 (pages 3 - 11)

/ INSERT: SECTION 13 (pages 3 - 13)

REMOVE: SECTION 44 (pages 1 - 2)

/ INSERT: SECTION 44 (pages 1 - 3)

100 Jefferson County Parkway, Golden, Colorado 80419
(303) 271-6511
August 1995

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find amendments to the JEFFERSON COUNTY ZONING RESOLUTION.

On July 11, 1995, the Board of County Commissioners adopted amendments to Section 1 which were mostly "housekeeping" in nature. The only substantive change is that modifications to development proposals may not be made within 21 days prior to scheduled hearings. This procedure is to allow adequate distribution and review of the proposal prior to hearing and to eliminate last minute changes.

On August 8, 1995, amendments to Section 11 were adopted which address the aesthetic impacts of grading, enforcement and inspection issues, and other matters pertinent to grading and erosion control.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

**********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE
INSERT
TITLE PAGE (dated April 1995)
TITLE PAGE (dated August 1995)

REMOVE
INSERT
TABLE OF CONTENTS (dated April 11, 1995)
TABLE OF CONTENTS (dated August 1995)

REMOVE:
INSERT:
INTRODUCTION - page 3 (dated July 12, 1994)
INTRODUCTION - page 3 (dated August 8, 1995)

REMOVE:
INSERT:
SECTION 1 (pages 1 - 22)
SECTION 1 (pages 1 - 22)

REMOVE:
INSERT:
SECTION 11 (pages 1 - 14)
SECTION 11 (pages 1 - 15)
May 1995

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. On April 11, 1995, the Board of County Commissioners adopted Section 45 which established the Dipping Bedrock (D-B) Overlay Zone District to prevent extensive property damage from heaving claystone, and establish regulations and requirements for the construction of structures in the Designated Dipping Bedrock Area. Specific engineering regulations were established and are set forth in the Land Development Regulation. A map of the areas for which these regulations apply is titled the Designated Dipping Bedrock Area, and is available from the Map Sales and GIS Department.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

**********

PLEASE FOLLOW THESE INSTRUCTION TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE
TITLE PAGE (dated July 1994)

INSERT
TITLE PAGE (dated April 1995)

REMOVE
PAGE LISTING THE COMMISSIONERS (dated April 1994)

INSERT
PAGE LISTING THE COMMISSIONERS (dated April 1995)

REMOVE
TABLE OF CONTENTS (dated May 11, 1993)

INSERT
TABLE OF CONTENTS (dated April 11, 1995)

REMOVE:
INTRODUCTION - page 3 (dated June 12, 1994)

INSERT:
INTRODUCTION - page 3 (dated April 11, 1995)

REMOVE:
SECTION 14 (page 1)

INSERT:
SECTION 14 (page 1)

INSERT:
SECTION 45 (pages 1-4)
October 1994

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. On July 12, 1994, the Board of County Commissioners adopted this amendment which changes the terms for the Board of Adjustment members to be consistent with the terms of various other Boards in Jefferson County.

The following section was amended.

Section 13: The Board of Adjustment

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

*********

PLEASE FOLLOW THESE INSTRUCTION TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE: INTRODUCTION - page 3 (dated June 7, 1994)
INSERT: INTRODUCTION - page 3 (dated July 12, 1994)

REMOVE: SECTION 13 (pages 3 and 4)
INSERT: SECTION 13 (pages 3 and 4)
July 1994

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. On June 7, 1994, the Board of County Commissioners adopted these amendments which establish guidelines for siting low power telecommunications facilities and establish size and siting limitations.

The following sections were amended.

Section 1: Administrative Provision
Section 2: General Provisions and Regulations
Section 20: Residential-Three District
Section 21: Residential-Three A District
Section 22: Residential-Four District
Section 30: Agricultural-One District
Section 31: Agricultural-Two District
Section 32: Restricted Commercial-One District
Section 34: Commercial-One District
Section 36: Industrial-One District
Section 37: Industrial-Two District
Section 38: Industrial-Three District
Section 39: Industrial-Four District

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

**********

PLEASE FOLLOW THESE INSTRUCTION TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE: TITLE PAGE (dated May 1994)
INSERT: TITLE PAGE (dated June 1994)
REMOVE: INTRODUCTION - page 3 (dated December 14, 1993)
INSERT: INTRODUCTION - page 3 (dated June 7, 1994)
SECTION 1 (pages 3 - 23)
SECTION 2 (pages 3 - 11)
SECTION 20 (pages 1 - 5)
SECTION 21 (pages 1 - 5)
SECTION 22 (pages 1 - 6)
SECTION 30 (pages 1 - 2)
SECTION 31 (pages 1 - 5)
SECTION 32 (pages 1 - 3)
SECTION 34 (pages 1 - 15)
SECTION 36 (pages 1 - 4)
SECTION 37 (pages 1 - 6)
SECTION 38 (pages 1 - 6)
SECTION 39 (pages 1 - 6)
To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. On May 3, 1994, the Board of County Commissioners adopted these amendment which remove application and processing fees from the Zoning Resolution.

Section 1: Administrative Provisions
Section 2: General Provisions and Regulations
Section 3: Enforcement and Administrative Exceptions
Section 9: Signs and Outdoor Advertising Devices
Section 11: Grading Permit and Erosion and Sediment Control
Section 13: The Board of Adjustment

Also included in this amendment packet are replacement pages for Sections 4, 5, and 40 which have been reformatted.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE TITLE PAGE (dated December 1994)
INSERT TITLE PAGE (dated May 1994)

REMOVE PAGE LISTING THE COMMISSIONERS (dated August 1993)
INSERT PAGE LISTING THE COMMISSIONERS (dated April 1994)

REMOVE INTRODUCTION - page 3 (dated December 14, 1993)
INSERT INTRODUCTION - page 3 (dated May 3, 1994)

REMOVE SECTION 1 (pages 1-22)
INSERT SECTION 1 (pages 1-22)
To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. The Board of County Commissioners adopted this amendment on December 14, 1993.

Section 1: Administrative Provisions
Allows for applicant verification of the posting of signs, allows for a 15 day posting rather than a 30 if an error on original posting, allows the Board of County Commissioners to make an immediate decision after testimony.

Section 7: Move and Set
Allows a temporary building to be used for 1 or 2 years rather than 6 months.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

*******

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE INSERT

TITLE PAGE (dated August 1993)
TITLE PAGE (dated December 1993)

INTRODUCTION - page 3 (dated August 31, 1993)
INTRODUCTION - page 3 (dated December 14, 1993)
October 1993

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. The Board of County Commissioners adopted this amendment on August 31, 1993.

Section 1: Administrative Provisions
Establishes criteria for rezoning open space within the Planned Development Zone District.

Section 15: Planned Development District
Establishes permitted uses and standards for open space zoned land when the Planned Development District does not include specific language to that effect.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE TITLE PAGE (dated June 1993)
INSERT TITLE PAGE (dated August 1993)

REMOVE BOARDS AND COMMISSION PAGE (dated May 11, 1993)
INSERT BOARDS AND COMMISSION PAGE (dated August 1993)

REMOVE INTRODUCTION (pages 1 and 2) dated June 30, 1993
INSERT INTRODUCTION (pages 1 and 3) dated August 31, 1993

REMOVE SECTION 1 (pages 5-21)
INSERT SECTION 1 (pages 5-22)

REMOVE SECTION 15 (page 11)
INSERT SECTION 15 (pages 11-12)
To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. The Board of County Commissioners adopted an amendment on June 30, 1993 which deleted regulations regarding the sale of fireworks in any zone district. This amendment is consistent with state law, allowing the state to define what type of fireworks can be sold and deferring to the local fire protection districts to regulate the manner of sales.

Section 2: General Provisions and Regulations

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

******

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE

INSERT

INTRODUCTION (pages 1 and 2) dated June 1993

SECTION 2 (pages 5-7)

REMOVE

INSERT

INTRODUCTION (pages 1 and 2) dated June 30, 1993

SECTION 2 (pages 5-7)
July 1993

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the Jefferson County Zoning Resolution. The following amendments to establish application procedures and standards of review for mining applications were adopted by the Board of County Commissioners on June 1, 1993.

Section 3: Enforcement and Administrative Exceptions

The Board of Adjustment
Amended to address the impacts of mining on wildlife, drainage, visual resources, traffic hydrology, and air quality, and address the off-site impacts of mining in the Mineral Conservation Zone District.

Section 13: P-D Planned Development District
Amended to facilitate complete review of all aspects of mining applications and implements the recommendations of the Roundtable Implementation Committee.

Section 15: M-C Mineral Conservation District
Amended to address the impacts on wildlife drainage, visual resources, traffic hydrology, and air quality, and address the off-site impacts of mining in the Mineral Conservation Zone District.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.

******
*******

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE TITLE PAGE (dated May 1993)
INSERT NEW PAGE TITLE PAGE (dated June 1993)

REMOVE INTRODUCTION (pages 1 and 2) dated May 1993
INSERT INTRODUCTION (pages 1 and 2) dated June 1993

REMOVE SECTION 3 (pages 1-7)
INSERT SECTION 3 (pages 1-9)

REMOVE SECTION 13 (pages 1-27)
INSERT SECTION 13 (pages 1-12)

REMOVE SECTION 15 (pages 1-7)
INSERT SECTION 15 (pages 1-11)

REMOVE SECTION 41 (pages 1-2)
INSERT SECTION 41 (pages 1-3)
Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. The following amendments relating to telecommunications facilities were adopted by the Board of County Commissioners on May 11, 1993.

Section 1: Administrative Provisions
Amended to include additional definitions useful in understanding the regulations

Section 2: General Provisions and Regulations
Amended to address all telecommunications towers and facilities that are not allowed as a use by right in standard zone districts

Section 6: Nonconforming Buildings, Structures, and Uses
Amended to clarify the use and potential expansion of legal nonconforming uses and structures

Section 15: Planned Development Zone District
Amended to clarify the requirements for submitting and processing Planned Development zoning requests for telecommunication uses

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-8770.
PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE TITLE PAGE (dated August 1992)
INSERT NEW PAGE TITLE PAGE (dated May 1993)

REMOVE INTRODUCTION (pages 1 and 2) dated August 1992
INSERT INTRODUCTION (pages 1 and 2) dated May 1993

REMOVE TABLE OF CONTENTS (pages 1 and 2) dated September 1989
INSERT NEW PAGE TABLE OF CONTENTS (pages 1 and 2) dated May 1993

REMOVE SECTION 1 (pages 13-20)
INSERT SECTION 1 (pages 13-20)

REMOVE SECTION 2 (pages 1-9)
INSERT SECTION 2 (pages 1-7)

REMOVE SECTION 6 (pages 1-2)
INSERT SECTION 6 (pages 1-2)

REMOVE SECTION 15 (pages 1-3)
INSERT SECTION 15 (pages 1-7)
September 1992

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. This packet includes the following amendment which was adopted by the Board of County Commissioners on August 18, 1992.

Section 1: Administrative Provisions
Amendments concerning the following:
clarification that in case of conflict,
official action by the Jefferson
County Board of County Commissioners
establishing zoning on a specific
property shall be the true zoning
on that property rather than the
zoning depicted on the official
Jefferson County zoning maps.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-5870.

**********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE TITLE PAGE (dated May 1992)
INSERT NEW PAGE TITLE PAGE (dated August 1992)

REMOVE INTRODUCTION (pages 1 and 2 (dated May 1992)
INSERT INTRODUCTION (pages 1 and 2 (dated August 1992)

REMOVE SECTION 1 (pages 7-20)
INSERT SECTION 1 (pages 7-21)

REMOVE SECTION 33 (page 1)
INSERT SECTION 33 (page 1)
June 1992

To: Subscribers of the Jefferson County Zoning Resolution

Enclosed please find an amendment package to update the JEFFERSON COUNTY ZONING RESOLUTION. This packet includes the following amendment which was adopted by the Board of County Commissioners on May 5, 1992.

Section 1: Administrative Provisions
Amendments concerning the following:
requirement of a certified boundary survey for zoning cases; and
and the requirement of a legal description prior to posting and publishing of the legal notice of public hearing.

For additional information concerning this recent amendment to the Zoning Resolution, please telephone 271-5870.

*********

PLEASE FOLLOW THESE INSTRUCTIONS TO UPDATE YOUR ZONING RESOLUTION MANUAL.

REMOVE TITLE PAGE (January 1992)
INSERT NEW PAGE TITLE PAGE (dated May 1992)

REMOVE INTRODUCTION (pages 1 and 2 (dated January 1992)
INSERT INTRODUCTION (pages 1 and 2 (dated May 1992)

REMOVE SECTION 1 (pages 1-4)
INSERT SECTION 14 (pages 1-4)
In order to meet the convenience of the property owners, realtors, and other interested citizens of Jefferson County, the Planning Department has printed this book containing the Zoning Regulations of Jefferson County for public distribution at a fee of $15.00 at the time of purchase plus a $5.00 annual fee to receive updates to keep the manual current. (Effective August 7, 1973; amended December 12, 1978; amended March 15, 1982)

BOARD OF COUNTY COMMISSIONERS

Michelle Lawrence - District 1
Patricia B. Holloway - District 2
Richard M. Sheehan - District 3

PLANNING COMMISSION

Lewis Stieghorst
Alan Fox
Joe Siccardi
Paul Rosasco
James Cole
Walter Knudsen
Dennis Bonner
DuWayne Ebertowski
Lawrence Anna

BOARD OF ADJUSTMENT

Richard Ingram
Richard Eckert
Alex Holt
James Dries
Ken Gloss
Thomas Roemersberger

PLANNING DIRECTOR

Richard A.G. Turner

ZONING ADMINISTRATOR

Timothy W. Carli
<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTRODUCTION TO THE ZONING RESOLUTION</td>
</tr>
<tr>
<td>ADMINISTRATIVE PROVISIONS</td>
</tr>
<tr>
<td>-Purpose</td>
</tr>
<tr>
<td>-When Effective</td>
</tr>
<tr>
<td>-Repeal</td>
</tr>
<tr>
<td>-Validity</td>
</tr>
<tr>
<td>-Violation and Penalty</td>
</tr>
<tr>
<td>-Interpretation</td>
</tr>
<tr>
<td>-Rezoning and Special Use Procedures and Limitations</td>
</tr>
<tr>
<td>-Rezoning Submittal Information and Limitations</td>
</tr>
<tr>
<td>-Site Development Plan</td>
</tr>
<tr>
<td>-Zoning Maps</td>
</tr>
<tr>
<td>-Definitions</td>
</tr>
<tr>
<td>-Applicability to Government Facilities</td>
</tr>
<tr>
<td>GENERAL PROVISIONS AND REGULATIONS</td>
</tr>
<tr>
<td>-Building Permit</td>
</tr>
<tr>
<td>-Fence Permit</td>
</tr>
<tr>
<td>-Miscellaneous Zoning Permit Requirements</td>
</tr>
<tr>
<td>-Low Power, Micro-cell or Repeater Telecommunications Permit</td>
</tr>
<tr>
<td>ENFORCEMENT AND ADMINISTRATIVE EXCEPTIONS</td>
</tr>
<tr>
<td>DRILLING AND PRODUCTION OF OIL AND GAS</td>
</tr>
<tr>
<td>ACCESSORY USES</td>
</tr>
<tr>
<td>NONCONFORMING BUILDINGS, STRUCTURES AND USES</td>
</tr>
<tr>
<td>MOVE AND SET</td>
</tr>
<tr>
<td>HOME OCCUPATIONS</td>
</tr>
<tr>
<td>SIGNS AND OUTDOOR ADVERTISING DEVICES</td>
</tr>
<tr>
<td>COUNTY GRAVEL MINING, CRUSHING AND STOCKPILING</td>
</tr>
<tr>
<td>GRADING AND EROSION CONTROL</td>
</tr>
<tr>
<td>SPECIAL EVENTS</td>
</tr>
<tr>
<td>BOARD OF ADJUSTMENT</td>
</tr>
<tr>
<td>-Rules of Procedure</td>
</tr>
<tr>
<td>-Establishment</td>
</tr>
<tr>
<td>-Officers</td>
</tr>
<tr>
<td>-Powers</td>
</tr>
<tr>
<td>ZONE DISTRICTS</td>
</tr>
<tr>
<td>P-D PLANNED DEVELOPMENT DISTRICT</td>
</tr>
<tr>
<td>R-1 RESIDENTIAL-ONE DISTRICT</td>
</tr>
</tbody>
</table>

Table of Contents Page 1
<table>
<thead>
<tr>
<th>District Type</th>
<th>Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1A  RESIDENTIAL-ONE A</td>
<td>SECTION 17</td>
</tr>
<tr>
<td>R-1B  RESIDENTIAL-ONE B</td>
<td>SECTION 18</td>
</tr>
<tr>
<td>R-2   RESIDENTIAL-TWO</td>
<td>SECTION 19</td>
</tr>
<tr>
<td>R-3   RESIDENTIAL-THREE</td>
<td>SECTION 20</td>
</tr>
<tr>
<td>R-3A  RESIDENTIAL-THREE A</td>
<td>SECTION 21</td>
</tr>
<tr>
<td>R-4   RESIDENTIAL-FOUR</td>
<td>SECTION 22</td>
</tr>
<tr>
<td>R-T   RESIDENTIAL TRAILER</td>
<td>SECTION 23</td>
</tr>
<tr>
<td>MR-1  MOUNTAIN RESIDENTIAL-ONE</td>
<td>SECTION 24</td>
</tr>
<tr>
<td>MR-2  MOUNTAIN RESIDENTIAL-TWO</td>
<td>SECTION 25</td>
</tr>
<tr>
<td>MR-3  MOUNTAIN RESIDENTIAL-THREE</td>
<td>SECTION 26</td>
</tr>
<tr>
<td>SR-1  SUBURBAN RESIDENTIAL-ONE</td>
<td>SECTION 27</td>
</tr>
<tr>
<td>SR-2  SUBURBAN RESIDENTIAL-TWO</td>
<td>SECTION 28</td>
</tr>
<tr>
<td>SR-5  SUBURBAN RESIDENTIAL-FIVE</td>
<td>SECTION 29</td>
</tr>
<tr>
<td>A-1   AGRICULTURAL-ONE</td>
<td>SECTION 30</td>
</tr>
<tr>
<td>A-2   AGRICULTURAL-TWO</td>
<td>SECTION 31</td>
</tr>
<tr>
<td>A-35  AGRICULTURAL-THIRTY FIVE</td>
<td>SECTION 32</td>
</tr>
<tr>
<td>RC-1  RESTRICTED COMMERCIAL-ONE</td>
<td>SECTION 33</td>
</tr>
<tr>
<td>RC    RESTRICTED COMMERCIAL</td>
<td>SECTION 34</td>
</tr>
<tr>
<td>C-1   COMMERCIAL-ONE</td>
<td>SECTION 35</td>
</tr>
<tr>
<td>C-2   COMMERCIAL-TWO</td>
<td>SECTION 36</td>
</tr>
<tr>
<td>I-1   INDUSTRIAL-ONE</td>
<td>SECTION 37</td>
</tr>
<tr>
<td>I-2   INDUSTRIAL-TWO</td>
<td>SECTION 38</td>
</tr>
<tr>
<td>I-3   INDUSTRIAL-THREE</td>
<td>SECTION 39</td>
</tr>
<tr>
<td>I-4   INDUSTRIAL-FOUR</td>
<td>SECTION 40</td>
</tr>
<tr>
<td>C-O   CONSERVATION ZONE</td>
<td>SECTION 41</td>
</tr>
<tr>
<td>M-C   MINERAL CONSERVATION</td>
<td>SECTION 42</td>
</tr>
<tr>
<td>F-P   FLOOD PLAIN OVERLAY</td>
<td>SECTION 43</td>
</tr>
<tr>
<td>G-H   GEOLOGIC HAZARD OVERLAY</td>
<td>SECTION 44</td>
</tr>
</tbody>
</table>

Table of Contents Page 2
<table>
<thead>
<tr>
<th>Section</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td>45</td>
<td>W-H WILDFIRE HAZARD OVERLAY DISTRICT</td>
</tr>
<tr>
<td>46</td>
<td>D-B DIPPING BEDROCK OVERLAY DISTRICT</td>
</tr>
<tr>
<td></td>
<td>DEVELOPMENT STANDARDS</td>
</tr>
<tr>
<td>47</td>
<td>LIGHTING</td>
</tr>
<tr>
<td>48</td>
<td>OFF-STREET PARKING AND LOADING</td>
</tr>
<tr>
<td>49</td>
<td>LANDSCAPING</td>
</tr>
<tr>
<td>50</td>
<td>MINIMUM ARCHITECTURE STANDARDS</td>
</tr>
</tbody>
</table>
INTRODUCTION TO THE ZONING RESOLUTION
OF
JEFFERSON COUNTY, COLORADO

Zoning provides for the orderly growth of communities through the designation of areas for each type of development such as residential, agricultural, commercial and industrial. All four types of activity are essential to the economy of an area, and yet it is not desirable for the enterprises which produce odors, noise, dust or smoke to be located in the midst of a heavily populated residential district. Zoning allows ample area for all activities while maintaining property values through the designation of specific areas for each.

The Jefferson County Planning Commission recognizes that community development is not a static matter. Therefore, in 1945, they undertook a complete revision of the Zoning Resolution and Map which was adopted in 1941. In cooperation with the Tri-County Planning Commission, the Jefferson County Planning Commission worked for eighteen months to rezone the County in a manner which recognized the changes which were occurring and to protect the owners of property in the County. The work was completed in the Spring of 1946; and on May 6, 1946, the Board of County Commissioners adopted the revised Zoning Resolution and Maps. To meet changing conditions, the Zoning Resolution of May 6, 1946, was amended on such numerous occasions as to require the adoption of a revised Zoning Resolution on June 2, 1958. The Zoning Resolution of June 2, 1958 has since been amended on the following dates.

July 7, 1958
October 6, 1958
May 11, 1959
July 16, 1960
May 1, 1961
February 27, 1962
December 6, 1962
April 8, 1963
December 2, 1963
March 2, 1964
November 9, 1964
May 3, 1965
June 20, 1966
August 26, 1968
September 8, 1969
February 7, 1972

July 28, 1958
December 29, 1958
May 18, 1959
August 2, 1960
May 23, 1961
May 21, 1962
December 26, 1962
May 20, 1963
February 3, 1964
March 9, 1964
January 4, 1965
May 24, 1965
July 11, 1966
October 7, 1968
September 15, 1969
March 6, 1972

August 25, 1958
March 9, 1959
March 17, 1960
January 23, 1961
January 29, 1962
June 25, 1962
February 18, 1963
November 12, 1963
February 24, 1964
March 23, 1964
February 1, 1965
November 15, 1965
September 5, 1967
April 7, 1969
December 6, 1971
April 10, 1972
<table>
<thead>
<tr>
<th>Date</th>
<th>Date</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 24, 1972</td>
<td>May 1, 1972</td>
<td>May 15, 1972</td>
</tr>
<tr>
<td>July 24, 1972</td>
<td>January 3, 1973</td>
<td>February 27, 1973</td>
</tr>
<tr>
<td>July 2, 1973</td>
<td>August 7, 1973</td>
<td>August 7, 1974</td>
</tr>
<tr>
<td>December 17, 1974</td>
<td>January 10, 1975</td>
<td>January 13, 1975</td>
</tr>
<tr>
<td>July 21, 1976</td>
<td>June 20, 1977</td>
<td>August 8, 1977</td>
</tr>
<tr>
<td>December 11, 1978</td>
<td>December 12, 1978</td>
<td>May 1, 1979</td>
</tr>
<tr>
<td>May 20, 1979</td>
<td>June 26, 1979</td>
<td>July 10, 1979</td>
</tr>
<tr>
<td>October 30, 1979</td>
<td>November 6, 1979</td>
<td>December 17, 1979</td>
</tr>
<tr>
<td>June 16, 1980</td>
<td>August 6, 1980</td>
<td>May 12, 1980</td>
</tr>
<tr>
<td>November 3, 1981</td>
<td>November 9, 1981</td>
<td>March 8, 1982</td>
</tr>
<tr>
<td>March 15, 1982</td>
<td>May 10, 1982</td>
<td>August 30, 1982</td>
</tr>
<tr>
<td>September 7, 1982</td>
<td>December 6, 1982</td>
<td>December 28, 1982</td>
</tr>
<tr>
<td>June 13, 1983</td>
<td>September 12, 1983</td>
<td>October 17, 1983</td>
</tr>
<tr>
<td>January 17, 1984</td>
<td>February 6, 1984</td>
<td>September 16, 1985</td>
</tr>
<tr>
<td>April 18, 1989</td>
<td>September 19, 1989</td>
<td>September 11, 1990</td>
</tr>
<tr>
<td>January 7, 1992</td>
<td>May 5, 1992</td>
<td>August 18, 1992</td>
</tr>
<tr>
<td>May 11, 1993</td>
<td>June 1, 1993</td>
<td>June 30, 1993</td>
</tr>
<tr>
<td>June 7, 1994</td>
<td>July 12, 1994</td>
<td>April 11, 1995</td>
</tr>
<tr>
<td>July 11, 1995</td>
<td>August 8, 1995</td>
<td>December 5, 1995</td>
</tr>
<tr>
<td>November 12, 1996</td>
<td>July 2, 1997</td>
<td>July 8, 1997</td>
</tr>
<tr>
<td>Date</td>
<td>Date</td>
<td>Date</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------</td>
<td>--------------</td>
</tr>
<tr>
<td>March 23, 1999</td>
<td>August 17, 1999</td>
<td>February 1, 2000</td>
</tr>
<tr>
<td>February 5, 2002</td>
<td>June 18, 2002</td>
<td>July 23, 2002</td>
</tr>
</tbody>
</table>
SECTION 1: ADMINISTRATIVE PROVISIONS

A. PURPOSE

In pursuance of the authority conferred by Chapter 92, Session Laws of Colorado, 1939, this Zoning resolution is enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Jefferson County by lessening the congestion in streets or roads, securing safety from fire and other dangers, providing light and air, avoiding undue congestion of population, facilitating the adequate provision of transportation, water, sewage, schools and other public requirements, securing protection of the tax base, and by other means in accordance with a Comprehensive Plan. (orig. 5-6-46)

B. WHEN EFFECTIVE

This Zoning Resolution shall be in effect from and after its passage. (orig. 5-6-46)

C. REPEAL

The Zoning Resolution passed and adopted February 3, 1941, and all other Resolutions in conflict with the provisions of this Zoning Resolution are hereby repealed. (orig. 5-6-46)

D. VALIDITY

Should any section, clause, sentence or part of this Zoning Resolution be adjudged by any court or competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair or invalidate the Zoning Resolution as a whole or any part thereof, other than the part so declared to be invalid. (orig. 5-6-46)

E. VIOLATION AND PENALTY

1. Any person, firm or corporation violating any regulation of this Zoning Resolution, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than $100.00 or imprisoned not more than 10 days, or both. Each and every day during which the violation continues shall be deemed a separate offense. (orig. 5-6-46)

2. In case of a violation of this Zoning Resolution, the Board of County Commissioners, the District Attorney, or any owner of real estate in the zoned area may institute injunction proceedings to halt such violation. (orig. 5-6-46)

3. Any person, firm or corporation failing to obtain the required zoning approval and/or permit(s) as required by this Section and Sections 2, 3, 8, 9, 11, and/or 13 of this Zoning Resolution shall be required to pay two times the amount of any applicable fees. (orig. 5-3-94)

F. INTERPRETATION

1. In interpreting and applying the provisions of this Resolution, they shall be held to be the minimum requirements for the promotion of public health, safety, morals, convenience, order, prosperity and the general welfare. It is not intended by this Resolution to interfere with or abrogate or annul any easements, covenants or agreements between parties; provided however, that wherever this Resolution imposes a greater restriction upon the use of buildings or land or upon the location or height of buildings or structures or required larger open spaces about buildings than are imposed or required by other laws, resolutions or by easements, covenants or agreements between parties, the provisions of his Resolution shall govern. (orig. 5-6-46)
2. Restrictive or protective covenants which contain any specification limiting the transfer, rental, or lease of any housing because of race, creed, religion, color, sex, marital status, national origin or ancestry or handicap are prohibited by C.R.S. 1973, 24-34-502 of Title VIII of the Fair Housing Act of 1968, 42 U.S.C. 3604 (c). (orig. 5-12-81)

G. REZONING AND SPECIAL USE PROCEDURES AND LIMITATIONS (orig. 5-6-46; am. 6-2-58; am. 12-26-62; am. 2-7-72; am. 5-1-72; am. 7-21-81; am. 9-12-83; am. 5-12-87; am. 1-31-89; am. 9-11-90; am. 5-6-92; am. 12-14-93; am. 5-3-94; am. 6-7-94; am. 7-11-95; am. 7-22-97; am. 3-23-98; am. 2-22-00)

1. Pre-Application Review Meeting Procedures (orig. 2-22-00)

a. Purpose: The purpose of the optional Pre-Application Review Meeting process is to improve communication between landowners, developers and County Staff. Participants in the meeting will include the landowner and/or representative and the County Review Team. The Pre-Application Review Meeting will assist the landowner/representative in gaining a more thorough understanding of the County’s process and issues relative to the land use request. (orig. 2-22-00)

b. Application: The Pre-Application Review Meeting may be used at the applicants request for Rezoning, Special Use, Preliminary Plat, Exemption From Platting and Site Approval applications. (orig. 2-22-00)

c. Submittal Items: If the applicant desires to use this process, the applicant shall submit the following four items for review: (orig. 2-22-00)

(1) Fee - Fee as specified by Jefferson County Planning and Zoning Department. (orig. 2-22-00)

(2) Cover Letter - 10 copies of a cover letter must be provided. The cover letter shall include, the name, address and phone number of both the property owner(s) and any appointed representative and a brief written synopsis of the proposal. The letter shall indicate how the applicant anticipates obtaining access to the property. The synopsis must provide a clear, concise description of the proposal. (orig. 2-22-00)

(3) Vicinity Map - 10 copies of a Vicinity Map which indicates the location of the property involved in the request. (orig. 2-22-00)

(4) Sketch Plan - 10 copies of a sketch plan. The sketch plan should be drawn to scale and may include the information indicated by paragraph G.1.c.(11) of this Section. (orig. 2-22-00)

To maximize the benefit of the Pre-Application Review meeting the applicant may desire to submit some or all of the following additional items. All submitted items will be reviewed. (orig. 2-22-00)

(5) Written Restrictions - When the request involves rezoning to PD (Planned-Development) or a Special Use, the written restrictions must be a genuine attempt to describe, at a minimum, the proposed uses, setbacks and height restrictions for the proposal. Ten draft copies of the written restrictions must be provided. (orig. 2-22-00)
(6) Proof of Water – 10 copies of one or more of the following documents, as necessary, to demonstrate a legal, adequate water supply: (orig. 2-22-00)

(a) A written statement from the appropriate water district, verifying that all necessary water taps are available or have been issued; (orig. 2-22-00)

(b) Well permit(s) which demonstrate an adequate quantity of water to support the proposed use. Permit information can be obtained from the Colorado State Division of Water Resources; (orig. 2-22-00)

(c) A court approved plan for water augmentation or an approved substitute supply plan which demonstrates an adequate quantity of water to support the proposed use. (orig. 2-22-00)

(7) Proof of Sewer - 10 copies of one of the following documents to demonstrate availability of sewage disposal: (orig. 2-22-00)

(a) A written statement from the appropriate sanitation district, verifying that all necessary taps are available or have been issued; (orig. 2-22-00)

(b) A written statement from the Jefferson County Department of Health and Environment indicating the viability of obtaining individual septic permits. (orig. 2-22-00)

(8) Proof of Access - If the property is not adjacent to a County maintained or dedicated road right-of-way, 10 copies of a recorded access easement indicating that an access easement exists over abutting private property to connect the subject property to a county dedicated or maintained road. (orig. 2-22-00)

(9) Proof of Fire Protection – 10 copies of a written statement from the appropriate fire district, indicating that they serve the referenced property must be provided. (orig. 2-22-00)

(10) Landscape Plan - 10 copies of a preliminary plan showing the locations on the site intended for landscaping within multi-family, industrial, commercial, public and semi-public developments and for common areas (greenbelts, traffic islands, buffers) within single family developments. Each landscape area shall also identify the type(s) of landscape materials desired. The Landscape Plan may consist of a separate document, or be incorporated into the Site Plan. (orig. 2-22-00)

(11) Site Plan - 10 copies of a site plan and/or survey drawn to scale detailing the proposal. At a minimum, the Site Plan must include the following items: (orig. 2-22-00)

(a) Scale, north arrow, date prepared; (orig. 2-22-00)
(b) The proposed and existing street pavement width and the right-of-way width, if available. A note shall be placed on the Site Plan indicating whether the proposed streets are to be public or private. The Site Plan shall also show driveways and intersections adjacent to, or across the street from the subject property; (orig. 2-22-00)

(c) Approximate proposed and existing street grade; (orig. 2-22-00)

(d) Location of existing and proposed access points; (orig. 2-22-00)

(e) Location and size of existing structures, wells and septic leach fields; (orig. 2-22-00)

(f) Location and type of existing and proposed easements and utility lines; (orig. 2-22-00)

(g) Lot dimensions, area and entire site acreage; (orig. 2-22-00)

(h) Proposed building envelopes; (orig. 2-22-00)

(i) Location of any known hazardous areas, or add a note stating that no known hazardous areas exist. (orig. 2-22-00)

d. Procedure: Upon receipt of a complete Pre-Application package the Planning and Zoning Department will schedule a date and time for the Pre-Application Review Meeting, the package of items will be referred to all applicable county departments and a Planning and Zoning Case Manager will be assigned. The Pre-Application Review Meeting will be held within 8 to 14 days after the complete submittal package is accepted by the Planning and Zoning Department. (orig. 2-22-00)

e. Pre-Application Review Meeting: The Pre-Application Review Meeting will begin with a description by the landowner and/or representative of what is being requested. The Review Team members will present their comments and findings, as well as request any additional information that may be required. Issues that need to be resolved prior to submittal of the formal application package will also be identified. (orig. 2-22-00)

f. Summary Checklist: A Pre-Application Review Meeting Summary Checklist indicating issues which need to be addressed by the applicant will be provided to the landowner and/or representative at the end of the Pre-Application Review Meeting. (orig. 2-22-00)

2. Community Meeting Procedures (orig. 2-22-00)

a. Purpose: The purpose of the community meeting is for the applicant to inform nearby property owners, Homeowner's Associations and community groups of a possible land use change to a site. The community meeting will provide the applicant with the opportunity to answer any community concerns and solicit input about the proposal to achieve the best possible results. The community meeting must occur prior to formal submittal of the application. If a Pre-Application Review Meeting is held, the Community Meeting shall occur following that meeting. (orig. 2-22-00)

b. Application: The Community Meeting requirement shall apply to Rezoning and Special Use applications. (orig. 2-22-00)
c. Notification Area for the Community Meeting: The boundaries of the Community Meeting and Notification Area Map shall be as they appear on the official recorded Community Meeting and Notification Area Map as adopted by the Board of County Commissioners and kept on file with the Planning and Zoning Department. It shall be the responsibility of the applicant to identify all property owners within the specified distance from the subject property. A computer printout indicating each affected property owner must be obtained from the Jefferson County Assessor's Office. (orig. 2-22-00)

(1) Notification in the Plains area of the County: For those areas depicted in red on the Community Meeting and Notification Area Map (generally the plains area), all individual property owners within 200 feet of the subject property, and all Homeowners Associations and community groups identified by the Planning and Zoning Department within one mile of the subject property must be notified by mail. (orig. 2-22-00)

(2) Notification in the Mountainous area of the County: For those areas depicted in blue on the Community Meeting and Notification Area Map (generally the mountainous area), all individual property owners within 1320 feet (1/4 mile) of the subject property, and all Homeowners Associations and other community groups identified by the Planning and Zoning Department within two miles of the subject property must be notified by mail. In certain instances where the subject property is located in an area of unusually high density development, (greater than 50 individual property owners within 1320 feet) then the area of notification shall be decreased to 200 feet from the subject property. (orig. 2-22-00)

d. Submittal Items: The applicant shall submit the items indicated in this section for a Community Meeting: (orig. 2-22-00)

(1) A copy of the Jefferson County Assessor's printout indicating the names and addresses of landowners in the areas described in Section c. above. (orig. 2-22-00)

(2) Pre-addressed sealed envelopes containing completed notification forms and vicinity maps with sufficient postage for each identified individual property owner and Homeowner's Association. The Jefferson County Planning and Zoning Department's return address must be included. (orig. 2-22-00)

e. Procedure: The applicant shall arrange the date, time and location for the community meeting. Coordination with the Case Manager is essential at least two weeks (14 days calendar days) prior to notification. An example notification form, which details the size, scope, intent and type of the land use request shall be provided to the applicant by the Case Manager. The notification form also includes information concerning the purpose, location, date and time of the community meeting. The Case Manager will also provide the applicant with a list of all Homeowner's Associations and community groups that shall be notified. Prior to formal application submittal, the applicant shall give the notification packages to the Case Manager who will mail them. Proper notification shall be verified by the assigned Case Manager. (orig. 2-22-00)
Sign Posting: Notice shall be posted upon the subject property, in public view, at least 10 days prior to the community meeting with a sign(s) stating the purpose, date, time and location of the meeting. Notification sign(s) shall be provided by the Jefferson County Planning and Zoning Department. Posting of the notification sign(s) shall be the responsibility of the applicant in accordance with the guidelines provided by the Planning and Zoning Department. The Case Manager shall determine if additional off-site sign(s) will be required, based upon the location of the subject property. The sign(s) must remain posted until after the community meeting has been completed. (orig. 2-22-00)

Community Meeting: The applicant shall present their request to the attendees at the Community Meeting, and the applicant shall facilitate the meeting. The Case Manager may attend the Community Meeting to provide information to the attendees regarding Planning and Zoning Department regulations. Following the Community Meeting, the applicant may desire to revise their application to respond to expressed concerns, prior to formal submittal. (orig. 2-22-00)

A written request to waive the Community Meeting requirement may be submitted to the Planning Director. The request to waive the Community Meeting requirement must include the reason(s) why relief from this requirement should be granted. Waiver requests may be approved at the discretion of the Planning Director prior to formal submittal of the Rezoning or Special Use application. (orig. 2-22-00)

3. Rezoning and Special Use Submittal and Review Process (orig. 2-22-00)

Preamble: This process was created to move projects through the review and approval process as quickly as possible. If quick processing is a primary objective of the applicant, then at the time of application acceptance, Planning and Zoning Department staff will commit to the time frame and dates determined by this process. If the applicant does not indicate a desire for quick processing, or if the applicant cannot meet any stated time frame, then no hearing dates or staff decision dates are available to be anticipated, and all subsequent time frames stated in this regulation will be estimates only, not commitments. The Planning Director may waive the time frames included in this process depending on Planning and Zoning Department staffing levels and the complexity of the proposed rezoning or special use. (orig. 2-22-00)

Pre-Application Review Meeting: The applicant is encouraged to attend an optional Pre-Application Review Meeting pursuant to the Pre-Application Review Meeting Procedures of this Section, prior to submittal of the formal application. (orig. 2-22-00)

Community Meeting: After the Pre-Application Review Meeting (if held) the applicant shall be required to arrange a Community Meeting pursuant to the Community Meeting Procedures of this Section. (orig. 2-22-00)

Application Submittal: The applicant shall submit the completed application form, fees and support documents as specified in these regulations in the manner and quantity identified by their Case Manager. The applicant must set up an appointment with the Case Manager or other staff if the Case Manager is unavailable to review the application submittal. The Case Manager will review the submittal package for completeness at this meeting with the applicant. A submittal package that is not complete in terms of type and quantity of documents required or adequacy of the graphic provided will not be accepted for review. (orig. 2-22-00)
If the submittal is accepted, the applicant will be given tentative Planning Commission and Board of County Commissioners public hearing dates by the Case Manager. These dates will be the first regularly scheduled Planning Commission hearing after 86 calendar days from application acceptance and the first regularly scheduled Board of County Commissioners public hearing 13 calendar days after the Planning Commission hearing. These tentative hearing dates can only be met if the applicant complied with the time frames given for submittal of support documents, including ODP revisions, as specified in these regulations. (orig. 2-22-00)

When the Case Manager accepts the application, the applicant will be given a meeting date to discuss County and agency referral responses. This meeting will be scheduled to occur within 3 working days following the date on which referral comments are due. This meeting will be held only at the applicant's request. (orig. 2-22-00)

e. Application Referral: The Case Manager will refer the application, referral fees and support documents to the County Departments, other agencies identified by the Case Manager, Homeowners Associations, and non-governmental groups that have requested to receive referrals for review, within 3 working days from the date of submittal. (orig. 2-22-00)

f. County and Referral Agency Response: The referral agencies and the Case Manager shall have 21 calendar days, from the referral date to respond in writing to the applicant's submittal. An extension in the referral response time may be requested by the Case Manager, a referral agency, or other department for complicated or difficult submittals. Such an extension may be granted only if agreed to by the applicant. (orig. 2-22-00)

g. Forwarding of Referral Comments/Optional Meeting: Referral agency comments deemed by the Case Manager to need immediate attention by the applicant will be forwarded to the applicant as promptly as possible after receipt. The full staff response inclusive of other department and agency responses will be forwarded to the applicant as promptly as possible after the 21 day referral period. A meeting between staff and the applicant may be held to review the referral responses. The applicant is strongly encouraged to meet with the agency(ies) that have expressed concerns with the application before making any resubmittal in response to referral comments. (orig. 2-22-00)

h. Applicants Response to Comments: Within 14 calendar days after the receipt of referral responses, or the optional meeting held with staff, the applicant shall address, in writing, all issues and deficiencies identified in writing by the Case Manager any other County Department, and any referral agency. To meet the originally projected Planning Commission public hearing date (within 86 calendar days from application acceptance) the applicant must complete the requested revisions and resubmit appropriate documents for a second review by the Case Manager, other County Departments, and any applicable outside agencies within the identified 14 calendar days after receipt of the referral responses. If this response date cannot be met for any reason, the applicant will be deemed to have consented to a later hearing date. (orig. 2-22-00)
If there is no written response to referral comments within 60 calendar days after referral comments are provided to the applicant, the application will be considered withdrawn. The applicant will then have to file a new application with the required fees and supplemental documents. The Planning Director may extend this 60 day maximum response deadline for additional 60 day periods if, in his or her opinion the delay in response is out of the control of the applicant. (orig. 2-22-00)

Review of Revised Submittal and Pre-Hearing Meeting: At the time of resubmittal of the revised information, and only at the request of the applicant, Planning Department staff will set a Pre-Hearing Meeting to occur at the first available Pre-Hearing Meeting date between 7 and 14 calendar days from the date of resubmittal. The Pre-Hearing Meeting is an opportunity for the applicant to receive additional input and explore alternatives with the Case Manager, Development Review Coordinator, and the Planning Engineer on the applicant's proposal. This input may include re-stating the already established position of staff in regard to the proposal and/or a discussion of steps involved in completing the proposal. If opportunities exist to approach techniques to an applicant's proposal that do not compromise the position of staff, these opportunities will be discussed. If the applicant is able to comply with all County standards, and other agency requirements, then this Pre-Hearing Meeting will not be necessary. (orig. 2-22-00)

Staff attending the Pre-Hearing Meeting may include the Case Manager, Development Review Coordinator, and the Planning Engineer from the Planning and Zoning Department; and staff with delegated authority to act on behalf of any other applicable County Departments. The applicant/engineer and any associated project consultants with authority to respond to expressed concerns should attend the Pre-Hearing Meeting. (orig. 2-22-00)

If the applicant desires to make additional changes to their proposal in response to staff or a reviewing agency as a result of the Pre-Hearing Meeting, the applicant will be deemed to have consented to a rescheduling of the Planning Commission and Board of County Commissioners public hearing dates. Any revised submittal will be reviewed by the Case Manager, other departments or affected agencies within 7 calendar days of each resubmittal. A staff written response will be forwarded to the applicant within 10 calendar days of each resubmittal. At such time as the applicant advises the Case Manager in writing that no further revisions will be made, and the applicant desires to proceed to the Planning Commission and Board of County Commissioners hearings, the applicant shall submit all documents necessary for the public hearings. Following staff review of revised documents, the Case Manager will indicate to the applicant all documents to be submitted for the Planning Commission and Board of County Commissioners public hearings. (orig. 2-22-00)

If there is no response by the applicant within 60 calendar days to the Pre-Hearing Meeting or the date that the applicant was given the referral agency comments the application will be considered withdrawn. The applicant will then have to refile a new application with the required fee and documents. The Planning Director may extend this 60 day maximum response deadline for additional 60 day periods if in his or her opinion the delay in response is out of the control of the applicant. (orig. 2-22-00)
j. Public Hearing Document Submittal: To have the application heard by the Planning Commission and the Board of County Commissioners on the originally projected public hearing dates, the applicant must submit all required public hearing documents based on the final resubmittal made to staff following the Pre-Hearing Meeting. (orig. 2-22-00)

k. Planning Commission and Board of County Commissioners Public Hearings Scheduled: Within three working days following the submittal of all required public hearing documents, staff will either confirm the originally projected Planning Commission and Board of County Commissioners public hearing dates or the rescheduled dates. If the applicant had not complied with the previously indicated submittal deadlines, the Planning Commission public hearing date will be scheduled for the first available hearing date after 21 calendar days from submittal of the public hearing documents. The Board of County Commissioners public hearing date will be rescheduled by the Case Manager for the first available hearing date after 12 calendar days from the Planning Commission public hearing. (orig. 2-22-00)

l. No Revisions to Documents Prior to Hearing: The Planning and Zoning Department shall prepare comments and present pertinent facts and recommendations to the Planning Commission and the Board of County Commissioners. To ensure completeness and to allow adequate public review, no substantial revisions or additions, except in response to an agency or staff request or those specifically requested by the Planning Commission or the Board of County Commissioners may be made to any application or supporting documents within 21 days prior to any hearing. (orig. 2-22-00)

m. Sign Posting: The applicant will be responsible for posting a sign(s) on the subject property which serves as public notice that the application will be heard by the Planning Commission and Board of County Commissioners at two identified public hearings. The sign(s) will be given to the applicant at least 15 calendar days prior to the scheduled hearings. It is the applicant's responsibility to post the sign(s) on the property a minimum of 14 calendar days prior to the Planning Commission hearing. One sign must be posted on each boundary of the property for each 500 feet of frontage fronting on either a public or a private street up to a maximum of 6 signs. If the property does not have any street frontage at the time of posting, then a minimum of one sign must be posted on the property at the location most visible to the general public. Staff may require the posting of off-site signs, in the number deemed appropriate by staff, if in the opinion of staff, signs on the property would not be readily seen by the general public. (orig. 2-22-00)

Prior to or at the Planning Commission public hearing, the applicant will provide a sworn certification that such notice was posted upon the subject property in accordance with the requirements provided within this section. The property must remain posted for the 14 calendar days prior to the hearing. The sign(s) must also remain in place until a decision is rendered by the Board of County Commissioners. (orig. 2-22-00)

n. Newspaper Notice: The Planning and Zoning Department shall publish notice of the public hearing before the Board of County Commissioners in one publication of a newspaper of general circulation in the county. The notice shall be published at least 30 calendar days prior to the Board of County Commissioners public hearing. (orig. 2-22-00)
Community Mailed Notification: It shall be the responsibility of the applicant to mail one notice indicating the Planning Commission and Board of County Commissioners public hearing dates to those property owners and homeowners associations and non-governmental groups that received notice of the Community Meeting. This notice shall be mailed at least 14 calendar days prior to the Planning Commission public hearing date. (orig. 2-22-00)

Planning Commission Public Hearing: The Planning Commission shall receive testimony and evidence on the application, and shall recommend approval, conditional approval, or denial of the Special Use or the rezoning to the Board of County Commissioners at one or more public hearings. The Planning Commission may continue a request for a period of time not to exceed 6 months from the date of the scheduled hearing. (orig. 2-22-00)

Board of County Commissioners Public Hearing: The Board of County Commissioners shall review the request, staff report, other evidence presented, and public testimony at one or more public hearings. Upon conclusion of the presentation of testimony, evidence and arguments in the hearing(s) before the Board of County Commissioners, the Board may render a written decision which approves or denies the rezoning or Special Use application unless the Board of County Commissioners continues the case for further testimony and/or decision for a period of time not to exceed 6 months from the date of the scheduled hearing. (orig. 2-22-00)

Recordation of Official Development Plan or Special Use Applications: (orig. 2-22-00)

Within 30 calendar days of approval of any Planned Development or Special Use request, the revised written restrictions and the accompanying graphic (Official Development Plan) on mylar shall be prepared by the applicant, and submitted to the County in compliance with the Board of County Commissioners approval. Any revised documents shall be reviewed by the Case Manager within 3 working days. The applicant’s failure to submit a current and accurate mylar within 30 calendar days following Board of County Commissioner's approval shall void the approval. The Official Development Plan or the Special Use graphic shall be filed with the County Clerk and Recorder by the Case Manager within 7 calendar days of receipt. For a standard zone district rezoning, a Board of County Commissioners resolution shall be recorded within 7 calendar days following approval. (orig. 2-22-00)

H. REZONING SUBMITTAL INFORMATION AND LIMITATIONS

1. Rezoning Submittal information
   a. The filing of an application for rezoning or for special use shall require the following: (orig. 7-21-81)

      (1) A completed application form in a format supplied by the Planning and Zoning Department. (orig. 7-21-81; am. 7-11-95)

      (2) A copy of the current recorded deed or current title commitment for the subject property. If the property is unplatted property or includes a partial lot, a copy of the deed, recorded prior to May 5, 1972, for the same property is also required. (orig. 7-11-95)
(3) A legal description of the property designated as a lot, block or tract on a recorded plat or aliquot description or a metes and bounds description along with copies of all documents called for or made reference to in the legal description. (orig. 9-11-90; am. 5-5-92)

(4) If the size, shape, and description of the property is not clearly ascertainable or is such that the property cannot be mapped on County zoning maps from the above, the following documentation is required. (orig. 9-11-90; am. 5-5-92)

(a) A land survey of the boundary for the property that is tied to two or more section or quarter section corners, which includes the following items. (orig. 9-11-90)

(a-1) A scale drawing of the boundaries of the parcel to be rezoned with a matching written legal description. When the recorded legal description and the actual field measurements do not correspond, the land survey legal description shall contain the actual field measurements and, in parentheses, the recorded measurements. A qualification phrase must be included in the caption of the legal description. (orig. 9-11-90)

(a-2) Recorded and apparent rights-of-way and easements delineated and annotated. (orig. 9-11-90)

(a-3) All dimensions necessary to establish the boundaries in the field. (orig. 9-11-90)

(a-4) A statement by the land surveyor that the survey was performed by him or under his direct responsibility, supervision, and checking. (orig. 9-11-90)

(a-5) A statement by the land surveyor explaining the basis of bearings clearly describing the line being referenced and the existing monuments that determine the referenced line. (orig. 9-11-90)

(a-6) A complete description of all monuments, both found and set, which mark the boundaries of the property, and all control monuments used in conducting the survey. (orig. 9-11-90)

(a-7) A statement of the scale or representative fraction of the drawing and a bar-type or graphical scale. (orig. 9-11-90)

(a-8) North arrow. (orig. 9-11-90)

(a-9) The signature and seal of a Colorado Registered Land Surveyor. (orig. 9-11-90)
(a-10) A traverse of the boundaries of the parcel to be rezoned must have a minimum unadjusted ratio of closure of one part in 15,000 or shall not exceed a maximum positional tolerance per point, between adjusted and unadjusted positions, of plus or minus fifteen hundredths of a foot. (orig. 9-11-90)

(b) Copies of the documents called for or made reference to in the land survey. (orig. 9-11-90; am. 5-5-92)

(5) The legal description written on the rezoning or special use application form shall match the written legal description on the deed or title commitment, or the land survey plat if one is required. The application for a rezoning shall also include a qualification phrase if present on the land survey plat. (orig. 9-11-90; am. 7-11-95)

(6) A Phase I Drainage Report, as required by the Jefferson County Storm Drainage Design and Technical Criteria, if the property is traversed by a major drainageway which is to be modified in any way. (orig. 5-12-87)

(7) Accompanying each application for a rezoning or special use shall be a nonrefundable processing fee in an amount established by the Board of County Commissioners. (orig. 5-6-46; am. 6-2-58; am. 12-26-62; am. 2-7-72; am. 5-1-72; am. 7-21-81; am. 1-31-89; am. 5-3-94)

(8) A traffic study for developments that will generate more than one thousand (1,000) trips per day, unless an approved traffic study that is sufficient is already on file with the Planning and Zoning Department. (orig. 7-11-95; am. 3-23-99)

(9) Review fees charged by a state agency shall be made payable to the reviewing agency based on current rates and paid at the time of rezoning or special use application. (orig. 9-12-83; am. 7-11-95)

(10) The Board of County Commissioners and/or the Planning Commission may require the applicant for a telecommunication tower or low power telecommunication facility to submit funds in escrow to pay for expert review of technical submissions by the applicant, including expert review of engineering reports/data and, in the case of telecommunication towers, financial data concerning the costs of modifying existing towers and ameliorating interference. (orig. 6-7-94)

(11) A maximum of $10,000 for a telecommunication tower and $1,000 for a low power telecommunication facility may be required to be placed in escrow. The Planning and Zoning Department shall recommend the amount of funds to be deposited based on the nature of the application and the anticipated complexity of review. Selection of the expert(s) shall be within the sole discretion of the County; however, the applicant and interested parties shall have an opportunity to comment on the proposed expert(s). Any funds not utilized for expert review shall be returned to the applicant at the completion of the zoning case. (orig. 6-7-94)

The expert review of technical submission shall address the following:

(a) the accuracy and completeness of submissions;
June 7, 1994

(b) the applicability of analysis techniques and methodologies;

(c) the validity of conclusions reached; and

(d) any specific technical issues designated by the Planning Commission or the Board of County Commissioners. (orig. 6-7-94)

2. Criteria for Decisions in Special Use Cases

a. Inclusion of a use as a Special Use within a zone district as set forth in this Zoning Resolution represents a determination only that that use may under certain circumstances or conditions and in certain locations, be compatible with land uses in the surrounding area. Special review of such proposed use to determine its compatibility with those other uses is necessary and therefore such use may not occur without approval of the Board of County Commissioners as set forth in this Zoning Resolution. (orig. 7-21-81)

b. The Planning Commission, in reviewing special use applications, and the Board of County Commissioners, in making its decision upon such applications, shall consider the following criteria: (orig. 7-21-81)

(1) The impacts of the proposed use upon property in the surrounding area, including but not limited to: (orig. 7-21-81)

(a) Traffic impacts, volumes of trips, safety and access; (orig. 7-21-81; am. 9-11-90)

(b) Fire hazards; (orig. 7-21-81)

(c) Visual and aesthetic impact, including bulk, scale of buildings as they relate to the surrounding uses; (orig. 7-21-81; am. 9-11-90)

(d) Solar access; (orig. 7-21-81)

(e) Noise; (orig. 7-21-81)

(f) Geological hazards; (orig. 7-21-81)

(g) Drainage, erosion and flood hazards; (orig. 7-21-81)

(h) Radiation hazards; (orig. 7-21-81)

(i) Community character; (orig. 7-21-81)

(j) Adequate water quality and quantity and sewage disposal availability; (orig. 7-21-81)

(k) Availability of public facilities to serve the proposed use. (orig. 7-21-81)

(2) The availability of methods of mitigating the negative impacts of the proposed use upon the surrounding area, including but not limited to construction of necessary public facilities. (orig. 7-21-81)

(3) The compatibility of the proposed use with existing and allowable land uses in the surrounding area. (orig. 7-21-81)
(4) The effect upon health, safety and welfare of the residents in the surrounding area. (orig. 7-21-81)

c. Where reasonable methods or techniques are available to mitigate any negative impacts which could be generated by the proposed use upon the surrounding area, the Board of County Commissioners may condition the decision to approve the special use application upon implementation of such methods or techniques and may require sufficient performance guarantees to be posted with the County to guarantee such implementation. (orig. 7-21-81)

3. Rehearings of Rezoning and Special Use Cases

a. Upon denial of a rezoning or special use application by the Board of County Commissioners, the applicant may petition the Board within 1 year of the Board's decision, requesting a rehearing of its application. Said petition shall be comprehensive in delineating all proposed changes. (orig. 7-11-66; am. 2-7-72; am. 7-21-81; am. 12-6-82)

b. The Board of County Commissioners at its sole discretion may grant a petition for rehearing where it determines that a substantial change is being proposed that could significantly affect one or more of the reasons for denial of the original case. The Board may deny the petition solely upon the contents of the petition or when deemed advisable by the Board upon the petition and evidence presented at a substantial change hearing. The Board may grant the petition for rehearing only after the holding of a substantial change hearing. Notice of substantial change hearing shall be given as set forth in this Section. (orig. 7-21-81; am. 12-6-82)

c. When the Board of County Commissioners grants a rehearing petition, it shall set a date and time for said rehearing before the Board, and public notice of same shall be given as set forth in this Section. The Planning Department shall present the amended application to the Planning Commission and the Planning Commission shall review and make a recommendation thereon, prior to the date of the rehearing. (orig. 7-21-81; am. 12-6-82)

d. After conducting the rehearing, the Board of County Commissioners shall approve, conditionally approve or deny the rezoning or special use application as amended based upon the evidence submitted at the rehearing together with the relevant evidence received at the prior hearings on said application. (orig. 7-21-81)

e. No petition for rehearing may be granted where the decision of the Board of County Commissioners upon the rezoning or special use application has been appealed or contested in any court of law, during the pendency of said court action. (orig. 7-21-81)

4. Limitations upon Rezoning and Special Use Applications

a. The boundary of the area subject to rezoning or special use may not be drawn to result in contiguous property under the same ownership that does not conform to the zone district standards applicable to said contiguous parcel. (orig. 9-11-90)
b. Except as provided in the "Rehearings of Rezoning and Special Use Cases" portion of this Section, no rezoning or special use application shall be accepted for a rezoning to the same zone district or for the same Special Use for the same parcel of ground or portion thereof for which a previous application has been denied by the Board of County Commissioners within 1 year prior to the date of filing of said application. (orig. 7-11-66; am. 2-7-72; am. 7-21-81)

c. No rezoning or special use application shall be accepted for any parcel of ground or portion thereof during the pendency of any court action contesting the existing zoning or any previous rezoning or special use decision of the Board of County Commissioners thereon. (orig. 7-24-72; am. 7-21-81)

d. No rezoning or special use application shall be accepted by the Jefferson County Planning and Zoning Department as long as there is a pending application for rezoning of said premises before the Planning Commission or the Board of County Commissioners. However, nothing herein shall prevent amendment of a pending application before the Planning Commission or the Board of County Commissioners by the applicant, except amendment to a new zone district will require that the pending application be withdrawn and a new application be submitted in accordance with the "Rezoning and Special Use Procedures," hereinbefore enumerated. The Board of County Commissioners or the Planning Commission may at its discretion, waive the filing fee for a new rezoning application submitted. (orig. 7-11-66; am. 2-7-72; am. 7-21-81)

e. No rezoning or special use application shall remain tabled at the request of the applicant before the Jefferson County Planning Commission or Board of County Commissioners in excess of 180 days. Cases tabled by the applicant in excess of 180 days shall be deemed to be denied by both the Planning Commission and Board of County Commissioners 90 days after written notice has been given by certified mail addressed to the applicant at his last known address, unless the applicant in writing requests the Planning Commission or Board of County Commissioners within the same 90 day period, to immediately schedule the rezoning application for hearing. The 90 day time period shall run from the date of mailing of such notice to the applicant. (orig. 7-24-72)

5. County Initiated Rezoning

The Jefferson County Planning Commission and/or the Board of County Commissioners may, at any time, direct the Planning and Zoning Department to initiate rezoning for any parcel or parcels of land within the unincorporated area of Jefferson County. Notwithstanding any provisions of this Section to the contrary, County initiated rezoning procedures shall be only in accordance with the provisions of Section 30-28-116, C.R.S. 1973, as amended. (orig. 12-17-74; am. 7-21-81)

6. Criteria for Rezoning Open Space within the Planned Development Zone District

a. Except as set forth in paragraph b. below, requests to rezone all or any portion of a property designated in the Planned Development Zone District as open space, conservation, preservation, or other similar term to a classification that would permit development may be granted only if the applicant shows to the satisfaction of the Board of County Commissioners that the open space designation is not warranted because: (orig. 8-31-93)

(1) The property has none of the following features. (orig. 8-31-93)

(a) Significant or desirable wildlife habitat or migration routes. (orig. 8-31-93)
(b) Rare or unusual vegetation or ecosystems. (orig. 8-31-93)
(c) Remarkable geologic features such as rock outcrops or formations. (orig. 8-31-93)
(d) Historic resources. (orig. 8-31-93)
(e) Significant views or view corridors. (orig. 8-31-93)
(f) Riparian and/or wetland areas. (orig. 8-31-93)
(g) Bodies of water, except those constructed for utilitarian purposes which are no longer needed for that purpose and which were not intended also to provide wildlife habitat. (orig. 8-31-93)
(h) Trail corridors, such as existing trails, trail easements, or trail connections shown on an ODP. (orig. 8-31-93)

(2) The open space area was not set aside as an integral part of the overall development, rather than designated as "open space" because future development was unknown or unplanned at the time of zoning to Planned Development. (orig. 8-31-93)

(3) The property is not being used for active or passive recreation by the surrounding community. (orig. 8-31-93)

(4) The open space was not designated as the result of a density transfer or other adjustment to allow a higher density elsewhere. (orig. 8-31-93)

b. Property not eligible for rezoning under the criteria set forth above may only be rezoned where all of the following exist. (orig. 8-31-93)

(1) The rezoning request includes additional land in the same vicinity which land would replace the lost open space value set forth above with land that is superior in open space quality. (orig. 8-31-93)

(2) The applicant has given notice of the rezoning request by first class mail, return receipt requested, to property owners, homeowners associations, the Colorado State Division of Wildlife, local park and recreation district, and citizen advocate groups, as determined by the Planning and Zoning Department. The Planning and Zoning Department shall compile a list of names to be notified based on the location and historical usage of the property. This provision does not supersede notice requirements set forth elsewhere in this Zoning Resolution. (orig. 8-31-93)

c. Nothing set forth above shall require the Board of County Commissioners to grant a rezoning request which meets the criteria set forth above where the Board of County Commissioners determines that such request is not in the best interests of the present and future inhabitants of Jefferson County or is not in conformance with the rezoning criteria set forth elsewhere in this Zoning Resolution. (orig. 8-31-93)
I. SITE DEVELOPMENT PLAN

1. Intent and Purpose

The Site Development Plan process is established to provide an evaluation procedure that ensures compliance with the plat and exemption from platting restrictions, zoning conditions, the Land Development Regulation and the Zoning Resolution. (orig. 7-23-02)

2. Application

a. Compliance with this process shall be required for platted or unplatted public or private industrial, commercial, recreational and institutional uses before the issuance of any permit to construct any building or structure. (orig. 7-23-02)

b. This process shall not be applicable to:

(1) Residential land uses. (orig. 7-23-02)

(2) Any property that had a site plan reviewed and approved as part of an approved Plat, Site Approval, or Exemption from platting after 1978 if proposed for development as originally approved. (orig. 7-23-02)

(3) Planned Developments for Mining (orig. 7-23-02)

c. Time of submittal: The Site Development Plan process may occur simultaneously with the platting process if the site layout is known at the platting stage. (orig. 7-23-02)

3. Submittal Requirements

The following shall be provided by the applicant to the Planning and Zoning Department at the time of application submittal. Upon written request by the applicant, the Zoning Administrator may waive the submittal of any plan or supporting document identified in this section if the Zoning Administrator finds that such plan or supporting document would not materially aid in reviewing the site development plan. The Zoning Administrator's decision on waiving any of the required information shall be provided to the applicant in writing within 7 calendar days of the request. Any of the below plans or supporting documents that have been submitted and reviewed previously or are being reviewed concurrently through a platting or exemption from platting process shall not be required to be resubmitted unless there have been changes in the plan or supporting document, to circumstances affecting the reports or information or to circumstances on the site. (orig. 7-23-02)

a. Application Form: A fully completed and executed application form. (orig. 7-23-02)

b. Fees

(1) A nonrefundable processing fee in an amount established by the Board of County Commissioners. (orig. 7-23-02)

(2) Referral fees as required by reviewing agencies. (orig. 7-23-02)

c. Plans

(1) Site Plan: The site plan shall include all of the following:
(a) A neat and legible drawing of the proposed site layout showing the required information at a scale of one (1) inch to 50 feet or larger, or another scale as required by these regulations or as approved by the Planning and Zoning Department which allows for maximum clarity of the proposal. For recordation purposes, this approved site plan shall be on a Mylar. (orig. 7-23-02)

(b) The sheet size shall be 24x36 inches with the long dimension horizontal. An information block shall be located in the lower right-hand corner or along the right hand margin of the sheet and shall include the following information:

(b-1) Sheet title (i.e. Site Plan, Landscape Plan, etc.) (orig. 7-23-02)

(b-2) Name of the proposed project (orig. 7-23-02)

(b-3) Name, address, and telephone number of the applicant if different than the owner (orig. 7-23-02)

(b-4) Name, address, and telephone number of the preparer if different than the applicant (orig. 7-23-02)

(b-5) Name, address, and telephone number of the owner (orig. 7-23-02)

(b-6) Date of plan preparation, and revision dates (orig. 7-23-02)

(b-7) Sheet page number (i.e., 1 of 3, 2 of 3, etc.) (orig. 7-23-02)

(b-8) Space for Planning and Zoning Department assigned case number in the upper right corner (orig. 7-23-02)

(c) Graphic and written scale (orig. 7-23-02)

(d) North arrow (orig. 7-23-02)

(e) A vicinity map showing adequate information for the reviewer to easily locate the project. The vicinity map need not be scalable, however it must be legible. (orig. 7-23-02)

(f) The size, location, and type of all existing and proposed easements or other rights-of-way. (orig. 7-23-02)

(g) Fully-dimensioned property lines and all building envelopes, if previously defined, and building footprints, and setbacks of all proposed and existing structures which are to be retained on the site. (orig. 7-23-02)

(h) Location, dimensions and names of proposed, platted and existing adjoining streets, and internal streets showing edge of right-of-way and pavement or face of curb, centerline, radii, and curb return radii. Location and dimensions of bicycle/pedestrian/equestrian paths, walkways, and trails shall be shown. (orig. 7-23-02)
(i) Location and placement of all signage and walls, including elevation views. (orig. 7-23-02)

(j) The location of all existing and proposed fire hydrants or cisterns. (orig. 7-23-02)

(k) Existing and proposed surfacing of all traveled areas, on-site and within 100 feet off-site. (orig. 7-23-02)

(l) Existing floodplain limits. (orig. 7-23-02)

(m) Site data in tabular form including:

<table>
<thead>
<tr>
<th>Site Data</th>
<th>(square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total area of the property</td>
<td></td>
</tr>
<tr>
<td>Building coverage</td>
<td></td>
</tr>
<tr>
<td>Parking lot coverage</td>
<td></td>
</tr>
<tr>
<td>Landscaped area coverage</td>
<td></td>
</tr>
<tr>
<td>Number of parking stalls provided</td>
<td></td>
</tr>
<tr>
<td>Existing and proposed gross floor area of all buildings and structures, shown per use (e.g. retail, office, etc.)</td>
<td>(square feet)</td>
</tr>
<tr>
<td>Net site area (exclusive of existing/proposed rights-of-way)</td>
<td>(square feet)</td>
</tr>
</tbody>
</table>

(n) Space for a list of requirements, if any, that must be met prior to the issuance of building permits. (orig. 7-23-02)

(o) Certification: The following certificate shall be placed on the first page of the Site Plan: (orig. 7-23-02)

This site plan has been reviewed and found to be complete, and in accordance with Jefferson County regulations and is hereby approved by the County and agreed to by the landowner.

Jefferson County Zoning Administrator(Print Name) Date

Landowner (Print Name) Date

(2) Landscape Plan: The landscape plan shall be prepared by a landscape architect and shall include all of the following:
(a) Scale (scale shall be at least 1:20 or larger for sites of 2 acres or less and at least 1:50 for sites greater than 2 acres in size); (orig. 7-23-02)

(b) The proposed site grading topographic contours at a minimum of 2-foot intervals or other appropriate interval as approved by the Planning Department and necessary spot elevations (in steep terrain, larger intervals may be required); (orig. 7-23-02)

(c) Plant legend, shown on each sheet, including botanical and common plant names, plant sizes and quantities of all trees, shrubs, and ground covers proposed and slated for preservation; (orig. 7-23-02)

(d) Seed mixes, application rates, and quantities; (orig. 7-23-02)

(e) The location and size of all landscaped areas within the site, sight distance triangles, lot boundaries, trees and vegetation (proposed and to be preserved), significant existing physical site features (e.g. watercourses, rock outcroppings), property lines and easement locations, utilities (e.g. water, sewer, telephone, power, cable), existing and proposed buildings and structures, existing and proposed driveways, roads, walkways (including grades), plazas, buildings, playground equipment, parking areas, landscape amenities (e.g. fences, walls, planters, benches, signs), areas to be paved, graveled or covered by decks, retaining walls, detention ponds, drainageways or swales, areas to be revegetated, proposed plants to a scale at maturity, soil amendments, existing vegetation and its condition, 100-year floodplain, all areas on and off-site, including within the adjacent rights-of-way, that will be disturbed by construction activity. (orig. 7-23-02)

(f) Planting and construction details (where applicable) as well as plan notes to assist in clarifying design intent; (orig. 7-23-02)

(g) Easement(s) for any off-site landscaping proposed; and (orig. 7-23-02)

(h) A phasing plan for multi-phased projects identifying the separate phases, revegetation, stabilization and erosion control between phases, and the landscaping associated with each phase. (orig. 7-23-02)

(3) Architectural Elevations: The architectural elevations shall include all of the following:

(a) Scale (scale shall be at least one-eighth inch equals one foot); (orig. 7-23-02)

(b) Building elevations of all sides of proposed buildings with proposed and existing grades; (orig. 7-23-02)

(c) Building materials and colors of exterior walls, roofs, doors, and windows; (orig. 7-23-02)

(d) Changes in building plane; (orig. 7-23-02)
(e) Building heights; (orig. 7-23-02)

(f) Location and screening of mechanical equipment; (orig. 7-23-02)

(g) A note indicating the reflectivity or opacity of mirror glass for buildings in the mountains; and (orig. 7-23-02)

(i) Colored renderings and material boards (upon request by the Planning and Zoning Department). (orig. 7-23-02)

(4) Grading and Erosion Control Plan: A grading plan in compliance with the requirements of the Land Development Regulation showing the existing and final contours at a minimum of 2-foot intervals within the plains area, and 5-foot intervals in the mountain area of the county. Contours shall be accurate to within one-half (1/2) contour and elevations shall be based on United States Geologic Survey (U.S.G.S.) sea level datum. The U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. Proposed erosion control methods/structures shall be provided showing erosion and sedimentation control on the site. (orig. 7-23-02)

(5) Drainage Plan: A drainage plan and Phase III drainage report prepared in compliance with the Storm Drainage Design and Technical Criteria manual. (orig. 7-23-02)

(6) Civil Construction Plans: Civil construction plans prepared in compliance with the Land Development Regulation for all proposed public improvements. (orig. 7-23-02)

(7) Lighting Plan: A lighting plan certified by a lighting designer, lighting engineer, licensed electrical contractor, or someone with experience in the lighting field showing all of the following:

(a) The location and height of all existing and proposed building and ground-mounted luminaires; (orig. 7-23-02)

(b) Photometric data indicating the maximum foot-candles at all property lines; (orig. 7-23-02)

(c) A description of all proposed luminaires, including lamp type, the manufacturer, lamp wattage, lumen output per lamp, mounting or support device, and shielding (manufacturer's catalog cuts and drawings may be submitted); (orig. 7-23-02)

(d) A statement indicating the source of power and availability for lighting; and (orig. 7-23-02)

(e) Any additional information as may be required by the Planning and Zoning Department to determine compliance with County regulations or to support the Illuminating Engineering Society of North America’s recommended practices. Exceptions to the Illuminating Engineering Society of North America’s recommended practices can be made by the County where necessary for safety purposes. (orig. 7-23-02)

(f) All calculations and results, including all sources and assumptions. (orig. 7-23-02)
(g) A statement of certification addressing accountability for the content and accuracy of the submitted lighting plan and the installation of the lights according to the approved lighting plan. It is the responsibility of the owner to ensure compliance to all standards in effect. (orig. 7-23-02)

(8) Parking Plan: A parking plan (which may be combined with the civil construction plans) showing all of the following:

(a) The location, size, area, dimensions and configuration of all proposed off-street parking and loading bays, access drives, maneuvering lanes, medians, pedestrian areas, curb cuts, easements, and accessible ramps and spaces; (orig. 7-23-02)

(b) The direction of traffic circulation and the location, size, type, and height of all proposed traffic signs, and the material, color, line width, and pattern of all surface markings; (orig. 7-23-02)

(c) The percent grade of the parking lot surface and the direction of drainage flow as indicated by arrows; (orig. 7-23-02)

(d) The material and construction drawings of the parking surface, including cross-sections; and (orig. 7-23-02)

(e) The location of any off-site or remote parking spaces or areas and a complete parking plan for these areas together with evidence that indicates these areas are to be used for parking for the proposed use. (orig. 7-23-02)

d. Supporting Documents

(1) Proof of Ownership: A copy of the current deed (not a deed of trust) and a current title insurance commitment for the property dated within 30 days of the application submittal. (orig. 7-23-02)

(2) Proof of Water and Sewer: Evidence in compliance with the requirements of the Land Development Regulation. (orig. 7-23-02)

(3) Proof of Access: Evidence in compliance with the access standards contained in Section 2.D of the Zoning Resolution. (orig. 7-23-02)

(4) Fire Protection: If the property is located within a fire protection district, a letter from said district indicating that they will provide service to the property. If the property is not located within a fire protection district, a contract with a district or a municipality indicating that they will provide service to the property. The installation of any improvements required by the district to provide the approved fire protection service, including but not limited to cisterns and/or fire hydrants when a property is outside of a fire protection district, shall be guaranteed to the County in compliance with Chapter 5.30 of the Jefferson County Policy and Procedure Manual. (orig. 7-23-02)

(5) Survey: A survey including a legal description in compliance to the requirements of Part I of the Land Development Regulation is required for metes and bounds properties, portions of lots, or multiple lots. (orig. 7-23-02)
4. Application Submittal and Processing Procedure: This process was created to move the Site Development Plan approval process quickly and efficiently. The Planning Director may waive the time frames included in this process depending on the Planning and Zoning staffing levels and any other extraordinary issues that may arise in the processing of the application. (orig. 7-23-02)

a. Application Submittal: At the time of application submittal, the applicant shall submit a package including the completed application form, fee (current fee at the time of submittal), plans and supporting documents as specified in these regulations. At the time of submittal, the Planning and Zoning Department will review this submittal package for completeness. A submittal package that is not complete in terms of type and quantity of documents required or adequacy of the graphic will not be accepted for review. (orig. 7-23-02)

b. Application Referral: The Planning and Zoning Department will refer the submittal package to County Departments and other agencies identified by the County for review within 5 working days from the date of submittal. If the county does not have the expertise to review and assess any plan or document submitted, the Planning and Zoning Department may refer such document to a consultant. The applicant shall pay any and all fees assessed for review of the submittal package by those referral agencies and any consultant. (orig. 7-23-02)
c. County and Referral Agency Response: The referral agencies and county departments shall have 14 calendar days from the referral date to respond unless an extension is agreed to by the applicant. The applicant is strongly encouraged to communicate with the Planning and Zoning Department, and if appropriate, to meet with the referral agencies, to address any requirements during, and if necessary, after this referral period. (orig. 7-23-02)

d. Forwarding of Referral Comments: Referral agency comments deemed by the Planning and Zoning Department to need immediate attention by the applicant will be forwarded to the applicant as promptly as possible after receipt. The Planning and Zoning Department response inclusive of other department and agency responses will be forwarded to the applicant within 3 working days after the end of the referral period. (orig. 7-23-02)

e. Planning and Zoning Department and Applicant Meeting: The applicant may request a meeting date to discuss Planning and Zoning Department and agency referral responses. That meeting will be held with the Case Manager, and will be scheduled to occur within 3 working days following the date that referral comments are due. (orig. 7-23-02)

f. Applicants Response to Comments: The applicant shall submit a revised application in response to referral comments within 180 calendar days after referral comments are provided to the applicant. The Planning Director may extend this 180-day maximum response deadline for additional 60 days periods if, in his or her opinion, the delay in response is out of the control of the applicant. If there is no response within the 180-day period and an extension has not been granted by Planning Director, the application will be considered withdrawn. The applicant will then have to submit a new application. (orig. 7-23-02)

g. Review of Revised Submittal: The revised submittal will be reviewed by the Planning and Zoning Department, other departments, and agencies within 7 calendar days of resubmittal, at which time a Planning and Zoning Department written response will be forwarded to the applicant. Future submittals will also be reviewed and responded to in the same manner. (orig. 7-23-02)

h. Request for Waivers: If the applicant is unable or unwilling to comply with a standard in the Land Development Regulation, then a request for a waiver from that standard must be made by the applicant pursuant to Part I of the Land Development Regulation. Waiver requests shall be approved prior to approval of the Site Development Plan. Such a request may affect a decision date on the Site Development Plan. (orig. 7-23-02)

i. Request for Variances: If the applicant is unable or unwilling to comply with a standard in the Zoning Resolution, then a request for a variance from that standard shall be made by the applicant pursuant to Section 13 of the Zoning Resolution. Variance requests shall be approved prior to approval of the Site Development Plan. (orig. 7-23-02)

j. Appeal of a Denial of a Site Development Plan: An appeal of a denial of a Site Development Plan shall be made to the Board of Adjustment in writing within 30 days of the denial, otherwise the Planning and Zoning Department will consider the application withdrawn. In the case of a withdrawn application or a denial of an appeal, a new application shall be required to process a Site Development Plan on the same property. In the case of a successful appeal, the approved site plan shall be recorded and filed in Planning and Zoning Department files. (orig. 7-23-02)
k. Approval: Following compliance with all applicable requirements, the Planning
and Zoning Department shall approve the site plan. Such approval may be
subject to the applicant meeting certain requirements before the issuance of
building permits. The applicant shall obtain building permits within one year of
Site Development Plan approval, or the approval shall be rescinded. (orig. 7-23-
02)

m. Recordation of the Site Plan: The applicant shall submit the approved Site Plan
on a Mylar for purposes of recordation. The Planning and Zoning Department
shall file the approved Site Plan with the County Clerk and Recorder within 7
calendar days of receipt. (orig. 7-23-02)

n. Modifications to the Site Development
Plan: The Zoning Administrator may
approve minor modifications to the approved Site Development Plan so long as
such modifications are consistent with the overall intent of the Zoning Resolution,
the Land Development Regulation, plat and exemption from platting restrictions,
and zoning conditions, and do not result in adverse impacts that were not
considered at the time of the original Site Development Plan approval. (orig. 7-
23-02)

J. ZONING MAPS

1. Adoption and Recording

The computer generated Zoning Maps, which together with this Zoning Resolution
constitute the Zoning Plan of Jefferson County, as amended, are hereby declared to be
the official Jefferson County Zoning Maps. The zone districts set forth on the Zoning
Maps are hereby and herewith adopted and approved, except that in the case of a
conflict between the zone district depicted on the Jefferson County zoning maps and the
zone district adopted at a hearing pertaining to a particular parcel of property or shown in
other official documents of Jefferson County, the latter shall control. The Jefferson
County Planning and Zoning Department shall maintain on file true and correct copies of
all official Jefferson County Zoning Maps. This version of the zoning maps, as of the date
of adoption, will be recorded at the Clerk and Recorder's Office. (orig. 5-6-46; am. 11-14-
55; am. 8-2-60; am. 7-10-79; am. 8-18-92; am. 3-28-00)

2. Zone District Designations

a. Zone District Classification

The zone district for any piece of property within the unincorporated area of the
County is shown on the appropriate zoning map by a letter and/or number
symbol corresponding to the appropriate zone district classification as set forth in
Section 14 of this Zoning Resolution. (orig. 7-10-79)

b. S.T.P. or S.T.C.

(1) Where the zone district classification symbol is followed by the symbol
"S.T.P.,” the zone district shown thereon was approved by a rezoning
resolution subject to platting. No building permits will be issued until such
time as said condition has been fulfilled. Said condition of platting is
fulfilled upon the recordation of a plat approved by the Board of County
Commissioners or upon the recordation of a Platting Exemption
Agreement after approval of the exemption by the Board of County
Commissioners. (orig. 7-10-79)
August 18, 1992

(2) Where the zone district classification symbol is followed by the symbol "S.T.C.," the zone district shown thereon was approved by a rezoning resolution subject to conditions. No building permits will be issued until such time as said condition has been fulfilled. The Jefferson County Zoning Administrator is hereby empowered to determine whether said condition(s) has (have) been fulfilled. Upon an adverse decision of said Zoning Administrator, the aggrieved party may appeal the decision to the Board of Adjustment for review pursuant to the provisions of Section 13 of this Zoning Resolution. (orig. 7-10-79)

c. Rezoning Case Number

(1) The rezoning case number, if any, shall appear on the map following the zone district classification symbol and any S.T.P. or S.T.C. designation. The case number is composed of the year and sequential number of the rezoning case. (orig. 7-10-79)

(2) If no rezoning case number appears following the zone district classification symbol, the zone district shown for that property is the original zoning on said property according to the official documents of Jefferson County. (orig. 7-10-79; am. 8-18-92)

3. Amendment of Zoning Maps

It shall be the responsibility of the Jefferson County Zoning Administrator to keep, revise, and maintain the Jefferson County Zoning Maps. Revision shall be made upon the receipt of a certification of a zone district classification change from the Clerk to the Board of County Commissioners or upon determination by the Zoning Administrator that there is an error in the official zoning maps, based on the official documents of Jefferson County. The Zoning Administrator shall also revise said maps upon receipt of a certification by the County Clerk and Recorder that an approved subdivision plat or Platting Exemption Agreement has been recorded covering the subject property. The S.T.P. designation shall be removed upon such certification. The S.T.C. designation shall be removed upon certification of fulfillment of the condition(s) by the Jefferson County Zoning Administrator. (orig. 7-10-79; am. 8-18-92)

4. Geologic Hazard (G-H) and Floodplain (F-P) Overlay Zone District Maps

The special floodplain study maps showing the boundaries of the various Floodplain Overlay Zone Districts as they have been adopted or as they may be adopted in connection with each rezoning case which places all or a portion of the 100-year floodplain of any stream within the Flood Plain Overlay Zone District, and the special series maps showing the boundaries of the various Geologic Hazard Overlay Zone Districts, are hereby declared to be a part of the Zoning Plan of Jefferson County and are the official Zoning Maps of Jefferson County for purposes of the delineation of the aforementioned zone district boundaries. (orig. 7-10-79)

K. DEFINITIONS

Words used in present tense, include future. Words used in singular number, include plural. Words used in plural number, include singular. The word "building" includes "structure." The word "shall" is mandatory, not directory. For purposes of this Resolution, certain words and terms are defined as follows: (orig. 5-6-46)

ABATEMENT: To substantially nullify the danger posed by a hazard by means including, but not limited to, modification of the hazard and/or the structure affected. (orig. 3-23-76)
ACCELERATED SOIL EROSION: The increased loss of the land surface that occurs as a result of man’s activities. In cases where the occurrence of accelerated soil erosion is questionable, natural and construction related erosion volumes shall be calculated by the Revised Universal Soil Loss Equation (or the most recent version as published by the Natural Resources Conservation Service or the Soil and Water Conservation Society) and the Wind Erosion Equation developed by the Natural Resources Conservation Service. (orig. 9-24-91; am. 3-23-99)

ACCESSORY BUILDING: A subordinate building, or portion of a main building, the use of which is incidental to that of the main building on the same lot. (orig. 5-6-46)

ACCESSORY EQUIPMENT: Equipment whose use is incidental to that of the principal building on the same lot. (orig. 7-23-02)

ADEQUATE VEGETATIVE COVER: A permanent vegetative ground cover which is mature enough to prevent accelerated soil erosion and to survive severe weather conditions. (orig. 9-24-91)

ADULT ARCADE: An establishment where, for any form of consideration, one or more still or motion picture projectors, or similar machines, or other image producing machines, for viewing by five or fewer persons each, are used to show films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas. (orig. 7-8-97)

ADULT BOOKSTORE, ADULT NOVELTY STORE, OR ADULT VIDEO STORE: A commercial establishment which, as one of its principal business purposes, offers for sale or rental for use off-premises books, magazines, periodicals or other printer matter, or photographs, films, motion pictures, video cassettes, slides, CD-ROMs, or other visual, digital or electronic representations, or novelty items, which are characterized by the depiction or description of specified sexual activities or specified anatomical areas. Principal business purpose shall mean having as a substantial or significant portion of its stock in trade the items listed herein or having at least 250 square feet of floor space occupied by the display of items. (orig. 7-8-97)

ADULT CABARET: A nightclub bar, restaurant, pop shop, or similar commercial establishment, regardless of whether it serves food or alcoholic beverages, which features any of the following. (orig. 7-8-97)

1. Persons who appear nude or in a state of nudity. (orig. 7-8-97)
2. Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities. (orig. 7-8-97)
3. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas. (orig. 7-8-97)

ADULT MOTEL: A motel, hotel, or similar commercial establishment which offers the following. (orig. 7-8-97)

1. Public accommodations, for any form of consideration, and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas and which advertise the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off-premises advertising including but not limited to newspapers, magazines, pamphlets or leaflets, radio or television. (orig. 7-8-97)
2. Sleeping room(s) for rent for a period of time less than 10 hours, or allows a tenant or occupant to sub-rent a sleeping room for a time period of less than 10 hours. (orig. 7-8-97)

ADULT MOTION PICTURE THEATER: A commercial establishment where films, motion pictures, video cassettes, slides or similar photographic reproductions that are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas are regularly shown for any form of consideration. (orig. 7-8-97)

ADULT THEATER: A theater, concert hall, auditorium, or similar commercial establishment which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of specified anatomical areas or by specified sexual activities. (orig. 7-8-97)

ANTENNA: A transmitting and/or receiving device used in telecommunications that radiates or captures radio signals. (orig. 6-7-94)

AREA OF SHALLOW FLOODING: A designated AO or shallow flooding zone on a FIRM or other map with a 1 percent or greater annual change of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. (orig. 5-31-88)

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain within the County subject to a one percent or greater chance of flooding in any given year. (orig. 5-31-88)

BASE FLOOD: The flood having a 1 percent chance of being equaled or exceeded in any given year. (orig. 5-31-88)

BASEMENT: Any area of the building having its floor subgrade (below ground level). (orig. 5-31-88; am. 9-19-89)

BUILDING: A structure having a roof supported by columns or walls. (orig. 5-6-46)

BERM: A mound or embankment of earth, typically 2 to 6 feet in height. (orig. 11-12-96; am. 7-23-02)

BUFFER AREA: A transition zone or land area intended to serve as a means to physically separate one land use from another. (orig. 11-12-96)

BUFFERING: The installation of plant materials, fencing, landforms, or a combination thereof, between two or more land uses, buildings, lots or parcels of land, or adjacent rights-of-way, which is intended to eliminate or minimize negative impacts between the adjoining land uses lots or parcels and/or rights-of-way. (orig. 11-12-96)

BUILDING ARTICULATION: Emphasis given to architectural elements on a building (windows, balconies, and entries) that create a variety of patterns or rhythms, dividing a large structure into smaller, identifiable pieces. (orig. 7-23-02)
BUILDING – HEIGHT OF: The vertical distance from grade plane to the average height of the highest roof surface. (orig. 5-6-46; am. 7-23-02)

CATTERY: Any building, structure or open space devoted in its entirety or in part to the raising, boarding or harboring of 4 or more adult cats. (orig. 11-15-65)

CERTIFICATE OF COMPLIANCE (GRADING): A written document issued by the Department of Highways and Transportation certifying that the conditions of a grading permit have been complied with. (orig. 9-24-91)

CHANNEL: A natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuous or periodic flowing water. (orig. 1-10-75)

COMMERCIAL MINERAL DEPOSIT: A natural mineral deposit of limestone used for construction purposes, coal, sand, gravel, and quarry aggregate, for which extraction by an extractor is or will be commercially feasible and regarding which it can be demonstrated by geologic, mineralogic, or other scientific data that such deposit has significant economic or strategic value to the area, state, or nation. (orig. 8-25-86)

CREEP: A geologic hazard meaning the slow, gradual, more or less continuous deformation sustained by soil and rock materials under gravitational stresses. (3-23-76)

CROSS BAR: A structure at or near the top of a telecommunications facility that provides support and horizontal separation for antennas. (orig. 6-7-94)

CUL-DE-SAC: A non-through or dead-end local street with special features (bulb) for turning around of vehicles. (orig. 4-7-69)

CUL-DE-SAC LOT: A parcel of land designed for a main building and accessory building which attach to the turn circle (bulb) of a dead-end street. (orig. 4-7-69)

CUL-DE-SAC – LOT WIDTH: A cul-de-sac lot shall have at least 30 feet of street frontage. The average width of lot shall be equal to the minimum required frontage of standard lots within the zone district; and the lot shall meet the area requirements of the zone district. However, lots fronting on cul-de-sacs (bulbs) shall be excluded from meeting front yard width requirements of the Jefferson County Zoning Resolution. (orig. 4-7-69)
DEVELOPMENT: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations within an area of special flood hazard. (orig. 5-31-88)

DEVELOPMENTALLY DISABLED: Those persons having cerebral palsy, multiple sclerosis, mental retardation, autism, or epilepsy. (orig. 6-14-88)

DWELLING - ONE FAMILY: A building designed for occupancy by not more than 1 family. (orig. 5-6-46)

DWELLING - TWO FAMILY: A building designed for occupancy by 2 families living in separate apartments as tenants from month to month or for a term longer than 1 month. (orig. 5-6-46; am. 11-15-65)

DWELLING - MULTIPLE: A building or group of buildings designed for occupancy by 3 or more families living in separate apartments as tenants from month to month or for a term longer than 1 month. (orig. 5-6-46)

EARTH MATERIALS: The inanimate constituents which compose or make up the planet earth's crust. (orig. 8-25-86)

ELEVATED BUILDING (F-P definition): A building, built to have the top of the lowest floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. "Elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. (orig. 5-31-88; am. 9-19-89)

ENGINEERING GEOLOGY: The discipline if applying geological data, techniques and principles to the study of naturally occurring rock and soil materials or subsurface fluids. The purpose is to assure that construction, operation and maintenance of engineering structures and the development of ground water resources are recognized, adequately interpreted and presented for use to the engineering practice. (orig. 6-15-76)

EROSION: The process by which the ground is worn away by the action of wind, water, gravity, or a combination thereof. (orig. 9-24-91)

EVERGREEN: A plant with foliage that persists and is green year-round. (orig. 7-23-02)

FACADE: The exterior wall of a building. (orig. 7-23-02)

FAMILY: One or more persons related by blood, marriage or adoption, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons, but not exceeding 6, living and cooking together as a single housekeeping unit, though not related by blood, marriage or adoption, shall be deemed to constitute a family. Family shall not include more than one registered sex offender, unless related by blood, marriage or adoption. (orig. 5-6-46; am. 6-26-79, am. 2-1-00)

FARMING: The cultivation of land, including ranching or raising of livestock only, unless otherwise herein specifically provided. (orig. 5-6-46)

FAST FOOD DRIVE-IN OR CARRY OUT RESTAURANTS: Any establishment whose principal business is the sale of foods, frozen desserts or beverages to the customer in a ready-to-consume state and whose principal method of operation includes both the following characteristics. (orig. 7-27-78)
1. Foods, frozen desserts, or beverages are usually served in containers of paper, plastic, or other disposable materials. (orig. 7-27-78; am. 6-14-88)

2. The consumption of foods, frozen desserts, or beverages is not restricted to tables and counters inside the restaurant building or on a dining patio immediately adjacent thereto. (orig. 7-27-78)

FENCE - CLOSED: A fence that is a minimum of 75 percent opaque. (orig. 11-12-96)

FENCE - OPEN: A fence that is a maximum of 25 percent opaque. (orig. 11-12-96)

FENCING - MATERIALS: Those materials which are specifically manufactured and/or produced as fencing components. All other materials must be specifically approved by the Zoning Administrator. (orig. 11-12-96)

FLAT ROOF: A roof with a pitch of no greater than two inches vertical to twelve inches horizontal (1:6). (orig. 7-23-02)

FLOOD OR FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from: (1) The overflow of inland or tidal waters, (2) The unusual and rapid accumulation or run-off of surface waters from any source. (orig. 5-31-88)

FLOOD ELEVATION STUDY: An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations. (orig. 5-31-88)

FLOOD INSURANCE RATE MAP (FIRM): An official map on which FEMA has delineated both the floodplain and the risk premium zones applicable to the County. (orig. 5-31-88; am. 9-19-89)

FLOOD INSURANCE STUDY: The official report provided by FEMA that includes flood profiles and the water surface elevation of the base flood. (orig. 5-31-88)

FLOODPLAIN OR FLOOD-PRONE AREA: Any land area susceptible to being inundated by water from a flood or flooding. (orig. 5-31-88; am. 9-19-89)

FLOODPLAIN - HIGH HAZARD AREA: That portion of the Flood Plain Overlay District where the water, during a 100-year flood (base flood), would exceed 1 foot in depth or 3 feet per second in velocity or that portion of the Flood Plain Overlay District that must be reserved in order to discharge the 100-year flood (base flood) without cumulatively increasing the water surface elevation more than 1 foot. (orig. 5-31-88; am. 8-2-88; am. 9-19-89)

FLOODPLAIN - LOW HAZARD AREA: That portion of the Flood Plain Overlay District not included within the high hazard area. Also defined as the flood fringe. (orig. 5-31-88; am. 9-19-89)

FLOOD - PROOFING: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, and structures and their contents. (orig. 5-31-88)

FOOT-CANDLE: A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle. (orig. 7-23-02)

FREESTANDING TELECOMMUNICATIONS FACILITY: A telecommunication facility that consists of a stand-alone support structure, antennas, and associated equipment. (orig. 6-7-94)

FREEWAY: A state highway designated in the manner provided by law as a freeway. (orig. 5-6-48)
FULLY SHIELDED: A method of construction and/or manufacture which does not allow any light dispersion to shine above the horizontal plane running through the lowest point on the fixture and which limits the illumination 90 degrees above nadir to a maximum of 2.5% and 80 degrees above nadir to a maximum of 10% of the maximum illumination in any lateral angle around the light fixture. (orig. 7-23-02)

GARAGE – PRIVATE: An accessory building or an accessory portion of a main building, designed for shelter or storage of motor vehicles which are owned or operated by the occupants of the main building only. (orig. 5-6-46)

GARAGE – PUBLIC: A garage, other than a private garage, used for the housing or care of motor vehicles, or where such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale. (orig. 5-6-46)

GEOLOGIC HAZARD: A geologic phenomenon which is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. This includes, but is not limited to, landslide, rockfall, slope failure complex, mudflow and creep. (orig. 3-23-76)

GLASS REFLECTANCE: Is measured as reflectance-out using average daylight or solar criteria. Should either criteria have a reflectance-out of greater than 30%, a mirror glass window in the mountains is defined as not meeting this standard. (orig. 7-23-02)

GRADE PLANE: A reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building. (orig. 7-23-02)
GRADING: Any stripping, excavating, filling, or stockpiling of the land surface, or any combination thereof. "Grading" shall not include the excavation and hauling of a commercial mineral deposit or construction material for commercial purposes. (orig. 8-25-86, am. 9-24-91)

GROSS FLOOR AREA (GFA): The total occupiable floor area of a building or structure expressed in square feet and measured from the centerline of joint partitions and from outside wall faces. Occupiable floor area shall not include vehicular parking and loading areas within the structure or any floor area occupied by HVAC (heating, ventilating and air conditioning), mechanical, electrical, communication and security equipment or apparatus, and elevator shafts and stairways. (7-23-02)
GROSS LEASABLE AREA (GLA): GLA is the total floor area designed for the tenants' occupancy and exclusive use (including basements, mezzanines and upper floors), expressed in square feet and measured from the centerline of joint partitions and from outside wall faces. (orig. 7-27-78) GLA does not include public or common areas such as public toilets, corridors, stairwells, elevators, machine and equipment rooms, lobbies or mall areas, whether open or enclosed. (orig. 7-27-78)

GROUND COVER: A low-growing perennial and/or evergreen plant, other than turf, which grows or spreads in such a manner as to provide continuous plant coverage. Such plants are typically shorter than 18 inches, and may include herbs, ivies, ornamental grasses, perennials, spreading evergreens, succulents, vines, and wildflowers. Annuals, mulches, tree and shrub canopies, and stone are not considered ground cover by themselves but may be used with ground cover as part of the complete landscape design. (orig. 7-23-02)

GROUP HOME FOR MENTALLY ILL PERSONS: A state licensed residential care facility for the exclusive use of up to 8 persons with mental illness as that term is defined in Section 27-10-102, C.R.S. (orig. 6-14-88)

GROUP HOME FOR THE AGED: An owner-occupied or nonprofit residential facility for the exclusive use of not more than 8 persons 60 years of age or older per home who do not need skilled and intermediate care facilities, and who so elect, to live in normal residential surroundings, including single family residential units. (orig. 6-14-88)

GROUP LIVING FACILITY: A state licensed facility for housing residents in a group home which includes a group home for the aged, residential treatment center, group home for the mentally ill, home for social rehabilitation, group home for the developmentally disabled, communal home, specialized group facility, receiving home for more than 4 foster home residents, residential child care facility, or shelter for domestic violence. (orig. 2-1-00)

HIGHEST ADJACENT GRADE: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. (orig. 5-31-88)

HIGHLY ERODIBLE SOILS: Soils in Wind Erosion Groups 1, 2, 3 and 4 and/or where the soil erodibility factor K is greater than or equal to .37. (orig. 9-24-91)

HIGHWAY - STATE: A road designated, in the manner provided by law as a state highway; or right-of-way or parcel of real property owned by the state, or governmental subdivision thereof, as a part of a projected road to be constructed and designated as a state highway in the future. (orig. 5-6-46)

HOME OCCUPATION: Any use of a commercial or service nature which is not a use by right nor an accessory use to the present agricultural or residential zoning of the applicant's property. Such use must necessarily conform with the restrictions set forth in Section 8 or Section 13 of this Zoning Resolution. (orig. 5-6-46; am. 6-2-58; am. 11-15-65; am. 8-7-74)

HUNDRED-YEAR FLOOD: A flood which can be expected to occur at any time in a given area based upon recorded historical precipitation and other valid data, but with an average statistical 1% chance of being equaled or exceeded during any 1 year. The term is used interchangeably with a 1 percent flood or intermediate regional flood. (orig. 1-10-75)

HOME FOR SOCIAL REHABILITATION OR ADJUSTMENT: A residential treatment facility, licensed or certified by the state if applicable, providing room, board, and counseling or other rehabilitation services to persons with addictions to drugs or alcohol or with other disabilities (not qualified as developmentally disabled or mentally ill), or to pre-releasees or parolees from a state correctional facility. (orig. 6-14-88)
JUNK: Scrap brass, scrap copper, scrap iron, scrap lead, scrap tin, scrap zinc, and all other scrap metals and the alloys and bones, rags, used cloth, used rope, used rubber, used tinfoil, used bottles, old or used machinery of any type, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates (fabricated of any material), used pipe or pipe fittings, used conduit or conduit fittings, used automobiles in nonoperable condition, used tires and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition. (orig. 11-15-65)

JUNK YARD: An open area where any waste, junk, used or second hand materials are bought, sold, exchanged, stored, packed, disassembled or handled, including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. A "junk yard" also includes an auto wrecking yard for the storage or keeping of 1 or more inoperable motor vehicles, (except where otherwise specifically permitted) but does not include uses established entirely within enclosed buildings. (orig. 11-15-65)

KENNEL: Any building, structure or open space devoted in its entirety or in part, to the raising, boarding or harboring of 4 or more adult dogs. (orig. 11-15-65)

LABORATORY: A building or a portion of a building devoted to the experimental study or science of the testing and analysis of chemicals, drugs, explosives, minerals, etc. (orig. 11-15-65)

LABORATORY - MEDICAL OR DENTAL: A building or a portion of a building devoted to the use of providing bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists and where no fabrication is conducted on the premises, except the custom fabrication of dentures. (orig. 11-15-65)

LAMP: The light source. (orig. 7-23-02)

LAND USE ACTIVITY (F-P definition): Any activity including but not limited to the construction and/or placement of structures, buildings, trailers, mobile homes, roads, bridges, fences, fill materials, junk, refuse, solid waste disposal facilities, or other obstructions within the boundaries of the 100-Year Flood Plain. (orig. 5-31-88; am. 9-19-89)

LANDSCAPED AREA: Any land area which is designed and vegetated and which may be substantially altered from its natural condition and revegetated such as, but not limited to, land serving as spatial separation between allowed structures on the same property or to adjacent properties, drainageways, detention ponds, perimeter areas, internal landscaped islands of parking lots, artwork, landscaped plazas, and landscaped medians (within or outside the right-of-way) at least 4 feet wide. Features such as, but not limited to, roadways, utility distribution and/or transmission lines, parking spaces, driveways, open decks, and landscaped rights-of-way may cross or be located in such areas but shall not be credited towards any required landscaped area. (orig. 11-12-96; am. 7-23-02)

LANDSLIDE: A geologic hazard which means a mass movement where there is a distinct surface of rupture or zone of weakness which separates the slide materials from more stable underlying material. (orig. 3-23-76)

LATTICE TOWER: A guyed or self-supporting, three or four sided, open, steel frame structure used to support telecommunications equipment. (orig. 6-7-94)

LEGAL NONCONFORMING USE: The use of land, premises, buildings or structures which was lawful at the time of the effective date of this Resolution or any amendment thereto, and which fails to comply with the use regulations applicable to the district in which the property is located as set forth in this Resolution. (orig. 5-11-93)

LIVESTOCK: Domestic animals of types customarily raised or kept on farms or ranches for profit or other productive purposes. (orig. 11-15-65)
LOT: A parcel of land occupied or designed to be occupied by a main building and the accessory buildings or uses customarily incidental to such main buildings, including the open spaces required by this Resolution and such open spaces as are arranged and designed to be used in connection with such buildings. A lot may or may not be the land shown as a lot on a duly recorded plat. (orig. 5-6-46)

LOT – CORNER: A lot of which at least 2 adjacent sides abut for their full length upon a street. (orig. 5-6-46)

LOT – INTERIOR: A lot other than a corner lot. (orig. 5-6-46)

LOT – THROUGH: An interior lot abutting on more than 1 street or corner lot abutting on more than 2 streets. (orig. 5-6-46)

LOT LINE – FRONT: The common boundary line between an interior lot (other than a through lot) and a street; or the common boundary line between a corner lot (other than a through lot) and that street toward which the principal or usual entrance to the main building situated on such lot more nearly faces; or the common boundary line between a through lot and any adjacent street. (orig. 5-6-46)

LOT LINE – REAR: That boundary line of a lot which is most nearly opposite the front lot line of such lot, other than a through lot. (orig. 5-6-46)

LOT LINE – SIDE: Any boundary line of a lot, other than a front lot line or rear lot line. (orig. 5-6-46)

LOW POWER TELECOMMUNICATIONS FACILITY: An unmanned facility consisting of equipment for the reception, switching and/or receiving of wireless telecommunications operating at 1,000 watts or less effective radiated power (ERP), including but not limited to the following. (orig. 6-7-94)

1. Point-to-point microwave signals. (orig. 6-7-94)
2. Signals through FM radio translators. (orig. 6-7-94)
3. Signals through FM radio boosters under 10 watts effective radiated power (ERP). (orig. 6-7-94)
4. Cellular, Enhanced Specialized Mobile Radio (ESMR) and Personal Communications Networks (PCN). (orig. 6-7-94)

LOW POWER TELECOMMUNICATIONS FACILITY ACCESSORY BUILDING: An unmanned building used to house equipment related to a communication facility. (orig. 6-7-94)

LOWEST FLOOR: (F-P definition) The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor. (orig. 5-31-88; am. 9-19-89)

LUMINAIRE: A complete lighting unit consisting of a lamp or lamps together with the parts or attachments designed to distribute, control, or direct the light (reflectors, refractors, diffuser, lens), protect the lamps (housing), and connect the lamps to the power supply (ballast). A luminaire does not include the pole or the building mounting devices. (orig. 7-23-02)
MANUFACTURED HOME (F-P definition): A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. (orig. 5-31-88; am. 9-19-89)

MASS: The physical bulk or volume of a building. (orig. 7-23-02)

MEAN SEA LEVEL: The National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations are shown. (orig. 5-31-88)

METAL STORAGE CONTAINER – STORAGE OF FIREWORKS: Closed steel container, constructed of a minimum 10 gauge steel, including walls, floor and doors. The container cannot contain wheels, engine or liquid fuel. It must be placed flat on the ground and remain locked. (orig. 2-5-02)

MICRO-CELL: A low power telecommunications facility used to provide increased capacity in high telecommunication demand areas or to improve coverage in areas of weak coverage. Micro-cells communicate with the primary facility in a coverage area via fiber optic cable or microwave. (orig. 6-7-94)

MICROWAVE ANTENNA: A dish like antenna used to link communication sites together by wireless transmission of voice or data. (orig. 6-7-94)

MINERAL: An inanimate constituent of the earth in a solid, liquid, or gaseous state which, when extracted from the earth, is usable in its natural form or is capable of conversion into a usable form as a metal, a metallic compound, a chemical, an energy source, or a raw material for manufacturing or construction material. This definition does not include surface or subsurface water, geothermal resources, or natural oil and gas together with other chemicals recovered therewith, but does include shale. (orig. 8-25-86)

MINI-STRUCTURE: A detached accessory building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet, and the wall height does not exceed 8 feet. (orig. 6-14-88)

MINING OPERATION: The development or extraction of a mineral from its natural occurrences on affected land. The term includes, but is not limited to, open mining and surface operation and the disposal of refuse from underground and in situ mining. The term includes the following operations on affected lands: Transportation; concentrating; milling; evaporation; and other processing. The term does not include: the exploration and extraction of natural petroleum in a liquid or gaseous state by means of wells or pipe or the extraction of geothermal resources. (orig. 8-25-86)

MOBILE HOME: Any assembled or manufactured living unit designed for permanent human occupancy, possessing a length greater than 25 feet and being equipped for use with wheels for purposes of relocation by highway and/or rail transportation. (orig. 11-15-65)

MOBILE HOME PARK: Land or property utilized for or intended for the use of renting occupancy spaces for one or more mobile homes. (orig. 11-15-65)

MONOPOLE: A structure composed of a single spire used to support telecommunications equipment. (orig. 6-7-94)

MOUNTAINS: That area of the County lying west of the mountain front, which is a line connecting the average eastern-most points on the 6400 foot contour line of the U.S.G.S. topographic maps. (orig. 7-23-02)
MUDFLOW: A geologic hazard which means a flowing mass of predominantly fine-grained earth material possessing a high degree of fluidity during movement. (orig. 3-23-76)

MULCH: Rock, gravel, or non-living organic matter, such as bark chips, chopped wood products, pole shaving, and other similar materials used for the purpose of retaining soil moisture, retarding weed growth, and stabilizing soils. (orig. 7-23-02)

MULTI-FAMILY: Includes triplexes and other multi-family residences, does not include single family or duplexes. (orig. 7-23-02)

NATIVE GRASS: An indigenous grass or grass mix that spreads naturally. (orig. 7-23-02)

NEW CONSTRUCTION (F-P definition): Structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation. (orig. 5-31-88; am. 9-19-89)

NONCONFORMING USE – LEGAL - see definition for Legal Nonconforming Use. (orig. 5-11-93)

NUDITY OR STATE OF NUDITY: Uncovered or partially uncovered so as to expose any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals. (orig. 7-8-97)

NUDE MODEL STUDIO: Any place where a person appears in a state of nudity or displays specified anatomical areas in exchange for money or any form of consideration to be sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons. The term "Nude Model Studio" does not apply to the following. (orig. 7-8-97)

1. A college, junior college, or university supported entirely or partly by taxation. (orig. 7-8-97)

2. A private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation. (orig. 7-8-97)

3. A business located in a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing, and where, in order to participate in a class, a student must enroll at least 3 days in advance of the class, and where no more than one nude model is on the premises at any one time. (orig. 7-8-97)

100-YEAR FLOOD - see definition for Base Flood. (orig. 5-31-88)

OIL AND GAS DRILLING: Any operation utilizing equipment which advances a borehole into substrata for the purpose of discovery, development, and/or production of oil or gas. (orig. 10-17-83)

OIL AND GAS PRODUCTION: Any operation which utilizes equipment or facilities, including the wellhead and borehole, for the purpose of containment, preparatory separation, transportation, and marketing of oil or gas which has been extracted from wells which penetrate the substrata of land. Oil and gas production shall not be construed to mean the refining of petrochemicals, crude oil, natural gas, or any other hydrocarbon. (orig. 10-17-83)

OPEN MINING: The mining of any natural mineral deposit by removing the overburden lying above such deposit and mining directly from the deposits thereby exposed. The term includes, but is not limited to, such practices as open cut mining, open pit mining, strip mining, quarrying and dredging. (orig. 1-13-75)
OPEN SPACE: Land areas designated for open space uses shall be identified graphically and in writing on all appropriate documents as to their purpose and function. The same area may fulfill more than one purpose or function. Development amenities which are accessible to the public and/or the residents of a development may be credited toward any open space requirement provided they fulfill the function and purpose of the required open space. Other use areas such as a maintenance building or private clubhouse may not be so credited. The three categories listed below identify the purposes for which open space land areas shall be considered. (orig. 7-27-78; am. 11-12-96)

1. Natural Area: Any land area, water body or water course which is primarily left in its undisturbed natural condition. (orig. 11-12-96)

2. Open Area: Any land area which remains primarily open but upon which minimal structures such as, but not limited to, restrooms, open pavilions, directional signs and impervious areas (such as parking areas and roads) may be located. Such land areas are designed to incorporate natural areas or altered land areas that are revegetated and are intended to serve as extensive buffers between land uses or to create and/or preserve views and vistas. Parking areas and roads are not credited toward any required open area. (orig. 11-12-96)

3. Recreational Area: Any land area, water body or water course which in whole or part is altered for active and/or passive recreational uses such as, but not limited to, trail corridors, ball fields, picnic areas, sitting and walking areas, or multi-use private recreational areas such as playgrounds. (orig. 11-12-96)

Roadways and utility distribution and/or transmission lines may cross such areas. The Zoning Administrator shall have the authority to determine the function of any such designated areas as allowed under Section 3 of this Zoning Resolution. (orig. 11-12-96)

PARAPET: The extension of the main walls of a building above the roof level. (orig. 7-23-02)

PEEP BOOTH: A viewing room of less than 150 square feet of floor space. (orig. 7-8-97)

PERMANENT SOIL EROSION CONTROL MEASURES: Those controls which are installed or constructed to control soil erosion and which are maintained after completion of the project. (orig. 9-24-91)

PERMIT AREA: Any area in which grading activities occur. (orig. 9-24-91)

PERSON: An individual, proprietorship, partnership, corporation, limited liability company, association or other legal entity. (orig. 7-8-97)

PLAINS: That area of the County lying east of the mountain front, which is a line connecting the average eastern-most points on the 6400 foot contour line of the U.S.G.S. topographic maps. (orig. 7-23-02)

PORCH – UNENCLOSED: A porch which is open to the atmosphere on at least 2 sides. (orig. 5-6-46)

RECREATION – COMMERCIAL: Recreation facilities operated as a FOR PROFIT business, open to the general public or members for a fee. (orig. 9-11-90)

RECREATION FACILITIES:

Class I: Facilities for sports and recreational activities that do not involve motorized equipment, guns or animals. All buildings housing such activities or accessory to the activity may not exceed a combined total of 5,000 square feet. (orig. 9-11-90)
Class II: Facilities for sports and recreational activities that do not involve motorized equipment, guns or animals, except that golf carts accessory to a golf course and private motorized boats not involved in organized racing are allowed. All buildings housing such activities or accessory to such activities may not exceed a combined total of 15,000 square feet. (orig. 9-11-90)

Class III: Facilities for the purpose of sports and recreational activities including those that involve the use of motorized equipment, guns, and/or animals. There is no building size limitation except as may be designated elsewhere in this Zoning Resolution or other applicable regulations. (orig. 9-11-90)

RECREATION - PUBLIC: Recreation facilities operated as a nonprofit enterprise by any governmental entity or nonprofit organization. (orig. 9-11-90)

RECYCLING TRANSFER STATION:
Type I: A facility designed to collect, compact, sort, bundle and/or temporarily store recyclable resources. (orig. 9-11-90)

Type II: A facility designed to collect, sort and/or temporarily store recyclable resources for on-site reprocessing or treatment and which transforms such resources into reusable materials. (orig. 9-11-90)

REGISTERED SEX OFFENDER: Any person who is required to register their place of residence with the Sheriff's Department or other local law enforcement agency in accordance with Section 18-3-412.5 C.R.S., as amended. (orig. 2-1-00)

REPEATER: A low power telecommunication facility that extends coverage to areas not covered by the originating facility. (orig. 6-7-94)

ROCKFALL: A geologic hazard which means the rapid free-falling bounding, sliding, or rolling of large masses of rock or individual rocks. (orig. 3-23-76)

ROOF AND/OR BUILDING MOUNTED TELECOMMUNICATIONS FACILITY: A telecommunications facility that is supported entirely by a building other than a building accessory to a telecommunications facility. (orig. 6-7-94)

SANITARY LANDFILL: A solid waste disposal site and/or facility at which the final deposition of municipal-type solid waste is accomplished by methods employing compaction of the waste and covering with earth or other suitable material, in compliance with all applicable State laws and State Department of Health and County regulations, including the issuance of a Certificate of Designation allowing operation of said facility. (orig. 9-11-90)

SCREENING: A method of visually obscuring or obstructing the view of abutting land uses, storage areas, buildings or structures, from an adjacent or nearby use or an adjacent right-of-way, by the installation and maintenance of fencing, walls, berms, vegetation or a combination thereof. Limits, does not necessarily block a view. A fence can constitute a screen. (orig. 11-12-96; am. 7-23-02)

SCREENING OF ACCESSORY EQUIPMENT: Accessory equipment is screened when a wall taller than the equipment to be screened is constructed around the said equipment or when the equipment is screened in accordance with the overall site design. Equipment is screened in accordance with the overall site design when the elements of landform, vegetation or structures such as fences are taller than the equipment to be screened. (orig. 7-23-02)
SECTORIZED PANEL ANTENNAS: An array of antennas, generally rectangular in shape that are used to transmit and receive telecommunications signals. (orig. 6-7-94)

SEMI-NUDE: A state of dress in which clothing covers no more than the genitals, public region, or areola of the female breast, as well as portions of the body covered by supporting straps or devices. (orig. 7-8-97)

SEXUAL ENCOUNTER ESTABLISHMENT: A business or commercial establishment that, as one of its primary business purposes, offers for any form of consideration a place where two or more persons may congregate, associate, or consort for the purpose of specified sexual activities or the exposure of specified anatomical areas or activities when one or more of the persons is in a state of nudity. A motel, hotel, or other similar establishment will not be classified as a "sexual encounter establishment" merely by virtue of the fact that it offers private rooms for rent. (orig. 7-8-97)

SEXUALLY ORIENTED BUSINESS: A business or commercial establishment that is in all or in part an adult arcade, adult bookstore, adult novelty store or viceo store, adult cabaret, adult motel, adult motion picture theater, adult theater, sexual encounter establishment, or nude model studio. The definition of sexually oriented business shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the State engages in medically approved and recognized sexual therapy. (orig. 7-8-97)

SETBACK LINE - FRONT: A line parallel with a front lot line of a lot, tangent to that part of a building situate on such lot (other than an open fire escape or stairway, a chimney or a one story unenclosed porch) which is closest to such lot line and intersecting 2 other lot lines of such lot. (orig. 5-6-46)
SETBACK LINE – FRONT – CUL-DE-SAC: A line concentrically parallel to the right-of-way line of the street on the cul-de-sac (bulb) and a line parallel to and a minimum of 20 feet from the right-of-way line of the remainder of the cul-de-sac, (see Figure 1, Section 1). On cul-de-sac lots, the Board of Adjustment may not issue a variance on the land that lies between the cul-de-sac front setback line and the cul-de-sac right-of-way line as depicted, (see Figure 1, Section 1). The projection of the front setback line in situations where the cul-de-sac is accentric, shall conform to Figure 1, Section 1. (orig. 4-7-69)

SETBACK LINE – REAR: A line parallel with a rear lot line of a lot, tangent to that part of a building situate on such lot which is closest to such rear lot line and intersecting 2 other lot lines of such lot. (orig. 5-6-46)

SETBACK LINE – SIDE: A line parallel with a side lot line of a lot, tangent to that part of a building situate on such lot which is closest to such side lot line and intersecting 2 other lot lines of such lot. (orig. 5-6-46)

SHELTER FROM DOMESTIC VIOLENCE: A facility providing temporary housing for persons who are displaced from their habitual residence as a result of domestic violence. (orig. 6-14-88)

SHRUB: A multi-stemmed, deciduous, evergreen, or coniferous woody plant with a mature height between 3 and 15 feet. (orig. 7-23-02)

SLOPE FAILURE COMPLEX: A geologic hazard which means a combination of more than one of the following geologic hazards. (orig. 3-23-76)

1. Landslide (orig. 3-23-76)
2. Rockfall (orig. 3-23-76)
3. Mudflow (orig. 3-23-76)
4. Creep (orig. 3-23-76)

SLOPED ROOFS: A sloped roof with a pitch greater than two inches vertical to twelve inches horizontal (1:6). (orig. 7-23-02)

SPECIAL EVENT: A temporary activity or use not wholly contained within a building or structure which is not permitted as a use in the underlying zone district or the Planned Development. (orig. 2-13-01)

SPECIFIED ANATOMICAL AREAS: As used herein means and includes any of the following. (orig. 7-8-97)

1. Less than completely and opaquely covered human genitals, pubic region, buttock, anus, or female breast below a point immediately above the top of the areola. (orig. 7-8-97)
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered. (orig. 7-8-97)

SPECIFIED SEXUAL ACTIVITIES: As used herein means and includes any of the following. (orig. 7-8-97)

1. The fondling or other intentional erotic touching of human genitals, pubic region, buttock, anus, or female breast. (orig. 7-8-97)
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy. (orig. 7-8-97)
3. Masturbation, actual or simulated. (orig. 7-8-97)

4. Human genitals in a state of sexual stimulation, arousal, or tumescence. (orig. 7-8-97)

5. Excretory functions as part of or in connection with any of the activities set forth in paragraphs 1 through 5 above. (orig. 7-8-97)

START OF CONSTRUCTION (F-P definition): Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. (orig. 5-31-88; am. 9-19-89)

STREET: A public thoroughfare for vehicular traffic. (orig. 5-6-46)

STREETSCAPE: The elements which lie within and adjacent to a public right-of-way that relate to the physical appearance of a street and the adjoining area which, as a group, define its character. They include, but are not limited to building facades, street furniture, landscaping, pedestrian walkways, off-street and on-street parking provisions, placement and design of awnings and marquees, signs and lighting. (orig. 11-12-96)

STRIPPING: Any activity which removes or significantly disturbs the vegetative cover of an area including clearing and grubbing operations. (orig. 9-24-81)

STRUCTURE: Anything constructed or erected, the use of which requires a more or less permanent location on the ground, including earthworks, ditches, canals, dams, reservoirs, pipelines, telephone, telegraph or electric power lines, walks, driveways, and roads. (orig. 5-6-46; am. 6-6-50; am. 6-2-58)

STRUCTURAL ALTERATION: Any change in the supporting members of a building such as bearing walls, columns, beams or girders, floor joists or roof joists. (orig. 5-6-46)

SUBSTANTIAL IMPROVEMENT (F-P definition): Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either: (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or, (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places. (orig. 5-31-88; am. 9-19-89)

TAVERN: Any establishment selling by the drink, fermented malt beverages, or malt, vinous or spirituous liquors, as defined by Sections 2 and 18, Chapter 39, 1935 Colorado Statutes annotated, as amended. (orig. 5-6-46)

TELECOMMUNICATION TOWER: A monopole or lattice structure used to support antennas for transmitting or receiving radio frequencies. (orig. 5-11-93)
TEMPORARY SHELTER FOR THE HOMELESS: A facility providing, without charge, temporary housing for indigent persons with no regular home or place of residence, for a period not to exceed 90 days. (orig. 6-14-88)

TEMPORARY SOIL EROSION CONTROL MEASURES: Interim control measures which are installed or constructed for the control of soil erosion until permanent soil erosion control is effective. (orig. 9-24-91)

TOPSOIL: The soil on the surface which, prior to disturbance, supported plant life and which includes the "A" horizons. (orig. 9-24-91)

TOURIST CAMP OR CAMP: A building or a group of buildings designed for occupancy by transients. (orig. 5-6-46)

TRAILER: Any coach, cabin, mobile home, house car or other vehicle or structure, intended for or capable of human dwelling or sleeping purposes, mounted upon wheels or supports, or supported and/or capable of being moved by its own power or transported by another vehicle. (orig. 8-5-57; am. 7-23-02)

TRASH TRANSFER STATION: A solid waste facility designed to compact, sort and/or temporarily store municipal-type refuse prior to delivery to a permanent disposal site, or shipment to others for reuse and/or processing into new products. (orig. 9-11-90)

TRAVEL TRAILERS (including CAMPERS, CAMP TRAILERS, TRAVEL CAMPERS, etc.): A living unit designated for temporary occupancy, attaining no further length than 25 feet and being equipped for use with wheels or mounted on motorized vehicle, for the purpose of relocation by highway transportation. (orig. -?; am. 11-15-65)

TRAVEL CAMPER PARK: Land or property utilized for or intended for use of renting temporary occupancy space to transient users of travel trailers, campers, etc. (orig. 11-15-65)

TREE: A single-stemmed, deciduous, evergreen or coniferous woody plant having a mature height of at least 15 feet. Types of trees are as follows: (orig. 7-23-02)

1. Coniferous Tree: Evergreens or cone-bearing deciduous whose foliage is needle-like, scale-like or awl-like. (orig. 7-23-02)
2. Ornamental Tree: A deciduous or coniferous tree that is planted for its decorative value rather than for shading. (orig. 7-23-02)
3. Shade Tree: A deciduous tree of 15 feet tall at maturity with a wide canopy and high bottom-branch scaffold planted to provide shade. (orig. 7-23-02)

TURF: An irrigated, low-growing, manicured drought-resistant grass or grass mix that spreads naturally to form a continuous sod mat that requires regular moving. Turf does not include ornamental grasses which grow in clumps or decorative bunch grasses. (orig. 7-23-02)

UNDERLYING ZONING: This term encompasses all zoning districts, including Planned Development, other than overlay zone districts. (orig. 6-15-76)

VETERINARY HOSPITAL: A place where animals or pets of all types are given medical or surgical treatment. Use as a kennel shall be limited to short-time boarding and shall only be incidental to such hospital use and need not be enclosed within the main building. (orig. 4-7-69)
VETERINARY HOSPITAL (SMALL ANIMAL, ENCLOSED): A place where small animals or pets (dogs, cats, birds and the like) are given medical or surgical treatment. Use as a kennel shall be limited to short-time boarding and shall only be incidental to such hospital use. All uses shall be enclosed within a soundproof building which emits no objectionable odor. (orig. 4-7-69)

WATER SURFACE ELEVATION: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies. (orig. 5-31-88)

WATERCOURSE: A channel, slough, artificial channel, gulch, arroyo, stream, creek, pond, reservoir, or lake which carries or contains storm run-off and flood water. (orig. 1-10-75; am. 6-15-76)

WHIP ANTENNA A single antenna that is cylindrical in shape. (orig. 5-7-94)

WIDTH OF LOT: The shortest distance between any 2 lot lines of a lot which are intersected by the same front setback line, measured from either of such points of intersection. (orig. 5-6-46)

YARD: That portion of a lot or parcel of land which extends open and unobstructed from the ground upward, except as allowed by this Zoning Resolution, from a structure to the lot line, for a depth or width specified by the applicable regulations for the standard zoning district or planned development. (orig. 5-6-46; am. 11-12-96)

YARD - FRONT: That portion of a lot lying between a public street and nearest parallel front setback line of such lot. (orig. 5-6-46)

YARD - REAR: That portion of a lot lying between the rear lot line and the rear setback line of such lot. (orig. 5-6-46)

YARD - SIDE: That portion of a lot lying between a side lot line and the nearest parallel side setback line of such lot. (orig. 5-6-46)

L. APPLICABILITY TO GOVERNMENT FACILITIES

1. The provisions of this Zoning Resolution shall not apply to buildings, facilities or uses owned or operated by the government of the United States, State of Colorado or any political subdivision thereof provided that: (orig. 9-16-85)
   a. No state or federal law, statute or regulation requires such building, facility or use to comply with local zoning regulations. (orig. 9-16-85)
   b. Such building, facility or use has been reviewed pursuant to the provisions of Section 30-28-110(1), C.R.S. (orig. 9-16-85)c. Such building, facility or use provides or fulfills a governmental (nonproprietary) function which the governmental owner/operator is legally authorized to provide. (orig. 9-16-85)

2. Where subsequent private use of buildings or facilities originally erected and used in legal noncompliance with this Zoning Resolution by virtue of this exemption is substantially the same in nature as the prior governmental use, such subsequent use shall be considered a legal nonconforming use and shall be administered pursuant to the provisions of Section 6 of this Zoning Resolution. (orig. 9-16-85)

3. For purposes of this Section, "facility" shall not include any open mining of gravel, gravel excavation, crushing or stockpiling conducted by the County pursuant to Section 10 of this Zoning Resolution. (orig. 4-18-89)
SECTION 2: GENERAL PROVISIONS AND REGULATIONS

(Orig. 7-28-58; Am. 9-6-77)

A. AMENDMENT OF UNDERLYING ZONES

Any amendment to any underlying conventional zone district, including the Planned Development Zone District, shall in no way supersede or except any existing or subsequently adopted overlay district. (Orig. 6-15-76)

B. MODIFICATION OF LOTS OR STRUCTURES

No lot, or any structure thereon, shall be modified in any way which will not conform to the applicable zone district regulations, except: (Orig. 7-28-58; Am. 9-6-77)

1. Where the Board of Adjustment, within its authority grants a variance; or (Orig. 7-28-58)

2. Where a portion of property has been acquired by an authorized public entity. (Orig. 7-28-58; Am. 9-6-77)

C. STRUCTURES PER LOT

1. Every building shall be constructed and located on a lot or combination of lots, and no lot shall have more than 1 main building, except as otherwise provided by this Zoning Resolution. (Orig. 7-28-58; Am. 9-6-77)

2. One or more main non-residential or multi-family structures per lot are allowed pursuant to the requirements of the Jefferson County Land Development Regulation or the Jefferson County Organization/Policy/Procedure Manual. (Orig. 3-8-82; Am. 6-14-88)

3. Delineation of building envelopes is not required for accessory buildings, provided that all easements and applicable setbacks are observed. (Orig. 6-14-88)

D. PERMIT REQUIREMENTS

1. Building Permit

a. It shall be unlawful for any person, firm, or corporation to erect, construct, reconstruct or structurally alter any building or other structure without first obtaining the following. (Orig. 5-6-46-§28; Am. 12-26-62-§28; Am. 9-6-77-§27; Am. 6-6-80; Am. 5-3-94)

   (1) Zoning approval from the Planning and Zoning Department including payment of a nonrefundable processing fee in an amount established by the Board of County Commissioners. (Orig. 5-3-94)

   (2) A building permit from the Building Department. (Orig. 5-3-94)

b. A building permit shall not be issued unless the plans and the use conform to this Zoning Resolution and are approved by the Planning and Zoning Department and the Building Department. (Orig. 5-6-46-§28; Am. 12-26-62-§28; Am. 9-6-77-§27)

c. Any building, structure or use which is not in compliance with the plans or use approved by the Planning and Zoning Department shall constitute a violation of the Zoning Resolution. (Orig. 6-14-88)
June 18, 2002

d. The owner, at the time of issuance of the building permit, and the person to whom the permit is issued shall be responsible for compliance with all setback requirements set forth in this Zoning Resolution for the building or structure covered by the permit. (orig. 9-6-77)

e. Access Standards: Before any building permit may be issued, evidence must be submitted demonstrating that the access proposed to serve the building site meets the following access standards. (orig. 9-6-77; am. 12-5-95)

(1) Legal Access Standards: Evidence of legal access to the site shall be by deeded right-of-way, recorded easement or private roadway of record, having a minimum width of not less than 20 feet. (orig. 12-5-95)

(2) Access design and construction shall comply with the standards contained in the "Jefferson County Roadway Design and Construction Manual" if the building permit is for a new dwelling, to replace an existing dwelling, or for additional space of 400 square feet or more, measured cumulatively. (orig. 12-5-95; am. 6-18-02)

(a) Compliance with the Jefferson County Roadway Design and Construction Manual" shall be required for those portions of the access that are located on land under the ownership or control of the person or entity for whom a building permit is being sought. (orig. 12-5-95)

(b) Construction plans demonstrating compliance with the "Jefferson County Roadway Design and Construction Manual" shall be submitted at the time of the building permit application. Construction of the access and/or the structure shall be subject to a stop work order for failure to construct the access in accordance with the plans. (orig. 12-5-95)

(c) Fire Protection District Inspection: Any portion of the subject private road and/or driveway used to access the site that is not under the ownership of the person, firm or corporation for whom a building permit is being sought shall be inspected by the fire protection district(s) within whose boundaries the private road and/or driveway is located. A letter from the fire protection district stating what improvements would be necessary to adequately serve the site shall be submitted at the time of building permit application. (orig. 12-5-95)

(3) These standards will apply from June 18, 2002, the date of this regulation's adoption. (orig. 6-18-02)

(4) These standards shall be deemed to be general standards that supersede conflicting provisions in any Official Development Plan (ODP). (orig. 12-5-95)

f. Lot Area Computations

(1) The area within private access easements within a lot shall be included in the minimum lot area calculation if it serves as access for 3 or less lots, building sites and/or dwelling units. This applies in all zone districts, except for Commercial and Industrial or equivalent use areas of Planned Development Zone Districts. (orig. 3-15-82)
(2) The area within private access easements which serves as access for 4 or more lots, building sites and/or dwelling units shall be excluded in any minimum lot area calculation, except where the Zoning Administrator (or Planning Engineer in reviewing plat submittals) finds that the private access easement is not functionally equivalent to a public road, based upon criteria including the following: (orig. 3-15-82)

(a) Width of right-of-way; (orig. 3-15-82)

(b) Estimated current or projected average daily trips (ADT); (orig. 3-15-82)

(c) Design and topography; (orig. 3-15-82)

(d) Providing connection between thoroughfares. (orig. 3-15-82)

(3) In Commercial and Industrial Zone Districts, and equivalent use areas of Planned Development Zone Districts, the area of all private access easements shall be included in the minimum lot area calculation. (orig. 3-15-82)

2.

Fence Permit

a. It shall be unlawful for any person, firm or corporation to erect or construct a fence above 42 inches in height without first obtaining a permit from the Planning and Zoning Department. (orig. 8-6-80)

b. A nonrefundable processing fee in an amount established by the Board of County Commissioners will be charged for each permit issued. (orig. 8-6-80; am. 5-3-94)

3.

Miscellaneous Zoning Permit Requirements

a. It shall be unlawful for any person, firm or corporation to erect, construct, reconstruct, structurally alter any building or structure, and/or commence any of the following activities without first obtaining a miscellaneous zoning permit. The Planning and Zoning Department may request documentation to ensure compliance with the regulations. (orig. 5-3-94; am. 3-28-00)

(1) Any structure not requiring a building permit, including but not limited to mini-structures, gazebos, retaining walls, decks less than 30 inches in height, and sheds. (orig. 5-3-94; am. 3-28-00)

(2) Recreation facilities, including but not limited to tennis courts, swimming pools, playgrounds, golf courses, and hot tubs and/or spas. (orig. 5-3-94)

(3) Broadcasting and receiving devices, including but not limited to satellite dishes, television and/or radio towers, cellular towers, antenna, and ham radio towers. (orig. 5-3-94; am. 3-28-00)

(4) Temporary structures not requiring a building permit, including but not limited to construction/sales and/or security trailers, temporary buildings and/or facilities, and mobile homes. (orig. 5-3-94)

(5) Temporary uses and/or structures, including but not limited to fireworks stands, Christmas tree sale lots, parking lot sales, and seasonal produce and/or flower stands. (orig. 5-3-94; am. 3-28-00)

(6) Home occupations as outlined in Section 8 of this Zoning Resolution. (orig. 5-3-94)
June 7, 1994

b. A miscellaneous zoning permit shall not be issued unless the plans and the use conform to the provisions of this Zoning Resolution. (orig. 5-3-94)

c. The owner, at the time of issuance of a miscellaneous zoning permit, and the person to whom the permit is issued shall be responsible for compliance with all of the requirements set forth in this Zoning Resolution for the structure and/or activity covered by the permit. (orig. 5-3-94)

4. Low Power, Micro-cell or Repeater Telecommunications Permit

a. It shall be unlawful for any person, firm, or corporation to erect or construct a low power, micro-cell, or repeater telecommunications facility without first obtaining a permit from the Planning and Zoning Department. (orig. 6-7-94)

b. The permit application shall include, in addition to other requirements, the following. (orig. 6-7-94)

1. A site plan that shows the relative shape, size, and location of all existing and proposed transmission structures, guy wire anchors, warning signs, fencing, and access restrictions. (orig. 6-7-94)

2. A report by a licensed professional engineer demonstrating compliance with applicable structural standards and the general structural capacity of the proposed facility. (orig. 6-7-94)

3. The number, type and size of antenna that can be accommodated. (orig. 6-7-94)

4. A report that includes the following, if applicable. (orig. 6-7-94)

(a) A description of any proposed telecommunications facility including height above grade, materials, and color. (orig. 6-7-94)

(b) A landscaping and/or visual mitigation plan (to scale) acceptable to the Zoning Administrator, detailing how screening from the public view will be accomplished, including cross sectional views, as appropriate. (orig. 6-7-94)

(c) An erosion control and revegetation plan. (orig. 6-7-94)

(d) A performance guarantee, in an amount acceptable to the Planning and Zoning Department and in a form acceptable to the County Attorney's Office, to ensure the landscaping, screening, erosion, and revegetation plans are completed. (orig. 6-7-94)

c. A fee in an amount established by the Board of County Commissioners will be charged for each permit application. (orig. 6-7-94)

E. ZONE DISTRICT BOUNDARIES

For purposes of determining zone district boundaries after vacation of a right-of-way dedicated or deeded to the County, the zoning applicable to the property abutting on either side of the right-of-way shall, after vacation, be deemed to extend to the centerline of such vacated right-of-way. (orig. 9-6-77)
F. ROADWAY SETBACKS

For purposes of measuring front, side and rear setbacks, all measurements shall be measured from the future right-of-way line when designated on the "County Major Thoroughfare Plan". (orig. 7-28-58; am. 9-6-77)

G. FRONT YARD

1. On a through lot, the front yard requirements of the applicable zone district shall apply to each lot line fronting on a street. (orig. 5-6-46-§23; am. 9-6-77-§27)

2. Regardless of the location of, or the direction that any structure faces and regardless of where the main entryway into the structure is located, the front lot line of a lot shall be: (a) as indicated on the subdivision plat; or (b) if not shown on a subdivision plat, it shall be determined by the main route of access into the property. (orig. 7-28-58; am. 9-6-77)

3. Every part of the required front yard shall be open and unobstructed from its lowest point to the sky, except for landscaping and fencing not prohibited by the appropriate section of this Zoning Resolution; and except for open fire escapes and stairways, chimneys and one-story unenclosed porches which extend not more than 8 feet into the required front yard. (orig. 5-6-46-§23; am. 12-26-62-§23; am. 9-6-77-§27; am. 8-6-80)

H. SIDE YARD

Every part of the required side yard shall be open and unobstructed from its lowest point to the sky, except for landscaping and fencing not prohibited by the appropriate section of this Zoning Resolution. (orig. 5-6-46-§23; am. 9-6-77-§27; am. 8-6-80)

I. REAR YARD

Every part of the required rear yard shall be open and unobstructed from its lowest point to the sky, except for landscaping and such normal accessories as clothes lines and fencing not prohibited by the appropriate section of this Zoning Resolution. (orig. 5-6-46-§23; am. 9-6-77-§27; am. 8-6-80)

J. HEIGHT REGULATION

1. The height limitations established for each zone district shall apply to flagpoles, solar collectors, and wind energy/electricity conversion systems, and radio, television or microwave towers (including antennas), except as otherwise provided herein. Noncommercial antenna installations for home use of radio or television are excluded. (orig. 6-14-88; am. 6-7-94)

2. The height limitations established for any zone district, except Planned Development shall not apply to chimneys, stacks, water towers, grain elevators, windmills, silos, elevators, monuments, dome spires, belfries, hangars and accessory symbols of government, religious, fraternal and civic organizations when attached to the respective building. (orig. 5-6-46-§23; am. 9-6-77-§27; am. 6-14-88)

K. DANGEROUS AND/OR WILD ANIMALS

1. Notwithstanding any other provision of this Zoning Resolution and except as provided in paragraphs K.2. and K.3. below, no person shall own, possess, harbor, maintain or keep any of the following species of animals, other than wildlife in existing natural habitat, on any property within any zone district (other than as specified in the Agricultural-Two (A-2) and Agricultural Thirty-Five (A-35) Zone Districts) in the unincorporated area of Jefferson County. The restrictions within this Section apply to the A-2 and A-35 Zone Districts, when the property is at least 10 acres in size, except a Special Use is not required. (orig. 8-1-78; am. 3-28-00)
a. Poisonous reptiles, species of nonpoisonous snakes which ordinarily grow to more than 6 feet in length when mature, and lizards belonging to the family Varanidae; (orig. 8-1-78)

b. Crocodilians; (orig. 8-1-78)

c. All species of non-human mammals except the following: (orig. 8-1-78)

1. Domestic cat (Felis catus); (orig. 8-1-78)
2. Chinchilla (Chinchilla laniger); (orig. 8-1-78)
3. Domestic dog (Canis familiaris); (orig. 8-1-78)
4. Domestic ferret (Mustela putorius furo); (orig. 8-1-78)
5. Mongolian gerbil (Meriones unguicularis); (orig. 8-1-78)
6. Guinea pig (Cavia porcellus); (orig. 8-1-78)
7. Hamster (Mesocricetus auratus); (orig. 8-1-78)
8. Domestic laboratory mouse (Mus domesticus); (orig. 8-1-78)
9. Domestic rabbit (Oryctolagus cuniculus); (orig. 8-1-78)
10. Domestic laboratory rat (Rattus rattus albino strain); (orig. 8-1-78)
11. Squirrel monkey (Saimiri sciureus); (orig. 8-1-78)
12. Owl monkey (Aotus trivirgatus); (orig. 8-1-78)
13. Woolly monkey (Lagothrix lagothrica); (orig. 8-1-78)
14. Domestic livestock including, but not limited to the following: horses, cattle, sheep, goats, swine, mules, donkeys and burros. (orig. 8-1-78)

2. For any property located in any zone district other than a Residential District of this Zoning Resolution or residential or open space use areas of Planned Development Districts, as set forth on the Official Development Plan (ODP), the owner thereof may apply for a Special Use in order to be permitted, if granted, to own, possess, harbor, maintain or keep any one or more animals of the species listed in paragraph K.1. above, where the ownership, possession, harboring, maintenance or keeping of such animal(s) is necessary to a use which is otherwise in compliance with the applicable zone district regulations and is specifically for one of the following purposes: (orig. 8-1-78)

a. To be used for scientific research or for production of scientific or commercial supplies or as breeding stock in connection with a business or other commercial operation or research facility established as a use upon the premises; or (orig. 8-1-78)

b. To be used for purposes of public commercial exhibition, whether as a profit or non-profit operation, such as a permanent zoological gardens or a temporary or traveling menagerie, circus, rodeo or livestock show. (orig. 8-1-78)
3. For any property located in any zone district other than a Residential District or residential or open space use areas of Planned Development Districts, as set forth on the Official Development Plan, the owner thereof may apply for a Special Use in order to be permitted, if granted, to own, possess, harbor, maintain or keep any one or more animals of the species prohibited under paragraph K.1. above, where the applicant demonstrates a special interest and competency in caring for such an animal or animal(s), and where the applicant demonstrates to the satisfaction of the Planning Commission and the Board of County Commissioners that the health, safety and welfare of humans and domestic animals in the area and of the general public is adequately safeguarded. (orig. 8-1-78)

4. The application for a Special Use under paragraphs K.2. and K.3. above, shall be made to the Jefferson County Planning Commission. If approved by the Planning Commission, the application shall proceed to the Board of County Commissioners, which must also approve the application in order for the Special Use to be permitted. (orig. 8-1-78)

5. One criterion relevant to the determination of whether or not to approve the Special Use shall be the agreement by the applicant that proposed facilities for the keeping of such animal(s) will be constructed and maintained in accordance with the requirements of the Colorado Division of Wildlife. (orig. 8-1-78)

6. As a condition of the continued validity of any Special Use granted under paragraphs K.2. and K.3. above, the applicant must at all times ensure that adequate safeguards for the health and security of both the animal(s) and humans and domestic animals in its (their) vicinity are provided, and must at all times be in compliance with all rules and regulations of the Colorado Division of Wildlife, including permit requirements; and, in addition, the applicant must at all times keep the animal(s) securely locked in the facilities approved by the Colorado Division of Wildlife which provide such adequate safeguards. (orig. 8-1-78)

L. TELECOMMUNICATIONS FACILITY

1. The following applies to all telecommunications towers and facilities that are not allowed as a use by right in a standard zone district. (orig. 5-11-93)

   a. Unless otherwise allowed by this resolution, all new telecommunications towers, antennas and accessory facilities and any increase in the size of a legal nonconforming telecommunications tower for the following uses must be submitted for rezoning to planned development or for special use approval: radio, television, microwave, meteorological data collection, land-mobile, and other similar broadcast transmission and receiving activities. (orig. 5-11-93; am. 6-7-94)

   b. Unless in conflict with the Official Development Plan or special use approval, additional antennas and equipment may be added to a facility that has received zoning or special use approval from the Board of County Commissioners of Jefferson County, existing antennas on an approved facility may be modified, and the power output of existing antennas on an approved facility may be increased without a hearing provided the standards and procedures outlined in ANSI standard C-95.1 or any revisions thereto, County regulations concerning non-ionizing electromagnetic radiation, OST Bulletin No. 65 and Electronics Industries Association (EIA)-RS 222 (E) or the latest revision thereof are complied with. The Planning and Zoning Department shall be notified within 14 days of any change in or addition of antennas whose transmitter power output exceeds 1000 watts of radio frequency power output. The Planning and Zoning Department may request copies of plans depicting such modification and other evidence necessary to demonstrate that such modifications are in compliance with the provisions of this Section and with the Official Development Plan or special use approval. (orig. 5-11-93)
c. Any modifications to approved facilities must be consistent with the specifications in EIA-RS 222 in its current adopted revision. The Planning and Zoning Department must be notified at least 30 days prior to any modification to increase the wind or weight loading capacity, height, or footprint of a tower, and may request copies of plans depicting such modification and other evidence necessary to demonstrate that such modifications are in compliance with the provisions of this Section and with the Official Development Plan or special use approval. (orig. 5-11-93)

2. Non-ionizing Electromagnetic Radiation Standards (NEIR) and Procedures

a. A new source of NIER or increase in NIER from an existing source, when combined with existing sources of NIER, shall not expose the general public to ambient radiation exceeding that defined in OST-65 and ANSI C95.1; provided, however, that if a federal or local standard is adopted that is more stringent than the standard set forth herein, such other standard shall apply. (orig. 5-11-93)

b. Before establishing a new source of NIER or changing an existing NIER source that exceeds 1000 watts of radio frequency output power per transmitter in a way that increases the amount or changes the radiation pattern of NIER, an applicant shall submit the following information. (orig. 5-11-93)

(1) Frequency, antenna gain, direction of main lobe, if any, power output of transmitter and effective radiated power. In lieu of this, a copy of the applicant's submission before the FCC will suffice. (orig. 5-11-93)

(2) Type of modulation and class of service. (orig. 5-11-93)

(3) Location of the antenna by geographical coordinates, including center of radiation (COR) and height above grade. (orig. 5-11-93)

(4) Horizontal and radial distance from the NIER source to the nearest habitable space regularly occupied by persons other than employees of the transmitter, antenna, and/or tower owner, and the points on and off the property with the highest calculated NIER levels from the proposed new source in combination with existing sources (this may be shown in graphic form). The party responsible for the new NIER source shall measure the NIER level at up to 12 sites selected by mutual agreement of the applicant, the resident community, and the Planning and Zoning Department. (orig. 5-11-93)

(5) Ambient NIER levels in the frequency range of the proposed source and calculated cumulative NIER levels after establishment of the proposed new or changed NIER source measured at the locations set forth in the preceding paragraph. (orig. 5-11-93)

c. Calculations and measurements of NIER will not be required for any new source of NIER if the facility will operate at 1000 watts of radio frequency transmitting power or less. (orig. 5-11-93)

d. Field measurements documenting that facilities covered by this Section comply with the applicable standard set forth herein shall be submitted within 90 days after each installation, whether new or modified, becomes operational and is functioning at its maximum approved power. (orig. 5-11-93)

3. The following regulations shall apply to all low power, micro-cell, and repeater telecommunications facilities that are allowed by this Zoning Resolution as a permitted use or special use. See Table 2-1 and permitted uses in specific zone districts for additional regulations. (orig. 6-7-94)
a. Micro-cell and repeater telecommunications facilities: (orig. 6-7-94)

(1) Maximum pole plus antenna height: The same as that for a building or structure within the applicable zone district. (orig. 6-7-94)

(2) Maximum number of whip and/or sectorized panel antennas: 4. (orig. 6-7-94)

(3) Maximum number of microwave antennas: 1. (orig. 6-7-94)

(4) Maximum length of whip antennas: 12 feet. (orig. 6-7-94)

(5) Maximum diameter of whip antennas: 3 inches. (orig. 6-7-94)

(6) Maximum sectorized panel antennas plus microwave antennas area: 16 square feet. (orig. 6-7-94)

(7) Maximum diameter of dish antennas: 4 feet. (orig. 6-7-94)

(8) Minimum setback requirements: That required for any accessory building or structure within the applicable zone district. (orig. 6-7-94)

(9) Maximum accessory building size: none permitted. (orig. 6-7-94)

(10) Architectural and visual compatibility: The structure must be architecturally and visually (color, bulk, size) compatible with surrounding existing buildings, structures, vegetation, and/or uses in the area or those likely to exist under the terms of the underlying zoning. Such facilities will be considered architecturally and visually compatible if they are mounted on or given the form of a light/sign standard or otherwise camouflaged to disguise the facility. (orig. 6-7-94)

b. Roof and/or building mounted low power and telecommunications facilities, (provided the building is not accessory to the antennas):

(1) The facility may include up to a maximum of 4 whip antennas, a maximum of 3 inches in diameter and 12 feet in length, which may extend a maximum of 15 feet above the highest portion of the structure to which they are attached. (orig. 6-7-94)

(2) The facility may include up to a maximum of 32 square feet, per building face, of sectorized panel area, which may extend a maximum of 6 feet above the highest portion of the building to which they are attached, and if they extend above the rooftop or top of the structure, they must be concealed. (orig. 6-7-94)

(3) A single telecommunications facility accessory building, not to exceed 500 square feet Gross Floor Area (GFA), may be constructed, provided that the building is similar in architectural style and materials with other structures on the site. (orig. 6-7-94)
Antennas on the rooftop or above a structure shall be screened, constructed and/or colored to match the structure to which they are attached. Antennas mounted on the side of a building or structure shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Microwave antennas exceeding 12 inches in diameter on a roof or building-mounted facility shall not exceed the height of the structure to which they are attached, unless fully enclosed. If an accessory equipment shelter is present, it must blend with the surrounding building(s) in architectural character or color. (orig. 6-7-94)

c. Freestanding monopole and/or lattice tower low power telecommunications facilities:

(1) Maximum tower height plus antenna height: The same as that for a building or other structure within the applicable zone district. (orig. 6-7-94)

(2) Maximum monopole diameter: 30 inches at the base and tapered to the top, except in the I-1, I-2, I-3, and I-4 Zone Districts. (orig. 6-7-94)

(3) Maximum lattice tower width: 36 inches, except in the I-1, I-2, I-3, and I-4 Zone Districts. (orig. 6-7-94)

(4) Maximum cross bar length: 15 feet, except in the I-1, I-2, I-3, and I-4 Zone Districts. (orig. 6-7-94)

(5) Minimum setback when located within 250 feet of any property zoned for residential land use: the tower height or the minimum setback for an accessory building within the applicable standard zone district, whichever is greater. (orig. 6-7-94)

(6) Minimum setback when not located within 250 feet of any property zoned for residential land use: the standard setback for a building or structure within the applicable standard zone district. (orig. 6-7-94)

(7) The facility must be architecturally and visually (color, bulk, size) compatible with surrounding buildings, structures, vegetation, and/or uses in the area or those likely to exist under the underlying zoning. (orig. 6-7-94)

(8) A single telecommunications facility accessory building, not to exceed 500 square feet GFA, may be constructed, provided that the building is similar in architectural style and materials with other structure on the site. (orig. 6-7-94)

d. A maximum of 2 low power telecommunications facilities, including micro-cell or repeater, may be placed on a single lot, parcel or tract of land. (orig. 6-7-94)

e. Any telecommunications facility that ceases to be in operation for a consecutive period of 6 months or more shall be removed from the site within 90 days of the end of such a period of non-use. (orig. 6-7-94)
TABLE 2-1 LOW POWER TELECOMMUNICATIONS FACILITIES

<table>
<thead>
<tr>
<th>Zone District</th>
<th>Roof and/or Building Mount</th>
<th>Freestanding Facility</th>
<th>Micro-Cell or Repeater</th>
</tr>
</thead>
<tbody>
<tr>
<td>SF Residential</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>R-3 (Multifamily)</td>
<td>P</td>
<td>NP</td>
<td>SU</td>
</tr>
<tr>
<td>R-3A (Multifamily)</td>
<td>P</td>
<td>NP</td>
<td>SU</td>
</tr>
<tr>
<td>R-4 (Multifamily)</td>
<td>P</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>C-1 Convenience</td>
<td>P</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>C-1 (Neighborhood)</td>
<td>P</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>C-1 (Community)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>C-1 (Regional)</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>C-2</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>RC-1</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>I-1</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>I-2</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>I-3</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>I-4</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>PD</td>
<td>NP</td>
<td>NP</td>
<td>P</td>
</tr>
<tr>
<td>C-O</td>
<td>NP</td>
<td>NP</td>
<td>NP</td>
</tr>
<tr>
<td>A-1</td>
<td>SU</td>
<td>SU</td>
<td>SU</td>
</tr>
<tr>
<td>A-2</td>
<td>SU</td>
<td>SU</td>
<td>SU</td>
</tr>
<tr>
<td>A-35</td>
<td>SU</td>
<td>SU</td>
<td>SU</td>
</tr>
</tbody>
</table>

P = Permitted (Use by Right)
NP = Not Permitted
SU = Special Use

Section 2 Page 11

M. SEXUALLY ORIENTED BUSINESSES

1. No person may operate or cause to be operated a sexually oriented business within 1,000 feet of any of the following, whether the use or zone district listed below is unincorporated Jefferson County, an adjacent county, or within an incorporated municipality. (orig. 7-8-97)

   a. A church. (orig. 7-8-97)
   b. A school meeting all requirements of the compulsory education laws of the state. (orig. 7-8-97)
   c. The boundary of any zone district in which one of the primary uses is residential. (orig. 7-8-97)
   d. A dwelling unit (single or multiple). (orig. 7-8-97)
   e. A public park. (orig. 7-8-97)
   f. A licensed child care center. (orig. 7-8-97)
   g. An establishment holding a liquor license. (orig. 7-8-97)

2. No person may operate or cause to be operated a sexually oriented business within 1,000 feet of another sexually oriented business. (orig. 7-8-97)
3. No person may cause or permit the operation, establishment or maintenance of more than one sexually oriented business within the same building or structure or portion thereof, such as in a shopping center. A sexually oriented business may include one or more types of sexually oriented business provided it has one address and is operated as a single business entity that has one sales tax license number. (orig. 7-8-97)

4. For the purposes of this Section, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures, streets, or political boundaries, from the closest exterior structural wall of each business. (orig. 7-8-97)

5. For purposes of this Section, the distance between any sexually oriented business and any church, school, child care center, public park, establishment holding a liquor license, dwelling unit (single or multiple) or residential zone district shall be measured in a straight line, without regard to intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which the sexually oriented business is located to the nearest property line of the premises of a church, school, child care center, an establishment holding a liquor license, or dwelling unit (single or multiple), or the nearest boundary of an affected public park or residential zone district, whichever is closest. (orig. 7-8-97)

6. Any sexually oriented business lawfully operating on July 8, 1997, the effective date of this Resolution regulating the location of sexually oriented businesses, that is in nonconformance with this Resolution shall have 6 months to cease operations and after such time all nonconforming sexually oriented businesses must be in compliance with this Resolution. Notwithstanding the above, the Board of Adjustment shall grant an extension of time during which a sexually oriented business in violation of this Resolution will be permitted to continue upon a showing by a preponderance of the evidence, which is credible and which to the extent practical meets the admissibility standards of the Colorado Rules of Evidence, that the owner of the business has not had a reasonable time to recover the initial investment in the business that was made or irrevocably committed to prior to July 8, 1997, the date of the enactment of this Resolution. No such extension of time shall be for a period greater than that reasonably necessary for the owner of the business to recover his or her initial financial investment in the business. The procedure for obtaining permission from the Board of Adjustment to continue the business shall be the same procedure as for variances. The Board of Adjustment shall have the right to refer any evidence submitted to the Jefferson County Planning and Zoning Department or any other department or agency for its review and comment, and may continue any hearing as necessary to do so. Any application for an extension must be submitted on or before the last day of the 6 month amortization period, and such application shall toll the deadline for ceasing the nonconforming use until such time as the Board of Adjustment renders its decision. A sexually oriented business in violation of this Resolution may continue during any extension period granted by the Board of Adjustment, unless the business is sooner terminated for any reason or voluntarily discontinued for a period of 30 days or more. Such business shall not be enlarged, extended, or altered except that the business may be brought into compliance with this Resolution. (orig. 7-8-97)

7. If two or more sexually oriented businesses are within 1,000 feet of one another and are otherwise in a permissible location, the sexually oriented business which was first established and continually operating at its particular location will be deemed to be in compliance with this Resolution and the later established business(es) will be deemed to be in violation of this Resolution. (orig. 7-8-97)

8. A sexually oriented business lawfully operating is not rendered in violation of this Resolution by the subsequent location of a church, school, child care center, dwelling unit (single or multiple), public park, establishment holding a liquor license, or residential zone district within 1,000 feet of the sexually oriented business. (orig. 7-8-97)
9. All sexually oriented business shall blacken their windows or arrange the business so that the interior of the business and its stock in trade cannot be viewed from the exterior of the business. (orig. 7-8-97)

N. BARS AND TAVERNS

1. No establishment holding a liquor license may operate within 1000 feet of a sexually oriented business. (orig. 7-8-97)

2. For purposes of this Section, the distance between any sexually oriented business and any establishment holding a liquor license shall be measured in a straight line, without regard to intervening structures or objects or political boundaries, from the closest exterior wall of the structure in which the sexually oriented business is located to the nearest property line of the premises of an establishment holding a liquor license. (orig. 7-8-97)

O. RURAL CLUSTERS

Permitted uses, lot and building standards, and general requirements for specific zone districts may differ from the standards specified in this Zoning Resolution for applications undergoing a rural cluster land division. When the regulations of the rural cluster process conflict with any provision of the "Jefferson County Zoning Resolution," the provision of the rural cluster process shall control. (orig. 10-13-98)
SECTION 3: ENFORCEMENT AND ADMINISTRATIVE EXCEPTIONS

(orig. 5-6-46; am. 9-6-77; am. 12-12-78)

A. COMPLIANCE

It shall be unlawful for any person, firm, corporation or other entity to use, or cause to be used, any land within the unincorporated areas of Jefferson County except as permitted by the Jefferson County Zoning Resolution. If a use is not listed within the "Permitted Uses" section of a zone district, then the use is not allowed. (orig. 9-6-77; am. 3-28-00)

B. ZONING ADMINISTRATOR/ENFORCEMENT

1. There is hereby established the position of Jefferson County Zoning Administrator, appointed by the Director of Planning and Zoning, and approved by formal Resolution of the Board of County Commissioners. (orig. 9-6-77)

2. No oversight or error on the part of the Zoning Administrator, the Zoning Administrator's assistants, or any official or employee of Jefferson County shall legalize, authorize, or excuse the violation of any of the provisions of this Zoning Resolution. (orig. 5-6-46; am. 9-6-77; am. 6-14-88)

3. It shall be the duty of the Zoning Administrator to interpret and enforce all regulations and requirements contained in this Zoning Resolution and in special exceptions, variances, special uses, County-approved landscape plans, and Official Development Plans unless that duty has been expressly delegated to another office. (orig. 9-6-77; am. 6-1-93, am. 8-17-99)

4. Enforcement Measures for Mining Operations (orig. 6-1-03)

   a. Periodic inspections of mining operations, made by personnel from the County Planning and Zoning Department and other agencies with enforcement responsibilities concerning regulation of any aspect of the mining operation, shall be allowed by the operator. Such inspectors shall comply with all state and federal safety and health regulations. Any violation of the provision and terms of the Board of Adjustment's resolution authorizing a special exception, and/or any violation of the provisions and terms of the Board of County Commissioner's resolution authorizing a special use within the M-C District, and/or any violation of the provisions and terms of the Official Development Plan (ODP) within the Planned Development District is a violation of the Jefferson County Zoning Resolution. In addition to all other remedies as provided by law, this may result in the issuance of a notice of zoning violation. Any attempt to modify conditions of the existing special exception shall be in accordance with Section 41 of this Zoning Resolution. (orig. 2-20-80; am. 6-1-93)

   b. Annual Report

      The operator shall prepare an annual report for any previously approved special exception and, unless waived by the Board of County Commissioners, a special use or planned development for mining, which shall include the following: (orig. 2-20-80; am. 6-1-93)

      (1) Operations: A report identifying days of operation and identifying all days on which the detonation of blasting material within 250 feet of the ground surface has occurred. (orig. 2-20-80)

      (2) Reclamation: A progress report on reclamation identifying areas being reclaimed, areas in which reclamation is complete, and the success or failure of all reclamation efforts to date. A copy of the mined land
reclamation annual report shall satisfy this requirement. (orig. 2-20-80; am. 6-1-93)

(3) Seismic and Noise Monitoring: A report on the seismic and noise monitoring of the operation, if required. (orig. 2-20-80; am. 6-1-93)

(4) Air Quality Data: A report on air quality monitoring, if required. (orig. 2-20-80; am. 6-1-93)

(5) Production and Transportation: A report on transportation activities which is a summary of how material was actually transported off-site, including truck and/or rail trips, as appropriate. This report will demonstrate how actual transportation compares to the traffic study as originally presented to the Board of Adjustment and/or the Board of County Commissioners. New traffic studies may be required of operators when routes and methods of transportation to major markets undergo substantial changes that will result in negative impacts on areas not considered during the hearings approving the mining use. The operator should mark documents which they believe to be confidential. Information marked "confidential," which may be precluded from disclosure under 24-72-204, C.R.S., as amended, shall not be available to the public until the mining operation is terminated unless the operator gives a written consent to the release of all or any part of the information. (orig. 2-20-80; am. 6-1-93)

(6) Hydrologic Data: A report on hydrologic data, which identifies any impact of the operation on surface and ground water as addressed in the Official Development Plan and/or special exception, and/or special use. (orig. 2-20-80; am. 6-1-93)

(7) Community Relations Summary: A report on any community relations activities that have occurred during the past year. (orig. 6-1-93)

(8) Other: Any other data required by the Board of County Commissioners at the time the special use or Official Development Plan was approved. (orig. 6-1-93)

(9) Violation of any standard in the Official Development Plan, and/or special use, and/or special exception that has been brought to the attention of the operator shall be identified and measures taken to prevent reoccurrence shall be provided. (orig. 6-1-93)

c. Mining Operation Review

The Zoning Administrator shall review the annual report for all mining operations and determine compliance with the conditions and restrictions of the resolution granting the special exception or special use or the conditions and restrictions of the Official Development Plan. Notification will be provided, in writing, to the operator of such determination. (orig. 6-1-93)

d. Community Analysis

During the period of the mining operation, the operator shall designate a staff person (and phone number) who shall be available to meet with citizens and County Officials concerning problems and address these issues on behalf of the operator. (orig. 6-1-93)
5. **Enforcement Measures for Landscaping** (orig. 8-17-99)
   
   a. Periodic inspections of landscaping made by personnel from the County Planning and Zoning Department shall be allowed by the landowner. (orig. 8-17-99)
   
   b. Landscape areas shall comply with and be maintained in accordance with all County-approved plans, including but not limited to plans approved through the plat process, the rural cluster process, or any other development process. (orig. 8-17-99)
   
   c. Landscaped areas shall comply with and be maintained in accordance with the Jefferson County Zoning Resolution, unless the Board of Adjustment has, by resolution, authorized a special exception the Jefferson County Zoning Resolution. (orig. 8-17-99)
   
   d. Any deviation from the provisions and terms of a Board of Adjustment’s resolution authorizing a special exception to landscaping requirements, or any deviation from the County-approved landscape plan(s) is a violation of the Jefferson County Zoning Resolution. In addition to all other remedies as provided by law, this may result in the issuance of a notice of zoning violation. (orig. 8-17-99)

6. **Enforcement Measures for Defensible Space and Associated Fuel Break Thinning** (orig. 6-18-02)
   
   a. Periodic inspections of defensible space and associated fuel break thinning made by personnel from the County shall be allowed by the landowner. (orig. 6-18-02)
   
   b. Defensible space and associated fuel break thinning shall comply with and be maintained in accordance with the Jefferson County Zoning Resolution and Colorado State University’s Cooperative Extension Fact Sheet 6.302 unless the Board of Adjustment has, by resolution, authorized a special exception to the Jefferson County Zoning Resolution and Colorado State University’s Cooperative Extension Fact Sheet 6.302. (orig. 6-18-02)
   
   c. Any deviation from the provisions and terms of a Board of Adjustment’s resolution authorizing a special exception to defensible space and associated fuel break thinning requirements, or any deviations from the County approved defensible space and associated fuel break thinning plans is a violation of the Jefferson County Zoning Resolution. In addition to all other remedies as provided by law, this may result in the issuance of a notice of zoning violation. (orig. 6-18-02)

C. **ADMINISTRATIVE EXCEPTIONS**

1. The Zoning Administrator may permit certain administrative exceptions to the requirements for lot area, front, side and rear setbacks, and height limitation. Said exceptions shall be for the purpose of relieving difficulties or hardships due to narrowness, shallowness, shape or topographic condition of a specific piece of property, or to provide limited flexibility to lot standards when it is determined that no substantial detriment to the public good nor harm to the general purpose and intent of the Zoning Resolution will be caused thereby. (orig. 9-6-77; am. 12-12-78; am. 11-6-79; am. 1-17-84; am. 12-5-95)

2. Administrative exceptions may be permitted only after a site inspection has been made and it has been determined that no substantial detriment will be caused to the general public welfare or local community character. If granted, administrative exceptions shall be issued in writing. (orig. 12-12-78; am. 1-17-84)

3. The Zoning Administrator may revoke any administrative exception granted under this section by issuing a Zoning Violation Notice if, in the Zoning Administrator’s opinion, the use is not in compliance with the intent and purpose for which the exception was granted. (orig. 12-12-78; am. 6-14-88)
4. Administrative exceptions shall only be permitted when the request falls within the parameters set forth below. (orig. 9-6-77; am. 12-12-78)

a. Lot Area

Under the following conditions, the Zoning Administrator may permit the following administrative exceptions to the lot area requirement of any zone district. (orig. 5-6-46§23; am. 9-6-77§28; am. 11-6-79)

(1) If a lot, platted and recorded ON or BEFORE April 1, 1946, has less lot area than current minimums require, the Zoning Administrator may permit the use of such lot as though the area conforms to minimum requirements, provided that: (orig. 5-6-46§23; am. 9-6-77§28; am. 11-6-79)

(a) Current setback and height regulations shall be complied with for any new construction or structural alteration; and (orig. 9-6-77)

(b) Current use regulations shall be complied with for any new construction or structural alteration. (orig. 9-6-77)

(c) The applicant shall present the Zoning Administrator with a written statement from owners of immediately adjacent lots indicating their position as to the administrative exception requested, or provide evidence of effective notification of such owners. (orig. 12-12-78; am. 1-17-84)

(2) If a lot was platted and recorded AFTER April 1946; OR IF the property is unplatted with a metes and bounds legal description, and such parcel has less lot area than the current minimum required, the Zoning Administrator may permit the use of such parcel, provided that: (orig. 9-6-77; am. 11-6-79)

(a) All current setback and height regulations shall be complied with; and (orig. 9-6-77)

(b) Current use regulations shall be complied with for any new construction or structural alteration; and (orig. 9-6-77)

(c) The area is not less than 80 percent of the minimum required. (orig. 9-6-77; am. 11-6-79)

(d) The applicant shall present the Zoning Administrator with a written statement from owners of immediately adjacent lots indicating their position as to the administrative exception requested, or provide evidence of effective notification of such owners. (orig. 12-12-78; am. 1-17-84)

b. Front, Side and Rear Setbacks, and Building Heights

Under the following conditions, the Zoning Administrator may permit, in writing, certain administrative exceptions to setback and building height requirements in any zone district as set forth below. (orig. 9-6-77; am. 12-12-78; am. 1-17-84)
Front Yard Setback

(a) A front yard setback of up to 75 percent of the minimum required, providing the applicant presents the Zoning Administrator with a written statement from owners of immediately adjacent lots indicating their position as to the administrative exception requested, or provides evidence of effective notification of such owners. (orig. 12-12-78; am. 1-17-84)

(b) Administrative exceptions to setbacks on corner lots can not be granted by the Zoning Administrator in the area required for vision clearance at corners and railroad crossings unless it is specifically found by the Director of the Jefferson County Department of Highways and Transportation that no potential traffic problem is created because of diminished sight distances. (orig. 12-12-78; am. 1-17-84)

Side Yard Setbacks

(a) A side yard setback up to 75 percent of the minimum required, providing the applicant presents the Zoning Administrator with a written statement from owners of immediately adjacent lots indicating their position as to the administrative exception as requested, or provides evidence of effective notification of such owners. (orig. 5-6-46-§23; am. 9-6-77-§28; am. 12-12-78; am. 1-17-84)

(b) Chimneys, open fire escapes or stairways to extend not more than 5 feet into a required side yard if they can be so situated as not to unreasonably obstruct light and ventilation of an existing dwelling or other main building on an adjoining lot. (orig. 5-6-46-§23; am. 9-6-77-§28)

(c) Administrative exceptions to side setbacks on corner lots can not be granted by the Zoning Administrator in the area required for vision clearance at corners and railroad crossings unless it is specifically found by the Jefferson County Department of Highways and Transportation that no potential traffic problem is created because of diminished sight distance. (orig. 12-12-78; am. 1-17-84)

Rear Yard Setback

(a) A rear yard setback of up to 75 percent of the minimum required, providing the applicant presents the Zoning Administrator with a written statement from owners of immediately adjacent lots indicating their position as to the administrative exception requested, or provides evidence of effective notification of such owners. (orig. 12-12-78; am. 1-17-84)

(b) Chimneys, open fire escapes or stairways to extend not more than 5 feet into the required rear yard if such rear yard abuts on an alley which is not less than 16 feet in width. (orig. 5-6-46-§23; am. 9-6-77-§28)
(4) Building Height

(a) The maximum height of a building may be increased by 5 feet over the allowable maximum, providing that the applicant presents the Zoning Administrator with a written statement from owners of immediately adjacent lots or tracts indicating their position as to the administrative exception, or provides evidence of effective notification of such owners. (orig. 1-17-84)

(b) Administrative exceptions shall not be granted for both setback and height requirements on a given lot. (orig. 1-17-84)

c. Completion Survey

(1) Upon completion of the structure allowed by an administrative exception, it shall be the responsibility of the applicant to furnish the Zoning Administrator with a survey, certified by a registered surveyor, licensed in the State of Colorado, depicting the improvement in relationship to the lot line(s) affected by the administrative exception. (orig. 12-12-78)

(2) Said survey shall be submitted within 30 days from the date of issuance of the Certificate of Occupancy. Otherwise, the applicant shall request an extension from the Zoning Administrator in writing. (orig. 12-12-78; am. 1-17-84)

(3) In the event the applicant fails to provide this survey, the exception shall be void and the applicant shall be in violation of the Zoning Resolution. (orig. 12-12-78)

d. Temporary Construction Facilities

(1) This provision is not intended to include granting an exception for temporary use of a building or structure for sales offices while developing the property. (orig. 12-12-78)

(2) Upon written request from the developer, submission of a plot plan and proof of ownership, the Zoning Administrator may permit temporary use of construction facilities, trailers, modular structures and/or accompanying security fences for a period not to exceed 2 years on any one request, providing the developer complies with the following. (orig. 12-12-78)

(a) The temporary structure must be located within a recorded final plat. If the temporary structure is to be moved, a new request must be submitted to the Zoning Administrator, prior to its relocation. (orig. 12-12-78)

(b) Temporary security fencing around the construction yard for protection of materials being used during development shall not exceed 6 feet in height and may have an additional 3 strands of barbed wire on top, not to exceed a total height of 8 feet. (orig. 12-12-78)

(c) When the temporary construction facility is to be located within 500 feet of occupied residential dwellings, letters stating the position of the affected property owners must be obtained and submitted to the Zoning Administrator prior to installation of, or relocating, the temporary construction facility. (orig. 12-12-78)
July 22, 1997

(d) Provisions for water and sanitation must be acceptable to the Jefferson County Health Department and written confirmation submitted to the Zoning Administrator prior to any use of the temporary construction facility. (orig. 12-12-78)

(e) The temporary construction facility may not be used as living quarters and may be used only during normal construction hours by the construction superintendent, construction workers, etc. (orig. 12-12-78)

(f) The temporary construction facility and/or accompanying security fence must be removed from the area upon completion of the construction phases of the project or prior to the expiration of the temporary use permit. (orig. 12-12-78; am. 7-22-97)

Temporary Mobile Home

(1) Upon written request, submission of a plot plan and proof of property ownership, the Zoning Administrator may permit in any zone district the temporary occupation, for residential purposes, of a mobile home as defined in Section 1 of this Zoning Resolution. A temporary mobile home may be permitted only in circumstances where a permanent dwelling is being constructed on the same property. Such permit may be granted only when the following requirements have been met. (orig. 6-14-88)

(a) An affidavit has been submitted stating that the occupant of the temporary mobile home will be the property owner, contractor or builder. (orig. 6-14-88)

(b) Proof of financing has been presented for the permanent dwelling. (orig. 6-14-88)

(c) A building permit has been obtained for the permanent dwelling. (orig. 6-14-88)

(d) A permit for an individual septic system or other sewage disposal facility, approved by the Jefferson County Health Department, exists for such mobile home. (orig. 6-14-88)

(e) A well permit has been obtained or public water supply exists for such mobile home. (orig. 6-14-88)

(f) Any other restrictions as may be deemed necessary by the Zoning Administrator. (orig. 6-14-88)

(2) The permit may be granted only to the true fee owners of the property on which the permanent home is to be constructed. Only 1 mobile home may be permitted on the property and may be occupied by either the true fee owner or the contractor or builder, as approved by the administrative exception. (orig. 6-14-88)

(3) The permit may be granted for a period of up to 1 year and may be renewed for up to 6 months. The maximum period for which a permit may be granted is 18 months. Any extension beyond the maximum period must be granted by the Board of Adjustment. (orig. 6-14-88)
(4) A mobile home permitted as an administrative exception by the Zoning Administrator must be removed from the property prior to the expiration of the permit or within 60 days after a certificate of occupancy is issued, whichever date occurs first. (orig. 7-22-97)

f. Review and Referral
Upon review of any request for an administrative exception, the Zoning Administrator may refer the request to the Board of Adjustment if, in the Zoning Administrator's opinion, circumstances are such that a public hearing is warranted, or if there is adequate need to satisfy adjoining property owners' concerns or objections. (orig. 12-12-78; am 6-14-88)

g. Application Fee
Accompanying each application for an administrative exception shall be a nonrefundable processing fee in an amount established by the Board of County Commissioners. (orig. 12-12-78; am. 1-17-84; am. 5-3-94)

D. PROPERTY IN AGRICULTURAL-ONE AND AGRICULTURAL-TWO AND AGRICULTURAL-THIRTY FIVE ZONE DISTRICTS

1. The Zoning Administrator shall only permit the use of any unplatted Agricultural-One, Agricultural-Two, or Agricultural-Thirty Five zoned tract or parcel that is less than 5 acres, 10 acres, or 35 acres respectively, provided that all of the following provisions are met. (orig. 9-6-77; am. 11-6-79; am. 6-16-80; am. 7-2-97)

   a. The property existed in single and separate ownership on or before March 6, 1972. (orig. 9-6-77; am. 6-16-80)

   b. The property is 1 acre in size or greater. (orig. 6-16-80)

   c. Use of the property shall conform with current use regulations in effect for the respective Agricultural-One, Agricultural-Two, and Agricultural-Thirty Five Zone Districts. (orig. 9-6-77; am. 7-2-97)

   d. Any new construction or structural alteration shall conform with current setback and height regulations in effect for the respective Agricultural-One, Agricultural-Two, and Agricultural-Thirty Five Zone Districts. (orig. 9-6-77; am. 7-2-97)

   e. Requirements of the Jefferson County Health Department for water and sanitation shall be complied with prior to the building permit being issued. (orig. 9-6-77)

2. The Zoning Administrator shall only permit the use of any Agricultural-One, Agricultural-Two, or Agricultural-Thirty Five zoned lot which was platted without County approval provided that the provisions of paragraphs D.1.a. through D.1.e. above, are complied with. (orig. 6-16-80; am. 7-2-97)

3. The Zoning Administrator shall only permit the use of any Agricultural-One, Agricultural-Two, or Agricultural-Thirty Five zoned lot which was platted with County approval prior to time said lot was zoned, provided that the provisions of paragraphs D.1.b. through D.1.e. above, are complied with. (orig. 6-16-80; am. 7-2-97)

4. The Zoning Administrator shall only permit the use of any zoned lot which was platted with County approval subsequent to the date it was zoned provided that the provisions of paragraphs D.1.c. through D.1.e. above, are complied with. (orig. 6-16-80; am. 7-2-97)
5. Single and separate ownership means that no contiguous property is owned exclusively or in co-ownership with others by the owner or any owner of said property. Contiguous properties held by different persons as the result of a common plan or transaction entered into in order to evade this merger requirement, i.e., "checkerboard plans," do not meet this single and separate ownership requirement. In addition, ownership of contiguous property by persons related by blood, marriage or adoption is presumed to be a checkerboard plan and therefore not single and separate ownership. (orig. 6-16-80; am. 7-2-97)

E. MINOR VARIATIONS DURING PLATTING

1. Minor variation(s) from strict application of the provisions of an Official Development Plan or conventional zone district may be allowed at the discretion of the Jefferson County Planning Director in order to facilitate the reasonable and expeditious platting, or exemption from platting of property. Such variations shall be allowed only after a finding by the Planning Director that: (orig. 1-17-84; am. 6-14-88)
   a. Such variation(s) does not constitute a substantial change to the permitted land use(s); and that (orig. 1-17-84)
   b. No substantial detriment to the public good nor harm to the general purpose and intent of the Zoning Resolution will be caused thereby. (orig. 1-17-84)

2. Such variation(s) shall not constitute grounds for disapproval by the Board of County Commissioners of any plat, or exemption from platting unless the Board specifically finds that such variation(s) constitutes a substantial change in the permitted land use(s) or causes a substantial detriment to the public good or harm to the general purpose and intent of the Zoning Resolution. (orig. 1-17-84)

F. FLOOD PLAIN AUTHORITY OF THE ZONING ADMINISTRATOR

The Zoning Administrator may grant a Flood Plain Development Permit for those uses allowed in the underlying zone districts subject to the restrictions and conditions of Section 42 of the Zoning Resolution. The Zoning Administrator shall decide on Flood Plain Development permits pursuant to Chapter 5.21 of the Jefferson County Policies and Procedures Manual. (orig. 5-31-88)
SECTION 4: DRILLING AND PRODUCTION OF OIL AND GAS

(Orig. 10-17-83; Am. 8-25-88)

A. APPLICABILITY AND RESTRICTIONS

1. The standards and procedures of this section apply to oil and gas drilling and production in the following zone districts: (Orig. 10-17-83)
   a. Industrial-One, Industrial-Two, Industrial-Three, Industrial-Four and Mineral Conservation. (Orig. 10-17-83)
   b. Agricultural-One and Agricultural-Two, except where located within a subdivision platted and recorded in the records of the Jefferson County Clerk and Recorder. (Orig. 10-17-83)

2. No use may occur, and no building permit may be issued until the procedures and standards in this section have been satisfied as evidenced by a written approval of the Site Plan Application by the Director of the Planning Department. (Orig. 10-17-83)

3. Upon approval of the application subsequent operations shall be in conformance with the site plan and all standards contained in this section. (Orig. 10-17-83)

B. PROCEDURES

1. An applicant shall submit an application and site plan in accordance with submittal and documentation requirements as specified by the Planning Director. (Orig. 10-17-83)

2. The Director of the Planning Department shall approve, conditionally approve or deny the application within 12 working days after the receipt of a completed application. An application shall be approved if it is complete in form, has all the required information and meets all the applicable standards set forth in this section. Otherwise, it shall be denied. If an application is not acted on within the specified time period, it shall be considered approved. (Orig. 10-17-83)

3. Any approval or denial shall be in writing with the reasons for denial specifically identified. Annotations on the site plan shall be considered sufficient detail of the reasons for denial. (Orig. 10-17-83)

4. If an application is denied, the applicant may request in writing, within 5 working days after the denial, a reconsideration of the decision by the Director. The request for reconsideration shall state the specific reasons or changes for the reconsideration. The Director shall act upon the request within 10 working days of its receipt. No appeal to the Board of Adjustment shall be permitted unless a request for reconsideration was previously filed and denied. Failure to act shall be constituted as denial. (Orig. 10-17-83)

5. If drilling has not been initiated within 1 year after the approval of the application, the approval is automatically rescinded. An extension may be granted by the Director for a maximum of 1 year upon written request by the applicant, prior to the expiration of the original 1-year period, subject to the finding that the plan is in compliance with all standards. (Orig. 10-17-83)
C. APPEALS

1. If the Director denies the application upon reconsideration, the applicant may appeal to the Board of Adjustment. Written appeals of the decision of the Director must be received by the Secretary to the Board of Adjustment within 30 days of the date of denial upon reconsideration. (orig. 10-17-83)

2. The review by the Board of Adjustment shall be limited to whether or not the decision of the Director was contrary to or violated this section. (orig. 10-17-83)

D. ADMINISTRATIVE VARIANCE

1. Upon specific request, the Director may approve a site plan varying any numerical dimension contained in this section by 20 percent, subject to the following finding: (orig. 10-17-83)

   Strict application of the standard would result in peculiar, exceptional or undue hardship on the applicant due to unusual topographical or physical conditions of the property which make implementation of the standard exceptionally or peculiarly difficult. (orig. 10-17-83)

2. No such variance shall be granted which would substantially impair the intent or purpose of this resolution or cause substantial detriment to the public good. (orig. 10-17-83)

3. To vary a numerical dimension greater than 20 percent, an application must be filed with the Board of Adjustment after an application has been acted upon by the Director. The Board may grant the variance only upon a demonstration that the conditions as identified in D.1. and D.2. above have been met. (orig. 10-17-83)

E. AMENDMENTS

Amendments are subject to the same procedures as initial applications. (orig. 10-17-83)

F. STANDARDS

1. General:

   a. Offensive or noxious odors, noises, fluids, gases, dust or glare shall be confined to the subject parcel or the leasehold premises and shall not impact any occupied structures or dwellings. (orig. 10-17-83)

   b. Junk, refuse, trash or abandoned material shall not be disposed of on-site. (orig. 10-17-83)

   c. Any hazardous or toxic material shall be securely contained, stored and removed in accordance with applicable State or Federal regulations. On-site disposal is prohibited. (orig. 10-17-83)

   d. Operations shall be in accordance with the Colorado Oil and Gas Conservation Act (Title 34, Article 60, C.R.S. 1973) and all pursuant rules, regulations and procedures. (orig. 10-17-83)
e. All drilling and production operations, including derricks, retaining pits, vacuum pumps, storage tanks, vehicle parking, structures, machinery and ancillary equipment shall be located at least 600 feet from any dwelling or from any structure used for public assembly, including schools and churches, where the owners of such structures are not a party to the oil and gas lease. (orig. 10-17-83)

f. All drilling and production operations shall be located at least 100 feet from public roadways. (orig. 10-17-83)

g. The owners(s) and operator(s) shall be responsible for prevention and prompt removal of spills involving waste materials, oil and toxic or hazardous materials. (orig. 10-17-83)

h. A copy of a valid insurance policy, issued by a corporate insurer licensed in the State of Colorado, shall be provided. Such insurance shall be of sufficient amount to:

1. Provide for payment for all damages or injury to persons or property resulting from the drilling, operation or maintenance of the proposed well and other structures, machinery or appurtenances used in conjunction with it. (orig. 10-17-83)

2. Provide for payment to control and/or eliminate any hazardous or dangerous event or condition, including a blowout; and provide for payment for injury or damages to persons, equipment or agencies responding to same event or condition. (orig. 10-17-83)

3. Contain no exclusion from coverage of contamination or pollution of surface or subterranean streams, water-courses, lakes or public or private water supplies. (orig. 10-17-83)

2. Visual:

a. The drilling site, production site and access roads shall be located, designed and constructed to minimize the removal of trees and shrubs and the amount of surface disturbance. (orig. 10-17-83)

b. Avoid excavation, structures or equipment in sensitive areas such as ridges, hilltops, scenic or other areas of special visual quality. (orig. 10-17-83)

c. Integrate the location and design of structures and site improvements with the natural color, form and texture of the surrounding area. (orig. 10-17-83)

d. Screen structures or equipment from off-site view. Methods may include, but are not limited to:

1. Existing and/or replanted vegetation. (orig. 10-17-83)

2. Existing and/or artificially created land forms. (orig. 10-17-83)

e. Glare from site lighting or gas flaring shall not impact on nearby residences, excepting those whose owners are a party to the oil/gas lease. (orig. 10-17-83)
3. Air and Water Quality and Noise:

Operators shall conform to all current State and Federal regulations and standards concerning air quality, water quality, and noise. (orig. 10-17-83)

4. Wildlife and Cultural Resources:

a. No habitat deterioration is to occur where threatened or endangered species or critical habitats exist, as defined by the Colorado Division of Wildlife. (orig. 10-17-83)

b. All activity in an archaeologic or historic resource area, as identified in the Jefferson County Land Use Policy Plan, shall provide for the preservation of the resource or provide for the completion of necessary study and work as specified by the Office of the State Archaeologist before any aspect of development begins. Should a resource be uncovered during operations those operations shall be suspended pending recommendation of the State Archaeologist. (orig. 10-17-83)

5. Hazards:

a. For areas of potential wildfire hazard, as identified by the Jefferson County Land Use Policy Plan, abate fireline intensities to less than 100 BTU/foot/second through fuelbreaks or other equally effective means around structures or areas of activity. Recommended practices for grass/shrub lands include the following: (orig. 10-17-83)

(1) Fuelbreaks of a width 3-4 times the height of adjacent vegetation. (orig. 10-17-83)

(2) Re-vegetation to short grasses. (orig. 10-17-83)

b. Drilling or production operations shall not cause the acceleration of geologic processes such as erosion, sedimentation or gravitational movement of earth and/or rock material to the point that such processes become a hazard or nuisance to life or property. (orig. 10-17-83)

c. Activities or structures proposed within a floodplain not overlay zoned (F-P) shall be carried out in a manner that does not increase flood hazards upstream or downstream, nor reduces the efficiency with which flood waters are carried through the site. (orig. 10-17-83)

d. All operations shall be: included within a fire district, or; be under contract with a fire district for protection services, or; be provided with private fire protection. If private fire protection is used, the following conditions shall be met: (orig. 10-17-83)

(1) A fire protection plan shall be provided, specifying types of equipment, response time, number and capabilities of personnel available, planned actions for probable emergency events, and any other pertinent information. (orig. 10-17-83)
(2) The fire protection plan shall be submitted for review to the public fire protection district in closest proximity to the proposed drilling site, or that district providing service to the general area. Such submittal shall take place prior to Site Plan Application to the County. (orig. 10-17-83)

(3) Said plan shall provide for a level of protection at least equal to that provided by the reviewing public fire protection district. (orig. 10-17-83)

e. Prior to Site Plan Application, the proposal shall be reviewed by the public fire protection district of jurisdiction or as provided in 5.d. above, indicating degree of conformance to applicable sections of the National and Uniform Fire Codes and other rules, ordinances or regulations. (orig. 10-17-83)

6. Access:

a. Ingress and egress points shall be located and improved in order to: (orig. 10-17-83)

   (1) Assure adequate capacity for existing and projected traffic volumes. (orig. 10-17-83)

   (2) Provide efficient movement of traffic. (orig. 10-17-83)

   (3) Minimize hazards to highway users and adjacent property and human activity. (orig. 10-17-83)

b. All applicable permits or approvals shall have been obtained, including: (orig. 10-17-83)

   (1) Access or driveway permits to State or County roads. (orig. 10-17-83)

   (2) Construction within State or County highways. (orig. 10-17-83)

   (3) Overweight or oversize loads. (orig. 10-17-83)

c. Preclude the use of local streets through residential neighborhoods. (orig. 10-17-83)

d. All weather access roads, suitable to handle emergency equipment, shall be provided to within 150 feet of any structure, improvement, or activity area. (orig. 10-17-83)

7. Reclamation:

a. Reclamation shall be carried out on all disturbed areas and achieve the following objectives: (orig. 10-17-83)

   (1) Final soil profiles designed to equal or reduce soil erosion potentials over stable pre-operation conditions. (orig. 10-17-83)

   (2) Restoration or enhancement of pre-existing visual character through planting of local or adaptive vegetation. (orig. 10-17-83)

b. Final land forms shall be stable. (orig. 10-17-83)

c. Minimize disturbance of soil cover. (orig. 10-17-83)
Maintain an abandoned site until reclamation has been completed and revegetation permanently established. (orig. 10-17-83)

Reclamation shall be initiated as soon as weather and growing conditions permit after the abandonment of the well or installation of production equipment and shall be completed no more than 1 year later. (orig. 10-17-83)

8. Drainage and Infiltration:

a. Stream boundaries and alignment should be preserved in a natural undisturbed state whenever possible. When disruption or re-routing of these areas is unavoidable, rehabilitation shall imitate the form and vegetative character that would occur under long term natural processes. (orig. 10-17-83)

b. Roads or other improvements obstructing drainages shall provide for culverts sized for storm flows as determined by the County Engineer. (orig. 10-17-83)
SECTION 5: ACCESSORY USES

A. IN ANY DISTRICT

A use customarily incidental to a use permitted in any district shall be permitted when located on the same lot. The following accessory uses, in addition to those hereinbefore mentioned, shall be permitted: (orig. 6-6-50)

1. The letting of rooms and the providing of table board for not more than 5 persons in any private dwelling. (orig. 6-6-50)

2. Dwellings for farm or ranch employees employed on the premises or for farm or ranch tenants on any farm or ranch. Any other building or structure incidental to the operation of any ordinary farm or ranch, irrespective of size. (orig. 6-6-50; am. 12-26-63)

3. A restaurant, public dining room or other services customary to an apartment house and incidental to its residential use may be located therein as an accessory use. (orig. 6-6-50)

4. Buildings housing technical offices, laboratories, medical offices, pharmacies, radiological facilities, medical and surgical suppliers, housing for personnel employed on the premises, and other similar uses may be located on the grounds of any hospital or sanitarium. (orig. 12-26-62)

5. Satellite dish antennas in compliance with applicable setbacks and easements and constructed of open wire-mesh and/or painted subdued or earth tone colors compatible with the visual background. (orig. 6-14-88)

B. AGRICULTURAL AND RESIDENTIAL DISTRICTS

1. Swimming pools, tennis courts, gazebos, hot tubs, decks, and other similar outside private recreational facilities shall conform to the setback requirements for a dwelling in the applicable district. Enclosure fences immediately surrounding these facilities shall not exceed 12 feet in height, subject to appropriate permits. (orig. 6-14-88)

2. No more than 1 mini-structure per lot shall be used for storage purposes in residential zones with the exception of the Agricultural-One and Agricultural-Two Districts. Mini-structures shall not be located closer than 10 feet to a main building or over easements without permission of the grantee. Mini-structures which house livestock shall meet all setback requirements. All mini-structures which do not meet side or rear setback requirements shall be screened from neighbors' view. (orig. 6-14-88)

C. COMMERCIAL AND INDUSTRIAL DISTRICTS

In a commercial or industrial district, a use accessory to an authorized use shall be permitted. The parking of automobiles of clients, patients, patrons or customers within a front, side or rear yard of a building within the Commercial-One District, the Commercial-Two, the Restricted Commercial-One District, the Restricted Commercial District, the Industrial-One District, the Industrial-Two District, the Industrial-Three District, or the Industrial-Four District, without charge, and in connection with any use permitted in such, be deemed an accessory use. A use specified as an Industrial-Two District use shall not be permitted as an accessory use in the Industrial-One District, nor the Industrial-Three District, nor the Industrial-Four District. (orig. 5-6-46; am. 6-6-50; am. 6-2-58; am. 11-15-65)
D. ABOVE GROUND STORAGE OF FLAMMABLE LIQUIDS AND GASES

No above ground storage of flammable liquids or gases in excess of 1,000 gallons shall be permitted in any district other than the Industrial-One District or the Industrial-Two District, unless approved by the Board of Adjustment or approved in conjunction with oil and gas operations as a Special Use or under the provision of Section 4 of this Zoning Resolution. (orig. 5-6-46; am. 11-14-55; am. 10-17-83)
SECTION 6: NONCONFORMING BUILDINGS, STRUCTURES AND USES

A. USE REGULATIONS

1. Except as provided below, any building, structure or use existing and lawful at the time of the adoption of this Resolution or in the case of an amendment to this Resolution, at the time of such amendment, shall be deemed a legal nonconforming use and may be continued, even though such building, structure or use does not conform to the provision of this Resolution or such amendment. (orig. 5-11-93)

2. If a legal nonconforming use is discontinued for a period of 180 days or more, any future use of said land, building or structure must be in conformity with the provisions of this Resolution. If there are no antennas on a legal nonconforming telecommunications tower or if a legal nonconforming telecommunications tower has been abandoned for a period of 180 days or more, the tower must be removed within 180 days from the expiration of said 180 day period or it must be brought into conformity with this Resolution. (orig. 5-6-46; am. 2-14-56; am. 9-6-77; am. 5-11-93)

3. A legal nonconforming use shall not be changed to a different nonconforming use. (9-6-77; am. 5-11-93)

4. A legal nonconforming use, if changed to a conforming use, may not thereafter be changed back to any nonconforming use. (orig. 5-6-46; am. 5-11-93)

5. A legal nonconforming use shall not be extended, expanded or enlarged. Extension, expansion or enlargement shall include, but is not limited to the following. (orig. 5-6-46; am. 9-6-77; am. 5-11-93)

   a. For Buildings: (orig. 9-6-77)

      An increase in floor area in which the legal nonconforming use is conducted, provided, however, that a nonconforming use may be extended throughout any part of a building that was manifestly designed or arranged for such use on the effective date of this Resolution. (orig. 9-6-77; am. 5-11-93)

   b. For Land (including mining operations): (orig. 9-6-77)

      (1) Any increase in the land area used for any legal nonconforming use or any relocation of said legal nonconforming use to a different area. (orig. 9-6-77; am. 5-11-93)

      (2) Any new or increase in area of any accessory use in support of any legal nonconforming use. (orig. 5-11-93)

   c. For Telecommunications Towers: (5-11-93)

      An increase in the number of antennas located on a tower, or an increase in the height or weight bearing capacity of the tower beyond that necessary to conform to safety regulations adopted by the county, state or federal government, except that the following shall be allowed. (orig. 5-11-93)

      (1) Existing antennas may be maintained or replaced with another antenna intended to provide the same service. (orig. 5-11-93)
(2) New antennas may be added to a tower where the tower and antennas do not exceed 200 feet in height above the base of the towers, and the new antenna does not exceed 25 feet in length and 8 inches in diameter. (orig. 5-11-93)

6. Additions or extensions may be made to a building or structure that is legal nonconforming as to height, area or setback regulations provided said addition and the use of said addition conforms to all the requirements for the district in which it is located. (orig. 5-11-93)

7. Legal nonconforming properties housing more than one registered sex offender must be brought into conformity with this Resolution by obtaining a special use permit, or discontinued within 24 months of the adoption of regulations relating to registered sex offenders. (orig. 2-1-2000)

B. ALTERATIONS AND REPAIRS

1. Maintenance, repairs or alterations to legal nonconforming telecommunication towers may be performed that are necessary to maintain the tower in good condition and repair. The weight bearing capacity and wind loading capacity of a tower may only be increased to the extent necessary to maintain the tower in conformance with state or national standards for weight bearing capacity and wind loading capacity for the number of antennas otherwise allowed on the tower as set forth in this Section. (orig. 5-11-93)

2. Restoration of Damaged Buildings and Structures:

A legal nonconforming building or structure, including a telecommunications tower, which is damaged or partially destroyed by fire, flood, wind, earthquake, snow, ice or other calamity or the public enemy, to the extent of not more than 50 percent of its appraised market value at that time, may be restored and the same use or occupancy resumed, provided that such restoration is started within a period of 1 year from the date of damage and is diligently pursued to completion. Notwithstanding the foregoing, television and radio stations and land mobile operators shall be entitled to repair, reconstruct or rebuild their towers, but only to the minimal extent necessary to resume broadcasting and to fulfill the requirements of their FCC license. The site may not be used as a permanent telecommunications site for more than one year from the date of damage unless zoning or special use approval is obtained, or the user is actively engaged in the rezoning or special use approval process. (orig. 5-11-93)

C. DISCONTINUANCE OF ADVERTISING, JUNK YARDS, ETC.

1. Legal nonconforming advertising structures and legal nonconforming junk yards, outdoor automobile dismantling establishments or storage of motor vehicles, not in running order, shall be discontinued prior to September 6, 1979. (orig. 5-6-46; am. 9-6-77; am. 5-11-93)

2. Existing advertising signs which, although conforming to the use regulations of the district in which located, are nearer a lot line than prescribed herein, shall, prior to September 6, 1978, be moved to conform with the requirements of this Resolution, provided however, that this provision shall not apply to signs attached to or painted on the walls of a building. (orig. 5-6-46; am. 2-14-56; am. 9-6-77; am. 5-11-93)

D. COUNTY ACQUIRED PROPERTY

If the County of Jefferson shall hereafter acquire title to any property as a result of a tax delinquency sale, the use of such property shall thereafter be in conformity with this Resolution. (orig. 5-6-46; am. 2-14-56; am. 3-9-76)
SECTION 7: MOVE AND SET

A. No building, structure or improvement shall be moved or set from or upon land located in any zoned area of the County until and unless all building permits have been obtained for remodeling and/or alterations necessary to bring the building or structure into compliance with the Jefferson County Building Code. (orig. 4-1-59; am. 3-17-60; am. 9-6-77)

B. No building, structure or improvement shall be transported on any County road or highway until and unless a transport permit has been obtained from the Jefferson County Department of Highways and Transportation (orig. 4-1-59; am. 3-17-60; am. 9-6-77)

C. All buildings, structures and improvements shall comply with the Jefferson County Building Code. (orig. 4-1-59)

D. PROCEDURE

1. Any person who desires to move and set any building or structure within Jefferson County shall obtain from the Jefferson County Health Department, a certificate of availability of water and sewer for the proposed location of the building or structure. (orig. 9-6-77)

2. The applicant shall submit to the Jefferson County Planning Department:

   a. The certificate of availability of water and sewer from the Health Department. (orig. 9-6-77)

   b. A plot plan of the property in a form which complies with Section 5.6.1.1. of the Jefferson County Policies and Procedures Manual. (orig. 9-6-77)

   c. A tax certificate showing that past and present taxes have been paid on the building or structure. (orig. 9-6-77)

   d. The necessary permits from the Telephone Company, Public Utilities Companies, and Railroad Companies, unless it can be shown that these agencies are not interested in the matter. (orig. 9-6-77)

   e. Footing and foundation plans for the foundation to be built. (orig. 9-6-77)

   f. Two sets of construction plans for remodeling or alterations necessary to bring the building or structure into compliance with the Jefferson County Building Code. (orig. 9-6-77)

3. Upon receipt of the above items, the Planning Department shall inspect the proposed location where the building or structure is to be set and shall determine whether or not the area of the site and proposed use of the building or structure comply with the Jefferson County Zoning Resolution. (orig. 9-6-77)

4. The applicant shall submit all documentation mentioned heretofore to the Jefferson County Building Department together with a nonrefundable $35.00 pre-inspection fee. (orig. 9-6-77 am. 8-19-80)
5. The Chief Building Official shall thereafter cause a pre-inspection of the building or structure to be made and a determination (to the extent practically possible) shall be made as to the necessity of remodeling or altering the plumbing, electrical, mechanical and structural components of the building or structure in order to bring said building or structure into compliance with the Jefferson County Building Code. (orig. 9-6-77)

6. After the inspection, the Chief Building Official shall advise the applicant of any additional plumbing, electrical, mechanical or structural plans deemed necessary to show the manner in which the structure or building will be altered or remodeled in bringing it into compliance with the Building Code. (orig. 9-6-77)

7. Once the plans and other technical data are found to be in order, a building permit shall be issued at the regular fee as determined by the valuation of the alterations or remodeling using the valuation schedule in the Building Code. (orig. 9-6-77)

8. Prior to issuance of the building permit, the applicant shall submit a performance bond deemed sufficient in amount by the Chief Building Official, using the valuation schedule in the Building Code, to guarantee that necessary remodeling or alteration of the building or structure shall be completed within 1 year after the permit is issued, or for a 2 year period as provided by the Jefferson County Building Code. The time may be extended another 6 months only upon approval of the Chief Building Official and extension of the performance bond. (orig. 9-6-77; am. 12-14-93)

9. After approval of the building permit, the applicant shall comply with the transport permit policy as set forth in Section 5.15. of the Jefferson County Policies and Procedures Manual if the building or structure is to be transported on or across a County road or highway. (orig. 9-6-77)

10. If the applicant is denied a transport permit by the Engineering Department and believes himself aggrieved, he may, within 10 days, appeal such denial to the Jefferson County Board of Adjustment. (orig. 9-6-77)
SECTION 8 HOME OCCUPATIONS

A. INTENT AND PURPOSE

1. To provide for the operation of commercial activities on lots, parcels or tracts of land used for residential purposes under certain conditions. Such commercial activities shall be defined as "home occupations". (orig. 6-23-81)

2. Contained in this section is a listing of permitted home occupations along with conditions, exclusions, limitations and regulations regarding such home occupations. (orig. 6-23-81)

B. PERMITTED HOME OCCUPATIONS

The following home occupations are permitted providing the requirements and conditions of subsection C below are met: (orig. 6-23-81)

1. Craft work, such as the making of pottery and jewelry. (orig. 6-23-81)

2. Garment work, such as tailoring, dressmaking, millinery work, ironing and garment repair. (orig. 6-23-81)

3. Office facilities for sales representatives, professional consultants and professional services. (orig. 6-23-81)

4. Repair services for small electronic, electrical and mechanical appliances. (orig. 6-23-81)

5. Tutoring, music lessons, dance lessons and similar specialized tutorial or instructional endeavors provided no more than 1 student is present at a time. (orig. 6-23-81)

6. Artistic endeavors, such as art studios, portrait studios, photography studios, writing and lithography. (orig. 6-23-81)

7. Garage sales, not to exceed 3 sales per calendar year and which shall not be held for more than 4 consecutive days per sale. (orig. 6-23-81)

8. State licensed or certified day-care home. (orig. 6-14-88)

C. CONDITIONS AND REQUIREMENTS

Home occupations shall be operated subject to the following: (orig. 6-23-81)

1. Such home occupation shall be in conformance with other existing laws and regulations of Jefferson County. (orig. 6-23-81)

2. Such home occupation shall be conducted entirely within a lot, parcel or tract of land and carried on by the inhabitants living there. (orig. 6-23-81)

3. Such home occupation shall be clearly secondary to the use of the lot, parcel or tract of land for residential purposes and shall not change the character thereof. (orig. 6-23-81)

4. The total area used for home occupations shall not exceed 400 square feet of floor area per lot, parcel or tract of land and shall be limited to the main residential structure, except for state licensed or certified day-care homes which may utilize outdoor play areas. Use of accessory buildings for these purposes is prohibited. (orig. 6-23-81; am. 6-14-88)

5. There shall be no sign advertising the home occupation. (orig. 6-23-81)
June 14, 1988

6. All incidental storage of stocks, supplies or products shall be contained within the total area used for the home occupation. (orig. 6-23-81)

7. There shall be no exterior storage on the lot, parcel or tract of land of material or equipment used as a part of the home occupation. (orig. 6-23-81)

8. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable beyond any boundary line of the lot, parcel or tract of land due to the conduct of the home occupation. (6-23-81)

9. The home occupation may increase vehicular traffic flow and customer parking by no more than 1 additional vehicle at a time, except for state licensed or certified day-care homes. (orig. 6-23-81; am. 6-14-88)

D. SPECIFIC EXCLUSIONS AND LIMITATIONS

1. Exclusions - In no event shall any of the home occupations listed above be interpreted to include the following commercial activities: (orig. 6-23-81)
   a. Body or mechanical repair, modification, or painting of motor vehicles and repair of internal combustion engines. (orig. 6-23-81)
   b. Animal hospital, or kennel. (orig. 6-23-81)
   c. Medical/dental facilities other than office consultation services. (orig. 6-23-81)
   d. Health care facility providing residential services. (orig. 6-23-81)
   e. Restaurant. (orig. 6-23-81)

2. Limitations - There shall be no more than 2 home occupations operated on 1 lot, parcel or tract of land. (orig. 6-23-81)

E. BOARD OF ADJUSTMENT

Home occupations, except those specifically excluded above, which do not meet the provisions of this section may be allowed upon approval of the Board of Adjustment under conditions set forth in Section 13 of this Zoning Resolution. (orig. 6-23-81)
SECTION 9: SIGNS AND OUTDOOR ADVERTISING DEVICES

(Orig. 7-20-81)

A. INTENT AND PURPOSE

1. This section is intended to provide for the orderly control of signs and outdoor advertising, to permit the use of signs and outdoor advertising necessary for adequate identification and direction in order to promote the health, safety and welfare of the citizens of Jefferson County, and to provide for commercial and industrial advertising under appropriate conditions. (Orig. 7-20-81)

2. Contained in this section are the requirements for signs and outdoor advertising which are allowed in various zone districts. These include details pertaining to the size, shape, height, location, setbacks and construction of signs and other outdoor advertising. (Orig. 7-20-81)

B. GENERAL

1. Regulation

a. No sign shall be erected, maintained, modified or continued unless it is in full compliance with the regulations for the zone district in which it is located and all applicable provisions and regulations of the Zoning Resolution, Colorado State Statutes and Federal regulations. (Orig. 7-20-81)

b. No sign shall be placed in the right-of-way of any public street or highway except as specifically provided for in parts D.13 and D.14 of this section of the Zoning Resolution. (Orig. 2-10-58; Am. 7-20-81; Am. 7-23-02)

2. Corner Vision Clearance Requirements: No sign which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. A variance to this restriction may be granted by the Board of Adjustment under the provisions of Section 13 of this Zoning Resolution. Traffic safety shall be considered in any variance decision. (Orig. 7-20-81)

3. Sign Permits

a. No sign, except for those not subject to permits listed below, shall be erected or modified without a permit issued by the Jefferson County Zoning Administrator or the Zoning Administrator's representative. The location and placement of signs may be reviewed and assessed as part of the Site Development Plan Process. A sign permit is still required prior to the installation of any sign. (Orig. 7-20-81; Am. 6-14-88; Am. 7-23-02)

b. Prior to construction of a sign requiring a permit, an application for a permit for such shall be filed with the Jefferson County Planning and Zoning Department and shall include the following information: (Orig. 7-20-81; Am. 7-23-02)

   (1) Application form completed and signed by the property owner or authorized agent. (Orig. 7-20-81; Am. 5-3-94)

   (2) Plot plan drawn to scale showing property boundaries of the lot, parcel or tract with all existing structures and location of proposed sign. (Orig. 7-20-81)
Elevation, height, setbacks, rendering and appearance of the sign. (orig. 7-23-02)

4. Fees: Accompanying each application for a sign permit shall be a nonrefundable processing fee in an amount established by the Board of County Commissioners. (orig. 7-20-81; am. 5-3-94)

C. PROHIBITED SIGNS OR ADVERTISING DEVICES (orig. 7-20-81; am. 7-23-02)

The following types of signs or advertising devices are expressly prohibited in all districts unless specifically permitted in a Planned Development (P-D) District or as part of a special event. (orig. 7-20-81; am. 11-19-91; am. 2-13-01)

1. Portable or wheeled signs or advertising devices (e.g., sandwich boards), except for operable and licensed motorized vehicles and licensed trailers used in the pursuit of regular day to day business having the name of the permitted use and service(s) offered or the name of the permitted use for hauling of materials, equipment, and/or merchandise. (orig. 7-20-81; am. 7-23-02)

2. Balloons or similar types of lighter-than-air objects tethered to the ground or wall by lines or other method. (orig. 7-20-81; am. 7-23-02)

3. Search lights. (orig. 7-20-81)

4. Signs or advertising devices consisting of any mechanical or electrical moving, flashing, blinking, rotating or otherwise animated parts or lighting, except for holiday decorations and time and/or temperature devices. (orig. 7-20-81)

5. Signs or advertising devices associated with a home occupation. (orig. 7-20-81)

6. Billboards and off-premise signs (excluding Tourist-Oriented Directional Signs or Bus Benches permitted and approved pursuant to Section 5.39 of the Jefferson County Policy and Procedures manual). (orig. 11-19-91; am. 7-23-02)

7. Roof signs. (orig. 7-23-02)

D. SIGNS OR ADVERTISING DEVICES NOT REQUIRING PERMITS

1. Bulletin Boards: Bulletin boards not over 20 square feet in area for public, charitable or religious institutions where the same are located on the premises of said institutions. (orig. 7-20-81)

2. Construction or Real Estate Signs: Temporary ground or wall signs not extending outside the property line and not more than 6 square feet per face in area which identify or advertise new construction, remodeling, rebuilding, sale, rental or lease of a designated structure or land area for a permitted use on which the signs are located. Only 1 sign shall be allowed per customer access, shall not be illuminated and shall be removed on completion of construction, remodeling, sales or lease. Not included are signs which identify or advertise developments. (orig. 7-20-81; am. 7-23-02)

3. Holiday and Seasonal Decorations: Signs in the nature of decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday or season; provided that such signs shall be displayed for a period of not more than 60 consecutive days and may be of any type, number, area, height, location, illumination or animation. (orig. 7-20-81; am. 7-23-02)
4. Landmarks
   a. Signs which meet all of the following criteria: (orig. 6-14-88)
      (1) Have existed at the same location since January 1, 1969, as a prominent and identifying feature or monument that is commonly used as a general point of reference for determining one's location, excluding billboards. (orig. 6-14-88)
      (2) Be visible from a distance of 3 miles or more from a highway or major thoroughfare. (orig. 6-14-88)
      (3) Possess unique physical characteristics such as size, configuration, color, texture, lighting, artistic style or other unique characteristics. (orig. 6-14-88)
      (4) That a petition, containing at least 100 written signatures of Jefferson County residents 18 years of age or older, be received by the Zoning Administrator for official certification as a landmark sign. (orig. 6-14-88)
   b. Signs certified as landmarks are exempt from the provisions of G.1., below. (orig. 6-14-88: am. 11-19-91)
   c. Official certification as a landmark shall become void if the landmark sign is moved. (orig. 6-14-88)
   d. Official certification as a landmark sign shall become void if the landmark sign is substantially damaged or destroyed and not repaired or replaced within 90 days from the date of notification by the Zoning Administrator. (orig. 6-14-88)

5. Memorial Signs: Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or inlaid so as to be part of the building or when constructed of bronze or other incombustible material. (orig. 7-20-81)

6. Occupant Signs: Signs containing the name(s) of occupant(s), address of the premises and signs of danger or a cautionary nature. These signs shall be limited to wall and ground signs which are no more than 2 square feet in area per sign face and may be illuminated by a concealed source. Signs identifying an address shall be located within 5 feet of the most visible entrance (either to the site or the structure), contain a minimum lettering or numbering height of 6 inches for non-residential uses and 4 inches otherwise, shall be made of non-combustible material, and shall contain lettering or numbering in a color that contrasts with the background of the structure or fence upon which it is affixed. Wall signs may be attached to any structure and/or fence. (orig. 7-20-81; am. 7-23-02)

7. On-Site Informational Signs: Signs commonly associated with and limited to information relating to the permitted use on the lot on which the sign is located. These signs shall be limited to 1 wall, window and ground sign for each permitted use which are not more than 2 square feet per sign in area and may be illuminated by a concealed light source. (orig. 7-20-81)
Political Signs: Signs which do not exceed 4 square feet in area that announce the candidacy for election to various governmental offices or state a position concerning political issues. These signs shall not be placed in public rights-of-way, on public utility poles, or placed on private property without permission of the landowner, shall not be illuminated and shall be removed within 10 days after the day of election to which they pertain. (orig. 7-20-81)

Public Signs: Signs required or specifically authorized for a public purpose, notice or posting by any law or statute. These signs may be of any type, number, area, height above grade and location authorized by the law or statute under which the signs are erected. (orig. 7-20-81)

Window Signs: Signs in or painted on the display window of a business which are incorporated with a display of merchandise or a display relating to services offered which do not exceed twenty-five percent (25%) of the total area of the window in which they are displayed. (orig. 7-20-81; am. 7-23-02)

Time and/or Temperature Devices: Devices which provide only date, time, and temperature information which do not exceed 8 square feet in area and which do not exceed the height of structures or ground sign to which attached. (orig. 7-20-81; am. 7-23-02)

Special Event Signs: Temporary signs provided they are located within the property lines and a Special Event Permit has been issued in compliance with the requirements of Section 12 (Special Events) of this Zoning Resolution. Special event signs shall comply with the sign requirements of the underlying zone district except that a maximum of two (2) banners (which may be two-faced) shall be permitted and the total combined area of all faces shall not exceed 100 square feet in area. Grand opening banners or similar type signs shall be allowed for a period of no longer than 48 hours, shall be single-faced and shall not exceed 48 square feet in area. All signs shall be removed within 24 hours of cessation of the special event. Banners shall be permitted on-site only and shall not contribute to or create debris off-site. (orig. 2-13-01; am. 7-23-02)

Tourist-Oriented Directional and Trailblazer Signs: Signs approved by the Zoning Administrator and authorized pursuant to C.R.S. §43-1-401 through 420, as amended, and located in State or County rights-of-way. These signs shall conform to State rules and regulations, in addition to the following: (orig. 7-23-02)

a. Properties which share a common boundary with a State right-of-way and are visible from that right-of-way are not eligible for a tourist-oriented directional sign. (orig. 7-23-02)

b. Other off-premise signs for a business shall be removed prior to the approval of a tourist-oriented directional sign for that same business. (orig. 7-23-02)

c. Trailblazer signs shall be permitted within the County right-of-way for a business only if there is a tourist-oriented directional sign within the State right-of-way for that same business. (orig. 7-23-02)

d. Tourist-oriented directional signs, unless approved before July 23, 2002, shall not be permitted on State Highway 74. (orig. 7-23-02)

Bus Bench Signs: Signs that are part of a bus bench in unincorporated Jefferson County which bus bench shall be reviewed, approved and authorized pursuant to Section 5.39 of the Jefferson County Policy and Procedures manual, as amended. (orig. 7-23-02)
15. Directional Signs: Wall and ground signs giving parking and traffic directions. These signs shall be no more than 5 square feet per face in area and may be illuminated from a concealed light source. Ground signs shall be no more than 42 inches in height above grade. There shall be no more than 1 sign per curb cut. (orig. 7-20-81; am. 7-23-02)

E. SIGNS PERMITTED IN ALL ZONE DISTRICTS

1. Construction, Real Estate or Development Signs: Temporary ground signs advertising the construction, remodeling, development, sale, rental or lease of a designated structure or land. (orig. 7-20-81; am. 7-23-02)

   a. A permit shall be issued for 1 year and shall be renewable for additional one-year periods. For developments, a permit shall be renewable until all improvements have been sold, leased, or occupied. Application for renewal shall be accompanied by complete and detailed information concerning the status of the development, i.e., numbers of homes unsold, and projection of total completion of project. (orig. 7-20-81)

   b. These temporary signs must be removed upon completion of construction, remodeling, sales, rental or lease. For developments, these signs shall be removed upon completion of all initial sales in the development. (orig. 7-20-81)

   c. These temporary ground signs are of two types, on-premise and off-premise, and shall not be illuminated, shall be setback 10 feet from any lot line, shall be no more than 48 square feet per face and 12 feet in height and shall conform to the requirements specified in the table below. (orig. 7-20-81; am. 7-23-02)

<table>
<thead>
<tr>
<th>Location</th>
<th>Maximum Number of Signs</th>
</tr>
</thead>
<tbody>
<tr>
<td>On-Premise</td>
<td>The sign shall be on the land where the construction, remodeling, development, sale, rental or lease of a designated structure is permitted.</td>
</tr>
<tr>
<td></td>
<td>1 single or double-faced sign per customer access to the development. All builders within the development shall be included in this one sign.</td>
</tr>
<tr>
<td>Off-Premise</td>
<td>Limited to use with developments only and shall display only the name and logo of the development and developer, directional information, either graphic and/or written and shall require permission of the landowner.</td>
</tr>
<tr>
<td></td>
<td>4 single or double-faced signs for each development, spaced a minimum of 300 feet from any other sign.</td>
</tr>
</tbody>
</table>

F. SPECIFIC ZONE DISTRICT SIGN REGULATIONS

1. All Zone Districts (orig. 7-23-02)

   a. Signs shall be clearly incidental, customary and commonly associated with a permitted use in the zone district and shall be located on the same lot as such permitted use. (orig. 7-20-81)
b. All signs shall be setback a minimum of 10 feet from lot lines unless otherwise specified in the specific zone district. (orig. 7-20-81)

c. Signs may be illuminated. However, such illumination shall be only from a concealed source. (orig. 7-20-81; am. 7-23-02)

2. Residential Zone Districts (R-1, R-1A, R-1B, R-2, R-3, R-3A, R-4, R-T, MR-1, MR-2, MR-3, SR-1, SR-2 and SR-5) (orig. 7-20-81; am. 7-23-02)

a. Maximum Number of Signs per Lot: One single or double-faced sign. (orig. 7-20-81; am. 7-23-02)

b. Total Sign Area Per Lot: 25 square feet. (orig. 7-20-81; am. 7-23-02)

c. Sign Characteristics Table: (orig. 7-20-81; am. 7-23-02)

<table>
<thead>
<tr>
<th>Type</th>
<th>Maximum Sign Area (subject to Total Sign Area per Lot)</th>
<th>Maximum Sign Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall</td>
<td>30% of signable area</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Projecting</td>
<td>12 square feet</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Ground</td>
<td>25 square feet per face in signable area</td>
<td>8 feet</td>
</tr>
</tbody>
</table>

3. Agricultural and Conservation Zone Districts (A-1, A-2, A-35 and C-O) (orig. 7-20-81; am. 7-23-02)

a. Maximum Number of Signs per Lot: One single or double-faced sign for each lot line adjacent to a street and any combination of other authorized signs subject to maximum sign area requirements. (orig. 7-20-81; am. 7-23-02)

b. Total Sign Area Per Lot: 200 square feet. (orig. 7-20-81; am. 7-23-02)

c. Sign Characteristics Table (orig. 7-20-81; am. 7-23-02)

<table>
<thead>
<tr>
<th>Type</th>
<th>Maximum Sign Area (subject to Total Sign Area per Lot)</th>
<th>Maximum Sign Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall</td>
<td>30% of signable area</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Projecting</td>
<td>12 square feet</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Ground</td>
<td>40 square feet per face in area</td>
<td>12 feet</td>
</tr>
</tbody>
</table>
4. Commercial, Industrial and Mineral Conservation Zone Districts (RC-1, R-C, I-1, I-2, I-3, I-4, C-1, C-2 and M-C) (orig. 7-20-81; am. 7-23-02)

a. Maximum Number of Signs per Lot (orig. 7-20-81; am. 7-23-02)

   (1) Single-Tenant Building: One single-faced or double-faced ground sign per lot line adjacent to a street. Two wall or projecting signs subject to the sign area limitations outlined in this Section. (orig. 7-23-02)

   (2) Multi-Tenant Building: One single-faced or double-faced center identification ground sign listing or identifying the businesses within the building per lot line adjacent to a street. One wall sign per tenant per elevation containing customer access. Tenants which have other tenants incorporated within them that do not have building frontage will be permitted one additional sign whose size will be deducted from the allowed signage. (orig. 7-23-02)

   (3) Accessory Buildings (Including but not limited to garden centers, car washes, fuel pumping canopies): Two (2) wall signs. (orig. 7-23-02)

b. Setback: 8 feet. For side setbacks on lot lines not adjacent to a street, the side setback may be 5 feet. (orig. 7-20-81; am. 7-23-02)

c. Single Tenant Sign Characteristics Table (orig. 7-20-81; am. 7-23-02)

<table>
<thead>
<tr>
<th>Type</th>
<th>Maximum Sign Area (subject to Total Sign Area per Lot)</th>
<th>Maximum Sign Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall</td>
<td>A base number of 50 square feet plus an additional one (1) square foot per linear foot of wall frontage exceeding 50 linear feet, up to a maximum size of 100 square feet for all combined faces of single-tenant wall signs</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Projecting</td>
<td>12 square feet</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Ground</td>
<td>48 square feet for all combined faces of single-tenant ground signs.</td>
<td>12 feet</td>
</tr>
</tbody>
</table>
d. Multi-Tenant Sign Characteristics Table (orig. 7-20-81; am. 7-23-02)

<table>
<thead>
<tr>
<th>Type</th>
<th>Maximum Sign Area (subject to Total Sign Area per Lot)</th>
<th>Maximum Sign Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall</td>
<td>A base number of 50 square feet plus an additional one (1) square foot per linear foot of wall frontage exceeding 50 linear feet, up to a maximum size of 148 square feet for all combined faces of multi-tenant wall signs</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Projecting</td>
<td>12 square feet</td>
<td>Wall height to which sign is attached.</td>
</tr>
<tr>
<td>Center Identification</td>
<td>100 square feet for all combined faces of multi-tenant ground signs.</td>
<td>12 feet</td>
</tr>
</tbody>
</table>

5. Planned Development (P-D) Zone Districts: Sign regulations for Planned Development (P-D) Zone Districts will be as stated in the Official Development Plan (ODP) for the particular Planned Development. (orig. 7-20-81)

G. NONCONFORMING SIGNS

1. The right to keep, own, maintain, or display any sign prohibited by the terms of this section as a legal nonconforming use shall cease and terminate in accordance with the following amortization schedule: (orig. 7-20-81)

All signs in compliance with the Zoning Resolution prior to the adoption of this amendment which are in violation of the terms and provisions of this sign code shall be removed or brought into conformity by January 1, 1989. (orig. 7-20-81)

2. Termination of Nonconforming Signs

   a. By Abandonment: Abandonment of a nonconforming sign shall terminate immediately the right to maintain such sign. (orig. 7-20-81)

   b. By Destruction or Damage: The right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the sign is damaged or destroyed from any cause whatsoever. (orig. 7-20-81)
H. SIGN AREA MEASUREMENT

1. Area to be Measured: The area of a sign shall be measured in conformance with the regulations as herein set forth; provided that the structure or bracing of a sign shall be omitted from measurement unless such structure or bracing is made a part of the message or face of the sign. Where there are not more than 2 faces of a ground sign and where the faces are back to back, parallel or at less than a 90-degree angle, the total area of the largest face shall determine the area of the sign. (orig. 7-20-81)

2. Signs with Backing: The area of all signs with backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of such square, rectangle, triangle, portion of a circle or any combination thereof, which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign, including all frames, backing, face plates, nonstructural trim or other component parts not otherwise used for support. (orig. 7-20-81)

3. Signs without Backing: The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle, or any combination thereof, which creates the extreme limits of each word, written representation (including any series of letters), emblems or figures of similar character, including all frames, face plates, nonstructural trim or other component parts not otherwise used for support for parts of the sign having no backing. (orig. 7-20-81)

I. DEFINITIONS PERTAINING TO SIGNS AND OUTDOOR ADVERTISING

ANIMATED SIGN: Any sign which changes, or any part of which changes, physical position by any movement or rotation. (orig. 7-20-81)

BILLBOARD: A sign designed so that advertising space can be leased for a business, product or service not available on the premises. (orig. 7-20-81)

DIRECTIONAL SIGN: Any sign that directs the movement or placement of pedestrian or vehicular traffic on a lot without reference to, or inclusion of, the name of a product sold or services performed on the lot or in a building, structure or business enterprise occupying the same. (orig. 7-20-81)

DISPLAY SURFACE: The display surface is the area made available by the sign structure for the purpose of displaying the advertising message, or which is intended to draw attention to the advertising message by internal lighting. (orig. 7-20-81)

FLASHING SIGN: Any directly or indirectly illuminated sign either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever. (orig. 7-20-81)

GRADE: The average elevation of the ground directly below the sign or advertising device where such sign or device is located on a lot, parcel or tract of land. (orig. 7-20-81)

GROUND SIGN: A sign supported by poles, uprights or braces extending from the ground but not attached to any part of a building. (orig. 7-20-81)

ILLUMINATED SIGN: A sign lighted by or exposed to artificial lighting either by lights on the sign or directed towards the sign. (orig. 7-20-81)
OFF-PREMISE SIGN: A sign other than a billboard advertising a business, product or service not available on the lot, parcel or tract of land on which the sign is located. (orig. 7-20-81)

ON-PREMISE SIGN: A sign advertising a business, product or service on the lot, parcel or tract of land on which the sign is located. (orig. 7-20-81)

PROJECTING SIGN: A sign other than a wall sign which projects from a wall, is a minimum of 8 feet above grade as measured to the lowest edge of the sign, and is supported by a wall of a building. (orig. 7-20-81)

ROOF SIGN: A sign mounted on a roof of a building or structure and that projects above the top walk or edge of the building or structure with a flat roof, the eave line of a building or structure with a gambrel, gable or hip roof, or the deck line of a building or structure with a mansard roof. (orig. 7-23-02)

SIGN: Any man-made object or device or part thereof, situated outdoors or indoors and which object or device or effect produced is primarily used to advertise, announce, identify, declare, demonstrate, display, instruct, direct, or attract attention by any means including words, letters, figures, designs, fixtures, colors, motion, illumination, sound, and projecting images. (orig. 7-20-81; am. 6-14-88)

SIGNABLE AREA: A continuous portion of a building wall upon which a sign is attached which is unbroken by doors and windows. (orig. 7-20-81)

SIGN PERMIT: A permit issued for the erection, construction, enlargement, alteration, repair, moving, improvement, removal, conversion, or demolition of any sign. (orig. 7-20-81)

SIGN WITH BACKING: Any sign that is displayed upon, against, or through any material, color surface or backing that forms an integral part of such display and differentiates the total display from the background against which it is placed. (orig. 7-20-81)

SIGN WITHOUT BACKING: Any word, letter, emblem, insignia, figure or similar character or group thereof, that is neither backed up, incorporated in or otherwise made part of any larger display area. (orig. 7-20-81)

SIGN STRUCTURE: Sign structure shall mean any supports, uprights, braces and framework of the sign which does not include any portion of the sign message. (orig. 7-20-81)

TIME AND/OR TEMPERATURE DEVICES: Devices which provide time, date and temperature information only. (orig. 7-20-81)

TRAILBLAZER SIGN: A sign in county right-of-way that supplements tourist-oriented directional signs by providing directional information from the conventional road to a particular business. (orig. 7-23-02)

TOURIST-ORIENTED DIRECTIONAL SIGN: A sign authorized by the Zoning Administrator and approved and permitted by the Colorado Department of Transportation containing one or more authorized business' plaques which provides directional information for tourists to businesses. (orig. 7-23-02)

WALL SIGN: A sign attached to, painted on, or erected against a wall of a building or structure which extends no more than 18 inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building and does not exceed the height of the building upon which it is mounted. (orig. 7-20-81)
SECTION 10: COUNTY GRAVEL MINING, CRUSHING AND STOCKPILING

A. OPEN MINING

If the County of Jefferson shall acquire title to or lease any property for purposes of the open mining of gravel, no open mining of gravel shall be commenced until the Board of County Commissioners shall have approved, after 30 days notice and public hearing, the following plans which shall be prepared and recommended by the Public Works Division: (orig. 3-23-76; am. 8-6-80)

1. Operational Plan:
   a. Time of operation. (orig. 3-23-76)
   b. Land use compatibility. (orig. 3-23-76)
   c. Dust and noise control (orig. 3-23-76)
   d. Traffic and haul routes. (orig. 3-23-76)
   e. Water pollution and erosion control (orig. 3-23-76)
   f. Extraction plan. (orig. 3-23-76)
   g. Aesthetics. (orig. 3-23-76)

2. Reclamation Plan:
   a. Final grading. (orig. 3-23-76)
   b. Landscaping. (orig. 3-23-76)
   c. Clean up. (orig. 3-23-76)
   d. Correct damage. (orig. 3-23-76)
   e. Maintenance plan. (orig. 3-23-76)

3. The Jefferson County Public Works Division shall make quarterly reports to the Board of County Commissioners regarding compliance with the plans approved by the Board of County Commissioners for each County-owned or County-leased gravel operation in the County. (orig. 3-23-76; am. 8-6-80)

B. CRUSHING AND STOCKPILING

County crushing and stockpiling shall be subject only to the State of Colorado Air Pollution Control Commission control sand approval of location by the Board of County Commissioners. (orig. 3-23-76)

C. EXCEPTIONS

The excavation and crushing of gravel within a County road right-of-way shall not be considered "open mining" for purposes of this Zoning Resolution. (orig. 3-23-76)
SECTION 11 – GRADING AND EROSION CONTROL
(orig. 8-25-86; am. 9-24-91; am. 8-8-95)

A. PURPOSE

The purpose of this Section is to allow a temporary land use for grading activities with restrictions to prevent accelerated soil erosion, dust, and the adverse impacts of the off-site removal of earth materials, and to ensure the reclamation of disturbed land. This regulation is intended to create proper site planning to prevent or mitigate the adverse impacts of grading activities. (orig. 8-25-86; am. 9-24-91; am. 3-23-99)

B. GENERAL PROVISIONS

1. Grading Permit Required:

   It shall be unlawful for any person, firm or corporation to do or authorize any grading in the unincorporated area of Jefferson County without first obtaining a permit from the Planning and Zoning Department to authorize a temporary use of land for grading activities unless specifically exempted as listed below. The grading permit applicant, the landowner, and the contractor are responsible if grading activity is undertaken in contravention of the performance standards outlined in this section, or if grading activity is undertaken beyond the scope of the permit without County approval. It shall be unlawful to fail to complete grading or grade in a way that is different than allowed by the permit. Operations which fall within the definition of grading are exempt from County requirements for mining. (orig. 8-25-86; am. 9-24-91; 8-8-95; am. 3-23-99)

2. Exemptions from the Requirement of a Permit:

   The following grading activities may be done without obtaining a permit. Grading activities that are exempt from the permit requirement shall comply with the performance standards set forth in the "Performance Standards for the Grading Site" portion of this Section. The landowner and the contractor are responsible if grading activity is undertaken in contravention of the performance standards outlined in this section. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99)

   a. Minor projects which meet all of the following criteria: (orig. 8-25-86; am. 9-24 91)

      (1) Involve the placement or removal of less than 200 cubic yards (YD3) of earth material. Material removed from a cut and subsequently placed as fill adjacent to the cut shall not be considered separate disturbances for the purpose of determining whether the 200 cubic yards minor project exemption has been exceeded. (orig. 8-25-86; am. 9-24-91)

      (2) Involve less than 10,000 square feet of graded area. Individual lots in subdivision developments under the same ownership, involving less than 10,000 square feet of graded area, shall not be considered separate projects if they are contiguous. Any series of related projects or connected projects on one site, which together exceed the 10,000 square feet limitation or involve the placement or removal of more than 200 cubic yards shall be considered a single project. For example, several 10,000 square foot segments which connect to form a road would be considered a single project. (orig. 9-24-91)
b. Minor projects which meet any of the following criteria, provided that the landowner obtains the "Small Site Erosion Control Manual" from the Planning and Zoning Department and signs an agreement to acknowledge receipt of the handbook and to comply with provisions contained in the handbook. (orig. 8-8-95)

1. Involves less than 5 acres but more than 10,000 square feet of graded area in the plains, excluding North and South Table Mountains, Green Mountain, and the hogback, provided the graded area does not contain wetland or riparian areas, critical wildlife habitat, floodplain or geologic hazards, provided the applicant is not within a platting or development process, and provided cuts and fills do not exceed 10 vertical feet. (orig. 8-8-95; am. 3-23-99)

2. Involves less than 5 acres but more than 10,000 square feet of graded area in the remaining areas of the County, provided the graded area does not contain wetland or riparian areas, critical wildlife habitat, floodplain or geologic hazards, provided the maximum slope of the area to be graded does not exceed 8 percent, provided the applicant is not within a platting or development process, and provided cuts and fills do not exceed 10 vertical feet. (orig. 8-8-95; am. 3-23-99)

c. An excavation below finished grade only to the extent necessary for basements and foundations of buildings and other structures authorized by a valid building permit, including the placement of the resulting excavated material around the foundation. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

d. Grading work being done pursuant to and in conformance with an approved grading plan in conjunction with an approved recorded plat or exemption from platting. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

e. Tillage of agricultural land is exempt from all permit requirements. Agricultural uses of land zoned agricultural, other than tillage, which disturb greater than 10,000 square feet and/or involve the placement or removal of more than 200 cubic yards of earth material are exempt from the filing requirements, provided a conservation plan for the proposed grading activities using the United States Department of Agriculture Soil Conservation Service standards is approved by the Jefferson County Soil Conservation District. A copy of the conservation plan shall be submitted to the Planning and Zoning Department prior to the commencement of grading activities. The Planning and Zoning Department shall enforce the conditions of the conservation plan under the enforcement provisions of this Section. (orig. 9-24-91; am. 8-8-95)

f. Trenching incidental to the construction, maintenance and installation of approved underground pipe lines, swimming pools, septic tank disposal fields, electrical or communication facilities, and drilling or excavation for approved wells or post holes. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

g. Grading for utility installation or maintenance within a County owned and County maintained right-of-way. (orig. 8-8-95)

h. Grading or excavations in accordance with plans incorporated in a mining permit, reclamation plan or sanitary landfill approved by Jefferson County. (orig. 8-25-86; am. 9-24-91)

i. Maintenance and cleaning of ditches, lakes, ponds, and water storage reservoirs. (orig. 8-25-86)
j. Maintenance and resurfacing of existing roads, trail systems, and railroad beds. (orig. 9-24-91)

k. Performance of emergency work necessary to prevent or ameliorate an immediate threat to life or property when an urgent necessity arises. The person performing such emergency work shall notify the Planning and Zoning Department promptly of the problem and work required. If the emergency work would not otherwise be exempt from a permit, a permit shall be obtained as soon as possible. (orig. 8-25-86; am. 9-24-91, 8-8-95)

3. Denial of other Permits:

No building permit will be issued by Jefferson County to any person, firm or corporation for any parcel of land or portion thereof which is in violation of this Section and which violation is not corrected or approved for correction by the Planning and Zoning Department. (orig. 8-25-86; am. 9-24-91, am. 8-8-95)

4. Permission of other Agencies or Owners:

The issuance of a grading permit shall not relieve the permittee of the responsibility for securing other permits or approvals required by any other department or agency of Jefferson County or other public agency or for obtaining any easements or authorization for removing or transporting earth materials on property not owned by the permittee. Where any submittal provision, standard or surety is substantially addressed by another permit, the Planning and Zoning Department may waive said requirement. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

5. Construction within County Right-of-Way:

For construction within County right-of-way, the grading permit must be accompanied by a driveway permit or construction permit in accordance with plans approved by Jefferson County. (orig. 8-8-95)

6. Liability:

Neither the issuance of a permit under the provisions of this Section nor compliance with the provisions hereof or with any conditions imposed in a permit issued hereunder shall relieve the applicant from responsibility for damage to any person or property or impose any liability upon the County of Jefferson for damage to any person or property. (orig. 8-25-86)

7. Restricted Activities:

a. No blasting, processing, crushing, or off-site haulage or other similar treatment of a commercial mineral deposit may occur in the permit area. (orig. 9-24-91)

b. Any activity to construct any road to be dedicated to the County shall be undertaken pursuant to the County Land Development Regulation and the Roadway Design and Construction Manual and in accordance with plans approved by the Jefferson County Planning and Zoning Department. (orig. 9-24-91; am. 8-8-95; am. 3-23-99)

c. No grading permit shall be issued for any grading activity which exceeds the minimal amount of grading necessary for the uses legally allowed at the time of permit application. Grading activities for uses which require rezoning are unlawful. (orig. 8-8-95; am. 3-23-99)
d. When there is a grading plan approved by the Board of County Commissioners in conjunction with a plat or an exemption from plating, it shall be unlawful to grade in a manner which is not consistent with the approved grading plan. (orig. 8-8-95; am. 3-23-99)

b. When a grading permit is issued prior to final plat approval, the grading permit shall comply with the Jefferson County Land Development Regulation and with any previously approved grading plans. (orig. 3-23-99)

c. Any grading activity permitted pursuant to this Section may be subject to additional requirements or alterations depending on approval conditions imposed by the Board of County Commissioners during the final plat review. (orig. 3-23-99)

d. Grading conditions may be imposed on the approval of the preliminary plat. These conditions may include restricting the issuance of a grading permit until approval of the final plat, requiring that the applicant receive Board of County Commissioner approval for the issuance of a grading permit, or any other condition that may arise. (orig. 3-23-99)

e. For the purposes of this Section, underground utility installation may occur prior to final plat approval by the Board of County Commissioners only with approval of the Planning Director. (orig. 3-23-99)
C. PROCEDURES

1. Filing Requirements:

An applicant shall submit an application and site plan in accordance with submittal and documentation requirements herein. The application form shall be signed by the fee simple owner of the property or by the lessee, licensee or easement holder if the activity is to be undertaken pursuant to that interest. Applications for permits shall be filed on forms available from the Planning and Zoning Department. The Planning and Zoning Department shall determine whether the application is complete in accordance with all applicable standards set forth in this Section. Only one grading permit can be issued for any one site at any one time. At the time of application, the applicant shall stake the limits of site disturbance to the extent necessary to identify the area to be graded. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

Each application shall include: (orig. 8-25-86)

a. A nonrefundable application fee in an amount established by the Board of County Commissioners. (orig. 8-25-86; am. 9-24-91; am. 5-3-94)

b. A grading plan, unless exempted under the provisions herein. (orig. 8-25-86; am. 9-24-91)

c. An erosion and sediment control plan. (orig. 8-25-86)

d. The Planning and Zoning Department may require a geologic and/or soils investigation report if there is reason to believe there exists any geological hazards, highly erodible soils or commercial mineral deposits within or immediately adjacent to the grading site. (orig. 8-25-86; am. 9-24-91, 8-8-95)

e. Copies of any application submitted to the Colorado Department of Health and Environment for fugitive dust permits. (orig. 8-25-86; am. 8-8-95)

f. Copies of any grading permits, or grading plans, previously approved in conjunction with any previous grading permits, or a plat approval. (orig. 3-23-99)

2. Referral and Notice Requirements:

The Planning and Zoning Department will refer the application to other interested public agencies for comments. The application will be referred to relevant homeowners and neighborhood associations for informational purposes. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

3. Time Limits, Approvals, and Denials (Planning and Zoning Department):

The Planning and Zoning Department shall approve, conditionally approve or deny the application within 15 working days after receipt of a completed application. An application shall be approved if it is complete in form, has all required information, and is in compliance with the provisions of this Section. Otherwise, it shall be denied. Any approval or denial shall be in writing with the reasons for denial specifically identified. Annotations on the site plan shall be considered sufficient detail of the reasons for denial. An applicant shall be notified within 8 working days of receipt of an application whether it is complete. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)
4. Permit Requirements:

The permit shall be limited to work shown on the approved plans. Such plans shall contain guidelines, conditions, and/or restrictions as are necessary to comply with the performance standards herein. At any time during the permit review or in the event unforeseen conditions arise during completion of the project, the Planning and Zoning Department may require revision of the plans as necessary to ensure compliance with the performance standards. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99)

5. Request for Reconsideration:

If an application is denied or conditionally approved, the applicant may request in writing, within 21 days after the decision, a reconsideration of the decision by the Planning and Zoning Department. The request for reconsideration shall state specific reasons or changes for the reconsideration. The Planning and Zoning Department shall act upon the request for reconsideration within 10 working days of its receipt. Failure to act shall constitute denial of the request for reconsideration. No appeal to the Board of Adjustment shall be permitted unless a request for reconsideration was previously filed and denied. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

6. Appeals:

If the Planning and Zoning Department denies the request for reconsideration, the applicant may submit a written appeal to the Board of Adjustment. The appeal must be received by the secretary of the Board of Adjustment within 30 days of the date of denial. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

7. Time Limits (Applicant):

If, during the review process, staff requires revisions to the grading plan, the applicant shall submit said revisions within 30 days of staff's request for revisions. Failure to submit revisions as requested within 30 days shall result in the termination of the file. (orig. 3-23-99)

The permittee shall perform and complete all work required by the permit within 180 days. If work is not completed within 180 days, the applicant and the landowner are in violation of the permit and the Zoning Resolution unless no work has been started. If the work cannot be completed within this specified time, a request for an extension of time setting forth the reasons for the extension shall be presented in writing to the Planning and Zoning Department no later than 10 days prior to the expiration of the permit. The Planning and Zoning Department may grant up to an additional 180 days for the completion of all work required by the permit. Only one extension shall be permitted. All final grading and erosion and sediment control measures shall be completed within the time limit of the permit. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99)

8. Amendments:

Amendments to the approved permit are subject to the same procedures as initial applications except as specifically provided for in this Section. An amendment to an approved permit shall comply with the performance standards outlined in this Section. (orig. 8-25-86; am. 3-23-99)

The permit processing fee shall be reduced by 50%, when notice and referral requirements are waived. For amendments to a previously approved grading permit or plan, notice and referral requirements may be waived at the discretion of staff, depending on the amount of grading proposed and the complexity of the amendment. (orig. 3-23-99)
At the discretion of staff, earthwork balancing on an adjacent lot may be processed as an amendment if none of the following apply: (orig. 3-23-99)

a. the earthwork balancing will cause off-site drainage problems; and (orig. 3-23-99)

b. the earthwork balancing will involve properties within a floodplain or wetland; and (orig. 3-23-99)

c. the existing grading plan is significantly changed; and (orig. 3-23-99)

d. the balancing work proposed is not associated with a previously approved grading activity on an adjacent lot; and (orig. 3-23-99)

e. the previously approved grading permit has expired. (orig. 3-23-99)

9. Validity:

The issuance of a permit or approval of plans and specifications shall not be construed as an approval of any violation of the provisions of this Section or of any other applicable laws, rules or regulations and shall not prevent the Planning and Zoning Department from thereafter requiring the correction of errors in said plans and specifications or from preventing work being carried on thereunder in violation of this Section or any other applicable law, rule or regulation. The issuance of a grading permit prior to any plat approval shall in no way bind the Planning Commission or the Board of County Commissioners in the approval or denial of a plat application, and the applicant's grading activities are at the applicant's risk. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

D. PLANS AND SPECIFICATIONS

1. Grading Plans:

The proposed grading plans and specifications shall demonstrate compliance with the performance standards and shall be prepared on sheets 24 inches by 36 inches and signed by a registered professional engineer. (orig. 8-25-86; am. 9-24-91)

For graded areas of one acre or less, the Planning and Zoning Department may waive the requirement for a topographic map and the requirement that the grading plans be prepared and signed by a registered professional engineer, where the applicant demonstrates an engineered grading plan and/or topographic map is not necessary to comply with the performance standards set forth herein. (orig. 9-24-91; am. 8-8-95)

Grading plans for residential lots in subdivisions with plats or exemptions that were approved by the Board of County Commissioners and which disturb one acre or less shall not be required to be signed by a registered professional engineer unless cuts or fills greater than 5 feet in height are proposed. The topographic map may have contour lines at intervals greater than 5 feet, but must show the configuration of the ground before and after grading. (orig. 9-24-91)

The plans shall include the following unless waived or exempted herein. (orig. 8-25-86; am. 9-24-91)

a. A vicinity map (not to scale) indicating the location of the site relative to the principal roads, lakes or dams, and watercourses in the area. (orig. 8-25-86; am. 9-24-91)
b. A map which shows the items listed below. Acceptable map scales are 1 inch to 10, 20, 30, 40, 50, 60 or 100 feet. (orig. 8-25-86; am. 9-24-91)

(1) A title block which includes the title of the Grading Plan, purpose and nature of the grading project and, if applicable, states the use of earth material to be removed from the site. The name of the engineer who prepared the plans should also be included in the title block. (orig. 8-25-86; am. 9-24-91)

(2) The complete site boundary and locations of any easements and rights-of-way traversing and adjacent to the property, appropriately labeled and dimensioned. (orig. 8-25-86)

(3) The location of existing roads, buildings, wells, pipelines, watercourses and other structures, facilities and features of the sites, and the location of all improvements on adjacent land within 50 feet of the site's boundary. (orig. 8-25-86)

(4) The location and nature of known or suspected highly erodible soils or geologic hazard areas. (orig. 8-25-86; am. 9-24-91)

(5) A topographic map which shows the affected area. The map shall show affected areas outside the permit boundaries, such as drainages. Contour lines shall be at 5-foot intervals or at an interval of greater detail if necessary to accurately show topographic features and drainage patterns, and the configuration of the ground before and after grading. Contours shall be accurate to within one-half (1/2) contour interval and elevations shall be based on United States Geologic Survey (U.S.G.S.) sea level datum. Except for driveway permits, U.S.G.S. quad maps shall not be accepted as evidence for topographic contours. (orig. 8-25-86; am. 9-24-91; am. 3-23-99)

(6) The location, extent and finished surface slopes of all final cut and fill lines. (orig. 8-25-86)

(7) The 100-year flood plain boundaries. (orig. 8-25-86)

(8) The location of any existing flood control facilities, wells or septic tank disposal fields in the vicinity of the permit area. (orig. 8-25-86; am. 9-24-91)

(9) The location where any earth materials and topsoil will be stockpiled. (orig. 8-25-86; am. 9-24-91)

(10) The north arrow, the scale, and the date. (orig. 8-25-86)

(11) The general location and character of vegetative cover on the site and the location of all major rock outcrops. (orig. 8-25-86; am. 9-24-91)

c. Typical cross sections (not less than two) of all existing and proposed graded areas taken at intervals not exceeding 200 feet and at locations of maximum cuts and fills where such cuts and/or fills exceed 10 feet in height. (orig. 8-25-86; am. 9-24-91)

d. An estimate of the quantities of excavation and fill, including quantities to be moved off and on site. (orig. 8-25-86; am. 9-24-91)
e. The projected schedule of operations, including the following dates: (orig. 8-25-86)

(1) Commencement of work, including days and hours of operation. (orig. 8-25-86; am. 9-24-91)
(2) Start and finish of rough grading. (orig. 8-25-86)
(3) Completion of work in any watercourse. (orig. 8-25-86)
(4) Completion of erosion and sediment control facilities. (orig. 8-25-86)
(5) Maintenance schedule for erosion and sediment control practices. (orig. 9-24-91)
(6) Completion of any required landscaping. (orig. 8-25-86)

f. Such supplemental information as is required to fully describe the project. (orig. 8-25-86; am. 9-24-91)

2. Erosion and Sediment Control Plans:

a. The proposed erosion and sediment control plan shall be prepared by a registered professional engineer, soils scientist or landscape architect. The erosion and sediment control plan need not be a separate sheet if all facilities and measures can be shown on the grading sheets without obscuring the clarity of either the grading plan or the erosion and sediment control plan. The plans shall include an itemized cost estimate of all proposed erosion and sediment control measures. All sediment control plans shall be designed to achieve the performance standards set forth herein. (orig. 8-25-86; am. 9-24-91)

b. The proposed erosion and sediment control plan shall include a permanent and, if applicable, a temporary revegetation and sediment control plan which includes the following items: seed mixture(s) including species and variety, type of seedbed preparation and method of seeding, seeding rates, seeding dates, type and application rates of fertilizer and mulch, and irrigation facilities and methods if applicable. (orig. 9-24-91)

3. Soil/Geologic Investigation Report:

If a soils and/or geologic investigation report is required by the Planning and Zoning Department, it shall be prepared and signed by a qualified professional geologist or registered professional engineer. The report shall contain all of the following as they may be applicable to the subject site: (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

a. A site map showing the topographic features of the site and locations of all soil borings and test excavations. (orig. 8-25-86)

b. A classification of the soil types, laboratory test data, and consequent evaluation regarding the distribution and nature of existing soils. (orig. 8-25-86; am. 9-24-91)

c. A description of the geology of the site and adjacent areas when pertinent to the site. (orig. 8-25-86)
d. A suitably scaled map and cross sections showing all identified areas of historic or potential instability within and adjacent to the permit area. An evaluation of the stability of natural slopes and any proposed cut and fill slopes. (orig. 8-25-86; am. 9-24-91)

e. A description of known or inferred groundwater or excessive moisture conditions. (orig. 8-25-86; am. 9-24-91)

f. A description of the soil and geologic investigative techniques employed. (orig. 8-25-86)

g. A log for each soil boring and test excavation showing elevation at ground level and the depth of each soil or rock strata. (orig. 8-25-86)

h. Recommendations for grading procedures and specifications, including methods for excavation and subsequent placement of fill. (orig. 8-25-86)

i. Recommendations regarding drainage and erosion control (this is optional information in the soil/geologic investigation report). (orig. 8-25-86)

j. Recommendations for mitigation of geologic hazards. (orig. 8-25-86)

k. The time of year the field work was done and a list of references and other supportive data. (orig. 8-25-86)

l. Design of retaining walls included in the grading and/or sediment control plans. (orig. 9-24-91)

E. PERFORMANCE STANDARDS FOR THE GRADING SITE

1. No Impedance to Natural Water Flow:

   a. No work shall be done which may obstruct, impede or interfere with the flow of storm water in natural drainageways, unimproved channels or watercourses, or improved ditches, channels or canals in such a manner as to cause flooding where it would not otherwise occur. Any activity taking place in an area zoned Flood Plain Overlay District shall meet the requirements of Section 43 of this Zoning Resolution. (orig. 8-25-86; am. 9-24-91)

   b. Construction equipment shall be kept out of watercourses except when necessary to perform work on the approved plans. Where in-channel work is designated on approved plans, precautions shall be taken to stabilize the work area during construction to minimize erosion. The channel, including bed and banks, shall always be restabilized immediately after in-channel work is completed. (orig. 9-24-91)

   c. Where a drainage will be crossed by construction vehicles regularly during construction, a temporary culvert crossing shall be provided. A permit may be required from the U.S. Army Corps of Engineers and the Environmental Protection Agency prior to any disturbance in waters of the United States or federally regulated wetlands. (orig. 9-24-91)

2. Excavation:

   Excavations shall be constructed and/or protected so that they are stable and do not endanger life or property. (orig. 8-25-86; am. 9-24-91)
3. **Excavation Slope:**

   a. The slope of cut surfaces of permanent excavations shall not be steeper than 2 horizontal to 1 vertical (approximately 25 degrees). Steeper slopes may be permitted with the approval of the Planning and Zoning Department, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. The Planning and Zoning Department may require the excavation to be made with a cut face flatter in slope than 2 horizontal to 1 vertical (2H:1V) if soils/geologic information submitted shows that flatter slopes are necessary for stability, adequate revegetation or maintenance. Cut slopes shall be rounded into the existing terrain to produce a contoured transition from cut face to natural ground. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

   b. The slope of cut surfaces which are 5 feet in height or less and are in competent bedrock may be steeper than 2H:1V, but shall be no steeper than 1 1/2H:1V. Steeper slopes may be permitted with the approval of the Planning and Zoning Department, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. (orig. 9-24-91; am. 8-8-95)

4. **Fill Placement:**

   Completed fills shall be stable masses of well integrated material bonded to adjacent materials and to the materials on which they rest. Proper drainage and other appropriate measures shall be taken to ensure continuing integrity of fills. Earth materials shall be used which have no more than minor amounts of organic substances. (orig. 8-25-86)

5. **Fill Compaction:**

   If necessary for stability, the Planning and Zoning Department may require fills to be compacted to a minimum of 90 percent of maximum density as determined by A.S.T.M. D1557-78. A.S.T.M. D698-78 may be used for clays with a high plasticity index with prior approval by the County Planning and Zoning Department. The standard for fill compaction shall not apply to fills of less than 50 cubic yards which are placed on natural terrain with a slope flatter than 5H:1V, are less than 5 feet in depth, are not intended to support structures, and do not obstruct a drainage course. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

6. **Ground Preparation for Fill Placement:**

   The ground surface shall be prepared to receive fill by removing vegetation, topsoil, and other unsuitable materials. (orig. 8-25-86)

7. **Fill Slopes:**

   a. The slope of all permanent fills shall not be steeper than 2H:1V. Steeper slopes may be permitted with the approval of the Planning and Zoning Department, provided it can be adequately demonstrated in a soils/geologic report that such slopes are stable and will not undergo accelerated erosion. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

8. **Driveways and Private Roads:**

   a. Maximum widths of driveways and private roads shall be as follows. (orig. 8-8-95)
March 23, 1999

(1) Fourteen feet for driveways serving 1 dwelling unit. (orig. 8-8-95)

(2) Twenty feet for private roads serving up to 16 dwelling units. (orig. 8-8-95)

(3) Twenty-four feet for private roads serving 16 or more dwelling units or one or more nonresidential units. (orig. 8-8-95)

b. For private roads and driveways the maximum allowable disturbance from the toe of fill to the top of cut shall be 14 feet in vertical height. The Board of Adjustment may grant a special exception to this standard if the applicant demonstrates that the proposed grading plan results in less overall land disturbance and that the special exception is necessary to comply with the Preservation of Existing Terrain and Vegetation and Impact Mitigation Standards, below. (orig. 8-8-95)

9. Protection of Adjacent Structures:

Footings which may be affected by any excavation shall be underpinned or otherwise protected against settlement and shall be protected against lateral movement. Fills or other surcharge loads shall not be placed adjacent to any building or structure unless such building or structure is capable of withstanding the additional loads caused by such fill or surcharge. (orig. 8-25-86)

10. Setbacks:

a. Setbacks for all grading and erosion control activities shall be at least 7 feet from property boundaries and at least 25 feet from off-site occupied structures. The Planning and Zoning Department may waive setback requirements provided it can be adequately demonstrated that activities occurring within setback limitations will not adversely affect adjacent property or structures. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99)

b. Roads and driveways are exempt from setback requirements. (orig. 9-24-91)

11. Drainage:

Any required drainage structures and devices shall be designed and constructed in accordance with standards and criteria established in the Jefferson County Storm Drainage and Technical Criteria Manual and as listed below. (orig. 8-25-86; am. 9-24-91)

a. Drainage Structures and Devices:

All drainage facilities shall be designed to carry surface and subsurface water to the nearest adequate street, storm drain, and natural watercourse or other juncture. (orig. 8-25-86)

b. Water Accumulation:

All finished areas shall be graded and drained such that water will not pond or accumulate except where the end use is a pond, reservoir or detention basin. Drainage shall be effected in such a manner that it will not cause erosion or endanger the stability of any cut or fill slope or any building or structure. (orig. 8-25-86; am. 9-24-91)
c. Protection of Adjoining Property:

When surface drainage is discharged onto any adjoining property, it shall be discharged in such a manner that it will not cause an increased hazard to the stability of any cut and fill slope or any building or structure. (orig. 8-25-86; am. 9-24-91)

d. Subsurface Drainage:

Cut and fill slopes shall be provided with subsurface drainage as necessary for stability. (orig. 8-25-86)

12. Erosion and Sediment Control:

The following shall apply to the control of erosion and sediment from grading operations: (orig. 8-25-86)

a. To the extent practicable and in conformance with C.1.e., above, implementation of the erosion and sediment control plan shall precede grading activities. (orig. 9-24-91)

b. Upon completion of grading activities, graded areas, except for rock cuts, shall be stabilized by adequate vegetative cover or other permanent soil erosion control measures which prevent accelerated erosion. (orig. 8-25-86; am. 9-24-91)

(1) Cuts and fills accomplished for all roads, driveways and other vehicular access shall be stabilized with adequate vegetative cover or other permanent soil erosion control measures which prevent accelerated erosion, unless the cut is in competent bedrock. (orig. 9-24-91)

(2) No project shall cause accelerated off-site erosion. (orig. 9-24-91)

c. To the extent practicable, sediment caused by accelerated soil erosion shall be removed from runoff water before leaving the site. (orig. 9-24-91)

d. All land disturbing activities shall be designed, constructed, and phased in such a manner as to minimize the exposure of graded areas and to prevent accelerated soil erosion to the extent practicable. (orig. 9-24-91)

e. Cut and fill slopes shall be stabilized, and surface water damage to cut and fill slopes shall be prevented. (orig. 8-25-86)

f. Fugitive dust emissions shall be controlled using the best available control technology as defined by the Colorado Department of Health as of the date of permit issuance. (orig. 8-25-86; am. 9-24-91)

g. All temporary and permanent soil erosion and sediment control practices shall be maintained and repaired as needed to assure continued performance of their intended function. For example, straw bale dikes or silt fences may require periodic replacement. Sediment traps and basins will require periodic sediment removal. (orig. 9-24-91)
h. All topsoil, where physically practicable, shall be salvaged and no topsoil shall be removed from the site except as set forth in the approved plans. Topsoil and overburden shall be segregated and stockpiled separately. Topsoil and overburden shall be redistributed within the graded area after rough grading to provide a suitable base for areas which will be seeded and planted. Runoff from the stockpiled area shall be controlled to prevent erosion and resultant sedimentation of receiving water. (orig. 8-25-86; am. 9-24-91)

i. Runoff shall not be discharged from the site in quantities or at velocities substantially above those which occurred before grading except into drainage facilities whose design has been specifically approved by the Planning and Zoning Department prior to the permit approval. (orig. 8-25-86; am. 3-23-99)

j. Permittee shall take reasonable precautions to ensure that vehicles do not track or spill earth materials on to public streets and shall remove such materials if this occurs. (orig. 8-25-86)

k. Should increased sediment discharge occur or become imminent, permittee shall take all necessary steps to control such discharge. Permittee shall take prompt action to resolve emergency problems. (orig. 8-25-86)

l. Permanent or temporary soil stabilization measures shall be applied to disturbed areas and soil stockpiles within 30 days after final grade is reached on any portion of the site. Soil stabilization measures shall be applied within 30 days to disturbed areas which may not be at final grade, but will be left dormant for longer than 60 days. (orig. 9-24-91)

13. Geologic, Floodplain, Wildfire, and Dipping Bedrock Hazards:

Any activity taking place in an area zoned Geologic Hazard Overlay District or Floodplain Overlay District, or Wildfire Hazard Overlay District, or Dipping Bedrock Overlay District shall meet the requirements of the appropriate sections of this Zoning Resolution and the warranty requirements of the Land Development Regulation. Grading activities shall not create or aggravate unstable slopes, rockfall, landslide, or subsidence hazards or increase the risk of wildfire, flooding, or dipping bedrock hazards. (orig. 8-8-95; am. 3-23-99)

14. Preservation of Existing Terrain and Vegetation and Impact Mitigation:

a. The edges of graded areas shall blend into the surrounding natural terrain/topography. (orig. 8-8-95)

b. The proposed grading shall occur in such a manner that it avoids, to the extent practicable, all rock outcroppings, existing trees over 6 inches in caliper, vegetation over 8 feet in height, and riparian, wetland and critical wildlife areas. If from the original documentation and/or field investigation it appears that a less impactive alternative exists, the Planning and Zoning Department may require the grading plan to be revised. (orig. 8-8-95)

c. Excess material shall be graded in a manner which emulates the natural topography and shall not be cast over the side of cut or fill slopes. (orig. 8-8-95)

d. Cut slopes which are in rock and are intended to be left exposed shall be treated to obtain a natural looking appearance in color and form to blend with surrounding terrain. The method of treatment shall be approved by the County. This requirement applies where exposed rock is visible off-site. (orig. 8-8-95)
e. Retaining walls visible from off-site shall not exceed a maximum height of eight (8) feet and shall be faced with stone or constructed with textured earth colored material that is identified in the grading plan. All retaining walls in excess of 36 inches shall be constructed in accordance with a design prepared by a professional engineer. If a series of retaining walls is required, the horizontal distance between wall should be a minimum of 4 feet. (orig. 8-8-95)

f. The grading plan shall be designed to use existing topography and existing vegetation to screen site disturbance. (orig. 8-8-95)

g. Revegetation plans shall emulate existing vegetation and feature the predominate use of native plants or plants which are indigenous to the area. (orig. 8-8-95)

h. Any permanent erosion control and drainage improvements that are installed, as a result of grading activities shall be designed to compliment and blend with the natural topography of the land. (orig. 8-8-95)

F. IMPROVEMENT SECURITY REQUIRED

1. As a condition for the issuance of a permit, the Planning and Zoning Department may require an improvement security in an amount necessary to ensure compliance with the performance standards in the event of default on the part of the permittee. (orig. 8-25-85; am. 9-24-91; am. 8-8-95; am. 3-23-99)

   a. Except for rough grading, the amount of the security shall be 100% of the cost of the work. The amount of security for rough grading shall be 25% of the total cost of rough grading for all lands within the mountain area and 10% for all lands within plains area of the County. For the purposes of this section, the definition of mountain and plains areas shall be pursuant to the Jefferson County Land Development Regulation. A contingency amount equivalent to 10% of the total cost of all works shall be added to the security amount. (orig. 3-23-99)

   b. The improvement security shall be in the form of cash escrow or a letter of credit. (am. 3-23-99)

   c. The improvement security shall remain in effect until final inspections have been made, adequate cover has been achieved, where required, and all grading work has been accepted by the Planning and Zoning Department. (orig. 8-25-85; am. 9-24-91; am. 8-8-95)

2. Any letter of credit or deposit required pursuant to this Section shall be payable to the Board of County Commissioners of Jefferson County. (orig. 8-25-86; am. 8-8-95)

3. Grading items to be secured shall include, but are not limited to: (orig. 3-23-99)

   a. any off-site improvements required due to changes in drainage or stability problems emanating from grading activity proposed, permitted, or currently underway; and (orig. 3-23-99)

   b. any improvements currently required by an old plat; and (orig. 3-23-99)

   c. any improvements required by the Board of Adjustment. (orig. 3-23-99)
G. PERMIT COMPLETION AND RELEASE OF SECURITY

1. Upon the receipt of an as-built grading plan, if required, as set forth below and the satisfactory completion of all of the following, as determined by the Planning and Zoning Department, the improvement and/or maintenance securities will be released and/or a Certificate of Compliance will be issued. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)

   a. Applicable provisions of this Section. (orig. 8-25-86)
   b. The terms of the permit. (orig. 8-25-86)
   c. Establishment of an adequate vegetative cover, where required. (orig. 8-25-86; am. 9-24-91)
   d. Receipt of proof of compaction, where the compaction standard applies. Compaction tests shall be taken under the direct supervision of a geotechnical engineer. The geotechnical engineer or his designated representative shall observe grading activities on a full time basis and shall take sufficient compaction test to enable the engineer to determine that the site is ready for the intended uses and shall so state on the compaction report. Compaction reports shall be signed and sealed and dated by a registered professional engineer. Compaction reports shall include the moisture density curves, location of test sites, soil type(s), density results, type of test and if a failing test, retesting of the site. The engineer shall provide a complete set of all test and observations and a report stating that the grading activities have been completed in substantial conformance with the approved grading plan, the requirements of this Section, and the Land Development Regulation. (orig. 9-24-91; am. 3-23-99)

2. An as-built grading plan may be required by the Planning and Zoning Department for grading activities which occur in a floodplain or in areas of potential instability, or where structures such as large fills or retaining walls will be constructed. (orig. 9-24-91; am. 8-8-95)

3. However, upon failure to complete the work, failure to comply with all of the terms of the permit or failure of the erosion and sediment control measures to function properly, the County may do the required work or cause it to be done and collect from the permittee or surety all costs incurred, including administrative and inspection costs. Any unused portion of a deposit or bond shall be refunded to the permittee after deduction by the County of the cost of the work. (orig. 8-25-86)

H. ENFORCEMENT

1. Inspections:
   
The County may inspect the site and perform any necessary tests from time to time to ensure compliance with the permit conditions. (orig. 9-24-91; am. 8-8-95; am. 3-23-99)

2. Suspension and Revocation of Permit:

   The Planning and Zoning Department may suspend or revoke a permit for violation of any provision of this Section, violation of the permit or misrepresentations by permit holder, his agents or his employees or independent contractors under contract with the permittee. The decision of the Planning and Zoning Department to suspend or revoke a permit may be appealed to the Board of Adjustment. No work shall be performed while an appeal is pending except as authorized by the Planning and Zoning Department. (orig. 8-25-86; am. 9-24-91; am. 8-8-95)
3. Court Action:

Nothing in this Section shall be construed to prevent the County Attorney, at the County Attorney's discretion, from filing a court action based upon a violation or potential violation of this Section. (orig. 3-23-99)

4. Right of Entry:

Whenever necessary to enforce the provisions of this Section the Planning and Zoning Department can enter the premises at all reasonable times to perform any duty imposed by this Section. If such entry is refused, the Planning and Zoning Department shall have recourse to every remedy provided by law to secure entry. If a grading permit is suspended or revoked, the County shall have the right to enter the site to complete the work allowed under the grading permit. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99)

5. Stop Work Orders:

When any work is being done which is not in compliance with an approved permit and/or the provisions of this Section or any other applicable law, rule or regulation, the Planning and Zoning Department can order the work stopped by serving written notice on any persons engaged in doing or causing such work to be done. Such person shall immediately stop such work until authorized by the Planning and Zoning Department to proceed with the work or until approval to proceed has been obtained from the Board of Adjustment or other legal process. If there are no persons present on the premises, the notice may be posted in a conspicuous place. The notice shall state the nature of the violation. The notice shall not be removed until the violation has been vacated or authorization to remove the notice has been issued. Failure to comply with any Stop Work Order is a violation of the Zoning Resolution. (orig. 8-25-86; am. 9-24-91; am. 8-8-95; am. 3-23-99)
SECTION 12: SPECIAL EVENTS

A. INTENT AND PURPOSE

This Section is intended to provide for the orderly control of special events by establishing appropriate permit requirements and regulations in an effort to provide for the temporary use of land in all zone districts for special events and to ensure that no special event occurs which would have a significant negative affect on adjacent and nearby property owners, residents and businesses or which would be unsafe given prevailing site conditions, traffic and circulation patterns, land use characteristics and the nature of the proposed use. (orig. 2-13-01)

B. GENERAL PROVISIONS

1. Special events shall occur or operate in compliance with the provisions of this section and all applicable provisions and regulations of Jefferson County, and applicable State and Federal statutes and regulations. (orig. 2-13-01)

2. Issuance of a Special Event Permit shall not relieve the landowner or applicant of the responsibility for securing other permits or approvals required by the Planning and Zoning Department, the Building Department, the Health Department, the Fire District or any other department or agency of Jefferson County or other public agency. (orig. 2-13-01)

3. All special events requiring permits as set forth in this Section must be approved by the Jefferson County Zoning Administrator or the administrator's representative. (orig. 2-13-01)

4. The maximum duration of a special event shall be 30 calendar days, either at one time or cumulatively, per year. (orig. 2-13-01)

C. SPECIAL EVENTS NOT PERMITTED

The following special events are prohibited throughout the County. (orig. 2-13-01)

Solicitation on or near public rights-of-way such that vehicles traveling upon the road or highway are disrupted. (orig. 2-13-01)

D. EXEMPTED SPECIAL EVENTS

The following special events are exempt from the requirements of this Section. (orig. 2-13-01)

1. Funeral processions. (orig. 2-13-01)

2. Residential gatherings. (orig. 2-13-01)

3. Events which have received a permit or approval by some other government entity (e.g. Jefferson County Open Space, Denver Parks, special districts) and which are contained entirely on the property owned or leased by the approving entity. (orig. 2-13-01)

4. Emergency events including but not limited to responses to natural disasters, or other responses to health and safety emergencies that cannot meet the application deadlines specified in this Section or which occur without advance knowledge. (orig. 2-13-01)
E. SPECIAL EVENTS NOT REQUIRING A PERMIT

Temporary or seasonal special events similar to or operated in conjunction with the permitted use are permitted without a Special Event Permit in all zone districts and Planned Developments provided all of the following are satisfied: (orig. 2-13-01)

1. The event does not operate between the hours of 10:00 p.m. of one day and 8:00 a.m. of the next day. (orig. 2-13-01)

2. The event is located entirely on private property with the permission of the landowner. (orig. 2-13-01)

3. All parking for the event is contained on-site or on nearby private property with the permission of the landowner. (orig. 2-13-01)

4. No on- or off-site grading or topographic alteration is required. (orig. 2-13-01)

5. No undue traffic congestion or traffic accident potential is generated. (orig. 2-13-01)

6. No food service offered for public consumption or for sale. (orig. 2-13-01)

7. Adequate water, sanitation, and refuse collection is provided. (orig. 2-13-01)

8. No noise, dust, smoke, glare, light trespass or other form of environmental or visual pollution is generated which would have a significant negative effect on adjacent and nearby property owners, residents and businesses. (orig. 2-13-01)

F. SPECIAL EVENTS REQUIRING A PERMIT

1. Special Event Permit Required: The following special events shall require a Special Event Permit. (orig. 2-13-01)

   a. Temporary events not wholly contained within a building or structure including, but not limited to, "Parade of Homes" type events, carnivals, circuses, festivals, concerts, revivals, parades, road races, and other similar activities. (orig. 2-13-01)

   b. Any special event affecting or within a public right-of-way. (orig. 2-13-01)

   c. Any special event that does not satisfy any or all of the criteria listed in part E of this Section. (orig. 2-13-01)

2. Application: At least 45 days prior to the requested start date of the proposed special event requiring a permit, a Special Event Permit Application shall be submitted to the Jefferson County Planning and Zoning Department and shall include the following information unless, based upon the specific special event, it is determined by the Zoning Administrator that specific information is not needed to adequately review the application: (orig. 2-13-01)

   a. A written description indicating: the type of event, the event sponsor(s), the location of the event or event route, a list of all roads affected, the duration of the event, the hours of operation, the expected water requirements (including the source and supply of water), the number of employees/volunteers, the number and location of toilets, the anticipated attendance, food or alcoholic beverages to be served, temporary structures or fences proposed, the anticipated parking needs complete with data indicating how the demand was calculated and how the need is to be addressed, the surface material of the parking area, a method/plan...
for handling traffic in conformance with the Manual on Uniform Traffic Control Devices and the Colorado Supplement, a statement of expected impacts to the subject land and surrounding properties, how adverse impacts on surrounding properties will be minimized including a response to each of the performance standards established in this Section. (orig. 2-13-01)

b. A site plan (drawn to scale, showing all of the following in relation to existing and proposed buildings, parking areas, streets and property lines on the proposed site and on abutting properties): the location of the event or the event route, the location of proposed structures (including restrooms, storage bins, trash receptacles, temporary buildings, etc.), the location of traffic controls proposed (including road barriers, detour signs, traffic control lights, traffic personnel, etc. all of which shall be paid for and provided by the applicant), access to/from the site, parking areas (showing access, number of parking spaces, parking barriers, surfacing, etc.), activity areas (eg. parking area, alcoholic beverage area, children's play area, games area, seating, etc.). (orig. 2-13-01)

c. Written confirmation from the property owner(s) agreeing to the use of the property or right-of-way for the special event or a copy of the lease agreement. (orig. 2-13-01)

d. A nonrefundable application processing fee in an amount established by the Board of County Commissioners. (orig. 2-13-01)

e. Evidence of availability of and access to water and sanitation services, if the event is to be served by public water and sewer. If portable toilets are proposed, evidence of a maintenance contract specifying the servicing and removal of all toilets. (orig. 2-13-01)

f. Evidence of a refuse contract for the collection and disposal of rubbish, specifying frequency of collection and final collection terms or such other description of refuse disposal approved by the administrator. (orig. 2-13-01)

g. Evidence of insurance for events proposed on County property or public rights-of-way. This insurance shall include general liability covering claims that might arise from the event including participant and spectator liability in a minimum amount of $1,000,000 per occurrence, with the County named as an additional insured. Block parties are exempt from the insurance requirements. Evidence of insurance may be submitted prior to issuance of the Special Event Permit rather than with the submission of the application. (orig. 2-13-01)

h. Any additional information deemed necessary by the Zoning Administrator or the Zoning Administrator’s representative. (orig. 2-13-01)

3. Application Review: Zoning Administration will review the Special Event Permit Application and may refer it to any other County or non-County department, agency or official whose consideration is deemed essential to a full and complete assessment. The applicant is responsible for providing the necessary number of copies of the application for this referral. In reviewing the application, the following shall be considered by Zoning Administration. (orig. 2-13-01)

a. The adequacy of the site plan. (orig. 2-13-01)

b. The adequacy of the size and shape of the site to accommodate the special event proposed. (orig. 2-13-01)
c. The adequacy of the surrounding street/road network to serve the kind and quantity of traffic anticipated by the proposed special event including the adequacy of the proposed traffic controls. (orig. 2-13-01)

d. The adequacy of the size and shape of the site to accommodate the special event proposed. (orig. 2-13-01)

e. The adequacy of local fire protection to service the event. (orig. 2-13-01)

f. Noise, light, dust, odor, or any other impact from the special event to surrounding properties and uses. (orig. 2-13-01)

g. The preservation of the public health, safety or general welfare of surrounding properties and uses. (orig. 2-13-01)

h. Compliance with the requirements of this Section. (orig. 2-13-01)

4. Action on Application: Within 15 days of receipt of the Special Event Permit Application, Zoning Administration may take the following action. (orig. 2-13-01)

a. Issue the permit: if the proposed special event conforms in all respects with the applicable provisions, requirements and standards of this Section or if it can conform with the imposition of conditions. (orig. 2-13-01)

b. Deny the permit: if the proposed special event fails to conform with any of the provisions, requirements or standards of this Section. If denied, Zoning Administration shall specify the reasons therefore, in writing, citing specific requirements, provisions and standards contained in this Section or in other applicable provisions of the Zoning Resolution or other applicable regulatory documents that were not met. (orig. 2-13-01)

c. Refer the permit: to the Board of County Commissioners for decision in the following cases. When a permit is referred to the Board, the applicant shall be responsible for posting a sign(s) on the subject property pursuant to Section G.3.m (sign posting requirements for Rezoning or Special Use processes) of this Zoning Resolution. (orig. 2-13-01)

(1) Any special event involving or affecting the following roads. (orig. 2-13-01)

(a) Deer Creek Canyon Road (from South Platte Canyon Road to South Turkey Creek Road). (orig. 2-13-01)

(b) Golden Gate Canyon Road (from State Route 93 to Jefferson/Gilpin County Line). (orig. 2-13-01)

(2) Any special event proposed on properties, excluding rights-of-ways, owned by Jefferson County. (orig. 2-13-01)

(3) Any special event incurring adverse impacts to surrounding properties or uses, at the discretion of Zoning Administration. (orig. 2-13-01)

5. Appeals: Any decision of the Zoning Administration with respect to a Special Event Permit Application may be appealed, within 15 days of such decision to the Board of Adjustment. (orig. 2-13-01)
6. Enforcement: (orig. 2-13-01)
   a. Inspections: The County may enter and inspect the special event site from time to time to ensure compliance with the Special Event Permit conditions and to enforce the provisions of this Section. If such entry is refused, the County shall have recourse to every remedy provided by law to secure entry. (orig. 2-13-01)
   b. Suspension and Revocation of Permit: Zoning Administration may suspend or revoke a Special Event Permit for violation of any provision of this Section or any other applicable law, rule or regulation, for violation of the Permit conditions, or for any misrepresentation by the applicant, his agents or his employees or independent contractors under contract with the applicant. The decision of Zoning Administration to suspend or revoke a Special Event Permit may be appealed to the Board of County Commissioners. No event shall occur while a suspension or revocation appeal is pending except as authorized by Zoning Administration. Failure to comply with this Section or with the Special Event Permit conditions is a violation of the Zoning Resolution. (orig. 2-13-01)

G. SPECIAL EVENT PERFORMANCE STANDARDS

All special events shall comply with the following standards. (orig. 2-13-01)

1. Cessation of the Event: Within 24 hours of cessation of the event, the site shall be returned to its previous condition (including the removal of all buildings and structures, trash, debris, signage, attention-attracting devices or other evidence of the special event). (orig. 2-13-01)

2. Grading: Any necessary grading or topographic alterations shall conform to the requirements of Section 11 (Grading and Erosion Control) of this Zoning Resolution including the issuance of a Grading Permit, if required. (orig. 2-13-01)

3. Traffic Circulation: The special event shall not cause undue traffic congestion or accident potential as determined by the Jefferson County Department of Highways and Transportation. (orig. 2-13-01)

4. Sewer, Potable Water, Refuse and other Nuisances: Management of sewage, potable water, refuse and other nuisances shall conform to the requirements of the Jefferson County Department of Health and Environment. (orig. 2-13-01)

5. Food Service: Management of food service shall conform to the requirements of the Jefferson County Department of Health and Environment. (orig. 2-13-01)

6. Signage: All proposed signage shall comply with the requirements of Section 9 (Signs and Outdoor Advertising Devices) of this Zoning Resolution except that a Sign Permit shall not be required for any sign proposed in conjunction with a special event. Conformance to the regulations related to signage shall be reviewed simultaneously with the Special Event Permit Application. (orig. 2-13-01)
7. Structures and Fences: Temporary structures and fences shall be permitted for special events. All proposed structures and fences shall comply with the requirements of Section 2 (General Provisions) of the Zoning Resolution and with the height, setback, and fencing requirements of the underlying zone district except that no structure shall be erected, placed or maintained within 10 feet of any right-of-way (unless the right-of-way has been closed as part of the Special Event) and a Miscellaneous Permit is not required for any structure or fence proposed in conjunction with a special event. Conformance to the regulations related to structures or fences shall be reviewed simultaneously with the Special Event Permit Application. (orig. 2-13-01)

8. Lighting: All proposed lighting shall comply with the requirements of this Zoning Resolution except that Site Development Plan approval shall not be required. Conformance to the regulations related to lighting shall be reviewed simultaneously with the Special Event Permit Application. (orig. 2-13-01)

9. Corner Vision Clearance: The special event shall comply with the corner vision clearance requirements of the underlying zone district of the site. (orig. 2-13-01)

10. Other Conditions: The Board of County Commissioners, the Zoning Administrator or the Zoning Administrator's representative may establish any permit conditions deemed necessary to minimize potential adverse impacts on nearby properties or uses, including but not limited to the following. (orig. 2-13-01)

   a. Modifications or restrictions on the hours and frequency of operation, duration of the event(s), size of the activity or other operational characteristics. (orig. 2-13-01)

   b. Limitations on the location, number, and type of signs and other attention-attracting devices. (orig. 2-13-01)

   c. Requirement of temporary arrangements for parking and traffic circulation. (orig. 2-13-01)

   d. Requirements for screening or buffering. (orig. 2-13-01)

   e. Requirements for County inspections. (orig. 2-13-01)

   f. Guarantees in the form of a Letter of Credit or cash for the total estimated cost (as provided by the applicant) plus 10% of any required grading, site restoration, for the dismantling and removal of all structures, and for all clean-up following the special event. (orig. 2-13-01)

   g. Provision of any extraordinary services including but not limited to traffic control devices, security personnel, food service requirements, potable water requirements, refuse disposal, or any equipment required to protect the public health, safety, and welfare. (orig. 2-13-01)
A. RULES OF PROCEDURE

1. Meetings:
   a. Regular meetings of the Board of Adjustment shall be held on the first Wednesday and the third Wednesday of each month at 9:00 a.m. (orig. 5-6-46; am. 3-17-58; am. 4-30-69)
   b. Special meetings shall be held at the call of the Chairman and at such other times as the Board may determine. (orig. 5-6-46)
   c. All meetings shall be opened to the public. (orig. 5-6-46)
   d. A quorum of the Board of Adjustment shall consist of 3 members. (orig. 5-6-46)
   e. The members of the Board shall attend meetings of the Board in person. (orig. 5-6-46)
   f. The Chairman, or if absent, the Vice Chairman or the Acting Chairman, may administer oaths and compel the attendance of witnesses. (orig. 5-6-46)
   g. The Board shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote indicating such fact; and it shall also keep records of its examinations and other official actions, all of which shall be filed immediately in the offices of the Board and shall be a public record. (orig. 5-6-46)
   h. The concurring vote of 4 members of the Board shall be necessary to reverse any order, requirement, or decision or determination of the Zoning Administrator, or to decide in favor of the applicant, any matter upon which it is required to pass under the Zoning Resolution, or to effect any variation herein. An appeal may be taken from any final action of the Zoning Administrator to the Board of Adjustment by any person aggrieved, or by an officer, department, or board of the County. Such appeal shall be taken within 15 days after the date of the final decision of the Zoning Administrator, by filing with the Zoning Administrator and the Board of Adjustment, a Notice of Appeal specifying the grounds thereof. (orig. 5-6-46; am. 3-28-00)

2. Cases Before the Board:
   a. Every application, appeal or petition to the Board shall be made to the Board on forms especially provided, and shall include the data required in such forms so as to supply all of the information necessary for a clear understanding and intelligent action by the Board. (orig. 5-6-46)
   b. Any communication purporting to be an application, appeal or petition shall be regarded as mere notice of intention to seek relief until it is made in the form required. (orig. 5-6-46)
Upon receipt of any such communication, the writer shall be supplied with the proper forms for presenting an application, appeal or petition. If the required data is not submitted within the time provided for appeal, the case may be dismissed for lack of prosecution. (orig. 5-6-46)

When an appeal is filed, the Zoning Administrator shall forthwith transmit to the Board of Adjustment, all papers pertaining to the case. (orig. 5-6-46; am. 3-28-00)

3. Calendar of Cases – Notice of Hearing:

a. Each case submitted in the proper format with the required data shall be numbered serially regardless of whether it be an application, petition or appeal, and shall be placed on the secretary's calendar. The calendar numbers shall begin anew on January 1 of each year; shall be hyphenated with the number of the year and the initials indicating the character of the case. Application for exceptions under the Zoning Resolution will be identified by a "Z" and an appeal from any order, requirement, decision or determination by the Zoning Administrator shall be identified with an "A." (orig. 5-6-46; am. 3-28-00)

b. As soon as a case receives a calendar number, it shall be put on the secretary's calendar and the applicant or appellant shall be notified of the date when his case will be heard, such notice to be by registered mail, sent to the address given on the application, petition or appeal. (orig. 5-6-46)

c. Not less than 15 days notice of the time and place of such hearing shall be given by posting a sign in a prominent place on the premises which is the subject of such application or appeal. (orig. 5-6-46)

d. Any applicant or appellant, and any resident or taxpayer of Jefferson County, who desires to oppose the application or appeal and be heard at such hearing, may appeal in person, by agent, or by attorney. (orig. 5-6-46)

4. Final Disposition of Cases:

a. Every decision of the Board on any case shall be by recorded Resolution indicating the reasons of the Board therefore. (orig. 5-6-46)

b. The final disposition of any appeal from the Zoning Administrator before the Board of Adjustment shall be in the form of a resolution, either affirming, reversing or modifying the order, requirement, decision or determination appealed from. If a resolution fails to receive 4 votes in favor of the appellant upon appeal or of the applicant for a variation from the zoning regulations, the action will be deemed equivalent to a denial, and a resolution denying such application or appeal shall be formally entered upon the record unless there be a member absent at the roll call and unless the vote of each absent member added to those voting for an applicant or appellant would equal 4, in which case the matter will be laid over for hearing before the full Board. (orig. 5-6-46; am. 3-28-00)

c. No application or appeal dismissed or denied can be considered again except: (a) on a motion to reconsider the vote; or (b) on a request for rehearing. No request to grant a rehearing will be entered unless new evidence is submitted which would not have been with due diligence, presented at the previous hearing. (orig. 5-6-46)
d. The Board may, on a motion by any member, review any decision that it has made and may reverse or modify such decision, but no such review shall prejudice the right of any person who has, in good faith, acted thereon before ruling is reversed or modified. (orig. 5-6-46)

5. Zoning Application:
   a. No application for a variation from the course prescribed by the Zoning Resolution shall be heard by the Board of Adjustment except in a specific case and from an order, requirement, decision or determination made by the Zoning Administrator upon the ground that the proposed plan or use is contrary to provision of the Zoning Resolution. (orig. 5-6-46; am. 3-28-00)
   b. No such application shall be entertained unless the application is filed within 15 days after the date of the action of the Zoning Administrator. (orig. 5-6-46; am. 3-28-00)
   c. As soon as any application is completed by the filing of the necessary data, the Board of Adjustment shall fix a reasonable time for the hearing and give due notice thereof to the parties. (orig. 5-6-46)
   d. At the time of the hearing, the applicant states the case, then the opposition shall be heard and the applicant shall have the opportunity to reply. (orig. 5-6-46)
   e. No application that has been dismissed or denied can be entertained in a case in which the applicant, by filing new plans, has obtained a new decision from the Zoning Administrator, unless the new plans materially change the aspects of the case. (orig. 5-6-46; am. 3-28-00)

6. Application Fees:
   Accompanying each application for an appeal, special exception, or variance shall be a nonrefundable processing fee in an amount established by the Board of County Commissioners. (orig. 8-7-74; am. 5-21-79; am. 5-3-94)

B. ESTABLISHMENT

A Board of Adjustment is hereby established, the members of which shall be appointed by the Board of County Commissioners. The word "Board" when used in this Section shall be construed to mean the Board of Adjustment. The Board shall consist of 5 members, not more than 2 of whom at any time may be members of the Jefferson County Planning Commission. Each member shall serve 3 years or until their respective successors have been appointed. The terms of office shall be staggered so that the term of at least one member will expire each year. Vacancies shall be filled and associate members may be appointed as provided by law. Members of the Board of Adjustment as constituted at the time of enactment of this Resolution or any amendment to this Section, shall be continued in office for the duration of their appointed terms. (orig. 5-6-46; am. 7-12-94)

C. OFFICERS

The Board shall, at its first regular meeting of such year, select a Chairman, a Vice Chairman, and a Secretary. The Secretary may or may not be a member of such Board. The Chairman shall preside at meetings and shall perform all duties usual and ordinary for the presiding officer of any Board or group. The Vice Chairman shall perform the duties of the Chairman in the absence of the Chairman.
The Secretary shall keep full and complete minutes and records of all meetings and shall have the custody of all the records and shall generally supervise all of the clerical work of the Board and perform the duties usually performed by the Secretary of a Board or group. (orig. 5-6-46)

D. POWERS

The Board shall have the following powers: (orig. 5-6-46)

1. To hear and decide upon appeals where it is alleged by the appellant that there is an error in any order, requirement, decision or refusal made by an administrative official or agency based on or made in enforcement of this Zoning Resolution. (orig. 5-6-46; am. 12-6-71)

2. To hear and decide requests for special exceptions or for interpretations of the Zoning Maps or for decisions upon other special questions upon which the Board is authorized by this Section to pass. (orig. 5-6-46; am. 12-6-71)

a. Special Exceptions for Access:

The Board of Adjustment, upon application thereto, may authorize a special exception to the access standards, defined in Section 2 of this Zoning Resolution, for the purpose of relieving difficulties or hardships due to topographic conditions; limited opportunities for the realignment of the access; or other difficulties which constrain or prohibit compliance with Section 2 of this Zoning Resolution. In such cases the Board of Adjustment must consider the following. (orig. 12-5-95)

(1) A drawing of the subject access drawn to scale, submitted by the applicant and signed and sealed by a licensed surveyor or engineer, which depicts the existing or proposed access and which clearly indicates those criteria in the "Jefferson County Roadway Design and Construction Manual" or the Zoning Resolution, which are and are not satisfied. (orig. 12-5-95)

(2) A letter from the appropriate fire protection district which evaluates the suitability of the existing and/or proposed access for fire protection services. (orig. 12-5-95)

(3) A report submitted by the applicant for property located within the Wildfire Hazard Overlay Zone which describes those site and building-related factors which contribute to the risks associated with wildfire and those building-design and technology-based factors, either existing or proposed, which mitigate the hazards associated with wildfire. Examples of contributing factors are: marginal water supplies and delivery systems, either on-site or off-site; the capabilities and response time of the local fire protection district; the presence of "heat traps" such as decks and roof overhangs; fuel sources, and topography. Examples of building design and technology based mitigation strategies are: exceptional water supplies and delivery systems, either on-site or off-site; fire resistive construction techniques and materials; irrigated lawns or groundcovers around the structure; fire department-approved suppression systems; monitored suppression systems and/or monitored detection/alarm systems. (orig. 12-5-95)
b. In determining whether to grant a special exception for access, the Board of Adjustment shall consider the evaluation by the fire protection district and shall only grant a special exception contrary to such evaluation upon detailed findings that support a conclusion that no substantial detriment to the public good nor harm to the general purpose and intent of the Zoning Resolution will be caused thereby. (orig. 12-5-95)

3. To authorize variances from the strict application of this Zoning Resolution, so as to relieve difficulties or hardships where by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of this Zoning Resolution or amendment thereof, or by reason of exceptional topographic condition or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any zoning regulation adopted would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the owner of such property; provided however, that such relief may be granted only without substantial detriment to the public good and without substantially impairing the intent and purpose of this Zoning Resolution and the Zoning Maps. (orig. 5-6-46; am. 12-6-71)

Parking:

(1) Where it is found by the Board of Adjustment, upon application thereto, that the parking demand engendered by the different uses, included in any joint arrangements to provide parking stalls required herein, occurs at definite different times of day, as in the case of a theater generating demand for parking after normal daytime business hours and a store generating demand for parking during such daytime hours and in such similar cases, the Board may reduce the total number of parking stalls to be jointly provided. (orig. 12-9-57; am. 8-6-80)

(2) In a case where any public or private off-street parking facility, to be opened for public use free of charge or at reasonable rates, is planned or in process of development and where the Board of Adjustment has reasonable assurance that such development will be carried to completion and will, when completed, relieve the parking demand in an area within 500 feet thereof. the Board may establish a reasonable time period within which such area shall be provided with the required space of all or any portion of such development. The provisions of paragraph 3 above may be applied by the Board of Adjustment. (orig. 12-9-57; am. 8-6-80)

(3) In a case where it is clearly shown by the applicant, to the satisfaction of the Board of Adjustment, that the provision of the amount of the space required herein for parking stalls, because of the particular nature of a proposed use, would be unnecessary, particularly difficult or create unnecessary hardship, the Board of Adjustment may reduce such requirements. (orig. 12-9-57; am. 8-6-80)

4. To interpret the Zoning Maps to carry out the intent and purpose of the Zoning Maps where the street or highway layout on the ground varies from the street or highway layout shown on the Zoning Map. (orig. 5-6-46; am. 12-6-71)

5. Special exceptions for mining and attendant operations, previously approved by the Board of Adjustment, shall henceforth be administered and enforced pursuant to Section 3 of this Zoning Resolution. There shall be no special exceptions approved by the Board of Adjustment to allow mining in the M-C Zone District subsequent to June 1, 1993, the effective date of this Resolution. (orig. 6-1-93)
6. To permit in any zone district the temporary occupation, for residential or office purposes, of a mobile home as defined in Section 1 of this Zoning Resolution, only in circumstances where a permanent dwelling is being constructed on the same or abutting property or where a substantial need for security personnel on the property for which the permit is sought has been established. Such permit may be granted only when the following requirements have been met: (orig. 12-6-71; am. 8-7-74)

a. Where a permanent dwelling is to be constructed, the following must be shown: (orig. 8-7-74)

(1) Proof of financing has been presented for the permanent dwelling. (orig. 12-6-71)
(2) A building permit has been obtained for the permanent dwelling. (orig. 12-6-71)
(3) Requirements 6.b.(1) through 6.b.(5) below have been complied with. (orig. 8-7-74)

b. Where a substantial need for security personnel on the property has been shown, the following requirements must be met: (orig. 8-7-74)

(1) Hardship or practical difficulty has been established. (orig. 12-6-71)
(2) A permit for an individual septic system or other sewage disposal facility, approved by the Jefferson County Health Department, exists for such mobile home. (orig. 12-6-71)
(3) A well permit has been obtained or public water supply exists for such mobile home. (orig. 12-6-71)
(4) Approval of the foregoing check list of requirements prior to approval for occupancy. (orig. 12-6-71; am. 8-7-74)
(5) Any other restrictions as may be deemed necessary by the Board of Adjustment. (orig. 12-6-71)

c. The permit may be granted only to the true fee owners of the property on which the permanent home is to be constructed or the property on which the security personnel are to be stationed. Only 1 mobile home may be permitted on the property and may be occupied by either the true fee owner or the contractor, builder, or security personnel employed by the said fee owner, upon approval by the Board. (orig. 12-6-71; am. 8-7-74)

d. Permits may be granted for a period of up to 1 year and may be renewable after a complete rehearing is held thereon by the Board of Adjustment. Where security personnel are being lodged, renewals may be granted for a maximum of 1 year at a time. (orig. 12-6-71; am. 8-7-74; am. 6-14-88)

7. To permit in any zone district temporary buildings and/or temporary uses as follows: (orig. 5-6-46; am. 12-6-71; am. 1-17-84)

a. A building for temporary purposes if such use is authorized by the zoning on the property, or; (orig. 1-17-84)
b. A temporary use of land and/or associated temporary buildings for any purpose or use which is clearly incidental to the development of the property. (orig. 5-6-46; am. 12-6-71; am. 1-17-84)

c. Such Special Exception shall in no case be granted for use of a temporary building for residential occupancy. (orig. 5-6-46; am. 12-6-71; am. 1-17-84)

d. Such Special Exception, if issued, will be valid for a period of 1 year and thereafter may be renewed annually after a complete rehearing by the Board of Adjustment. A maximum of 5 total years, beginning from the date that the first Special Exception was granted, shall be allowed. (orig. 5-6-46; am. 12-6-71; am. 1-17-84)

NOTE: If an applicant has been granted a Special Exception for a temporary use of land and/or building for 5 years or more, at time of adoption of this change, the Board of Adjustment may not grant a renewal for a Special Exception for more than 1 additional year. (orig. 1-17-84)

e. The Board shall, at the time of approval thereof, establish restrictions on location, access, heights, setbacks, water and sewer facilities, public improvements, and any other reasonable stipulations deemed necessary for the protection of the health, safety and welfare of the citizens of Jefferson County. (orig. 5-6-46; am. 12-6-71; am 1-17-84)

8. To permit home occupations which do not meet the provisions of Section 8, subject to the following limitations: (orig. 11-15-65; am. 12-6-71; am. 6-23-81)

a. The Board shall not permit any home occupation specifically excluded in Section 8 of this Zoning Resolution. (orig. 6-23-81)

b. Such home occupation shall be approved initially for a period of up to one year and may be renewable for periods of greater duration after complete rehearing thereon by the Board of Adjustment. (orig. 6-23-81)

c. The Board shall, at the time of approval thereof, establish restrictions on location, access, water and sewer facilities and any other reasonable stipulations deemed necessary for the protection of the health, safety and welfare of the citizens of Jefferson County. (orig. 6-23-81)

d. In approval or denial of home occupations herein, the Board of Adjustment shall give consideration to all incidental uses in connection therewith concerning the extent of retail sale of commodities, if any. (orig. 11-15-65; am. 12-6-71)

e. Such home occupation shall be conducted by the inhabitants of the residential property and shall terminate automatically upon any conveyance of possession or termination of lease or rental agreement. (orig. 11-15-65; am. 12-6-71; am. 6-23-81)

f. Such home occupation shall be approved only in circumstances involving practical difficulties or hardships, provided further, that the relief requested may be granted only if it is compatible with the general spirit and intent of the Zoning Resolution and to promote the general welfare. (orig. 11-15-65; am. 12-6-71)

g. The Board shall not permit any sign advertising the home occupation. (orig. 6-23-81)
9. To hear and decide requests for variances from the requirements of the Flood Plain (F-P) Overlay Zone District, and to hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Zoning Administrator in the enforcement or administration of the Flood Plain Overlay Zone District. (orig. 5-31-88)

   a. In ruling upon such appeals and variance requests, the Board shall consider all technical evaluations, relevant factors, standards specified in other sections of this Resolution, and the following. (orig. 5-31-88)

      (1) The danger that materials may be swept onto other lands to the injury of others. (orig. 5-31-88)

      (2) The danger to life and property due to flooding or erosion damage. (orig. 5-31-88)

      (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners. (orig. 5-31-88)

      (4) The importance of the services provided by the proposed facility to the County. (orig. 5-31-88)

      (5) The necessity to the facility of a waterfront location, where applicable. (orig. 5-31-88)

      (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage. (orig. 5-31-88)

      (7) The compatibility of the proposed use with the existing and anticipated development. (orig. 5-31-88)

      (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area. (orig. 5-31-88)

      (9) The safety of access to the property in times of flood for ordinary and emergency vehicles. (orig. 5-31-88)

      (10) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site. (orig. 5-31-88)

      (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, streets and bridges. (orig. 5-31-88)

   b. The Board may grant a variance provided that the following conditions are met. (orig. 5-31-88)

      (1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base level, providing items (1 through 11) of paragraph D.9.a. have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases. (orig. 5-31-88)
May 31, 1988

(2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places without regard to the procedures set forth in the remainder of this Section. (orig. 5-31-88)

(3) Variances shall not be issued within any designated floodway (high hazard area) if any increase in flood levels during the base flood discharge would result. (orig. 5-31-88)

(4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. (orig. 5-31-88)

(5) Variances shall only be issued upon the following. (orig. 5-31-88)

(a) A showing of good and sufficient cause. (orig. 5-31-88)

(b) A determination that failure to grant the variance would result in exceptional hardship to the applicant. (orig. 5-31-88)

(c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in paragraph D.9.a. or conflict with other sections of this Resolution. (orig. 5-31-88)

(6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk from the reduced lowest floor elevation. (orig. 5-31-88)

c. Upon consideration of the factors of paragraph D.9.a. and the purposes of this Resolution, the Board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Resolution. (orig. 5-31-88)

d. The Zoning Administrator shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Emergency Management Agency. (orig. 5-31-88)

10. To permit in any Geologic Hazard (G-H) Overlay Zone District specially excepted uses enabled by Section 43 of this Zoning Resolution, more particularly those uses permitted in the underlying zone district, provided that the following conditions and restrictions are met by the applicant, and the Board of Adjustment determines, based on the evidence submitted and restrictions imposed, that the use will not significantly increase the danger from the geologic hazard to the public health, property. (orig. 1-20-76)

a. It shall be the sole responsibility of the applicant to supply the Board of Adjustment with the following data and documentation: (orig. 1-20-76)

(1) All pertinent data submitted to the Board of County Commissioners relative to the zoning of the subject property to G-H Overlay Zone District. (orig. 1-20-76)

(2) A site plan depicting: (orig. 1-20-76)
June 15, 1976

(a) The location of the subject geologic hazard(s). (orig. 1-20-76)

(b) The location of the proposed land use(s). (orig. 1-20-76)

(c) The location of the surrounding land uses(s). (orig. 1-20-76)

(d) The location of the surrounding geologic hazard(s). (orig. 1-20-76)

(3) A written report on the area depicted in the site plan, including:

(a) Description of subject geologic hazard(s) and proposed land use(s). (orig. 1-20-76)

(b) Description of surrounding geologic hazard(s) and surrounding land use(s); (orig. 1-20-76)

(c) The effects of the subject geologic hazard(s) on the proposed use(s) and surrounding land use(s). (orig. 1-20-76)

(d) The effects of the proposed use(s) on the subject geologic hazard(s) and surrounding geologic hazard(s). (orig. 1-20-76)

(4) Any additional material required by the Board of Adjustment relating to special design criteria for any proposed land use(s). (orig. 1-20-76)

b. Geologic Hazard Abatement:

In addition to the data and documentation required in paragraphs 10.a.(2) through 10.a.(4) above, an applicant who proposes to abate the geologic hazard shall further submit: (orig. 1-20-76)

(1) A detailed report of the proposed method of abating the geologic hazard. (orig. 1-20-76)

(2) An addendum to the site plan, written report, and additional material required by paragraphs 10.a.(2) through 10.a.(4) above, which shall state the projected effect of:

(a) Abatement procedures on subject geologic hazard(s), surrounding geologic hazard(s) and surrounding land use(s). (orig. 1-20-76)

(b) Abated geologic hazard(s) on proposed land use(s), surrounding land use(s) and surrounding geologic hazard(s). (orig. 1-20-76)

(3) Any geologic hazard abatement procedures required by the Board of Adjustment shall be inspected and the results certified by a professional geologist qualified in the field of engineering geology as being in compliance with plans submitted or additional restrictions imposed by the Board of Adjustment within time limits established by the Board of Adjustment. (orig. 1-20-76; am. 6-15-76)
c. All geologic reports and items in paragraphs 10.a.(3), 10.a.(4), 10.b.(1) and 10.b.(2) above, shall be prepared by a professional geologist qualified in the field of engineering geology and all engineering reports and items in paragraphs 10.a.(2), 10.a.(4), 10.b.(1) and 10.b.(2) above, shall be prepared by a registered professional engineer (as defined by C.R.S., 1974, 12-25-103) qualified in the appropriate field(s). (orig. 1-20-76; am. 6-15-76)

d. Any structure or building for which the Board of Adjustment requires special engineering criteria shall be inspected and construction certified by a registered professional engineer as to compliance with plans submitted or additional restrictions imposed by the Board of Adjustment within time limits established by the Board of Adjustment. (orig. 1-20-76)

11. To hear and decide upon wildfire mitigation site plans submitted as a request for a special exception for any property located within the Wildfire Hazard (W-H) Overlay Zone District, provided that the following conditions and restrictions are met by the applicant; and the Board of Adjustment determines, based on the evidence submitted and restrictions imposed, that the wildfire mitigation site plan for the subject property will lead to a reasonable reduction in the dangers from the wildfire hazard. (orig. 1-27-76; am. 12-5-95)

a. It shall be the sole responsibility of the applicant to supply the Board of Adjustment with the following data and documentation: (orig. 1-27-76)

(1) A written report consisting of the following. (orig. 12-5-95)

(a) A narrative description of the physical characteristics of the site, including topography, major landforms, and aspect/orientation. (orig. 12-5-95)

(b) A description of the major existing plant communities and timber types, including assessment of age, condition, presence of disease, timber stand densities, and types and quantities of ladder fuels, if present. (orig. 12-5-95)

(c) A general description of the type and location of wildfire hazards and existing land uses within 1/4 mile of the site. (orig. 12-5-95)

(d) An evaluation of the site based on the analysis of the characteristics, as outlined above, to define areas of low, moderate, and high wildfire hazards, including fire chimneys and saddles. (orig. 12-5-95)

(e) An evaluation of the existing land uses in relation to the on-site wildfire hazards and adjoining land uses and wildfire hazards. (orig. 12-5-95)

(2) A site plan depicting the following. (orig. 1-27-76)

(a) The location of the subject wildfire hazard(s) based on an assessment of the written report. (orig. 1-27-76; am. 12-5-95)

(b) The location of the existing land uses and/or structures, including roads and driveways, and other relevant infrastructure improvements. (orig. 12-5-95)
(c) The location of the surrounding land use(s), roadways, and other relevant infrastructure within 1/4 mile of the site. (orig. 1-27-76; am. 12-5-95)

(d) The location of the surrounding wildfire hazard(s) within 1/4 mile of the site. (orig. 1-27-76 am. 12-5-95)

(3) A detailed wildfire mitigation report describing the following. (orig. 12-5-95)

(a) The techniques and/or strategies to be used to mitigate wildfire within the project area. The techniques and/or strategies should be directly related to identified wildfire hazards within the project area and should include those site and building factors which contribute to the risks associated with wildfire. Examples of contributing factors are: marginal water supplies and delivery systems, either on-site or off-site; the capabilities and response times of the local fire protection district; the presence of "heat traps" such as decks and roof overhangs; fuel sources, and topography. Examples of building design and technology-based mitigation strategies are: fire resistive construction techniques and materials; irrigated lawns or groundcovers around the structure; fire department-approved suppression systems; monitored suppression systems and/or monitored smoke detection/alarm systems. (orig. 12-5-95)

(b) A detailed assessment describing the projected effect of the mitigation procedures on subject wildfire hazard(s) and surrounding land use(s) (orig. 12-5-95)

(4) Any additional material required by the Board of Adjustment. (orig. 1-27-76; am. 12-5-95)

b. Preparation:

All wildfire reports and items described above shall be prepared and supervised by a graduate forester with a minimum of 2 years wildfire fighting experience in the Rocky Mountain Area. (orig. 1-27-76; 12-5-95)

c. Evaluation:

The wildfire assessment and any related documentation shall be evaluated as to accuracy and adequacy by the Colorado State Forest Service or other review entities as deemed qualified by the Zoning Administrator. (orig. 12-5-95)

d. Completion:

Any wildfire hazard mitigation work approved by the Board of Adjustment as part of the wildfire hazard mitigation site plan, or for mitigation work for which the Board of Adjustment requires special implementation plans, shall be inspected and the results certified as to compliance with the plans submitted or additional restrictions imposed within time limits established by the Board of Adjustment. Inspections and certifications shall be conducted by the Colorado State Forest Service or other entities as deemed qualified by the Board of Adjustment. (orig. 12-5-95)

12. No relief, variance or exception shall be granted which shall effectively change a land use on a permanent basis. (orig. 12-6-71; am. 1-27-76)
13. No relief, variance or exception shall be granted from a provision of the Jefferson County Land Development Regulation. (orig. 12-6-71; am. 1-27-76)

14. No relief, variance or exception shall be granted in circumstances which are self-inflicted by the applicant. (orig. 12-6-71; am. 1-27-76)

15. Affected state and public agencies shall be requested to comment on applications made pursuant to paragraphs D.5. and D.9. through D.11. above, prior to consideration by the Board of Adjustment. (orig. 7-13-76)
In order to regulate the location, height, bulk and size of buildings and other structures, the percentage of lot which may be occupied, the size of lots, courts and other open spaces, the density and distribution of population, the location and uses of land, buildings and structures for trade, industry, residence, recreation, public activities or other purposes, part of the unincorporated area of Jefferson County is hereby divided into the following classes or districts: (orig. 5-6-46)

R-1  Residential-One District  
R-1A  Residential-One A District  
R-1B  Residential-One B District  
R-2  Residential-Two District  
R-3  Residential-Three District  
R-3A  Residential-Three A District  
R-4  Residential-Four District  
R-T  Residential Trailer District  
A-1  Agricultural-One District  
A-2  Agricultural-Two District  
A-35  Agricultural-Thirty Five District  
RC-1  Restricted Commercial-One District  
R-C  Restricted Commercial District  
C-1  Commercial-One District  
C-2  Commercial-Two District  
I-1  Industrial-One District  
I-2  Industrial-Two District  
I-3  Industrial-Three District  
I-4  Industrial-Four District  
MR-1  Mountain Residential-One District  
MR-2  Mountain Residential-Two District  
MR-3  Mountain Residential-Three District  
SR-5  Suburban Residential-Five District  
SR-2  Suburban Residential-Two District  
SR-1  Suburban Residential-One District  
C-O  Conservation District  
M-C  Mineral Conservation District  
P-D  Planned Development District  
F-P  Flood Plain District  
G-H  Geologic Hazard Overlay District  
W-H  Wildfire Hazard Overlay District  
D-B  Dipping Bedrock Overlay District  

(orig. 5-6-46; am. 6-6-50; am. 12-26-62; am. 3-23-64; am. 5-24-65; am. 11-15-65; am. 4-10-72; am. 1-10-75; am. 1-13-75; am. 1-20-76; am. 1-27-76; am. 4-11-95)
SECTION 15: P-D PLANNED DEVELOPMENT DISTRICT

A. INTENT AND PURPOSE

The Planned Development (P-D) Zone District is a versatile zoning mechanism allowing for land development of any nature (residential, commercial, conservation, mining, industrial, public or quasi-public, etc.) either as a single use or in combination, through total integrated project planning. (orig. 5-24-65; am. 12-17-79; am. 6-1-93)

B. PERMITTED USES

1. The Planned Development Zone District may include uses of any nature (residential, commercial, conservation, mining, industrial, public or quasi-public, etc.). (orig. 6-1-93)

2. The permitted uses and standards for a particular Planned Development Zone District are those which were approved by the Board of County Commissioners through the Planned Development Zoning case and included in the Official Development Plan (ODP). (orig. 6-1-93)

3. Minimum parking, height, setback, and area regulations shall be specified for the overall site with regard to those limitations established on similar uses in other Jefferson County Zone Districts and with regard to compatibility with surrounding development. Varied regulations for any aspect may be established. (orig. 5-24-65; am. 1-3-73; am. 6-20-77; am. 8-8-77; am. 12-17-79; am. 6-1-93)

C. PROCEDURE, PLAN SUBMITTAL, AND CONSIDERATION

1. Interpretation and enforcement of the Planned Development Zone District shall be the duty of the Zoning Administrator. (orig. 6-1-93)

2. All Planned Development District rezonings shall be filed in accordance with the procedures and limitations contained in Section 1 of this Zoning Resolution. (orig. 6-1-93)

3. In reviewing Planned Development rezoning applications, the Planning Commission and the Board of County Commissioners may consider the following criteria. (orig. 6-1-93)

   a. All impacts of the proposed use upon property in the surrounding area. (orig. 6-1-93)

   b. The availability and feasibility of methods of mitigating the negative impacts of the proposed use upon the surrounding area. (orig. 6-1-93)

   c. The compatibility of the proposed use with existing and allowable land uses in the surrounding area. (orig. 6-1-93)

   d. The degree of conformance to applicable land use plans. (orig. 6-1-93)

   e. The effect upon health, safety, and welfare of the residents and landowners in the surrounding area. (orig. 6-1-93)

   f. The criteria set forth in the "Purpose" portion of Section 1 of this Zoning Resolution and the state law. (orig. 6-1-93)

   g. The adequacy of the public services available to serve the proposed use. (orig. 6-1-93)
4. Commissioners requirements and limitations, restrictions or other conditions and features felt to be reasonable and necessary to ensure that the development is compatible with the existing and allowable land uses in the surrounding areas and will not adversely affect the health, safety, and welfare of the residents and landowners in the surrounding area. Requirements may be recommended to insure that the proposed development will not result in undue traffic congestion or traffic hazards; be adequately landscaped, buffered and screened, and eliminate as many undesirable characteristics as possible in its effect on nearby development. Among the conditions the Planning Commission is authorized to recommend and the Board of County Commissioners is authorized to require as mitigation are the following. (orig. 5-24-65; am. 12-17-79; am. 6-1-93)

a. Where traffic studies show the proposed development will result in a traffic hazard or a substantial degradation of the existing level of service, a requirement that the development be phased consistent with planned road improvements. As an alternative, the applicant may elect to construct to County standards improvements necessary to maintain an adequate level of service based on the traffic volumes projected by the traffic study. (orig. 6-1-93)

b. Landscaping, screening and/or buffering. (orig. 6-1-93)

c. Restrictions on lighting, signs, parking, fencing, and architectural design. (orig. 6-1-93)

d. Building envelope placement to ensure compatibility with the existing and allowable land uses in the surrounding area and to protect wildlife habitat, scenic views, and other environmental qualities in the area. (orig. 6-1-93)

e. Any restrictions or conditions agreed to by the applicant. (orig. 6-1-93)

f. Any other reasonable restrictions or conditions, authorized by law, that are necessary to render the proposal compatible with existing uses in the surrounding area, uses allowed under the current zoning and the comprehensive plan, and to preserve identified environmental features. (orig. 6-1-93)

D. PLANNED DEVELOPMENT FOR MINING:

1. All mining proposals that are outside the Mineral Conservation (M-C) Zone District must submit a Planned Development District application for consideration by the County. (orig. 6-1-93)

2. The applicant may be required to submit such studies as are necessary to determine whether the proposal complies with the applicable portion of the General Land Use Plan, applicable community plan, and the site development policies in the Jefferson County "Mineral Extraction Policy Plan." Such studies may include, but are not limited to the following. (orig. 6-1-93)

a. Visual impact study. (orig. 6-1-93)

b. Open Space resources study. (orig. 6-1-93)

c. Air quality study. (orig. 6-1-93)

d. Noise study. (orig. 6-1-93)

e. Water quality and quantity study. (orig. 6-1-93)

f. Wildlife and vegetation study. (orig. 6-1-93)
3. The Planning Commission and/or the Board of County Commissioners may request studies or reports by independent experts on technical matters on which there has been a conflict in testimony or on which the Planning Commission and/or the Board of County Commissioners, in its discretion, determines there is a need for clarification. (orig. 6-1-93)

   a. The need for and scope of such studies or reports shall be determined solely by the Planning Commission or the Board of County Commissioners with input from the applicant and all interested parties. (orig. 6-1-93)

   b. The Planning Commission and the Board of County Commissioners may seek input from the applicant and the general public to identify appropriate expert(s). If the applicant and concerned citizens are unable to agree on an expert within 30 days of the date on which such input is sought by the Planning Commission and/or the Board of County Commissioners, then the case manager shall assist the Planning Commission or the Board of County Commissioners in selecting an independent expert in the relevant field. (orig. 6-1-93)

   c. The issues to be resolved for the Planning Commission or the Board of County Commissioners shall be listed in writing and transmitted to the independent expert(s) by the case manager. Neither the applicant nor any member of the public shall contact any independent expert retained by the County except in public hearings. (orig. 6-1-93)

   d. Such expert(s) shall be compensated by Jefferson County with funds provided by the applicant. The applicant shall make an amount not to exceed $30,000 available to Jefferson County for all such independent review upon the request of the Planning Commission and/or the Board of County Commissioners. The funds may be utilized to compensate for all time spent reviewing the case, formulating and writing an opinion, testifying at hearings, and any other reasonably related time or out-of-pocket expense. Any amount not expended for technical review shall be refunded to the applicant at the completion of the rezoning process. (orig. 6-1-93)

   e. The results of independent technical review shall be presented at a public hearing. The applicant, citizen opponents, and any other interested party shall have an opportunity to comment on the results of the independent review. The Planning Commission and the Board of County Commissioners, in their discretion, may submit follow-up questions to the experts based on the comments of the applicant and others. (orig. 6-1-93)
4. The substantive requirements and provisions of this Section and the Jefferson County "Mineral Extraction Policy Plan," as well as any other relevant plans, policies, studies, and factors shall be considered by the Planning Commission and the Board of County Commissioners in determining whether to rezone to Planned Development for mining and in formulating the Planned Development restrictions if the property is rezoned. In the case of mining pursuant to Planned Development zoning, no special exception for mining shall be required from the Board of Adjustment. (orig. 5-24-65; am. 1-13-75; am. 6-20-77; am. 12-17-79; am. 6-1-93)

5. In addition to those conditions otherwise authorized by law, the Planning Commission is authorized to recommend and the Board of County Commissioners is authorized to impose conditions of approval to implement the site development policies in the Jefferson County "Mineral Extraction Policy Plan" and any other applicable plan, policy or study. Such conditions may include, but are not limited to the following. (orig. 6-1-93)
   a. Mine plan restrictions. (orig. 6-1-93)
   b. Site and design criteria for structures. (orig. 6-1-93)
   c. Coloring and siting requirements for machinery, equipment, and structures. (orig. 6-1-93)
   d. Haul road and other internal road specifications, and specifications for on-site conveyance systems. (orig. 6-1-93)
   e. Dust abatement measures. (orig. 6-1-93)
   f. Blasting limitations. (orig. 6-1-93)
   g. Monitoring requirements. (orig. 6-1-93)
   h. Water quality and quantity protection measures, including drainage and erosion control structures. (orig. 6-1-93)
   i. Wildlife habitat protection measures. (orig. 6-1-93)
   j. Measures to protect archeological, historic, and significant geologic sites. (orig. 6-1-93)
   k. Limitations on hours of operation. (orig. 6-1-93)
   l. Limitations on hours of truck hauling, number of truck trips, and haul routes. (orig. 6-1-93)
   m. Reclamation provisions to the extent not expressly preempted by the Colorado Mined Land Act. (orig. 6-1-93)
   n. Mitigation measures recommended in the studies or reports submitted during the hearings or with the application. (orig. 6-1-93)
   o. Restrictions on after uses and specifications for the land contours, landscaping or other visual features required for that use. (orig. 6-1-93)

6. When the Official Development Plan designates an after use for which platting is required under the Jefferson County "Land Development Regulations," the property must be platted prior to the issuance of a building permit to construct any structure or building for such use. (orig. 6-1-93)
E. SITE PLAN REVIEW

1. Prior to commencement of any mining activity or topographical alterations, a site plan must be submitted to the Planning Department which demonstrates that the mine and all accessory operations will comply with the requirements of the Official Development Plan and other County regulations. (orig. 6-1-93)

2. The site plan or accompanying reports and documentation shall include the following. (orig. 6-1-93)
   a. Evidence of the existence of a water supply which complies with all State and County laws and regulations. (orig. 6-1-93)
   b. Sewage disposal provisions which comply with all State and County laws and regulations. (orig. 6-1-93)
   c. Provisions for adequate water supply and emergency access for fire suppression and evidence of compliance with applicable fire codes. (orig. 6-1-93)
   d. A Phase III drainage report consistent with the Jefferson County Storm Drainage Design and Technical Criteria Manual. (orig. 6-1-93)
   e. A plan for circulation which demonstrates compliance with all County and State Highway or road access requirements. (orig. 6-1-93)
   f. Evidence that the area will be free from such radiation levels as the State Health Department has determined to be hazardous to the public health. (orig. 6-1-93)
   g. Plans consistent with the requirements or restrictions in the Official Development Plan depicting areas to be mined, fencing, lighting source and type, building locations, access, outdoor storage locations and provisions, sign locations, buffer areas, process plant location and screening, stockpile locations and screening, storage of blasting supplies, sediment ponds, monitoring stations, permanent conveyors and associated maintenance roads, and overhead utility lines. (orig. 6-1-93)
   h. Reclamation plans and after use site design plans, including landscaping, consistent with the requirements of the Official Development Plan and the Colorado Mined Land Reclamation Board Permit. (orig. 6-1-93)
   i. A final operational mine plan consistent with the Official Development Plan depicting method of mining, bench orientation, direction of mining and concurrent reclamation plans. (orig. 6-1-93)
   j. Detailed plans for all monitoring required by the Official Development Plan, including the location of monitoring stations, frequency of monitoring and criteria for monitoring. (orig. 6-1-93)
   k. All state and federal permits required for the mining operation. (orig. 6-1-93)

3. The site plan shall be reviewed by the Planning Director for conformance with the Official Development Plan and other County regulations. (orig. 6-1-93)
   a. Upon receipt of a site plan, the Planning Director shall cause notice of filing of the site plan to be posted on the property, which shall indicate that there is a 60 day period commencing on the date of posting to submit written comments to the Planning Director concerning the site plan. (orig. 6-1-93)
June 1, 1993

b. The applicant shall deposit 10 copies of the site plan with the Planning Department. Five copies of the site plan shall remain at the Planning Department. Five copies shall be deposited at public libraries in the area of the proposal. The copies shall be available to the public to check out for a two week period. (orig. 6-1-93)

c. After the close of the comment period, the Planning Director shall determine whether the site plan conforms to the requirements herein and may request such changes as are deemed necessary to render the plan in conformance. (orig. 6-1-93)

4. The Planning Director's decision on the site plan may be appealed to the Board of Adjustment under the provisions set forth in Section 13 of this Zoning Resolution. (orig. 6-1-93)

5. After approval of a site plan, the Planning Director may approve minor modifications to the site plan so long as such modifications are consistent with the overall intent of the Official Development Plan and do not result in adverse impacts that were not considered at the time of zoning approval. (orig. 6-1-93)

F. PLANNED DEVELOPMENT FOR TELECOMMUNICATION TOWERS:

The purpose of the Planned Development is to minimize adverse visual effects of towers through careful design, siting, and vegetative screening; to maximize the use of any transmission tower in order to reduce the total number of towers needed to serve the telecommunications needs of the area; and to site and design towers so that electromagnetic radiation emissions to which the public will be exposed do not exceed safe levels. (orig. 5-11-93)

1. Application Requirements:

All rezoning applications must contain the following materials, however failure to submit a complete application shall not deprive the Planning Commission or the Board of County Commissioners of jurisdiction to consider the application. These application requirements are not intended to specify criteria for decision. (orig. 5-11-93)

a. Site plan(s) drawn to scale identifying the site boundary; tower(s); guy wire anchors; existing and proposed structures, including accessory structures; existing and proposed ground-mounted equipment; vehicular parking and access; and uses,

b. A landscape plan drawn to scale generally showing proposed landscaping, including species type, size, spacing, other landscape features, and existing vegetation to be retained, removed or replaced. (orig. 5-11-93)

c. A report from a qualified individual(s) containing the following, which report shall not limit the tower height or design or the number and type of antennas that shall be permitted unless expressly so stated in the official Development plan (ODP) or special use approval. (orig. 5-11-93)

(1) A description of the tower and the technical and other reasons for the tower design. (orig. 5-11-93)

(2) Documentation to establish that the tower has sufficient structural integrity for the proposed uses at the proposed location and meets the minimum safety requirements and margins in EIA-RS222 in its current adopted revision. (orig. 5-11-93)

(3) The general capacity of the tower in terms of the number and type of antennas it is designed to accommodate. (orig. 5-11-93)
(4) Calculations, maps or such other information as is necessary to demonstrate that the cumulative effect of proposed sources of NIER when added to existing NIER sources will comply with the standard set forth in OST-65 and ANSI C95.1 or any revision thereto, or any other adopted County standard. Any facility that will operate at less than 1000 watts of radio frequency power per transmitter is exempt from this requirement unless its NIER emission, when added to existing ambient NIER sources, will exceed the levels set forth in the above standard. (orig. 5-11-93)

d. A letter of intent stating whether the applicant intends to lease excess space on the tower to other potential users at reasonable rental rates and on reasonable terms. The letter of intent and the Official Development Plan shall be recorded without the County Clerk and Recorder prior to issuance of a building permit. The letter shall commit the tower owner and successors in interest to do the following. (orig. 5-11-93)

(1) Respond in a timely, comprehensive manner to a request for information. (orig. 5-11-93)

(2) Negotiate in good faith for shared use by third parties. An owner may negotiate with a party who has received an FCC license or construction permit before doing so with other parties. (orig. 5-11-93)

(3) Allow shared use if an applicant agrees in writing to pay reasonable rental charges or other consideration and to pay all costs of adapting the tower or existing users' equipment to accommodate a shared user without causing uneconomically correctable electromagnetic interference or causing NIER emissions in excess of levels set forth in OST-65 and ANSI C-95.1, and can otherwise agree on reasonable business terms and conditions for shared use of the tower. (orig. 5-11-93)

(4) Make no more than a reasonable charge for shared use based on generally accepted accounting principles. (orig. 5-11-93)

(5) Respond to inquiries for shared use with the information required herein. (orig. 5-11-93)

e. Proof of ownership of the proposed site or authorization to rezone the parcel from the owner of the proposed site. (orig. 5-11-93)

f. Copies of any easements necessary for access, guy wire anchors or other off-site uses. (orig. 5-11-93)

g. Applications for towers intended for transmitters that will broadcast at a power in excess of 1000 watts of radio frequency power per transmitter must include evidence that the applicant has contacted owners of all existing or approved towers and that the equipment for which the proposed tower is being constructed cannot be technologically or structurally accommodated on an existing or approved tower. Applicants for FM radio and high power UHF and VHF television station antennas shall only be required to contact the owners of towers whose height is 200 feet or greater, or whose towers can reasonably satisfy the requirements for height above average terrain (HAAT) and geographic location as set forth in their application and/or grant of construction authority from the FCC. Such evidence shall include the following. (orig. 5-11-93)

(1) A list of contacts. (orig. 5-11-93)
May 11, 1993

(2) The antenna specifications including, but not limited, to weight and wind loading requirements; length, width and height; and transmitter space requirements provided to the tower owner(s) or representative(s). (orig. 5-11-93)

(3) Responses from each tower owner or representative setting forth the structural, technological or general business limitations on shared use of the existing tower, a statement as to whether the structural or technological impediment could be eliminated by strengthening the tower or enlarging the transmitter building, whether existing equipment could be protected from electromagnetic interference, and the projected cost of such alterations. Once this information has been submitted to the County, it will be available for use in future applications by other parties. (orig. 5-11-93)

h. A visual study containing, at a minimum, a viewshed map depicting where within a three mile radius any portion of the proposed tower could be seen, and a graphic simulation showing the appearance of the proposed tower and accessory structures from five points within the view shed, such points to be mutually agreed upon by the Planning Department and applicant. (orig. 5-11-93)

i. An analysis of the area to be rezoned containing the following. (orig. 5-11-93)

(1) Existing topographical contours based on the best available existing maps. (orig. 5-11-93)

(2) Bodies of water and intermittent or perennial streams. (orig. 5-11-93)

(3) Rock outcropping and major ridgelines. (orig. 5-11-93)

(4) Major vegetation masses. (orig. 5-11-93)

(5) Existing roads and structures. (orig. 5-11-93).

(6) Existing easements or rights-of-way (e.g., utility, irrigation, access, etc.) on or contiguous to the site. (orig. 5-11-93)

(7) Identified mineral resource areas. (orig. 5-11-93)

(8) Where the area in which construction will occur contains slopes greater than 10 percent, a slope analysis of the area affected by construction depicting locations and direction of slope faces for slopes within the following categories: 0-8 percent, 8-15 percent, 15-22 percent, 22-30 percent, greater than 30 percent. (orig. 5-11-93)

(9) Floodplains, as designated by the Urban Drainage and Flood Control District or other agency, and overlay zoned floodplain (FPS) areas. (orig. 5-11-93)

(10) Areas within the Geologic Hazard (GH) Overlay Zone. (orig. 5-11-93)

(11) Location of other potential hazards such as wildfire, geologic, airport or radiological hazards. (orig. 5-11-93)

(12) Location of special resources such as wildlife, historic structures, and archaeologically significant remains. (orig. 5-11-93)
j. Elevations of the proposed tower and accessory building generally depicting all proposed antennas, platforms, finish materials, and all other accessory equipment. (orig. 5-11-93)

k. The Board of County Commissioners and/or the Planning Commission may require the applicant to submit funds in escrow up to a maximum of $10,000 to pay for expert review of technical submissions by the applicant, including expert review of engineering data and financial data concerning costs of modifying existing towers and costs of ameliorating interference. The Planning Department shall recommend the amount of funds to be deposited up to $10,000 based on the nature of the application and the anticipated complexity of review. Selection of the expert(s) shall be within the sole discretion of the County, however the applicant and interested parties shall have an opportunity to comment on the proposed expert(s). Any funds not utilized for expert review shall be returned to the applicant at the completion of the rezoning case. (orig. 5-11-93).

2. Review and Approval:

a. General Criteria:

(1) In reviewing a proposal under this Section, the Planning Commission and the Board of County Commissioners shall consider the compatibility of the proposal with existing and allowed land uses in the surrounding area; the County's Comprehensive Plan including but not limited to the applicable community plan or the General Land Use Plan and the Telecommunications Land Use Plan, according to the priorities set forth in the plans; the Local Government Land Use Control Enabling Act; the provisions of section 30-28-115, C.R.S., and any other applicable law, adopted public policies or plans, or studies presented as part of the zoning case. The Board has the sole discretion to determine what weight, if any, to give each of these factors. (orig. 5-11-93)

(2) If the Board of County Commissioners approves a rezoning to Planned Development pursuant to this Section, the Board may impose such conditions on access, accessory structures, landscaping, tower coloring, lighting, design, size and siting as it deems necessary to render the proposal compatible with existing and allowed land uses in the surrounding area, to comply with the policies in the Jefferson County Comprehensive Plan or applicable land use plan, the telecommunications Land Use Plan, its land use enabling authority, the laws, policies, plans and studies referenced above, except where such conditions are preempted by and conflict with regulations promulgated by the Federal Communications Commission or the Federal Aviation Administration, or where the Board of County Commissioners determines, based on evidence presented at the hearing, that such conditions would contravene sound engineering practices. (orig. 5-11-93)

b. Minimum Standards:

(1) The applicant must provide expert testimony that demonstrates to the satisfaction of the Board of County Commissioners that no existing telecommunications site is available to accommodate the equipment or purpose for which the tower or increase in height is proposed at a reasonable cost or other business terms. The need for structural or equipment modifications shall not alone be sufficient to demonstrate nonavailability. Any one or more of the following shall be considered to demonstrate nonavailability. (orig. 5-11-93)
Evidence with reference to EIA-RS 222, in its then current adopted revision, that the structural capacity of existing and approved towers cannot accommodate the planned equipment and cannot be reinforced to accommodate the planned equipment at a reasonable costs, or the owner of the site is unwilling to rezone if necessary to accommodate a new user. The applicant shall be required to calculate the capacity of existing or approved towers based on information on file with the County or requested from the tower owner, if supplied. (orig. 5-11-93)

Evidence that the planned equipment may or will cause objectionable radio frequency interference with other existing or planned equipment on that tower, which cannot be ameliorated at a reasonable cost. (orig. 5-11-93)

Evidence that existing or approved towers do not have space to locate the planned equipment where it can function effectively and at the strength of signal required by the FCC. (orig. 5-11-93)

Evidence that the addition of the planned equipment to existing or approved towers would result in NIER levels in excess of those permitted by OST-65 and ANSI C95.1 or any revisions thereto, or any adopted local standard. (orig. 5-11-93)

Evidence that the fees and/or costs for shared use, including the cost to adapt existing facilities to the proposed use, exceed the cost of the proposed tower, or that the parties have not been able to reach agreement on reasonable business terms or other issues associated with locating on the tower. (orig. 5-11-93)

All new structures must be set back from the property line sufficient to prevent all ice-fall materials and debris from tower failure or collapse from falling onto occupied dwellings other than those occupied by the tower owner, and protect the public from NIER in excess of that allowed herein. Where more than one tower is located on a site, the set back between such towers shall be sufficient to prevent multiple failures in the event one tower fails. (orig. 5-11-93)

The tower must be designed to accommodate structurally multiple antennas if recommended by the Telecommunications Plan. (orig. 5-11-93)

NIER emissions from the tower facility, when operating with maximum power output from all proposed antennas and transmitting facilities, may not exceed the level set forth in this Zoning Resolution, as measured in accordance with methods published by the United States Office of Science and Technology or any other applicable federal agency by qualified experts. (orig. 5-11-93)

The written restrictions must state that at such time as there have not been any antennas on a tower or the use of the tower has been abandoned for 6 consecutive months, it will be removed within 180 days of the end of said six month period. (orig. 5-11-93)
Satisfaction of the minimum standards set forth above shall not entitle an applicant to approval of the rezoning if the Board of County Commissioners determines that rezoning should not be allowed pursuant to the General criteria for review. (orig. 5-11-93)

G. GENERAL REQUIREMENTS

1. Multiple buildings per lot, except for single-family detached structures, are allowed only for property platted pursuant to the Jefferson County Land Development Regulation. (orig. 3-8-82)

2. The "General Requirements" portion of each of the standard zone districts of this Zoning Resolution as amended at the time an applicable permit is issued, together with their parking, fencing, signage, and other regulations and requirements shall be applicable to all comparable areas in the Planned Development Districts unless otherwise specified in the particular Official Development Plan. (orig. 1-17-84; am. 6-1-93)

3. No Official Development Plan shall be approved which contains restrictive or protective covenants which limit the transfer, rental, or lease of any housing because of race, creed, religion, color, sex, marital status, national origin or ancestry or handicap as prohibited by C.R.S. 1973, 24-34-502 and Title VIII of the Fair Housing Act of 1968, 42 U.S.C. S 3604(c). (orig. 5-12-81; am. 6-1-93)

4. Upon approval of any planned development by the Board of County Commissioners, the written conditions or restrictions and the appropriate accompanying graphic documentation shall be filed with the Jefferson County Clerk and Recorder as an Official Development Plan as set forth in Section 1 of this Zoning Resolution. (orig. 6-1-93)

5. A sexually oriented business shall not be located in a Planned Development Zone District unless such use was specifically listed in the Official Development Plan (ODP) prior to July 8, 1997, the effective date of this Resolution, or unless the Permitted Uses set forth in the Official Development Plan refer to and incorporate the uses permitted in Sections 36, 37, 38, 39, or 40 of this Zoning Resolution. (orig. 7-8-97)

6. All other general requirements and/or provisions of this Zoning Resolution shall apply to Planned Developments unless otherwise specified in the particular Official Development Plan. (orig. 1-17-84)

7. Use of Open Space Designated Lands:
   a. Unless otherwise specified within the Official Development Plan, permitted uses in areas designated in the Planned Development Zone District as open space, conservation, preservation, or other similar term, are limited to the following. (orig. 8-31-93)
      (1) Passive recreation, defined as activities which use the land with minimal disturbance and which do not utilize structures or permanently installed equipment. (orig. 8-31-93)
      (2) Recreational trails for non-motorized use, except that motorized wheelchairs are permitted. (orig. 8-31-93)
      (3) Perimeter fence with a maximum height of 42". (orig. 8-31-93)
(4) Signs 6 square feet or less that are accessory to a permitted open space use. (orig. 8-31-93)

(5) Structures under 250 square feet for restrooms, picnic shelters, maintenance equipment storage or other use accessory to a permitted open space use. (orig. 8-31-93)

(6) Properly managed grazing of horses, cattle, sheep, goats, wildlife or other grazing or browsing animals. (orig. 8-31-93)

(7) Forest management activities designed to promote healthy and aesthetic forests. (orig. 8-31-93)

b. Rezoning, or site approval as otherwise allowed under this Zoning Resolution or state law, shall be required for parking areas, interior fences, access drives, and active recreation which requires permanently installed equipment, structures larger than 250 square feet or any other use not set forth above. (orig. 8-31-93)
SECTION 16: R-1 RESIDENTIAL-ONE DISTRICT

A. INTENT AND PURPOSE

1. The Residential-One Zone District is intended to provide areas for low density residential development where continuation of certain agricultural uses are compatible with this development. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 2-3-41)

2. Private garage. (orig. 2-3-41)

3. Private greenhouse and nursery, noncommercial conservatory for plants and flowers. (orig. 2-3-41; am. 11-6-79)

4. Private poultry house and pigeon coop with no more than 400 square feet of floor area; private rabbit and chinchilla hutch with no more than 100 square feet of floor area. (orig. 2-3-41; am. 5-6-46; am. 12-7-53; am. 11-6-79)

5. Private building for housing dogs, cats or similar domesticated pets. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 2-3-41; am. 4-24-72; am. 11-6-79)

6. Private stable and/or barn for keeping horses, cattle, sheep or goats. All such animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. (orig. 2-3-41; am. 5-6-46; am. 4-24-72; am. 11-6-79)

   The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre; except that offspring of animals on the property may be kept until weaned. (orig. 2-3-41; am. 5-6-46; am. 4-24-72; am. 11-6-79)

7. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

8. Public park, Class I public recreation facilities. (orig. 2-3-41; am. 5-6-46; am. 9-11-90)

9. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

10. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 11-15-65; am. 11-6-79)
a. Church, parish house and/or parsonage. (orig. 9-11-90)
b. Public library, public or private nonprofit museum. (orig. 9-11-90)
c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 5-6-46; am. 11-15-65)
d. Cable television reception substation. (orig. 9-11-90)
e. Water supply reservoir and irrigation canal. (orig. 5-6-46; am. 11-15-65; am. 11-6-79)
f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 5-6-46; am. 11-15-65)
g. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)
h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)
i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)
j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88; am. 9-11-90)
k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)
l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed 35 feet in height. (orig. 5-6-46)

2. Lot Standards: The minimum lot area for a dwelling or other main building shall be 12,500 square feet. (orig. 5-6-46; am. 11-6-79)

3. Front Setback

   a. The minimum front setback for a dwelling, or other main building, or garage shall be 20 feet when the front yard is adjacent to a local or collector street. (orig. 2-3-41; am. 5-6-46; am. 4-7-69; am. 11-6-79; am. 3-28-00)
b. The minimum front setback for a dwelling or other main building, or garage shall be 30 feet when adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan." (orig. 4-7-69; am. 11-6-79; am. 3-28-00)

c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

d. Accessory buildings housing horses, cattle, sheep, goats, rabbits, chinchillas, poultry and pigeons shall be set back at least 100 feet from the front lot line. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 5-6-46; am. 4-7-69; am. 11-6-79)

4. Side Setbacks

a. The minimum side setback for any building shall be 15 feet on each side. (orig. 2-3-41; am. 5-6-46)

b. The minimum side setback for any building adjacent to a local or collector street shall be 20 feet. The minimum side setback for any building adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan" shall be 30 feet. (orig. 2-3-41; am. 5-6-46; am. 4-7-69)

c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 5 feet. (orig. 2-3-41; am. 5-6-46; am. 12-7-53)

6. Fences and Retaining Walls

a. Maximum fence height: 6 feet. (orig. 8-6-80)

b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)

d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)

f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)
D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements of a dwelling. (orig. 11-6-79)

5. Stallions and bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 11-6-79)
SECTION 17: R-1A RESIDENTIAL-ONE A DISTRICT

A. INTENT AND PURPOSE

1. The Residential-One A Zone District is intended to provide areas for low density residential development. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 5-5-58)

2. Private garage. (orig. 5-5-58)

3. Private building for housing dogs, cats and similar domesticated pets, but not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 5-5-58; am. 11-6-79)

4. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

5. Public park, Class I public recreation facilities. (orig. 5-5-58; am. 11-6-79; am. 9-11-90)

6. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

7. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 5-5-58; am. 11-15-65; am. 11-6-79)

   a. Church, parish house and/or parsonage. (orig. 9-11-90)

   b. Public library, public or private nonprofit museum. (orig. 9-11-90)

   c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 5-5-58; am. 11-6-79)

   d. Cable television reception substation. (orig. 9-11-90)

   e. Water supply reservoir and irrigation canal. (orig. 5-5-58; am. 11-6-79)

   f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 5-5-58; am. 11-6-79)

   g. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)
h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)

i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)

j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88; am. 9-11-90)

k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed 35 feet in height. (orig. 5-5-58)

2. Lot Standards: The minimum lot area for a dwelling or other main building shall be 9,000 square feet. (orig. 5-5-58; am. 11-6-79)

3. Front Setback
   a. The minimum front setback for a dwelling, or other main building, or garage shall be 20 feet when the front yard is adjacent to a local or collector street. (orig. 5-5-58; am. 4-7-69; am. 3-28-00)
   b. The minimum front setback for a dwelling, or other main building, or garage shall be 30 feet when adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan." (orig. 4-7-59; am. 11-6-79; 3-28-00)
   c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
   d. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 5-5-58; am. 11-6-79)

4. Side Setbacks
   a. The minimum total side setback shall be 15 feet and the minimum side setback on one side shall be 5 feet for any building. The minimum distance between buildings shall be 15 feet. (orig. 5-5-58; am. 4-7-69; am. 11-6-79)
b. The minimum side setback for any building adjacent to a local or collector street shall be 20 feet. The minimum side setback for any building adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan" shall be 30 feet. (orig. 4-7-69)

c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for a dwelling or other main building shall be 20 feet. The minimum setback for a garage or other accessory building shall be 5 feet. (orig. 5-5-58)

6. Fences and Retaining Walls
   a. Maximum fence height: 6 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)
   d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)
   g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)
SECTION 18: R-1B RESIDENTIAL-ONE B DISTRICT

A. INTENT AND PURPOSE

1. The Residential-One B Zone District is intended to provide areas for medium density residential development. No land shall be rezoned to R-1B subsequent to May, 1972. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 5-1-61)

2. Private garage. (orig. 5-1-61)

3. Private building for housing dogs, cats and similar domesticated pets, but not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 5-1-61; am. 11-6-79)

4. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

5. Public park, Class I public recreation facilities. (orig. 5-1-61; am. 11-6-79; am. 9-11-90)

6. Home occupictions provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

7. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners. (orig. 5-1-61; am. 11-15-65; am. 11-6-79)
   a. Church, parish house and/or parsonage. (orig. 9-11-90)
   b. Public library, public or private nonprofit museum. (orig. 9-11-90)
   c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 5-1-61; am. 11-6-79)
   d. Cable television reception substation. (orig. 9-11-90)
   e. Water supply reservoir and irrigation canal. (orig. 5-1-61; am. 11-6-79)
   f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 5-1-61; am. 11-6-79)
   g. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)
h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)

i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)

j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88; am. 9-11-90)

k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed 35 feet in height. (orig. 5-1-61)

2. Lot Standards: The minimum lot area for a dwelling or other main building shall be 7,500 square feet. (orig. 5-1-61; am. 11-6-79)

3. Front Setback
   a. The minimum front setback for a dwelling, or other main building, or garage shall be 20 feet when the front yard is adjacent to a local or collector street. (orig. 5-1-61; am. 4-7-69; am. 3-28-00)
   b. The minimum front setback for a dwelling, or other main building, or garage shall be 30 feet when adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan." (orig. 4-7-69; am. 11-6-79; am. 3-28-00)
   c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
   d. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 5-1-61; am. 11-6-79)

4. Side Setbacks
   a. The minimum side setback for any building shall be 5 feet on each side. (orig. 5-1-61)
   b. The minimum side setback for any building adjacent to a local or collector street shall be 20 feet. The minimum side setback for any building adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan" shall be 30 feet. (orig. 5-1-61; am. 4-7-69)
c. Corner lots must comply with the vision clearance requirements outlined in the “General Requirements” portion of this Section. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for a dwelling or other main building shall be 20 feet. The minimum setback for a garage or other accessory building shall be 5 feet. (orig. 5-1-61)

6. Fences and Retaining Walls
   a. Maximum fence height: 6 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)
   d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirements outlined in the “General Requirements” portion of this Section. (orig. 8-6-80)
   g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS
   1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)
   2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)
   3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

E. TERMINATION OF ZONE DISTRICT
   1. No land in the unincorporated portion of Jefferson County shall be rezoned to Residential-One B on or subsequent to May 15, 1972. (orig. 5-15-72)
   2. All land in the unincorporated area of Jefferson County zoned Residential-One B on or before May 15, 1972 shall remain so zoned and subject to all the provisions of said zone district until such time as said lands are either incorporated or rezoned to another valid zone district. (orig. 5-15-72)
SECTION 19: R-2 RESIDENTIAL-TWO DISTRICT

A. INTENT AND PURPOSE

1. The Residential-Two Zone District is intended to provide areas for low to medium density residential development and includes both one-family and two-family dwellings. This district originally provided for certain agricultural uses; however, these uses were discontinued in 1972. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 2-3-41)

2. Two-family dwelling. (orig. 5-6-46)

3. Private garage. (orig. 2-3-41)

4. Private building for housing dogs, cats and similar domesticated pets, but not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl. The maximum total of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 2-3-41; am. 5-6-46; am. 4-24-72; am. 11-6-79)

5. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

6. Public park, Class I public recreation facilities. (orig. 2-3-41; am. 5-6-46; am. 9-11-90)

7. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

8. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 11-15-65; am. 11-6-79)

   a. Church, parish house and/or parsonage. (orig. 9-11-90)

   b. Public library, public or private nonprofit museum. (orig. 9-11-90)

   c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 5-6-46; am. 11-15-65)

   d. Cable television reception substation. (orig. 9-11-90)

   e. Water supply reservoir and irrigation canal. (orig. 5-6-46; am. 11-15-65; am. 11-6-79)

   f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 5-6-46; am. 11-15-65)
C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed 35 feet in height. (orig. 5-6-46)

2. Lot Standards

   a. The minimum lot area for a one-family dwelling shall be 9,000 square feet. (orig. 5-6-46)

   b. The minimum lot area for a two-family dwelling, or other main building shall be 12,500 square feet, provided that the minimum lot area shall be 5,000 square feet per family unit. (orig. 5-6-46; am. 11-6-79)

3. Front Setback

   a. The minimum front setback for a dwelling or other main building, or garage shall be 20 feet when the front yard is adjacent to a local or collector street. (orig. 2-3-41; am. 5-6-46; am. 4-7-69; am. 11-6-79; am. 3-28-00)

   b. The minimum front setback for a dwelling or other main building, or garage shall be 30 feet when adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan." (orig. 4-7-69; am. 11-6-79; am. 3-28-00)

   c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

   d. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 5-6-46; am. 4-7-69; am. 11-6-79)
4. Side Setbacks
   a. The minimum total side setback shall be 15 feet and the minimum side setback on one side shall be 5 feet for any building. The minimum distance between buildings shall be 15 feet. (orig. 2-3-41; am. 5-6-46; am. 5-14-51; am. 12-7-53; am. 11-6-79)
   b. The minimum side setback for any building adjacent to a local or collector street shall be 20 feet. The minimum side setback for any building adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan" shall be 30 feet. (orig. 2-3-41; am. 5-6-46; am. 5-14-51; am. 12-7-53; am. 11-6-79)
   c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
   d. For a two-family dwelling, where each family unit has been approved for individual ownership, no side setback shall be required where there is a common wall. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 5 feet. (orig. 2-3-41; am. 5-6-46; am. 12-7-53)

6. Fences and Retaining Walls
   a. Maximum fence height: 6 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)
   d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   e. No barbed wired or electric fence shall be permitted in this zone district. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)
   g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)
SECTION 20: R-3 RESIDENTIAL-THREE DISTRICT

A. INTENT AND PURPOSE

1. The Residential-Three Zone District is intended to provide for high density residential development, including multiple-family dwellings, in areas served by public water and sewer facilities. This district originally provided for certain agricultural uses, however, these uses were discontinued in 1972. No land may be rezoned to R-3 subsequent to May 1972. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 5-6-46)

2. Two-family dwelling. (orig. 5-6-46)

3. Multiple-family dwelling. (orig. 5-6-46)

4. Private garage. (orig. 5-6-46)

5. Private building for housing dogs, cats and similar domesticated pets, but not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 5-6-46; am. 4-24-72; am. 11-6-79)

6. Church, parish house and/or parsonage. (orig. 5-6-46; am. 11-6-79)

7. Public, parochial and private schools; state licensed day-care center or large day-care home or preschool or nursery. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88)

8. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

9. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located with 750 feet of another similar type state licensed or certified home or shelter. (orig. 6-26-79; am. 6-14-88)

10. Public library, public and private nonprofit museum. (orig. 5-6-46)

11. Public park, Class I and II public recreation facilities. (orig. 5-6-46; am. 11-6-79; am. 9-11-90)
12. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

13. Roof and/or building mounted low power telecommunications facility on multiple-family dwellings. (orig. 6-7-94)

14. Special Uses: The following uses shall be permitted only upon review of the Planning Commission and approval by the Board of County Commissioners. (orig. 11-15-65; am. 11-6-79)
   a. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 5-6-46; am. 11-15-65)
   b. Cable television reception substation. (orig. 9-11-90)
   c. Water supply reservoir and irrigation canal. (orig. 5-6-46; am. 11-15-65; am. 11-6-79)
   d. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 5-6-46; am. 11-15-65)
   e. A group living facility, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)
   f. Home for social rehabilitation or adjustment for up to 10 resident clients plus staff, and which is not located within 750 feet of another similar type facility. (orig. 6-14-88)
   g. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)
   h. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)
   i. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: None. (orig. 5-6-46)

2. Lot Standards
   a. The minimum lot area for a one-family dwelling shall be 7,500 square feet. (orig. 5-6-46; am. 2-14-56; am. 11-6-79)
   b. The minimum lot area for a two-family dwelling or other main building shall be 9,000 square feet, provided that the minimum lot area shall be 4,000 square feet per family unit. (orig. 5-6-46; am. 2-14-56; am. 11-6-79)
   c. The minimum lot area for any other main building shall be 12,500 square feet, provided that the minimum lot area for a multiple-family dwelling shall be 2,000 square feet per family unit. (orig. 5-6-46; am. 2-14-56; am. 11-6-79)
3. Front Setback

a. The minimum front setback for a dwelling, or other main building, or garage shall be 20 feet when the front yard is adjacent to a local or collector street. (orig. 5-6-46; am. 4-7-69; am. 3-28-00)

b. The minimum front setback for a dwelling or other main building, or garage shall be 30 feet when adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan." (orig. 4-7-69; am. 11-6-79; am. 3-28-00)

c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

d. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 5-6-46; am. 4-7-69; am. 11-6-79)

e. No part of the front yard established by the required front setback may be used for a multiple-family dwelling's off-street parking requirement. (orig. 5-6-46; am. 4-7-69; am. 11-6-79)

4. Side Setbacks

a. The minimum side setback for a one-family dwelling, two-family dwelling or multiple-family dwelling with 1 story, shall be 5 feet on each side. The minimum side setback for any other main building shall be 10 feet on each side. (orig. 5-6-46; am. 2-14-56; am. 11-6-79)

b. The minimum side setback for any building adjacent to a local or collector street shall be 20 feet. The minimum side setback for any building adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan" shall be 30 feet. (orig. 5-6-46; am. 2-14-56; am. 4-7-69)

c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

d. For a two-family dwelling, where each family unit has been approved for individual ownership, no side setback shall be required where there is a common wall. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for a multiple-family dwelling or other main building, not a dwelling, shall be 10 feet. The minimum rear setback for all other dwellings and accessory buildings shall be 5 feet. (orig. 5-6-46; am. 12-7-53)

6. Fences and Retaining Walls

a. Maximum fence height: 6 feet. (orig. 8-6-80)

b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)
d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)

f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

E. TERMINATION OF ZONE DISTRICT

1. No land in the unincorporated portion of Jefferson County shall be rezoned to Residential-Three on or subsequent to May 15, 1972. (orig. 5-15-72)

2. All land in the unincorporated area of Jefferson County zoned Residential-Three on or before May 15, 1972, shall remain so zoned and subject to all the provisions of said zone district until such time as said land is either incorporated or rezoned to another valid zone district. (orig. 5-15-72)
SECTION 21: R-3A RESIDENTIAL-THREE A DISTRICT

A. INTENT AND PURPOSE

1. The Residential-Three A Zone District is intended to provide for high density residential development, including two-family and multiple family dwellings, in areas served by public water and sewer facilities. (orig. 11-6-79)

2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. Two-family dwelling. (orig. 2-27-62; am. 4-24-72)

2. Multiple-family dwelling. (orig. 2-27-62; am. 4-24-72)

3. Private garage. (orig. 2-27-62; am. 4-24-72)

4. Private building for housing dogs, cats and similar domesticated pets, but not including horses, cattle, sheep, goats, chickens, ducks, geese or other fowl. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 2-27-62; am. 4-24-72; am. 11-6-79)

5. Church, parish house and/or parsonage. (orig. 2-27-62; am. 11-6-79)

6. Public, parochial and private schools; state licensed day-care center or large day-care home or preschool or nursery. Not included are private vocational, trade or professional schools, schools of art music or dance and schools for subnormal or mentally disturbed adults. (orig. 2-27-62; am. 11-6-79; am. 6-14-88)

7. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

8. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located with 750 feet of another similar type state license or certified home or shelter. (orig. 6-26-79; am. 6-14-88)

9. Public library, public or private non-profit museum. (orig. 2-27-62)

10. Public park, Class I and II public recreation facilities. (orig. 2-27-62 am. 11-6-79; am. 9-11-90)

11. Homes for the aged and nursing homes. (orig. 6-20-66; am. 4-24-72)

12. Roof and/or building mounted low power telecommunications facility. (orig. 6-7-94)
13. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 2-27-62; am. 11-15-65; am. 11-6-79)
   a. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 2-27-62)
   b. Cable television reception substation. (orig. 9-11-90)
   c. Water supply reservoir and irrigation canal. (orig. 2-27-62; am. 11-6-79)
   d. Railroad right-of-way, but not including freight yards, passenger stations, switching or storage. (orig. 2-27-62)
   e. A group living facility, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)
   f. Home for social rehabilitation or adjustment for up to 10 resident clients plus staff, and which is not located within 750 feet of another similar type facility. (orig. 6-14-88)
   g. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)
   h. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)
   i. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

C. LOT AND BUILDING STANDARDS:

1. Height Limitation: No building shall exceed a height of 35 feet. (orig. 2-27-62)

2. Lot Standards
   a. The minimum lot area for any building shall be 12,500 square feet. (orig. 2-27-62; am. 4-24-72)
   b. The minimum lot area for a two-family dwelling shall be 5,000 square feet per family unit. (orig. 2-27-62; am. 4-24-72; am. 11-6-79)
   c. The minimum lot for a multiple-family dwelling shall be 3,000 square feet per family unit. (orig. 2-27-62; am. 11-6-79)

3. Front Setback
   a. The minimum front setback for a dwelling or other main building, or garage shall be 20 feet when the front yard is adjacent to a local or collector street. (orig. 2-27-62; am. 4-7-69; am. 3-28-00)
b. The minimum front setback for a dwelling or other main building, or garage shall be 30 feet when adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan." (orig. 2-27-62; am. 4-7-69; am. 11-6-79; am. 3-28-00)

c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this section. (orig. 11-6-79)

d. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 11-6-79)

e. No part of the front yard established by the required front setback may be used for a multiple-family dwelling's off-street parking requirement. (orig. 2-27-62; am. 11-6-79)

4. Side Setbacks

a. The minimum side setback for any building shall be 15 feet on each side. (orig. 2-27-62; am. 4-7-69; am. 4-24-72)

b. The minimum side setback for any building adjacent to a local or collector street shall be 20 feet. The minimum side setback for any building adjacent to a major arterial street as designated on the "Jefferson County Major Thoroughfare Plan" shall be 30 feet. (orig. 2-27-62; am. 4-7-69)

c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this section. (orig. 11-6-79)

d. For a two-family dwelling, where each family unit has been approved for individual ownership, no side setback shall be required where there is a common wall. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 20 feet. (orig. 2-27-62; am. 4-24-72)

6. Fences and Retaining Walls

a. Maximum fence height: 6 feet. (orig. 8-6-80)

b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)

d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a Professional Engineer as to design and structural stability. (orig. 8-6-80)

e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)

f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this section. (orig. 8-6-80)
g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)
SECTION 22: R-4 RESIDENTIAL-FOUR DISTRICT

A. INTENT AND PURPOSE

The purpose of this zone district is to provide very high density residential development capabilities. (orig. 9-8-69)

The large lot area requirements, the large setback requirements, and the screening requirements are all designed for the purpose of abating traffic noise and making arterial streets and high density residential land uses compatible activities. (orig. 9-8-69)

B. PERMITTED USES

No building or land shall be used and no building shall be hereafter erected, converted or structurally altered unless otherwise provided herein, except for one or more of the following uses: (orig. 9-8-69)

1. Multiple-family dwelling (20 dwelling units to 50 dwelling units per acre). (orig. 9-8-69)

2. Private garage or parking facilities. (orig. 9-8-69)

3. Church, parish house and/or parsonage. (orig. 9-8-69; am. 9-11-90)

4. Colleges, schools, state licensed day-care home center or large day-care home or preschool or nursery. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. (orig. 9-8-69; am. 6-14-88)

5. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

6. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type state licensed or certified home or shelter. (orig. 6-26-79; am. 6-14-88)

7. Public and private nonprofit libraries and museums. (orig. 9-8-69)

8. Public park, Class I and II public recreation facilities. (orig. 9-8-69; am. 9-11-90)

9. Hospitals, nursing homes and clinics, but not including institutions exclusively for the mentally disturbed, mental defectives, or for contagious or infectious diseases. (orig. 9-8-69)
10. Commercial service activities, which are accessory to the main use of the building, may be conducted, provided said use is contained within the main building. Cafeterias, offices, studios and personal services such as beauty parlors, barber shops, laundry pick-up stations and pharmacies may be conducted. However, the sum total of commercial uses may not exceed more than 10 percent of the floor area of any single building or structure. The entrance to any such accessory business will be from inside the building and no advertising said business activity shall be visible from outside the building. (orig. 9-8-69)

Such accessory use is one which:

a. Is subordinate to and serves the principal building or principal use. (orig. 9-8-69)

b. Is subordinate in area, extent, or purpose to the principal building or principal use served. (orig. 9-8-69)

c. Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served. (orig. 9-8-69)

d. Is located on the same lot as the principal building or principal use served. (orig. 9-8-69)

11. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

12. Roof and/or building mounted low power telecommunications facility. (orig. 6-7-94)

13. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioner: (orig. 9-8-69; am. 6-26-79)

a. Governmental buildings, fire stations, but not including warehouses, storage or repair. (orig. 9-8-69)

b. Telephone exchange, electric substation including electric transmission and distribution lines or gas regulator station where no public business office and no repair or storage facilities are maintained, providing such facility is screened from public view to a height of 6 feet. (orig. 9-8-69)

c. Cable television reception substation. (orig. 9-11-90)

d. A group living facility, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

e. Home for social rehabilitation or adjustment for up to 10 resident clients plus staff, and which is not located within 750 feet of another similar type facility. (orig. 6-14-88)

f. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

g. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)
C. HEIGHT REGULATION

None. (orig. 9-8-69)

D. AREA REGULATIONS

1. Area and Minimum Width of Lot: For every main building hereafter erected or structurally altered, there shall be provided a minimum lot area of 1 acre. The minimum width of lot shall be 200 feet. (orig. 9-8-69)

2. Front Yard: The minimum depth of front yard for buildings shall be 40 feet. If parking space is to be provided in the front yard setback, it shall be screened from the street by fence, wall or planting. Said fence, wall or planting shall conform to the provisions of the "Fences and Retaining Walls" portion of this Section. Parking lot areas, including aisles, must be set back 5 feet from the front lot line and 5 feet from the front setback line. (orig. 9-8-69)

3. Side Yards: The minimum depth of all side yards for buildings shall be 30 feet. If parking space is to be provided, adjacent to an existing street, it shall be screened from the street by fence, wall or planting. Said fence, wall or planting shall conform to the provisions of the "Fences and Retaining Walls" portion of this Section. Parking lot areas including aisles must be set back 5 feet from the side lot line and 5 feet from the side setback line. (orig. 9-8-69)

4. Rear Yard: The minimum depth of all rear yards for buildings shall be 30 feet. If parking space is to be provided adjacent to an existing street, it shall be screened from the street by fence, wall or planting. Said fence, wall or planting shall conform to the provisions of the "Fences and Retaining Walls" portion of this Section. Parking lot areas including aisles must be set back 5 feet from the rear lot line, and 5 feet from the rear setback line. (orig. 9-8-69)

5. Zone Lot: The minimum building setback from any zone lot line, as established in the "Zone Lot Provisions" portion of this Section, which does not also constitute either a front, side or rear lot line of the lot, from which the zone lot was derived, shall be 15 feet. (orig. 9-8-69)

E. DENSITY REGULATIONS

No multifamily dwelling may be constructed or altered within this zone district which contains an average density of less than 15 dwelling units per acre or more than 50 dwelling units per acre. (orig. 9-8-69)

F. PERCENTAGE OF LOT COVERAGE

A minimum of 30 percent of the lot area shall be retained for open space or private recreation area. The parking of automobiles and other vehicles will not be permitted within that portion of the lot area that is designated for open space. (orig. 9-8-69)

G. DISTANCE FROM PUBLIC WAY AND NUMBER OF MAIN BUILDINGS PER LOT

More than 1 main building per lot is permitted in this zone district. However, each main building will require the designation of a zone lot if there is more than 1 main building per lot. (see "Zone Lot Provision" portion of this Section). No building designed for occupancy by 3 or more families shall be erected, converted or structurally altered if such building or any part thereof is located...
more than 200 feet from a deeded public way to which the property has access, unless the applicant submits a letter from the local fire district that has jurisdiction over the applicant's property. This letter must state that the applicant is meeting the fire district regulations for fire prevention and safety. Said letter must be presented when the applicant requests a building permit. (orig. 9-8-69)

H. ZONE LOT PROVISIONS

1. The zone lot has the specific function of permitting the construction of more than 1 multiple dwelling on a single legal lot, but shall have a minimum lot area of 20,000 square feet. The zone lot does not require any lot frontage. Every zone lot must be legally described. Zone lots must be legally designated on a Zone Lot Map. (orig. 9-8-69)

2. Such zone lot map shall contain the legal description of the legal lot and all of the zone lots. The line segments so described will be inscribed on the map. (orig. 9-8-69)

3. The land designated as the building site for a structure; also, the land area occupied by a use or a structure. Such land area shall be composed of a single parcel of contiguous land and may be designated as a zone lot only by the owner(s) thereof. All designations of zone lots shall be filed with the Planning Department. In cases where the entire zone lot is not owned by the same person or persons, firm or corporation, or where the ownership of a structure to be erected on a zone lot is different from the ownership of the zone lot, a copy of each such designation, or such other record thereof as deemed proper by the Department, shall be recorded by the County Clerk and Recorder. (9-8-69)

4. Upon application to and approval by the Planning Department, the boundaries and area of a designated zone lot may be amended if full compliance with all requirements of this ordinance can be maintained. (orig. 9-8-69)

I. FENCES AND RETAINING WALLS

1. Maximum Fence Height: 6 feet. (orig. 8-6-80)

2. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

3. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)

4. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

5. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)

6. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

7. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

J. SIGNS AND OUTDOOR ADVERTISING DEVICES

Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)
K. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)
SECTION 23: R-T RESIDENTIAL TRAILER DISTRICT

A. DEFINITIONS

1. "Unit" means a trailer unit. (orig. 8-5-57)

2. A "trailer camp" means any park, court, camp, site, parcel or tract of land designed, maintained, intended or used for the purpose of supplying a location or accommodation for 2 or more trailers and shall include all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the trailer camp and its facilities. "Trailer camp" shall not include automobile or trailer sales lots on which unoccupied trailers are parked for the purpose of inspection and sales. (orig. 8-5-67)

3. A "space" means a plot of ground in a trailer camp of not less than 2,400 square feet of space designed for location of only 1 trailer and 1 or more automobiles and to include access road. (orig. 8-5-57)

B. LOCATION OUTSIDE OF CAMPS

1. It shall be unlawful for any person, firm, or corporation to place, keep or maintain any automobile trailer or house car upon any lot, piece or parcel of ground within the County of Jefferson, except in a legal trailer camp or campground as approved in accordance with Sections 30, 31, or 40 of this Zoning Resolution, where applicable; however, this Section shall not be construed to prevent the placing, parking or keeping of an automobile trailer or house car within the County for a period of 2 weeks from the time that such trailer or house car first arrives within the County; provided however, that during such time, an adequate water supply and adequate toilets are available at all times, either day or night, to the trailer. This exception is especially intended to provide for guests of citizens, but in no case shall this exception extend beyond the 2 week limitation as herein stated. (orig. 8-5-57; am. 1-4-65; am. 8-30-82)

2. Any automobile trailer or house car which is parked on private premises merely for storage purposes shall also be excepted from this Section. (orig. 8-5-57)

C. WHEEL REMOVAL - REMODELING AND ADDITIONS

1. Any action toward the removal of wheels, except for temporary purposes of repairs, or any other action to attach the trailer to the ground by means of posts, piers or foundations, shall subject the trailer to the requirements of the Building Code as well as the Zoning Resolution. (orig. 8-5-57)

2. This Section is not to be construed as prohibiting necessary stabilizing jacks or blocks. (orig. 8-5-57)

3. No house trailer may be remodeled by additions, lean-tos, or the like, for the purpose of converting same into a residence. The use of temporary awnings and cabanas or other factory built, fireproof, or permanent additions shall not be considered as such remodeling. (orig. 8-5-57; am. 6-2-58)

4. Except that permits for additions or cabanas shall be by approval of the Board of Adjustment. (orig. 6-2-58)
D. TRAILER CAMP PLAN

1. Every trailer or trailer camp shall be located on a well-drained area and the premises shall be properly graded so as to prevent the accumulation of storm or other waters. No trailer or trailer camp shall be located in any area that is situated so that the drainage from any barnyard, outdoor toilet or other source of filth can be deposited in its location. (orig. 8-5-57)

2. Trailer spaces shall be clearly defined and shall consist of a minimum of 2,400 square feet in area and a width of no less than 25 feet. (orig. 8-5-57)

3. The camp shall be so arranged that all spaces shall face or abut on a driveway of no less than 20 feet in width. Such driveways shall be graveled or paved and maintained in good condition. (orig. 8-5-57)

4. Requests for new R-T Districts shall be accompanied by a preliminary plat and the County Commissioners may approve the rezoning, subject to approval of a final plat. Said plat is to consist of the following: (orig. 6-2-58)
   a. Plot plan of total area to be used as a trailer park. (orig. 6-2-58)
   b. Description of land to be rezoned. (orig. 6-2-58)
   c. Location of each existing and proposed structure. (orig. 6-2-58)
   d. Location, area and dimensions of each trailer space. (orig. 6-2-58)
   e. Location and dimensions of all roads and/or driveways. (orig. 6-2-58)

E. USE REGULATION

In R-T Districts, the following uses are permitted: (orig. 8-5-57)

1. One-family houses for camp owner or caretaker. (orig. 8-5-57)
2. Laundry rooms. (orig. 8-5-57)
3. Toilet rooms. (orig. 8-5-57)
4. Shower and bath houses. (orig. 8-5-57)
5. Trailer park offices. (orig. 8-5-57)
6. Recreation rooms for park residents only. (orig. 8-5-57)
7. Light and power poles for purposes of serving auto trailer camp only. (orig. 8-5-57)
8. Residential trailers. (orig. 7-11-66; am. 1-13-75)
9. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

10. Special Uses: The following uses shall be permitted upon review by the Planning Commission and approval by the Board of County Commissioners. (orig. 10-17-83)
a. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

b. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

F. HEIGHT REGULATION

No building or structure, including signs, shall exceed a height of 25 feet. (orig. 8-5-57)

G. AREA REGULATION PER PARK

1. No occupied trailer shall be located less than 10 feet from any building or other trailer. (orig. 8-5-57)

2. Front Yard: The minimum depth of the front yard for a dwelling, trailer and/or other main building shall be 50 feet. Accessory buildings shall be set back at least 100 feet from the front lot line. (orig. 8-5-57)

3. Side Yard: The minimum width of the side yard shall be 50 feet. No trailer or building shall be located less than the minimum required distance from any side yard. (orig. 8-5-57)

4. Rear Yard: The minimum depth of the rear yard shall be 50 feet. No trailer or building shall be located less than the minimum required distance from real property lines. (orig. 8-5-57)

5. Special Exemptions

a. The use of the prescribed minimum yard for recreation purposes, clothes drying equipment, playground equipment and service roads will be permitted. (orig. 8-5-57)

b. Provided further, that the setback area may be included in computing the area of trailer spaces; provided however, that no trailer shall be parked in said area. (orig. 8-5-57; am 3-9-59)

c. Provided further, that if a trailer park is located with side yard or rear yard abutting commercial or industrial zoned land or a natural topographic barrier, the minimum yard requirement shall be no less than 15 feet. (orig. 8-5-57)

6. Fences and Retaining Walls

a. Maximum fence height: 6 feet. (orig. 8-6-80)

b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

d. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)
e. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

H. EXISTING CAMPS

1. The land occupied by all trailer camps or units licensed by the State of Colorado as Auto and Tourist Camps which have received a permit from the Tri-County Health Department and which are in existence at the time of passage of this ordinance and were in conformity with prior ordinances shall be rezoned Residential Trailer by this ordinance upon compliance with the provisions of paragraph 2 of this Section; provided however that trailer camps in existence on the effective date of this ordinance which have trailer spaces, buildings, signs or other installations having a width, area, setback or height not in conformity with that herein prescribed may continue to operate with existing trailer spaces, buildings, signs and other installations. (orig. 8-5-57)

2. Such trailer camp or units shall register with the Planning Board of Jefferson County, within 30 days from the effective date of this ordinance, setting forth the following: (orig. 8-5-57)
   a. The number of the state license issued for the camp. (orig. 8-5-57)
   b. The legal description of property occupied by such camp. (orig. 8-5-57)
   c. The number of trailer units in the camp. (orig. 8-5-57)
   d. The number and description of accessory buildings in the camp. (orig. 8-5-57)

3. Upon receipt of the above information, the Planning Board shall, after verification of the information contained therein, direct the Planning Director to make the necessary zoning map changes from the existing zoning districts in which the camp is located, to a Residential Trailer District. (orig. 8-5-57)

I. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)
SECTION 24: MR-1 MOUNTAIN RESIDENTIAL-ONE DISTRICT

A. INTENT AND PURPOSE

1. The Mountain Residential-One Zone District is intended to provide for low density residential development where certain agricultural uses are compatible with this development. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified in this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 11-14-55)

2. Private garage. (orig. 11-14-55)

3. Private greenhouse and nursery, noncommercial conservatory for plants and flowers. (orig. 11-14-55; am. 11-15-65; am. 11-6-79)

4. Private poultry house and pigeon coop with no more than 400 square feet of floor area; private rabbit and chinchilla hutch with no more than 100 square feet of floor area. (orig. 11-14-55; am. 11-6-79)

5. Private building for housing dogs, cats and similar domesticated pets. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 11-6-79)

6. Private stable and/or barn for keeping horses, cattle, sheep or goats. All such animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. (orig. 11-14-55; am. 4-24-72; am. 11-6-79)

The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre, except that offspring of animals on the property may be kept until weaned. (orig. 2-3-41; am. 5-6-46; am. 4-24-72; am. 11-6-79)

7. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

8. Public park, Class I and II public recreation facilities. (orig. 11-14-55; am. 9-11-90)

9. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

10. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 11-15-65; am. 11-6-79)

a. Church, parish house and/or parsonage. (orig. 9-11-90)
March 28, 2000

b. Public library, public or private nonprofit museum. (orig. 9-11-90)

c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 11-15-65)

d. Cable television reception substation. (orig. 9-11-90)

e. Water supply reservoir and irrigation canal. (orig. 11-15-65; am. 11-6-79)

f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 11-15-65)

g. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)

i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)

j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude those occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88; am. 9-11-90)

k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed 45 feet in height. (orig. 11-14-55)

2. Lot Standards: The minimum lot area for a dwelling or other main building shall be 17,400 square feet. (orig. 11-14-55; am. 4-10-72; am. 11-6-79)

3. Front Setback

a. The minimum front setback for a dwelling, or other main building, or garage shall be 30 feet. (orig. 11-14-55; am. 11-15-65; am. 11-6-79; am. 3-28-00)

b. Corner lots must comply with the vision clearance requirements outlined in the General Requirements' portion of this Section. (orig. 11-6-79)
July 20, 1981

C. Accessory buildings housing horses, cattle, sheep, goats, rabbits, chinchillas, poultry, and pigeons shall be set back at least 100 feet from the front lot line. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 11-15-65; am. 11-6-79)

4. Side Setbacks
   a. The minimum side setback for any building shall be 20 feet on each side. The minimum side setback for any building adjacent to a street shall be 30 feet. (orig. 11-14-55; am. 11-15-65; am. 11-6-79)
   b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 20 feet. (orig. 11-14-55; am. 11-15-65)

6. Fences and Retaining Walls
   a. Maximum fence height: 6 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)
   d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)
   g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS
   1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)
   2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)
   3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)
4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements for a dwelling. (orig. 11-6-79)

5. Stallions or bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 11-6-79)
SECTION 25: MR-2 MOUNTAIN RESIDENTIAL-TWO DISTRICT

(Orig. November 14, 1955)

A. INTENT AND PURPOSE

1. The Mountain Residential-Two Zone District is intended to provide for low density residential development and includes both one-family and two-family dwellings. Certain agricultural uses which are compatible with this residential development are included. (Orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (Orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (Orig. 11-14-55)

2. Two-family dwelling. (Orig. 11-14-55)

3. Private garage. (Orig. 11-14-55)

4. Private greenhouse and nursery, noncommercial conservatory for plants and flowers. (Orig. 11-14-55; Am. 11-15-65)

5. Private poultry house and pigeon coop with no more than 400 square feet of floor area, private rabbit and chinchilla hutch with no more than 100 square feet of floor area. (Orig. 11-14-55; Am. 11-6-79)

6. Private building for housing dogs, cats and similar domesticated pets. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (Orig. 11-6-79)

7. Private stable and/or barns for keeping horses, cattle, sheep or goats. All such animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. (Orig. 11-14-55; Am. 4-24-72; Am. 11-6-79)

   The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre, except that offspring of animals on the property may be kept until weaned. (Orig. 2-3-41; Am. 5-6-46; Am. 4-24-72; Am. 11-6-79)

8. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (Orig. 6-14-88)

9. Public park, Class I public recreation facilities. (Orig. 11-14-55; Am. 9-11-90)

10. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (Orig. 6-23-81)
11. **Special Uses:** The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 11-15-65; am. 11-6-79)

   a. Church, parish house and/or parsonage. (orig. 9-11-90)

   b. Public library, public or private nonprofit museum. (orig. 9-11-90)

   c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 11-15-65)

   d. Cable television reception substation. (orig. 9-11-90)

   e. Water supply reservoir and irrigation canal. (orig. 11-15-65; am. 11-6-79)

   f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 11-15-65)

   g. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

   h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)

   i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)

   j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; 6-23-81; am. 6-14-88; am. 9-11-90)

   k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

   l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. **LOT AND BUILDING STANDARDS**

1. **Height Limitation:** No building shall exceed 45 feet in height. (orig. 11-14-55)

2. **Lot Standards**

   a. The minimum lot area for a one-family dwelling shall be 17,400 square feet. (orig. 11-14-55; am. 4-10-72)
b. The minimum lot area for a two-family dwelling or other main building shall be 1/2 acre (21,780 square feet), provided that the minimum lot area shall be 10,000 square feet per family unit. (orig. 11-14-55; am. 4-10-72; am. 11-6-79)

3. Front Setback
   a. The minimum front setback for a one-family dwelling, a two-family dwelling, or other main building, or garage shall be 30 feet. (orig. 11-14-55; am. 11-15-65; am. 11-6-79; am. 3-28-00)
   b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
   c. Accessory buildings housing horses, cattle, sheep, goats, rabbits, chinchillas, poultry and pigeons shall be set back at least 100 feet from the front lot line. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 11-15-65; am. 11-6-79)

4. Side Setbacks
   a. The minimum side setback for any building shall be 15 feet on each side. The minimum side setback for any building adjacent to a street shall be 30 feet. (orig. 11-14-55; am. 11-15-65; am. 11-6-79)
   b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
   c. For a two-family dwelling, where each family unit has been approved for individual ownership, no side setback shall be required where there is a common wall. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 20 feet. (orig. 11-14-55; am. 11-15-65)

6. Fences and Retaining Walls
   a. Maximum fence height: 6 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)
   d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)
   g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)
7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements for a dwelling. (orig. 11-6-79)

5. Stallions or bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 11-6-79)
SECTION 26: MR-3 MOUNTAIN RESIDENTIAL-THREE DISTRICT

A. INTENT AND PURPOSE

1. The Mountain Residential-Three Zone District is intended to provide for medium density residential development and includes one-family and two-family dwellings. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 11-14-55)

2. Two-family dwelling. (orig. 11-14-55)

3. Private garage. (orig. 11-14-55)

4. Private building for housing dogs, cats and similar domesticated pets. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 11-6-79)

5. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

6. Public park, Class I public recreation facilities. (orig. 11-14-55; am. 9-11-90)

7. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

8. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 11-15-65; am. 11-6-79)
   a. Church, parish house and/or parsonage. (orig. 9-11-90)
   b. Public library, public or private nonprofit museum. (orig. 9-11-90)
   c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 11-15-65)
   d. Cable television reception substation. (orig. 9-11-90)
   e. Water supply reservoir and irrigation canal. (orig. 11-15-65; am. 11-6-79)
   f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 11-15-65)
g. Group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)

i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)

j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-65; am. 11-6-79; am. 6-23-81; am. 6-14-88; am. 9-11-90)

k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed 45 feet in height. (orig. 11-14-55)

2. Lot Standards
   a. The minimum lot area for a one-family dwelling shall be 6,250 square feet. (orig. 11-14-55)
   b. The minimum lot area for a two-family dwelling or other main building shall be 9,000 square feet, provided that the minimum lot area shall be 4,000 square feet per family unit. (orig. 11-14-55; am. 11-6-79)

3. Front Setback
   a. The minimum front setback for a one-family dwelling, a two-family dwelling, or other main building, or garage shall be 30 feet. (orig. 11-14-55; am. 11-15-65; am. 11-6-79; am. 3-28-00)
   b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
   c. All other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 11-14-55; am. 11-6-79)

4. Side Setbacks
   a. The minimum side setback for any building shall be 15 feet on each side. The minimum side setback for any building adjacent to a street shall be 30 feet. (orig. 11-14-55; am. 11-15-65; am. 11-6-79)
b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

c. For a two-family dwelling, where each family unit has been approved for individual ownership, no side setback shall be required where there is a common wall. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 20 feet. (orig. 11-14-55; am. 11-15-65)

6. Fences and Retaining Walls

a. Maximum fence height: 6 feet. (orig. 8-6-80)

b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

c. No fence more than 42 inches in height of any type shall be permitted in the area between the front setback line and the front lot line. (orig. 8-6-80)

d. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

e. No barbed wire or electric fence shall be permitted in this zone district. (orig. 8-6-80)

f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

g. On adjacent lots where allowed fence heights differ, the lower height restriction shall govern. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon, or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)
SECTION 27: SR-1 SUBURBAN RESIDENTIAL-ONE DISTRICT

(orig. 4-10-72)

A. INTENT AND PURPOSE

1. The Suburban Residential-One Zone District is intended to provide for low density suburban residential development in any terrain where certain agricultural uses are compatible with residential development. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 4-10-72)

2. Private garage. (orig. 4-10-72)

3. Private greenhouse and nursery, noncommercial conservatory for plants and flowers. (orig. 4-10-72; am. 11-6-79)

4. Private poultry house and pigeon coop with no more than 400 square feet of floor area, private rabbit and chinchilla hutch with no more than 100 square feet of floor area. (orig. 4-10-72; am. 11-6-79)

5. Private building for housing dogs, cats and similar domesticated pets. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 11-6-79)

6. Private stable and/or barn for keeping horses, cattle, sheep or goats. All such animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. (orig. 4-10-72; am. 4-24-72; am. 11-6-79)

The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre; except that offspring of animals on the property may be kept until weaned. (orig. 2-3-41; am. 5-6-46; am. 4-24-72; am. 11-6-79)

7. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

8. Public park, Class I public recreation facilities. (orig. 4-10-72; am. 9-11-90)

9. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

10. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 4-10-72; am. 11-6-79)
March 28, 2000

a. Church, parish house and/or parsonage. (orig. 9-11-90)

b. Public library, public or private nonprofit museum. (orig. 9-11-90)

c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 4-10-72)

d. Cable television reception substation. (orig. 9-11-90)

e. Water supply reservoir and irrigation canal. (orig. 4-10-72; am. 11-6-79)

f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 4-10-72)

g. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)

i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)

j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88; am. 9-11-90)

k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed a height of 35 feet. (orig. 4-10-72)

2. Lot Standards: The minimum lot area for a dwelling or other main building shall be 1 acre (43,560 square feet). (orig. 4-10-72; am. 11-6-79)

3. Front Setback

   a. The minimum front setback for a dwelling, or other main building, or garage shall be 30 feet. (orig. 4-10-72; am. 3-28-00)
b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

c. Accessory buildings housing horses, cattle, sheep, goats, rabbits, chinchillas, poultry and pigeons shall be set back at least 100 feet from the front lot line. All other accessory buildings shall be set back a minimum of 50 feet from the front lot line. (orig. 4-10-72; am. 11-6-79)

4. Side Setbacks
a. The minimum side setback for any building shall be 30 feet. (orig. 4-10-72; am. 11-6-79)

b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 20 feet. (orig. 4-10-72; am. 11-6-79)

6. Fences and Retaining Walls
a. Maximum fence height: 6 feet. (orig. 8-6-80)

b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a Professional Engineer as to design and structural stability. (orig. 8-6-80)

d. No barbed wire shall be permitted as material for a boundary or perimeter fence in this district. (orig. 8-6-80)

e. No electric fence shall be permitted in this district. (orig. 8-6-80)

f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon, or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)
4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements for a dwelling. (orig. 11-6-79)

5. Stallions or bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 11-6-79)
SECTION 28: SR-2 SUBURBAN RESIDENTIAL-TWO DISTRICT

A. INTENT AND PURPOSE

1. The Suburban Residential-Two Zone District is intended to provide for moderately low density suburban residential development in any terrain where certain agricultural uses are compatible with residential development. (orig. 11-6-79)

2. In this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 3-23-64)

2. Private garage. (orig. 3-23-64)

3. Private greenhouse and nursery, noncommercial conservatory for plants and flowers. (orig. 3-23-64; am. 11-6-79)

4. Private poultry house and pigeon coop with no more than 400 square feet of floor area, private rabbit and chinchilla hutch with no more than 100 square feet of floor area. (orig. 3-23-64; am. 11-6-79)

5. Private building for housing dogs, cats and similar domesticated pets. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 3-23-64; am 11-6-79)

6. Private stable and/or barn for keeping horses, cattle, sheep or goats. All such animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows.

   The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre; except that offspring of animals on the property may be kept until weaned. (orig. 3-23-64; am. 4-24-72; am. 11-6-79)

7. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 feet of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

8. Public park, Class I public recreation facilities. (orig. 3-23-64; am. 9-11-90)

9. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

10. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 11-15-65; am. 11-6-79)

   a. Church, parish house and/or parsonage. (orig. 9-11-90)

   b. Public library, public or private nonprofit museum. (orig. 9-11-90)
c. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 11-15-65)

d. Cable television reception substation. (orig. 9-11-90)
e. Water supply reservoir and irrigation canal. (orig. 11-15-65; am. 11-6-79)
f. Railroad right-of-way, but not including freight yards, passenger station, switching or storage. (orig. 11-15-65)
g. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)
h. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)
i. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)
j. Public, parochial and private schools. Not included are private vocational, trade or professional schools, schools of art, music or dance and schools for subnormal or mentally disturbed adults. Exceptions listed above shall not preclude home occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig. 2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88; am. 9-11-90)
k. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)
l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig. 9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed a height of 35 feet. (orig. 3-23-64)

2. Lot Standards

a. The minimum lot area for a dwelling or other main building shall be 2 acres (87,120 square feet). (orig. 3-23-64; am. 11-6-79)

b. The minimum lot area for a lot developed through the rural cluster process shall be as set forth in Part VI of the "Jefferson County Land Development Regulation." (orig. 10-13-98)

3. Front Setback

a. The minimum front setback for a dwelling, or other main building, or garage shall be 50 feet. (orig. 3-23-64; am. 11-6-79; am. 3-28-00)

b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
c. Accessory buildings housing horses, cattle, sheep, goats, rabbits, chinchillas, poultry and pigeons shall be set back at least 100 feet from the front lot line. All other accessory buildings shall be set back a minimum of 50 feet from the front lot line. (orig. 3-23-64; am. 11-6-79)

4. Side Setbacks
   a. The minimum side setback for any building shall be 50 feet. (orig. 3-23-64)
   b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 50 feet. (orig. 3-23-64)

6. Fences and Retaining Walls
   a. Maximum fence height: 6 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   d. No barbed wire shall be permitted as material for a boundary or perimeter fence in this district. (orig. 8-6-80)
   e. No electric fence shall be permitted in this district. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structures may be erected, placed upon, or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements for a dwelling. (orig. 11-6-79)

5. Stallions or bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 11-6-79)
SECTION 29: SR-5 SUBURBAN RESIDENTIAL-FIVE DISTRICT

A. INTENT AND PURPOSE

1. The Suburban Residential-Five Zone District is intended to provide for very low density suburban residential development in any terrain where certain agricultural uses are compatible with residential development. (orig. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling. (orig. 3-23-64)

2. Private garage. (orig. 3-23-64)

3. Private greenhouse and nursery, noncommercial conservatory for plants and flowers. (orig. 3-23-64; am. 11-6-79)

4. Private poultry house and pigeon coop with no more than 400 square feet of floor area; private rabbit and chinchilla hutch with no more than 100 square feet of floor area. (orig. 3-23-64; am. 11-6-79)

5. Private building for housing dogs, cats and similar domesticated pets. The maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 3-23-64; am. 11-6-79)

6. Private stable and/or barn for keeping horses, cattle, sheep or goats. All such animals shall be kept in a fenced area. The total number of animals, listed above, is limited as follows. (orig. 3-23-64; am. 11-6-79)

   The minimum square footage of open lot area, not including the dwelling, shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre; except that offspring of animals on the property may be kept until weaned. (orig. 3-23-64; am. 11-6-79)

7. Group home for up to 8 aged persons not located within 750 feet of another such group home; state licensed group home for up to 8 developmentally disabled persons not located within 750 of another such group home; state licensed group home for up to 8 mentally ill persons not located within 750 feet of another such group home or group home for aged or developmentally disabled persons. (orig. 6-14-88)

8. Public park, Class I public recreation facilities. (orig. 3-23-64; am. 9-11-90)

9. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

10. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board by County Commissioners: (orig. 11-15-65; am. 11-6-79)

   a. Church, parish house and/or parsonage. (orig. 9-11-90)

   b. Public library, public or private nonprofit museum. (orig. 9-11-90)
c. Telephone exchange, electric substation, including electric transmission and
distribution lines or gas regulator station where no repair or storage facilities are
maintained. (orig. 11-15-65)

d. Cable television reception substation. (orig. 9-11-90)
e. Water supply reservoir and irrigation canal. (orig. 11-15-65; am. 11-6-79)
f. Railroad right-of-way, but not including freight yards, passenger station, switching or
storage. (orig. 11-15-65)
g. A group living facility, other than homes for social rehabilitation, or a home where up
to 6 unrelated individuals are living together, that is occupied by more than one
registered sex offender. (orig. 2-1-00)
h. Group, foster or communal home, or shelter from domestic violence, licensed or
certified by the state if applicable, in which 7 or more residents who are not legally
related live and cook together as a single housekeeping unit and where such home
or shelter is not located within 750 feet of another similar type home or shelter. (orig.
6-26-79; am. 6-14-88)
i. State licensed day-care center or large day-care home or preschool or nursery.
(orig. 6-14-88)
j. Public, parochial and private schools. Not included are private vocational, trade or
professional schools, schools of art, music or dance and schools for subnormal or
mentally disturbed adults. Exceptions listed above shall not preclude home
occupations authorized by Section 8 or Section 13 of this Zoning Resolution. (orig.
2-3-41; am. 5-6-46; am. 6-20-66; am. 11-6-79; am. 6-23-81; am. 6-14-88; am.
9-11-90)
k. Oil and gas drilling operations. Such operations shall conform to the standards
contained in Section 4 of this Zoning Resolution, except as modified by the Board
of County Commissioners in the resolution approving the Special Use. (orig.
10-17-83)
l. Class I or II commercial recreation facilities, Class II public recreation facilities. (orig.
9-11-90)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed a height of 35 feet. (orig. 3-23-64)

2. Lot Standards

   a. The minimum lot area for a dwelling or other main building shall be 4 acres (174,240
      square feet). (orig. 3-23-64; am. 11-6-79; am. 8-6-80)

   b. The minimum lot area for a lot developed through the rural cluster process shall be
      as set forth in Part VI of the "Jefferson County Land Development Regulation." (orig.
      10-13-98)

3. Front Setback

   a. The minimum front setback for a dwelling, or other main building, or garage shall be
      50 feet. (orig. 3-23-64; am. 11-6-79; am. 3-28-00)

   b. Corner lots must comply with the vision clearance requirements outlined in the
      "General Requirements" portion of this Section. (orig. 11-6-79)
4. Side Setbacks
   a. The minimum side setback for any building shall be 50 feet. (orig. 3-23-64)
   b. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

5. Rear Setback: The minimum rear setback for any building shall be 50 feet. (orig. 3-23-64)

6. Fences and Retaining Walls
   a. Maximum fence height: 6 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   d. No barbed wire shall be permitted as material for a boundary or perimeter fence in this district. (orig. 8-6-80)
   e. No electric fence shall be permitted in this district. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements for a dwelling. (orig. 11-6-79)

5. Stallions or bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 11-6-79)
SECTION 30: A-1 AGRICULTURAL-ONE DISTRICT

A. INTENT AND PURPOSE

1. The Agricultural-One Zone District is intended to provide for limited farming, ranching and agriculturally related uses while protecting the surrounding land from any harmful effects. A revision in March, 1972, increased the minimum land area for this district to 5 acres. (orig. 3-6-72; am. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling, private garage, barn, shed, stable, silo, corral, pens and runs. (orig. 2-3-41; am. 5-6-46; am. 1-23-61; am. 3-6-72; am. 11-6-79)

2. General farming, including grains, fruit, vegetables, grasses, hay, livestock raising, and the keeping and boarding of horses. (orig. 2-3-41; am. 5-6-46; am. 3-6-72; am. 11-6-79)

3. Poultry hatcheries and farms, fish hatcheries and dairy farms. (orig. 2-3-41; am. 5-6-46)

4. Greenhouse and nursery including both wholesale and retail, provided products sold are raised on the premises. (orig. 2-3-41; am. 5-6-46; am. 3-6-72)

5. Forestry farming, including raising of trees for any purpose. (orig. 3-6-72)

6. Roadside stand for operation during not more than 6 months in each year for the sale of farm products raised or produced on the premises, provided such stands are located no less than 30 feet distance from any street, highway, or right-of-way line. (orig. 5-6-46)

7. Fur farm and raising of rabbits. (orig. 2-3-41; am. 5-6-46; am. 3-6-72)

8. Private building for housing dogs, cats or similar domesticated pets. On legal non-conforming lots or parcels of 1 acre or less in size, the maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 8-6-80)

9. Public park, Class I public recreation facilities. Class II public recreation facilities are permitted only if the site is in compliance with the current minimum lot size requirement. (orig. 2-3-41; am. 5-6-46; am. 8-6-80; am. 6-23-81; am. 9-11-90)

10. Veterinarian hospital. (orig. 3-6-72)

11. Cemetery, mausoleum, mortuary and related uses. (orig. 9-6-77)

12. Beekeeping operations. (orig. 11-6-79)

13. Home occupations provided the requirements and conditions of Sections 8 or 13 of this Zoning Resolution are met. (orig. 6-23-81)

14. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Jefferson County Clerk and Recorder. (orig. 10-17-83)
15. Temporary storage of defensible space, associated fuel break and forest management thinnings in accordance with defensible space, fuel break and forest management programs as specified in the Zoning Resolution and Land Development Regulation. (orig. 6-18-02)

16. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 3-6-72; am. 11-6-79)

   a. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 2-27-73)

   b. Water supply reservoir and irrigation canal. (orig. 3-6-72; am. 11-6-79)

   c. Railroad right-of-way. (orig. 3-6-72)

   d. Sewage treatment plant. (orig. 3-6-72)

   e. Church, rectory, parish house and church school. (orig. 7-21-76)

   f. Radio, television and microwave transmission and relay towers and equipment; meteorological data collection towers and equipment; low power, micro-cell, and repeater telecommunications facilities, including antennas and towers. (orig. 5-1-79; am. 8-6-80; am. 6-7-94)

   g. Cable television reception substation. (orig. 9-11-90)

   h. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

   i. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)

   j. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)

   k. Arborist or tree service. (orig. 9-11-90)

   l. Natural resource transportation and conveyance systems. (orig. 11-6-79)

   m. Public kennel or cattery. (orig. 11-6-79; am. 8-6-80)

   n. Public riding academy or stable. (orig. 11-6-79)

   o. Limited sawmill operation used in support of Pine Beetle Control Programs. (orig. 11-6-79)

   p. Camps, campgrounds, picnic grounds, lodges or other similar facilities. Specific conditions and limitations for use, including maximum periods of visitor occupancy and types or maximum numbers of occupied vehicles or sites, will be established as terms of the Special Use approval. (orig. 8-30-82)
q. Oil and gas drilling and production, where located within a subdivision platted and recorded in the records of the Jefferson County Clerk and Recorder. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified in the resolution approving the Special Use. (orig. 10-17-83)

r. Class I or II commercial recreation facilities. Class II public recreation facilities on sites which do not meet the current minimum lot size requirement. (orig. 9-11-90)

s. Limited sawmill operation used in support of defensible space, associated fuel break and forest management programs as required under the Zoning Resolution and Land Development Regulation. (orig. 6-18-02)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed a height of 35 feet. (orig. 5-6-46; am. 3-6-72)

2. Lot Standards
   a. The minimum lot area for any use permitted in this district shall be 5 acres unless the lot falls within the provisions set forth in Section 3 of this Zoning Resolution. (orig. 5-6-46; am. 7-16-56; am. 3-6-72; am. 11-6-79)
   b. The minimum lot area for a lot developed through the rural cluster process shall be as set forth in Part VI of the "Jefferson County Land Development Regulation." (orig. 10-13-98)

3. Front Setback
   a. The minimum front setback for a one-family dwelling or other main building shall be 50 feet. (orig. 2-3-41; am. 5-6-46; am. 3-6-72; am. 11-6-79)
   b. Accessory buildings housing livestock shall be set back at least 75 feet from the front lot line. Fur farms, poultry farms, kennels and catteries, including all pens, runs, or structures used or occupied in conjunction with these activities, shall be set back at least 100 feet from the front lot line. (orig. 5-6-46; am. 3-6-72)
   c. Private garages and all other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 5-6-46; am. 3-6-72)
   d. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

4. Side Setbacks
   a. The minimum side setback for a one-family dwelling, private garage, or other main building shall be 30 feet. (orig. 2-3-41; am. 5-6-46; am. 3-6-72; am. 11-6-79)
   b. Accessory buildings housing livestock shall be set back at least 75 feet from the side lot line. Fur farms, poultry farms, kennels and catteries, including all pens, runs or structures used or occupied in conjunction with these activities, shall be set back at least 100 feet from the side lot line. (orig. 2-3-41; am. 5-6-46; am. 3-6-72)
   c. All other accessory buildings shall be set back at least 50 feet from the side lot line. (orig. 2-3-41; am. 5-6-46; am. 5-14-51; am. 3-6-72)
   d. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)
5. Rear Setback: The minimum rear setback for any building shall be 50 feet. (orig. 5-14-51; am. 12-7-53; am. 3-6-72).

6. Fences and Retaining Walls
   a. Maximum Fence Height: 7 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   d. Electric fences are permitted provided the electrical fence device is in compliance with Colorado State Department of Agriculture specifications. No electric fence is allowed as boundary or perimeter fence on lot lines abutting residential zone districts. (orig. 8-6-80)
   e. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and 50 feet of the side and rear lot lines. (orig. 5-6-46; am. 3-6-72; am. 11-6-79)

5. Stallions shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 3-6-72; am. 8-1-78)

6. On legal non-conforming lots or parcels of 1 acre or less in size, the following is the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, buffalo, beefalo and other large domesticated animals: (orig. 11-6-79)
   a. The minimum square footage of open lot area available to animals (does not include lawns, gardens, driveways, recreation facilities, etc), not including the dwelling shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre. (orig. 11-6-79)
   b. Offspring of animals on the property may be kept until weaned. (orig. 11-6-79)
SECTION 31: A-2 AGRICULTURAL-TWO DISTRICT

A. INTENT AND PURPOSE

1. The Agricultural-Two Zone District is intended to provide for general farming, ranching, intensive agricultural uses and agriculturally related uses while protecting the surrounding land from any harmful effects. A revision in March 1972, increased the minimum land area for this district to 10 acres. (orig. 3-6-72; am. 11-6-79)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-6-79)

B. PERMITTED USES

1. One-family dwelling, private garage, barn, shed, stable, silo, corral, pens and runs. (orig. 5-6-46; am. 11-6-79)

2. General farming, including grains, fruit, vegetables, grasses, hay, livestock raising and the keeping and boarding of horses. (orig. 5-6-46; am. 11-6-79)

3. Poultry hatcheries and farms, fish hatcheries and dairy farms. (orig. 5-6-46)

4. Greenhouse and nursery including both wholesale and retail, provided products sold are raised on the premises. (orig. 5-6-46; am. 3-6-72)

5. Forestry farming, including raising of trees for any purpose. (orig. 3-6-72)

6. Roadside stand for operation during not more than 6 months in each year for the sale of farm products raised or produced on the premises, provided such stands are located no less than 30 feet from any street, highway, or right-of-way line. (orig. 5-6-46)

7. Fur farm and raising of rabbits. (orig. 5-6-46; am. 3-6-72)

8. Private building for housing dogs, cats or similar domesticated pets. On legal non-conforming lots or parcels of 1 acre or less in size, the maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 8-6-80)

9. Public park, Class I public recreation facilities. Class II public recreation facilities are permitted only if the site is in compliance with the current minimum lot size requirement. (orig. 5-6-46; am. 8-6-80; am. 6-23-81; am. 9-11-90)

10. Veterinarian hospital. (orig. 3-6-72)

11. Cemetery, mausoleum, mortuary and related uses. (orig. 9-6-77)

12. Beekeeping operation. (orig. 11-6-79)

13. Dangerous and wild animal ranching, training, sales and exhibition provided that the property is 10 acres or greater and such use is in compliance with Section 2 of this Zoning Resolution. (orig. 2-19-80)
14. Home occupations provided the requirements and conditions of Section 8 or Section 13 of this Zoning Resolution are met. (orig. 6-23-81)

15. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Jefferson County Clerk and Recorder. (orig. 10-17-83)

16. Temporary storage of defensible space, associated fuel break and forest management thinnings in accordance with defensible space and forest management programs as specified in the Zoning Resolution and Land Development Regulation. (orig. 6-18-02)

17. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 3-6-72; am. 11-6-79)
   a. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 2-27-73)
   b. Water supply reservoir and irrigation canal. (orig. 3-6-72; am. 11-6-79)
   c. Railroad right-of-way. (orig. 3-6-72)
   d. Sewage treatment plant. (orig. 3-6-72)
   e. Church, rectory, parish house and church school. (orig. 7-21-76)
   f. Radio, television and microwave transmission and relay towers and equipment; meteorological data collection towers and equipment; low power, micro-cell, and repeater telecommunications facilities, including antennas and towers. (orig. 5-1-79; am. 8-6-80; am. 6-7-94)
   g. Cable television reception substation. (orig. 9-11-90)
   h. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than 1 registered sex offender. (orig. 2-1-00)
   i. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 6-26-79; am. 6-14-88)
   j. State licensed day-care center or large day-care home or preschool or nursery. (orig. 6-14-88)
   k. Arborist or tree service. (orig. 9-11-90)
   l. Natural resource transportation and conveyance systems. (orig. 11-6-79)
   m. Public kennel or cattery. (orig. 11-6-79; am. 8-6-80)
   n. Public riding academy or stable. (orig. 11-6-79)
   o. Limited sawmill operation used in support of Pine Beetle Control Programs. (orig. 11-6-79)
   p. Trap, skeet or rifle range. (orig. 11-6-79)
q. Camps, campgrounds, picnic grounds, lodges or other similar facilities. Specific conditions and limitations for use, including maximum periods of visitor occupancy and types or maximum numbers of occupied vehicles or sites, will be established as terms of the Special Use approval. (orig. 8-30-82)

r. Oil and gas drilling and production, where located within a subdivision platted and recorded in the records of the Jefferson County Clerk and Recorder. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified in the resolution approving the Special Use. (orig. 10-17-83)

s. Class I or II commercial recreation facilities. Class II public recreation facilities on sites which do not meet the current minimum lot size requirement. (orig. 9-11-90)

t. Limited sawmill operation used in support of defensible space, associated fuel break and forest management programs as required under the Zoning Resolution and Land Development Regulation. (orig. 6-18-02)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed a height of 35 feet. (orig. 5-6-46; am. 3-6-72)

2. Lot Standards
   a. The minimum lot area for any use permitted in this district shall be 10 acres unless the lot falls within the provisions set forth in Section 3 of this Zoning Resolution. (orig. 5-6-46; am. 7-16-56; am. 11-6-79)
   b. The minimum lot area for a lot developed through the rural cluster process shall be as set forth in Part VI of the "Jefferson County Land Development Regulation." (orig. 10-13-98)

3. Front Setback
   a. The minimum front setback for a one-family dwelling or other main building shall be 50 feet. (orig. 5-6-46; am. 3-6-72)
   b. Accessory buildings housing livestock shall be set back at least 75 feet from the front lot line. Feed lots, fur farms, poultry farms, kennels and catteries, including all pens, runs, or structures used or occupied in conjunction with these activities, shall be set back at least 100 feet from the front lot line. (orig. 5-6-46; am. 3-6-72; am. 11-6-79)
   c. Private garages and all other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 5-6-46; am. 3-6-72)
   d. Corner lots must comply with the vision clearance requirements as outlined in the "General Requirements" portion of this Section. (orig. 11-6-79)

4. Side Setbacks
   a. The minimum side setback for a one-family dwelling, private garage, or other main building shall be 30 feet. (orig. 5-6-46; am. 3-6-72; am. 11-6-79)
   b. Accessory buildings housing livestock shall be set back at least 75 feet from the side lot line. Feed lots, fur farms, poultry farms, kennels and catteries, including all pens, runs, or structures used or occupied in conjunction with these activities, shall be set back at least 100 feet from the side lot line. (orig. 3-6-72; am. 11-6-79)
c. All other accessory buildings shall be set back at least 50 feet from the side lot line. (orig. 3-6-72)

d. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 11-5-79)

5. Rear Setback: The minimum rear setback for any building shall be 50 feet. (orig. 3-6-72; am. 11-6-79)

6. Fences and Retaining Walls
   a. Maximum fence height: 7 feet. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   d. Electric fences are permitted provided the electrical fence device is in compliance with the Colorado State Department of Agriculture specifications. No electric fence is allowed as boundary or perimeter fences on lot lines abutting residential zone districts. (orig. 8-6-80)
   e. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-6-79)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-6-79)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-6-79)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and 50 feet of the side and rear lot lines. (orig. 5-6-46; am. 3-6-72; am. 11-6-79)

5. Stallions shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 3-6-72; am. 8-1-78)

6. On legal non-conforming lots or parcels of 1 acre or less in size, the following is the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, buffalo, beefalo and other large domesticated animals. (orig. 11-5-79)
a. The minimum square footage of open lot area, not including the dwelling shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre. (orig. 11-6-79)

b. Offspring of animals on the property may be kept until weaned. (orig. 11-6-79)
SECTION 32: A-35 AGRICULTURAL-THIRTY FIVE DISTRICT

A. INTENT AND PURPOSE

1. The Agricultural-Thirty Five Zone District is intended to provide for general farming, ranching, intensive agricultural uses and agriculturally related uses while protecting the surrounding land from any harmful effects. (orig. 7-2-97)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 7-2-97)

B. PERMITTED USES

1. One-family dwelling, private garage, barn, shed, stable, silo, corral, pens and runs. (orig. 7-2-97)

2. General farming, including grains, fruit, vegetables, grasses, hay, livestock raising and the keeping and boarding of horses. (orig. 7-2-97)

3. Poultry hatcheries and farms, fish hatcheries and dairy farms. (orig. 7-2-97)

4. Greenhouse and nursery including both wholesale and retail, provided products sold are raised on the premises. (orig. 7-2-97)

5. Forestry farming, including raising of trees for any purpose. (orig. 7-2-97)

6. Roadside stand for operation during not more than 6 months in each year for the sale of farm products raised or produced on the premises, provided such stands are located no less than 30 feet from any street, highway, or right-of-way line. (orig. 7-2-97)

7. Fur farm and raising of rabbits. (orig. 7-2-97)

8. Private building for housing dogs, cats or similar domesticated pets. On legal non-conforming lots or parcels of 1 acre or less in size, the maximum total number of dogs, cats and similar domesticated pets which may be kept shall be 3. Litters of puppies or kittens may be kept until weaned. (orig. 7-2-97)

9. Public park, Class I public recreation facilities. Class II public recreation facilities are permitted only if the site is in compliance with the current minimum lot size requirement. (orig. 7-2-97)

10. Veterinarian hospital. (orig. 7-2-97)

11. Cemetery, mausoleum, mortuary and related uses. (orig. 7-2-97)

12. Beekeeping operation. (orig. 7-2-97)

13. Dangerous and wild animal ranching, training, sales and exhibition provided that the property is 10 acres or greater and such use is in compliance with Section 2 of this Zoning Resolution. (orig. 7-2-97)

14. Home occupations provided the requirements and conditions of Section 8 or Section 13 of this Zoning Resolution are met. (orig. 7-2-97)
15. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution, except where located within a subdivision platted and recorded in the records of the Jefferson County Clerk and Recorder. (orig. 7-2-97)

16. Temporary storage of defensible space, associated fuel break and forest management thinnings in accordance with defensible space, fuel break and forest management programs as specified in the Zoning Resolution and Land Development Regulation. (orig. 6-18-02)

17. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 7-2-97)

   a. Telephone exchange, electric substation, including electric transmission and distribution lines or gas regulator station where no repair or storage facilities are maintained. (orig. 7-2-97)

   b. Water supply reservoir and irrigation canal. (orig. 7-2-97)

   c. Railroad right-of-way. (orig. 7-2-97)

   d. Sewage treatment plant. (orig. 7-2-97)

   e. Church, rectory, parish house and church school. (orig. 7-2-97)

   f. Radio, television and microwave transmission and relay towers and equipment; meteorological data collection towers and equipment; low power, micro-cell, and repeater telecommunications facilities, including antennas and towers. (orig. 7-2-97)

   g. Cable television reception substation. (orig. 7-2-97)

   h. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than 1 registered sex offender. (orig. 2-1-00)

   i. Group, foster or communal home, or shelter from domestic violence, licensed or certified by the state if applicable, in which 7 or more residents who are not legally related live and cook together as a single housekeeping unit, and where such home or shelter is not located within 750 feet of another similar type home or shelter. (orig. 7-2-97)

   j. State licensed day-care center or large day-care home or preschool or nursery. (orig. 7-2-97)

   k. Arborist or tree service. (orig. 7-2-97)

   l. Natural resource transportation and conveyance systems. (orig. 7-2-97)

   m. Public kennel or cattery. (orig. 7-2-97)

   n. Public riding academy or stable. (orig. 7-2-97)

   o. Limited sawmill operation used in support of Pine Beetle Control Programs. (orig. 7-2-97)

   p. Trap, skeet or rifle range. (orig. 7-2-97)
q. Camps, campgrounds, picnic grounds, lodges or other similar facilities. Specific conditions and limitations for use, including maximum periods of visitor occupancy and types or maximum numbers of occupied vehicles or sites, will be established as terms of the Special Use approval. (orig. 7-2-97)

r. Oil and gas drilling and production, where located within a subdivision platted and recorded in the records of the Jefferson County Clerk and Recorder. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified in the resolution approving the Special Use. (orig. 7-2-97)

s. Class I or II commercial recreation facilities. Class II public recreation facilities on sites which do not meet the current minimum lot size requirement. (orig. 7-2-97)

t. Limited sawmill operation used in support of defensible space, fuel break and forest management programs as required under the Zoning Resolution and Land Development Regulation. (orig. 6-18-02)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: No building shall exceed a height of 35 feet. (orig. 7-2-97)

2. Lot Standards: The minimum lot area for any use permitted in this district shall be 35 acres unless the lot falls within the provisions set forth in Section 3 of this Zoning Resolution. (orig. 7-2-97)

   The minimum lot area for a lot developed through the rural cluster process shall be as set forth in Part IV of the "Jefferson County Land Development Regulation." (orig. 10-13-98)

3. Front Setback
   a. The minimum front setback for a one-family dwelling or other main building shall be 50 feet. (orig. 7-2-97)
   b. Accessory buildings housing livestock shall be set back at least 75 feet from the front lot line. Feed lots, fur farms, poultry farms, kennels and catteries, including all pens, runs, or structures used or occupied in conjunction with these activities, shall be set back at least 100 feet from the front lot line. (orig. 7-2-97)
   c. Private garages and all other accessory buildings shall be set back at least 50 feet from the front lot line. (orig. 7-2-97)
   d. Corner lots must comply with the vision clearance requirements as outlined in the "General Requirements" portion of this Section. (orig. 7-2-97)

4. Side Setbacks
   a. The minimum side setback for a one-family dwelling, private garage, or other main building shall be 30 feet. (orig. 7-2-97)
   b. Accessory buildings housing livestock shall be set back at least 75 feet from the side lot line. Feed lots, fur farms, poultry farms, kennels and catteries, including all pens, runs, or structures used or occupied in conjunction with these activities, shall be set back at least 100 feet from the side lot line. (orig. 7-2-97)
   c. All other accessory buildings shall be set back at least 50 feet from the side lot line. (orig. 7-2-97)
Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 7-2-97)

5. Rear Setback: The minimum rear setback for any building shall be 50 feet. (orig. 7-2-97)

6. Fences and Retaining Walls
   a. Maximum fence height: 7 feet. (orig. 7-2-97)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 7-2-97)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 7-2-97)
   d. Electric fences are permitted provided the electrical fence device is in compliance with the Colorado State Department of Agriculture specifications. No electric fence is allowed as boundary or perimeter fences on lot lines abutting residential zone districts. (orig. 7-2-97)
   e. Fences on corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 7-2-97)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-2-97)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot and the points located along the lot lines 55 feet from the point of intersection. (orig. 7-2-97)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 7-2-97)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 7-2-97)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and 50 feet of the side and rear lot lines. (orig. 7-2-97)

5. Stallions shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 7-2-97)

6. On legal non-conforming lots or parcels of 1 acre or less in size, the following is the density per acre limitation for horses, mules, donkeys, sheep, cattle, goats, swine, buffalo, beefalo and other large domesticated animals. (orig. 7-2-97)
   a. The minimum square footage of open lot area available to animals, not including the dwelling shall be 9,000 square feet for the first animal and 6,000 square feet for each additional animal. The total number of such animals that may be kept shall not exceed 4 per 1 acre. (orig. 7-2-97)
   b. Offspring of animals on the property may be kept until weaned. (orig. 7-2-97)
SECTION 33: RC-1 RESTRICTED COMMERCIAL-ONE DISTRICT

(orig. 5-18-59; revised 7-27-78)

A. INTENT AND PURPOSE

To provide areas for the development of certain low intensity business and professional offices and related uses in locations convenient to residential areas. (orig. 7-27-78)

B. PERMITTED USES

1. Medical and dental offices, clinics, and small animal veterinary clinics with no outside facilities. (orig. 7-27-78)

2. Business and professional offices. (orig. 7-27-78)

3. Laboratories less than 5,000 square feet gross leasable area (GLA), except those involved in any hazardous process or that emit noxious noise, dust, fumes or odor. (orig. 7-27-78)

4. State licensed day-care center or preschool or nursery. (orig. 6-14-88)

5. Construction trailers during construction only, not to exceed 2 years. (orig. 7-27-78)

6. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

7. Roof and/or building mounted low power telecommunications facility. (orig. 6-7-94)

8. Special Uses: The following uses shall be permitted upon review by the Planning Commission and approval by the Board of County Commissioners. (orig. 10-17-83)
   a. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)
   b. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

9. Customer and employee parking of operable motor vehicles, either open or covered. (orig. 7-23-02)

C. MINIMUM AREA REQUIREMENT

A minimum of 1 acre in single ownership, unless the existing property ownership and any adjacent property in the same ownership total less than 1 acre as of the date of the enactment of this one acre requirement. (orig. 7-27-78)

D. SIGNS AND OUTDOOR ADVERTISING DEVICES

Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

E. MINIMUM STRUCTURAL SETBACKS

1. Front – 50 feet. (orig. 7-27-78)

2. Side – 20 feet. (orig. 7-27-78)
3. Rear – 20 feet. (orig. 7-27-78)

F. BUILDING HEIGHT
1. Maximum height – 35 feet. (orig. 7-27-78)
2. Maximum height for structures with roof mounted, solar-heating units – 45 feet. (orig. 7-27-78)

G. ENCLOSURE OF ACTIVITIES
1. No outdoor storage shall be permitted. (orig. 7-27-78)
2. Trash containers shall be screened from public view. (orig. 7-27-78)

H. FENCES AND RETAINING WALLS
1. Maximum fence height: 6 feet. (orig. 8-6-80)
2. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
3. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a Professional Engineer as to design and structural stability. (orig. 8-6-80)
4. No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)
5. No electric fence is allowed as a boundary or perimeter fence. (orig. 8-6-80)
6. Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district, such fence shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this section, accessory outdoor storage shall not include employee or customer parking lots or merchandise displayed for sale. Accessory outside storage shall not exceed the height of the fence, except for operable vehicles, trailers, and other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No accessory outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

I. GENERAL REQUIREMENTS
1. Corner Vision Clearance Requirement: No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82)
2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)
3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)
SECTION 34: RC RESTRICTED COMMERCIAL DISTRICT

(orig. 6-6-50; revised 7-27-78)

A. SUB-DISTRICT CATEGORIES

As set forth in Section 35 of this Zoning Resolution. (orig. 7-27-78)

B. SUB-DISTRICT REGULATIONS

As set forth in Section 35 of this Zoning Resolution. (orig. 7-27-78)

C. TERMINATION OF ZONE DISTRICT

1. No lands in the unincorporated portions of Jefferson County shall be rezoned to the Restricted Commercial Zone District on or subsequent to July 27, 1978. (orig. 7-27-78)

2. All lands in the unincorporated area of Jefferson County zoned Restricted Commercial on July 27, 1978, shall remain so zoned and subject to all the provisions of said zone district until such time as said lands are either incorporated or rezoned to another valid zone district. (orig. 7-27-78)
SECTION 35: C-1 COMMERCIAL-ONE DISTRICT

A. SUBDISTRICT CATEGORIES

The Commercial-One District is divided into various subdistricts as set forth below: (orig. 7-27-78)

1. Convenience Level: Minimum area - 1 acre, unless the existing property ownership and any adjacent property in the same ownership total less than 1 acre as of the date of the enactment of this 1 acre minimum requirement. (orig. 7-27-78)

2. Neighborhood Level: Minimum area - 6 acres. (orig. 7-27-78)

3. Community Level: Minimum area - 10 acres. (orig. 7-27-78)

4. Regional Level: Minimum area - 30 acres. (orig. 7-27-78)

B. SUBDISTRICT REGULATIONS

The specific regulations pertaining to each of the subdistricts are as follows: (orig. 7-27-78)

1. Convenience Level

a. Intent and Purpose: To provide small scale convenience shopping facilities within neighborhoods in a manner that would not be incompatible with residential development. (orig. 7-27-78)

b. Permitted Uses

(1) All uses permitted in RC-I Zone District. (orig. 7-27-78)

(2) Convenience grocery store with less than 10,000 square feet gross leasable area (GLA). (orig. 7-27-78)

(3) Gas station, service station, or car wash. (orig. 7-27-78)

(4) Auto repair facilities with no more than 4 bays. (orig. 7-27-78)

(5) Convenience retail shopping facilities with less than 5,000 square feet GLA, including but not limited to drug stores, liquor stores, florists, news stands, hardware stores, livestock feed stores, auto supply stores, and retail food specialty shops which sell food products not intended to be consumed on the premises, such as butcher shops, candy stores, bakeries, dairy product shops, delicatessens. (orig. 7-27-78; am. 12-11-78)

(6) Restaurants, including fast-food and carry-out facilities, provided they meet the following criteria: (orig. 7-27-78; am. 12-11-78)

(a) Restaurants, excluding fast-food and carry-out facilities, with less than 4,000 square feet GLA. (orig. 7-27-78; am. 12-11-78)

(b) Single or limited item fast-food and carry-out restaurants not offering sandwiches or other main course items with less than 1,200 square feet GLA and with no drive-through service or service directly to the customer in a motor vehicle. (orig. 7-27-78; am. 12-11-78)
Convenience service establishments, including but not limited to: barber and beauty shops, cleaners, shoe repair shops, laundries. (orig. 7-27-78)

Electronic funds transfer facility substation, photo service facility. (orig. 7-27-78)

Low intensity specialty goods and services of less than 5,000 square feet GLA, including but not limited to: art gallery, antiques, artisan shops, photo studio, gift shop, plant store or nursery, taxidermy, furniture store, pet store, blueprint, newspaper office, apparel, appliances. (orig. 7-27-78)

Rental stores, excluding automobiles, campers, trailers and heavy equipment. (orig. 7-27-78)

Living quarters for not more than one family in a commercial building not a dwelling. (orig. 7-27-78)

Taverns, lounges and private clubs. (orig. 7-27-78)

Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

Roof and/or building mounted low power telecommunications facility. (orig. 6-7-94)

Retail sale of permissible fireworks in a temporary firework sales facility, provided the facility complies with the requirements of k.(4) and obtains a yearly permit from Jefferson County. (orig. 2-5-02)

Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 8-6-80)

(a) Holding areas for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. (orig. 8-6-80)

(b) Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution except, as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

(c) A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

Customer and employee parking of operable motor vehicles, either open or covered. (orig. 7-23-02)

Minimum Area Requirement: One acre, which may be satisfied by either of the following: (orig. 7-27-78; am. 5-1-79)

(1) Area of lot or tract, or the total area of 2 or more contiguous lots or tracts held in single ownership; or (orig. 5-1-79)
June 14, 1988

(2) Area of plat or exemption from platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable commercial use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 5-1-79)

d. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

e. Setbacks

(1) Minimum Structural Setbacks:

(a) Front – 50 feet. (orig. 7-27-78)

(b) Side – 20 feet. (orig. 7-27-78)

(c) Rear – 20 feet. (orig. 7-27-78)

(2) Minimum Gas Pump Setbacks:

(a) Front – 18 feet. (orig. 7-27-78)

(b) Side – 18 feet. (orig. 7-27-78)

(c) Rear – 20 feet. (orig. 7-27-78)

f. Building Height

(1) Maximum height – 35 feet (orig. 7-27-78)

(2) Maximum height for structures with roof-mounted solar-heating units – 45 feet. (orig. 7-27-78)

g. Enclosure of Activities

(1) Commercial activities, except restaurants, child care facilities, plant nurseries, and parking lot sales accessory to a permitted use when located on the same lot, shall take place in a completely enclosed building. (orig. 7-27-78; am. 6-14-88)

(2) Trash containers shall be screened from public view. (orig. 7-27-78)

h. Fences and Retaining Walls

(1) Maximum fence height: 8 feet. (orig. 8-6-80)

(2) Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

(3) Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
(4) No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)

(5) No electric fence is allowed as a boundary or perimeter fence. (orig. 8-6-80)

(6) Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected up to a maximum height of 8 feet. (orig. 8-6-80)

(7) Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district, such fence shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, accessory outdoor storage shall not include employee or customer parking lots or merchandise displayed for sale. Accessory outside storage shall not exceed the height of the fence, except for operable vehicles, trailers, and other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No accessory outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

i. General Requirements

(1) Corner Vision Clearance Requirement: Except as specified in the Fences and Retaining Walls portion of this Section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of extended lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82; am. 6-7-94)

(2) All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)

(3) No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)

(4) A temporary fireworks sales facility (i.e., tent rather than the stakes) must be a minimum of 100 feet from the property line of adjacent property located in a residential or agricultural zone district. Accessory storage of fireworks is permitted if fully enclosed in a metal storage container, and must be a minimum of 50 feet from the property line of adjacent property located in a residential or agricultural zone district. (orig. 2-5-02)
2. Neighborhood Level

a. Intent and purpose: To provide for small scaled, limited convenience retail facilities at the neighborhood level, typically including a market and small retail and service shops. (orig. 7-27-78)

b. Permitted Uses

(1) All uses permitted in the convenience level. No square feet limitation. (orig. 7-27-78)

(2) Supermarket. (orig. 7-27-78)

(3) Banks and other financial institutions. (orig. 7-27-78)

(4) All office uses. (orig. 7-27-78)

(5) Arcades, pool halls, dance and other lesson-type studios. (orig. 7-27-78)

(6) Fast-food, drive-in or carry-out restaurants. (orig. 12-11-78)

(7) Customer and employee parking of operable motor vehicles, either open or covered. (orig. 7-23-02)

c. Minimum Area Requirement: Six acres, which may be satisfied by either of the following: (orig. 7-27-78; am. 12-11-78)

(1) Area of lot or tract, or the total area of 2 or more contiguous lots or tracts held in single ownership; or (orig. 12-11-78)

(2) Area of plat or exemption from platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable commercial use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 12-11-78)

d. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

e. Setbacks

(1) Minimum Structural Setbacks:

(a) Front – 50 feet. (orig. 7-27-78)

(b) Side – 20 feet. (orig. 7-27-78)

(c) Rear – 20 feet. (orig. 7-27-78)

(2) Minimum Gas Pump Setbacks:

(a) Front – 18 feet. (orig. 7-27-78)

(b) Side – 18 feet. (orig. 7-27-78)

(c) Rear – 20 feet. (orig. 7-27-78)
f. Building Height: Maximum Height - 46 feet. (orig. 7-27-78)

g. Enclosure of Activities

(1) Commercial activities, except restaurants, child care facilities, plant nurseries, and parking lot sales accessory to a permitted use when located on the same lot, shall take place in a completely enclosed building. (orig. 7-27-78; am. 6-14-88)

(2) Trash containers shall be screened from public view. (orig. 7-27-78)

h. Fences and Retaining Walls

(1) Maximum fence height: 8 feet. (orig. 8-6-80)

(2) Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

(3) Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

(4) No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)

(5) No electric fence is allowed as a boundary or perimeter fence. (orig. 8-6-80)

(6) Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected up to a maximum height of 3 feet. (orig. 8-6-80)

(7) Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district, such fence shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, accessory outdoor storage shall not include employee or customer parking lots or merchandise displayed for sale. Accessory outside storage shall not exceed the height of the fence, except for operable vehicles, trailers, and other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No accessory outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

i. General Requirements

(1) Corner Vision Clearance Requirement: Except as specified in the Fences and Retaining Walls portion of this Section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of
intersection of extended lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82; am. 6-7-94)

(2) All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)

(3) No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)

3. Community Level
   a. Intent and Purpose
      (1) To allow for the establishment of uses appropriate for community business districts. (orig. 7-27-78)
      (2) To provide for a wide range of goods and services in community level areas. (orig. 7-27-78)

   b. Permitted Uses
      (1) All uses permitted in the neighborhood level. (orig. 7-27-78)
      (2) Department stores and/or discount stores with less than 75,000 square feet GLA. (orig. 7-27-78)
      (3) Nightclubs, discotheques. (orig. 7-27-78)
      (4) Entertainment facilities, including but not limited to movie theaters, bowling alleys, skating rinks, pool halls. (orig. 7-27-78)
      (5) Building materials retail stores. (orig. 7-27-78)
      (6) Recreational facilities, including but not limited to swimming, tennis, health and court sports facilities. (orig. 7-27-78)
      (7) Hotels and motels. (orig. 7-27-78)
      (8) Churches. (orig. 1-7-92)
      (9) Public and private colleges and schools including: trade, vocational and professional schools and student and faculty housing, when located on the same lot or tract as the school for which the housing is being provided. (orig. 1-7-92)
      (10) Freestanding monopole low power or telecommunications facility. (orig. 6-7-94)
      (11) Customer and employee parking of operable motor vehicles, either open or covered. (orig. 7-23-02)

   c. Minimum Area Requirements: Ten acres, which may be satisfied by either of the following: (orig. 7-27-78; am. 12-11-78)
      (1) Area of lot or tract, or the total area of two or more contiguous lots or tracts held in single ownership; or (orig. 12-11-78)
June 14, 1988

(2) Area of plat or exemption from platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable commercial use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 12-11-78)

d. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

e. Setbacks

(1) Minimum Structural Setbacks:
   (a) Front - 50 feet. (orig. 7-27-78)
   (b) Side - 50 feet. (orig. 7-27-78)
   (c) Rear - 50 feet. (orig. 7-27-78)

(2) Minimum Gas Pump Setbacks:
   (a) Front - 18 feet. (orig. 7-27-78)
   (b) Side - 18 feet. (orig. 7-27-78)
   (c) Rear - 20 feet. (orig. 7-27-78)

f. Building Height: Maximum height - 60 feet. (orig. 7-27-78)

g. Enclosure of Activities

(1) Commercial activities, except restaurants, child care facilities, plant nurseries, entertainment and recreational facilities, and parking lot sales, accessory to a permitted use when located on the same lot, shall take place in a completely enclosed building. (orig. 7-27-78; am. 6-14-88)

(2) Trash containers shall be screened from public view. (orig. 7-27-78)

h. Fences and Retaining Walls

(1) Maximum fence height: 8 feet. (orig. 8-6-80)

(2) Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

(3) Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

(4) No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)

(5) No electric fence is allowed as a boundary or perimeter fence. (orig. 8-6-80)
(6) Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected up to a maximum height of 8 feet. (orig. 8-6-80)

(7) Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district, such fence shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, accessory outdoor storage shall not include employee or customer parking lots or merchandise displayed for sale. Accessory outside storage shall not exceed the height of the fence, except for operable vehicles, trailers, and other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No accessory outside storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

I. General Requirements

(1) Corner Vision Clearance Requirement: Except as specified in Fences and Retaining Walls portion of this Section no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of extended lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82; am. 6-7-94)

(2) All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)

(3) No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)

(4) Recreational facilities shall conform to the setback requirements for a main building in this zone district. Enclosure fences immediately surrounding these facilities shall not exceed 12 feet in height. (orig. 5-10-82)

4. Regional Level

a. Intent and Purpose

(1) To create a zone classification equivalent to relatively high intensity major centers. (orig. 7-27-78)

(2) To establish and maintain intensive commercial activities and specialized service establishments that require centralized locations within a large urban population. (orig. 7-27-78)

(3) To provide a full range of merchandise and services usually obtainable in major department stores and their complimentary specialty shops. (orig. 7-27-78)
b. Permitted Uses

(1) All uses permitted at the Community Level. (orig. 7-27-78)
(2) Department stores. (orig. 7-27-78)
(3) Micro-cell or repeater telecommunications facility. (orig. 6-7-94)
(4) Roof and/or building mounted low power telecommunications facility. (orig. 6-7-94)
(5) Customer and employee parking of operable motor vehicles, either open or covered. (orig. 7-23-02)

c. Minimum Area Requirement: Thirty acres, which may be satisfied by either of the following: (orig. 7-27-78; am. 12-11-78)

(1) Area of lot or tract, or the total area of two or more contiguous lots or tracts held in single ownership; or (orig. 12-11-78)
(2) Area of plat or exemption from platting in which subject lot is located, provided that said property together with sufficient contiguous property to satisfy this minimum area requirement were in the Commercial-One Zone District or were in a comparable use area of a Planned Development Zone District at the time of such platting or exemption. (orig. 12-11-78)

d. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

e. Setbacks

(1) Minimum Structural Setbacks:
(a) Front – 50 feet. (orig. 7-27-78)
(b) Side – 50 feet. (orig. 7-27-78)
(c) Rear – 50 feet. (orig. 7-27-78)

(2) Minimum Gas Pump Setbacks:
(a) Front – 18 feet. (orig. 7-27-78)
(b) Side – 18 feet. (orig. 7-27-78)
(c) Rear – 20 feet. (orig. 7-27-78)

f. Building Height: Maximum height – 80 feet. (orig. 7-27-78)

g. Enclosure of Activities

(1) Commercial activities, except restaurants, child care facilities, plant nurseries, entertainment and recreational facilities, and parking lot sales accessory to a permitted use when located on the same lot, shall take place in a completely enclosed building. (orig. 7-27-78; am. 6-14-88)
June 7, 1994

(2) Trash containers shall be screened from public view. (orig. 7-27-78)

h. Fences and Retaining Walls

(1) Maximum fence height: 8 feet. (orig. 8-6-80)

(2) Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

(3) Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

(4) No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)

(5) No electric fence is allowed as a boundary or perimeter fence. (orig. 8-6-80)

(6) Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected up to a maximum height of 8 feet. (orig. 8-6-80)

(7) Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district, such fence shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, accessory outdoor storage shall not include employee or customer parking lots or merchandise displayed for sale. Accessory outdoor storage shall not exceed the height of the fence, except for operable vehicles, trailers, and other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No accessory outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

i. General Requirements

(1) Corner Vision Clearance Requirement: Except as specified in the Fences and Retaining Walls portion of this Section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of extended lot lines abutting a street and/or railroad right-of-way and the point located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82; am. 6-7-94)

(2) All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)
(3) No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)

(4) Recreational facilities shall conform to the setback requirements for a main building in this zone district. Enclosure fences immediately surrounding these facilities shall not exceed 12 feet in height. (orig. 5-10-82)
SECTION 36: C-2 COMMERCIAL-TWO DISTRICT

(Aug. 2-3-41; revised 7-27-78)

A. GENERAL REGULATIONS

Sign requirements herein supersede Section 9: Signs and Outdoor Advertising Devices to the extent they are in conflict. (orig. 7-27-78)

B. INTENT AND PURPOSE

To provide areas in which one of the principal uses of land is devoted to commercial facilities catering specifically to the needs of the motor vehicle and automobile-oriented trade, such as transient accommodations and services, certain specialized retail outlets and commercial amusement enterprises. (orig. 7-27-78)

C. PERMITTED USES

1. All uses allowed in the C-1 Zone District. (orig. 7-27-78)
2. Motor vehicle sales leasing or rental (new or used). (orig. 7-27-78)
3. Recreational vehicle and trailer sales leasing or retail (new or used). (orig. 7-27-78)
4. Repair for motor vehicles, recreational vehicles, or trailers. (orig. 7-27-78)
5. Gas stations/service stations/fuel stores. (orig. 7-27-78)
6. Lumber yards. (orig. 7-27-78)
7. Building material sales. (orig. 7-27-78)
8. Hotels/motels. (orig. 7-27-78)
9. Auditoriums and conference rooms. (orig. 7-27-78)
10. Ambulance services. (orig. 7-27-78)
11. Shops for custom work to include electrical, plumbing, air conditioning, and similar type shops. (orig. 7-27-78)
12. Fabrication or manufacturing of any type set forth in the I-3 Zone District are permitted, except those uses involved in any hazardous process or that emit noxious noise, dust, fumes or odor and provided that no machinery greater than 5 horsepower is utilized and that activities are enclosed. (orig. 7-27-78)
13. Wholesale businesses. (orig. 7-27-78)
14. Cold-storage plants. (orig. 7-27-78)
15. Amusement parks. (orig. 7-27-78)
16. Rental agencies for heavy equipment. (orig. 7-27-78)
17. Auction houses excluding those for animals. (orig. 7-27-78)
18. Home for social rehabilitation or adjustment for up to 20 resident clients plus staff, and which is not located within 750 feet of another similar type facility. (orig. 6-14-88)
19. Temporary shelter for the homeless which is not located within 750 feet of another such shelter. (orig. 6-14-88)

20. Sexually oriented business located in accordance with the provision of Section 2 of this Zoning Resolution. (orig. 7-8-97)

21. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 8-6-80)

   a. Holding areas for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. (orig. 8-6-80)

   b. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

   c. A group living facility, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

22. Customer and employee parking of operable motor vehicles, either open or covered. (orig. 7-23-02)

D. MINIMUM AREA REQUIREMENT

   None. (orig. 7-27-78)

E. SIGNS AND OUTDOOR ADVERTISING DEVICES

   Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

F. SETBACKS

   1. Minimum Structural Setbacks
      a. Front – 50 feet. (orig. 7-27-78)
      b. Side – 20 feet. (orig. 7-27-78)
      c. Rear – 20 feet. (orig. 7-27-78)

   2. Minimum Gas Pump Setbacks
      a. Front – 18 feet. (orig. 7-27-78)
      b. Side – 18 feet. (orig. 7-27-78)
      c. Rear – 20 feet. (orig. 7-27-78)

G. BUILDING HEIGHT

   Maximum height: 50 feet. (orig. 7-27-78)
ENCLOSURE OF ACTIVITIES

1. All activities and outdoor storage shall be adequately screened from surrounding properties and public view. (orig. 7-27-78)

2. Trash containers shall be screened from public view. (orig. 7-27-78)

FENCES AND RETAINING WALLS

1. Maximum fence height: 8 feet. (orig. 8-6-80)

2. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)

3. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a Professional Engineer as to design and structural stability. (orig. 8-6-80)

4. No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)

5. No electric fence is allowed as a boundary or perimeter fence. (orig. 8-6-80)

6. Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected up to a maximum height of 8 feet. (orig. 8-6-80)

Where allowed, accessory outside storage shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district, such fence shall be wooden or masonry, or replaced with mature hedge. Such fence shall be constructed and maintained in good condition. As used in this section, accessory outdoor storage shall not include employee or customer parking lots or merchandise displayed for sale. Accessory outdoor storage shall not exceed the height of the fence, except for operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No accessory outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: Except as specified in the "Fences and Retaining Walls" portion of this section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of extended lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 5-10-82)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 5-10-82)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 5-10-82)
4. Recreational facilities shall conform to the setback requirements for a main building in this zone district. Enclosure fences immediately surrounding these facilities shall not exceed 12 feet in height. (orig. 5-10-82)
SECTION 37: I-1 INDUSTRIAL-ONE DISTRICT

A. INTENT AND PURPOSE

1. The Industrial-One Zone District is intended to provide areas for medium industrial development. (orig. 8-6-80)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 8-6-80)

B. PERMITTED USES

1. Manufacturing, processing or fabrication of any commodity, except those permitted in the Industrial-Two or Industrial-Four Districts. orig. 2-14-56; am. 11-15-65; am. 8-6-80; am. 9-11-90

2. Foundry. (orig. 2-3-41)

3. Rock crusher. (orig. 2-3-41; am. 7-11-66; am. 1-13-75)

4. Storage of gasoline or other petroleum products. (For permitted above-ground storage of flammable liquids, see Section 5 of this Zoning Resolution. (orig. 5-6-46; am. 5-2-58)

5. Brick, tile or terra cotta manufacture. (orig. 2-3-41)

6. Light or power plant, central station. (orig. 2-3-41)

7. Grain drying or poultry feed manufacture, feed mill. (orig. 2-3-41)

8. Wholesale sales, warehousing, including mini-warehouses or storage of any commodity with the following exceptions: sales, warehousing, storage, or accumulation of junk, including machinery or vehicles not in operating condition, may be permitted only if contained within a building. (orig. 2-14-56; am. 11-15-65; am. 5-12-81; am. 9-11-90)

9. Sale at retail of any commodity manufactured, processed, fabricated or warehoused on the premises. (orig. 2-14-56; am. 11-15-65)

10. Sale at retail of hardware or equipment, supplies and materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building and other construction. (orig. 2-14-56; am. 11-15-65)

11. Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted. (orig. 2-14-56)

12. Veterinary hospital. (orig. 2-14-56; am. 4-7-69)

13. Railroad facilities, but not including shops. (orig. 2-14-56)

14. Parking and storage of operable motor vehicles regardless of size. (orig. 2-14-56; am. 8-6-80)

15. Storage of boats, trailers, recreational vehicles, and other similar recreation equipment. (orig. 8-6-80)
16. Terminals for transportation and public transit vehicles. (orig. 6-2-58; am. 11-15-65)

17. Motor vehicle service station, gasoline filling stations and car wash. (orig. 2-14-56; am. 8-6-80)

18. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution. (orig. 10-17-83)

19. Office used for the direct support and as an integral part of a use permitted in this district, when the office is located on the same lot as the permitted use. (orig. 6-14-88)

20. Laboratory. (orig. 9-11-90)

21. Research and development facility. (orig. 9-11-90)

22. Recycling transfer station, Type I, when completely enclosed within a building. Exception: a recycling transfer station that is not enclosed within a building is permitted when:

   a. The area utilized by containers is less than 200 square feet in size. (orig. 9-11-90)
   b. The facility accepts only recyclable glassware, metal cans, newspaper, small plastic containers, paper, cardboard. (orig. 9-11-90)
   c. The facility utilizes containers which screen the materials from weather and public view. (orig. 9-11-90)
   d. The height of any structure does not exceed 14 feet. (orig. 9-11-90)

23. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

24. Roof and/or building mounted or freestanding with monopole or lattice tower low power cellular telecommunications facility. (orig. 6-7-94)

25. Other similar industrial uses which are not more detrimental to the highest and best use of land in this district than the permitted uses listed above. (orig. 2-3-41; am. 3-23-64; am. 8-6-80)

26. Sexually oriented business located in accordance with the Provision of Section 2 of this Zoning Resolution. (orig. 7-8-97)

27. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 8-6-80)

   a. Holding areas for motor vehicles (operative or inoperative) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. (orig. 8-6-80)
   b. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)
   c. Cable television reception substation. (orig. 9-11-90)
   d. Trash transfer station. (orig. 9-11-90)
   e. Recycling transfer station, Type II. (orig. 9-11-90)
C. LOT AND BUILDING STANDARDS

1. Height Limitation: None. (orig. 5-6-46)

2. Lot Standards: None. (orig. 8-6-80)

3. Front Setback
   a. The minimum front setback for any building shall be 50 feet. (orig. 2-14-56)
   b. The minimum front setback for motor fuel pumps shall be 18 feet. (orig. 2-14-56)
   c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

4. Side Setbacks
   a. The minimum side setback for any structure not adjacent to a street shall be 5 feet. (A more restrictive setback may be required for some types of use or construction under Building Code.) (orig. 2-14-56; am. 8-6-80)
   b. The minimum side setback for any structure adjacent to a street shall be 30 feet. (orig. 2-14-56)
   c. The minimum side setback for motor fuel pumps adjacent to a street shall be 18 feet. (orig. 2-14-56)
   d. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section except as specified in the "Fences and Retaining Walls" portion of this Section. (orig. 8-6-80)

5. Rear Setback: The minimum rear setback for any structure shall be 10 feet; except that structures abutting an alley shall have a minimum rear setback of 15 feet measured from the center of the alley. (orig. 2-14-56)

6. Fences and Retaining Walls
   a. Maximum height: none. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   d. No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)
   e. No electric fence shall be permitted in this district for a boundary or perimeter fence. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected with no height limitation. (orig. 8-6-80)
Where allowed, materials stored outside shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district such fence shall be wooden, masonry, or hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, outdoor storage of material shall include by way of example, equipment, vehicles, trailers, pipes, construction materials or other items but shall not include employee or customer parking lots or where sample merchandise is necessary for sale. Merchandise shall not exceed the height of the fence, except for operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way the Zoning Administrator may waive this requirement. No outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: Except as specified in the "Fences and Retaining Walls" portion of this Section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of extended lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 8-6-80)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 8-6-80)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 8-6-80)

4. Every use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, beyond any boundary line of the lot on which the use is located. (orig. 2-14-56; am. 8-6-80)

5. Every use shall be so operated that it does not emit any obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the lot on which the use is located. (orig. 2-14-56)

6. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. (orig. 2-14-56)

7. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors in closed containers only. (orig. 2-14-56)
SECTION 38: I-2 INDUSTRIAL-TWO DISTRICT

A. INTENT AND PURPOSE

1. The Industrial-Two Zone District is intended to provide areas for heavy industrial development. (orig. 8-6-80)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 8-6-80)

B. PERMITTED USES

1. Manufacturing, processing or fabrication of any commodity, except those specifically permitted within the Industrial-Four District, including the following: Abrasives, basic manufacture; alcoholic distillation; animal by-products, basic manufacture or processing; bone black, basic manufacture; brewery; carbon black and lamp black, basic manufacture; charcoal, basic manufacture; chemicals, heavy or industrial, basic manufacture or processing; cinder and cinder block, basic manufacture or fabrication; coal and coke, manufacture or processing; detergents, soaps and by-products, using animal fat, basic manufacture; fermented fruits and vegetable products, manufacture; fertilizers, manufacture or processing; fungicides, manufacture; gases, other than nitrogen and oxygen, manufacture; glass, manufacture; glue and size, manufacture; graphite, manufacture; gypsum and other forms of plaster base, manufacture; insecticides, manufacture; insulation, flammable types, manufacture or fabrication; matches, manufacture; meat slaughtering or packing; metals, extraction or smelting; metal ingots, pigs, casting, sheets or bars, manufacture; oils and fats, animal and vegetable, manufacture; paints, pigments, enamel, japans, putty, varnishes, whiting and wood filler, manufacture or fabrication; paper pulp and cellulose, basic manufacture; paraffin, manufacture; petroleum and petroleum products, manufacture or processing; portland and similar cements, manufacture; rubber, manufacture, processing or reclaiming; sawmill or planing mill; serums, toxins, viruses, manufacture; sugars and starches, manufacture; tannery; turpentine, manufacture; wax and wax products, manufacture; and wood preserving by creosoting or other pressure impregnation of wood by preservatives. (orig. 2-3-41; am. 8-6-48; am. 11-15-65; am. 8-6-80)

2. Foundry. (orig. 2-3-41)

3. Rock crusher. (orig. 2-3-41, am. 7-11-66; am. 1-13-75)

4. Storage of gasoline or other petroleum products. (For permitted above-ground storage of flammable liquids, see Section 5 of this Zoning Resolution. (orig. 5-6-46; am. 6-2-58)

5. Brick, tile or terra cotta manufacture. (orig. 2-3-41)

6. Light or power plant, central station. (orig. 2-3-41)

7. Grain drying or poultry feed manufacture, feed mill. (orig. 2-3-41)

8. Wholesale sales, warehousing, including mini-ware houses or storage of any commodity with the following exceptions: (orig. 2-14-56; am. 11-15-65; am. 8-6-80) Sales, warehousing, storage, collection or accumulation of junk, including machinery or vehicles not in operating condition, may be permitted only if contained within a building. (orig. 2-14-56; am. 11-15-65; am. 5-12-81; am. 9-11-90)

9. Sale at retail of any commodity, manufactured, processed, fabricated or warehoused on the premises. (orig. 2-14-56; am. 11-15-65)
10. Sale at retail of hardware or equipment, supplies and materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building and other construction. (orig. 2-14-56; am. 11-15-65)

11. Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted. (orig. 2-14-56)

12. Veterinary hospital. (orig. 2-14-56; am. 4-7-69)

13. Railroad facilities, but not including shops. (orig. 2-14-56)

14. Parking and storage of motor vehicles regardless of size. (orig. 2-14-56; am. 8-6-80)

15. Storage of boats, trailers, recreational vehicles, and other similar recreation equipment. (orig. 8-6-80)

16. Terminals for transportation and public transit vehicles. (orig. 6-2-58; am. 11-15-65)

17. Motor vehicle service or gasoline filling stations and car wash. (orig. 2-14-56)

18. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution. (orig. 10-17-83)

19. Office used for the direct support and as an integral part of a use permitted in this district, when the office is located on the same lot as the permitted use. (orig. 6-14-88)

20. Laboratory. (orig. 9-11-90)

21. Research and development facility. (orig. 9-11-90)

22. Recycling transfer station, Type I, when completely enclosed within a building. Exception: a recycling transfer station that is not enclosed within a building is permitted when:

   a. The area utilized by containers is less than 200 square feet in size. (orig. 9-11-90)

   b. The facility accepts only recyclable glassware, metal cans, newspaper, small plastic containers, paper, cardboard. (orig. 9-11-90)

   c. The facility utilizes containers which screen the materials from weather elements and public view. (orig. 9-11-90)

   d. The height of any structure does not exceed 14 feet. (orig. 9-11-90)

23. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

24. Roof and/or building mounted or freestanding with monopole or lattice tower low power telecommunications facility. (orig. 6-7-94)

25. Other similar industrial uses which are not more detrimental to the highest and best use of land in this district than the permitted uses listed above. (orig. 2-3-41; am. 3-23-64; am. 8-6-80)

26. Sexually oriented business located in accordance with the provision of Section 2 of this Zoning Resolution. (orig. 7-8-97)

27. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners. (orig. 8-6-80)
a. Holding areas for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. (orig. 8-6-80)

b. Cable television reception substation. (orig. 9-11-90)

c. Trash transfer station. (orig. 9-11-90)

d. Recycling transfer station, Type II. (orig. 9-11-90)

e. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

C. LOT AND BUILDING STANDARDS

1. Height Limitation: None. (orig. 2-14-56)

2. Lot Standards: None. (orig. 8-6-80)

3. Front Setback
   a. The minimum front setback for any building shall be 50 feet. (orig. 2-14-56)
   b. The minimum front setback for motor fuel pumps shall be 18 feet. (orig. 2-14-56)
   c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this section. (orig. 8-6-80)

4. Side Setbacks
   a. The minimum side setback for any structure not adjacent to a street shall be 5 feet. (A more restrictive setback may be required for some types of use or construction under the Uniform Building Code adopted by Jefferson County as part of the Jefferson County Building Code.) (orig. 2-14-56; am. 8-6-80)
   b. The minimum side setback for any structure adjacent to a street shall be 30 feet. (orig. 2-14-56)
   c. The minimum side setback for motor fuel pumps adjacent to a street shall be 18 feet. (orig. 2-14-56)
   d. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section except as specified in the "Fences and Retaining Walls" portion of this Section. (orig. 8-6-80)

5. Rear Setback: The minimum rear setback for any structure shall be 10 feet; except that structures abutting an alley shall have a minimum rear setback of 15 feet measured from the center of the alley. (orig. 2-14-56)

6. Fences and Retaining Walls
   a. Maximum Height: None. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)

d. No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)

e. No electric fence shall be permitted in this district for a boundary or perimeter fence. (orig. 8-6-80)

f. Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected with no height limitation. (orig. 8-6-80)

g. Where allowed, materials stored outside shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district such fence shall be wooden, masonry or hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, outdoor storage of material shall include by way of example, equipment, vehicles, trailers, pipes, construction materials or other items but shall not include employee or customer parking lots or where sample merchandise is necessary for sale. Merchandise shall not exceed the height of the fence, except for operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: Except as specified in the "Fences and Retaining Walls" portion of this Section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 8-6-80)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 8-6-80)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 8-6-80)

4. Every use shall be so operated that the ground vibration inherently or recurrently generated is not perceptible, without instruments, beyond any boundary line of the lot on which the use is located. (orig. 2-14-56; am. 8-6-80)

5. Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the lot on which the use is located. (orig. 2-14-56)
6. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. (orig. 2-14-56)

7. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors in closed containers only. (orig. 2-14-56)
SECTION 39: I-3 INDUSTRIAL-THREE DISTRICT

A. INTENT AND PURPOSE

1. The Industrial-Three Zone District is intended to provide areas for light Industrial development. (orig. 8-6-80)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 8-6-80)

B. PERMITTED USES

1. Light manufacturing, processing or fabrication of commodities, except those uses which are listed as permitted uses or have impacts similar to permitted uses in the Industrial-One, Industrial-Two or Industrial-Four Districts. All such manufacturing, processing or fabrication shall be completely enclosed within a legally constructed building. (orig. 2-14-56; am. 11-15-65; am. 8-6-80; am. 9-11-90)

2. Wholesale sales, warehousing, including mini-warehouses or storage of any commodity with the following exceptions: (orig. 2-14-56; am. 11-15-65; am. 8-6-80)
   a. No live animals, commercial explosives or above ground bulk storage of flammable liquids or gases may be included. (orig. 2-14-56; am. 11-15-65)
   b. Sales, warehousing, storage, collection or accumulation of junk, including machinery or vehicles not in operating condition, may be permitted only if contained within a building. (orig. 2-14-56; am. 11-15-65; am. 9-11-90)

3. Sale at retail of any commodity, manufactured, processed, fabricated or warehoused on the premises. (orig. 2-14-56; am. 11-15-65)

4. Sale at retail of hardware or equipment, supplies and materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building and other construction. (orig. 2-14-56; am. 11-15-65)

5. Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted. (orig. 2-14-56)

6. Veterinary hospital. (orig. 2-14-56; am. 4-7-69)

7. Railroad facilities, but not including shops. (orig. 2-14-56)

8. Parking and storage of operable motor vehicles regardless of size. (orig. 2-14-56; am. 8-6-80)

9. Storage of boats, trailers, recreational vehicles and other similar recreation equipment. (orig. 8-6-80)

10. Terminals for transportation and public transit vehicles. (orig. 6-2-58; am. 11-15-65)

11. Motor vehicle service stations, gasoline filling stations and car wash. (orig. 2-14-56; am. 8-6-80)

12. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution. (orig. 10-17-83)
13. All office uses, except banks and other financial institutions. (orig. 6-14-88)

14. Laboratory. (orig. 9-11-90)

15. Research and development facility. (orig. 9-11-90)

16. Recycling transfer station, Type I, when completely enclosed within a building. Exception: a recycling transfer station that is not enclosed within a building is permitted when:

   a. The area utilized by containers is less than 200 square feet in size. (orig. 9-11-90)
   
   b. The facility accepts only recyclable glassware, metal cans, newspaper, small plastic containers, paper, cardboard. (orig. 9-11-90)
   
   c. The facility utilizes containers which screen the materials from weather and public view. (orig. 9-11-90)
   
   d. The height of any structure does not exceed 14 feet. (orig. 9-11-90)

17. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)

18. Roof and/or building mounted or freestanding with monopole low power telecommunications facility. (orig. 6-7-94)

19. Other similar industrial uses which are not more detrimental to the highest and best use of land in this district than the permitted uses listed above. (orig. 8-6-80)

20. Sexually oriented business located in accordance with the provision of Section 2 of this Zoning Resolution. (orig. 7-8-97)

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

   a. Holding areas for motor vehicles (operable or inoperable) removed from public roads and awaiting disposition by proper legal authorities. Such motor vehicles shall be enclosed by a closed fence (one preventing view) at least 8 feet in height. (orig. 8-6-80)
   
   b. Cable television reception substation. (orig. 9-11-90)
   
   c. Recycling transfer station, Type II. (orig. 9-11-90)
   
   d. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

C. LOT AND BUILDING STANDARDS

1. Height Limitation

   a. Maximum height for office uses: 46 feet. (orig. 6-14-88)
   
   b. Maximum height for all other uses: none. (orig. 2-14-56)

2. Lot Standards: None. (orig. 8-6-80)
3. **Front Setback**
   a. The minimum front setback for any building shall be 50 feet. (orig. 2-14-56)
   b. The minimum front setback for motor fuel pumps shall be 18 feet. (orig. 2-14-56)
   c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

4. **Side Setbacks**
   a. The minimum side setback for an office building not adjacent to a street shall be 20 feet. The minimum side setback for any other structure not adjacent to a street shall be 5 feet. (A more restrictive setback may be required for some types of use or construction under the Uniform Building Code adopted by Jefferson County as part of the Jefferson County Building Code.) (orig. 2-14-56; am. 8-6-80; am. 6-14-88)
   b. The minimum side setback for any structure adjacent to a street shall be 30 feet. (orig. 2-14-56)
   c. The minimum side setback for motor fuel pumps adjacent to a street shall be 18 feet. (orig. 2-14-56)
   d. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section except as specified in the "Fences and Retaining Walls" portion of this Section. (orig. 8-6-80)

5. **Rear Setback**  The minimum rear setback for an office building shall be 20 feet. The minimum rear setback for any other structure shall be 10 feet; except that structures abutting an alley shall have a minimum rear setback of 15 feet measured from the center of the alley. (orig. 2-14-56; am. 6-14-88)

6. **Fences and Retaining Walls**
   a. Maximum height: None. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   d. No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)
   e. No electric fence shall be permitted in this district for a boundary or perimeter fence. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected with no height limitation. (orig. 8-6-80)
Where allowed, materials stored outside shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district such fence shall be wooden, masonry or hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, outdoor storage of material shall include, by way of example: equipment, vehicles, trailers, pipes, construction materials or other items but shall not include employee or customer parking lots or where sample merchandise is necessary for sale. Merchandise shall not exceed the height of the fence, except for operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: Except as specified in the "Fences and Retaining Walls" portion of this Section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of extended lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 8-6-80)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 8-6-80)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 8-6-80)

4. Every use shall be so operated that the ground vibration inherently and recurrently generated is not perceptible, without instruments, beyond any boundary line of the lot on which the use is located. (orig. 2-14-56; am. 8-6-80)

5. Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the lot on which the use is located. (orig. 2-14-56)

6. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. (orig. 2-14-56)

7. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible, by or otherwise attractive to rodents or insects, shall be stored outdoors in closed containers only. (orig. 2-14-56)
SECTION 40: I-4 INDUSTRIAL-FOUR DISTRICT

A. INTENT AND PURPOSE

1. The Industrial-Four Zone District is intended to provide areas for heavy industrial development and industrial uses requiring specific designation. (orig. 8-6-80)

2. Contained in this Section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 8-6-80)

B. PERMITTED USES

1. Manufacturing, processing or fabrication of any commodity; manufacture and storage of explosives (in conformance with setback and other safety requirements of the Jefferson County Building Code, and other applicable codes). (orig. 11-15-65)

2. Storage of machinery or vehicles not in operating condition, provided that all such properties shall be screened from adjacent streets, or other public ways, by an 8 foot solid fence, to be maintained in a neat and well kept manner. (orig. 11-15-65)

3. Foundry. (orig. 2-3-41)

4. Rock crusher. (orig. 2-3-41; am. 7-11-66; am. 1-13-75)

5. Storage of gasoline or other petroleum products. (For permitted above-ground storage of flammable liquids, see Section 5 of this Zoning Resolution.) (orig. 5-6-46; am. 6-2-58)

6. Brick, tile or terra cotta manufacture. (orig. 2-3-41)

7. Light or power plant, central station. (orig. 2-3-41)

8. Grain drying or poultry feed manufacture, feed mill. (orig. 2-3-41)

9. Wholesale sales, mini-warehouses, warehousing or storage of any commodity. (orig. 2-14-56; am. 11-15-65; am. 5-12-81)

10. Sale at retail of any commodity, manufactured, processed, fabricated or warehoused on the premises. (orig. 2-14-56; am. 11-15-65)

11. Sale at retail of hardware or equipment, supplies and materials (except commercial explosives) for agriculture, mining, industry, business, transportation, building and other construction. (orig. 2-14-56; am. 11-15-65)

12. Repair, rental and servicing of any commodity, the manufacture, processing, fabrication, warehousing or sale of which is permitted. (orig. 2-14-56)

13. Veterinary hospital. (orig. 2-14-56; am. 4-7-69)

14. Railroad facilities, but not including shops. (orig. 2-14-56)

15. Parking and storage of operable motor vehicles regardless of size. (orig. 2-14-56; am. 8-6-80)

16. Storage of boats, trailers, recreational vehicles, and other similar recreation equipment. (orig. 8-6-80)
17. Terminals for transportation and public transit vehicles. (orig. 6-2-58; am. 11-15-65)
18. Motor vehicle service stations, gasoline filling stations and car wash. (orig. 2-14-56; am. 8-6-80)
19. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution. (orig. 10-17-83)
20. Office used for the direct support and as an integral part of a use permitted in this district, when the office is located on the same lot as the permitted use. (orig. 6-14-88)
21. Laboratory. (orig. 9-11-90)
22. Research and development facility. (orig. 9-11-90)
23. Recycling transfer station, Type I. (orig. 9-11-90)
24. Roof and/or building-mounted or freestanding with monopole or lattice tower low power telecommunications facility. (orig. 6-7-94)
25. Micro-cell or repeater telecommunications facility. (orig. 6-7-94)
26. Other similar industrial uses which are not more detrimental to the highest and best use of the land in this district than are the permitted uses listed above. (orig. 2-3-41; am. 3-23-64; am. 8-6-80)
27. Sexually oriented business located in accordance with the provision of Section 2 of this Zoning Resolution. (orig. 7-8-97)
28. Special Uses: The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners. (orig. 9-11-90)
   a. Cable television reception substation. (orig. 9-11-90)
   b. Sanitary landfills. (orig. 9-11-90)
   c. Trash transfer station. (orig. 9-11-90)
   d. Recycling transfer station, Type II. (orig. 9-11-90)
   e. Junk yards, automobile wrecking and processing yards, and other similar uses. (orig. 11-15-65; am. 9-11-90)
   f. A group living facility, other than homes for social rehabilitation, or a home where up to 6 unrelated individuals are living together, that is occupied by more than one registered sex offender. (orig. 2-1-00)

C. LOT AND BUILDING STANDARDS
1. Height Limitations: None. (orig. 2-14-56)
2. Lot Standards: None. (orig. 8-6-80)
3. Front Setback
   a. The minimum front setback for any building shall be 50 feet. (orig. 2-14-56)
   b. The minimum front setback for motor fuel pumps shall be 18 feet. (orig. 2-14-56)
c. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section. (orig. 8-6-80)

4. Side Setbacks
   a. The minimum side setback for any structure not adjacent to a street shall be 5 feet. (A more restrictive setback may be required for some types of use or construction under the Uniform Building Code adopted by Jefferson County as part of the Jefferson County Building Code.) (orig. 2-14-56; am. 8-6-80)
   b. The minimum side setback for any structure adjacent to a street shall be 30 feet. (orig. 2-14-56)
   c. The minimum side setback for motor fuel pumps adjacent to a street shall be 18 feet. (orig. 2-14-56)
   d. Corner lots must comply with the vision clearance requirements outlined in the "General Requirements" portion of this Section except as specified in the "Fences and Retaining Walls" portion of this Section. (orig. 8-6-80)

5. Rear Setback: The minimum rear setback for any structure shall be 10 feet; except that structures abutting an alley shall have a minimum rear setback of 15 feet measured from the center of the alley. (orig. 2-14-56)

6. Fences and Retaining Walls
   a. Maximum height: None. (orig. 8-6-80)
   b. Fence permits are required for any fence over 42 inches in height. (orig. 8-6-80)
   c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a professional engineer as to design and structural stability. (orig. 8-6-80)
   d. No barbed wire shall be permitted as material for a boundary or perimeter fence. However, boundary or perimeter fences may include not more than 4 strands of barbed wire as the top 18 inches or less of the fence, which may be angled inward up to 45 degrees, provided the lowest strand of barbed wire is at least 6 feet above the ground. (orig. 8-6-80)
   e. No electric fence shall be permitted in this district for a boundary or perimeter fence. (orig. 8-6-80)
   f. Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this Section, except that fences constructed of woven wire or ornamental iron which are 80 percent open may be erected with no height limitation. (orig. 8-6-80)
   g. Where allowed, materials stored outside shall be enclosed and concealed by a closed fence (one preventing view) at least 6 feet in height. When abutting a residential zone district such fence shall be wooden, masonry or hedge. Such fence shall be constructed and maintained in good condition. As used in this Section, outdoor storage of material shall include by way of example: equipment, vehicles (operable or inoperable), trailers, pipes, construction materials or other items but shall not include employee or customer parking lots or where sample merchandise is necessary for sale. Merchandise shall not exceed the height of the fence, except for operable vehicles, trailers, or other equipment designed to be towed or lifted as a single component. Where the topography of the land is such that a fence would
not prevent view from adjoining property or right-of-way, the Zoning Administrator may waive this requirement. No outdoor storage shall be allowed within a required front setback or within any required landscaping area. (orig. 8-6-80)

7. Signs and Outdoor Advertising Devices: Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution. (orig. 7-20-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement: Except as specified in the "Fences and Retaining Walls" portion of this Section, no fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of extended lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 8-6-80)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 8-6-80)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 8-6-80)

4. Every use shall be so operated that the ground vibration inherently or recurrently generated is not perceptible, without instruments, beyond any boundary line of the lot on which the use is located. (orig. 2-14-56; am. 8-6-80)

5. Every use shall be so operated that it does not emit an obnoxious or dangerous degree of heat, glare, radiation or fumes beyond any boundary line of the lot on which the use is located. (orig. 2-14-56)

6. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by natural causes or forces. (orig. 2-14-56)

7. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects, shall be stored outdoors in closed containers only. (orig. 2-14-56)
SECTION 41: C-O CONSERVATION ZONE DISTRICT

A. INTENT AND PURPOSE:

1. The Conservation Zone District is intended to provide areas for the conservation of open space and the development of parks and recreational facilities to meet the recreational needs of the County. (orig. 11-3-81)

2. Contained in this section are the allowed land uses, building and lot standards (including minimum setbacks) and other general requirements specified for this zone district. (orig. 11-3-81)

B. PERMITTED USES

1. Agricultural uses, provided that no dwellings are located within such areas. (orig. 12-16-62; am. 4-20-62; am. 11-3-81)

2. Public parks and/or recreation area. (orig. 12-16-62)

3. Buildings and structures customarily accessory to the permitted uses; provided that no dwellings are located within such areas except as specifically provided herein. (orig. 12-26-62; am. 1-4-65)

4. Special Uses:

The following uses shall be permitted only upon review by the Planning Commission and approval by the Board of County Commissioners: (orig. 12-26-62; am. 11-3-81)

a. Riding academy or stable. (orig. 12-26-62; am. 11-3-81)

b. Golf driving ranges and other similar uses of an open nature. (orig. 12-26-62)

c. Railroad right-of-way. (orig. 12-26-62)

d. Residence for caretaker of public area on which it stands. (orig. 1-4-65)

e. Campground for mounted camper units, camp trailers and tents. This provision shall apply only for campground areas for tourists, climbers and other such individuals involved in similar temporary transient activity. Plans of such areas must be registered with and approved by both the Jefferson County Health Department and the Jefferson County Planning Department and be subject to all sanitary requirements of the Health Department on a continuing basis. This provision shall not be construed to permit mobile homes or trailers, as provided within the Residential-Trailer District. (orig. 1-4-65)

f. Recreational uses and activities which are open to the public and operated upon property owned by the federal or state government or by any political subdivision of the state by a private entity authorized by said governmental landowner to operate such facility. (orig. 11-3-81)
October 17, 1983

g. Oil and gas drilling operations. Such operations shall conform to the standards contained in Section 4 of this Zoning Resolution, except as modified by the Board of County Commissioners in the resolution approving the Special Use. (orig. 10-17-83)

5. Temporary Uses:

The following uses are permitted as a temporary use upon approval of a Special Exception by the Board of Adjustment and subject to such restrictions as may be deemed necessary by the Board of Adjustment to protect surrounding development: (orig. 12-26-62; am. 11-3-81)

Sanitary landfill, provided such fill does not create a water diversion hazard which would endanger adjacent areas, and further provided that such sanitary landfill would not create any undesirable odors or any unsightly areas to adjacent properties and/or buildings. (orig. 12-26-62)

C. LOT AND BUILDING STANDARDS

Deviation from the standards established below may be allowed for Special Uses providing adequate justification is presented and approved at time of hearing. (orig. 11-3-81)

1. Height Limitation:

No structure shall exceed 25 feet in height. (orig. 12-26-62)

2. Front Setback:

The minimum front setback for any building, structure or camper unit shall be 100 feet. (orig. 12-26-62; am. 11-3-81)

3. Side Setbacks:

The minimum side setback shall be 50 feet. (orig. 12-26-62; am. 1-4-65; am. 11-3-81)

4. Rear Setback:

The minimum rear setback shall be 50 feet. (orig. 12-26-62; am. 1-4-65; am. 11-3-81)

5. Stream Setback:

No building, structure or camper unit intended for overnight living quarters shall be permitted to be constructed or placed within the floodplain of any stream as determined by the high-water line of a 25-year flood. The term "stream" shall be construed to include channel, marshlands, swamp or any other area subject to inundation. (orig. 1-4-65)

6. Fences and Retaining Walls:

a. Maximum height: 7 feet, except for enclosure fences immediately surrounding swimming pools, tennis courts and other similar outside private recreational facilities, which shall not exceed 12 feet in height. (orig. 11-3-81)

b. Fence permits are required for any fence over 42 inches in height. (orig. 11-3-81)
November 3, 1981

c. Retaining walls over 42 inches in height which are within 3 feet of a public right-of-way or public utility, drainage or other easement shall require a certification by a Professional Engineer as to design and structural stability. (orig. 11-3-81)

d. No electric fence shall be permitted for a boundary or perimeter fence. (orig. 11-3-81)
e. Fences on corner lots must comply with the vision clearance requirement outlined in the "General Requirements" portion of this section. (orig. 11-3-81)

7. Off-Street Parking Requirements:

Recreational Uses:

a. One parking space for each 100 square feet of floor area devoted to club, clubhouse or similar purposes including those used for sports facilities. (orig. 11-3-81)

b. One parking space for each 4,000 square feet of outdoor area used for such purposes as golf, archery, etc. (orig. 11-3-81)

c. One parking space for each 1,000 square feet of outdoor area used for such purposes as tennis, swimming, lawn bowling, etc. (orig. 11-3-81)

d. Two parking spaces for each 3 employees. (orig. 11-3-81)

D. GENERAL REQUIREMENTS

1. Corner Vision Clearance Requirement:

   No fence, wall, hedge, shrub, structure or other obstruction to view which is over 42 inches in height shall be erected, placed or maintained within a triangle formed by the point of intersection of lot lines abutting a street and/or railroad right-of-way and the points located along the lot lines 55 feet from the point of intersection. (orig. 11-3-81)

2. All setbacks shall be measured from the foundation or wall; however, eaves, roof overhangs and fireplaces may protrude 24 inches into the setback. (orig. 11-3-81)

3. No structure may be erected, placed upon or extend over any easement unless approved in writing by the agency or agencies having jurisdiction over such easement. (orig. 11-3-81)

4. Manure shall not be allowed to accumulate so as to cause a hazard to the health, welfare or safety of humans and/or animals. The outside storage of manure in piles shall not be permitted within 100 feet of the front lot line and shall conform to the side and rear setback requirements of a dwelling. (orig. 11-3-81)

5. Stallions and bulls shall be kept in a pen, corral or run area enclosed by a 6 foot chain link fence, or material equal or greater in strength, except when it is necessary to remove them for training, breeding or other similar purposes. (orig. 11-3-81)

E. SIGNS AND OUTDOOR ADVERTISING DEVICES

   Signs and outdoor advertising devices shall be in accordance with the provisions of Section 9 of this Zoning Resolution, except for deviations for Special Uses which may be allowed providing adequate justification is presented and approved at time of hearing. (orig. 11-3-81)
SECTION 42: M-C MINERAL CONSERVATION DISTRICT

A. INTENT AND PURPOSE

1. The Mineral Conservation Zone District (M-C) is intended to provide conservation of a mineral resource. No land shall be rezoned to M-C after June 1, 1993. (orig. 6-1-93)

2. Contained in this Section are the allowed land uses and other general requirements specified for this District. (orig. 6-1-93)

B. PERMITTED USES


2. Agricultural uses as allowed in the Agricultural-One and Agricultural-Two Zone Districts, public parks and/or recreation areas, provided such use does not include any permanent structures or otherwise permanently preclude the extraction of commercial mineral deposits. (orig. 6-1-93)

3. Oil and gas drilling and production, subject to Section 4 of this Zoning Resolution. (orig. 10-17-83)

4. Special Uses:
   a. The following uses shall be permitted as an approved special use only upon review by the Planning Commission and approval by the Board of County Commissioners. (orig. 6-1-93)
      (1) Mining operations and accessory uses. (orig. 6-1-93)
      (2) Inert landfills. (orig. 6-1-93)
      (3) Modification to any previously approved special exception granted by the Board of Adjustment for mining or attendant operations in the M-C Zone District; however, the special use hearing and resolution shall only address the provisions sought to be modified and shall not reopen the entire special exception. (orig. 6-1-93)
   b. The Planning Commission in reviewing special use applications for the purpose of mining any mineral deposit within the M-C Zone District, and the Board of County Commissioners in making its decision upon such applications, shall consider the following. (orig. 6-1-93)
      (1) The consistency of the proposed use and operations with the goals and policies of the Jefferson County "Mineral Extraction Policy Plan," authorized by 34-1-304, C.R.S., 1973. (orig. 6-1-93)
      (2) All provisions of Section 1 of this Zoning Resolution, (Criteria for Decisions in Special Use Cases). (orig. 6-1-93)
   c. All special use mining operations and special exceptions previously approved by the Board of Adjustment shall meet the following minimum standards unless specifically modified by the Board of County Commissioners. (orig. 2-20-80; am. 6-1-93)
(1) Fencing: Safety fencing, as deemed necessary by the Board of County Commissioners, shall surround the entire site of mining operations. Such fencing must surround the entire area of operations and be maintained throughout the life of the mining operation. (orig. 1-13-75; am. 2-20-80; am. 6-1-93)

(2) Roadway Construction and Maintenance: All roadways longer than 100 feet, used for ingress and egress from the public roadway to the area of mining operations, shall be paved to Jefferson County standards for the local street template and cleaned and maintained to minimize fugitive dust generated by vehicles. Such cleaning will also be accomplished, with approval of the appropriate highway agency, at the point along the public roadway where this ingress/egress road is located. (orig. 2-20-80)

(3) Excavation Shape, Setback, and Safety:
   (a) The outer limits of excavation must be at least 30 feet from the property line and at least 200 feet from occupied dwellings. (orig. 1-13-75; am. 2-20-80; am. 6-1-93)
   (b) Ridges or peaks created by the mining activity shall not be narrower than 30 feet in width at any point. (orig. 1-13-75; am. 2-20-80)
   (c) All final slopes created by the mining operations, where a lake is the proposed after use, shall rise at a rate no greater than 1 vertical foot per 3 horizontal feet. (orig. 1-13-75; am. 2-20-80; am. 6-1-93)

(4) Water: All water resources used for mining and/or reclamation purposes shall be identified by the applicant and submitted to the State Engineer for review. (orig. 2-20-80; am. 6-1-93)

(5) Air Quality: All activities shall meet applicable air quality standards as set by the Colorado Air Quality Control Commission. Any violation of such standards shall be certified to the Board of County Commissioners by said commission or its designated representative. (orig. 2-20-80; am. 6-1-93)

(6) Hours of Operation: Hours of operation for open mining activities, maintenance excepted, shall not exceed 6:00 a.m. to 6:00 p.m., Monday through Saturday, for any operation within 1,500 feet of a residence. (orig. 12-6-71; am. 1-13-75; am. 2-20-80)

(7) Blasting: All blasting shall be conducted in a manner which will not cause a peak particle velocity on any adjacent or nearby property which exceeds 1/2 inch per second. (orig. 1-13-75; am. 2-20-80; am. 6-1-93)

(8) Noise Pollution: In every case, mining and all associated activities and uses must meet County, State of Colorado, and federal regulations regarding noise pollution. Any violation of such regulations shall be certified to the Board of County Commissioners by the responsible administrative agency. (orig. 1-13-75; am. 2-20-80; am. 6-1-93)

(9) Monitoring: Monitoring may be required by the Board of County Commissioners for any of the above standards as a condition of the special use permit. (orig. 6-1-93)
C. ANNUAL REPORT:
The operator shall prepare an annual report for any previously approved special exception and, unless waived by the Board of County Commissioners, for a special use which report shall comply with the requirements of Section 3 of this Zoning Resolution. (orig. 6-1-93)
SECTION 43: F-P FLOOD PLAIN OVERLAY DISTRICT

(orig. 1-10-75)

A. INTENT AND PURPOSE

This District is intended to promote the public health, safety and general welfare of the citizens of Jefferson County, minimize the risk of loss of life and property in areas subject to flooding; encourage prudent land use in the floodplain so as not to increase the danger to health, safety and property in times of flooding; regulate uses so as to control flood heights and velocities; regulate construction of structures and facilities permitted in the floodplain; protect by flood-proofing buildings and structures so as to minimize risk of disease, contamination and unsanitary conditions during times of flooding; protect the public from avoidable and reoccurring public expenditures due to flood damage; protect the hydraulic characteristics of water courses, and to implement Jefferson County's participation in the National Flood Insurance Program as administered by the Federal Emergency Management Agency. (orig. 1-10-75; am. 2-11-80; am. 5-31-88)

B. GENERAL PROVISIONS

1. Flood Plain District Overlays the Other Zone Districts

The Flood Plain (F-P) Overlay District shall overlay that portion of any other zone district, including Planned Development Zone Districts, located in the floodplain. The regulations of this District shall be construed as being supplementary to the regulations imposed on the same lands by any underlying zone district. When regulations of this District conflict with any provisions of the underlying zone district the provisions of the Flood Plain Overlay District shall control; otherwise, the provisions of any underlying zone district shall remain in full force and effect. (orig. 1-10-75; am. 2-11-80)

2. Boundaries:

a. The Flood Plain Overlay District shall encompass the 100-Year Flood Plain as it graphically appears on duly adopted Special Flood Plain Maps. The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Unincorporated Jefferson County, Colorado," dated August 5, 1986 and amended July 4, 1989, with an accompanying Flood Insurance Rate Map (FIRM) are hereby adopted by reference and declared to be a part of this resolution. (orig. 1-10-75; am. 2-11-80; am. 5-31-88; am. 9-19-89)

b. Streams and sections of streams with Flood Elevation Profiles for the 100-Year Flood Plain shall be overlay zoned according to the elevation of the 100-Year Flood Plain. Streams and sections of streams without Flood Elevation Profiles shall be overlay zoned according to the graphic representation of the 100-Year Flood Plain shown on the Special Flood Plain Maps. The Special Flood Plain Maps and Flood Elevation Profiles are on file at the Jefferson County Planning and Zoning Department. (orig. 5-31-88; am. 9-19-89)

c. Flood Plain Overlay Zone District Boundaries may be amended through the County's rezoning process when appropriate, and only when such an amendment meets the guidelines and criteria set forth in this Section and those set forth in the Jefferson County Land Development Regulation. (orig. 5-31-88)
3. Low and High Hazard Areas:

Where applicable, each Flood Plain Overlay District shall consist of two hazard areas. The "high hazard area" is defined as that portion of the Flood Plain Overlay District where the water, during a 100-year flood, would exceed 1 foot in depth or 3 feet per second in velocity, or that portion of the Flood Plain Overlay District that must be reserved in order to discharge the 100-year flood (base flood) without cumulatively increasing the water surface elevation more than 1 foot. The "high hazard area" shall be the regulatory floodway for the County. The "low hazard area" shall be that portion of the Flood Plain Overlay District not included within the high hazard area. (orig. 2-11-80; am. 5-31-88; am. 8-2-88)

4. Area of Shallow Flooding:

Within the high and low hazard areas there are certain areas designated as areas of shallow flooding. Specific construction standards for residential and nonresidential construction in these areas are described in D.2. and D.3. of this Section. (orig. 9-19-89)

C. PERMITTED USES, ACTIVITIES, AND RESTRICTIONS

1. All uses and activities shall be permitted within the Flood Plain Overlay District to the same extent that they are permitted by an underlying zone district, so long as the same are not in conflict with the restrictions set forth in this Section. (orig. 1-10-75; am. 2-11-80; am. 9-19-89)

2. Building and lot standards, including minimum area, height and setback requirements, shall conform to those of the underlying zone district. (orig. 1-10-75; am. 2-11-80)

3. Any land use activity, stream change, or channelization in an existing Flood Plain Overlay District shall be permitted, when undertaken in connection with a plat approved by the Board of County Commissioners subsequent to the adoption of said Flood Plain Overlay Zone District. (orig. 2-11-80; am. 9-19-89)

4. Where not undertaken pursuant to an approved plat, no land use activity, including but not limited to the construction and/or placement of structures, buildings, interior remodels, trailers, mobile homes, roads, bridges, fences, fill materials, junk, refuse, solid waste disposal facilities or other obstructions is allowed unless a Flood Plain Development Permit is issued. Flood Plain Development Permits shall be issued subject to the restrictions of this Section of the Zoning Resolution. (orig. 5-31-88; am. 9-19-89)

5. No land use activity, including but not limited to the construction and/or placement of structures, buildings, trailers, mobile homes, roads, bridges, fences, fill material, junk, refuse, solid waste disposal facilities, or other obstructions, shall be permitted within the existing high hazard area which causes any rise in the 100-year water surface elevation, unless a floodplain development permit is issued by the County Zoning Administrator, following the issuance by the Federal Emergency Management Agency of a conditional letter of map revisions. (orig. 5-31-88; am. 9-19-89; am. 12-18-90)

6. No solid or hazardous waste disposal facilities or storage or processing of materials or substances that are poisonous, buoyant, flammable, explosive, or that constitute a substantial threat of injury to human, animal or plant life during a flood, shall be permitted. (orig. 1-10-75; am. 5-31-88)
In low hazard areas, the Jefferson County Zoning Administrator may authorize, in writing, certain permitted uses which are set forth in the underlying zone district, providing plans and design criteria have been approved by the County Department of Highways and Transportation; and providing necessary permits are obtained from the County Departments of Highways and Transportation, Planning and/or Building, prior to starting any earthwork, construction or installation. Such permitted uses shall include, but not be limited to advertising signs, fences or corrals with break-away features, barbed wire fences, public utilities, silos, trails and trail markers, golf courses, driving ranges, tennis courts, park and recreation areas which do not provide for overnight camping, and other similar uses of an open nature. (orig. 2-11-80; am. 5-31-88; am. 9-19-89)

D. CONSTRUCTION STANDARDS FOR BUILDINGS

In addition to those restrictions set forth in the "PERMITTED USES, ACTIVITIES, AND RESTRICTIONS" portion of this Section, the following standards shall apply. (orig. 5-31-88; am. 9-19-89)

1. Manufactured Homes:

All new construction and substantial improvements shall: (orig. 5-31-88)

a. Be anchored to prevent flotation, collapse, or lateral movement of the structure. (orig. 5-31-88)

b. Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (orig. 5-31-88)

c. Be constructed using materials and utility equipment that are resistant to flood damage. (orig. 5-31-88)

d. Be constructed using methods and practices that will minimize flood damage. (orig. 5-31-88)

e. Be elevated on a permanent foundation such that the lowest floor of the manufactured home is at least 1 foot above the Base Flood Elevation and is securely anchored to an adequately anchored foundation system. (orig. 5-31-88; am. 9-19-89)

2. Residential Construction:

a. All new construction and substantial improvements shall: (orig. 5-31-88)

   (1) Be anchored to prevent flotation, collapse, or lateral movement of the structure. (orig. 5-31-88)

   (2) Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (orig. 5-31-88)

   (3) Be constructed using materials and utility equipment that are resistant to flood damage. (orig. 5-31-88)
September 19, 1989

(4) Be constructed using methods and practices that will minimize flood damage. (orig. 5-31-88)

b. In both the low and high hazard area of the Flood Plain Overlay Zone District, where 100-year flood elevations are available (except for areas of shallow flooding), all new construction and substantial improvement of any residential building shall have the lowest floor, including basement, elevated to at least 1 foot above the 100-year flood elevation. (orig. 5-31-88; am. 9-19-89)

c. In both the low and high hazard area of the Flood Plain Overlay Zone District, where base flood elevation (100-year) data has not been provided in accordance with paragraph B.2. (except for areas of shallow flooding), the Zoning Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring that new construction, substantial improvements, or other development in areas where base flood elevations have not been provided are administered in accordance with paragraph D.2.b. above. (orig. 5-31-88; am. 9-19-89)

d. In areas of shallow flooding, all new construction and substantial improvement of any residential building shall have the lowest floor, including basement, elevated above the highest adjacent grade high as the specified depth number or at least 2 feet if no depth number is specified. Adequate drainage paths around buildings shall be provided to guide flood waters around and away from proposed buildings. (orig. 5-31-88)

3. Non-residential Construction:

a. All new construction and substantial improvements shall: (orig. 5-31-88)

   (1) Be anchored to prevent flotation, collapse, or lateral movement of the structure. (orig. 5-31-88)

   (2) Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. (orig. 5-31-88)

   (3) Be constructed using materials and utility equipment that are resistant to flood damage. (orig. 5-31-88)

   (4) Be constructed using methods and practices that will minimize flood damage. (orig. 5-31-88)

b. In both the low and high hazard area of the Flood Plain Overlay Zone District, where 100-year flood elevations are available (except for areas of shallow flooding), all new construction and substantial improvement of any commercial, industrial or other nonresidential building shall either have the lowest floor, including basement, elevated to at least 1 foot above the 100-year flood elevation; or, together with attendant utility and sanitary facilities, shall: (orig. 5-31-88; am. 9-19-89)

   (1) Be flood proofed so that below the 100-year flood level, the structure is watertight with walls substantially impermeable to the passage of water; (orig. 5-31-88)
(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads or the effects of buoyancy; and (orig. 5-31-88)

(3) Be certified by a registered professional engineer or architect that the standards set forth above, are satisfied. (orig. 5-31-88)

c. In both the low and high hazard area of the Flood Plain Overlay Zone District, where base flood elevation (100-year) data has not been provided in accordance with paragraph B.2. (except for areas of shallow flooding), the Zoning Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source as criteria for requiring that new construction, substantial improvements, or other development in areas where base flood elevations have not been provided are administered in accordance with paragraph D.3.b. above. (orig. 5-31-88; am. 9-19-89)

d. In areas of shallow flooding, all new construction and substantial improvement of any nonresidential building shall: (orig. 5-31-88)

  (1) Have the lowest floor including basement elevated above the highest adjacent grade at least as high as the specified depth number or at least 2 feet if no depth number is specified; or (orig. 5-31-88)

  (2) Together with attendant utility and sanitary facilities be completely flood proofed to meet the flood-proofing standard in D.3.b., above. (orig. 5-31-88; am. 9-19-89)

E. VARIANCE

Variances from the requirements of the Flood Plain Overlay District are subject to the provisions contained in Section 13 of the Zoning Resolution. (orig. 1-10-75; am. 2-11-80; am. 5-31-88)

F. ADMINISTRATION

1. Interpretation of the Flood Plain Overlay District boundary is the responsibility of the Zoning Administrator. (orig. 2-11-80)

2. Determination of the high hazard area shall be the responsibility of the County Department of Highways and Transportation made only upon review of all necessary hydraulic calculations provided by the applicant as required by the County Department of Highways and Transportation. (orig. 2-11-80; am. 5-31-88)

3. It shall be the duty of the Zoning Administrator, pursuant to Section 3 of the Zoning Resolution, to decide on Flood Plain Development Permit applications. (orig. 5-31-88)

G. WARNING AND DISCLAIMER

The provisions of the Flood Plain Overlay District do not in any way assure or imply that areas outside its boundaries, or any land uses permitted within its boundaries, will be free from flooding or flood damage. This regulation shall not create liability on the part of the County or any officer or employee thereof for any flood damages that may result from reliance on this regulation or any administrative decision lawfully made thereunder. (orig. 1-10-75; am. 2-11-80)
SECTION 44: G-H GEOLOGIC HAZARD OVERLAY DISTRICT

A. INTENT AND PURPOSE

This District is intended to promote the public health, safety and general welfare of the citizens of Jefferson County; minimize the risk of loss of life and property; encourage and regulate prudent land use; permit only such uses that will minimize the danger to the public health, safety, welfare and property; reduce the demands for public expenditures for relief and protection of structures and facilities permitted in this District and regulate buildings and structures so as to minimize the hazard to the public health or property. (orig. 1-20-76; am. 6-15-76; am. 9-7-82)

B. GENERAL PROVISIONS AND RESTRICTIONS

1. Geologic Hazard District Overlays Other Zone Districts:

   The Geologic Hazard (G-H) Overlay Zone District shall overlay that portion of any other zone district, including Planned Development Zone Districts, located in the geologic hazard area. The regulations of this District shall be construed as being supplementary to the regulations imposed on the same lands by any underlying zone district or other overlay district. When the regulations of this District conflict with any provision of the underlying zone district, the provisions of the Geologic Hazard Overlay District shall control; otherwise, the provisions of any underlying district shall remain in full force and effect. (orig. 1-20-76; am. 9-7-82)

2. Boundaries:

   This District shall encompass those general areas depicted on Geologic Hazard Overlay District Zoning Maps, more particularly defined by legal descriptions appearing in the County Commissioner Resolutions rezoning property to Geologic Hazard Overlay Zone District. The boundaries of the Geologic Hazard Overlay Zone District may be amended through the County’s rezoning process when appropriate, based on site-specific geologic information. (orig. 1-20-76; am. 9-7-82)

3. Hazard Description:

   Properties shall be classified according to 4 types of hazards. (orig. 9-7-82)

   a. Slope Failure Complex:

      A geologic hazard which means a combination of more than one of the following geologic hazards. (orig. 9-7-82)

      (1) Landslide (orig. 9-7-82)
      (2) Rockfall (orig. 9-7-82)
      (3) Mudflow (orig. 9-7-82)
      (4) Creep (orig. 9-7-82)
b. Landslide Area:

A geologic hazard which means a mass movement where there is a distinct surface rupture or zone of weakness which separates the slide material from more stable underlying material. (orig. 9-7-82)

c. Rockfall Area:

A geologic hazard which means the rapid free-falling, bounding, sliding, or rolling of large masses of rock or individual rocks. (orig. 9-7-82)

d. Subsidence Area:

A process characterized by downward displacement of surface material caused by natural phenomena such as removal of underground fluids, natural consolidation, or dissolution of underground minerals, or by man-made phenomena such as underground mining. (orig. 9-7-82)

4. Restrictions:

Unless authorized under the provisions of the "Permitted Uses and Activities" or "Provisional Uses" portions of this Section, the following activities or uses are prohibited within the Geologic Hazard Overlay Zone District. (orig. 9-7-82)

a. Permanent or temporary structures and buildings, including mobile homes and trailers but not including signs, fences, corrals or other open facilities for the containment of livestock. (orig. 9-7-82)

b. Physical improvements or modifications, such as roads, bridges, bikeways, excavation or fills, solid or liquid waste disposal, utilities, or underground bulk storage of fuels. (orig. 9-7-82)

c. Other land use activities that significantly increase the danger from the geologic hazard. (orig. 1-20-76; am. 9-7-82; am. 12-28-82)

d. Restrictions a. through c. shall not apply to legal mining operations or accessory activities. (orig. 9-7-82)

C. PERMITTED USES AND ACTIVITIES

1. The following uses and activities are permitted:

a. All land uses permitted by an underlying zone district, so long as the same are not in conflict with the use limitations as set forth in paragraph B.4. above. (orig. 1-20-76; am. 9-7-82)

b. Any land use activity permitted in an underlying zone when authorized by a plat approved by the Board of County Commissioners subsequent to the inclusion of said property within the Geologic Hazard Overlay Zone District. (orig. 9-7-82)
D. PROVISIONAL USES

1. The Jefferson County Department of Highways and Transportation and the County Geologist may authorize, in writing, certain uses, which are permitted in the underlying zone district, and specified below, providing that plans and design criteria have been approved by both the County Department of Highways and Transportation and the County Geologist as having reasonably mitigated the potential danger to persons and property of the geologic hazard, and that necessary permits are obtained from the County Departments of Highways and Transportation, Planning and/or Building prior to starting any earthwork, construction or installation. (orig. 9-7-82)

a. Roads, bridges, bikeways and similar improvements. (orig. 9-7-82)

b. Excavations or fills. (orig. 9-7-82)

c. Utilities, above or below ground. (orig. 9-7-82)

d. Energy collection devices, such as windmills or solar collectors. (orig. 9-7-82)

e. Structures exclusively for livestock. (orig. 9-7-82)

f. Structures exclusively for bulk storage, such as silos. (orig. 9-7-82)

g. Park or recreational uses without occupied structures or buildings. (orig. 9-7-82)

h. Accessory out buildings and garages. (orig. 9-7-82)

i. Underground bulk storage of fuels. (orig. 9-7-82)

2. Under certain conditions as contained in Section 13, the Board of Adjustment may permit by Special Exception those uses allowed in underlying zone districts, but prohibited by the provisions of paragraph B.4. above and not provided for in paragraph D.1. above. (orig. 1-20-76; am. 9-7-82)

E. BUILDING AND LOT STANDARDS

Building and lot standards, including height, minimum area, and setback requirements, shall conform to those of the underlying zone district. (orig. 1-20-76; am. 9-7-82)

F. WARNING AND DISCLAIMER

Geologic Hazard Overlay Zone Districts represent only those hazardous areas known to the County at the present time, and should not be construed to include all possible potential hazard areas. The provisions of this District do not in any way assure or imply that areas outside its boundaries, or land uses permitted within its boundaries, will be free from the possible adverse effects of geologic hazards. (orig. 1-20-76; am. 9-7-82)
SECTION 45: W-H WILDFIRE HAZARD OVERLAY DISTRICT

A. INTENT AND PURPOSE OF DISTRICT

This District is intended to promote the public health, safety and general welfare of the citizens of Jefferson County, minimize the risk of loss of life and property in Wildfire Hazard Overlay Zone District; encourage and regulate prudent land use in the Wildfire Hazard Overlay Zone District so as not to increase the danger to the public health, safety and property; reduce the demands for public expenditures for relief and protection of structures and facilities permitted in the Wildfire Hazard Overlay Zone District; regulate buildings and structures so as to minimize the hazard to public health, safety, welfare, and to public or private property. (orig. 1-27-76)

B. GENERAL PROVISIONS

1. Boundaries

The boundaries of the Wildfire Hazard Overlay Zone District shall be as they appear on the official recorded Wildfire Hazard Overlay Zone District Maps as adopted by the Board of County Commissioners and kept on file with the Planning and Zoning Department. The boundary lines on the map shall be determined by the scale appearing on the map. Where there is a conflict between the boundary lines illustrated on the map and the actual field conditions, the conflict shall be settled according to the "Mapping Conflicts" portion of this Section. (orig. 1-27-76; am. 12-5-95)

2. Wildfire Hazard District Overlays Other Zone Districts

The Wildfire Hazard Overlay District shall overlay that portion of any other underlying zone district, including Planned Development Zone Districts, which is applicable to the Wildfire Hazard Overlay Zone District. The regulations of this District shall be construed as being supplementary to the regulations imposed on the same lands by any underlying zone district. When the regulations of this district conflict with any provision of the underlying zone district, the provisions of this overlay district shall control. Any underlying zone district shall remain in full force and effect to the extent that its provisions do not conflict with the provisions of this District. (orig. 1-27-76)

3. Warning and Disclaimer of Liability

The degree of protection from potential wildfire hazards intended to be provided by this regulation is considered reasonable for regulatory purposes, and is based on current forestry and wildfire mitigation research. This regulation is intended to reduce the risks, costs, and impacts from wildfire. Nonetheless, wildfire is capricious and unpredictable. Thus damage may occur to persons and property although structures and land uses may be properly permitted within the provisions of the Wildfire Hazard Overlay District. (orig. 1-27-76; am. 12-5-95)

C. USE REGULATION

All land uses shall be permitted within the Wildfire Hazard Overlay District to the same extent that they are permitted by an underlying zone district, so long as the same are not in conflict with any of the provisions as set forth herein. (orig. 1-27-76; am. 12-5-95)
D. BUILDING PERMITS

1. No building permit may be issued for a new dwelling, the replacement of an existing dwelling, or for additional space of 400 square feet or more (cumulatively measured), from May 21, 2002, the date of this regulation's adoption, until written evidence has been submitted and approved by the Zoning Administrator stating that the following have been satisfied. (orig. 12-5-95; am. 6-18-02)

   a. Defensible space and associated fuel break thinnings have been created around the dwelling, or a wildfire mitigation site plan has been reviewed and a special exception granted by the Board of Adjustment for the property for which a building permit has been requested. (orig. 12-5-95)

   b. Access standards as specified in Section 2 of this Zoning Resolution have been satisfied. (orig. 12-5-95)

2. Where the property owner chooses to submit a wildfire mitigation site plan for review by the Board of Adjustment, a building permit shall not be issued until such time as the wildfire mitigation site plan has been reviewed and a special exception granted by the Board of Adjustment. (orig. 12-5-95)

3. Design Standards

   a. The standards and criteria governing the design of defensible space and associated fuel break thinnings shall be contained in the Colorado State University's Cooperative Extension Fact Sheet 6.302 and will be administered, with flexibility, by the Colorado State Forest Service or a qualified wildfire interface fire specialist. (orig. 12-5-95; am. 6-18-02)

   b. The standards and criteria contained in the "Jefferson County Roadway Design and Construction Manual" shall govern the design and construction of all roadways in this overlay district, including private roads and driveways. (orig. 12-5-95)

4. Defensible Space Certification Procedures

   a. An applicant who has obtained a Defensible Space permit shall be deemed to be in compliance with the initial defensible space review when an initial inspection has been completed by the Colorado State Forest Service or by other entities deemed qualified by the Zoning Administrator to conduct such inspections. Upon receipt of the initial inspection, the Planning and Zoning Department may issue the building permit. A final inspection shall be completed by the Colorado State Forest Service or by other entities deemed qualified before a Certificate of Occupancy can be issued for the newly created structure or addition. The cost of inspection and certification shall be borne entirely by the building permit applicant. (orig. 12-5-95; am. 6-18-02)

   b. A denial of a certificate of completion may be appealed to the Board of Adjustment. The written appeal must be received by the secretary of the Board of Adjustment within 30 days of the date of denial. (orig. 12-5-95)

E. MAPPING CONFLICTS

In all cases, a person contesting the location of the Wildfire Hazard Overlay District boundary or the severity of conditions at a specific location within the Wildfire Hazard Overlay District shall be given a reasonable opportunity to present their case to the Zoning Administrator, and shall submit forestry and topographic evidence to support such contests. The Zoning Administrator shall not allow deviations from the boundary line as mapped or change the mitigation requirements recommended by the Colorado State Forest Service unless the forestry and other related technical evidence clearly and conclusively establish

Section 45 Page 2
that the mapped location of the boundary line is incorrect or that the hazard conditions as determined by the Colorado State Forest Service are in error. The Zoning Administrator must make a finding that any deviations approved as a result of this subsection do not present a significant hazard to public health, safety or to property at the specific contested location within the Wildfire Hazard Overlay Zone District. (orig. 12-5-95)

F. QUALIFICATIONS

The following criteria have been established as meeting the alternative qualifications for the defensible space program. A person with these qualifications shall be termed a wildfire interface fire specialist. A certification letter must be submitted by the applicant prior to the issuance of a building permit in order to be in compliance with the provisions of this section. (orig. 6-18-02)

1. Minimum qualifications (orig. 6-18-02)

   Bachelor's degree in Forestry or a closely related field and two years wildland/urban interface firefighting experience, or successful completion of the following National Wildfire Coordinating Group Classes: (orig. 6-18-02)

   S-130 Basic Wildland Firefighting
   S-190 Basic Fire Behavior
   S-205 Fire Operations in the Wildland/Urban Interface
   S-290 Intermediate Wildland Fire Behavior
   S-390 Introduction to Wildfire Behavior Calculations
   P-110 Inspecting Wildfire Prone Properties (or equivalent)

   and five years wildland/urban interface firefighting. (orig. 6-18-02)

2. The applicant must submit a letter from a qualified wildfire interface fire specialist, certifying that the defensible space work undertaken on the property meets the standards and criteria governing the design of defensible space and associated fuel break thinning as described in the Colorado State University's Cooperative Extension Fact Sheet 6.302. (orig. 6-18-02)

G. MAINTENANCE OF DEFENSIBLE SPACE AND ASSOCIATED FUEL BREAK THINNING

1. Defensible space and fuel break thinning work must be completed and maintained to the standards described in the Colorado State University's Cooperative Extension Fact Sheet 6.302. The responsibility for maintaining defensible space and associated fuel break thinning lies with the landowner. Noncompliance with defensible space maintenance standards will be enforced as a Zoning Violation, as specified in Section 3 of this Zoning Resolution. (orig. 6-18-02)
SECTION 46: DIPPING BEDROCK (D-B) OVERLAY DISTRICT

A. INTENT AND PURPOSE

This district is intended to promote the public health, safety and general welfare of the citizens of Jefferson County; reduce the risk to property, and encourage and regulate prudent land use by the following methods. (orig. 4-11-95)

1. Reduce the impacts to structures of hazards associated with development on dipping claystone bedrock. (orig. 4-11-95)

2. Require nonstructural uses such as agriculture and open space within areas that, given the associated hazards, are not suitable for occupied structures. (orig. 4-11-95)

3. Restrict the uses that are particularly vulnerable to dipping claystone bedrock hazards to alleviate hardship and reduce the demands for public expenditures. (orig. 4-11-95)

4. Require permitted land uses in dipping claystone bedrock areas, including public facilities which serve such uses, to protect property by providing for detailed geologic and engineering investigations and the avoidance of or mitigation of the hazards associated with such land uses. (orig. 4-11-95)

5. Regulate the area in which, or the manner in which, structures may be constructed to prevent damage to property. (orig. 4-11-95)

6. Designate, delineate and describe areas that could be adversely affected by dipping claystone bedrock, and to inform individuals purchasing or developing property of the possible hazards associated with the purchase or development of such property. (orig. 4-11-95)

B. GENERAL PROVISIONS

1. Dipping Bedrock Overlays Other Zone Districts:

   a. The Dipping Bedrock Overlay Zone District shall overlay that portion of any other zone district located in the designated dipping bedrock area. The regulations of this district do not supersede the permitted and special uses set forth in the underlying zone district. The regulations shall be construed as supplementary to the regulations imposed by any underlying zone district or other overlay district. When the regulations of this district conflict with any provision of the underlying zone district, the provisions of the Dipping Bedrock Overlay District shall control; otherwise, the provisions of any underlying district shall remain in full force and effect. (orig. 4-11-95)

   b. Applicants for rezoning shall demonstrate to the extent practicable that the proposal has been designed in accordance with the "Intent and Purpose" portion of this Section, as set forth above. (orig. 4-11-95)

2. Boundaries:

   The boundaries of the Designated Dipping Bedrock Area shall be as they appear on the official recorded Designated Dipping Bedrock Area Map as adopted by the Board of County Commissioners and kept on file with the Planning and Zoning Department. The boundary lines on the map shall be determined by the scale appearing on the map. Where there is a conflict between the boundary lines illustrated on the map and actual field conditions, or where detailed investigations show that hazardous conditions are not significant throughout...
the designated area, the conflict shall be settled according to the "Mapping Conflicts," portion of this Section. (orig. 4-11-95)

C. RESTRICTIONS

1. All rezoning applications submitted after the adoption of this Resolution, which propose structures not exempted in the "Permitted Uses and Activities" portion of this Section, and which fall within the Designated Dipping Bedrock Area shall be subject to the following. (orig. 4-11-95)

   a. Detailed grading plans shall be submitted which show overburden soil or fill at least ten (10) feet thick beneath the anticipated level of the bottom of the structure foundation(s) and the top of bedrock. For purposes of this Section, the bottom of the structure foundation is defined as the bottom of footing/pad or bottom of grade beam, whichever is applicable. If deep (pier) foundations are proposed, the Zoning Administrator may require review of such plans by the Engineering Advisory Board. (orig. 4-11-95)

   or

   b. If ten (10) feet of overburden or fill are not proposed, detailed engineering plans shall be submitted to the Engineering Advisory Board. The alternate mitigation plans shall contain the information necessary to determine that potential hazards can be adequately mitigated by other methods. The recommendations of the Engineering Advisory Board shall be forwarded to the Planning Commission and/or Board of County Commissioners before any decision on rezoning by each body. (orig. 4-11-95)

   c. Review of alternate mitigation methods by the Engineering Advisory Board is not required if the Zoning Administrator determines that all of the following conditions are met. (orig. 4-11-95)

      (1) The proposed methods are proven and have become the "standard of practice" by engineers who have substantial knowledge and expertise in the methods used to identify, investigate, mitigate and/or remediate damages due to dipping claystone bedrock. (orig. 4-11-95)

      (2) The proposed methods have been previously reviewed by the Engineering Advisory Board and have been approved for similar site conditions. (orig. 4-11-95)

2. The rezoning application shall include geologic and soils/geotechnical reports prepared according to Part III, Sections 10 and 11 of the "Jefferson County Land Development Regulation." (orig. 4-11-95)

3. Foundation plans submitted with building permit applications for structures which fall within the Designated Dipping Bedrock Area, shall comply with the minimum foundation design requirements outlined in the "Jefferson County Building Code." (orig. 4-11-95)

4. Foundation plans for building permits submitted for structural or remedial repairs which fall within the Designated Dipping Bedrock Area, shall be prepared and signed by a professional engineer, specializing in the field of structural engineering, and registered in the State of Colorado. The engineer shall have substantial knowledge and expertise in the methods used to identify, investigate, mitigate, and remediate damages due to dipping claystone bedrock. At the discretion of the Chief Building Official, any such plans may be subject to review by the Engineering Advisory Board and/or the Board of Review. (orig. 4-11-95)
D. ENGINEERING ADVISORY BOARD

The recommendations of the Engineering Advisory Board shall not be binding on the Planning Commission, Board Of County Commissioners, Chief Building Official or the Board of Review. Each official or board may impose any conditions it deems necessary to mitigate the hazard caused by dipping bedrock. The Planning Commission and the Board of County Commissioners may also decide that the recommendations of the Engineering Advisory Board do not conform to, or are not compatible with other land use plans, policies and considerations. (orig. 4-11-95)

E. PERMITTED USES AND ACTIVITIES

The following uses and activities are permitted without the restrictions established by this Section. (orig. 4-11-95)

1. Structures exclusively for livestock. (orig. 4-11-95)
2. Accessory outbuildings and garages. (orig. 4-11-95)
3. All uninhabited structures. (orig. 4-11-95)
4. Additions to buildings where the existing building was constructed or issued a building permit before the adoption of this Section and where the square footage of the addition does not exceed fifty (50) percent of the original building footprint. (orig. 4-11-95)

F. WARNING AND DISCLAIMER OF LIABILITY

The degree of protection from potential hazards from dipping claystone bedrock intended to be provided by this regulation is considered reasonable for regulatory purposes, and is based on accepted geologic and scientific methods of study, as of April 11, 1995, the effective date of this Resolution. This regulation is intended to reduce the risks, costs and impacts from dipping bedrock hazards. Unforeseen or unknown conditions such as climate, ground water, irrigation or drainage may contribute to future damage to structures and land uses though properly permitted within the provisions of the Dipping Bedrock Overlay District. This regulation does not imply that areas outside the Designated Dipping Bedrock Area boundaries or land uses permitted within such areas will be free from the impact of expansive soils and bedrock hazards. (orig. 4-11-95)

G. MAPPING CONFLICTS

In all cases, a person contesting the location of the Designated Dipping Bedrock Area boundary or the severity of conditions at a specific location within the Designated Dipping Bedrock Area shall be given a reasonable opportunity to present their case to the Zoning Administrator and shall submit geotechnical and geologic evidence to support such contests. The Zoning Administrator shall not allow deviations from the boundary line as mapped or non-permitted land uses within the boundary areas unless technical and geological evidence clearly and conclusively establish that the map location of the line is incorrect, or that the designated hazard conditions do not present a significant hazard to public health, safety or to property at the specific location within the hazard area boundary for the particular proposed land use. (orig. 4-11-95)

H. REVIEW FEES

All reviews costs for the Engineering Advisory Board shall be borne by the rezoning or building permit applicant. The fees shall be as established by the Board of County Commissioners. (orig. 4-11-95)
SECTION 47: LIGHTING

A. INTENT AND PURPOSE

To provide clear regulations for lighting consistent with industry standards and practices, available
technologies, and lighting sciences in an effort to minimize glare, light trespass, and misdirection of
lights and to protect nighttime public safety, security, privacy, productivity, and movement of vehicles
and persons. (orig. 7-23-02)

B. GENERAL PROVISIONS

1. Regulation

a. Nothing in this Section is intended to preclude compliance with the specific zone
district regulations, other regulations within this Zoning Resolution or with County,
State and Federal regulations as they may exist. Where Federal, State or County
requirements conflict with the provisions of this Section, the more restrictive standard
shall apply. (orig. 7-23-02)

b. Nothing in this Section is intended to prevent the use of any design, material or
method of installation not specifically proscribed by this Section provided any such
alternate has been approved by the County. An alternate may be approved if the
proposed design, material or method provides approximate equivalence (or is
superior) to the specific requirements of this Section and complies with the intent of
this Section. (orig. 7-23-02)

2. Procedures

All luminaires newly designed, constructed, erected, or otherwise placed into operation on
or after September 1, 2002, and any alterations, rehabilitation, relocation or renovation to
more than 75% of existing luminaires commenced after September 1, 2002 shall be required
to receive Site Development Plan approval. (orig. 7-23-02)

3. Applicability

a. All luminaries newly designed, constructed, erected, or otherwise placed into
operation on or after September 1, 2002, and any alterations, rehabilitation,
relocation or renovation to more than 75% of existing luminaires commenced after
September 1, 2002 shall be in conformance with the requirements of this Section.
(orig. 7-23-02)

b. Luminaries pre-existing and legally installed and operative before September 1,
2002, are exempt from the requirements of this Section for the life of the luminaries.
(orig. 7-23-02)

C. PROHIBITIONS

The installation, illumination or maintenance of any of the following shall be prohibited in all zone
districts unless they have been approved by a permit issued pursuant to Section 12: Special Events
of this Zoning Resolution. (orig. 7-23-02)

1. Strobe lights. (orig. 7-23-02)

2. Search lights. (orig. 7-23-02)

3. Lasers and other high intensity beams. (orig. 7-23-02)
4. Blinking, flashing, flickering, rotating, pulsing or changing intensity lights. (orig. 7-23-02)

5. Any incident or reflected light that may be confused with or construed as a traffic control device, except as authorized by the State, Federal, or County government. (orig. 7-23-02)

D. EXEMPTIONS

The following shall be exempt from the requirements of this Section. (orig. 7-23-02)

1. Holiday lights in the nature of decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday provided that such lights shall be illuminated for a period of not more than 60 consecutive days nor more than 60 days in any one year. Holiday lights may be of any type, number, area, height, location, illumination or animation, except that they shall not produce incident or reflected light that may be confused with or construed as a traffic control device. (orig. 7-23-02)

2. Any lighting required by the FAA for air traffic control, navigation, and warning purposes. (orig. 7-23-02)

3. Emergency lighting as required by law enforcement or emergency services personnel to protect life or property provided such lighting is temporary and is discontinued immediately upon abatement of the emergency necessitating said lighting. (orig. 7-23-02)

4. Street lighting. (orig. 7-23-02)

5. Construction lighting provided such lighting is temporary and is discontinued immediately upon completion of the construction work. (orig. 7-23-02)

6. Traffic control signals and devices. (orig. 7-23-02)

7. Vehicular lights. (orig. 7-23-02)

E. STANDARDS

1. The following lamps shall be fully shielded, unless otherwise specified in this Section: (orig. 7-23-02)

<table>
<thead>
<tr>
<th>AREA</th>
<th>LAMPS</th>
<th>Residential Uses</th>
<th>All Other Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mountains</td>
<td>All lamps over 3,000 lumens (approximately equivalent to a 150-watt incandescent bulb).</td>
<td>All lamps</td>
<td></td>
</tr>
<tr>
<td>Plains</td>
<td>All lamps over 4,000 lumens (approximately equivalent to a 200-watt incandescent bulb).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Shielding shall not be required for lamps which accent entranceways, building facades, art, sculpture, flags, statuary and other similar objects provided this light is narrowly focused on the object of interest. This exemption does not include pathway lighting, bollards, or other pedestrian or trail circulation illumination. (orig. 7-23-02)
2. Luminaires shall be wholly confined to the property. (orig. 7-23-02)

3. Appropriate pole heights in residential mountain and rural areas are 12 feet. However, in no case shall a maximum of a pole-mounted luminaire be greater than 20 feet. Luminaries for public sports and cultural facilities (including but not limited to public tennis courts, skating rinks, golf courses/driving ranges, trails, parks, swimming pools, baseball/softball/ soccer/football fields, auto/motocross/horse race tracks, etc.) shall be exempt from this provision. (orig. 7-23-02)

4. Maximum illumination levels resulting from on-site lighting shall not exceed the following as measured on the property line (where dissimilar uses share a common property line, the more restrictive level shall apply): (orig. 7-23-02)

<table>
<thead>
<tr>
<th>USE</th>
<th>MAXIMUM ILLUMINATION LEVEL (foot-candles)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mountains</td>
</tr>
<tr>
<td>Commercial, Industrial, Institutional</td>
<td>0.3</td>
</tr>
<tr>
<td>Residential, Active Recreational</td>
<td>0.2</td>
</tr>
<tr>
<td>Passive Recreational</td>
<td>0.1</td>
</tr>
</tbody>
</table>

5. All illuminated signage or illuminated outdoor advertising devices shall comply with the requirements of this Section in addition to the requirements of Section 9: Signs and Outdoor Advertising Devices of this Zoning Resolution. (orig. 7-23-02)

6. All lighting installations proposed for special events shall comply with the requirements of this Section, and any additional provisions established pursuant to the requirements of Section 12: Special Events of this Zoning Resolution and the conditions of the Special Event Permit (if issued). (orig. 7-23-02)

7. All outdoor lighting shall be installed with an on/off switch. (orig. 7-23-02)

F. MEASUREMENTS

1. Illumination shall be measured in foot-candles. All on-site illumination readings shall be measured with a meter sensor in a horizontal position at ground level. (orig. 7-23-02)

2. All foot-candles in this Section are initial horizontal levels. (orig. 7-23-02)

3. All foot-candle measurements shall include the sum of all on-site lighting installations, including all illuminated signs, illuminated outdoor advertising devices, building-mounted lights, and any light spillage from inside buildings. (orig. 7-23-02)

4. Pole-mounted luminaire heights shall be measured from finished grade to the top of the luminaire. Where a pole is located on a berm, the berm height shall be included in the height of the luminaire. (orig. 7-23-02)
SECTION 48: OFF-STREET PARKING AND LOADING

A. INTENT AND PURPOSE

To provide regulations for parking consistent with industry standards and practices, available technologies, and traffic engineering in an effort to protect public security, privacy, and welfare, to provide adequate and accessible, parking facilities, to ensure the safe movement of vehicles, emergency personnel and pedestrians, and to provide for the parking, and loading and unloading of vehicles. (orig. 7-23-02)

B. GENERAL PROVISIONS

1. Regulation
   a. Nothing in this Section is intended to prevent compliance with the specific zone district regulations, other regulations within this Zoning Resolution (e.g. landscaping, lighting, grading) or with State, Federal, or County regulations (e.g. drainage, variances, waivers) as they may exist. Where Federal, State or County requirements conflict with the provisions of this Section, the more restrictive standard shall apply. While this Section is intended to comply with State and Federal regulations, it is recommended that the user reference and comply with non-County regulations as they may exist. (orig. 7-23-02)
   b. Nothing in this Section is intended to prevent the use of any design, material or method of installation not specifically proscribed by this Section provided any such alternate has been approved by the County. An alternate may be approved if the proposed design, material or method provides equivalence (or is superior) to the specific requirements of this Section and complies with the intent of this Section. (orig. 7-23-02)

2. Procedures

New parking facilities proposed or additions, expansions, alterations (other than maintenance) or enlargements over 50 percent of the original area of existing parking facilities for multi-family residential (except duplexes), commercial, industrial, and institutional uses shall be required to receive Site Development Plan approval. (orig. 7-23-02)

3. Applicability
   a. This Section shall apply to new buildings constructed, to additions to existing buildings, to new uses established, or to changes of use that would result in additional parking spaces being required. (orig. 7-23-02)
   b. In all cases, the number of parking spaces required to meet the needs of both the existing and proposed buildings or uses shall be provided. (orig. 7-23-02)

C. GENERAL STANDARDS

1. No Certificate of Occupancy shall be issued for commercial, industrial, multi-family (excluding duplexes), and institutional buildings requiring Site Development Plan approval, until the parking facility (including parking spaces, loading areas, and maneuvering lanes but not including landscaping) or that portion of the parking facility related to the Certificate of Occupancy is complete and has been approved by the County. (orig. 7-23-02)
2. Automobile parking spaces shall be located on the same site as the principal use unless remote parking has been approved pursuant to this Section by the Director of Planning and Zoning. (orig. 7-23-02)

D. NUMBER OF PARKING SPACES REQUIRED

1. Automobile Parking Spaces

   a. Each use permitted shall provide the minimum number of automobile parking spaces indicated in the table below. If a proposed use is not listed in the table, the Planning and Zoning Department shall calculate the required number of parking spaces by applying the requirement for the use listed which is most similar to the proposed use, or shall require the applicant to submit to special review in accordance to the requirements of part D.1.c. of this Section. Public agencies may submit to special review for all uses. (orig. 7-23-02)

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling (Note: 18’ parking spaces in front of garage (full driveway) shall be credited toward the parking requirements)</td>
<td>2.0 per Dwelling Unit</td>
</tr>
<tr>
<td>One or Two Family, Manufactured Home</td>
<td></td>
</tr>
<tr>
<td>Multiple Family, Townhomes, Condominiums, Apartments</td>
<td>2.0 per Dwelling Unit and Guest Parking as follows: 0.25 per Dwelling Unit (1 garage/carport) or 0.5 per Dwelling Unit (2 or more garages or carports)</td>
</tr>
<tr>
<td>Home Occupation</td>
<td>1.0 per Dwelling Unit</td>
</tr>
<tr>
<td>Group Living Facility</td>
<td>2.0 per Dwelling Unit and 1.0 per staff per shift and 0.25 per bed</td>
</tr>
<tr>
<td>Trailer Park Office</td>
<td>3.25 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Mobile Homes, Travel Trailers, Residential Trailers</td>
<td>1.0 per Dwelling Unit</td>
</tr>
<tr>
<td>School</td>
<td>Special Review</td>
</tr>
<tr>
<td>Elementary/Junior</td>
<td>3.0 per classroom</td>
</tr>
<tr>
<td>Senior</td>
<td>5.0 per classroom</td>
</tr>
<tr>
<td>College, Trade, Professional, Vocational</td>
<td>Special Review</td>
</tr>
<tr>
<td>Daycare, Preschool, Nursery</td>
<td>3.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Library, Museum</td>
<td>3.25 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Hospital</td>
<td>Special Review</td>
</tr>
<tr>
<td>Human</td>
<td>1.75 per Bed</td>
</tr>
<tr>
<td>Convalescent/Nursing Home</td>
<td>0.25 per Bed</td>
</tr>
<tr>
<td>Religious Assembly</td>
<td>Special Review</td>
</tr>
<tr>
<td>Houses of Worship, Funeral Home, Mortuary, Mausoleum</td>
<td>0.25 per Fixed Seat</td>
</tr>
<tr>
<td>Correction Facility</td>
<td>Special Review</td>
</tr>
<tr>
<td>Outdoor Uses</td>
<td>Special Review</td>
</tr>
<tr>
<td>Golf Course</td>
<td>8.0 per Hole (this includes associated uses such as restaurant, office, club house, driving range, maintenance shop, etc.)</td>
</tr>
<tr>
<td>Driving Range</td>
<td>1.0 per tee</td>
</tr>
<tr>
<td>Boarding Stable</td>
<td>0.5 per stable</td>
</tr>
</tbody>
</table>
### REQUIRED AUTOMOBILE PARKING SPACES

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miniature Golf</td>
<td>2.0 per hole</td>
</tr>
<tr>
<td>Spectator Sport Facility</td>
<td>20.0 per field or diamond or 0.25 per seat, whichever is larger</td>
</tr>
<tr>
<td>Campground</td>
<td>1 per camp site</td>
</tr>
<tr>
<td>Passive Recreational Uses (hiking/equestrian/bicycle trails, picnic areas)</td>
<td>Special Review</td>
</tr>
<tr>
<td>Playground, Park, Active Recreational Uses (fields, diamonds, etc.)</td>
<td>Special Review</td>
</tr>
<tr>
<td>Tennis Court, Swimming Pool</td>
<td>1.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Special Events</td>
<td></td>
</tr>
<tr>
<td>Medical/Dental Clinics</td>
<td>5.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Government Office, Business or Professional Office</td>
<td>4.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Convention Facility</td>
<td>5.5 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Veterinarian</td>
<td>5.5 per 1,000 GFA</td>
</tr>
<tr>
<td>Retail</td>
<td></td>
</tr>
<tr>
<td>General Retail</td>
<td>4.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Auto Sales, Building Materials, Furniture</td>
<td>2.5 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Wholesale</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Government Office, Business or Professional Office</td>
<td>4.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Convention Facility</td>
<td>5.5 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Recreation Center, Health Club</td>
<td>5.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Recreation Center, Health Club</td>
<td>5.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Lodging</td>
<td>1.0 Sleeping Room and 75% of spaces for other associated uses (e.g. restaurants, office)</td>
</tr>
<tr>
<td>Indoor Commercial Recreational Facilities</td>
<td></td>
</tr>
<tr>
<td>Tennis/Racquet Club</td>
<td>0.75 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Firing Range</td>
<td>1.5 per firing stall</td>
</tr>
<tr>
<td>Bowling Center</td>
<td>4.25 per Lane</td>
</tr>
<tr>
<td>Roller/Ice Rink</td>
<td>4.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Recreation Center, Health Club</td>
<td>5.0 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Banks</td>
<td>4 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Service establishment</td>
<td>4 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Vehicle Facilities</td>
<td>5.5 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Theater</td>
<td>0.5 per Fixed Seat</td>
</tr>
<tr>
<td>Warehouses</td>
<td>0.5 per 1,000 s.f. GFA</td>
</tr>
<tr>
<td>Storage</td>
<td>5.5 per 1,000 s.f. GFA of office</td>
</tr>
<tr>
<td>Manufacturing, Processing, Fabrication</td>
<td>1.50 per 1,000 s.f. GFA</td>
</tr>
</tbody>
</table>
b. Multiple use developments or buildings: The total number of automobile parking spaces required shall be the sum of each individual use requirement unless shared parking has been approved by the Director of Planning and Zoning pursuant to the provisions in this Section. (orig. 7-23-02)

c. Special Review: Where the automobile parking requirements are to be determined by special review, this review shall consist of a study conducted by the applicant indicating all of the following items. After reviewing the study, a minimum parking requirement shall be established and approved by the Zoning Administrator. (orig. 7-23-02)

1. Existing parking facilities, services, or opportunities on site and in the surrounding area. (orig. 7-23-02)

2. Estimates of parking of the proposed use including peak parking, turn-over, and any other parking characteristics of the proposed use. The study shall document the source of data used and assumptions made to develop the parking requirements. (orig. 7-23-02)

3. The availability and feasibility of mitigating parking impacts, if any. (orig. 7-23-02)

4. The degree of conformance of the proposed parking to the intent and purpose of this Section. (orig. 7-23-02)

2. Accessible Parking Spaces: The minimum number of required accessible spaces shall be as indicated in the table below. (orig. 7-23-02)

<table>
<thead>
<tr>
<th>Number of Spaces in Lot</th>
<th>Min. Accessible Spaces Required</th>
<th>Min. Van-Accessible Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-25</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>26-50</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>51-75</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>76-100</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>101-150</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>151-200</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>201-300</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>301-400</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>401-500</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>501-1000</td>
<td>2 percent of total</td>
<td>1 per 8 accessible spaces</td>
</tr>
<tr>
<td>1001 and over</td>
<td>20 plus</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.0 per every 100 stalls over 1000</td>
<td></td>
</tr>
</tbody>
</table>

3. Loading Bays: All commercial and industrial uses shall provide the minimum number of required loading bay spaces as indicated in the table below. For the purposes of this Section, loading bays relate to areas for the loading and unloading of goods rather than people. (orig. 7-23-02)
4. Pump spaces and interior service spaces for gasoline stations and vehicle repair operations may be counted as an automobile parking space when calculating overall automobile parking requirements but in no case shall stacking areas contribute to satisfying the overall automobile parking requirements. (orig. 7-23-02)

5. If the calculation of the required number of parking or loading spaces results in a fraction of a space, the parking or loading requirements shall be rounded up to the next whole number. (orig. 7-23-02)

E. PARKING LOT DESIGN STANDARDS

1. Setbacks: All parking spaces and loading areas shall be located outside of required open space, buffer or landscaped areas. Parking spaces shall be located at least 6 feet from any building, structure, or property line. Loading areas shall be located at least 6 feet from any property line. (orig. 7-23-02)

2. Automobile Parking Space Dimensions: The minimum width of automobile parking spaces shall be 9 feet. The minimum length of all automobile parking spaces shall be 18 feet except that the minimum length of a parking space which is adjacent to a landscaped area may be reduced by 2 feet provided suitable ground cover is placed behind the curb a minimum distance of 2 feet. (orig. 7-23-02)

3. Accessible Spaces: Car-accessible spaces shall contain at least 5 foot access aisle adjacent to the space while van-accessible spaces shall have at least an 8 foot access aisle. Accessible spaces shall be located within 50 feet of the primary building entrance and shall be designed with an accessible route to the building entrance. Accessible spaces shall be a minimum of 8 feet in width, 18 feet in depth. Van-accessible parking spaces, the access aisle, and the vehicular route to and from the van-accessible space shall contain a minimum 98-inch high clearance. (orig. 7-23-02)
4. Sidewalk: Each parking facility requiring Site Development Plan approval and serving more than 8 vehicles shall have a sidewalk or other paved access, no less than 6 feet wide separating the parking area and the primary building, structure or use. (orig. 7-23-02)

5. Loading Bays: Loading bays for goods shall be a minimum of 35 feet in length, 12 feet in width and 15 feet in height. The loading bay shall not occupy or intrude onto any emergency access or fire lane. (orig. 7-23-02)

6. Maneuvering Lane Standards: Minimum maneuvering lane standards are shown in the table below except that if maneuvering lanes provide emergency access to buildings, then the minimum maneuvering lane width shall be increased to 25 feet regardless of the parking angle. (orig. 7-23-02)

<table>
<thead>
<tr>
<th>Parking Angle (degrees)</th>
<th>Maneuvering Lane Width (feet)</th>
<th>Two Way</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>One Way</td>
<td></td>
</tr>
<tr>
<td>30</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>45</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>50</td>
<td>13.25</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>13.66</td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>14.5</td>
<td></td>
</tr>
<tr>
<td>65</td>
<td>15.42</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>16.5</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td>17.83</td>
<td></td>
</tr>
<tr>
<td>90</td>
<td>Not Applicable</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Maneuvering Lane Width (feet)</th>
<th>One Way</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td></td>
</tr>
</tbody>
</table>
7. Surface requirements for parking facilities requiring Site Development Plan approval shall be as follows:
   
a. All parking and loading facilities in the Plains shall be concrete or asphalt and all facilities in the Mountains servicing uses with more than 150 vehicle trips per 24 hours shall be surfaced with concrete, asphalt or other dust control method approved by the County. (orig. 7-23-02)

b. The minimum cross section for an impervious surface under any conditions shall be 2½ inches of hot bituminous pavement and 4 inches of aggregate base course (Class VI) on 6 inches compacted sub-grade or 4 inches of non-reinforced Portland Cement concrete pavement on compacted sub-grade. An equivalent full depth section over compacted sub-grade may also be used with the approval of the Planning Engineer. (orig. 7-23-02)

8. Curb and Gutter: Commercial and industrial uses which require Site Development Plan approval and contain a parking facility with an impervious surface shall require curb and gutter as follows:
   
a. Raised curb shall be required for the perimeter of the parking lot and for all islands within the parking lot. (orig. 7-23-02)

b. Raised curbs shall be concrete. (orig. 7-23-02)

9. Drainage: All parking and loading facilities shall be designed, graded and provided with storm drainage facilities that comply with the most recent Storm Water and Drainage Criteria Manual except that sheet drainage shall not exceed 200 feet in the direction of flow. Parking areas wider than 42 feet shall contain some mechanism for concentrated flow of drainage, such as swales or underdrains. Drainage from snow storage, driplines, subdrains, and sheet flow from areas other than parking shall be diverted away from and shall not cross parking areas. (orig. 7-23-02)

10. Illumination: Lighting used to illuminate parking and loading areas shall comply with Section 47: Lighting of this Zoning Resolution. Lighting poles in parking areas shall be placed a minimum of 5 feet outside the parking lot area or 5 feet behind perimeter tire stop locations; or mounted on pedestals at least 30 inches high above the parking lot surface; or protected by other acceptable means. (orig. 7-23-02)

11. Grading: Grading shall comply with Section 11 (Grading and Erosion Control) of this Zoning Resolution. The maximum grade within parking lots, excluding maneuvering lanes, shall be 6 percent in any direction, except for passive recreational uses where the maximum grade may be 8 percent. (orig. 7-23-02)

12. Landscaping: Landscaping for parking facilities shall comply with Section 49: Landscaping of this Zoning Resolution. (orig. 7-23-02)

13. Vision Clearance: Parking signage, structures, landscaping and the location of parking spaces shall be designed so as to comply with the corner vision clearance requirements of the underlying zone district. (orig. 7-23-02)

14. Parking Space Delineation
   
a. Surface Markings: All paved parking areas shall be marked by painted lines striped at least 18 feet long and 4 inches wide to establish vehicular and pedestrian movement and to define parking spaces. All accessible spaces shall be designated by a standard diagram centered on the ground of each parking space as specified below. (orig. 7-23-02)
b. Signage: All accessible spaces shall be designated by a sign mounted on a post centered at the head of each space at a height of no less than 3.5 feet and no more than 6 feet above the surface as indicated below. All directional signs, excluding those required for accessible spaces, shall comply with Section 9: Signs and Outdoor Advertising Devices of this Zoning Resolution. (orig. 7-23-02)

Note: Sign Lettering to be Upper Case

15. No portion of a parking space or loading area shall extend into any street right-of-way or other public way. (orig. 7-23-02)

16. Except for single-family or duplex residential uses, head-in or back-out parking onto any public right-of-way, high-volume traffic lane or over a sidewalk shall not be permitted. (orig. 7-23-02)
F. REMOTE PARKING

1. The Zoning Administrator may approve locating the required automobile parking for a use on a remote site provided all of the following conditions are satisfied:

   a. Both the primary use and related off-site parking are located in a zone district which allows the primary use. (orig. 7-23-02)

   b. The remote parking site is located within 300 feet of the primary use it serves, except for valet parking facilities. (orig. 7-23-02)

   c. On-site parking has been maximized. (orig. 7-23-02)

   d. All required accessible parking and loading spaces have been provided on-site. (orig. 7-23-02)

   e. Submission of a written agreement between the record owners guaranteeing the use and operation of remote parking areas for the life of the principal use. (orig. 7-23-02)

G. SHARED PARKING

1. The Director of Planning and Zoning may approve the reduction of required automobile parking spaces for mixed-use developments under the following conditions:

   a. The applicant has submitted a study that clearly demonstrates the feasibility of shared parking. This study shall indicate overall peak parking demand, traffic loads and impacts for each of the buildings, structures or uses including the characteristics (size, tenant mix), the days and hours of operation, the differences in projected peak parking demand per building, structure or use, the anticipated rate of parking turnover, and total vehicle movements for the parking facility as a whole. (orig. 7-23-02)

   b. The proposed building, structures or uses are on the same site or a remote parking plan has been approved by the Director of Planning and Zoning. (orig. 7-23-02)

   c. Automobile parking space requirements have not been reduced by more than 50 percent of the sum total of all proposed uses. (orig. 7-23-02)

   d. The impact of the shared parking is consistent with the intent and purpose of the zone district. (orig. 7-23-02)

   e. Submission of a written agreement between the record owners and affected tenants guaranteeing the use and operation of shared parking areas for the life of the principal use. (orig. 7-23-02)

H. STACKING

1. Vehicle Stacking: For Shopping or Recreation Centers, Discount Stores, Banks, and Medical Clinics and similar uses, the minimum required length of an on-site exit aisle between the parking lot and the public street or right-of-way shall be 20 feet or as indicated in the table below. A stacking distance less than 125 feet may be permitted with the approval of the Planning Engineer. Required stacking distances shall be measured from the edge the first maneuvering lane and may be distributed among accesses serving the site. (orig. 7-23-02)
### REQUIRED EXIT STACKING

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Building Area (s.f.)</th>
<th>Min. Stacking Distance Required (feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Local Road</td>
</tr>
<tr>
<td>Shopping</td>
<td>0-10,000</td>
<td>20</td>
</tr>
<tr>
<td>Center,</td>
<td>10,001-20,000</td>
<td>20</td>
</tr>
<tr>
<td>Recreation Center</td>
<td>20,001-30,000</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>30,001-40,000</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>40,001-50,000</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>50,001-100,000</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>100,001-150,000</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>150,001-200,000</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>200,001-250,000</td>
<td>120</td>
</tr>
<tr>
<td></td>
<td>250,001-300,000</td>
<td>140</td>
</tr>
<tr>
<td></td>
<td>300,001-600,000</td>
<td>140</td>
</tr>
<tr>
<td></td>
<td>600,001-700,000</td>
<td>160</td>
</tr>
<tr>
<td></td>
<td>700,001-800,000</td>
<td>180</td>
</tr>
<tr>
<td></td>
<td>800,001-900,000</td>
<td>200</td>
</tr>
<tr>
<td></td>
<td>900,001-1.00 M</td>
<td>220</td>
</tr>
<tr>
<td></td>
<td>1.00 M-1.5M</td>
<td>340</td>
</tr>
<tr>
<td>Discount Store</td>
<td>0-30,000</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>30,001-50,000</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>50,001-75,000</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>75,001-100,000</td>
<td>40</td>
</tr>
<tr>
<td>Supermarket</td>
<td>0-20,000</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>20,001-30,000</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>30,001-40,000</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>40,001-50,000</td>
<td>20</td>
</tr>
<tr>
<td>Bank</td>
<td>0-10,000</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>10,001-20,000</td>
<td>40</td>
</tr>
<tr>
<td></td>
<td>20,001-30,000</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>30,001-40,000</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>40,001-50,000</td>
<td>120</td>
</tr>
<tr>
<td>Medical Clinic</td>
<td>0-100 Employees</td>
<td>20</td>
</tr>
</tbody>
</table>

2. Drive-up Areas: The minimum required length of an on-site maneuvering lane within a parking lot to a drive-up window or drive-through service shall be determined by Planning Engineering based on a traffic study submitted by the applicant unless otherwise indicated in the table below. (orig. 7-23-02)
<table>
<thead>
<tr>
<th>Type of Facility</th>
<th>Min. Stacking Distance Required (feet)</th>
<th>Measured From</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drive-up Bank Teller Lane</td>
<td>80 per window</td>
<td>Teller Window</td>
</tr>
<tr>
<td>Drive-up Bank ATM</td>
<td>60</td>
<td>ATM Window</td>
</tr>
<tr>
<td>Drive-up Restaurant</td>
<td>120 per window (min. 80 feet between the order box and pick-up windows)</td>
<td>Order Window</td>
</tr>
<tr>
<td>Drive-up Liquor Store</td>
<td>60 per window</td>
<td>Service Window</td>
</tr>
<tr>
<td>Drive-up Cleaners</td>
<td>60 per window</td>
<td>Service Window</td>
</tr>
<tr>
<td>Drive-in Theatre</td>
<td>20 per 15 percent of total parking spaces</td>
<td>Theatre Entrance</td>
</tr>
<tr>
<td>Automatic Car Wash</td>
<td>100 per wash line</td>
<td>Car Wash Entrance</td>
</tr>
<tr>
<td>Self-service Car Wash</td>
<td>60 per wash line</td>
<td>Car Wash Entrance</td>
</tr>
<tr>
<td>Service Station</td>
<td>60 per pump area</td>
<td>Center of Pump Island</td>
</tr>
<tr>
<td>Hospital Emergency Entrance</td>
<td>20 per 1 percent of total parking spaces</td>
<td>Emergency Entrance</td>
</tr>
</tbody>
</table>

Minimum 80' Stacking Behind Pick-up Window

Minimum 60' Stacking Spaces per Pump Island

Minimum 40' Stacking Behind Order Box

Separate Stack Lane

Minimum 100' Stacking Behind Entrance
I. USE OF PARKING SPACES AND LOADING AREAS

1. Parking spaces and loading areas shall not be used for the sale or display of merchandise or materials, storage or repair of vehicles or equipment, for trash containment areas, or for shopping cart storage unless otherwise permitted by the Zoning Resolution and approved by the Planning and Zoning Department. (orig. 7-23-02)

2. Loading areas shall not be used as parking spaces. (orig. 7-23-02)

J. MAINTENANCE

1. All required parking facilities shall be maintained for the duration of the use or building requiring such facilities. (orig. 7-23-02)

2. Parking facilities shall be maintained in good condition, free of weeds, dust, trash and debris, and major surfacing defects. (orig. 7-23-02)
A. INTENT AND PURPOSE

To provide clear regulations for landscaping design, installation and maintenance consistent with landscape and nursery standards and practices, available technologies, and horticultural sciences in an effort to:

1. Buffer, separate, or screen conflicting land uses to mitigate adverse impacts from noise, odor, or lighting. (orig. 7-23-02)

2. Promote safety and privacy of residents and businesses. (orig. 7-23-02)

3. Conserve native vegetative resources and preserve and protect native ecosystems and habitats, existing trees, and trees of historic or other significant value. (orig. 7-23-02)

4. Complement the natural landscape and retain the aesthetic and ecological integrity of a mountain or plains environment. (orig. 7-23-02)

5. Require landscaping appropriate to the land use, terrain, local climate, elevation and character of the area. (orig. 7-23-02)

6. Reduce erosion, storm water runoff, and air pollution. (orig. 7-23-02)

7. Ensure the continued maintenance of landscaping. (orig. 7-23-02)

8. Promote wildfire-safe environments in the mountains. (orig. 7-23-02)

B. GENERAL PROVISIONS

1. Regulation
   a. Nothing in this Section precludes compliance with the specific zone district regulations, other regulations within this Zoning Resolution or other County regulations, or with State and Federal regulations as they may exist. Where Federal, State or County requirements conflict with the provisions of this Section, the more restrictive standard shall apply. Where it is difficult to discern the more restrictive standard, the standard that is more local in application shall apply. (orig. 7-23-02)
   b. The provisions of this Section are not intended to prevent the use of any design, material or method of installation not specifically proscribed by this Section provided any such alternate has been approved by the Director of Planning and Zoning or his appointed designee. An alternate may be approved if the proposed design, material or method is equal to or better than the specific requirements of this Section and complies with the intent of this Section. (orig. 7-23-02)

2. Procedures
   a. Site Development Plan applications shall be accepted, reviewed and processed pursuant to the Site Development Plan process outlined in Section 1 of this Zoning Resolution. (orig. 7-23-02)
b. Commercial, office, industrial, institutional, and multi-family proposals shall submit a landscaping plan pursuant to the provisions of the Site Development Plan process. Landscaping plans for single-family residential and duplex developments shall be required for common areas only, both internal to and around the perimeter of the subdivision, but not for individual lots. (orig. 7-23-02)

3. Applicability

a. All landscaping newly designed, constructed, erected, or otherwise installed on or after September 1, 2002 for commercial, office, industrial, institutional, multi-family proposals and common areas of single-family and duplex proposals shall be in conformance with the requirements of this Section. The requirements of this Section do not apply to individual single-family lots. (orig. 7-23-02)

b. Any alterations, rehabilitation, or renovations to existing landscaping commenced after September 1, 2002 shall be in conformance with the requirements of this Section except where an existing landscaping plan has been approved on the site. Where existing landscaping has been approved through a County process, additional landscaping shall be compatible with the previously approved landscaping and is not required to comply with any regulations which may be inconsistent to the existing landscaping. (orig. 7-23-02)

c. Buildings and structures lawfully existing as of the date of adoption of this regulation (September 1, 2002) may be modernized, altered, expanded, or repaired without providing or modifying the landscaping providing there is no cumulative increase in floor area in such building or structure beyond 50% of the size of the building as it existed on September 1, 2002. (orig. 7-23-02)

d. Landscaping shall not be required for additions, expansions, alterations or enlargements of an existing parking facility where the number of additional cumulative spaces required is less than 50 percent of the number of automobile parking spaces required at original construction. Where interior landscaping is proposed, it shall be consistent with the existing landscaping or, if it exists, the pre-approved landscape plan. (orig. 7-23-02)

e. The maintenance provisions shall apply to all landscaping that has been approved by the County and for which there is an approved landscape plan on record. (orig. 7-23-02)

C. PROHIBITIONS

The installation and maintenance of the following shall be prohibited in Jefferson County:

1. All plants identified as noxious weeds by Jefferson County, the State of Colorado or the Federal government; female Box Elder (Acer negundo); White or Silver Poplar (Populus alba); Siberian Elm (Ulmus pumila); and Tree of Heaven (Ailanthus altissima). (orig. 7-23-02)

2. For maintenance reasons, within 30 feet of any street or road: Silver Maple (Acer saccharinum), Narrow-leaf Cottonwood (Populus angustifolia), Plains Cottonwood (Populus sargentii), Eastern Cottonwood (Populus deltoides), Lombardy Poplar (Populus nigra 'Italica'), tree-form Willow (Salix). (orig. 7-23-02)

D. EXEMPTIONS

The following shall be exempt from the requirements of this Section and shall not count toward the calculation of landscaped area unless it meets the intent and purpose of this Section and has been approved by the Director of Planning and Zoning or his appointed designee. (orig. 7-23-02)
1. Areas used for farming or ranching. (orig. 7-23-02)

2. Areas governed by a conservation easement established for the purpose of preserving natural areas. (orig. 7-23-02)

3. Areas designed to remain in a natural state, including areas required to be thinned by the Colorado Forest Service. (orig. 7-23-02)

E. GENERAL STANDARDS

1. Design

   a. All landscaping areas shall comply with the corner vision clearance requirements of each zone district. Trees branches may encroach into the corner vision clearance triangle provided the lowest branch shall be at least 7 feet higher than the finished grade of the street or road. In addition, landscape materials located within the vision clearance triangle and within 5 feet of the back of curb shall not exceed 36 inches at mature height. (orig. 7-23-02)

   b. Landscape materials shall be selected, sited, and planted to produce a hardy and drought-resistant landscaped area. Selection shall include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and wind, elevation, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site, and on adjacent sites. (orig. 7-23-02)

   c. Landscaping shall be designed to incorporate water conserving materials and techniques through the application of xeriscape landscaping principles. Xeriscape landscaping principles do not include or allow artificial turf or plants, mulched or gravel (including crushed rock, etc) beds or areas without landscape plant material, bare ground, weed infested surfaces or any landscaping that does not comply with the standards of this Section. Xeriscape landscaping principles shall include all of the following:

      (1) Grouping plants with similar water and sunlight requirements together. (orig. 7-23-02)

      (2) Limiting the application of turf to appropriate high-use areas with high visibility and functional needs. (orig. 7-23-02)

      (3) Use of low-water demanding plants and turf where suitable. (orig. 7-23-02)

      (4) Use of automatic irrigation systems, designed and operated to conserve water. (orig. 7-23-02)

      (5) Incorporation of soil amendments, where appropriate. (orig. 7-23-02)

      (6) Use of mulches. (orig. 7-23-02)

      (7) Planting appropriate materials suited to the soil and climate. (orig. 7-23-02)
d. The minimum horizontal distance between trees and the following items shall be as follows, unless otherwise stated in this Section: (orig. 7-23-02)

<table>
<thead>
<tr>
<th>Item</th>
<th>Distance from Tree</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streetlight</td>
<td>30 feet</td>
</tr>
<tr>
<td>Water Mains</td>
<td>9 feet</td>
</tr>
<tr>
<td>Gas Lines</td>
<td>No trees permitted within easement</td>
</tr>
<tr>
<td>Back of Curb and Gutter, Sidewalk</td>
<td>4 feet</td>
</tr>
<tr>
<td>Ditch Flowline</td>
<td>3 feet</td>
</tr>
</tbody>
</table>

e. All areas disturbed by construction but intended for development as part of a later phase shall be revegetated with a mix of perennial grasses and native wildflowers to emulate a natural appearance appropriate for site conditions. (orig. 7-23-02)

2. Installation

Plant materials shall be installed to current nursery standards and sound horticultural practices, including any support devices required, in a manner designed to encourage quick establishment and healthy growth. (orig. 7-23-02)

3. Plant Sizes

a. The following minimum sizes shall be required. (orig. 7-23-02)

<table>
<thead>
<tr>
<th>Type</th>
<th>Size (measured 1'0&quot; above finished grade)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deciduous Trees (balled &amp; burlapped)</td>
<td>2&quot; caliper (shade trees) 1½&quot; caliper (ornamental trees)</td>
</tr>
<tr>
<td>Coniferous Trees (balled &amp; burlapped)</td>
<td>6'0&quot; high</td>
</tr>
<tr>
<td>Ground Cover, Perennials, Ornamental Grasses</td>
<td>1 gallon</td>
</tr>
<tr>
<td>Shrubs</td>
<td>5 gallon</td>
</tr>
</tbody>
</table>

b. Species diversity for trees shall be required as specified below: (orig. 7-23-02)

<table>
<thead>
<tr>
<th>No. of Trees</th>
<th>Maximum % of any One Species</th>
<th>Mountains</th>
<th>Plains</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10</td>
<td>none</td>
<td>none</td>
<td>none</td>
</tr>
<tr>
<td>10 or more</td>
<td>50%</td>
<td>33%</td>
<td></td>
</tr>
</tbody>
</table>

4. Preservation:

a. Except as provided in part 4.c. below, the following shall be preserved and protected where practicable, unless preservation or protection conflict with floodplain, dipping bedrock, wildfire regulations or other County, State or Federal requirements:

(1) Healthy trees over 6" in caliper in the Plains and 8" in caliper in the Mountains, measured 4.5 feet above finished grade. (orig. 7-23-02)
(2) Trees associated with a historic event, place, person or which are unusual, rare or significant, as determined by the County or Forest Service. (orig. 7-23-02)

(3) Vegetation, not including trees, over 8 feet in height. (orig. 7-23-02)

(4) Mature clusters or stands of healthy trees or shrubs. (orig. 7-23-02)

(5) Riparian, wetland and critical wildlife areas. (orig. 7-23-02)

b. Each existing preserved tree meeting the above criteria shall count triple towards meeting the tree quantity requirements of this Section. (orig. 7-23-02)

c. Any tree meeting the preservation and protection criteria above which cannot be protected or preserved shall be replaced with 3 trees meeting the size and quality standards in this Section. (orig. 7-23-02)

d. Prior to commencement of and during any construction activity (except for utility line installation), a temporary barrier shall be erected at the dripline around existing trees that are slated for protection. This barrier shall consist of bright plastic fencing a minimum of 4 feet in height, secured with metal t-posts. (orig. 7-23-02)

5. Inspection

a. The landowner shall request an inspection by the Planning and Zoning Department upon installation of all landscape improvements (final inspection). (orig. 7-23-02)

b. The landscaping and all site work shall be completed in accordance with the approved landscape plan for the project. (orig. 7-23-02)

6. Security

a. Prior to approval of the Site Development Plan, the landowner shall submit an improvement security in an amount necessary to ensure compliance with the standards in this Section and the approved landscape plan. (orig. 7-23-02)

b. The amount of the security shall be 100% of the cost of the landscaping material plus a contingency amount equivalent to 10% of the total cost. The cost of all landscaping material shall be based on the County’s price list. All items shown on the approved landscape plan shall be secured to ensure installation, including but not limited to all proposed soft and hardscape items, and barriers for existing trees slated for protection. (orig. 7-23-02)

c. The security shall be in the form of cash escrow or an irrevocable letter of credit payable to the Board of County Commissioners of Jefferson County. (orig. 7-23-02)

d. The security shall be released only after final inspections have been made and all landscaping has been accepted by the County, either for the entire site or for a phase of construction. (orig. 7-23-02)

F. SPECIFIC STANDARDS

1. All Land Uses

Landscaping shall be required for all common areas proposed internal to and around the perimeter of any single-family or duplex development with 5 or more lots, for any multi-family development, and for commercial, office, institutional and industrial uses as follows:
a. Perimeter Areas

(1) A 20 foot wide (average) strip shall be landscaped adjacent to arterial streets and 10 foot wide (average) adjacent to collector streets. This landscaped strip shall be wholly contained within the site unless otherwise approved by the Planning and Zoning Department. (orig. 7-23-02)

(2) Landscaping shall be installed at a density of at least 1 tree per every 30 lineal feet of perimeter landscaped area and 5 shrubs per 1,000 square feet of the total perimeter landscaped area. (orig. 7-23-02)

(3) Turf areas shall comprise no more than 75% of the total perimeter landscaped area in the plains and 20% in the mountains. (orig. 7-23-02)

b. Internal Areas

(1) Landscaping shall be installed at a density of at least 1 tree and 5 shrubs per 1,000 square feet of the total internal landscaped area. (orig. 7-23-02)

(2) Except for sports fields and other similar uses, turf areas shall comprise no more than 75% of the total internal landscaped area in the Plains and 10% in the Mountains (except for multi-family in the mountains, which shall be 75%). Gravel or rock shall not comprise more than 25% of the landscaped area. (orig. 7-23-02)

c. The total required minimum landscaped area (includes both perimeter and internal landscaped areas) is as follows, unless already specified in an approved Official Development Plan. (orig. 7-23-02)

<table>
<thead>
<tr>
<th>Use</th>
<th>Percent (%) of Total Site Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-Family</td>
<td>35%</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>10%</td>
</tr>
<tr>
<td>Commercial, Office, Light Industrial, Institutional</td>
<td>15%</td>
</tr>
</tbody>
</table>

d. Commercial, office, institutional and industrial uses (including parking facilities) proposed adjacent to existing or proposed residential uses shall require the installation of a 10 foot wide landscaped screen which visually obscures or obstructs the commercial, office, institutional or industrial use from the residential use. No less than 75% of this landscaped screen shall be composed of evergreen vegetation a minimum of 12 feet in height and at least one tree per 30 lineal feet of landscaped screen area shall be required. Ground cover plants, native grass or turf must fully cover the remainder of the landscaped area except under trees where mulch may be used. A 6 foot high closed masonry or wood wall, fence, or berm may be substituted for the evergreen vegetation, but the trees and ground cover are still required. (orig. 7-23-02)

2. Parking Lots

a. Landscaping shall be provided within and around the perimeter of all parking lots except adjacent to buildings on the site. (orig. 7-23-02)

b. A minimum of 1 tree and 5 shrubs per 500 square feet of landscaped area internal to and around the perimeter of the parking lot shall be provided. (orig. 7-23-02)
c. Minimum landscaped areas internal to the parking lot shall be no less than 5% of the total impervious parking lot area. For the purposes of this Section, internal landscaped areas of a parking lot shall be defined as landscaped islands. (orig. 7-23-02)

d. Each landscaped island proposed shall include at least one shade tree, include at least 80 square feet of ground area per tree, and have raised curbs or wheel stops. (orig. 7-23-02)

3. Arterial and Collector Streetscape

a. Trees may be formally massed to produce a steady, discernible rhythm or row or may be clustered to provide groups of trees. (orig. 7-23-02)

b. Ground cover, turf, or native grass shall be used to cover the landscaped area between trees and/or shrubs. (orig. 7-23-02)

c. Along the south side of east-west streets, evergreens shall be a minimum of 15 feet from the back of the curb or edge of the road. (orig. 7-23-02)

d. All irrigated landscaping adjacent to streets in the Dipping Bedrock Overlay District shall contain perimeter drains. (orig. 7-23-02)

e. All medians greater than 4 feet in width shall be landscaped and landscaping material shall be limited to the following: (orig. 7-23-02)

<table>
<thead>
<tr>
<th>Width of Median</th>
<th>Landscaping Material Permitted</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 feet or less</td>
<td>Hardscapes (no more than 25% of the median area)</td>
</tr>
<tr>
<td></td>
<td>Shrubs under 36&quot; in height</td>
</tr>
<tr>
<td></td>
<td>Turf</td>
</tr>
<tr>
<td></td>
<td>Native Grass</td>
</tr>
<tr>
<td></td>
<td>Ground Cover</td>
</tr>
<tr>
<td>More than 10 feet</td>
<td>Trees (excluding evergreens)</td>
</tr>
<tr>
<td></td>
<td>Shrubs</td>
</tr>
<tr>
<td></td>
<td>Hardscapes (no more than 25% of the median area)</td>
</tr>
<tr>
<td></td>
<td>Turf</td>
</tr>
<tr>
<td></td>
<td>Native Grass</td>
</tr>
<tr>
<td></td>
<td>Ground Cover</td>
</tr>
</tbody>
</table>
4. Detention Ponds
   a. No trees shall be planted below the water surface elevation. (orig. 7-23-02)
   b. The applicant shall demonstrate that any vegetation proposed within the detention pond does not impede access for maintenance purposes. (orig. 7-23-02)

G. MEASUREMENTS
   1. Spacing for plant placement shall be measured from the centerline of the tree or shrub. (orig. 7-23-02)
   2. Unless otherwise specified in this Section, trunk caliper (the diameter of the tree trunk) shall be measured 12 inches above grade for trees 4 inches or less in diameter and 4.5 inches above grade for trees greater than 4 inches in diameter. (orig. 7-23-02)

H. MAINTENANCE
   1. Maintenance of required landscaping, including irrigation systems, fences, walls, sidewalks and other landscape structures where they exist, is the ongoing responsibility of the landowner. Where irrigation systems, landscaping or sidewalks exist or are proposed to be installed within County rights-of-way, maintenance shall be the responsibility of the applicable Homeowner Association (or equivalent) or adjoining landowner unless otherwise agreed to by the County. The County shall have the right to remove any irrigation systems, landscaping, or sidewalks within rights-of-way. (orig. 8-17-99; am. 7-23-02)
   2. Plant materials in required landscaped areas shall be continuously maintained in a healthy, growing and orderly condition. This shall include proper pruning, mowing of turf areas, fertilization, the regular application of appropriate quantities of water and the regular treatment and repair of all diseased or insect ridden materials. All unhealthy, damaged, destroyed, irreparable, removed, or dead plant materials shall be replaced within one (1) growing season (where a growing season is defined as the period between April 15 and October 15) with plant materials of similar variety. In all cases, the replacement plant material shall preserve the intent and purpose of the original plant material and shall comply with the requirements of this Zoning Resolution. (orig. 8-17-99; am. 7-23-02)
   3. Structures in required landscaped areas, such as irrigation systems, fences, walls, sidewalks and other landscape elements, shall be continuously maintained in a structurally sound and orderly condition. All damaged, destroyed, irreparable, or removed landscape structures shall be replaced within one (1) year with similar structures. In all cases, the replacement structure shall preserve the intent and purpose of the original structure and shall comply with the requirements of this Zoning Resolution. (orig. 8-17-99; am. 7-23-02)
   4. Required landscaped areas shall be kept free of trash, litter, weeds, pests, and other such elements not part of the approved landscaping plan. (orig. 8-17-99; am. 7-23-02)
SECTION 50: MINIMUM ARCHITECTURE STANDARDS

A. INTENT

These regulations are intended to provide minimum building design requirements for multi-family, commercial, industrial and institutional development. Jefferson County has a natural environment of outstanding visual quality that contributes to a high quality of life and to property values. These standards exist to ensure buildings integrate with the natural environment, to protect and enhance land and property, to maintain the values created in the community, and to promote the health, safety and general welfare of the community. (orig. 7-23-02)

B. GENERAL PROVISIONS

1. Applicability: This section shall regulate the exterior design of buildings and structures and the design of streetscape associated with all new buildings developed for multi-family, commercial, industrial and institutional uses. It shall also regulate the exterior design of buildings and structures and the design of streetscape for building additions with a multi-family, commercial, industrial and institutional use which cumulatively equal or are larger than 50% of the size of the building as it existed on the date of adoption of this amendment to the Zoning Resolution. (orig. 7-23-02)

2. Exemptions: The requirements of this section shall not apply to single-family residential or agricultural uses. (orig. 7-23-02)

C. SIMILAR THEMES AND ELEMENTS WITHIN DEVELOPMENTS

Buildings, structures and streetscape within a development shall maintain a similar style of architectural theme. Architectural design, building materials, colors, forms, roof style and detailing shall be similar. (orig. 7-23-02)

D. EXTERIOR BUILDING MATERIALS AND COLORS

1. The use of exterior wall finish materials that either resemble or are the natural materials of brick, stone, slate, stucco, wood, textured block, textured concrete or colored concrete is required. Alternative materials can be utilized upon approval by the Director of Planning and Zoning when their use promotes design innovation. (orig. 7-23-02)

2. Colors, forms and textures similar to the surrounding landscape shall be used. Exterior building material colors shall be low-reflectance, subtle, neutral or earth-tone. (orig. 7-23-02)
3. In the plains, building trim and accent areas may feature brighter colors, including the primary colors. (orig. 7-23-02)

4. In the mountains, mirror glass with a reflectivity or opacity of greater than 30 percent is prohibited. (orig. 7-23-02)

E. FACADE TREATMENT

1. Side and rear walls of all buildings shall be constructed of similar building materials and contain similar architectural treatment as the front of the building, excluding window areas. (orig. 7-23-02)

F. SCREENING OF ACCESSORY EQUIPMENT

1. Ground level mechanical and electrical equipment shall be screened with landscaping or with walls taller than the mechanical or electrical equipment being screened. Screening shall be consistent with the overall site design. (orig. 7-23-02)
2. Mechanical and electrical equipment shall not be sited on the roof of a building unless the equipment can be screened with walls taller than the equipment being screened. The screening of roof top mechanical and electrical equipment shall be with architectural elements designed as an integral part of the building. (orig. 7-23-02)

Does meet standard

Does not meet standard

3. Loading, service, open storage and trash areas shall be screened at the horizontal plane of the subject property from residences and public roads, trails and parks in accordance with the overall site design. (orig. 7-23-02)

Does meet standard

Does not meet standard

G. BUILDING ARTICULATION

1. Entrances into buildings shall be easily identified through building design including the use of recessed or projected entryways, higher rooflines or changes in building massing, material or color. (orig. 7-23-02)

Does meet standard

Does not meet standard
2. Exterior walls shall be articulated by the use of architectural features including the variation of materials and colors or a change in surface plane. In the plains, exterior walls over 50 feet in length shall feature changes in surface plane at no less than 50 feet intervals. In the mountains, exterior walls over 36 feet in length shall feature changes in surface plane at no less than 36 feet intervals. (orig. 7-23-02)
H. ROOF TREATMENTS

1. All buildings must feature either a sloped roof or parapets screening a flat roof. (orig. 7-23-02)

2. A flat roof, if specified, shall be screened with parapets on all sides of the building. Parapets shall be at least 12 inches in height and be on all facades of the building. (orig. 7-23-02)

I. BUILDING SCALE AND MASSING

1. This section is applicable only to buildings of greater than 25,000 square feet, Gross Floor Area, (GFA) in the mountains. (orig. 7-23-02)

2. All other sections of this Resolution shall also apply to these buildings. (orig. 7-23-02)

3. Buildings over 35 feet in height shall have their visual mass reduced by a variation in horizontal facade. (orig. 7-23-02)